

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 3, 2004
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Ray Stevens, Chair
Bernie Heier
Deb Schorr

Commissioners Absent: Larry Hudkins, Vice Chair
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
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 called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, January 27, 2004.**

MOTION: Heier moved and Schorr seconded approval of the minutes of the Board of Commissioners meeting dated January 27, 2004. Schorr and Heier voted aye. Stevens abstained from voting. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. The Commissioners Award of Excellence for February, 2004 was presented to Mary Wojciechowicz, an employee with Lancaster Manor.

- 3) **PUBLIC COMMENT:**

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

4) **CLAIMS FOR REVIEW:**

A. Payment Voucher 782-5052, dated January 23, 2004 - Payable to Reneé Dozier, in the amount of \$212.50. This payment includes meals during a conference in San Antonio, Texas in which the requested reimbursement amount is above the County per diem for that location.

MOTION: Schorr moved and Heier seconded to deny Payment Voucher 782-5052, dated January 23, 2004, payable to Reneé Dozier, in the amount of \$212.50, based upon the fact that it was submitted in error under a high dollar conference location when it should have been average. Schorr, Heier and Stevens voted aye. Motion carried.

Kerry Eagan, Chief Administrative Officer, suggested the existing claim be amended to reflect a per diem rate of \$30, rather than a per diem rate of \$38, to expedite the process.

MOTION: Schorr moved and Heier seconded to reconsider the previous action to deny the payment voucher. Heier, Schorr and Stevens voted aye. Motion carried.

MOTION: Heier moved and Schorr seconded approval of Payment Voucher 782-5052 up to \$30 per day per diem. Schorr, Heier and Stevens voted aye. Motion carried.

B. Payment Voucher 782-5000, dated January 1, 2004 - Payable to Wells Fargo in the amount of \$242. This payment is for holiday cards purchased through Syracuse Cultural Work located in Syracuse, New York in November, 2003.

MOTION: Heier moved and Schorr seconded approval of Payment Voucher 782-5000, dated January 1, 2004, payable to Wells Fargo, in the amount of \$242.

Stevens stated he would be voting against payment because he could find no regulations in the County which allow for payment of holiday cards. He stated he also reviewed the *Office of Management and Budget Circulars* relative to reimbursements under Federal grants, as well as the categories of public relations and advertising and could find no such authorization.

4) **CLAIMS FOR REVIEW CONTINUED:**

Reneé Dozier, Office of Juvenile Mental Health, appeared and stated they chose the cards to honor the cultural competency value of their program.

Schorr stated the reason the claim was flagged was because the cards were paid for with a credit card intended to be used for travel only.

The maker of the motion withdrew his previous motion for approval and requested that the claim be tabled for further review by the County Attorney's Office and placed on a Thursday staff meeting.

MOTION: Heier moved and Stevens seconded to table Payment Voucher 782-5000, dated January 1, 2004, payable to Wells Fargo, in the amount of \$242 to allow for further review by the County Attorney's Office and to be placed on a Thursday staff meeting. Heier, Schorr and Stevens voted aye. Motion carried.

5) **CLAIMS: Approval of all claims processed through Tuesday, February 3, 2004.**

MOTION: Schorr moved and Heier seconded approval of all claims processed through February 3, 2004. Heier, Schorr and Stevens voted aye. Motion carried.

6) **PUBLIC HEARINGS:**

A. An application for Corporate Manager for Connie Lou Hynek and a Class F (Beer On Sale Only) liquor license for Gas 'N Shop Inc. d/b/a Gas 'N Shop #41 located at 4003 West Highway 34 in Lancaster County, Nebraska.

The Chair opened the public hearing.

The Clerk administered the oath to Connie Lou Hynek, applicant.

Hynek stated she is the Regional Manager of Gas 'N Shop and that they would like to obtain a Class F (Beer On Sale Only) liquor license. She explained that a large amount of food is sold at the Gas 'N Shop on Highway 34 and that they would like to try selling beer with the food.

Schorr inquired about the size of the eating area.

6) **PUBLIC HEARINGS CONTINUED:**

Hynek responded there are approximately ten tables with benches. She added that individuals would not be allowed to walk through the store with a beverage in their hand.

In response to a question asked by Schorr regarding attendance at a hospitality course, Hynek stated they have not attended the course, however, extensive training is planned, as well as completing the "Responsible Hospitality" class.

The Chair recessed the public hearing for one week.

7) **NEW BUSINESS:**

A. An interlocal agreement with Nemaha County 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 Nemaha County. The agreement is effective upon execution and has a 30 day termination provision. (C-04-0024)

MOTION: Heier moved and Schorr seconded approval of an interlocal agreement with Nemaha County for the safekeeping, care and sustenance of juveniles while at the Lancaster County Juvenile Detention Center. Schorr, Heier and Stevens voted aye. Motion carried.

B. A grant contract with the Nebraska Urban Indian Health Coalition (NUIHC) for funding for the NUIHC's Domestic Violence Project Coordinator who ensures implementation of the court-referred batterers programs, support groups and services for victims of domestic violence. The amount of the grant is \$15,620. The County will contribute \$19,816 in matching funds. Term of the grant contract is June 1, 2003 through May 31, 2004. (C-04-0025)

MOTION: Schorr moved and Heier seconded approval of a grant contract with the Nebraska Urban Indian Health Coalition (NUIHC) for funding for the NUIHC's Domestic Violence Project Coordinator who ensures implementation of the court-referred batterers programs, support groups and services for victims of domestic violence. Heier, Schorr and Stevens voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

C. A conservation easement agreement between the City of Lincoln, Lancaster County and Fred L. and Connie Barry for property generally located along Salt Creek from Wilderness Park to one-half mile south of Martell Road in Lancaster County, Nebraska, consisting of 39.7 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 \$71,000 for the easement conveyance. (C-04-0027)

MOTION: Schorr moved and Heier seconded approval of a conservation easement agreement between the City of Lincoln, Lancaster County and Fred L. and Connie Barry for property generally located along Salt Creek from Wilderness Park to one-half mile south of Martell Road in Lancaster County, Nebraska, consisting of 39.7 acres. Heier, Schorr and Stevens voted aye. Motion carried.

Eagan requested that New Business Items 71 and 70 be moved forward on the agenda.

I. A lease agreement between Lancaster County, on behalf of Families First and Foremost, and Cedars Youth Services for the lease of approximately 1,090 square feet in the Northbridge Building located at 1533 North 27th Street, Lincoln, Nebraska. Term of the lease is February 1, 2004 through June 30, 2004. The County will pay \$730 per month for lease of the premises. This lease agreement rescinds the previous agreement under County Contract C-03-0647. (C-04-0031)

MOTION: Schorr moved and Heier seconded approval of a lease agreement between Lancaster County, on behalf of Families First and Foremost, and Cedars Youth Services for the lease of approximately 1,090 square feet in the Northbridge Building located at 1533 North 27th Street, Lincoln, Nebraska. Schorr, Heier and Stevens voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

- O. Notice of termination of County Contract C-03-0552 with Maplewood Behavioral Health for non-residential and residential evaluations of youth of the Eastern Service Area as ordered by the Courts. Termination is effective March 5, 2004.**

MOTION: Heier moved and Schorr seconded approval of a notice of termination of County Contract C-03-0552 with Maplewood Behavioral Health for non-residential and residential evaluations of youth of the Eastern Service Area as ordered by the Courts. Termination is effective March 5, 2004. Heier, Schorr and Stevens voted aye. Motion carried.

- D. A conservation easement agreement between the City of Lincoln, Lancaster County and Bruce D. and Karen Tiedeman for property generally located along Salt Creek from Wilderness Park to one-half mile south of Martell Road in Lancaster County, Nebraska, consisting of 127.8 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 \$215,000 for the easement conveyance. (C-04-0032).**

MOTION: Heier moved and Schorr seconded approval of a conservation easement agreement between the City of Lincoln, Lancaster County and Bruce D. and Karen Tiedeman for property generally located along Salt Creek from Wilderness Park to one-half mile south of Martell Road in Lancaster County, Nebraska, consisting of 127.8 acres. Schorr, Heier and Stevens voted aye. Motion carried.

- E. A conservation easement agreement between the City of Lincoln, Lancaster County and Beverly A. Tiedeman and Bruce D. and Karen Tiedeman for property generally located along Salt Creek from Wilderness Park to one-half mile south of Martell Road in Lancaster County, Nebraska, consisting of 26.9 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 \$45,000 for the easement conveyance. (C-04-0033).**

7) **NEW BUSINESS CONTINUED:**

MOTION: Schorr moved and Heier seconded approval of a conservation easement agreement between the City of Lincoln, Lancaster County and Beverly A. Tiedeman and Bruce D. and Karen Tiedeman for property generally located along Salt Creek from Wilderness Park to one-half mile south of Martell Road in Lancaster County, Nebraska, consisting of 26.9 acres. Heier, Schorr and Stevens voted aye. Motion carried.

F. An agreement with Cole Layer Trumble Company for the support and maintenance of the OASIS software purchased for the County Assessor/Register of Deeds Office. Term of the agreement is January 1, 2004 to December 31, 2004. The County will pay \$51,975 for the services. (C-04-0028)

MOTION: Heier moved and Schorr seconded approval of an agreement with Cole Layer Trumble Company for the support and maintenance of the OASIS software purchased for the County Assessor/Register of Deeds Office. Term of the agreement is January 1, 2004 to December 31, 2004. Schorr, Heier and Stevens voted aye. Motion carried.

G. A rental agreement with Pitney Bowes for a digital mailing system to be utilized by Lancaster Manor. The agreement is for a period of 48 months. The County will pay \$132 per month. (C-04-0029)

MOTION: Schorr moved and Heier seconded approval of a rental agreement with Pitney Bowes for a digital mailing system to be utilized by Lancaster Manor. Schorr, Heier and Stevens voted aye. Motion carried.

H. An agreement with ServiceLinc for employment services for persons with serious mental disorders referred to them by the Lancaster County Community Mental Health Center, in an effort to impact symptoms and functioning of those individuals. Term of the agreement is July 1, 2003 through June 30, 2004. The County will pay up to \$10,000 for the services. (C-04-0030)

MOTION: Schorr moved and Heier seconded approval of an agreement with ServiceLinc for employment services for persons with serious mental disorders referred to them by the Lancaster County Community Mental Health Center, in an effort to impact symptoms and functioning of those individuals.

7) **NEW BUSINESS CONTINUED:**

Heier asked if the \$600 fee for initiation of placement services was a per person rate.

Kristy Mundt, Deputy County Attorney, stated she would contact the Community Mental Health Center for clarification.

The maker of the motion withdrew the previous motion. Secunder concurred.

By direction of the Chair, the contract with ServiceLinc was deferred for one week.

- I. A lease agreement between Lancaster County, on behalf of Families First and Foremost, and Cedars Youth Services for the lease of approximately 1,090 square feet in the Northbridge Building located at 1533 North 27th Street, Lincoln, Nebraska. Term of the lease is February 1, 2004 through June 30, 2004. The County will pay \$730 per month for lease of the premises. This lease agreement rescinds the previous agreement under County Contract C-03-0647. (C-04-0031)**

This item was moved forward.

- J. An agreement with Cindy Wohlers-Green for the "Thinking for a Change" Program to participants in the Lancaster County Adult Drug Court (LCADC). The County will pay \$2,160 for the services. Term of the agreement is February 1, 2004 through August 31, 2004, and includes a 30-day termination provision. (C-04-0040)**

MOTION: Heier moved and Schorr seconded an agreement with Cindy Wohlers-Green for the "Thinking for a Change" Program to participants in the Lancaster County Adult Drug Court (LCADC). Heier, Schorr and Stevens voted aye. Motion carried.

- K. A contract with Active Community Treatments, Inc. for developmental disability services to residents of Lancaster County for a one year period from July 1, 2003 through June 30, 2004. C-04-0041)**

MOTION: Heier moved and Schorr seconded approval of a contract with Active Community Treatments, Inc. for developmental disability services to residents of Lancaster County for a one year period from July 1, 2003 through June 30, 2004. Schorr, Heier and Stevens voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

- L. **An amendment to an agreement with St. Monica's Substance Abuse Treatment for Women, under County Contract C-01-0394, for intensive outpatient/day substance abuse services to adult females. The amendment clarifies the payment procedure to be utilized by the County and also places a cap on the County's payment for treatment services at \$25,000. (C-04-0026)**

At the request of the County Attorney's Office, this item was held.

M. **A resolution in the matter of authorizing the installation of traffic signs at the following locations in Lancaster County: (R-04-0009)**

- ▶ A "Speed Limit 25 Miles Per Hour" sign on South 71st Street north of Martell Road for northbound traffic.
- ▶ A "Speed Limit 25 Miles Per Hour" sign on South 75th Street north of Martell Road for northbound traffic.
- ▶ A "No Outlet" sign on South 75th Street north of Martell Road for northbound traffic.

MOTION: Heier moved and Schorr seconded approval of Resolution 04-0009 in the matter of authorizing the installation of traffic signs. Heier, Schorr and Stevens voted aye. Motion carried.

N. **A resolution in the matter of County maintenance of the following roads located in Timberline Estates and Timberline Estates 1st Addition: (R-04-0010)**

- ▶ 2,673 feet of Pine Knot Drive
- ▶ 1,579 feet of Alpine Road
- ▶ 458 feet of Alpine Court
- ▶ 329 feet of Southwest 58th Street
- ▶ 455 feet of Southwest 60th Street
- ▶ 814 feet of Cardinal Cove Court
- ▶ 824 feet of Raven Ridge Court
- ▶ 427 feet of Pine Creek Circle

MOTION: Schorr moved and Heier seconded approval of Resolution 04-0010 in the matter of County maintenance of roads in Timberline Estates and Timberline Estates 1st Addition. Schorr, Heier and Stevens voted aye. Motion carried.

7) NEW BUSINESS CONTINUED:

- O. **Notice of termination of County Contract C-03-0552 with Maplewood Behavioral Health for non-residential and residential evaluations of youth of the Eastern Service Area as ordered by the Courts. Termination is effective March 5, 2004.**

This item was moved forward.

- P. **Payment of \$1,123.72 to Baylor, Evnen, Curtiss, Grit and Witt, L.L.P., representing 25 percent of the reimbursement to Lancaster County for retroactive supplemental security income benefits.**

MOTION: Schorr moved and Heier seconded approval of payment of \$1,123.72 to Baylor, Evnen, Curtiss, Grit and Witt, L.L.P., representing 25 percent of the reimbursement to Lancaster County for retroactive supplemental security income benefits. Heier, Schorr and Stevens voted aye. Motion carried.

- Q. **Recommendations from the Keno Human Services Prevention Fund Advisory Board to award grants for Fiscal Year 2004/2005 to the following agencies from the Keno Prevention Fund:**

Continuation Grants

Bright Lights, Inc., in the amount of \$250
Friendship Home, in the amount of \$294
Human Services Federation, in the amount of \$2,500
Lincoln Medical Education Foundation, in the amount of \$2,500
Matt Talbot Kitchen & Outreach, in the amount of \$2,000
Nebraska Council on Gambling, in the amount of \$2,500
KZUM, in the amount of \$938
YWCA, in the amount of \$2,250

New Grants

Cedars Inc., in the amount of \$2,750
Community Child Abuse Prevention Council, in the amount of \$1,000
Homestead Girl Scouts, in the amount of \$4,100
Interfaith Housing Coalition, in the amount of \$3,750
Lincoln Action Program, in the amount of \$5,000
Lincoln Literacy, in the amount of \$7,500
Nebraska Council on Gambling, in the amount of \$6,250
St. Elizabeth's Foundation, in the amount of \$1,376
Mediation Center, in the amount of \$5,042

Total amount allocated is \$50,000.

7) **NEW BUSINESS CONTINUED:**

MOTION: Heier moved and Schorr seconded approval of the recommendations from the Keno Human Services Prevention Fund Advisory Board to award grants for Fiscal Year 2004/2005. Heier, Schorr and Stevens voted aye. Motion carried.

R. A political subdivision tort claim filed against the Lancaster County Corrections Department by Eric Johnson, in the amount of \$300, for lost property.

MOTION: Heier moved and Schorr seconded to accept the Director's recommendation and approve the political subdivision tort claim filed against the Lancaster County Corrections Department by Eric Johnson, in the amount of \$50, for lost property. Schorr, Heier and Stevens 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 Attorney's Quarterly Report for October 1, 2003 through December 31, 2003.**
2. **Lincoln City Libraries Director's Report for December, 2003.**

B. A request from Travis Parker, an employee with the Lancaster County Community Mental Health Center, to voluntarily participate in the County's retirement plan having met the requirements.

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

Kent C. and Sara C. Thompson, in the total amount of \$7,808.56, on Rokeby Road from South 56th Street to South 70th Street; Project C55-P-427(1). (2 contracts) (C-04-0034 and C-04-0035)

Marvin B. and Cathy A. Jaques, in the total amount of \$1,330, on Rokeby Road from South 56th Street to South 70th Street; Project C55-P-427(1). (2 contracts) (C-04-0036 and C-04-0037)

8) **CONSENT ITEMS CONTINUED:**

Tanya Lea Duba on North Olive Creek Road .44 mile west of Southwest 14th Street; Project C.P.-W-254. This is a donation. (C-04-0038)

Debra L. and Rodney D. Topp on West Rokeby Road 1,040 feet west of Southwest 12th Street; Project C.P.-O-49. This is a donation. (C-04-0039)

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

9) **ADJOURNMENT:**

MOTION: Schorr moved and Heier seconded adjournment of the Board of Commissioners meeting at 2:15 p.m.. Heier, Schorr and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, FEBRUARY 3, 2004
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Ray Stevens, Chair
Bernie Heier
Deb Schorr

Commissioners Absent: Larry Hudkins, Vice Chair
Bob Workman

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization was called to order at 2:15 p.m..

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, January 27, 2004.

MOTION: Heier moved and Schorr seconded approval of the minutes of the Board of Equalization meeting dated January 27, 2004. Schorr and Heier voted aye. Stevens abstained from voting. Motion carried.

- 2) **PUBLIC COMMENT:**

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

- 3) **ADDITIONS AND DEDUCTIONS:**

Approval of 5 additions and deductions to the tax assessment rolls per Exhibit "A".

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

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

Sesostris Shrine

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

5) **NOTICE OF VALUATION CHANGE FOR OMITTED OR UNDERVALUED PROPERTY:**

Setting of a public hearing for Tuesday, February 17, 2004 immediately following the regular Board of Commissioners meeting in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding a notice of valuation change for omitted or undervalued property for Donald D. and Elaine A. Rutt.

MOTION: Heier moved and Schorr seconded to set a public hearing for February 17, 2004 immediately following the regular Board of Commissioners meeting in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding a notice of valuation change for omitted or undervalued property for Donald D. and Elaine A. Rutt. Heier, Schorr and Stevens voted aye. Motion carried.

6) **ADJOURNMENT:**

MOTION: Heier moved and Schorr seconded adjournment of the Board of Equalization meeting at 2:17 p.m.. Heier Schorr and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk