

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

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

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, November 23, 2004.**

MOTION: Hudkins moved and Heier seconded approval of the minutes of the Board of Commissioners meeting dated November 23, 2004. Schorr, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. Recognition of Adjutant Major General Roger Lempke and the Men and Women of the Nebraska National Guard.

Doug Ahlberg, Emergency Management Director, introduced Adjutant Major General Roger Lempke.

Also introduced was Brad Novak, State Command Chief Master Sergeant with the Air National Guard; Colonel Roma Amanson of the 92nd Troop Command with the Army National Guard; and Colonel Steve Adams, Wing Commander with the 155th Air Refueling Wing.

Presented was a certificate of appreciation to Major General Lempke and the Nebraska Department of the Military for their assistance in May, 2004.

2) **SPECIAL PRESENTATIONS CONTINUED:**

B. Presentation of Meritorious Service Award to Larry Hudkins by the Nebraska Cooperative Extension Association - Lorene Bartos and Tom Dorn

Tom Dorn, Cooperative Extension, explained that the Cooperative Extension Association is an organization representing Extension professionals across the State of Nebraska with one of their goals being to provide opportunities for professional development.

Lorene Bartos, Cooperative Extension, presented Commissioner Hudkins a certification of appreciation award for meritorious service for his work across Nebraska and with Cooperative Extension.

Hudkins stated it was a pleasure to accept the certificate from the Extension Association and thanked everyone at Cooperative Extension for all the work they perform.

3) **PUBLIC COMMENT:**

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

4) **CLAIMS: Approval of all claims processed through Tuesday, November 30, 2004.**

MOTION: Heier moved and Workman seconded approval of all claims processed through November 30, 2004. Hudkins, Heier, Workman, Schorr and Stevens voted aye. Motion carried.

5) **PUBLIC HEARINGS:**

A. Increase of appropriations for the County Debt Service Fund by \$1,360,000.

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

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

Kroeker explained that the Board called the outstanding bonds on the Juvenile Detention facility as well as the motor vehicle and the County Engineering facilities after the County's budget was adopted. He stated by calling the bonds early there was a \$235,000 interest savings, however, an increase in appropriations would be needed.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

5) **PUBLIC HEARINGS CONTINUED:**

B. Amending the Lincoln-Lancaster County Air Pollution Program Regulations and standards, which include amending Article 2, Sections 6, 7, 11, 17, 18, 20, 22 and 28.

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

The Clerk administered the oath to Scott Holmes, Division Manager of Environmental Public Health, and Rick Thorson, Environmental Health Supervisor.

Holmes explained that the Health Department operates an independent air quality program delegated by the Environmental Protection Agency (EPA) to Lancaster County and the City of Lincoln and that the Health Department is required to maintain those regulations in equivalency with the Federal regulations. He added that the Lincoln City Council previously approved amending the regulations as recommended.

Thorson discussed the following areas:

- Emissions Reporting (Article 2, Section 6)
- Emergency Generators - Emergency and Portable (Article 2, Section 17)
- Correction of Clerical Errors
- Addition of New Maximum Achievable Control Technology Standards and New Source Performance Standards

Discussion followed regarding the creation of dust from city/county roads.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

6) **NEW BUSINESS:**

A. A resolution in the matter of supplementing appropriations for the previously adopted budget for the County Debt Service Fund, in the amount of \$1,360,000. (R-04-0143)

MOTION: Workman moved and Hudkins seconded approval of Resolution 04-0143 in the matter of supplementing appropriations for the previously adopted budget for the County Debt Service Fund, in the amount of \$1,360,000. Schorr, Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

- B. A resolution in the matter of amending Article 2, Section 6, 7, 11, 17, 18, 20, 22 and 28 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards, as provided in Attachment "A". (R-04-0142)**

MOTION: Hudkins moved and Heier seconded approval of Resolution 04-0142 in the matter of amending Article 2, Section 6, 7, 11, 17, 18, 20, 22 and 28 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards, as provided in Attachment "A". Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

- C. A resolution approving the Lancaster County Road and Bridge Construction Program for Fiscal Years 2005 and 2006 through 2010. (R-04-0144)**

In response to a question asked by Hudkins regarding Bluff Road, Don Thomas, County Engineer, stated he would be willing to include the quarter mile.

Discussion followed regarding South 98th Street.

MOTION: Hudkins moved and Schorr seconded approval of Resolution 04-0144 approving the Lancaster County Road and Bridge Construction Program for Fiscal Years 2005 and 2006 through 2010 with clarifications as outlined in a letter from the County Engineer, dated November 22, 2004. Heier, Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

- D. A resolution regarding the proposed sale of county property generally located at 3830 Adams Street, Lincoln, Lancaster County, which includes declaring the property surplus, determination of fair market value and the setting of the sale date of the property for January 6, 2005. (R-04-0145)**

MOTION: Workman moved and Schorr seconded approval of Resolution 04-0145 regarding the proposed sale of county property generally located at 3830 Adams Street, Lincoln, Lancaster County, which includes declaring the property surplus, determination of fair market value and the setting of the sale date of the property for January 6, 2005. Workman, Schorr, Hudkins, Heier and Stevens voted aye. Motion carried.

- E. Supplemental agreement number 1 with the State of Nebraska, Department of Roads for Project BR-5204(2), Pioneers Boulevard. The County previously entered into a program agreement with the State regarding this project on August 10, 1999. The supplemental agreement sets the funding allocation for the project as follows: Federal-Aid Bridge Replacement Funds at 80 percent; State-Aid Bridge Funds at five percent; and County Funds at 15 percent. All other terms and conditions of the original agreement will apply. (C-04-0586)**

6) **NEW BUSINESS CONTINUED:**

MOTION: Workman moved and Hudkins seconded approval of supplemental agreement number 1 with the State of Nebraska, Department of Roads for Project BR-5204(2), Pioneers Boulevard. Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

F. A service agreement with Stericycle for collection, removal and disposal of biomedical waste generated by Lancaster Manor. The agreement is effective December 1, 2004 for a three year term and includes a 60 day termination provision. The County will pay \$425 per month for the services. (C-04-0587)

MOTION: Heier moved and Workman seconded approval of a service agreement with Stericycle for collection, removal and disposal of biomedical waste generated by Lancaster Manor. Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

G. A contract for professional services with the Board of Regents, University of Nebraska, University of Nebraska Public Policy Center for the implementation of the Human Services Needs Assessment and Comprehensive Plan. The County will pay up to \$47,500 for the services. Term of the agreement is July 1, 2004 through December 30, 2004. (C-04-0588)

MOTION: Schorr moved and Hudkins seconded approval of a contract for professional services with the Board of Regents, University of Nebraska, University of Nebraska Public Policy Center for the implementation of the Human Services Needs Assessment and Comprehensive Plan.

Discussion took place regarding funding allocations.

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

H. A grant contract with United Methodist Ministries of Lincoln (Equity in Nebraska) for funding for the community-driven initiatives to address violence against women among diverse and traditionally under served populations while strengthening legal advocacy services for victims of domestic violence and dating violence, including assistance to such victims in immigration matters, in the amount of \$38,623. Term of grant contract is September 1, 2004 through August 30, 2005. (C-04-0589)

6) **NEW BUSINESS CONTINUED:**

MOTION: Schorr moved and Heier seconded approval of a grant contract with United Methodist Ministries of Lincoln (Equity in Nebraska) for funding for the community-driven initiatives to address violence against women among diverse and traditionally under served populations while strengthening legal advocacy services for victims of domestic violence and dating violence, including assistance to such victims in immigration matters, in the amount of \$38,623. Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

I. A contract with Justice Benefits, Inc. for grant writing services and professional assistance to the Lancaster County Corrections Department in making application and claim for eligible funding under the State Criminal Alien Assistance Program (SCAAP). Term of the agreement is December 1, 2004 to November 30, 2008, and includes a 60 day termination provision. The County will pay Justice Benefits, Inc. 15 percent of all revenue paid to the County for SCAAP compensation. (C-04-0590)

MOTION: Hudkins moved and Heier seconded approval of a contract with Justice Benefits, Inc. for grant writing services and professional assistance to the Lancaster County Corrections Department in making application and claim for eligible funding under the State Criminal Alien Assistance Program (SCAAP).

Mike Thurber, Corrections Director, explained that the contract was a continuation of an existing contract that has been in place for two years. He added that the County receives revenue for housing illegal aliens.

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

J. Amendment No. 1 to the Lancaster County Flexible Benefit Plan Summary Plan Description. The amendment increases the amount for un-reimbursed medical expenses to \$5,000, effective January 1, 2005.

MOTION: Hudkins moved and Heier seconded approval of Amendment No. 1 to the Lancaster County Flexible Benefit Plan Summary Plan Description. The amendment increases the amount for un-reimbursed medical expenses to \$5,000, effective January 1, 2005. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

K. Amendment No. 2 to Section 16.06 of the Lancaster County Flexible Benefit Plan. The amendment increases the amount for un-reimbursed medical expenses up to \$5,000, effective January 1, 2005.

6) **NEW BUSINESS CONTINUED:**

MOTION: Hudkins moved and Workman seconded approval of Amendment No. 2 to Section 16.06 of the Lancaster County Flexible Benefit Plan. The amendment increases the amount for un-reimbursed medical expenses up to \$5,000, effective January 1, 2005. Schorr, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

L. A recommendation from the Community Mental Health Center and Purchasing Agent to award an order off the State of Nebraska contract schedule to Husker Auto Group in the total amount of \$47,672.00 for two 2004 Chevrolet fifteen passenger full-size vans. (B-04-0054)

MOTION: Heier moved and Hudkins seconded approval to award an order off the State of Nebraska contract schedule to Husker Auto Group in the total amount of \$47,672.00 for two 2004 Chevrolet fifteen passenger full-size vans. Workman, Schorr, Heier, Hudkins and Stevens voted aye. Motion carried.

M. Authorization of Wells Fargo Bank, as trustee, to disburse and make payment from the Lancaster County Limited Tax Building 2004 Construction Fund to Cheever Construction in the amount of \$13,625.00 for air conditioning remodel services for the CenterPointe Juvenile Rehabilitation Center Project.

Kerry Eagan, Chief Administrative Officer, indicated that the project is for the old Juvenile Attention Center remodel project, not CenterPointe.

MOTION: Heier moved and Workman seconded approval of authorization of Wells Fargo Bank, as trustee, to disburse and make payment from the Lancaster County Limited Tax Building 2004 Construction Fund to Cheever Construction in the amount of \$13,625.00 for air conditioning remodel services. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

N. An application for a Special Designated License from La Societe des 40 Hommes to hold a Christmas party on Sunday, December 19, 2004 from 3 p.m. to 9 p.m. at Country Pines, located at 6305 West Adams Street.

MOTION: Hudkins moved and Workman seconded approval of an application for a Special Designated License from La Societe des 40 Hommes to hold a Christmas party on Sunday, December 19, 2004 from 3 p.m. to 9 p.m. at Country Pines, located at 6305 West Adams Street. Workman, Hudkins, Schorr, Heier and Stevens voted aye. Motion carried.

7) **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. A request from Rhonda J. Wicht, an employee in the County Sheriff's Office, to voluntarily participate in the Lancaster County Retirement Plan having met the requirements.

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

8) **ADJOURNMENT:**

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

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, NOVEMBER 30, 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
Larry Hudkins, Vice Chair
Bernie Heier
Deb Schorr
Bob Workman

Others Present: Norm Agena, County Assessor/Register of Deeds
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 2:40 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, November 23, 2004.**

MOTION: Workman moved and Heier seconded approval of the minutes of the Board of Equalization meeting dated November 23, 2004. Schorr, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

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

- 3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Christian Retirement Homes, Inc. d/b/a Eastmont Towers
Messiah Lutheran Church
Sisters of Mary Queen of Mercy**

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

4) **ADJOURNMENT:**

MOTION: Heier moved and Schorr seconded adjournment of the Board of Equalization meeting at 2:41 p.m.. Workman, Hudkins, Schorr, Heier and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk