

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 11, 2005
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

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

Commissioners Absent: 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, October 4, 2005.**

MOTION: Heier moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated October 4, 2005. Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. The County-City Volunteer of the Month Award was presented to Rebekah Greenwalt for her services with Parks and Recreation.

B. Introduction of Gary Hamilton - Dan Morgan, Good News Jail and Prison Ministries; Mike Thurber, Corrections Director

Mike Thurber, Corrections Director, introduced Dan Morgan, Chaplain at the Corrections Department.

2) **SPECIAL PRESENTATIONS:**

Morgan introduced Gary Hamilton, Chairman of the President's Council and indicated Mr. Hamilton is also a volunteer with the ministry program at Corrections. He explained that the ministry relies on contributions from individuals, churches, special events and corporations and that Mr. Hamilton assists him with those duties. An invitation was also extended to the County Board to attend their Praise Banquet to be held on October 25, 2005 at 6:30 p.m. at the Cornhusker Hotel.

3) **CLAIMS: Approval of all claims processed through Tuesday, October 11, 2005.**

MOTION: Schorr moved and Heier seconded approval of all claims processed through October 11, 2005. Heier, Stevens, Schorr and Hudkins voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

A. Amending of County Resolution 02-0030 regulating On-Site Wastewater Treatment Systems. (See New Business Item 6A for correlating documentation.)

B. Amending of County Resolution 02-0031 in the matter of Design Standards for Operation and Maintenance of On-Site Wastewater Treatment Systems. (See New Business Item 6B for correlating documentation.)

Board consensus was to hear Public Hearing Items 4A and 4B together.

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

John Chess, Water Quality Supervisor with the Lincoln-Lancaster County Health Department, stated the changes would bring them into compliance with the State of Nebraska.

The Chair asked if anyone else wished to testify.

No one appeared and the hearings were closed.

5) **OLD BUSINESS:**

A. A political subdivision tort claim filed against Lancaster County by Roger P. Cox, on behalf of Henry L. Balters, in the amount of \$10,000.

MOTION: Schorr moved and Stevens seconded approval of a political subdivision tort claim filed against Lancaster County by Roger P. Cox, on behalf of Henry L. Balters, in the amount of \$6,000, subject to the claimant signing a release of all claims. Heier, Schorr, Stevens and Hudkins voted aye. Motion carried.

6) **NEW BUSINESS:**

A. A resolution in the matter of updating County Resolution No. 02-0030, Procedures for the Regulation of On-Site Wastewater Treatment Systems in Lancaster County, Nebraska. (R-05-0129)

B. A resolution in the matter of updating County Resolution No. 02-0031, Design Standards for Operation and Maintenance of On-Site Wastewater Treatment Systems in Lancaster County, Nebraska. (R-05-0130)

MOTION: Stevens moved and Heier seconded approval of Resolution 05-0129 in the matter of updating County Resolution No. 02-0030, Procedures for the Regulation of On-Site Wastewater Treatment Systems and approval of Resolution 02-0130 the matter of updating County Resolution No. 02-0031, Design Standards for Operation and Maintenance of On-Site Wastewater Treatment Systems. Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

C. A resolution in the matter of amending the final levy allocation for the Raymond Fire District for the period July 1, 2005 through June 30, 2006. (R-05-0131)

MOTION: Stevens moved and Schorr seconded approval of Resolution 05-0131 in the matter of amending the final levy allocation for the Raymond Fire District for the period July 1, 2005 through June 30, 2006. Stevens, Heier, Schorr and Hudkins voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

D. A grant contract with United Way of Lincoln and Lancaster County to administer the 211 Information Line Project, a telephone access line for residents of Lancaster County to seek information and referral, in the amount of \$2,500. Term of the grant contract is July 1, 2005 to June 30, 2006. (C-05-0501)

MOTION: Schorr moved and Stevens seconded approval of a grant contract with United Way of Lincoln and Lancaster County to administer the 211 Information Line Project, a telephone access line for residents of Lancaster County to seek information and referral, in the amount of \$2,500. Heier, Stevens, Schorr and Hudkins voted aye. Motion carried.

E. A grant contract with Lincoln Action Program, Inc. to provide funding for the following programs: LAP Education Outreach, in the amount of \$20,000; Eviction Protection/Coalition of Landlords and Tenants, in the amount of \$30,000; Emergency Services, in the amount of \$66,150; Homeless Case Management, in the amount of \$10,000; YouthACT, in the amount of \$5,700 and Project Communities Helping Immigrants and Refugees Progress (C.H.I.R.P.), in the amount of \$11,000. Total amount of the grant contract is \$144,650. Term of the grant contract is July 1, 2005 through June 30, 2006. (C-05-0502)

MOTION: Stevens moved and Heier seconded approval of a grant contract with Lincoln Action Program, Inc. to provide funding for the following programs: LAP Education Outreach, in the amount of \$20,000; Eviction Protection/Coalition of Landlords and Tenants, in the amount of \$30,000; Emergency Services, in the amount of \$66,150; Homeless Case Management, in the amount of \$10,000; YouthACT, in the amount of \$5,700 and Project Communities Helping Immigrants and Refugees Progress (C.H.I.R.P.), in the amount of \$11,000. Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

F. A grant contract with the Human Services Federation to provide project leadership, oversight, coordination and staffing to the Community Services Initiative Project, in the amount of \$54,300. Term of the grant contract is from July 1, 2005 through June 30, 2006. (C-05-0503)

This item was held at the request of the County Attorney's Office.

G. An agreement between Lancaster County and Melissa Beecher to facilitate, coordinate and staff the Behavioral Health Coalition of the Community Services Initiative (CSI) Project. Term of the agreement is July 1, 2005 through June 30, 2006. The County will pay up to \$20,000 for such services. (C-05-0504)

MOTION: Stevens moved and Schorr seconded approval of an agreement between Lancaster County and Melissa Beecher to facilitate, coordinate and staff the Behavioral Health Coalition of the Community Services Initiative (CSI) Project. Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

H. An agreement between Lancaster County and Melissa Beecher to act as a Juvenile Justice consultant in the area of oversight, program assessment/evaluation, and coordination of the juvenile justice system. Term of the agreement is September 1, 2005 through May 31, 2006. The County will pay up to \$10,400 for such services. (C-05-0505)

MOTION: Heier moved and Stevens seconded approval of an agreement between Lancaster County and Melissa Beecher to act as a Juvenile Justice consultant in the area of oversight, program assessment/evaluation, and coordination of the juvenile justice system. Stevens, Schorr, Heier and Hudkins voted aye. Motion carried.

I. Acceptance of a grant award from the Nebraska Commission on Law Enforcement and Criminal Justice for the Drug Education for Youth Project. The County will receive \$29,200, of which \$19,200 is the County's match share. Term of the grant award is July 1, 2005 to June 30, 2006. (C-05-0506)

6) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Heier seconded approval of the acceptance of a grant award from the Nebraska Commission on Law Enforcement and Criminal Justice for the Drug Education for Youth Project. Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

J. A grant contract with Cedars Youth Services for the Youth Excelling in School (YES) Program for 45 children from five to eleven years of age, in the amount of \$71,822. Term of the grant contract is July 1, 2005 to June 30, 2006. (C-05-0507)

MOTION: Schorr moved and Heier seconded approval of a grant contract with Cedars Youth Services for the Youth Excelling in School (YES) Program for 45 children from five to eleven years of age, in the amount of \$71,822. Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

K. An interlocal agreement with York County for the safekeeping, care and sustenance of juveniles while at the Youth Services Center. The County will be reimbursed \$234 per youth, per day from York County. The agreement is effective upon execution and has a 30-day termination provision. (C-05-0513)

MOTION: Heier moved and Stevens seconded approval of an interlocal agreement with York County for the safekeeping, care and sustenance of juveniles while at the Youth Services Center. Heier, Stevens, Schorr and Hudkins voted aye. Motion carried.

L. An agreement between Lancaster County and the Child Advocacy Center to conduct interviews and medical examinations of child abuse victims to aid law enforcement and prosecution in their investigations of child abuse. Term of the agreement is October 1, 2005 through September 30, 2006. The County will pay \$20,000 for the services. (C-05-0514)

MOTION: Stevens moved and Schorr seconded approval of an agreement between Lancaster County and the Child Advocacy Center to conduct interviews and medical examinations of child abuse victims to aid law enforcement and prosecution in their investigations of child abuse.

6) **NEW BUSINESS CONTINUED:**

Heier indicated he would abstain from voting because he is a member of the Board of Directors of the Child Advocacy Center.

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

M. Recommendation from the Purchasing Agent and the County Engineer to award a bid to Murphy Tractor & Equipment Company, Inc., in the amount of \$423,552, for the purchase of three motor graders with trade-in allowance for three of the County Engineer's used motor graders. It is also recommended the County Board approve a service guarantee stating the seller will pay for all costs of parts and labor in excess of \$5,500 per unit during the next seven years or 8,500 hours (\$16,500 total) and the guaranteed repurchase of \$83,000 per motor grader after seven years (\$249,000 total backed by performance bond as detailed in the specification). (B-05-0035)

MOTION: Stevens moved and Schorr seconded approval to award a bid to Murphy Tractor & Equipment Company, Inc., in the amount of \$423,552, for the purchase of three motor graders with trade-in allowance for three of the County Engineer's used motor graders as recommended by the Purchasing Agent and the County Engineer. Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

N. A political subdivision tort claim filed against Lancaster County by Martin Linscott, on behalf of Zachary Ortega, for damages.

MOTION: Schorr moved and Heier seconded denial of a political subdivision tort claim filed against Lancaster County by Martin Linscott, on behalf of Zachary Ortega, for damages. Heier, Stevens, Schorr and Hudkins voted aye. Motion carried.

O. A political subdivision tort claim filed against the Lancaster County Corrections Department by Michael Schuman for lost property, in the amount of \$250.

MOTION: Heier moved and Stevens seconded approval of a political subdivision tort claim filed against the Lancaster County Corrections Department by Michael Schuman for lost property, in the amount of \$56. Stevens, Schorr, Heier and Hudkins voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

P. Request from the Lancaster County Public Defender to set the salary for John Jorgensen, Deputy Public Defender, at \$51,642 annually, effective October 24, 2005.

MOTION: Heier moved and Stevens seconded approval of a request from the Lancaster County Public Defender to set the salary for John Jorgensen, Deputy Public Defender, at \$51,642 annually, effective October 24, 2005. Stevens, Heier, Schorr and Hudkins voted aye. Motion carried.

Q. Amendment to an application for a Special Designated License from B&B-Q, Inc. d/b/a Cheerleaders to provide liquor beverage service for a wedding reception to be held at Country Pines. The previous application was for October 7, 2005, however, the date was changed to Saturday, October 15, 2005. (The County Board previously approved this application on September 20, 2005.)

MOTION: Schorr moved and Stevens seconded approval of the application for a Special Designated License from B&B-Q, Inc. d/b/a Cheerleaders for the corrected dated of October 15, 2005. Heier, Schorr, Stevens and Hudkins 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. Receive and Place on File:

- 1. Clerk of the District Court's Monthly Report for September, 2005.**
- 2. County Assessor/Register of Deeds Monthly Report for September, 2005.**
- 3. County Clerk's Monthly Report for September, 2005.**
- 4. County Engineering Department's Annual Report to the Nebraska Board of Road Classifications and Standards (NBCS) for Fiscal Year ending 2005.**
- 5. Lancaster Manor's Monthly Report.**

7) **CONSENT ITEMS CONTINUED:**

- B. Setting of a public hearing for Tuesday, October 18, 2005 at 1:30 p.m. in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding an application to the Nebraska Department of Economic Development for a Community Development Block Grant. The project is the development of a retail distribution center for Tractor Supply Company (TSC).**
- C. Setting of a public hearing for Tuesday, November 15, 2005 at 7:30 p.m. in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding Lancaster County's proposed One and Six-Year Road and Bridge Improvement Program for the fiscal years beginning July 1, 2005 through June 30, 2011, as proposed by the Lancaster County Engineer.**
- D. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:**
- ▶ **City of Hickman near the South 68th Street Viaduct; Project C55-S-401(6). This is a donation. (C-05-0508)**
 - ▶ **Dennis J. and Loretta J. Hatfield, in the amount of \$653.25, near the South 68th Street Viaduct; Project C55-S-401(6). (C-05-0509)**
 - ▶ **Lincoln Land and Mortgage Company, in the total amount of \$48,694, on Northwest 70th Street from Adams to Superior Streets; Project C55-M-407(1). (3 contracts) (C-05-0510 through C-05-0512)**

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

8) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded adjournment of the Board of Commissioners meeting at 2:01 p.m.. Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, OCTOBER 11, 2005
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

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

Commissioners Absent: 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
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization was called to order at 2:01 p.m..

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, October 4, 2005.**

MOTION: Stevens moved and Heier seconded approval of the minutes of the Board of Equalization meeting dated October 4, 2005. Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

2) **ADDITIONS AND DEDUCTIONS:**

Approval of 77 additions and deductions to the tax assessment rolls per Attachment "A".

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

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Horizons Community Church
Nebraska Wesleyan University
St. Paul United Methodist Church
Southeast Nebraska Mobile Diagnostic Services, Inc.
Villa Marie School**

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

4) **CERTIFICATION OF TAX LEVIES:**

Certification of 2005-2006 tax levies for Lancaster County, Nebraska.

MOTION: Heier moved and Stevens seconded to certify the 2005-2006 tax levies for Lancaster County, Nebraska. Stevens, Schorr, Heier and Hudkins voted aye. Motion carried.

5) **ADJOURNMENT:**

MOTION: Schorr moved and Heier seconded adjournment of the Board of Equalization meeting at 2:03 p.m.. Stevens, Heier, Schorr and Hudkins voted aye. Motion carried.

Bruce Medcalf
County Clerk