

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, JUNE 11, 2002**  
**COUNTY COMMISSIONERS CHAMBERS, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

Commissioners Present: Bernie Heier, Vice Chair  
Kathy Campbell  
Larry Hudkins  
Ray Stevens

Commissioners Absent: Bob Workman, Chair

Others Present: Kerry Eagan, Chief Administrative Officer  
David Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Trish Owen, Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer  
Susan Starcher, County Clerk's Office

The Board of Commissioners meeting was convened at 1:30 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, June 4, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

**MOTION:** Hudkins moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated June 4, 2002. Campbell, Hudkins, Heier and Stevens voted aye. Motion carried.

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, June 11, 2002.

**MOTION:** Campbell moved and Hudkins seconded approval. Stevens, Heier, Campbell and Hudkins voted aye. Motion carried.

3) **PUBLIC HEARINGS:**

- A. Continuation of a public hearing regarding an application for Corporate Manager and a Class M (Bottle Club) liquor license from Hotdam, Inc. d/b/a Pawnee Marina located at 3805 Northwest 105<sup>th</sup> Street in Lancaster County, Nebraska. (This would be in addition to an existing Class E (Beer Off Sale Only) liquor license.)**

Heier reconvened the public hearing and asked if anyone wished to testify.

James Sullivan, co-owner of Pawnee Marina, appeared and submitted blueprints of the area to be licensed (Exhibit 1). He also stated he and Cory Adams, co-owner of the marina, would be taking the responsible hospitality class on July 11, 2002.

In response to a question asked by Hudkins regarding the height of the fence, Sullivan indicated it was a six foot wood privacy fence.

Heier asked if anyone else wished to testify.

No one appeared and the hearing was closed.

**MOTION:** Campbell moved and Stevens seconded to direct the County Attorney's Office to prepare a resolution approving the application for Corporate Manager and a Class M liquor license from Hotdam, Inc. d/b/a Pawnee Marina located at 3805 Northwest 105<sup>th</sup> Street in Lancaster County, Nebraska. Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

- B. Continuation of a public hearing regarding an application for a Corporate Manager for Mary E. Benes submitted by Raymono's Pizza Plus Inc. d/b/a Raymono's Pizza Plus, located at 5580 West Mill Road, Suite D relating to a Class M (Bottle Club) liquor license.**

Heier reconvened the public hearing and asked if anyone wished to testify.

The Clerk administered the oath to Mary E. Benes, applicant.

Hudkins asked Benes if she had taken the hospitality class offered by the Responsible Hospitality Council.

Benes replied that she had taken the class.

Heier asked if anyone else wished to testify.

3) **PUBLIC HEARINGS CONTINUED:**

No one appeared and the hearing was closed.

**MOTION:** Hudkins moved and Stevens seconded to direct the County Attorney's Office to prepare a resolution approving the application for a Corporate Manager for Mary E. Benes submitted by Raymono's Pizza Plus Inc. d/b/a Raymono's Pizza Plus, located at 5580 West Mill Road, Suite D relating to a Class M liquor license. Hudkins, Stevens, Heier and Campbell voted aye. Motion carried.

**C. An application for an amusement license from Todd Hoyer to hold a street dance and other activities on Saturday, June 22, 2002 from 12 p.m. to 1 a.m. at the intersection of 1<sup>st</sup> Street and Southwest 114<sup>th</sup> Street in Lancaster County, Nebraska. (An application for a Special Designated License relating to the amusement license was approved June 4, 2002.)**

Heier opened the public hearing and asked if anyone wished to testify in favor, opposition or in a neutral position to the application.

In response to a question asked by Campbell regarding the conditions as outlined by the Sheriff, Building and Safety and the County Engineering Department, Todd Hoyer, applicant, indicated he had no objections to any of the conditions as outlined.

Stevens asked if the parking problems had been resolved.

Hoyer explained that Jeff Novak, individuals from the community and the co-op would be assisting with parking.

David Johnson, Deputy County Attorney, noted that the Health Department had not submitted their recommendation in relation to restroom facilities.

Hoyer stated there would be four port-a-potties available. He stated if necessary, the restroom facilities in the bar would be available.

Heier asked if anyone else wished to testify.

No one appeared and the hearing was closed.

3) **PUBLIC HEARINGS CONTINUED:**

**MOTION:** Stevens moved and Campbell seconded approval of the application for an amusement license from Todd Hoyer to hold a street dance and other activities on June 22, 2002 from 12 p.m. to 1 a.m. at the intersection of 1<sup>st</sup> Street and Southwest 114<sup>th</sup> Street. Stevens, Campbell, Hudkins and Heier voted aye. Motion carried.

**D. Increase of appropriations for the following funds:**

	<b><u>Original Budget</u></b>	<b><u>Proposed Addition</u></b>
Bridge & Special Road Fund	\$ 5,485,869	\$ 55,580
Lancaster Manor Fund	\$14,368,624	\$ 898,747
Community Mental Health Center Fund	\$ 6,882,336	\$ 381,515
County Property Management	\$ 716,213	\$ 17,669

Heier opened the public hearing and asked if anyone wished to testify in favor, opposition or in a neutral position to the increase of appropriations.

Dave Kroeker, Budget and Fiscal Officer, explained that the cost of living and the group insurance increases are not included in the budget process. He added that the additional appropriations were due to increases in salaries, benefits, temporary services, lease payments, cost of living increases, repairs to buildings and Medicaid reimbursements.

Heier asked if anyone else wished to testify.

No one appeared and the hearing was closed.

4) **OLD BUSINESS:**

**A. An interlocal agreement with the City of Lincoln for 24 hour medical services at the Lancaster County Juvenile Detention Center. The agreement shall take effect upon execution and remain in force through June 30, 2002. The County will pay the following for the services: (C-02-132)**

- ▶ A single monthly fee of \$574.60 per month for round the clock availability of professional services.
- ▶ A sum of \$41,475, payable in twelve monthly payments of \$3,456.25, for the services of one full-time registered nurse provided for under the agreement.

4) OLD BUSINESS CONTINUED:

- ▶ A sum of \$10,290, payable in twelve monthly payments of \$857.50, for the services of .25 full-time registered nurse.
- ▶ \$72.68 per physician's visit to the Juvenile Detention Center.
- ▶ \$7.78 per telephone conversation with physician.
- ▶ Physical examination/assessment completed at actual cost.
- ▶ \$75 or at actual cost, whichever is lower, for each employee Hepatitis B inoculation.
- ▶ \$5 for tuberculosis test of each employee.
- ▶ \$10 employment assessment for each employee.
- ▶ \$40 an hour for on-site lab services by a lab technician.
- ▶ Should the County Attorney's office require conferences, meetings, or in-court testimony of nurses, it shall be billed to the County at the rate of \$42.50 per hour.
- ▶ Should the County Attorney's office require conferences, meetings or in-court testimony of physicians, it shall be billed to the County at the rate of \$72.68 per hour.

**MOTION:** Campbell moved and Hudkins seconded approval of an interlocal agreement with the City of Lincoln for 24 hour medical services at the Lancaster County Juvenile Detention Center. Campbell, Stevens, Heier and Hudkins voted aye. Motion carried.

5) NEW BUSINESS:

A. An agreement with Randall Funding & Development, Inc. for professional services to raise grant funds for Lancaster County. The contractor shall write grant applications to obtain at least \$1,000,000 in grant approvals for the County. The County will provide the contractor with authorization to apply for a minimum of \$3,500,000 in grant opportunities. (C-02-0232)

The agreement with Randall Funding & Development, Inc. was held at the request of the County Attorney's Office.

B. An agreement with BryanLGH Medical Center for professional nursing services for the Lancaster Community Mental Health Center 24 hour a day, 7 days a week beginning June 1, 2002 and ending May 31, 2003. The County will pay \$33.41 per hour for the services. (County approval is subject to receipt of a fully executed original and a certificate of insurance.) (C-02-0231)

5) **NEW BUSINESS CONTINUED:**

**MOTION:** Campbell moved and Hudkins seconded approval of an agreement with BryanLGH Medical Center for professional nursing services for the Lancaster County Community Mental Health Center. Stevens, Hudkins, Heier and Campbell voted aye. Motion carried.

**C. An agreement with Innerspace Studios, Ltd. for interior space planning for two workstations for the County Commissioners office, located at 555 South 10<sup>th</sup> Street, Room 110, beginning June 1, 2002 and ending September 1, 2002. The County will pay \$400 for the services. (C-02-0233)**

**MOTION:** Campbell moved and Hudkins seconded approval of an agreement with Innerspace Studios, Ltd. for interior space planning for two workstations for the County Commissioners office. Campbell, Hudkins, Stevens and Heier voted aye. Motion carried.

**D. An agreement with Susan Ugai to provide legal representation to indigent parties in proceedings where they face contempt for failure to pay child support and in civil actions to establish paternity and determine child and medical support under Neb. Rev. Stat. §43-512.03. The term of the agreement is July 1, 2002 to June 30, 2003. The County will pay \$67,200 for the contract year, to be paid upon presentation of a statement for reimbursement and documentation that services have been provided. (C-02-0240)**

**MOTION:** Hudkins moved and Campbell seconded approval of an agreement with Susan Ugai to provide legal representation to indigent parties in proceedings where they face contempt for failure to pay child support and in civil actions to establish paternity and determine child and medical support under Neb. Rev. Stat. §43-512.03. Hudkins, Heier, Campbell and Stevens voted aye. Motion carried.

**E. A contract between the Lancaster County Corrections Department and Swanson Gentleman Hart, Inc. for installation of indoor synthetic flooring, in the amount of \$15,850. (The award of bid was approved April 23, 2002.) (C-02-0235)**

**MOTION:** Campbell moved and Hudkins seconded approval of a contract between the Lancaster County Corrections Department and Swanson Gentleman Hart, Inc. for installation of indoor synthetic flooring. Campbell, Heier, Stevens and Hudkins voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

- F. An amendment to an agreement with WinForce Technologies for installation and licenses for the Public Defender's case system. The amendment provides for an additional license and phone support in lieu of on-site installation. (C-02-0252)**

**MOTION:** Campbell moved and Stevens seconded approval of an amendment to an agreement with WinForce Technologies for installation and licenses for the Public Defender's case system. Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

- G. A facilities easement grant to the City of Lincoln d/b/a Lincoln Electric System for ingress and egress to survey, construct or reconstruct its facilities across a part of Arbor Road right-of-way located in the northeast one-quarter of Section 27, Township 11, North Range 7 East of the 6<sup>th</sup> Principal Meridian which is located west of North 84<sup>th</sup> Street and to the south of Interstate 80 right-of-way. (C-02-0234)**

**MOTION:** Hudkins moved and Stevens seconded approval of a facilities easement grant to the City of Lincoln d/b/a Lincoln Electric System for ingress and egress to survey, construct or reconstruct its facilities across a part of Arbor Road right-of-way located west of North 84<sup>th</sup> Street and to the south of Interstate 80 right-of-way. Campbell, Hudkins, Heier and Stevens voted aye. Motion carried.

- H. A memorandum of understanding for the Families First and Foremost Children's System of Care with the State of Nebraska Health and Human Services, Region V Systems, Lincoln Public Schools, Family Inspiring Families and State Probation. The memorandum provides for collaboration in the design and implementation of a single system of care for families of children who have severe emotional disorders and who are at risk for involvement in the juvenile justice system. (Approval should be subject to receipt of a fully executed original.) (C-02-0251)**

**MOTION:** Campbell moved and Stevens seconded approval of a memorandum of understanding for the Families First and Foremost Children's System of Care with the State of Nebraska Health and Human Services, Region V Systems, Lincoln Public Schools, Family Inspiring Families and State Probation. Heier, Campbell, Stevens and Hudkins voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

- I. **Recommendation from the Purchasing Agent and the Lancaster County Corrections Director to accept a letter of understanding with Evercom for a month to month extension of a contract relating to inmate phone services. The current contract expires on July 14, 2002. (C-02-0236)**

**MOTION:** Hudkins moved and Campbell seconded approval of the recommendation from the Purchasing Agent and the Lancaster County Corrections Director to accept a letter of understanding with Evercom for a month to month extension of a contract relating to inmate phone services. Stevens, Heier, Campbell and Hudkins voted aye. Motion carried.

- J. **A resolution in the matter of supplementing appropriations from previously adopted budgets. (R-02-0060)**

**MOTION:** Hudkins moved and Campbell seconded approval of Resolution 02-0060 supplementing appropriations from previously adopted budgets. Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

- K. **A resolution in the matter of County maintenance of the following roads in Roberts' Ironwood Estates: (R-02-0061)**

- ▶ **Approximately 2,669 feet of Buckthorn Road**
- ▶ **Approximately 1,266 feet of Southwest 34<sup>th</sup> Street**
- ▶ **Approximately 830 feet of Southwest 36<sup>th</sup> Street**
- ▶ **Approximately 470 feet of Southwest 37<sup>th</sup> Street**
- ▶ **Approximately 570 feet of Southwest 39<sup>th</sup> Court**

**MOTION:** Campbell moved and Hudkins seconded approval of Resolution 02-0061 for County maintenance of roads in Roberts' Ironwood Estates. Hudkins, Stevens, Heier and Campbell voted aye. Motion carried.

- L. **A resolution in the matter of supporting the project for the Pioneers Park pump station and transmission main located on Van Dorn Street west of 1<sup>st</sup> Street. (R-02-0062)**

John Olsson, with Olsson Associates, appeared with John Miriovsky, Superintendent of Water Production for the Lincoln Water System.



5) **NEW BUSINESS CONTINUED:**

Olsson disseminated an aerial map highlighting the project area (Exhibit 2) and explained that it will provide increased water pressure to west Lincoln.

Campbell commented that the County Board had referred the matter to the Lancaster County Ecological Advisory Committee for review. She stated it was her understanding that their recommendation was to proceed with the project.

Kerry Eagan, Chief Administrative Officer, stated that was correct and submitted the advisory committee's recommendation into the record (Exhibit 3).

Johnson recommended that the County Board approve the resolution subject to the City meeting conditions provided by the County Engineering Department.

**MOTION:** Stevens moved and Campbell seconded approval of Resolution 02-0062 with the inclusion of additional language as recommended by the County Attorney's Office. Stevens, Campbell, Hudkins and Heier voted aye. Motion carried.

**M. A political subdivision tort claim filed against the Lancaster County Corrections Department by Randy Eugene Shoemaker for lost property, in the amount of \$45.**

**MOTION:** Campbell moved and Hudkins seconded to accept the Director's recommendation and reimburse Randy Eugene Shoemaker for lost property, in the depreciated amount of \$2.50. Heier, Hudkins, Campbell and Stevens voted aye. Motion carried.

**N. Appointment of Sharon Ann Cheney, Jody R. Gilfillan and James C. Love to the Lancaster Manor Advisory Committee.**

**MOTION:** Hudkins moved and Stevens seconded approval. Campbell, Stevens, Heier and Hudkins voted aye. Motion carried.

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:**

1. County Clerk's Monthly Report for May, 2002.
2. Records & Information Management's Monthly Report for May, 2002.
3. Register of Deeds Monthly Report for May, 2002.

**B. Setting of a public hearing for Tuesday, July 2, 2002 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding an application for Corporate Manager for Dana Evans Lippold, submitted by Corporate Golf Marketing Inc. d/b/a Hi Mark Golf Club in connection with their Class M (Bottle Club) liquor license.**

**C. A request from Bambi L. Schmid, an employee at Lancaster Manor, to voluntarily participate in the Lancaster County Retirement Plan.**

**D. Leasehold contracts relating to culvert construction between the County Engineering Department and the following individuals:**

- ▶ Eugene Maahs, in the amount of \$10, on South 162<sup>nd</sup> Street 307 feet south of Van Dorn Street; Project C.P.Q-185. (C-02-0239)
- ▶ Eugene Maahs, in the amount of \$10, on South 162<sup>nd</sup> Street 29 feet north of Pioneers Boulevard; Project C.P.Q-180. (C-02-0237)
- ▶ Rick Hodtwalker, in the amount of \$10, on South 162<sup>nd</sup> Street 207 feet South of Van Dorn Street; Project C.P.Q-185. (C-02-0238)

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

- ▶ Elinor and William Malone on Holdrege Street, east of 162<sup>nd</sup> Street; Project C.P.J-164. This is a donation. (C-02-0241)
- ▶ Marlow and Brenda Meinke, in the amount of \$54.25, on West Stagecoach Road west of Southwest 114<sup>th</sup> Street; Project C.P.U-282. (C-02-0242)
- ▶ Jason Minchow on Davey Road west of North 84<sup>th</sup> Street; Project C.P.B-32 and 33. This is a donation. (C-02-0243)

6) CONSENT ITEMS CONTINUED:

- ▶ Harold and Diane Smith, in the amount of \$77.95, on Raymond Road west of North 98<sup>th</sup> Street; Project C.P.B-53. (C-02-0244)
- ▶ Bradley Philson on West Bennet Road west of Southwest 42<sup>nd</sup> Street; Project C.P.T-39. This is a donation. (C-02-0245)
- ▶ Ervin Maahs, in the amount of \$569.75, on "A" Street west of South 148<sup>th</sup> Street; Project C.P.J-89. (C-02-0246)
- ▶ Clarence Maahs on South 162<sup>nd</sup> Street south of Van Dorn Street; Project C.P.Q-185. This is a donation. (C-02-0247)
- ▶ Nancy and Donald Lines and Judy and Larry Kovar, in the amount of \$364.45, on Northwest 84<sup>th</sup> Street north of West Mill Road; Project C.P.E-112. (C-02-0248)
- ▶ Dwight and Sara Ohs, in the total amount of \$21,082.49, on Van Dorn Street between 112<sup>th</sup> and 120<sup>th</sup> Streets; Project C55-J-409(1). (2 contracts) (C-02-0249 and C-02-0250)

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

7) ANNOUNCEMENTS:

The County Board extended their condolences to the Seward County Board upon the death of Commissioner Neal Sell.

8) ADJOURNMENT:

**MOTION:** At 2:12 p.m. Campbell moved and Stevens seconded adjournment of the Board of Commissioners meeting. Stevens, Hudkins, Heier and Campbell voted aye. Motion carried.

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Bruce Medcalf  
County Clerk

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, JUNE 11, 2002  
COUNTY COMMISSIONERS CHAMBERS, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS  
MEETING**

Commissioners Present: Bernie Heier, Vice Chair  
Kathy Campbell  
Larry Hudkins  
Ray Stevens

Commissioners Absent: Bob Workman, Chair

Others Present: Norm Agena, County Assessor  
Kerry Eagan, Chief Administrative Officer  
David Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Trish Owen, Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer  
Susan Starcher, County Clerk's Office

The Board of Equalization meeting was convened at 2:12 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 4, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

**MOTION:** Hudkins moved and Campbell seconded approval of the minutes of the Board of Equalization dated June 4, 2002. Campbell, Hudkins, Heier and Stevens voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 12 additions and deductions to the tax assessment rolls per Exhibit A.**

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

3) **MOTOR VEHICLE TAX EXEMPTIONS FOR THE FOLLOWING:**

**Cedars Youth Services  
Second Baptist Church**

**MOTION:** Campbell moved and Hudkins seconded approval of the motor vehicle tax exemptions. Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

4) **ADJOURNMENT:**

**MOTION:** At 2:15 p.m. Campbell moved and Hudkins seconded adjournment of the Board of Equalization meeting. Hudkins, Stevens, Heier and Campbell voted aye. Motion carried.

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Bruce Medcalf  
County Clerk