MINUTES LANCASTER COUNTY BOARD OF COMMISSIONERS TUESDAY, SEPTEMBER 3, 2002 COUNTY COMMISSIONERS CHAMBERS, ROOM 112 FIRST FLOOR, COUNTY-CITY BUILDING 1:30 P.M.

Commissioners Present: Bob Workman, Chair

Bernie Heier, Vice Chair

Kathy Campbell Larry Hudkins Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer

David Johnson, Deputy County Attorney

Bruce Medcalf, County Clerk

Trish Owen, Chief Deputy County Clerk

Gwen Thorpe, Deputy Chief Administrative Officer

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, August 27, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at http://www.ci.lincoln.ne.us).

MOTION: Hudkins moved and Campbell seconded approval of the Board of

Commissioners minutes dated August 27, 2002. Campbell, Hudkins,

Heier, Workman and Stevens voted aye. Motion carried.

2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

3) <u>CLAIMS:</u> Approval of all claims processed through Tuesday, September 3, 2002.

MOTION: Heier moved and Campbell seconded approval of all claims processed

through September 3, 2002. Stevens, Workman, Heier, Campbell

and Hudkins voted aye. Motion carried.

4) **PUBLIC HEARINGS**:

A. Continuation of a public hearing regarding an application for a Class B (Beer Off Sale Only) and a Class M (Bottle Club) liquor license from Dustin and Nancy Duba d/b/a Dusty's Bar & Grill (formerly known as The Kramer Bar) located at 109 1st Street in Kramer, Lancaster County, Nebraska.

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

No one appeared and the Chair closed the public hearing.

MOTION:

Campbell moved and Heier seconded to request the County Attorney's Office draft a resolution approving the application for a Class B and a Class M liquor license from Dustin and Nancy Duba d/b/a Dusty's Bar & Grill, located at 109 1st Street in Kramer, Lancaster County, Nebraska with the stipulation that the manager(s) participate in a responsible hospitality course. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

Campbell requested that the Lincoln Council on Alcoholism and Drugs be invited to a Thursday staff meeting to discuss the responsible hospitality course and when the course is offered.

5) OLD BUSINESS:

A. A contract with Justice Benefits, Inc. for grant writing services and professional assistance to the Lancaster County Corrections Department in making application and claim for eligible funding under the State Criminal Alien Assistance Program (SCAAP). The term of the agreement is a two year term from the date of execution for the following reporting periods: July 1, 2001 to June 30, 2002 with application in January, 2003 and for July 1, 2002 to June 30, 2003 with application in January, 2004. The County shall pay Justice Benefits, Inc. 22 percent of all revenue paid to the County for SCAAP as compensation. (C-02-0400)

5) OLD BUSINESS CONTINUED:

MOTION:

Campbell moved and Stevens seconded approval of a contract with Justice Benefits, Inc. for grant writing services and professional assistance to the Lancaster County Corrections Department in making application and claim for eligible funding under the State Criminal Alien Assistance Program (SCAAP). The term of the agreement is a two year term from the date of execution for the following reporting periods: July 1, 2001 to June 30, 2002 with application in January, 2003 and for July 1, 2002 to June 30, 2003 with application in January, 2004. The County shall pay Justice Benefits, Inc. 22 percent of all revenue paid to the County for SCAAP as compensation.

In response to a question asked by Workman, David Johnson, Deputy County Attorney, explained that the contract is for reimbursement of the housing of prisoners in the County's facility. He stated that the 22 percent comes from the amount of revenue the County receives from the Federal government as reimbursement.

Kerry Eagan, Chief Administrative Officer, stated he met with a representative from the company and referred the individual to the Corrections Department. He added that it is extremely technical and complicated information which is easily missed by a non-expert.

ROLL CALL: Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

B. An agreement with the State of Nebraska, Department of Roads to supply funding to the County's public transportation assistance program to provide state financial assistance to qualified eligible recipients. The State will provide assistance under the Federal Transit Act and the Nebraska Public Transportation Act for the operation of the project. The Federal share shall not exceed \$17,093 and the State share shall not exceed \$20,691. The County share shall be all remaining eligible operating costs not paid by those funds which is estimated to total \$20,691. The term of the agreement is July 1, 2002 to June 30, 2003. (C-02-0411)

5) OLD BUSINESS CONTINUED:

MOTION:

Campbell moved and Stevens seconded approval of an agreement with the State of Nebraska, Department of Roads to supply funding to the County's public transportation assistance program to provide state financial assistance to qualified eligible recipients. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

6) **NEW BUSINESS**:

A. An application for a Special Designated License from K-Sara Enterprises, located at 3540 Village Drive, to hold the Schlegelmilch reception on Saturday, September 21, 2002 from 5 p.m. to 1 a.m. at the Waverly Community Center, located at 11120 North 141st Street in Lancaster County, Nebraska.

MOTION:

Campbell moved and Stevens seconded approval of an application for a Special Designated License from K-Sara Enterprises, located at 3540 Village Drive, to hold the Schlegelmilch reception on Saturday, September 21, 2002 from 5 p.m. to 1 a.m. at the Waverly Community Center, located at 11120 North 141st Street in Lancaster County, Nebraska with the stipulations as outlined by the Sheriff. Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

B. Grant contracts with the following:

- ► Nebraska Legal Services, Inc., in the amount of \$28,200, for the Family Law program, from July 1, 2002 to June 30, 2003. (C-02-0418)
- ► Houses of Hope, Inc., in the amount of \$45,000, for the Transitional Residential Halfway House, from July 1, 2002 to June 30, 2003. (C-02-0419)
- ► Madonna Rehabilitation Hospital, in the amount of \$7,500, for the Medical Transportation Project, from July 1, 2002 to June 30, 2003. (C-02-0420)
- ► Peoples City Mission, in the amount of \$35,000, for the Family/Women's Shelter program, from July 1, 2002 to June 30, 2003. (C-02-0421)
- ► Saint Monica's, in the amount \$60,000, for the Therapeutic Community program, the Female Adolescents program and the Day Treatment Services program, from July 1, 2002 to June 30, 2003. (C-02-0426)

► Heartland Big Brothers/Big Sisters, in the amount of \$10,000, for the Mentoring program, from July 1, 2002 to June 30, 2003. (C-02-0440)

MOTION:

Heier moved and Campbell seconded approval of grant contracts with Nebraska Legal Services, Inc., in the amount of \$28,200, Houses of Hope, Inc., in the amount of \$45,000, Madonna Rehabilitation Hospital, in the amount of \$7,500, Peoples City Mission, in the amount of \$35,000, Saint Monica's, in the amount of \$60,000 and Heartland Big Brothers/Big Sisters, in the amount of \$10,000. Campbell, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

C. An agreement with the Board of Regents of the University of Nebraska, the Lincoln Housing Authority and Lancaster County Cooperative Extension for the establishment and operation of the Nutrition Education Program (NEP) which is intended to address the nutritional needs of certain limited income persons living in urban housing in Lancaster County. The term of the agreement is September 1, 2002 to August 31, 2003. The County shall pay \$14,005 for the services which will be provided by the University. The Housing Authority will also pay \$14,005 for the service. (C-02-0423)

MOTION:

Hudkins moved and Heier seconded approval of an agreement with the Board of Regents of the University of Nebraska, the Lincoln Housing Authority and Lancaster County Cooperative Extension for the establishment and operation of the Nutrition Education Program (NEP) which is intended to address the nutritional needs of certain limited income persons living in urban housing in Lancaster County. The term of the agreement is September 1, 2002 to August 31, 2003. The County shall pay \$14,005 for the services which will be provided by the University. The Housing Authority will also pay \$14,005 for the service. Heier, Workman, Stevens, Campbell and Hudkins voted aye. Motion carried.

D. A contract with Child Guidance Center for case management services for the Juvenile Detention Center which shall include coordination of meetings and transitional services, beginning July 1, 2002 and ending June 30, 2003. The County will pay up to \$53,000 for the services. (C-02-0424)

MOTION:

Heier moved and Stevens seconded approval of a contract with Child Guidance Center for case management services for the Juvenile Detention Center, beginning July 1, 2002 and ending June 30, 2003, in the amount of \$53,000 subject to receipt of a fully executed original and receipt of a certificate of insurance. Stevens, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

E. Interlocal agreements relating to detention services between the Lancaster County Juvenile Detention Center and Otoe, Johnson, Cass, Jefferson, Saunders, Polk, Dawson, Nemaha and Buffalo counties. The contracts become effective upon execution of both parties and may be terminated upon giving 30 days written notice of termination. The County shall be paid \$200 per youth for each day the youth is housed at the Juvenile Detention Center. (C-02-0427 through C-02-0435)

MOTION:

Campbell moved and Heier seconded approval of interlocal agreements relating to detention services between the Lancaster County Juvenile Detention Center and Otoe, Johnson, Cass, Jefferson, Saunders, Polk, Dawson, Nemaha and Buffalo counties. The contracts become effective upon execution of both parties and may be terminated upon giving 30 days written notice of termination. The County shall be paid \$200 per youth for each day the youth is housed at the Juvenile Detention Center. Workman, Campbell, Hudkins, Stevens and Heier voted aye. Motion carried.

F. An interlocal agreement with the City of Lincoln for medical services, 24 hours per day, seven days per week at the Juvenile Detention Center. The medical services include, but are not limited to, physician and nurse. The term of the agreement is July 1, 2002 to June 30, 2003. The County shall pay the following rates for the services: (C-02-0437)

- ► A single monthly fee of \$591.84 per month for round the clock availability of professional services
- ► A sum of \$44,700, payable in 12 monthly payments of \$3,725 payable for one FTE (full-time employee) registered nurse services provided for under this agreement
- A sum of \$10,290 for part-time, on-call registered nurse services
- \$74.86 per physician's visit to the Detention Center
- ▶ \$8.01 per telephone conversation with physician
- Physical examination/assessment completed at actual cost
- \$35 per dose of Hepatitis B vaccine for each employee
- ▶ \$10 for tuberculosis test of each employee
- \$20 employment assessment for each employee
- ▶ \$40/hour for on-site lab services by a lab technician. Payment shall be made to the Lincoln-Lancaster County Health Department (LLCHD) on a monthly basis following receipt of signed and itemized monthly billing statements which shall specify the names of the patients who were tested, examined and/or treated, and/or the name of the Detention Center staff who received tuberculosis tests, Hepatitis B inoculations or employment assessments, as well as dates and charges thereof
- 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 \$74.86 per hour

MOTION:

Heier moved and Campbell seconded approval of an interlocal agreement with the City of Lincoln for medical services, 24 hours per day, seven days per week at the Juvenile Detention Center. Hudkins, Workman, Heier, Campbell and Stevens voted aye. Motion carried.

G. Interlocal Cooperative Agreement with the State of Nebraska Department of Health and Human Services to provide behavioral health services to high need youth who are wards of the State of Nebraska residing in Lancaster County. The County will serve up to 191 state ward youths at any one time. The term of the agreement is July 1, 2002 to June 30, 2003. The County will be paid \$2,360 per youth served in the program. The County shall also be paid \$77,486 per month for the first three months of the agreement and \$50,000 per month for October and November which shall be used to prepare for the acceptance of youth into the system. (C-02-0439)

In response to a question asked by Heier regarding final wording relating to excess money not used for the care of the juvenile, Sheryl Schrepf, Executive Director of Families First and Foremost, explained that anything saved in the project could be expended at the direction of the Director of Health and Human Services. She added that assumption was that the services would be extended to more families.

Heier asked if the contract meets the County Attorney's approval.

Johnson stated it narrows the exposure, however, it would not meet their needs.

Schrepf read the following language into the record, noting that it could be included in the contract: "These funds shall be used by Lancaster County to cover service and operating costs during periods in which costs are higher than the monthly aggregate case rate.".

MOTION:

Campbell moved and Heier seconded approval of an interlocal cooperative agreement with the State of Nebraska Department of Health and Human Services to provide behavioral health services to high need youth who are wards of the State of Nebraska residing in Lancaster County to include the following language, "These funds (Risk Pool and Operating Expense Reserve) shall be used by Families First and Foremost/Lancaster County to cover service and operating costs during periods in which costs are higher than the monthly aggregate case rate.". Campbell, Heier, Stevens, Workman and Hudkins voted aye. Motion carried.

H. An amendment to County contract C-02-0052 with Lutheran Family Services of Nebraska, Inc. for the provision of substance abuse services to adult males which may include intensive outpatient services for the Lancaster County Adult Drug Court. The amendment provides for automatic renewal for successive subsequent one year terms unless terminated as provided in the agreement. The initial term was July 1, 2001 to June 30, 2002. (C-02-0422)

MOTION:

Heier moved and Campbell seconded approval of an amendment to County contract C-02-0052 with Lutheran Family Services of Nebraska, Inc. for the provision of substance abuse services to adult males which may include intensive outpatient services for the Lancaster County Adult Drug Court. The amendment provides for automatic renewal for successive subsequent one year terms unless terminated as provided in the agreement. The initial term was July 1, 2001 to June 30, 2002. Hudkins, Campbell, Stevens, Heier and Workman voted aye. Motion carried.

I. An amendment to an intergovernmental memorandum of agreement, executed under County contract C-01-21, for the provision of contracting for and monitoring the community based residential and non-residential evaluations for youth of the Southeast Service Area for the Nebraska Department of Health and Human Services. The amendment extends the term of the agreement until June 30, 2003 and provides for reimbursement to the County at a rate of \$1,140 per evaluation for 432 evaluations totaling \$492,480. (C-02-0425)

MOTION:

Campbell moved and Stevens seconded approval of an amendment to an intergovernmental memorandum of agreement, executed under County contract C-01-21, for the provision of contracting for and monitoring the community based residential and non-residential evaluations for youth of the Southeast Service Area for the Nebraska Department of Health and Human Services. The amendment extends the term of the agreement until June 30, 2003 and provides for reimbursement to the County at a rate of \$1,140 per evaluation for 432 evaluations totaling \$492,480. Campbell, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

J. An addendum to an agreement with the Lancaster County Deputy Sheriff's Association, Fraternal Order of Police, Lodge 29, to decrease the County's contribution to the Post Employment Health Plan (PEHP), effective the pay period beginning August 22, 2002. (C-02-0438)

MOTION: Heier moved and Campbell seconded approval of an addendum to an

agreement with the Lancaster County Deputy Sheriff's Association, Fraternal Order of Police, Lodge 29, to decrease the County's contribution to the Post Employment Health Plan (PEHP), effective the pay period beginning August 22, 2002. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

K. A resolution in the matter of instituting eminent domain proceedings; Project C-55-J-409(1), Tract 33. (R-02-0099)

MOTION: Campbell moved and Stevens seconded approval of Resolution 02-

0099 in the matter of instituting eminent domain proceedings; Project C-55-J-409(1), Tract 33. Stevens, Workman, Campbell and Hudkins voted aye. Heier abstained from voting. Motion carried.

L. Payment to Cheever Construction in the amount of \$20,000 for the Juvenile Detention Facility.

MOTION: Campbell moved and Heier seconded approval of payment to

Cheever Construction, in the amount of \$20,000, for the Juvenile Detention Facility. Workman, Hudkins, Campbell, Stevens and Heier

voted aye. Motion carried.

M. Reappointment of Bob Workman to the Nebraska Association of County Officials Board of Directors. The term is for two years, beginning January 1, 2003.

MOTION: Heier moved and Hudkins seconded approval of the reappointment

of Bob Workman to the Nebraska Association of County Officials Board of Directors. The term is for two years, beginning January 1, 2003. Hudkins, Stevens, Workman, Heier and Campbell voted aye.

Motion carried.

N. A political subdivision tort claim filed against the Lancaster County Corrections Department by Adam James Nesbitt for lost property, in the amount of \$9 to \$10.

MOTION:

Heier moved and Campbell seconded to accept the Director's recommendation and deny the political subdivision tort claim filed against the Lancaster County Corrections Department by Adam James Nesbitt for lost property, in the amount of \$9 to \$10. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

- 7) <u>CONSENT ITEMS:</u> 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 July, 2002.
 - 2. Lincoln City Libraries Director's Report for July, 2002.
 - B. Setting of a public hearing for Tuesday, September 10, 2002 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building to set the final tax requests for Lancaster County and the Rural Library.
 - C. Setting of public hearings for Tuesday, September 17, 2002 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding the following:
 - 1. County Special Permit 193, Lakewood Hills Community Unit Plan, requested by Lyle Loth of ESP, on behalf of Robert E. Lookabaugh, consisting of five single family acreage residential lots and two outlots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.

7) CONSENT ITEMS CONTINUED:

- 2. County Preliminary Plat 02006, Lakewood Hills, requested by Lyle Loth of ESP, on behalf of Robert E. Lookabaugh, consisting of five single family acreage residential lots and two outlots, with requests to waive street trees, street lighting, landscape screens, sidewalks, block length and street frontage, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.
- D. Setting of a public hearing for Tuesday, October 1, 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 Teri L. Ernisse and a Class B (Beer Off Sale Only) and a Class M (Bottle Club) liquor license for Chace Enterprises, Inc. d/b/a Silver Spoke Saloon, located at 1400 Saltillo Road, Lincoln, Lancaster County, Nebraska.
- E. A resolution authorizing the installation of a "School Bus Stop Ahead" sign for eastbound traffic in advance of the Rick Schneider residence located 12900 West "A" Street. (The sign was requested by the Milford School District.) (R-02-0096)
- F. A resolution in the matter of an application for Corporate Manager for Lorin Kilian Dagel in connection with a Class K (Wine Off Sale Only) and a Class M (Bottle Club) liquor license held by Firethorn Investments d/b/a Firethorn Golf Club, located at 9301 Firethorn Lane, Lincoln, Lancaster County, Nebraska. (R-02-97)
- G. A resolution in the matter of an application for Corporate Manager for Roy G. Dickson in connection with a Class M (Bottle Club) liquor license held by Corporate Golf Marketing d/b/a Yankee Hill Country Club, located at 7600 San Mateo Lane, Lincoln, Lancaster County, Nebraska. (R-02-0098)
- H. A right-of-way contract relating to culvert construction between the Lancaster County Engineering Department and Dennis and Lorrie Adams, in the amount of \$228, south of West Rock Creek Road; Project C.P.C-168. (C-02-0436)

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

8) **ADJOURNMENT**:

MOTION: Heier moved and Campbell seconded adjournment of the Board of

Commissioners meeting at 2:10 p.m. Campbell, Stevens, Workman,

Heier and Hudkins voted aye. Motion carried.

Drugo Modoolf

Bruce Medcalf County Clerk

MINUTES LANCASTER COUNTY BOARD OF EQUALIZATION TUESDAY, SEPTEMBER 3, 2002 COUNTY COMMISSIONERS CHAMBERS, ROOM 112 FIRST FLOOR, COUNTY-CITY BUILDING IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS MEETING

Commissioners Present: Bob Workman, Chair

Bernie Heier, Vice Chair

Kathy Campbell Larry Hudkins Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer

David Johnson, Deputy County Attorney

Bruce Medcalf, County Clerk

Rob Ogden, Deputy County Assessor Trish Owen, Chief Deputy County Clerk

Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was convened at 2:10 p.m.

1) MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, August 27, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at http://www.ci.lincoln.ne.us).

MOTION: Heier moved and Campbell seconded approval of the minutes of the Board of Equalization dated August 27, 2002. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

2) PUBLIC COMMENT:

There was no public comment and the meeting proceeded as planned.

3) ADDITIONS AND DEDUCTIONS:

Approval of 35 additions and deductions to the tax assessment rolls per Exhibit A.

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

4) MOTOR VEHICLE TAX EXEMPTIONS:

Lincoln Lutheran School Association Sisters of Mary Queen of Mercy

MOTION: Heier moved and Campbell seconded approval of motor vehicle tax exemptions for Lincoln Lutheran School Association and Sisters of Mary Queen of Mercy. Workman, Hudkins, Campbell, Stevens and Heier

voted aye. Motion carried.

5) **NOTICE OF VALUATION CHANGE**:

Setting of public hearings for Tuesday, September 17, 2002, immediately following the regular Board of Commissioners meeting, in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building for notice of valuation change for omitted or undervalued property for the following:

Hartland Homes Inc.
Hilltop Foundation (4 notices)
Nancy K. Peters and John R. Steinberger
SBA Tower
Saint John's Reformed Church

The Clerk noted that the County Assessor's Office requested that the notice of valuation change for Saint John's Reformed Church be dropped.

MOTION: Campbell moved and Heier seconded to set public hearings for Tuesday, September 17, 2002, immediately following the regular Board of Commissioners meeting, in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building for notice of valuation change for omitted or undervalued property for Hartland Homes Inc., Hilltop Foundation (4 notices), Nancy K. Peters and John R. Steinberger and SBA Tower. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

6) **ADJOURNMENT**:

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

Bruce Medcalf
County Clerk