

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 30, 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: Diane Carlson, Deputy County Attorney
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, September 23, 2003.**

MOTION: Hudkins moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated September 23, 2003. Schorr, Hudkins, Workman and Heier voted aye. Stevens abstained from voting. Motion carried.

2) **SPECIAL PRESENTATIONS:**

A. A one step pay increase, due to exceptional circumstances, for Cory Steele, Lancaster County Juvenile Expediter.

Reneé Dozier, Office of Juvenile Mental Health, appeared and explained that Cory Steele, Lancaster County Juvenile Expediter, has done an outstanding job and would be adding responsibilities to his current position. She stated it was felt than a one step increase is appropriate.

2) **SPECIAL PRESENTATIONS CONTINUED:**

MOTION: Workman moved and Stevens seconded approval of a one step pay increase, due to exceptional circumstances, for Cory Steele, Lancaster County Juvenile Expediter. Workman, Schorr, Stevens, Hudkins and Heier voted aye. Motion carried.

B. Southeast Community College Budget Presentation - Jack Huck, President

Jack Huck, President of Southeast Community College, gave a presentation of the following documentation:

- ▶ *2002-2003 SCC Annual Report* (Exhibit 1) including:
 - Tuition
 - Enrollment
 - Graduate Employment
 - Academic Transfer Graduates
 - Accreditation
 - Partnerships with Southeast Nebraska Communities and Businesses
 - Distance Learning Programs
 - Local Property Tax History
 - 2003-2004 Expenditures and Sources of Revenue

- ▶ *2002 Annual Graduate Placement Report* (Exhibit 2) including:
 - Placement Objectives
 - Placement Surveys
 - Geographical Data
 - Companies and Positions
 - Placement Statistics

The Chair requested New Business Item 7M be moved forward on the agenda.

7 M. Request of Gary E. Lacey, Lancaster County Attorney, for consideration and appointment of Kristy R. Mundt as a Deputy County Attorney and setting the salary, retroactive to September 24, 2003.

Mike Thew, Chief Deputy County Attorney, introduced Kristy Mundt stating she worked in their office as a law clerk for two years while attending law school. He added that she recently passed the bar exam and that they expect her excellent service to continue as a Deputy County Attorney. Recommendation was to set her salary at \$43,000.

MOTION: Hudkins moved and Stevens seconded approval of a request of Gary E. Lacey, Lancaster County Attorney, for consideration and appointment of Kristy R. Mundt as a Deputy County Attorney and setting her salary at \$43,000 per annum, retroactive to September 24, 2003. Stevens, Workman, Hudkins, Schorr and Heier voted aye. Motion carried.

3) **PUBLIC COMMENT:**

Warren Cook, consultant, appeared and informed the Board that the Community Corrections program is going well. He stated Kim Etherton, Community Corrections Director, had received applications for the Community Coordinator position and will be obtaining the applications for the "Field" position. He also added that the phone program has been implemented. Cook stated the program would serve the County well from the standpoint of helping with the jail population as well as with efficiencies of other parts of the criminal justice system.

4) **CLAIMS FOR REVIEW:**

A. Payment Voucher 805-0503, dated September 15, 2003 - Human Services has requested payment to the State of Nebraska, Department Health and Human Services, in the amount of \$5,620, for intake/evaluation and treatment for August, 2003.

Kristy Mundt, Deputy County Attorney, recommended denial of the claim because it was incorrectly filed. She explained that Neb. Rev. Stat. §29-1823 provides that the County will pay for a court ordered psychological exam if the amount is first certified by the District Court Judge. Mundt stated the State of Nebraska, Department of Health and Human Services did not submit the claim to the court first.

4) **CLAIMS FOR REVIEW CONTINUED:**

MOTION: Hudkins moved and Stevens seconded to deny Payment Voucher 805-0503, dated September 15, 2003 - Human Services has requested payment to the State of Nebraska, Department Health and Human Services, in the amount of \$5,620, for intake/evaluation and treatment for August, 2003. Hudkins, Stevens, Workman, Schorr and Heier voted aye. Motion carried.

5) **CLAIMS: Approval of all claims processed through Tuesday, September 30, 2003.**

MOTION: Stevens moved and Schorr seconded approval of all claims processed through September 30, 2003. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

6) **PUBLIC HEARINGS:**

A. Sale of County property, generally located at South 96th Street and Stagecoach Road, Lincoln, Lancaster County, legally described as Lot 41, in the Northwest Quarter of Section 1, Township 7 North, Range 7 East of the 6th Principal Meridian, lying 100 feet northwesterly of the 100 foot of right-of-way of the former Missouri Pacific Railroad, that passes through the said Northwest Quarter of the Northwest Quarter of Section 1, except the west 50 feet thereof; containing 1.76 acres more or less.

The Chair opened the public hearing.

Diane Carlson, Deputy County Attorney, stated the purpose of the public hearing is to allow interested parties the opportunity to testify, either for or against, the sale of property and to also determine the fair market value of the property.

Offered and marked for the record by Carlson was an appraisal report prepared by the County Engineer's Department determining the fair market value of the property (Exhibit 3). It was noted that the fair market value for the approximate 1.76 acres was determined to be \$3,500.

The Chair asked if anyone wished to provide testimony either in favor or in opposition of the sale of property.

6) **PUBLIC HEARINGS CONTINUED:**

No one appeared and the hearing was closed.

In response to a question asked by Stevens, Carlson stated the sale date for the property is October 15th. She explained the notice would be advertised in the newspaper ten days in advance of the sale. The sale, she said, would be conducted by the Sheriff's Office either in the lobby of the County-City Building or in the Hall of Justice.

Carlson stated if no bids are submitted or if the bids are substantially lower than the fair market value of \$3,500, the County Board could negotiate for a lesser amount with interested parties.

Stevens asked if the Board could set a minimum bid.

Carlson responded she didn't believe there was anything in the statutes which would prohibit the Board from setting a minimum bid.

In response to a question asked by Hudkins, Jim Shotkoski, Right-of-Way Manager in the County Engineering Department, gave a description of the property indicating that he did find three comparable sales at the following locations:

- ▶ Sale in February, 2003 at South 54th Street and Stagecoach Road, for \$2,200 per acre
- ▶ Sale in February, 2003 at South 54th Street and Princeton Road, for \$3,600 per acre
- ▶ Sale in January, 2003 at 20090 South 96th Street, for \$4,738 per acre

MOTION: Workman moved and Stevens seconded to allow the sale of the property and that the Lancaster County Board reserves the right to reject any bid below the fair market value of \$3,500. Stevens, Workman, Hudkins, Schorr and Heier voted aye. Motion carried.

7) **NEW BUSINESS:**

A. Renewal of County Insurance Program.

Sue Eckley, Risk Manager, and Tom Champoux with Unico appeared regarding the General Liability insurance for the County.

7) **NEW BUSINESS CONTINUED:**

Champoux stated the renewal rate for the General Liability insurance would be \$322,199.50. He also added that the Board would need to complete the terrorism acceptance/rejection form.

MOTION: Hudkins moved and Workman seconded to approve the renewal of General Liability insurance with Coregis, in the amount of \$322,199.50, to decline the coverage for Acts of Terrorism, as defined by the Act and to set aside \$50,000 in a fund to self-insure in the area of General Liability.

Discussion followed regarding self-insuring with Stevens and Schorr indicating they would prefer to not set aside funds at the current time and review the issue at a later date.

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

B. A grant contract with CenterPointe, Inc. for funding of the following:

- ▶ Community Support program, in the amount of \$41,200.
- ▶ Youth Residential program, in the amount of \$31,300
- ▶ Outpatient program, in the amount of \$80,000
- ▶ Adult Day Services program, in the amount of \$89,874
- ▶ Adult Residential program, in the amount of \$97,656

The total amount of the grant is in the amount of \$340,030. Term of the grant contract is from July 1, 2003 to June 30, 2004. (C-03-0500)

MOTION: Stevens moved and Hudkins seconded approval of a grant contract with CenterPointe, Inc. for funding of programs in the total amount of \$340,030. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

C. A grant contract with Cedars Youth Services, Inc. for funding for the Teaching and Learning with Children (TLC) Housing, in the amount of \$85,000; the Children's Shelter, in the amount of \$65,000 and the Freeway Station, in the amount of \$125,000. The total amount of the grant will be \$275,000. The term of the grant contract is from July 1, 2003 to June 30, 2004. (C-03-0501)

7) **NEW BUSINESS CONTINUED:**

MOTION: Schorr moved and Stevens seconded approval of a grant contract with Cedars Youth Services, Inc. in the total amount of \$275,000. Stevens, Hudkins, Schorr, Workman and Heier voted aye. Motion carried.

D. A Harvest Project contract with CenterPointe to participate in the formation of a multi-disciplinary team to coordinate the delivery of services to Lancaster County's elderly citizens. The County has already received a grant and entered into a similar contract with the Lincoln Area Agency on Aging/Lincoln Information for the Elderly (LAAA/LIFE). CenterPointe will be responsible for providing the County with 40 hours of work per week from a qualified individual who will assist with outreach and screening, assessment and care plan development. (C-03-0502)

MOTION: Stevens moved and Workman seconded approval of a Harvest Project contract with CenterPointe to participate in the formation of a multi-disciplinary team to coordinate the delivery of services to Lancaster County's elderly citizens, in the amount of \$43,500. Workman, Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

E. An agreement with the City of Waverly to authorize the County to assign addresses to residences in the City's one-mile zoning jurisdiction in accordance with the County's Uniform Rural Address System. The County will be able to uniformly provide addresses which will assist emergency services when responding to residences in the County. (C-03-0503)

MOTION: Hudkins moved and Stevens seconded approval of an agreement with the City of Waverly to authorize the County to assign addresses to residences in the City's one-mile zoning jurisdiction in accordance with the County's Uniform Rural Address System. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

7) NEW BUSINESS CONTINUED:

F. A grant contract with Family Service Association for funding of the following:

- ▶ Individual and family therapy program, in the amount of \$60,000.
- ▶ "Welcome Baby" program, in the amount of \$31,500.
- ▶ "Families and Schools Together" program, in the amount of \$18,000.
- ▶ Family Support program, in the amount of \$98,000.
- ▶ Community Learn Center/West Lincoln, in the amount of \$10,000.

The total grant shall be in the amount of \$217,500. Term of the agreement is from July 1, 2003 to June 30, 2004. (C-03-0504)

MOTION: Schorr moved and Stevens seconded approval of a grant contract with Family Service Association, in the total amount of \$217,500. Schorr, Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

G. An agreement with the Distance Learning Network (DLN) for installation of satellite and delivery of activities and scheduled broadcasts at the Community Mental Health Center. The County does not have to pay an annual fee and additional programming will be provided on a pay-per-view basis. Either party may terminate the agreement upon giving 30 days written notice. (C-03-0505)

MOTION: Hudkins moved and Stevens seconded approval of an agreement with the Distance Learning Network (DLN) for installation of satellite and delivery of activities and scheduled broadcasts at the Community Mental Health Center. Hudkins, Schorr, Stevens, Workman and Heier voted aye. Motion carried.

H. A change order with Hartmann Construction Company for County Project 03-30 (Part 1), East Van Dorn Street and Old Cheney Road for Group 1, grading on Old Cheney Road. The original agreement was approved on March 18, 2003. The change order provides for the installation and purchase of a 54 inch culvert pipe. The County will pay an additional \$4,667.20 for the services provided in the change order. (C-03-0510)

7) **NEW BUSINESS CONTINUED:**

Heier indicated he would abstain from voting because of property ownership in the area of the project.

MOTION: Hudkins moved and Workman seconded approval of a change order with Hartmann Construction Company for County Project 03-30 (Part 1), East Van Dorn Street and Old Cheney Road for Group 1, grading on Old Cheney Road. The change order provides for the installation and purchase of a 54 inch culvert pipe. The County will pay an additional \$4,667.20 for the services provided in the change order. Schorr, Hudkins, Stevens and Workman voted aye. Heier abstained from voting. Motion carried.

I. A resolution in the matter of witness fees paid by Lancaster County which have remained unclaimed for six months or more. (R-03-0099)

MOTION: Workman moved and Stevens seconded approval of Resolution 03-0099. Workman, Schorr, Stevens, Hudkins and Heier voted aye. Motion carried.

J. A resolution authorizing Lancaster County to apply for assistance from the Transportation Enhancement Program for the Jamaica North Trail. (R-03-0103)

MOTION: Stevens moved and Schorr seconded approval of Resolution 03-0103. Stevens, Workman, Hudkins, Schorr and Heier voted aye. Motion carried.

K. A resolution authorizing the installation of the following traffic signs in Lancaster County, Nebraska: (R-03-0102)

- ▶ A "Stop Ahead" sign in advance of the existing "Stop" sign on North 40th Street north of Davey Road for southbound traffic.
- ▶ A "Stop Ahead" sign in advance of the existing "Stop" sign on West Davey Road east of the Branched Oak Dam Road for westbound traffic.
- ▶ "Stop" signs at the intersection of North 190th Street and Rock Creek Road, one for westbound traffic and one for eastbound traffic.
- ▶ A "Stop Ahead" sign in advance of the "Stop" sign on Rock Creek Road west of North 190th Street for eastbound traffic.

7) **NEW BUSINESS CONTINUED:**

Also, the following sign changes will occur in the Sunshine Hills Addition as follows:

1. At the intersection of Bluff Road and Harold Road:
 - ▶ Install street identification signs.
 - ▶ Install a "Stop" ahead sign on Harold Road at Bluff Road for northbound traffic.
 - ▶ Install a "No Outlet" sign on Harold Road south of Bluff Road for southbound traffic.
2. Install street identification signs at the intersection of Harold Road, Carol Lane and Harold Court.

MOTION: Stevens moved and Workman seconded approval of Resolution 03-0102. Schorr, Hudkins, Workman, Stevens and Heier voted aye. Motion carried.

L. Recommendation from the Purchasing Agent and Emergency Management Director to award a bid to Global Protection, LLC for 405 first responder Personal Protective Equipment (PPE) kits for the Lancaster County Sheriff's Office and the Lincoln Police Department. This will be an award for \$92,536.54 using grant funds. (B-03-0027)

MOTION: Hudkins moved and Stevens seconded to accept the recommendation from the Purchasing Agent and Emergency Management Director to award a bid to Global Protection, LLC for 405 first responder Personal Protective Equipment (PPE) kits for the Lancaster County Sheriff's Office and the Lincoln Police Department. This will be an award for \$92,536.54 using grant funds. Workman, Schorr, Stevens, Hudkins and Heier voted aye. Motion carried.

M. Request of Gary E. Lacey, Lancaster County Attorney, for consideration and appointment of Kristy R. Mundt as a Deputy County Attorney and setting the salary, retroactive to September 24, 2003.

Item moved forward on the agenda.

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. Lincoln City Libraries Director's Report for August, 2003.

B. Setting of a public hearing for Tuesday, November 4, 2003 at 7:30 p.m. in the County Commissioners Chambers, 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, 2004 through June 30, 2009, as proposed by the Lancaster County Engineer.

C. A resolution in the matter of an application for Corporate Manager for Amy Wieseler in connection with a Class M (Bottle Club) liquor license for HiMark Golf Course L.L.C. located at 8901 Augusta Drive, Lincoln, Lancaster County, Nebraska. (R-03-0100)

D. A resolution in the matter of an application for a Class M (Bottle Club) liquor license for HiMark Golf Course L.L.C., formerly Corporate Golf Marketing, Inc., located at 8901 Augusta Drive, Lincoln, Lancaster County, Nebraska. (R-03-0101)

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

- ▶ Parker-Hannifin Corporation, in the amount of \$80, on North 134th Street from "O" to Holdrege Streets; Project C55-J-406(4). (C-03-0506)
- ▶ Fran Smith, in the total amount of \$23,817.95, on Northwest 84th Street from Adams Street to Highway 34; Project C55-EM-401(1). (3 contracts) (C-03-0507 through C-03-0509)

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

9) **ADJOURNMENT:**

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

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, SEPTEMBER 30, 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: Norm Agena, County Assessor/Register of Deeds
Diane Carlson, Deputy County Attorney
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 meeting was called to order at 2:41 p.m..

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, September 23, 2003.

MOTION: Hudkins moved and Schorr seconded approval of the minutes of the Board of Equalization meeting dated September 23, 2003. Schorr, Hudkins, Workman 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 TO THE TAX ASSESSMENT ROLLS:**

Approval of 79 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Stevens moved and Workman 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:**

**Family Service Association of Lincoln
Lakeview Rest Home Inc.
Temple Baptist Church**

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

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

Setting of a public hearing for Tuesday, October 14, 2003 immediately following the Board of Commissioners meeting, which begins at 1:30 p.m., in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding notice of valuation change for omitted or undervalued property for MDS Pharma Services (US) Inc. and Christian Heritage Children's Home.

MOTION: Workman moved and Schorr seconded to set a public hearing for Tuesday, October 14, 2003 immediately following the Board of Commissioners meeting, which begins at 1:30 p.m., in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding notice of valuation change for omitted or undervalued property for MDS Pharma Services (US) Inc. and Christian Heritage Children's Home. Workman, Hudkins, Schorr, Stevens and Heier voted aye. Motion carried.

6) **ADJOURNMENT:**

MOTION: Stevens moved and Hudkins seconded adjournment of the Board of Equalization meeting at 2:45 p.m.. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk