

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 15, 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
Bob Workman

Commissioners Absent: Larry Hudkins, Vice Chair

Others Present: Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
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, June 8, 2004.**

MOTION: Schorr moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated June 8, 2004. Schorr, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. Recognition of Deputy Amy Thorpe for receiving the International Association of Chiefs of Police/DuPont Kevlar Survivors Club Award - Terry Wagner, Sheriff

This item was deferred for one week.

B. Final Report on Lancaster County Community Corrections - Warren Cook, Warren F. Cook and Associates

Warren Cook, with Warren F. Cook and Associates, gave an overview of documentation disseminated entitled *Alternatives to Incarceration Program* (Exhibit 1).

3) **PUBLIC COMMENT:**

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

4) **CLAIMS FOR REVIEW:**

A. Payment Voucher 782-5678, dated May 24, 2004, payable to Maplewood Counseling Associates, Inc., in the amount of \$1,314.65. The payment is for services provided in May, 2003, October, 2003 and December, 2003. The claim is beyond the 90 day time period (see Neb. Rev. Stat. §23-135).

MOTION: Heier moved and Workman seconded approval of Payment Voucher 782-5678, dated May 24, 2004, payable to Maplewood Counseling Associates, Inc., in the amount of \$1,314.65. Heier, Workman, Schorr and Stevens voted aye. Motion carried.

B. Payment Voucher 782-5619, dated May 14, 2004, payable to Child Guidance Center, in the amount of \$592.86. The payment is for services provided in June/July 2003. The claim is beyond the 90 day time period (see Neb. Rev. Stat. §23-135).

MOTION: Workman moved and Schorr seconded approval of Payment Voucher 782-5619, dated May 14, 2004, payable to Child Guidance Center, in the amount of \$592.86. Heier, Workman, Schorr and Stevens voted aye. Motion carried.

C. Payment Voucher 782-5645, dated May 18, 2004, payable to Family Service Association, in the amount of \$20. The payment is for services provided in June, 2003. The claim is beyond the 90 day time period (see Neb. Rev. Stat. §23-135).

MOTION: Schorr moved and Workman seconded denial of Payment Voucher 782-5645, dated May 18, 2004, payable to Family Service Association, in the amount of \$20. Heier, Workman, Schorr and Stevens voted aye. Motion carried.

5) **CLAIMS: Approval of all claims processed through Tuesday, June 15, 2004.**

MOTION: Heier moved and Schorr seconded approval of all claims processed through June 15, 2004. Schorr, Heier, Workman and Stevens voted aye. Motion carried.

6) **PUBLIC HEARINGS:**

- A. Increase of appropriations, in the amount of \$70,000, for the County Property Management Fund. (See New Business Item 6A for correlating resolution.)**

The Chair opened the public hearing.

Dave Kroeker, Budget and Fiscal Director, explained the increase of appropriations was due to higher utility costs at the Juvenile Detention Facility and at the Community Mental Health Center.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

- B. County Change of Zone 04023, from AG Agricultural to AGR Agricultural Residential, requested by Brian D. Carstens and Associates on behalf of Land II, L.L.C., on property generally located at South 68th Street and Roca Road in Lancaster County, Nebraska. (See New Business Item 6B for correlating resolution.)**

- C. County Preliminary Plat 04012, The Preserve at Cross Creek 1st Addition, requested by Brian D. Carstens and Associates on behalf of Land II, L.L.C., for nine residential acreage lots, and associated waiver requests, on property generally located at South 68th Street and Roca Road in Lancaster County, Nebraska. (See New Business Item 6C for correlating resolution.)**

Public Hearing Items 6B and 6C were heard together.

The Chair opened the hearings and asked if anyone wished to testify in favor of the proposals.

No one appeared.

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

Stevens asked if the change of zone would have been approved by the Planning Department if the 80 acres to the north had not been changed to Agricultural Residential (AGR).

DeKalb responded that it probably would not have been approved.

6) **PUBLIC HEARINGS CONTINUED:**

The Chair asked if anyone else wished to testify.

No one appeared and the hearings were closed.

7) **NEW BUSINESS:**

A. A resolution in the matter of supplementing appropriations from previously adopted budget for the County Property Management Fund. The amended budget needs to be increased \$70,000 because of higher utility usage for the Juvenile Detention Center and the Community Mental Health Center. (R-04-0059)

MOTION: Schorr moved and Heier seconded approval of Resolution 04-0059 in the matter of supplementing appropriations from previously adopted budget for the County Property Management Fund. Workman, Heier, Schorr and Stevens voted aye. Motion carried.

B. A resolution in the matter of County Change of Zone 04023, requesting a change of zone for property generally located at South 68th Street and Roca Road from AG Agricultural to AGR Agricultural Residential. (R-04-0063)

C. A resolution in the matter of County Preliminary Plat 04012, the Preserve at Cross Creek 1st Addition, to create nine residential acreage lots, on property generally located at South 68th Street and Roca Road in Lancaster County, Nebraska. (R-04-0064)

New Business Items 7B and 7C were heard together.

MOTION: Schorr moved and Workman seconded approval of Resolution 04-0063 in the matter of County Change of Zone 04023, requesting a change of zone from AG Agricultural to AGR Agricultural Residential, and Resolution 04-0064 in the matter of County Preliminary Plat 04012, the Preserve at Cross Creek 1st Addition, to create nine residential acreage lots, on property generally located at South 68th Street and Roca Road in Lancaster County, Nebraska. Schorr, Heier and Workman voted aye. Stevens voted no. Motion carried.

7) **NEW BUSINESS CONTINUED:**

D. A resolution authorizing and approving the execution and delivery of a Second Amendment to Trust Indenture to the original Trust Indenture dated as of August 15, 1989, between Lancaster County and U.S. Bank, National Association as a successor to FirstTier Bank, National Association, as trustee, and relating to the County's Industrial Development Revenue Bonds (Sun-Husker Foods, Inc. Project), Series 1989. (R-04-0065)

MOTION: Heier moved and Workman seconded approval of Resolution 04-0065 authorizing and approving the execution and delivery of a Second Amendment to Trust Indenture to the original Trust Indenture dated as of August 15, 1989, between Lancaster County and U.S. Bank, National Association as a successor to FirstTier Bank, National Association, as trustee, and relating to the County's Industrial Development Revenue Bonds (Sun-Husker Foods, Inc. Project), Series 1989.

David Lucas, bond counsel, appeared and gave a brief explanation regarding the amendment.

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

E. An agreement with the Asian Community and Cultural Center for care coordination services using the wraparound process for youth, ages 10 to 18, who have severe emotional disorders and who are at risk of becoming involved in the juvenile justice system. The Asian Community and Cultural Center will provide one full-time Care Coordinator. Term of the agreement is July 1, 2004 through June 30, 2005. The County will pay up to \$46,695.60 for the services. (C-04-0250)

MOTION: Schorr moved and Stevens seconded approval of an agreement with the Asian Community and Cultural Center for care coordination services using the wraparound process for youth, ages 10 to 18, who have severe emotional disorders and who are at risk of becoming involved in the juvenile justice system. Workman, Schorr, Heier and Stevens voted aye. Motion carried.

F. An agreement with the Indian Center for care coordination services using the wraparound process for youth, ages 10 to 18, who have severe emotional disorders and who are at risk of becoming involved in the juvenile justice system. The Indian Center will provide one full-time Care Coordinator. Term of the agreement is July 1, 2004 through June 30, 2005. The County will pay up to \$44,009.10 for the services. (C-04-0251)

7) **NEW BUSINESS CONTINUED:**

MOTION: Workman moved and Schorr seconded approval of an agreement with the Indian Center for care coordination services using the wraparound process for youth, ages 10 to 18, who have severe emotional disorders and who are at risk of becoming involved in the juvenile justice system. Heier, Workman, Schorr and Stevens voted aye. Motion carried.

G. An evaluation services contract with Child Guidance Center for evaluation services in a residential or non-residential setting for youth as ordered by the Separate Juvenile Court of Lancaster County. Term of the agreement is August 1, 2004 to June 30, 2005. The County will pay \$884.22 for each basic evaluation. (C-04-0252)

MOTION: Schorr moved and Heier seconded approval of an evaluation services contract with Child Guidance Center for evaluation services in a residential or non-residential setting for youth as ordered by the Separate Juvenile Court of Lancaster County. Schorr, Workman, Heier and Stevens voted aye. Motion carried.

In response to a question asked by Heier, Reneé Dozier, Office of Juvenile Mental Health, explained that the County coordinates and monitors that the evaluations are being conducted.

H. An evaluation services contract with Lock P.C. d/b/a Orr Psychotherapy Resources for evaluation services in a residential or non-residential setting for youth as ordered by the Separate Juvenile Court of Lancaster County. Term of the agreement is July 1, 2004 to June 30, 2005. The County will pay \$884.22 for each basic evaluation. (C-04-0253)

MOTION: Workman moved and Schorr seconded approval of an evaluation services contract with Lock P.C. d/b/a Orr Psychotherapy Resources for evaluation services in a residential or non-residential setting for youth as ordered by the Separate Juvenile Court of Lancaster County. Workman, Schorr, Heier and Stevens voted aye. Motion carried.

I. A licensing agreement with Swank Motion Pictures, Inc. for showing video cassette movies at the Lancaster County Juvenile Detention Center. Term of the agreement is July 1, 2004 through June 30, 2005. The County will pay \$200 for the license. (C-04-0254)

7) **NEW BUSINESS CONTINUED:**

MOTION: Heier moved and Workman seconded approval of a licensing agreement with Swank Motion Pictures, Inc. for showing video cassette movies at the Lancaster County Juvenile Detention Center. Term of the agreement is July 1, 2004 through June 30, 2005. Heier, Workman, Schorr and Stevens voted aye. Motion carried.

J. An agreement with Environmental Systems Research Institute, Inc. (ERSI) for maintenance of the ARC/Info software used at the Lancaster County Engineering Department. Term of the agreement is from July 21, 2004 through July 20, 2005. The County will pay \$9,400 for the services and software upgrade. (C-04-0255)

MOTION: Workman moved and Stevens seconded approval of an agreement with Environmental Systems Research Institute, Inc. (ERSI) for maintenance of the ARC/Info software used at the Lancaster County Engineering Department.

Kathy Smith, Assistant Purchasing Agent, explained that the software is for the Geographic Information System (GIS) at the Engineering Department.

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

K. An agreement with Interaction Alliance: Connecting People, Purpose and Process for 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 July 1, 2004 to June 30, 2005. The County will pay up to \$15,000. (C-04-0258)

MOTION: Schorr moved and Workman seconded approval of an agreement with Interaction Alliance: Connecting People, Purpose and Process for professional services for neutral facilitation of meetings with a focus on the goals of the Families First and Foremost Program.

Dozier gave an overview of the agreement.

General discussion took place regarding Attachment "A" (Fees) of the agreement.

ROLL CALL: Workman, Schorr and Stevens voted aye. Heier voted no. Motion carried.

7) **NEW BUSINESS CONTINUED:**

- L. **An agreement with Child Guidance Center for operational and administrative needs of the Lancaster County Office of Juvenile Mental Health. Term of the agreement is July 1, 2004 through June 30, 2005. The County will pay \$1,110,267 for the services. (C-04-0259)**

Heier requested that this item be held for discussion at the staff meeting to be held Thursday, June 17th.

Board consensus was to hold the agreement one week and place on the June 17th staff meeting agenda for discussion.

- M. **An amendment to an agreement with Cedars Youth Services, under County Contract C-04-0336, for behavioral health services to high need youth who are wards of the State residing in Lancaster County. The contractor has notified the County that additional mileage funds are needed and as a result, the parties wish to amend the compensation from \$216,558 to \$220,303. (C-04-0248)**

MOTION: Workman moved and Schorr seconded approval of an amendment to an agreement with Cedars Youth Services, under County Contract C-04-0336, for behavioral health services to high need youth who are wards of the State residing in Lancaster County. Heier, Workman, Schorr and Stevens voted aye. Motion carried.

- N. **An amendment to an agreement with Visinet, under County Contract C-03-0332, for behavioral health services to high need youth who are wards of the State residing in Lancaster County. The contractor has notified the County that additional mileage funds are needed and as a result, the parties wish to amend the compensation from \$203,086 to \$204,511. (C-04-0249)**

MOTION: Schorr moved and Workman seconded approval of an amendment to an agreement with Visinet, under County Contract C-03-0332, for behavioral health services to high need youth who are wards of the State residing in Lancaster County. Schorr, Heier, Workman and Stevens voted aye. Motion carried.

- O. **Receive and Place on file a contract with General Excavating for removal and disposal of debris from County rights-of-way, beginning Tuesday, June 15, 2004. (C-04-0247)**

7) **NEW BUSINESS CONTINUED:**

MOTION: Heier moved and Workman seconded to receive and place on file a contract with General Excavating for removal and disposal of debris from County rights-of-way, beginning Tuesday, June 15, 2004. Workman, Heier, Schorr and Stevens voted aye. Motion carried.

P. Recommendation from the Purchasing Agent and the Sheriff's Office to ratify a contract with Industrial Services, Inc., in the estimated amount of \$8,760, for removal of dead animals from County roadways. Term of the contract is July 1, 2004 through June 30, 2007, with three year renewal options from July 1, 2007 through June 30, 2010. (C-04-0257)

MOTION: Heier moved and Workman seconded to accept the recommendation of the Purchasing Agent and the Sheriff's Office to ratify a contract with Industrial Services, Inc., in the estimated amount of \$8,760, for removal of dead animals from County roadways. Term of the contract is July 1, 2004 through June 30, 2007, with three year renewal options from July 1, 2007 through June 30, 2010. Heier, Schorr, Workman and Stevens voted aye. Motion carried.

Q. Recommendation from the Purchasing Agent and the Emergency Management Director to award a bid to Aluma Tower Company, Inc., in the amount of \$72,980, for the purchase of a Mobile Communications Trailer and related equipment to meet the needs of the County and the City using Emergency Management Grant Funds. (B-04-0029)

MOTION: Heier moved and Schorr seconded approval to award a bid to Aluma Tower Company, Inc., in the amount of \$72,980, for the purchase of a Mobile Communications Trailer and related equipment to meet the needs of the County and the City using Emergency Management Grant Funds. Workman, 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 Assessor/Register of Deeds Monthly Report for May, 2004.**
- 2. Records and Information Management's Monthly Report for May, 2004.**

8) **CONSENT ITEMS CONTINUED:**

B. Setting of public hearings for Tuesday, June 29, 2004 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:

1. **County Change of Zone 04030**, from AG Agricultural to AGR Agricultural Residential, requested by Lyle Loth of ESP on behalf of Alan Baade, on property generally located northwest of the corner of South 82nd Street and Roca Road in Lancaster County, Nebraska.
2. **County Preliminary Plat 04015, Red Cedar Ridge 1st Addition**, requested by Lyle Loth of ESP on behalf of Alan Baade, for 35 residential lots, and associated waiver requests, on property generally located northwest of the corner of South 82nd Street and Roca Road in Lancaster County, Nebraska.

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

9) **EMERGENCY ITEMS:**

An application for a Special Designated License from the Nebraska State Board of Agriculture to hold a Holstein cattle sale/show on Thursday, July 1, 2004 from 12 p.m. to 1 a.m. at the Youth Complex Mall/Arena at 1800 State Fair Park, Lincoln, Lancaster County, Nebraska.

Kristy Mundt, Deputy County Attorney, explained that the application was received in the Clerk's Office on June 1, 2004 and that it was inadvertently left off the agenda. She added that recommendations, indicating no objections, from the Sheriff's Office and the Engineering Department have been received.

MOTION: Heier moved and Schorr seconded approval of the application for a Special Designated License from the Nebraska State Board of Agriculture to hold a Holstein cattle sale/show on Thursday, July 1, 2004 from 12 p.m. to 1 a.m. at the Youth Complex Mall/Arena at 1800 State Fair Park, Lincoln, Lancaster County, Nebraska. Schorr, Heier, Workman and Stevens voted aye. Motion carried.

OTHER BUSINESS:

Schorr stated on June 10, 2004, four County Commissioners, as well as members of the City Council and Mayor Seng, attended the Solid Waste Management Spring Banquet. At the conclusion of the banquet a check, in the amount of \$1,000, made payable to the American Red Cross for their use in disaster relief efforts, was presented to Mayor Seng. Schorr stated a second check, also in the amount of \$1,000, made payable to Norris Public Schools for their rebuilding efforts, was presented to her. She explained that the Solid Waste Management Association is an organization of refuse haulers in Lincoln and Lancaster County and thanked them for their donation of \$2,000.

10) **ADJOURNMENT:**

MOTION: Schorr moved and Heier seconded adjournment of the Board of Commissioners meeting at 2:47 p.m.. Schorr, Heier, Workman and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JUNE 15, 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
Bob Workman

Commissioners Absent: Larry Hudkins, Vice Chair

Others Present: Connie Ahlschwede, County Assessor/Register of Deeds Office
Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2:47 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 8, 2004.**

MOTION: Heier moved and Schorr seconded approval of the minutes of the Board of Equalization meeting dated June 8, 2004. Schorr, 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 51 additions and deductions to the tax assessment rolls per Exhibit "A".

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

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

Gospel Outreach Ministries
Holy Family Sisters of the Needy
Living Faith Free Methodist Church
Nebraska SPF Swine Accrediting Agency, Inc.
Redeemer Lutheran Church
Second Baptist Church

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

5) **ADJOURNMENT:**

MOTION: Schorr moved and Heier seconded adjournment of the Board of Equalization meeting at 2:50 p.m.. Heier, Workman, Schorr and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk