

**MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
TUESDAY, SEPTEMBER 9, 2003  
COUNTY COMMISSIONERS CHAMBERS, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
1:30 P.M.**

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

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 called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, September 2, 2003.**

**MOTION:** Schorr moved and Stevens seconded approval of the minutes of the Board of Commissioners dated September 2, 2003. Schorr, Hudkins, Stevens and Heier voted aye. Workman abstained from voting. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

- A. **The Commissioners Award of Excellence for August, 2003 was presented to Melissa Koci, an employee with the County Clerk's Office.**
- B. **Southeast Community College Budget Presentation - Jack Huck, President.**

This item was rescheduled for September 30, 2003.

3) **PUBLIC COMMENT:**

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

New Business Item 7J was moved forward at the request of the Chair.

7) **NEW BUSINESS:**

**J. A resolution in the matter of adopting a three percent salary increase for the Child Support Referee and Bailiffs, effective the pay period beginning August 21, 2003. (R-03-0089)**

District Court Judge Earl Witthoff appeared and reported that the Child Support Referee, Susan Gillen, earns \$72,202 as compared with the Referees for Douglas County who earn \$85,663 each. He stated the work is exactly the same and is set by state statute. Judge Witthoff also noted that the referee's salary is paid for by the Federal government through a grant. A salary of \$85,663 was recommended.

Gillen gave a brief description of her job duties, noting that there are some duties that she does which the Douglas County referees don't perform and vice versa.

Hudkins stated the referee's salary was commensurate with other employees and asked if there were new duties added to her job description which would change the classification.

Judge Witthoff stated they would like to correct a mistake made earlier. He said there was a \$10,000 discrepancy between Douglas and Lancaster counties when the matter was first discussed, however, there is now a \$13,000 discrepancy.

Juvenile Court Judge Linda Porter appeared to discuss a request from the Juvenile Court judges to allow an incremental amount to be paid to the presiding judge's bailiff. She explained that the presiding judge's bailiff has the same duties as the other bailiffs, however, there are significant additional duties such as supervising, hiring, dismissing and completion of evaluations for clerical staff, as well as preparation of the budget.

**7) NEW BUSINESS CONTINUED:**

In response to a question asked by Stevens, Judge Porter suggested a stipend of approximately \$3,000.

**MOTION:** Hudkins moved and Stevens seconded to defer New Business Item 7J regarding a salary increase for the Child Support Referee and Bailiffs for discussion at a County Board Staff Meeting. Workman, Hudkins, Schorr, Stevens and Heier voted aye. Motion carried.

**4) PUBLIC HEARINGS:**

**A. Comprehensive Plan Amendment 03016, by the Director of Planning, at the request of Peter Katt, on behalf of Dwaine Rogge, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan, to change a portion of property designated "Environmental Resources" to "Industrial" between Salt Creek and Arbor Road, west of North 70<sup>th</sup> Street in Lancaster County, Nebraska. (Continued from August 19, 2003.)**

The Chair reconvened the public hearing and asked if anyone wished to testify in favor, opposition or in a neutral position.

The Clerk administered the oath to Mike DeKalb, Planning Department.

DeKalb stated the Saline Wetland Assessment Team (SWAT), reassessed the adjacent property and determined that it be should recategorized from a Category II to a Category III wetland. He stated Planning staff recommendation was now in concurrence with the recommendation of the Planning Commission for approval of the amendment.

David Johnson, Deputy County Attorney, requested that the Planning Department Fact Sheet (Exhibit 1), as well as a memorandum, dated September 2, 2003, from Marvin Krout, Planning Director (Exhibit 2), be made a part of the record.

The Clerk administered the oath to Peter Katt, attorney representing Dwaine Rogge.

Katt stated he felt the record was clear and noted that the Comprehensive Plan contained some inaccurate factual information, which is currently being corrected as a result of all parties inspecting the facts in the field.

4) **PUBLIC HEARINGS CONTINUED:**

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

**MOTION:** Hudkins moved and Workman seconded approval of Comprehensive Plan Amendment 03016 and requested the County Attorney's Office to draft a resolution for the Board of Commissioners meeting to be held on September 16, 2003. Hudkins, Stevens, Workman, Schorr and Heier voted aye. Motion carried.

**B. An amusement license from Julie Diegel on behalf of the University Place Art Center to hold a wine tasting fund raiser and an art sale on Sunday, September 14, 2003 from 3 p.m. to 6 p.m. at the residence of Scott Zager and Lisa Zentz-Zager located at 6405 North 134<sup>th</sup> Street, Waverly, Lancaster County, Nebraska.**

By direction of the Chair, this item was withdrawn.

**C. Setting the final tax requests for Lancaster County and the Rural Library.**

The Chair opened the public hearing and asked if anyone wanted to testify in favor, opposition or in a neutral position.

The Clerk administered the oath to Dave Kroeker, Budget and Fiscal Officer.

Kroeker stated the tax request last year for the rural library was \$631,676 as compared to \$618,516 for Fiscal Year 2003-2004.

The tax request last year for the County was \$35,101,606 as compared to \$40,133,593 for the new fiscal year.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

5) **OLD BUSINESS:**

**A. Credit card application with Wells Fargo for the Juvenile Detention Center. The application is for one credit card with a limit of \$2,000. (C-03-0466)**

**MOTION:** Stevens moved and Workman seconded approval of a credit card application with Wells Fargo for the Juvenile Detention Center. The application is for one credit card with a limit of \$2,000.

In response to a question asked by Schorr, Judy Foote, Administrative Services Officer at the Juvenile Detention Center, explained that the application was for a replacement card for another credit card which was canceled by the company because it was not used during the prior year. She stated the card would be used for motel rooms, vehicle rental and gasoline.

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

**B. An agreement with the State Public Policy Group d/b/a Nebraska Public Policy Group for services to assist the Community Mental Health Center in the implementation of the Lancaster County Jail Diversion Capacity Expansion grant. The contractor will provide program evaluation for each year of the grant in accordance with the evaluation and requirements of the funding agency. The term of the agreement will be from June 1, 2003 to June 30, 2004. The County will pay up to \$34,000 as reimbursement of services rendered under the terms of the agreement. (C-03-0464)**

Johnson stated the agreement was held over for inclusion of the following language in Section 6, Subsection 6.3:

"In the event of termination the SPPG shall provide the County with any and all deliverables, documents or other information required in the provision of services. If the information or documents are not provided the County shall reduce the compensation provided to SPPG in proportion to the information received."

He added that the language has been accepted by SPPG.

5) **NEW BUSINESS CONTINUED:**

**MOTION:** Workman moved and Stevens seconded approval of an agreement with the State Public Policy Group d/b/a Nebraska Public Policy Group for services to assist the Community Mental Health Center in the implementation of the Lancaster County Jail Diversion Capacity Expansion grant. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

**C. A cooperative agreement with the State of Nebraska, Department of Health and Human Services for the County to provide behavioral health services to high need youth who are wards of the State of Nebraska and reside in Lancaster County. The term of the agreement is from July 1, 2003 to June 30, 2004. The County will serve a maximum of 230 state ward youth at any one time and will be reimbursed \$2,360 per youth, per month for the services provided. (C-03-0451)**

**MOTION:** Hudkins moved and Schorr seconded approval of a cooperative agreement with the State of Nebraska, Department of Health and Human Services for the County to provide behavioral health services to high need youth who are wards of the State of Nebraska and reside in Lancaster County. Stevens, Hudkins, Schorr, Workman and Heier voted aye. Motion carried.

6) **CLAIMS: Approval of all claims processed through Tuesday, September 9, 2003.**

**MOTION:** Schorr moved and Hudkins seconded approval of all claims processed through September 9, 2003. Workman, Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

7) **NEW BUSINESS:**

**A. An application for a Special Designated License from B & B-Q, Inc. d/b/a Cheerleaders to hold a wedding reception on Saturday, September 20, 2003 from 2 p.m. to 1 a.m. at Country Pines, located at 6305 West Adams Street, Lincoln, Lancaster County, Nebraska.**

7) **NEW BUSINESS CONTINUED:**

**MOTION:** Workman moved and Stevens seconded approval of an application for a Special Designated License from B & B-Q, Inc. d/b/a Cheerleaders to hold a wedding reception on Saturday, September 20, 2003 from 2 p.m. to 1 a.m. at Country Pines, located at 6305 West Adams Street, Lincoln, Lancaster County, Nebraska. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

**B. A contract with Physicians Laboratory Services, Inc. to provide laboratory services for the Community Mental Health Center. Compensation for prescription and non-prescription items will be in compliance with the Nebraska Department of Public Welfare published fee schedule. Term of the contract is September 1, 2003 through August 30, 2006, with the option to renew for one additional three year period. (C-03-0469)**

**MOTION:** Workman moved and Stevens seconded approval of a contract with Physicians Laboratory Services, Inc. to provide laboratory services for the Community Mental Health Center. Compensation for prescription and non-prescription items will be in compliance with the Nebraska Department of Public Welfare published fee schedule. Schorr, Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

**C. A grant contract with the Hispanic Community Center for funding for the Open Door Program. The County will make a grant in the amount of \$10,000. Term of the contract is July 1, 2003 to June 30, 2004. (C-03-0471)**

**MOTION:** Stevens moved and Workman seconded approval of a grant contract with the Hispanic Community Center for funding for the Open Door Program. Hudkins, Schorr, Stevens, Workman and Heier voted aye. Motion carried.

**D. A grant contract with the League of Human Dignity, Inc. for funding for the Center for Independent Living, in the amount of \$48,000 and for barrier removal, in the amount of \$16,500. The total grant amount is \$64,500. The grant contract is for human services in the community. Term of the contract is July 1, 2003 to June 30, 2004. (C-03-0472)**

7) **NEW BUSINESS CONTINUED:**

**MOTION:** Stevens moved and Schorr seconded approval of a grant contract with the League of Human Dignity, Inc. for funding for the Center for Independent Living, in the amount of \$48,000 and for barrier removal, in the amount of \$16,500. Schorr, Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

**E. An amendment to an agreement with UNICO Group, Inc. for exercising an option to renew the original agreement for two additional one year periods which would be from September 1, 2003 to August 31, 2004 and from September 1, 2004 to August 31, 2005. The total compensation for the first renewal year would be \$26,500 and no more than a three percent increase for the subsequent year. The original agreement is for the provision of insurance brokerage services for Lancaster County Property and Casualty. (C-03-0468)**

**MOTION:** Stevens moved and Workman seconded approval of an amendment to an agreement with UNICO Group, Inc. for exercising an option to renew the original agreement for two additional one year periods which would be from September 1, 2003 to August 31, 2004 and from September 1, 2004 to August 31, 2005. Workman, Schorr, Stevens, Hudkins and Heier voted aye. Motion carried.

**F. A resolution regarding the proposed sale of County property generally located at South 96<sup>th</sup> Street and Stagecoach Road, Lincoln, Lancaster County which includes the setting of a public hearing regarding the sale of the property and determination of fair market value and the setting of the date for the sale of the property. (R-03-0085)**

**MOTION:** Workman moved and Schorr seconded approval of Resolution 03-0085. Stevens, Workman, Hudkins, Schorr and Heier voted aye. Motion carried.

**G. A resolution in the matter of County maintenance of roads in Portsche Heights 3<sup>rd</sup> and 4<sup>th</sup> Addition. Approximately 1,396 feet of Portsche Lane will be maintained. (R-03-0086)**

**MOTION:** Hudkins moved and Workman seconded approval of Resolution 03-0086.



7) **NEW BUSINESS CONTINUED:**

Johnson requested that the following language be included in the resolution:

"Whereas, the County Engineering Department recommends approval of acceptance of said maintenance because Portsche Heights 3<sup>rd</sup> and 4<sup>th</sup> Addition meets the County road requirements in subdivisions."

Both the maker of the motion and the seconder agreed to include the language as suggested by the Deputy County Attorney.

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

**H. A resolution in the matter of setting the 2003-2004 property tax request for Lancaster County at a different amount than that of the prior year. (R-03-0087)**

**MOTION:** Workman moved and Hudkins seconded approval of Resolution 03-0087. Workman, Schorr, Stevens, Hudkins and Heier voted aye. Motion carried.

**I. A resolution in the matter of striking uncollectible property tax from the tax list. (R-03-0088)**

Workman clarified that the tax list is for personal property.

**MOTION:** Workman moved and Hudkins seconded approval of Resolution 03-0088. Stevens, Workman, Hudkins, Schorr and Heier voted aye. Motion carried.

**J. A resolution in the matter of adopting a three percent salary increase for the Child Support Referee and Bailiffs, effective the pay period beginning August 21, 2003. (R-03-0089)**

Item previously discussed.

7) **NEW BUSINESS CONTINUED:**

**K. A resolution in the matter of adopting benefits for unclassified County employees, effective the pay period beginning September 18, 2003. (R-03-0090)**

**MOTION:** Stevens moved and Workman seconded approval of Resolution 03-0090. Hudkins, Stevens, Workman, Schorr and Heier voted aye. Motion carried.

**L. Approval of payment to Dr. M.-Shahid Kamal for services at the Crisis Center from August 13<sup>th</sup> through August 15<sup>th</sup>, 2003, to cover for Dr. Klaus Hartmann while on vacation. Dr. Kamal is to be paid \$95 per hour for 10.5 hours.**

**MOTION:** Schorr moved and Hudkins seconded approval of payment to Dr. M.-Shahid Kamal for services at the Crisis Center from August 13<sup>th</sup> through August 15<sup>th</sup>, 2003, to cover for Dr. Klaus Hartmann while on vacation. Dr. Kamal is to be paid \$95 per hour for 10.5 hours. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

**M. A request from the Lancaster County Personnel Policy Board to amend Personnel Rule 19.3 regarding sick leave.**

**MOTION:** Stevens moved and Workman seconded approval of a request from the Lancaster County Personnel Policy Board to amend Personnel Rule 19.3 regarding sick leave. Stevens, Workman, Hudkins, Schorr and Heier voted aye. Motion carried.

7) NEW BUSINESS CONTINUED:

**N. Request from the Lancaster County Personnel Policy Board to change pay grades for the following classifications:**

<u>Class Code</u>	<u>Class Title</u>	<u>Pay Grade</u>	<u>Current Proposed Pay Grade</u>
9733	Mental Health Emergency Service	C19 (\$30,985.76 to \$40,349.92)	C21 (\$33,800 to \$44,137.60)
9735	Mental Health Managed Care Coordinator	C16 (\$26,915.20 to \$35,299.68)	C17 (\$28,215.60 to \$36,897.68)
9738	Mental Health Specialist	C16 (\$26,915.20 to \$35,299.68)	C17 (\$28,215.60 to \$36,897.68)
9740	Crisis Center Team Supervisor	C18 (\$29,573.44 to \$38,592.32)	C19 (\$30,985.76 to \$40,349.92)
9745	Mental Health Clinician I	C19 (\$30,985.76 to \$40,349.92)	C21 (\$33,800 to \$44,137.60)
9746	Mental Health Clinician II	C22 (\$35,299.68 to \$46,209.28)	C25 (\$38,592.32 to \$50,760.32)

**MOTION:** Stevens moved and Workman seconded approval of a request from the Lancaster County Personnel Policy Board for pay grade changes to Class Code 9733 (Mental Health Emergency Service), Class Code 9735 (Mental Health Managed Care Coordinator), Class Code 9738 (Mental Health Specialist), Class Code 9740 (Crisis Center Team Supervisor), Class Code 9745 (Mental Health Clinician I) and Class Code 9746 (Mental Health Clinician II). Schorr, Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

**O. A claim filed by Hazel Marie Raskey, in the amount of \$94.27, for services provided with County elections in 1980. The original check was recently found.**

**MOTION:** Workman moved and Schorr seconded approval of a claim filed by Hazel Marie Raskey, in the amount of \$94.27, for services provided with County elections in 1980 subject to receipt of the original warrant. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

8) **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 August, 2003.
2. Lancaster Manor's Monthly Report for August, 2003.

**B. A resolution in the matter of County Miscellaneous 03006, requested by the Director of Planning, to amend the County Subdivision Resolution to increase application filing fees. (R-03-0091)**

**C. A resolution in the matter of County Miscellaneous 03007, requested by the Director of Planning, to establish a fee for requests to amend the Comprehensive Plan. (R-03-0092)**

**D. A resolution in the matter of County Change of Zone 215, requested by the Director of Planning, to amend the County Zoning Resolution to increase application filing fees. (R-03-0093)**

**E. A right-of-way contract relating to road improvements between the Lancaster County Engineering Department and James K. and Connie Campbell, in the amount of \$325, on Van Dorn Street from South 112<sup>th</sup> to South 120<sup>th</sup> Streets; Project C55-J-409(1). (C-03-0470)**

Stevens requested that Consent Item 8C be voted on separately.

**MOTION:** Schorr moved and Hudkins seconded approval of Consent Items 8A through 8E with the exception of Consent Item 8C. Stevens, Hudkins, Schorr, Workman and Heier voted aye. Motion carried.

**CONSENT ITEMS 8C:**

Stevens stated it was his understanding that the County Board's intent was to approve the request unless the amendment is requested by a vote of the majority of the Board present for quorum.

Johnson stated he would make the suggested change.

8) **CONSENT ITEMS CONTINUED:**

**MOTION:** Hudkins moved and Schorr seconded approval Resolution 03-0092 contingent upon recommended changes being incorporated or reflected. Workman, Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

9) **ADJOURNMENT:**

**MOTION:** Stevens moved and Workman seconded adjournment of the Board of Commissioners at 2:40 p.m.. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

---

Bruce Medcalf  
County Clerk

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, SEPTEMBER 9, 2003  
COUNTY COMMISSIONERS CHAMBERS, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS  
MEETING**

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

Others Present: Norm Agena, County Assessor/Register of Deeds  
Kerry Egan, 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 Equalization meeting was called to order at 2:40 p.m..

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, September 2, 2003.

**MOTION:** Hudkins moved and Stevens seconded approval of the minutes of the Board of Equalization dated September 2, 2003. Schorr, Hudkins, Stevens and Heier voted aye. Workman abstained from voting. Motion carried.

- 2) **PUBLIC COMMENT:**

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

3) **ADDITIONS AND DEDUCTIONS TO THE TAX ASSESSMENT ROLLS:**

**Approval of 53 additions and deductions to the tax assessment rolls per Exhibit A.**

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

4) **NOTICE OF VALUATION CHANGE:**

**Setting of a public hearing for Tuesday, September 23, 2003 immediately following the Board of Commissioners meeting, which begins at 1:30 p.m., 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:**

**B & J Partnership**

**MOTION:** Hudkins moved and Stevens seconded to set a public hearing for September 23, 2003 for notice of valuation change for omitted or undervalued property for B & J Partnership. Hudkins, Stevens, Workman, Schorr and Heier voted aye. Motion carried.

5) **PROTEST REGARDING 2003 VALUE ON REAL PROPERTY LOCATED AT 2333 NORTH 62<sup>nd</sup> STREET:**

Trish Owen, Chief Deputy County Clerk, briefly explained that the property was one of seven protests filed by Mrs. Gretchen Cooper. She stated that two of the parcels were given the same protest number. A legal opinion was obtained from Chief Deputy County Attorney, Mike Thew, indicating that the error was a clerical error and that the Board of Equalization could hear the matter.

Norm Agena, County Assessor/Register of Deeds, recommended that the value be reduced to \$110,000.

**MOTION:** Hudkins moved and Workman seconded to accept the recommendation of the County Assessor/Register of Deeds and adjust the value from \$123,200 to \$110,000. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

6) **ADJOURNMENT:**

**MOTION:** Stevens moved and Schorr seconded adjournment of the Board of Equalization meeting at 2:45 p.m.. Stevens, Workman, Hudkins, Schorr and Heier voted aye. Motion carried.

---

Bruce Medcalf  
County Clerk