

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, NOVEMBER 25, 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: Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
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, November 18, 2003.**

MOTION: Schorr moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated November 18, 2003. Schorr, Hudkins, Workman, Stevens and Heier voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. The Volunteer of the Month Award was presented to Mark Koller for his services in the Urban Development.

- 3) **PUBLIC COMMENT:**

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

4) **CLAIMS FOR REVIEW:**

- A. **Payment Voucher 651-040411 dated November 20, 2003 - The Sheriff's Office has requested payment to U-Stop Convenience Shop, in the amount of \$120, for car washes during the years 2001, 2002 and 2003.**

Terry Wagner, Sheriff, appeared and briefly explained the claim for review. Recommendation was for approval.

MOTION: Stevens moved and Workman seconded approval of Payment Voucher 651-040411 dated November 20, 2003 - The Sheriff's Office has requested payment to U-Stop Convenience Shop, in the amount of \$120, for car washes during the years 2001, 2002 and 2003. Workman, Hudkins, Schorr, Stevens and Heier voted aye. Motion carried.

5) **CLAIMS: Approval of all claims processed through Tuesday, November 25, 2003.**

MOTION: Workman moved and Hudkins seconded approval of all claims processed through November 25, 2003. Hudkins, Stevens, Workman, Schorr and Heier voted aye. Motion carried.

6) **PUBLIC HEARINGS:**

- A. **Continuation of a public hearing regarding an application for Corporate Manager for Christopher Thomson Miller in connection with a Class M (Bottle Club) liquor license for Yankee Hill Development L.L.C. d/b/a Yankee Hill Country Club located at 7600 San Mateo Lane in Lincoln, Lancaster County, Nebraska.**

The Clerk noted an error on the agenda and stated the applicant's name should be corrected to Christopher Miller Thomson.

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

No one appeared and the hearing was closed.

6) PUBLIC HEARINGS CONTINUED:

B. City-County Comprehensive Plan Conformance Number 03012, requested by the Directors of Public Works and Utilities and Parks and Recreation, to find the proposed joint acquisition of permanent conservation easements over approximately 736.9 acres of floodplain area generally located along Salt Creek from Wilderness Park to one-half mile south of Martell Road, to be in conformance with the 2025 Lincoln-Lancaster County Comprehensive Plan.

The Chair opened the hearing and the Clerk administered the oath to Terry Genrich, Parks and Recreation, and Mike DeKalb, Planning Department.

DeKalb stated the land area consists of 736.9 square miles from Salt Creek to Saltillo Road to one-half mile south of Martell Road. He stated the intent is to purchase conservation easements from willing sellers using several sources of funding. DeKalb added that 73 of the 736.9 acres is within the County's jurisdiction. 225 acres are within the City's jurisdiction and 438 acres are within Roca's jurisdiction. Both the City and the Village of Roca have granted approval.

Genrich stated two grants were received to acquire conservation easements. One was a Federal Emergency Management Agency (FEMA) grant, in the approximate amount of \$2,000,000 and the other grant was from the Nebraska Environmental Trust (NET), in the approximate of \$500,000.

The Clerk administered the oath to Danny Walker, 427 E Street, Lincoln, Nebraska.

Walker stated he lives in the middle of the floodplain and neither supports or opposes the easements. He feels development and urbanization around Wilderness Park will result in an increase in storm water runoff greatly adding to the stress placed on the park. Walker stated the easements would backup the flow and have a funnel effect downstream. He said he is also concerned that there will be flood in the near future.

Schorr asked how a floodplain is determined.

DeKalb stated the 100-year floodplain is designated by FEMA. He added that they also establish the 100-year floodplain map and floodway corridor map.

6) **PUBLIC HEARINGS CONTINUED:**

Discussion followed regarding the targeted areas in which the FEMA grant and the Nebraska Environmental Trust monies will be used.

In response to a question asked by Stevens regarding the 100-year floodplain, DeKalb stated the 100-year floodplain is a one percent chance, at any time, of a flood occurring.

The Clerk administered the oath to Todd Paddock, 1508 Irving Street, Lincoln, Nebraska.

Paddock stated he is on the board of Friends of Wilderness Park and was speaking in support of the conservation easements on their behalf.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

7) **NEW BUSINESS:**

A. A grant contract with CASA for Lancaster County to provide funding for the Court Appointed Special Advocates Program, which provides advocacy for abused and neglected children in Lancaster County. Term of the contract is July 1, 2003 to June 30, 2004. The amount of the grant is \$20,000 of which \$10,000 is to be considered as a one-time special project funding. (C-03-0613)

By direction of the Chair, the grant contract was held.

B. A grant contract with Lighthouse, Inc. for the Court Ordered Employment Program for 30 Lancaster County youth. Term of the contract is September 1, 2003 to August 30, 2004. The County will pay \$40,000 for the service. (C-03-0614)

MOTION: Stevens moved and Workman seconded approval of a grant contract with Lighthouse, Inc. for the Court Ordered Employment Program for 30 Lancaster County youth. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

7) NEW BUSINESS CONTINUED:

C. **Interlocal agreements for the safekeeping, care and sustenance of juveniles while at the Lancaster County Juvenile Detention Center. Lancaster County will be reimbursed \$213 per youth, per day from the contracting county. The agreement is effective upon execution and has a 30 day termination provision. Contracting counties are Johnson (C-03-0616), Hamilton (C-03-0617), Polk (C-03-0618), Thayer (C-03-0619) and Buffalo (C-03-0620).**

MOTION: Hudkins moved and Schorr seconded approval of interlocal agreements for the safekeeping, care and sustenance of juveniles while at the Lancaster County Juvenile Detention Center. Lancaster County will be reimbursed \$213 per youth, per day from the contracting county. Contracting counties are Johnson, Hamilton, Polk, Thayer and Buffalo. Stevens, Hudkins, Schorr, Workman and Heier voted aye. Motion carried.

D. **Supplemental agreement no. 2 with the State of Nebraska, Department of Roads for Project BR-3280(3), Sprague East and County Structure T-109. The County previously entered into a program agreement with the State regarding this project on November 5, 2002. The County will perform all staking, inspecting and testing services required under the original agreement, and the State will reimburse the County for 85 percent of the cost of these services. All other terms and conditions of the original agreement and supplemental agreement no. 1 will still apply. (C-03-0621)**

MOTION: Workman moved and Stevens seconded approval of a supplemental agreement no. 2 with the State of Nebraska, Department of Roads for Project BR-3280(3), Sprague East and County Structure T-109. Workman, Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

E. **Acceptance of a grant award from the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention, to provide funding for the 2003 Drug Free Communities Support Program. The County previously received \$100,000 in funds for a total grant amount of \$200,000. The grant period is October 1, 2003 to September 30, 2004. (C-03-0622)**

7) **NEW BUSINESS CONTINUED:**

MOTION: Schorr moved and Stevens seconded to accept a grant award from the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention, to provide funding for the 2003 Drug Free Communities Support Program. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

F. A grant contract with CenterPointe, Inc. for management, program and transportation costs for the operation of a juvenile evening reporting center for Lancaster County youth, in the amount of \$93,000. Term of the grant contract is September 1, 2003 through August 30, 2004. (C-03-0623)

MOTION: Workman moved and Hudkins seconded approval of a grant contract with CenterPointe, Inc. for management, program and transportation costs for the operation of a juvenile evening reporting center for Lancaster County youth, in the amount of \$93,000. Schorr, Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

G. An agreement with Interim Healthcare for supplemental nursing personnel to work various shifts in the Lancaster County Corrections facility. Term of the agreement is December 11, 2003 to December 10, 2004. The County will pay Interim based upon the rates provided in Attachment A. (C-03-0624)

MOTION: Schorr moved and Hudkins seconded approval of an agreement with Interim Healthcare for supplemental nursing personnel to work various shifts in the Lancaster County Corrections facility. Hudkins, Schorr, Stevens, Workman and Heier voted aye. Motion carried.

H. A conservation easement agreement between the City of Lincoln, Lancaster County and Kenneth and Carolyn Mohr for property generally located along Salt Creek from Wilderness Park to one-half mile south of Martell Road, Lancaster County, Nebraska, consisting of 7.03 acres. The property is located within the 100-year floodplain as designated by the Federal Emergency Management Agency (FEMA). The City and County will jointly contribute \$14,000 for the easement conveyance. (C-03-0634)

Stevens requested the easement agreement be held until taking action on New Business Item 7L.

7) **NEW BUSINESS CONTINUED:**

- I. **An agreement with Interactive Alliance: Connecting People, Purpose and Process to provide professional services for neutral facilitation of meetings with a focus on the goals of the Families First and Foremost program. Term of the agreement is from October 1, 2003 to June 30, 2004. The County will pay up to \$15,000. (C-03-0635)**

By direction of the Chair, the agreement was held.

- J. **An amendment to an agreement with Lincoln Public Schools under County Contract No. C-03-0344 for professional services in the area of care coordination using the wraparound process for youth, ages 10-18 years old. Lincoln Public Schools incorrectly calculated the compensation and wishes to amend compensation to \$185,701. (C-03-0615)**

MOTION: Stevens moved and Workman seconded approval of an amendment to an agreement with Lincoln Public Schools under County Contract No. C-03-0344 for professional services in the area of care coordination using the wraparound process for youth, ages 10-18 years old. Lincoln Public Schools incorrectly calculated the compensation and wishes to amend compensation to \$185,701. Stevens, Workman, Hudkins, Schorr and Heier voted aye. Motion carried.

- K. **Change order-supplemental agreement number four for Project C55-X-402(5) for the construction of the Firth Viaduct. The original agreement was approved on March 11, 2003 and was with Christensen Brothers, Inc. The change order will increase the agreement amount by an additional \$4,620 which will be used for eight p.c. concrete inlet throats. (C-03-0636)**

MOTION: Hudkins moved and Stevens seconded approval of a change order-supplemental agreement number four for Project C55-X-402(5) for the construction of the Firth Viaduct. The change order will increase the agreement amount by an additional \$4,620 which will be used for eight p.c. concrete inlet throats. Schorr, Hudkins, Workman, Stevens and Heier voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

- L. **A resolution in the matter of Comprehensive Plan Conformity No. 03012 - Joint acquisition of permanent conservation easements by Lancaster County and the City of Lincoln, on property generally located along Salt Creek from Wilderness Park to one-half mile south of Martell Road. (R-03-0122)**

Kristy Mundt, Deputy County Attorney, indicated a change in the language, noting that the word "jointly" was amended to read "individually or jointly" because the County would be jointly acquiring any easements with the FEMA grant, however, the City would individually acquire the easements with the NET grant.

MOTION: Hudkins moved and Workman seconded approval of Resolution 03-0122 in the matter of Comprehensive Plan Conformity No. 03012 - Individual or joint acquisition of permanent conservation easements by Lancaster County and the City of Lincoln, on property generally located along Salt Creek from Wilderness Park to one-half mile south of Martell Road. Workman, Schorr, Stevens, Hudkins and Heier voted aye. Motion carried.

RETURNING TO NEW BUSINESS ITEM 7H:

- H. **A conservation easement agreement between the City of Lincoln, Lancaster County and Kenneth and Carolyn Mohr for property generally located along Salt Creek from Wilderness Park to one-half mile south of Martell Road, Lancaster County, Nebraska, consisting of 7.03 acres. The property is located within the 100-year floodplain as designated by the Federal Emergency Management Agency (FEMA). The City and County will jointly contribute \$14,000 for the easement conveyance. (C-03-0634)**

MOTION: Stevens moved and Schorr seconded approval of a conservation easement agreement between the City of Lincoln, Lancaster County and Kenneth and Carolyn Mohr for property generally located along Salt Creek from Wilderness Park to one-half mile south of Martell Road, Lancaster County, Nebraska, consisting of 7.03 acres. Schorr, Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

The Chair declared a conflict of interest regarding the first ten traffic signs to be installed (Wyndam Place Addition) relating to New Business 7M.

M. A resolution authorizing the installation of traffic signs at the following locations in Lancaster County, Nebraska: (R-03-0123)

- ▶ Install street identification signs at the intersection of North 176th Street and Knotting Hills Drive.
- ▶ Install a "STOP" sign on Knotting Hills Drive at the intersection of North 176th Street for westbound traffic.
- ▶ Install a "25 Mile Per Hour" speed limit on Knotting Hills Drive east of North 176th Street for eastbound traffic.
- ▶ Install street identification signs at the intersection of North 178th Street and Knotting Hills Drive and Wyndam Drive.
- ▶ Install a "No Outlet" sign on Wyndam Drive south of Knotting Hills Drive for southbound traffic.
- ▶ Install street identification signs at the intersection of North 181st Street and Wyndam Drive.
- ▶ Install street identification signs at the point where Wyndam Drive turns into North 182nd Street.
- ▶ Install street identification signs at the intersection of North 178th and Holdrege Streets.
- ▶ Install a "STOP" sign on North 178th Street at the intersection of Holdrege Street for northbound traffic.
- ▶ Install a "25 Mile Per Hour" speed limit sign on North 178th Street south of Holdrege Street for southbound traffic.

MOTION: Schorr moved and Workman seconded approval of Resolution 03-0123 authorizing the installation of traffic signs at various locations within Lancaster County, excluding the narrow bridge signs on West Panama Road.

Larry Worrell, County Surveyor, indicated that North 178th Street should be changed to read North 179th Street. Also, "Street" should be changed to "Court" regarding the installation of street identification signs at the point where Wyndam Drive turns into North 182nd.

Stevens added that the resolution indicates the signs for Wyndam Place Addition would be paid for by the developer and installed by the County.

7) **NEW BUSINESS CONTINUED:**

Schorr stated she would amend the motion with the corrections as outlined by the County Surveyor.

The seconder concurred.

ROLL CALL: Stevens, Workman, Hudkins and Schorr voted aye. Heier abstained from voting. Motion carried.

Install "Narrow Bridge" signs in advance of County Bridge V-108 located on West Panama Road east of Southwest 114th Street for east and westbound traffic.

MOTION: Stevens moved and Hudkins approved the installation of "Narrow Bridge" signs in advance of County Bridge V-108 located on West Panama Road east of Southwest 114th Street for east and westbound traffic. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

N. A resolution in the matter of an application for Corporate Manager for Christopher Miller Thomson in connection with a Class M (Bottle Club) liquor license for Yankee Hill County Club located at 7600 San Mateo Lane, Lincoln, Lancaster County, Nebraska. (R-03-0124)

MOTION: Stevens moved and Schorr seconded approval of Resolution 03-0124 in the matter of an application for Corporate Manager for Christopher Miller Thomson in connection with a Class M (Bottle Club) liquor license for Yankee Hill County Club located at 7600 San Mateo Lane, Lincoln, Lancaster County, Nebraska. Workman, Hudkins, Schorr, Stevens and Heier voted aye. Motion carried.

O. A resolution in the matter of declaring projects under Neb. Rev. Stat. §23-120, as amended, and imposing levy for the costs and indebtedness for such project. (R-03-0125)

MOTION: Stevens moved and Workman seconded approval of Resolution 03-0125 in the matter of declaring projects under Neb. Rev. Stat. §23-120, as amended, and imposing levy for the costs and indebtedness for such project.

7) **NEW BUSINESS CONTINUED:**

Dave Kroeker, Budget and Fiscal Officer, appeared and briefly outlined the resolution.

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

P. Approval of a microcomputer request C#2003-418, in the amount of \$17,758.63, from the Families First and Foremost budget for 11 Pentium IV's with 17 inch monitors, Novell 5.1 license upgrades and software.

MOTION: Stevens moved and Schorr seconded approval of a microcomputer request C#2003-418, in the amount of \$17,758.63, from the Families First and Foremost budget for 11 Pentium IV's with 17 inch monitors, Novell 5.1 license upgrades and software. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

Q. A claim against Lancaster County by Premier Psychiatric Group, LLC for reimbursement for medical treatment provided to Lancaster County Emergency Protective Custody (EPC) prisoners, in the amount of \$40,114.50.

MOTION: Workman moved and Hudkins seconded denial of a claim against Lancaster County by Premier Psychiatric Group, LLC for reimbursement for medical treatment provided to Lancaster County Emergency Protective Custody (EPC) prisoners, in the amount of \$40,114.50. Stevens, Workman, Hudkins, 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:

8) CONSENT ITEMS CONTINUED:

A. Receive and Place on File:

1. Records and Information Management's Monthly Report for October, 2003.
2. Lincoln City Libraries Director's Report for October, 2003.
3. Statistical Package for the Social Services (SPSS) Maintenance Order Form .

B. Setting of a public hearing for Tuesday, December 2, 2003 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building for the purpose of receiving public input regarding the projects for which the Lancaster County Board intends to use Keno funds.

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

Robert Hunt, in the amount of \$4,759, on Rokeby Road from South 56th to South 70th Streets; Project C55-P-407(1). (C-03-0625)

Clark Splichal, in the total amount of \$12,334.50, on Rokeby Road from South 56th to South 70th Streets; Project C55-P-427(1). (3 contracts) (C-03-0629 through C-03-0631)

Michel and Linda Kearns, in the total amount of \$4,605.75, on Rokeby Road from South 56th to South 70th Streets; Project C55-P-427(1). (2 contracts) (C-03-0632 and C-03-0633)

Edward Howard, on Southwest 56th Street south of West Van Dorn Street; Project C.P.-O-122. (C-03-0626)

Daniel Benes, in the total amount of \$346.80, on West Little Salt Road west of Northwest 126th Street; Project C.P.-D-74. (2 contracts) (C-03-0627 and C-03-0628)

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

9) **ADJOURNMENT:**

MOTION: Schorr moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 2:35 p.m.. Stevens, Hudkins, Schorr, Workman and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, NOVEMBER 25, 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: Bruce Medcalf, County Clerk
Rob Ogden, Chief Field Deputy-County Assessor/Register of
Deeds Office
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization was called to order at 2:35 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, November 18, 2003.**

MOTION: Schorr moved and Hudkins seconded approval of the minutes of the Board of Equalization meeting dated November 18, 2003. Schorr, Hudkins, Workman, Stevens and Heier voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

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

- 3) **ADDITIONS AND DEDUCTIONS:**

Approval of 11 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) **MOTOR VEHICLE TAX EXEMPTIONS:**

Gentle Shepherd Baptist Church
St. Mark's United Methodist Church
St. Patrick's Catholic Church
School Sisters of Christ the King
Trinity United Methodist Church
Women in Community Service, Inc.

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

5) **ADJOURNMENT:**

MOTION: Stevens moved and Schorr seconded adjournment of the Board of Equalization meeting at 2:38 p.m.. Hudkins, Stevens, Workman, Schorr and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk