

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, JANUARY 6, 2009**  
**COUNTY COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**9:30 A.M.**

Commissioners Present: Ray Stevens, Vice Chair  
Larry Hudkins  
Deb Schorr  
Bob Workman

Commissioners Absent: Bernie Heier, Chair

Others Present: Kerry Eagan, Chief Administrative Officer  
Dan Nolte, County Clerk  
Cori Beattie, Deputy County Clerk  
Tom Fox, Deputy County Attorney

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, December 16, 2008.**

**MOTION:** Hudkins moved and Schorr seconded approval of the minutes of the Board of Commissioners meeting held on December 16, 2008. Hudkins, Schorr and Workman voted aye. Stevens abstained from voting. Motion carried.

2) **CLAIMS: Approval of all claims processed through Tuesday, January 6, 2009.**

**MOTION:** Workman moved and Hudkins seconded approval of all claims processed through January 6, 2009. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

3) **SPECIAL PRESENTATIONS:**

The Honorable Judge John Colborn administered the oath to Larry Hudkins, who was elected in November, 2008 as County Commissioner representing District No. 2.

Hudkins introduced family members to the public and thanked Judge Colborn for administering the oath.

**A. Donation of art work to the Lancaster Manor Alzheimer's Unit - Scott Stuckey, Ameritas Vice President**

Stuckey gave an overview of the community art project which donated art collected and acquired by Ameritas in the 1970's, 1980's and early 1990's. Stuckey introduced Liz Shea-McCoy, Coordinator of the project, and noted they have donated art work to various Lincoln schools, as well as Tabitha Healthcare Services and Madonna Rehabilitation Hospital. In addition, he said, they are donating eight pieces of art work to Lancaster Manor.

In response to a question asked by Schorr, Ms. Shea-McCoy explained they used an educational approach in determining which entities would be the beneficiaries of the art work.

Gwen Thorpe, Interim Lancaster Manor Administrator, thanked Ameritas for the art work.

**MOTION:** Hudkins moved and Schorr seconded to accept the eight pieces of art work from Ameritas on behalf of Lancaster Manor. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

4) **NEW BUSINESS:**

**A. Interlocal agreements with Saline and Hall counties for the safekeeping, care and sustenance of juveniles while at the Youth Services Center. Lancaster County will be reimbursed \$236 per youth, per day. The agreements are effective upon execution and have 30-day termination provisions. (C-09-0001) (C-09-0002)**

**MOTION:** Workman moved and Hudkins seconded approval of interlocal agreements with Saline and Hall counties for the safekeeping, care and sustenance of juveniles while at the Youth Services Center. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

- B. A grant contract with Lincoln Council on Alcoholism and Drugs Inc. to provide funding for the Lancaster Alcohol and Abuse Partnership, in the amount of \$56,000. Term of the grant contract is September 1, 2008 through February 28, 2009. (C-09-0003)**

**MOTION:** Schorr moved and Hudkins seconded approval of a grant contract with Lincoln Council on Alcoholism and Drugs Inc. to provide funding for the Lancaster Alcohol and Abuse Partnership, in the amount of \$56,000. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

- C. A contract for professional services with the Lincoln-Lancaster County Human Services Federation for the oversight and administration of the Community Services Initiative. The County will pay up to \$130,000 for the services. Term of the agreement is July 1, 2008 through June 30, 2009. (C-09-0004)**

**MOTION:** Schorr moved and Hudkins seconded approval of a contract for professional services with the Lincoln-Lancaster County Human Services Federation for the oversight and administration of the Community Services Initiative. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

- D. An agreement with NMC, Inc., for one motor grader complete with trade-in allowance for the Lancaster County Engineering Department, in the amount of \$182,536. NMC will pay for all costs of repair, including parts and labor, in excess of \$4,500 per unit during the next seven years and the guaranteed repurchase of \$145,000 per motor grader for up to seven years or 8,500 hours. (C-09-0005)**

**MOTION:** Workman moved and Hudkins seconded approval of an agreement with NMC, Inc., for one motor grader complete with trade-in allowance for the Lancaster County Engineering Department, in the amount of \$182,536. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

**E. A Western States Contracting Alliance Participating Addendum for wireless communication services and equipment between Lancaster County, the City of Lincoln, the Lincoln/Lancaster County Public Building Commission and Cellco Partnership d/b/a Verizon Wireless. Terms and conditions of the addendum govern such services between Lancaster County and Cellco Partnership d/b/a Verizon Wireless. (C-09-0006)**

**MOTION:** Workman moved and Hudkins seconded approval of a Western States Contracting Alliance Participating Addendum for wireless communication services and equipment between Lancaster County, the City of Lincoln, the Lincoln/Lancaster County Public Building Commission and Cellco Partnership d/b/a Verizon Wireless. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

**F. An agreement with Continuum Employee Assistance to provide an employee assistance program for County employees. Term of the agreement is January 1, 2009 to December 31, 2011. The County will pay Continuum \$23,800 per contract year. (C-09-0007)**

**MOTION:** Schorr moved and Hudkins seconded approval of an agreement with Continuum Employee Assistance to provide an employee assistance program for County employees. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

**G. A subdivision agreement between Lancaster County and F. R. Holdings, L.L.C. regarding County Final Plat No. 08051, Sagebrook Estates, on property generally located at North 176<sup>th</sup> and Holdrege Streets. (C-09-0008)**

**MOTION:** Workman moved and Hudkins seconded approval of a subdivision agreement between Lancaster County and F. R. Holdings, L.L.C. regarding County Final Plat No. 08051, Sagebrook Estates, on property generally located at North 176<sup>th</sup> and Holdrege Streets. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

**H. An agreement between the Lancaster County Engineering Department and The Schemmer Associates, Inc. for a traffic engineering study at the intersection of South 98<sup>th</sup> Street, Yankee Hill Road and the Nebraska Highway 2. The County will pay \$5,800 for the study and it will be completed by February 27, 2009.  
(C-09-0009)**

**MOTION:** Hudkins moved and Workman seconded approval of an agreement between the Lancaster County Engineering Department and The Schemmer Associates, Inc. for a traffic engineering study at the intersection of South 98<sup>th</sup> Street, Yankee Hill Road and the Nebraska Highway 2.

Don Thomas, County Engineer, stated their intent in having an engineering study completed is that they feel 98<sup>th</sup> Street will need to be closed and have a cul-de-sac constructed because it is too close to the intersection with Highway 2.

**ROLL CALL:** Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

**I. A resolution in the matter of County maintenance of the following roads located in Wyndam Place Addition: (R-09-0001)**

- \* **Approximately 1,647 feet of Knotting Hills Drive**
- \* **Approximately 1,189 feet of North 179<sup>th</sup> Street**
- \* **Approximately 915 feet of Wyndam Drive**
- \* **Approximately 1,362 feet of North 182<sup>nd</sup> Court**

In response to a question asked by Heier, Thomas stated the roads meet County standards.

**MOTION:** Hudkins moved and Workman seconded approval of Resolution No. R-09-0001 in the matter of County maintenance of the following roads located in Wyndam Place Addition: approximately 1,647 feet of Knotting Hills Drive; approximately 1,189 feet of North 179<sup>th</sup> Street; approximately 915 feet of Wyndam Drive and approximately 1,362 feet of North 182<sup>nd</sup> Court. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

- J. Recommendation from the Purchasing Agent and the Lancaster County Corrections Director to issue a blanket purchase order for up to 5500 drug test kits from State of Minnesota Contract No. 427866 with American Bio Medica Corporation for an estimated cost of \$30,250. Test kits will be made available to all County agencies including, but not limited to Corrections, Youth Services Center and the Community Mental Health Center. (B-09-0001)**

**MOTION:** Hudkins moved and Workman seconded approval to issue a blanket purchase order for up to 5500 drug test kits from State of Minnesota Contract No. 427866 with American Bio Medica Corporation for an estimated cost of \$30,250 as recommended by the Purchasing Agent and the Lancaster County Corrections Director. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

- K. Recommendation from the Purchasing Agent and the Lancaster County Sheriff's Office to issue an order from State of Nebraska Contract No. 12278 OC to Tincher Ford Mercury for four, 2009 Ford Crown Victoria police cruisers, in the amount of \$99,144. (B-09-0002)**

**MOTION:** Schorr moved and Workman seconded approval to issue an order from State of Nebraska Contract No. 12278 OC to Tincher Ford Mercury for four, 2009 Ford Crown Victoria police cruisers, in the amount of \$99,144 as recommended by the Purchasing Agent and the Lancaster County Sheriff's Office. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

- L. Recommendation from the Purchasing Agent and the Lancaster County Sheriff's Office to issue an order from State of Nebraska Contract No. 12277 OC to Performance Dodge for two, 2009 Dodge Charger police cruisers, in the amount of \$46,932. (B-09-0003)**

**MOTION:** Hudkins moved and Workman seconded approval to issue an order from State of Nebraska Contract No. 12277 OC to Performance Dodge for two, 2009 Dodge Charger police cruisers, in the amount of \$46,932 as recommended by the Purchasing Agent and the Lancaster County Sheriff's Office. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

**M. Recommendation from the Purchasing Agent and the Lancaster County Sheriff's Office to issue an order from State of West Virginia Contract No. DPS0655A for five Watchguard In-Car Video Cameras, in the amount of \$24,935. (B-09-0004)**

**MOTION:** Schorr moved and Hudkins seconded approval to issue an order from State of West Virginia Contract No. DPS0655A for five Watchguard In-Car Video Cameras, in the amount of \$24,935 as recommended by the Purchasing Agent and the Lancaster County Sheriff's Office. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

**N. Recommendation from the Purchasing Agent and the Lancaster County Engineer to award a bid to Metal Culvert, Inc. for metal culvert pipe, in the amount of \$23,144.38 which includes an adjustment in quantity by the Lancaster County Engineer. (B-09-0005)**

**MOTION:** Hudkins moved and Workman seconded approval to award a bid to Metal Culvert, Inc. for metal culvert pipe, in the amount of \$23,144.38 which includes an adjustment in quantity by the Lancaster County Engineer. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried

**O. A political subdivision tort claim filed against the Lancaster County Corrections Department by Linda Moore for alleged discrimination. No amount of damage was provided.**

**MOTION:** Hudkins moved and Workman seconded to accept the recommendation of the Corrections Director and deny the political subdivision tort claim filed against the Lancaster County Corrections Department by Linda Moore for alleged discrimination. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

**P. A political subdivision tort claim filed against Lancaster Manor by Lynne Smith for medical bills due to personal injury suffered on July 24, 2008, in the amount of \$575.09.**

**MOTION:** Schorr moved and Workman seconded to approve a political subdivision tort claim filed against Lancaster Manor by Lynne Smith for medical bills due to personal injury suffered on July 24, 2008, in the amount of \$575.09 as recommended by legal counsel. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

**Q. Appointment of James Lamphere to the Government Access and Information Committee (GAIC) for a two-year term through January 1, 2011.**

**MOTION:** Hudkins moved and Schorr seconded approval of the appointment of James Lamphere to the Government Access and Information Committee (GAIC) for a two-year term through January 1, 2011. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

**R. Appointment of Annie N. Stokes, Pablo Cervantes and Wesley D. Daberkow to the Lancaster County Extension Board for three-year terms beginning January, 2009 through January, 2012.**

**MOTION:** Workman moved and Hudkins seconded approval of the appointment of Annie N. Stokes, Pablo Cervantes and Wesley D. Daberkow to the Lancaster County Extension Board for three-year terms beginning January, 2009 through January, 2012. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

5) **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:**

**1. Sheriff's Report of Fees for November, 2008.**

**B. Setting of a public hearing for Tuesday, January 20, 2009 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding County Special Permit No. 07043A, requested by the Farmers Cooperative, for an amendment to County Special Permit No. 07043, to expand the area for agricultural chemical storage from five-acres to seven-acres, on property generally located at S.W. 14<sup>th</sup> Street and West Hallam Road in Lancaster County, Nebraska.**

5) CONSENT ITEMS CONTINUED:

C. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:

- \* Ronald Oelling, in the amount of \$20, on W. Wittstruck Road just east of S.W. 2<sup>nd</sup> Street; Project No. CP-T-59. (C-09-0010)
- \* Robert and Linda Pacula, in the amount of \$730, at W. Waverly Road and N.W. 98<sup>th</sup> Street; Project No. CP-E-156. (C-09-0011)
- \* Jerry Nicholls, in the amount of \$205, on N.W. 40<sup>th</sup> Street between W. Bluff and Waverly Roads; Project No. CP-F-13. (C-09-0012)
- \* Earl Bool, in the amount of \$451, on N.W. 40<sup>th</sup> Street between W. Bluff and Waverly Roads; Project No. CP-F-13. (C-09-0013)
- \* Martin and Robin Boring, Trustees, in the amount of \$910, at N.W. 84<sup>th</sup> Street and Highway 34; Project No. CP-E-108. (C-09-0014)
- \* Gary Godkin, in the amount \$415, at North 27<sup>th</sup> Street and Agnew Road; Project No. CP-B-74. (C-09-0015)
- \* Gary Godkin, in the amount of \$181, at North 27<sup>th</sup> Street and Agnew Road; Project No. CP-C-284. (C-09-0016)
- \* Nebraska Game and Parks on North 112<sup>th</sup> Street 545 feet south of Ashland Road; Project No. CP-A-59. This is a donation. (C-09-0017)
- \* Thomas and Marjorie Olson, in the total amount of \$1,357, on Branched Oak Road between North 141<sup>st</sup> to North 162<sup>nd</sup> Streets; Project No. CP-A-101. (2 contracts) (C-09-0018) (C-09-0019)
- \* Pearl Kolder, in the total amount of \$1,325, on South 82<sup>nd</sup> Street from Hickman Road to Roca Road; Project No. C55-S-404(3). (2 contracts) (C-09-0020) (C-09-0021)

**MOTION:** Hudkins moved and Schorr seconded approval of the Consent Items. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

6) ADJOURNMENT:

**MOTION:** Schorr moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 10:02 a.m.. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

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Dan Nolte  
County Clerk

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, JANUARY 6, 2009  
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS  
MEETING**

Commissioners Present: Ray Stevens, Vice Chair  
Larry Hudkins  
Deb Schorr  
Bob Workman

Commissioners Absent: Bernie Heier, Chair

Others Present: Kerry Eagan, Chief Administrative Officer  
Dan Nolte, County Clerk  
Cori Beattie, Deputy County Clerk  
Tom Fox, Deputy County Attorney  
Scott Gaines, Deputy County Assessor/Register of Deeds  
Norm Agena, County Assessor/Register of Deeds

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 10:02 a.m..

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, December 16, 2008.**

**MOTION:** Workman moved and Hudkins seconded approval of the minutes of the Board of Equalization meeting held on December 16, 2008. Hudkins, Schorr and Workman voted aye. Stevens abstained from voting. Motion carried.

2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 113 additions and deductions to the tax assessment rolls per Attachments "A" and "B".**

**MOTION:** Workman moved and Hudkins seconded approval of the additions and deductions to the tax assessment rolls. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

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

**Christian Heritage Children's Home  
Goodwill Industries Serving Southeast Nebraska Inc.  
Oak Lake Evangelical Free Church  
Priestly Fraternity of St. Peter d/b/a Our Lady of Guadalupe Seminary  
St. Joseph Catholic Church and School**

**MOTION:** Schorr moved and Hudkins seconded approval of motor vehicle tax exemptions for Christian Heritage Children's Home, Goodwill Industries Serving Southeast Nebraska Inc., Oak Lake Evangelical Free Church, Priestly Fraternity of St. Peter d/b/a Our Lady of Guadalupe Seminary and St. Joseph Catholic Church and School. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

4) **APPEAL FILED REGARDING THE REJECTION OF A HOMESTEAD EXEMPTION FOR 2008:**

**Janet Land on behalf of the Estate of Ruth R. Hein**

Scott Gaines, Deputy County Assessor/Register of Deeds, explained that the applicant for the homestead exemption passed away on March 16, 2008 and that the appeal is from Mrs. Hein's daughter. Gaines said the statute is very clear in that the applicant must own and occupy the property January 1<sup>st</sup> through August 15<sup>th</sup>; Mrs. Hein passed away on March 16, 2008. He noted that the only exception in the statute is for a married applicant; the surviving spouse and any minor children would be able to benefit from the exemption if the surviving spouse applied within the appropriate time frame. Recommendation was to deny the appeal.

**MOTION:** Schorr moved and Hudkins seconded to accept the recommendation from the County Assessor/Register of Deeds Office and deny the appeal of Janet Land on behalf of the Estate of Ruth R. Hein. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

5) **ADJOURNMENT:**

**MOTION:** Schorr moved and Workman seconded adjournment of the Board of Equalization meeting at 10:05 a.m.. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

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Dan Nolte  
County Clerk