

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MARCH 2, 2010
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

Commissioners present: Bernie Heier, Chair
Ray Stevens, Vice Chair
Bob Workman
Larry Hudkins

Commissioners absent: Deb Schorr

Others present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
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 held on Tuesday, February 23, 2010.**

MOTION: Workman moved and Hudkins seconded approval of the minutes. Hudkins, Workman and Heier voted aye. Stevens abstained. Motion carried 3-1.

2) **CLAIMS: Approval of all claims processed through Tuesday, March 2, 2010.**

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

3) **NEW BUSINESS:**

A. **An application for a Special Events Permit from Angry Cow Adventures for the 2010 Panama Mountain Bike Enduro on Sunday, March 14, 2010.**

MOTION: Stevens moved moved and Workman seconded approval of the Special Events Permit incorporating the recommendations of the County Sheriff. Workman, Stevens, Hudkins and Heier voted aye. Motion carried 4-0.

B. **An application for a Special Events Permit from Angry Cow Adventures for the Stage Coach Lake Run on Saturday, March 20, 2010.**

3) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Workman seconded approval of the Special Events Permit incorporating the recommendations of the County Sheriff. Stevens, Hudkins, Workman and Heier voted aye. Motion carried 4-0.

C. **An application for a Special Events Permit from UNL Cycling Club for "Le Tour de Husker" Bicycle Race on Saturday, April 17, 2010.**

MOTION: Workman moved and Hudkins seconded approval of the Special Events Permit.

FRIENDLY AMENDMENT: Stevens offered a friendly amendment to incorporate the recommendations of the County Sheriff. The Seconder concurred.

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

D. **Applications for Special Designated Licenses from Ken's Liquor to provide liquor beverage service at Country Pines, 6305 West Adams, Lincoln, Lancaster County, Nebraska, on Saturday, April 10; Saturday, May 1; Saturday, May 15; and Saturday, May 22, 2010.**

MOTION: Stevens moved and Hudkins seconded approval of the Special Designated License applications. Workman, Hudkins, Stevens and Heier voted aye. Motion carried 4-0.

E. **A resolution in the matter of recognizing March 27, 2010, as Central Plains Severe Weather Symposium and Storm Spotter Appreciation Day. (R-10-0020)**

Kerry Eagan, Chief Administrative Officer, said a Board member would be needed to address the symposium. Stevens offered to attend.

The Clerk read the resolution for the record.

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

F. **A resolution authorizing the Chairperson or Vice Chairperson of the County Board to take such action and execute such documents, closing documents, certificates and instruments necessary to comply with the Asset Purchase Agreement regarding Lancaster Manor and to carry out the sale of the Lancaster Manor property. (R-10-0021)**

Hudkins expressed his concern over moving forward with documents regarding the sale of Lancaster Manor. He noted over 30 employees have left Lancaster Manor or been terminated since the transfer of ownership. Hudkins discussed the appraisal value versus the actual sale price received and the loss of the Trabert Hall parking lot as an asset.

MOTION: Stevens moved and Workman seconded approval of the resolution. Stevens, Workman and Heier voted aye. Hudkins voted nay. Motion carried 3-1.

3) **NEW BUSINESS CONTINUED:**

- G. **A construction contract with Pavers Companies, in the amount of \$831,554.92, regarding Federal Aid Project LCLC-5280(1), for Saltillo Road from US-77 to S. 70th Street. The County's share is \$181,554.92. (C-10-0080)**

Item was held per request of the County Attorney's Office.

- H. **A construction contract with Interstate Sealant and Concrete, Inc., in the amount of \$31,350, for crack sealing of various County roads; Project No. 10-32. (C-10-0081)**

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

- I. **A supplemental agreement with the State of Nebraska Department of Roads for stimulus funding of Project No. BR-3340(7), Waverly Southeast. (C-10-0082)**

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

- J. **A change order for County Contract C-10-0030 with Intelligent Buildings, L.L.C., for HVAC controls, providing for an increase in the contract sum by \$486. (C-10-0093)**

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

- K. **A grant contract with Lincoln Literacy Council, in the amount of \$12,500, to provide employment related service to refugee men and women and assist them in assimilating into the community through the Targeted Assistance Grant Program. Term of the contract is October 1, 2009, to September 30, 2010. (C-10-0083)**

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

- L. **A contract between the Nebraska Department of Health and Human Services Division of Children and Family Services and Lancaster County, on behalf of the Lancaster County Attorney's Office, to provide funding to assist the Lancaster County Attorney in the preparation and filing of termination of parental rights in accordance with Nebraska Revised Statute §43-292. Term of the contract is July 1, 2007, to June 30, 2010. The Department of Health and Human Services will pay the County a total of \$313,500. (C-10-0084)**

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

3) **NEW BUSINESS CONTINUED:**

- M. **An amendment to the 2009/2010 Network Provider Contract with the Regional Behavioral Health Authority (Region V) for certain behavioral mental health services at the Community Mental Health Center. The amendment amends Appendix A, Section VI, Behavioral Health Service Allocations regarding reimbursement for services provided by the Community Mental Health Center. (C-10-0085)**

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

- N. **An agreement with the Board of Regents of the University of Nebraska, on behalf of the University of Nebraska at Omaha, to provide assistance in evaluating the Lancaster County Juvenile Justice System's ability to stabilize youth in the community, specifically concentrating on the Detention Alternative Programs. The County will pay \$20,000 for the services. Term of the agreement is July 1, 2009, to June 30, 2010. (C-10-0086)**

Heier noted this was pass-through money and not money from taxes. He said he would watch these types of contracts closely to see how they are funded.

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

- O. **A space rental agreement between the Lancaster Event Center and Lancaster County, on behalf of the Lancaster County Clerk, for meeting space within the Event Center to be used for property valuation protest hearings between June 22 and July 15, 2010. (C-10-0087)**

Hudkins thanked Ron Snover, Lancaster Event Center Manager, and the County Clerk's Office for making the facility arrangements.

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

- P. **An agreement with Tyler Technologies, Inc., in the amount of \$59,835, for the support and maintenance of the Orion Appraisal and Assessment software used by the County Assessor/Register of Deeds Office. Term of the agreement is from January 1, 2010, to December 31, 2010. (C-10-0088)**

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

- Q. **A signature authorization method for software support services with Hewlett Packard for the County's TRIM software. Term of the authorization is from April 1, 2010, to March 31, 2011, at a cost to the County of \$47,162.40. (C-10-0089)**

3) **NEW BUSINESS CONTINUED:**

MOTION: Hudkins moved and Stevens seconded approval of the signature authorization method. Workman, Stevens, Hudkins and Heier voted aye. Motion carried 4-0.

- R. **An agreement between Lancaster County and Segal Advisors, Inc., for consulting services related to the County's 401(a) and 457 employee pension programs. Segal will provide consulting services related to fiduciary due diligence, review of the County's investment policy, and performance review of the investment options offered under the 401(a) and 457 plans. The County will pay \$25,000 for these services. Term of the contract is March 1, 2010, through May 1, 2010. (C-10-0090)**

Hudkins thanked Kerry Eagan and Doug Cyr, Deputy County Attorney, for negotiating a reasonable amount on a service he felt was necessary.

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

- S. **Termination of lease agreement between Lancaster County and the Lancaster County Leasing Corporation regarding Lancaster Manor, originally filed with the Lancaster County Register of Deeds April 25, 1985, as Instrument No. 85-9891, and amended September 28, 1988, through Instrument No. 88-29819; July 15, 1992, through Instrument No. 92-31610; and March 23, 1999, through Instrument No. 99-16378. (C-10-0091)**

MOTION: Stevens moved and Workman seconded to terminate the lease agreement. Stevens, Workman and Heier voted aye. Hudkins voted nay. Motion carried 3-1.

- T. **Termination of lease agreement between Lancaster County and the Lancaster County Leasing Corporation regarding Lancaster Manor, originally filed with the Lancaster County Register of Deeds April 25, 1985, as Instrument No. 85-9892, and amended September 28, 1988, through Instrument No. 88-29818; July 15, 1992, through Instrument No. 92-31611; and March 23, 1999, through Instrument No. 99-16377. (C-10-0092)**

MOTION: Workman moved and Stevens seconded to terminate the lease agreement. Workman, Stevens and Heier voted aye. Hudkins voted nay. Motion carried 3-1.

- U. **A political subdivision tort claim filed against Lancaster County Corrections by Robert Butler for medical bills in the amount of \$100,000.**

MOTION: Stevens moved and Hudkins seconded denial of the tort claim based on the department director's recommendations. Hudkins, Stevens, Workman and Heier voted aye. Motion carried 4-0.

- 4) **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 Management's Discussion and Analysis, Financial Statements and Supplementary Information regarding the Village of Roca for the year ended September 30, 2009.**

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

5) **PUBLIC COMMENT:**

Kim Kaspar, President of the American Federation of State, County & Municipal Employees (AFSCME), discussed the sale of Lancaster Manor and its effect on residents, employees and the community.

Melvin Moore discussed information previously presented by Kim Kaspar regarding other Hunter Management-owned facilities. He questioned the decision to proceed with the sale of the Manor based on this information.

Heier stated the decision to sell Lancaster Manor was made in the interest of the taxpayers of Lancaster County and Lancaster Manor.

Workman noted District Court sided with Lancaster County regarding the sale of Lancaster Manor.

6) **ANNOUNCEMENTS:**

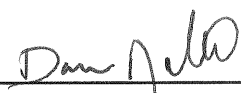
- A. **The Lancaster County Leasing Corporation will hold a meeting on Tuesday, March 2, 2010, immediately following the Lancaster County Board of Commissioners meeting in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building.**
- B. **The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, March 4, 2010, at 8:30 a.m., in Room 113 on the first floor of the County-City Building.**
- C. **A public hearing will be held on Tuesday, March 16, 2010, at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building, regarding an application for an amusement license from Raymond United Methodist Church to hold a swap meet on August 28, 2010, at 11505 N. 14th Street, Raymond, Lancaster County, Nebraska.**

6) **ANNOUNCEMENTS CONTINUED:**

D. 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.

7) **ADJOURNMENT**

MOTION: Stevens moved and Workman seconded to adjourn the Board of Commissioners meeting at 10:02 a.m. Hudkins, Stevens, Workman and Heier voted aye. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MARCH 2, 2010
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE LANCASTER COUNTY
LEASING CORPORATION MEETING

Commissioners present: Bernie Heier, Chair
Ray Stevens, Vice Chair
Bob Workman
Larry Hudkins

Commissioners absent: Deb Schorr

Others present: Scott Gaines, Deputy County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
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 10:04 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, February 23, 2010.**

MOTION: Hudkins moved and Workman seconded approval of the minutes. Hudkins, Workman and Heier voted aye. Stevens abstained. Motion carried 3-0.

2) **ADDITIONS AND DEDUCTIONS: Approval of 45 additions and deductions to the tax assessment rolls per Attachment "A".**

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

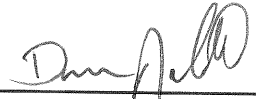
3) **MOTOR VEHICLE TAX EXEMPTION APPLICATIONS:**

**Christ's Place
Gentle Shepherd Baptist Church
Lincoln Church of Christ**

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

4) **ADJOURNMENT**

MOTION: Stevens moved and Hudkins seconded to adjourn the Board of Equalization meeting at 10:06 a.m. Stevens, Hudkins, Workman and Heier voted aye. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk

