

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, NOVEMBER 24, 2009
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.**

Commissioners Present: Bernie Heier, Chair
Ray Stevens, Vice Chair
Deb Schorr
Bob Workman

Commissioners Absent: Larry Hudkins

Others present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer and
Interim Lancaster Manor Administrator
Tom Fox, Deputy County Attorney
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Angela Zocholl, County Clerk's Office

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 9:30 a.m.

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting and the minutes of the One and Six-Year Road and Bridge public hearing held on Tuesday, November 17, 2009.**

MOTION: Schorr moved and Workman seconded approval of the minutes. Schorr, Workman, Stevens and Heier voted aye. Motion carried 4-0.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, November 24, 2009.**

MOTION: Workman moved and Schorr seconded approval of the claims. Schorr, Workman, Stevens and Heier voted aye. Motion carried 4-0.

- 3) **SPECIAL PRESENTATION:**

- A. **Attestation review of Lancaster Manor, July 1, 2007, through June 30, 2009 – Mike Foley, Nebraska State Auditor.**

Heier said Mike Foley's presentation would be delayed until December 1, 2009.

4) **PUBLIC HEARING:**

- A. **A corporate manager application for Arnold Cihal in connection with a Class I (Beer, Wine and Distilled Spirits On Sale Only) liquor license, for Miller Long VFW 3606, Inc., d/b/a Miller Long Post 3606 VFW Veterans, located at 3340 West A Street, Lincoln, Lancaster County, Nebraska. (See Item 5A for correlating document.)**

The Chair opened the public hearing.

Arnold Cihal was administered the oath.

Cihal stated he would be taking over as VFW manager. He said it was voluntary, and the facility would probably close if he did not take the position.

Schorr asked about the hours of operation. Cihal said the VFW was open Saturday from 3:00 p.m. to 1:00 a.m. and Friday from 7:00 p.m. until 10:00 p.m.

Schorr asked Cihal if he had taken the responsible hospitality course. Cihal said he had not, but he would be willing to take it.

Cihal clarified for Heier that the VFW liquor license was currently in effect; this application would simply allow him to become the new manager.

The Chair closed the public hearing.

5) **NEW BUSINESS:**

- A. **A resolution in the matter of an application for corporate manager for Arnold Cihal in connection with a Class I (Beer, Wine and Distilled Spirits On Sale Only) liquor license, for Miller Long VFW 3606, Inc., d/b/a Miller Long Post 3606 VFW Veterans, located at 3340 West A Street, Lincoln, Lancaster County, Nebraska. (R-09-0097)**

MOTION: Stevens moved and Workman seconded approval of the resolution. Stevens, Workman, Schorr and Heier voted aye. Motion carried 4-0.

- B. **A resolution fixing the date, time and place for a public hearing regarding a request to vacate a portion of North 98th Street from Ashland Road to a point approximately 1600 feet south of Ashland Road lying in the Northeast Quarter of Section 2, Township 12 North, Range 7 East of the 6th Principle Meridian, Lancaster County, Nebraska. (Public hearing is scheduled for January 5, 2010.) (R-09-0095)**

Workman requested to change the date of the public hearing to January 19 since he would be absent on January 5.

5) **NEW BUSINESS CONTINUED:**

MOTION: Workman moved and Stevens seconded approval of the resolution with the public hearing date change to January 19. Workman, Schorr, Stevens and Heier voted aye. Motion carried 4-0.

- C. **A resolution authorizing the installation of "No Parking" signs (R8-3) on South 134th Street in the vicinity of the Izaak Walton League located at 10801 South 134th Street for northbound and southbound traffic. (R-09-0096)**

MOTION: Stevens moved and Schorr seconded approval of the resolution. Schorr, Stevens, Workman and Heier voted aye. Motion carried 4-0.

- D. **A new customer/credit application and Minnesota MultiState letter of commitment with Ross Products Division, Abbott Laboratories, Inc. The documents allow the County, on behalf of Lancaster Manor, to purchase oral and tube fed medical nutritionals from Ross pursuant to pricing provided by Minnesota MultiState Alliance for Pharmacy. The County is a member of the Minnesota MultiState Alliance for Pharmacy purchasing group. (C-09-0598)**

MOTION: Workman moved and Stevens seconded approval of the application and letter of commitment. Stevens, Schorr, Workman and Heier voted aye. Motion carried 4-0.

- E. **A contract with Nebraska House Call Physicians, P.C., to provide on-site acute care and consultations to Lancaster Manor residents when a resident's primary care physician orders or approves such services. There is no cost to the County for the services. (C-09-0599)**

MOTION: Workman moved and Stevens seconded approval of the contract. Schorr, Workman, Stevens and Heier voted aye. Motion carried 4-0.

- F. **An agreement between Lancaster County and the Nebraska Department of Health and Human Services. Under the agreement, the County will plan, advertise and conduct a statewide Substance Abuse Prevention Conference to be held in November 2009. The County will be paid up to \$10,000 for the services. Term of the agreement is August 1, 2009, to December 31, 2009. (C-09-0600)**

MOTION: Stevens moved and Workman seconded approval of the agreement. Stevens, Schorr, Workman and Heier voted aye. Motion carried 4-0.

5) **NEW BUSINESS CONTINUED:**

- G. **An amendment to a contract between Lancaster County, on behalf of the Community Mental Health Center, and the Board of Regents of the University of Nebraska, found at County Contract No. C-07-0490, for the County providing clinical supervision, technical assistance, evaluation referrals and office space to two clinical assessment technicians provided by the University. The amendment changes the end date of the term of the agreement from April 30, 2009, to April 30, 2010, and increases the total amount paid to the County over the term of the contract to \$27,000. (C-09-0601)**

MOTION: Schorr moved and Stevens seconded approval of the amendment. Workman, Schorr, Stevens and Heier voted aye. Motion carried 4-0.

- H. **An appraisal contract between the County Engineer and Johnson Appraisal, LLC, for appraisal services, in the amount of \$4,400, in connection with the right-of-way for a project located at Pine Lake Road (South 112th Street – South 148th Street); Project No. C55-Q-409. (C-09-0602)**

MOTION: Stevens moved and Workman seconded approval of the contract. Schorr, Stevens, Workman and Heier voted aye. Motion carried 4-0.

- I. **An amendment to a contract between Lancaster County, the City of Lincoln and All Makes Office Equipment Co. of Lincoln for annual requirements for office seating found at County Contract No. C-08-0537. The amendment renews the contract for an additional one-year term beginning October 14, 2009, and ending October 13, 2010. (C-09-0605)**

MOTION: Workman moved and Stevens seconded approval of the amendment. Stevens, Workman, Schorr and Heier voted aye. Motion carried 4-0.

- J. **An amendment to a contract between Lancaster County, the City of Lincoln and Office Interiors and Designs, Inc., for annual requirements for office seating found at County Contract No. C-08-0539. The amendment renews the contract for an additional one-year term beginning October 14, 2009, and ending October 13, 2010. (C-09-0606)**

MOTION: Workman moved and Stevens seconded approval of the amendment.

Schorr questioned having five contracts for office seating.

Bob Walla, Assistant Purchasing Agent, said a committee reviewed the proposals and recommended contracting with five companies, as each offers different types of chairs.

ROLL CALL: Workman, Schorr, Stevens and Heier voted aye. Motion carried 4-0.

5) **NEW BUSINESS CONTINUED:**

- K. **An amendment to a contract between Lancaster County, the City of Lincoln and Spaces, Inc., for annual requirements for office seating found at County Contract No. C-08-0541. The amendment renews the contract for an additional one-year term beginning October 14, 2009, and ending October 13, 2010. (C-09-0607)**

MOTION: Stevens moved and Workman seconded approval of the amendment. Schorr, Stevens, Workman and Heier voted aye. Motion carried 4-0.

- L. **An amendment to a contract between Lancaster County, the City of Lincoln and Sheppard's Business Interiors for annual requirements for office seating found at County Contract No. C-08-0540. The amendment renews the contract for an additional one-year term beginning October 14, 2009, and ending October 13, 2010. (C-09-0608)**

MOTION: Workman moved and Stevens seconded approval of the amendment. Stevens, Schorr, Workman and Heier voted aye. Motion carried 4-0.

- M. **An amendment to a contract between Lancaster County, the City of Lincoln and AOI Corporation for annual requirements for office seating found at County Contract No. C-08-0538. The amendment renews the contract for an additional one-year term beginning October 14, 2009, and ending October 13, 2010. (C-09-0609)**

MOTION: Stevens moved and Workman seconded approval of the amendment. Stevens, Schorr, Workman and Heier voted aye. Motion carried 4-0.

- N. **Adoption of Lancaster County Legislative Priorities for the 2010 session of the Nebraska Legislature.**

Kerry Eagan, Chief Administrative Officer, said the four original priorities were discussed at a staff meeting. A fifth priority has been added on delegation of authority to the Planning Commission to approve special permits; instead of the appeal going to the District Court, it would go to the County Board first.

Eagan reviewed the four original priorities: mandated payment of medical expenses for inmates and emergency protective custody residents at Medicaid rates, reduction of County pension match for new employees, transfer of development rights, and property tax relief through appropriate State funding for County government.

Stevens noted the original list was longer, but it was pared down. He said nothing in the list should cost the state additional funding.

Gordon Kissell, Legislative Consultant, said the upcoming session is short; therefore, it would be difficult to get anything else through the Legislature. He said he would meet with Senator Colby Coash, who may want to introduce these priorities.

5) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Schorr seconded approval of the 2010 legislative priorities. Schorr, Workman, Stevens and Heier voted aye. Motion carried 4-0.

- O. **Appointment of Patricia M. Schmidt, Boshra M. Rida, Ryan A. Mohling and Denise D. Farley to the Lancaster County Extension Board for a three-year term commencing January 1, 2010.**

MOTION: Workman moved and Stevens seconded approval of the appointments.

Schorr thanked the appointees for their service.

ROLL CALL: Workman, Schorr, Stevens and Heier voted aye. Motion carried 4-0.

EMERGENCY ITEM:

Tom Fox, Deputy County Attorney, said an H1N1 vaccine pre-registration form had been filled out, and the agreement has now been received for distribution of the vaccine at Lancaster Manor. He said it was important to immediately sign the agreement, so residents can receive the vaccines as soon as they are available.

MOTION: Schorr moved and Stevens seconded to add the H1N1 agreement as an emergency item. Schorr, Stevens, Workman and Heier voted aye. Motion carried 4-0.

MOTION: Schorr moved and Stevens seconded approval to sign the H1N1 vaccine provider agreement. Stevens, Schorr, Workman and Heier voted aye. Motion carried 4-0.

- P. **Sale of Lancaster County property (Executive Session).**

The Chair announced the item would be held until the end of the meeting.

- 6) **CONSENT ITEMS:** *These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:*

- A. **Receive and place on file the Lincoln/Lancaster County Convention and Visitors Bureau Accountants' Report and Financial Statements as of December 31, 2008.**
- B. **Right-of-way contracts between the County Engineer and Milton and Carol Talcott, in the amount of \$21,708.50, located at 110th Street and Saltillo Road; Project No. C55-PQ-406(2). (C-09-0603) (C-09-0604)**

MOTION: Stevens moved and Workman seconded approval of the consent items. Stevens, Workman, Schorr and Heier voted aye. Motion carried 4-0.

7) **PUBLIC COMMENT:**

Kim Kaspar, President of American Federation of State, County & Municipal Employees, questioned the pay scale at Lancaster Manor for temporary employees versus the regular employees. She also expressed concern over residents missing their medical appointments since the van driver position was still not filled. Kaspar discussed deficiencies at the Manor, which she felt was due to employees not having enough time to fulfill their duties and agency help that was unfamiliar with the procedures of the Manor.

Schorr noted the contract approved with Nebraska House Call Physicians would provide an on-call physician for services on-site.

Kaspar questioned residents still seeing their own provider.

Schorr said on-call physician service would only be done in consultation with the primary care physician.

8) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will not hold a staff meeting on Thursday, November 26, 2009, due to the Thanksgiving holiday. The next staff meeting will be held on Thursday, December 3, 2009, beginning at 8:30 a.m., in Room 113 on the first floor of the County-City Building.**
- B. **The Lancaster County Board of Commissioners meeting is broadcast live at 9:30 a.m., on Tuesdays and rebroadcast at 1:30 p.m., and 6:30 p.m., as well as on Saturday afternoon on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on Nebraska On Demand Time Warner Channel 101 and is available on the Internet 24 hours a day at www.lancaster.ne.gov. Click on 5 City-TV Video On Demand.**

By order of the Chair, the Board of Commissioners meeting was recessed at 10:01 a.m. to proceed with the Board of Equalization meeting.

The Chair reconvened the Board of Commissioners meeting at 10:03 a.m.

5) **NEW BUSINESS CONTINUED:**

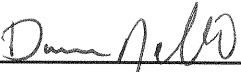
P. **Sale of County Property (Executive Session)**

MOTION: Workman moved and Schorr seconded to go into executive session for the purpose of discussing the sale of County property at 10:03 a.m. Schorr, Stevens, Workman and Heier voted aye. Motion carried 4-0.

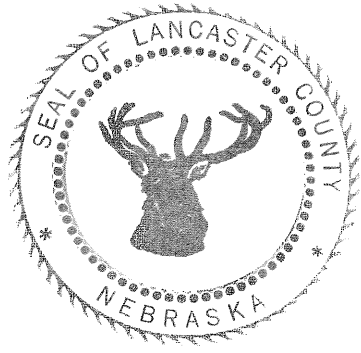
MOTION: Stevens moved and Schorr seconded to exit the executive session at 11:19 a.m. Stevens, Schorr, Workman and Heier voted aye. Motion carried 4-0.

9) **ADJOURNMENT**

MOTION: Stevens moved and Schorr seconded to adjourn the Board of Commissioners meeting at 11:19 a.m. Workman, Schorr, Stevens and Heier voted aye. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, NOVEMBER 24, 2009
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS MEETING

Commissioners Present: Bernie Heier, Chair
Ray Stevens, Vice Chair
Deb Schorr
Bob Workman

Commissioners Absent: Larry Hudkins

Others present: Scott Gaines, Deputy County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer and
Interim Lancaster Manor Administrator
Tom Fox, Deputy County Attorney
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Angela Zocholl, County Clerk's Office

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 10:03 a.m.

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, November 17, 2009.**

MOTION: Stevens moved and Workman seconded approval of the minutes. Stevens, Schorr, Workman and Heier voted aye. Motion carried 4-0.

- 2) **MOTOR VEHICLE TAX EXEMPTION APPLICATIONS:**

Christian Retirement Homes, Inc., d/b/a Eastmont Towers
Homestead Presbytery Presbyterian Church (USA)
Immaculate Heart of Mary Church
Indian Center, Inc.
School Sisters of Christ the King
Sisters of St. Francis
Tabitha, Inc.
Trinity United Methodist Church

MOTION: Stevens moved and Schorr seconded approval of the motor vehicle tax exemptions. Schorr, Workman, Stevens and Heier voted aye. Motion carried 4-0.

3) **REVIEW OF 2009 TAX EXEMPTION FOR THE FOLLOWING:**

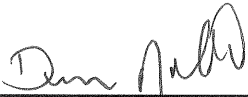
**The ARC of Nebraska
Houses of Hope of Lincoln, Inc.
Omaha Church Center**

Scott Gaines, Deputy County Assessor/Register of Deeds, said these properties were previously granted exemption but have since been sold to taxable entities. Notices would need to be sent to confirm the change in exemption status, and the owners would have 30 days to appeal the change in status or valuation.

MOTION: Stevens moved and Workman seconded to notify taxpayers that the tax exemption status of their property has been denied. Workman, Schorr, Stevens and Heier voted aye. Hudkins was absent. Motion carried 4-0.

4) **ADJOURNMENT**

MOTION: Workman moved and Stevens seconded to adjourn the Board of Equalization meeting at 10:03 a.m. Schorr, Stevens, Workman and Heier voted aye. Motion carried 4-0.



**Dan Nolte
Lancaster County Clerk**

