

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 24, 2010
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.**

Commissioners present: Ray Stevens, Vice Chair
Larry Hudkins
Deb Schorr
Bob Workman

Commissioners absent: Bernie Heier, Chair

Others present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Tom Fox, Deputy County Attorney
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Angela Zocholl, County Clerk's Office

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 9:30 a.m.

1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, August 17, 2010.**

MOTION: Workman moved and Hudkins seconded approval of the minutes. Hudkins, Stevens, Schorr and Workman voted aye. Motion carried 4-0.

2) **CLAIMS: Approval of all claims processed through Tuesday, August 24, 2010.**

MOTION: Workman moved and Hudkins seconded approval of the claims. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried 4-0.

3) **SPECIAL PRESENTATIONS:**

MOTION: Hudkins moved and Schorr seconded approval to add the introduction of new Deputy Sheriffs to the agenda. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

A. **Introduction of Deputy County Attorneys – Gary Lacey, County Attorney.**

Gary Lacey introduced the new Deputy County Attorneys and discussed the area of law each would cover: Brittany Behrens, civil; Chris Turner, juvenile; Carolyn Bosn, juvenile; Nick Freeman, drugs; and Jason Bergevin, mental health. Lacey noted Bergevin was working for the County as a volunteer while another Deputy Attorney is on maternity leave. The attorneys came forward and gave a brief history on themselves. Lacey introduced two attorneys not present: Ryan Mick Monfre, drunk driving, and Phil Kleine, child support.

3) **SPECIAL PRESENTATIONS CONTINUED:**

Introduction of Deputy County Sheriffs:

Terry Wagner, County Sheriff, introduced the new Deputy County Sheriffs: Eric Schilmoeller, Jarod Brabec and Zachary Meyer. Each Deputy gave a brief history on himself. Wagner said the Deputies were going to start 14 weeks of training. The Board expressed appreciation for their service.

- B. Introduction and appointment of Dave Wheaton to the Lancaster County Visitors Promotion Committee for a four-year term commencing June 1, 2010 – Jeff Maul, Convention & Visitors Bureau Executive Director. (See Item 5A for correlating documentation.)**

Jeff Maul said the Visitors Promotion Committee approved a recommendation to appoint Dave Wheaton, General Manager of the Residence Inn at 56th Street and Pine Lake Road, to a four-year term. Dave Wheaton gave an overview of his background. Workman asked about the clientele at Residence Inn. Wheaton said the hotel focuses on longer stays but does short stays as well. Workman questioned money generated by room fees. Maul said fees bring in around \$4,000,000 for the County. Workman and Hudkins thanked Wheaton for agreeing to serve on the committee.

4) **PUBLIC HEARINGS:**

- A. Amendment of Sections VI and XV of County Resolution No. 03-0007, Regulations for the Operation of Body Art and Piercing Establishments in Lancaster County, Nebraska, by increasing various fees. (See Item 5B for correlating documentation.)**
- B. Amendment of Section XIII of County Resolution No. 02-0030, Procedures for the Regulation of On-Site Wastewater Treatment Systems in Lancaster County, Nebraska, by increasing various fees. (See Item 5C for correlating documentation.)**
- C. Amendment of Section X of County Resolution No. 06-0005, Procedures for the Inspection of On-Site Water Supply Systems and On-Site Wastewater Treatment Systems Prior to the Sale, Transfer or Conveyance of Property in Lancaster County, Nebraska, by increasing various fees. (See Item 5D for correlating documentation.)**
- D. Amendment of Resolution No. 5069, the Lancaster County Air Pollution Control Resolution, to increase the fee for open burning permits charged to business and industry. (See Item 5E for correlating documentation.)**
- E. Amendment of the Lincoln-Lancaster County Health Department Air Pollution Control Program Regulations and Standards for consistency with Federal and State Regulations: Article 2, Section 1 Definitions; Article 2, Section 17 Construction Permits - When Required; Article 2, Section 18 New Source Performance Standards and Emission Limits for Existing Sources; and Article 2, Section 22 Incinerator Emissions. (See Item 5F for correlating documentation.)**

4) **PUBLIC HEARINGS CONTINUED:**

- F. **Amendment of the Lincoln-Lancaster County Health Department Air Pollution Control Program Regulations and Standards to adopt Federal regulations for area sources of Hazardous Air Pollutants and associated fees: Article 2, Section 28 Hazardous Air Pollutants MACT Emissions Standards. (See Item 5G for correlating documentation.)**
- G. **Amendment of the Lincoln-Lancaster County Health Department Air Pollution Control Program Regulations and Standards to update variance, construction permit, and annual fees and to create fees for area sources of Hazardous Air Pollutants: Article 1, Section 5 Variance Fees; Article 1, Section 6 Annual Fees; Article 2, Section 29 Operating Permit Emission Fees; and Article 2, Section 30 Construction Permit Review Fee. (See Item 5H for correlating documentation.)**

The Vice Chair opened the public hearing for Items 4A through 4G.

Scott Holmes, Lincoln-Lancaster County Health Department Environmental Health Division, was administered the oath. He said Items 5A to 5D are fee increases which cover staff and program expenses. Item E adopts definitions and other changes related to air quality. Item F adopts new regulations on area sources of hazardous air pollutants. Item G sets a minimum fee for each air pollution source and allows collection of emission fees. Hudkins expressed his appreciation for the time spent updating the regulations. Stevens asked if fees were matched with the service cost. Holmes said the air program is 100% fee funded with no County funds used.

The Vice Chair closed the public hearing.

5) **NEW BUSINESS:**

- A. **Appointment of Dave Wheaton to the Lancaster County Visitors Promotion Committee for a four year term commencing June 1, 2010.**

MOTION: Hudkins moved and Workman seconded approval of the appointment. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried 4-0.

The Vice Chair requested Item 5I be addressed next.

- I. **A resolution in the matter of authorizing use of the County Visitors Improvement Fund for Visitor Promotion, in the amount of \$119,352.26. (R-10-0064)**

MOTION: Hudkins moved and Schorr seconded approval of the resolution. Schorr, Stevens, Hudkins and Workman voted aye. Motion carried 4-0.

- B. **A resolution amending Sections VI and XV of County Resolution No. 03-0007, regulations for the operation of body art and piercing establishments. The amendment increases permit fees for the operation of body art and piercing establishments as provided in Attachment A. (R-10-0066)**

5) **NEW BUSINESS CONTINUED:**

MOTION: Workman moved and Schorr seconded approval of the resolution. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

- C. **A resolution amending Section XIII of County Resolution No. 02-0030, procedures for the regulation of on-site wastewater treatment systems. The amendment increases the fees for on-site wastewater treatment permits as provided in Attachment A. (R-10-0067)**

MOTION: Schorr moved and Workman seconded approval of the resolution. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

- D. **A resolution amending Section X of County Resolution No. 06-0005, procedures for the inspection of on-site water supply systems and on-site wastewater treatment systems prior to the sale, transfer or conveyance of property. The amendment increases the fees for evaluation and review of property transfer inspector reports and any necessary site visits by the Health Director as provided in Attachment A. (R-10-0068)**

MOTION: Schorr moved and Hudkins seconded approval of the resolution. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried 4-0.

- E. **A resolution amending Resolution No. 5069, the Lancaster County Air Pollution Control Resolution of 1993, to increase the fee for open burning permits as provided in Attachment A. (R-10-0069)**

MOTION: Hudkins moved and Workman seconded approval of the resolution. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried 4-0.

- F. **A resolution amending Article 2, Sections 1, 17, 18 and 22 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards. The Lincoln-Lancaster County Health Department has recommended the amendments to be consistent with Federal and State regulations as provided in Attachments A, B, C and D. (R-10-0070)**

MOTION: Schorr moved and Hudkins seconded approval of the resolution. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried 4-0.

- G. **A resolution amending Article 2, Section 28 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards. The amendment adopts Federal regulations for area sources of Hazardous Air Pollutants and associated fees, as provided in Attachment A. (R-10-0071)**

MOTION: Hudkins moved and Workman seconded approval of the resolution. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried 4-0.

5) **NEW BUSINESS CONTINUED:**

- H. **A resolution amending Article 1, Sections 5 and 6, and Article 2, Sections 29 and 30, of the Lincoln-Lancaster County Air Pollution Control Program Regulation and Standards. The amendments update variance, construction permit and annual fees, as well as create fees for area sources of Hazardous Air Pollutants, as provided in Attachments A, B, C and D. (R-10-0072)**

MOTION: Schorr moved and Hudkins seconded approval of the resolution. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

- I. **A resolution in the matter of authorizing use of the County Visitors Improvement Fund for Visitor Promotion, in the amount of \$119,352.26. (R-10-0064)**

Item was moved forward on the agenda.

- J. **A Disaster Declaration for Lancaster County, pursuant to Nebraska Revised Statute 81-829.50 (Reissue 2008), related to the winter storm of December, 2009, during which Lancaster County sustained roadway damage.**

MOTION: Workman moved and Hudkins seconded approval of the disaster declaration. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

- K. **A sub-grant award agreement between Nebraska Emergency Management Agency (NEMA) and Lancaster County, on behalf of Lancaster County Emergency Management, in the amount of \$104,000, to provide funding for the replacement of outdoor warning sirens. The period of performance is August 10, 2010, to August 10, 2013. (C-10-0424)**

MOTION: Hudkins moved and Schorr seconded approval of the agreement. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

- L. **A sub-grant award agreement between Nebraska Emergency Management Agency (NEMA) and Lancaster County, on behalf of Lancaster County Emergency Management, in the amount of \$65,900, for the 2010 Emergency Management Performance Grant (EMPG) No. 2010-EP-E0-0029. The period of performance is July 1, 2010, to June 30, 2011. (C-10-0425)**

Hudkins thanked Doug Ahlberg, Emergency Management Director, for his work on the grants.

MOTION: Workman moved and Hudkins seconded approval of the agreement. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried 4-0.

- M. **An agreement between David J. Colgan and Angela S. Colgan (licensee) and Lancaster County (County), allowing the licensee to maintain a fence which encroaches on County road right-of-way, as described in Exhibit A to the agreement, and generally located at the address of 25700 S. 38th Street, Firth, Nebraska. (C-10-0426)**

5) **NEW BUSINESS CONTINUED:**

Tom Fox, Deputy County Attorney, noted the maximum amount on the insurance certificate is \$300,000 for each occurrence. Kerry Eagan, Administrative Officer, said the insurance broker e-mailed him saying there was an umbrella policy which covers up to \$1,000,000. A copy would be provided to the County Attorney's Office.

MOTION: Workman moved and Hudkins seconded approval of the agreement. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried 4-0.

- N. **A resolution in the matter of County Special Permit No. 07024B, requested by Gregory and Heidi Rettele, for authority to locate and occupy a mobile home while building a permanent residence on property generally located at SW 14th Street and W. Olive Creek Road. (R-10-0065)**

MOTION: Workman moved and Hudkins seconded approval of the resolution.

Hudkins and Stevens discussed a provision in the permit which stated the house construction should be initiated within 12 months and finished within 24 months. Tom Fox noted the conditions were listed in the Fact Sheet from the Planning Department.

ROLL CALL: Hudkins, Schorr, Workman and Stevens voted aye. Motion carried 4-0.

- O. **A resolution in the matter of requiring special trip permits for the movement of oversized vehicles or loads on Lancaster County roads. (R-10-0062)**

MOTION: Hudkins moved and Workman seconded approval of the resolution.

Hudkins thanked Commissioner Heier and Don Thomas, County Engineer, for their work on this issue.

ROLL CALL: Schorr, Hudkins, Workman and Stevens voted aye. Motion carried 4-0.

- P. **A resolution authorizing the installation and removal of traffic signs at the following locations in Lancaster County:**
1. **At the intersection of S. 148th Street and Saltillo Road, install stop signs (R1-1) on S. 148th Street northbound and southbound, install "all way" signs (R1-4) below each stop sign, install stop ahead signs (W3-1a) on S. 148th Street northbound and southbound approximately 500 feet from Saltillo Road, remove the eastbound and westbound stop signs (R1-1) on Saltillo Road, remove "all way" signs (R1-4) below each stop sign at S. 148th Street and Saltillo Road and install "Cross Traffic Does Not Stop" signs (W40-2) below the stop signs on S. 148th Street northbound and southbound.**
 2. **Install four 55 MPH speed limit signs (R2-1) at S. 82nd Street just south of Roca Road, S. 82nd Street just north of Hickman Road, S. 82nd Street just south of Hickman Road and S. 82nd Street just north of Panama Road. (R-10-0063)**

MOTION: Workman moved and Hudkins seconded approval of the resolution.

5) **NEW BUSINESS CONTINUED:**

Schorr noted the signs listed in Item P1 would be removed after two months. She thanked the County Engineer's Office for installing the 55 MPH signs in Item P2, which were requested by constituents. Stevens said he e-mailed the constituent regarding their request of the signs.

ROLL CALL: Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

- Q. **An amendment to a contract between the City of Lincoln, Lancaster County, the Lincoln-Lancaster County Public Building Commission and Recycling Enterprises of NE, Inc., found at County Contract No. C-08-0665, for recycling services. The amendment renews the agreement for an additional one-year term from August 1, 2010, to July 31, 2011. (C-10-0422)**

MOTION: Hudkins moved and Workman seconded approval of the amendment. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried 4-0.

- R. **An amendment to a contract between Lancaster County, the City of Lincoln and JetSplash Full Service Car Wash, found at County Contract No. C-08-0330, for annual requirements of vehicle washes and related services. The amendment renews the agreement for an additional one-year term from August 4, 2010, to August 3, 2011. (C-10-0407)**

MOTION: Workman moved and Hudkins seconded approval of the amendment. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

- S. **An amendment to a contract between Lancaster County, the City of Lincoln and FS Enterprises, Inc., d/b/a Southside Carwash, found at County Contract No. C-08-0359, for annual requirements of vehicle washes and related services. The amendment renews the agreement for an additional one-year term from August 4, 2010, to August 3, 2011. (C-10-0408)**

MOTION: Hudkins moved and Workman seconded approval of the amendment. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

- T. **An amendment to a contract between Lancaster County, the City of Lincoln and Husker Car Wash, Inc., found at County Contract No. C-08-0328, for annual requirements of vehicle washes and related services. The amendment renews the agreement for an additional one-year term from August 4, 2010, to August 3, 2011. (C-10-0409)**

MOTION: Workman moved and Hudkins seconded approval of the amendment. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried 4-0.

- U. **An amendment to a contract between Lancaster County, the City of Lincoln and West O Super Wash, found at County Contract No. C-08-0329, for annual requirements of vehicle washes and related services. The amendment renews the agreement for an additional one-year term from August 4, 2010, to August 3, 2011. (C-10-0419)**

5) **NEW BUSINESS CONTINUED:**

MOTION: Schorr moved and Workman seconded approval of the amendment. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried 4-0.

- V. **An amendment to a contract between Lancaster County, the City of Lincoln and KMG Enterprises, LLC, d/b/a Buggy Bath Car Wash North, found at County Contract No. C-08-0319, for annual requirements of vehicle washes and related services. The amendment renews the agreement for an additional one-year term from August 4, 2010, to August 3, 2011. (C-10-0420)**

MOTION: Hudkins moved and Workman seconded approval of the amendment. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried 4-0.

- W. **An amendment to a contract between Lancaster County, the City of Lincoln and Ray O'Herron Co., Inc., found at County Contract No. C-09-0357, for the annual supply of ammunition. The amendment renews the agreement for an additional one-year term from June 1, 2010, to May 31, 2011. (C-10-0427)**

MOTION: Schorr moved and Hudkins seconded approval of the amendment. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried 4-0.

- X. **An amendment to a contract between Lancaster County, the City of Lincoln and Winter Equipment Company, found at County Contract No. C-09-0574, for the annual supply of grader blades. The amendment renews the agreement for an additional one-year term from September 1, 2010, to August 31, 2011. (C-10-0428)**

MOTION: Schorr moved and Hudkins seconded approval of the amendment. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

- Y. **An amendment to a contract between Lancaster County, the City of Lincoln and NMC, found at County Contract No. C-09-0575, for the annual supply of grader blades. The amendment renews the agreement for an additional one-year term from September 1, 2010, to August 31, 2011. (C-10-0429)**

MOTION: Hudkins moved and Workman seconded approval of the amendment. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried 4-0.

- Z. **A lease agreement between NMC, Inc., and Lancaster County, on behalf of the Lancaster County Engineering Department, in the amount of \$3,000 per year, for a new 2010 Caterpillar Model 256C skid steer loader. The lease term will be one year from the date of execution with the option to renew for one additional year. (C-10-0410)**

MOTION: Workman moved and Hudkins seconded approval of the agreement. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

5) **NEW BUSINESS CONTINUED:**

- AA. **A contract between Lyman-Richey Corporation and Lancaster County for the annual supply of gravel surface coarse material and ice control material on an as-needed basis by the County Engineer. Term of the contract is July 2, 2010, to July 1, 2011. The County will pay for products according to the pricing as listed in the contractor's proposal. (C-10-0430)**

MOTION: Hudkins moved and Workman seconded approval of the contract. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

- BB. **A contract between Bluff Gravel Company and Lancaster County for the annual supply of gravel surface coarse material and ice control material on an as-needed basis by the County Engineer. Term of the contract is July 2, 2010, to July 1, 2011. The County will pay for products according to the pricing as listed in the contractor's proposal. (C-10-0431)**

MOTION: Workman moved and Hudkins seconded approval of the contract. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried 4-0.

- CC. **A contract between Western Sand & Gravel Co. and Lancaster County for the annual supply of gravel surface coarse material and ice control material on an as-needed basis by the County Engineer. Term of the contract is July 2, 2010, to July 1, 2011. The County will pay for products according to the pricing as listed in the contractor's proposal. (C-10-0432)**

MOTION: Workman moved and Hudkins seconded approval of the contract. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried 4-0.

- DD. **A contract between Protex Central, Inc., and Lancaster County for fire system inspection services at Lancaster County Corrections – Intake and Detention Facility (IDF). The County will pay for services according to the pricing in the contractor's accepted proposal for a total of \$3,806 per year. Term of the contract is three years from the date of execution. (C-10-0433)**

MOTION: Hudkins moved and Workman seconded approval of the contract. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried 4-0.

Schorr commended the Purchasing Department for their work on the 14 contracts approved.

- EE. **An agreement with Olsson Associates, Inc., in the amount of \$3,902.10, for wetland delineation on S. 68th Street from the Hickman city limits to Roca Road. (C-10-0421)**

MOTION: Schorr moved and Hudkins seconded approval of the agreement. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried 4-0.

5) **NEW BUSINESS CONTINUED:**

- FF. **An interlocal agreement with the Village of Bennet for law enforcement services within the Village limits. The Lancaster County Sheriff will assign one deputy to duty in the Village limits and provide a cruiser. The Village will reimburse the County at the overtime rate of pay for the Deputy assigned. Term of the agreement is September 1, 2010, to August 31, 2011. (C-10-0411)**

MOTION: Hudkins moved and Schorr seconded approval of the agreement.

Terry Wagner said the deputies are used on as needed basis and mileage is also reimbursed.

ROLL CALL: Workman, Schorr, Stevens and Hudkins voted aye. Motion carried 4-0.

- GG. **A mini-grant contract application and award from the Nebraska Office of Highway Safety, in the amount of \$16,481.25, for five Digital Ally DVM750 in-car camera systems.**

Hudkins asked Terry Wagner if the new units are similar to the current ones. Wagner said the new camera systems have lockboxes that are dust and vibration proof and are all digital.

MOTION: Hudkins moved and Workman seconded approval of the application and award. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried 4-0.

- HH. **A mini-grant contract application and award from the Nebraska Office of Highway Safety, in the amount of \$1,200, for two Stalker Dual DSR2X radar units.**

MOTION: Workman moved and Schorr seconded approval of the application and award. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

- II. **An agreement between Bland & Associates CPA's, Lancaster County and the Lancaster County Correctional Facilities Joint Public Agency, in the amount of \$14,234.51, to provide professional auditing services for all agency funds. Term of the agreement is July 1, 2010, to June 30, 2013. (C-10-0412)**

MOTION: Workman moved and Hudkins seconded approval of the agreement. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

- JJ. **An agreement between Why Try, Inc., and Lancaster County, on behalf of Juvenile Justice, for Professional Development Training workshops for employees of Juvenile Justice. The County shall pay up to \$18,970 for the services. Term of the agreement is August 31, 2010, to September 15, 2010. (C-10-0413)**

MOTION: Hudkins moved and Schorr seconded approval of the agreement. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried 4-0.

5) **NEW BUSINESS CONTINUED:**

- KK. **An agreement between Lancaster County and Norman Monroe to provide non-exempt employees in the Security Guard job classification compensatory time off in lieu of compensation for hours worked in excess of 40 hours per week. The County will pay the employee at the rate of one and one-half hours for each overtime hour which the employee works up to a maximum accrual of 20 hours of compensatory time. (C-10-0414)**

Terry Wagner said Items 5KK to 500 cover compensatory time for non-exempt employees.

MOTION: Hudkins moved and Workman seconded approval of the agreement.

Hudkins commended Wagner on the security employees. Wagner stated Monroe has been with the County for 50 years, with the exception of three years of retirement.

ROLL CALL: Hudkins, Schorr, Workman and Stevens voted aye. Motion carried 4-0.

- LL. **An agreement between Lancaster County and William Coleman to provide non-exempt employees in the Security Guard job classification compensatory time off in lieu of compensation for hours worked in excess of 40 hours per week. The County will pay the employee at the rate of one and one-half hours for each overtime hour which the employee works up to a maximum accrual of 20 hours of compensatory time. (C-10-0415)**

Wagner said Coleman has been with the County for approximately 42 years.

MOTION: Schorr moved and Workman seconded approval of the agreement. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried 4-0.

- MM. **An agreement between Lancaster County and David Harnly to provide non-exempt employees in the Security Guard job classification compensatory time off in lieu of compensation for hours worked in excess of 40 hours per week. The County will pay the employee at the rate of one and one-half hours for each overtime hour which the employee works up to a maximum accrual of 20 hours of compensatory time. (C-10-0416)**

MOTION: Workman moved and Schorr seconded approval of the agreement. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried 4-0.

- NN. **An agreement between Lancaster County and Paul Aksamit to provide non-exempt employees in the Security Guard job classification compensatory time off in lieu of compensation for hours worked in excess of 40 hours per week. The County will pay the employee at the rate of one and one-half hours for each overtime hour which the employee works up to a maximum accrual of 20 hours of compensatory time. (C-10-0417)**

MOTION: Hudkins moved and Workman seconded approval of the agreement. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

5) **NEW BUSINESS CONTINUED:**

- OO. **An agreement between Lancaster County and Lisa Yardley to provide non-exempt employees in the Security Guard job classification compensatory time off in lieu of compensation for hours worked in excess of 40 hours per week. The County will pay the employee at the rate of one and one-half hours for each overtime hour which the employee works up to a maximum accrual of 20 hours of compensatory time. (C-10-0418)**

MOTION: Workman moved and Hudkins seconded approval of the agreement. Schorr, Stevens, Hudkins and Workman voted aye. Motion carried 4-0.

- PP. **A cooperative agreement with the US Department of the Interior US Geological Survey, in the amount of \$11,215, for joint funding of water resources investigations. The agreement is for the operation and computation of records for four gaging stations: Salt Creek at Roca, Little Salt Creek near Lincoln, Stevens Creek near Lincoln and Rock Creek near Ceresco. Term of the agreement is October 1, 2010, to September 30, 2011. (C-10-0423)**

MOTION: Schorr moved and Hudkins seconded approval of the agreement. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

- QQ. **Liability insurance coverage with National Legal Aid and Defender Association (NLADA) Service Corporation for the Lancaster County Public Defender's Office, in the amount of \$7,495.31. The policy period begins on November 1, 2010, and ends on November 1, 2011.**

MOTION: Hudkins moved and Workman seconded approval of the insurance coverage. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

- 6) **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 the following:**
1. **County Engineer's quarterly report for April, May and June, 2010.**
 2. **County Treasurer's midterm report on 2008 Distress Warrants.**

MOTION: Schorr moved and Hudkins seconded approval of the consent items. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried 4-0.

7) **PUBLIC COMMENT:**

John Austin discussed the Mental Health Board process. He questioned where the animals come from at the County Fair. Hudkins said most of the animals are from FFA or 4-H groups. Austin inquired about the money that went to the Convention & Visitors Bureau (CVB). Schorr explained the funds come from lodging tax and are given back to the CVB to promote area tourism. Austin asked if the tax comes back to the County. Schorr said it is collected by the State and counties are reimbursed. Austin asked which vehicles are covered in the car wash contracts approved today. Hudkins said it was for County cars, such as the Assessor's vehicles and Sheriff's cruisers. He noted several years ago prisoners washed the vehicles. Austin suggested having a car wash at the new jail.

8) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, August 26, 2010, at 8:30 a.m., in Room 113 on the first floor of the County-City Building.**
- B. **A public hearing will be held on Tuesday, August 31, 2010, at 7:00 p.m., in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building, regarding the following:**
 - 1. **Keno Fund Projects (on file with the County Budget and Fiscal office).**
 - 2. **Lancaster County's Proposed Budget for Fiscal Year 2010-2011.**
- C. **The Lancaster County Board of Commissioners meeting is broadcast live at 9:30 a.m., on Tuesdays and rebroadcast at 1:30 p.m., and 6:30 p.m., as well as on Saturday afternoon on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on Nebraska On Demand Time Warner Channel 101 and is available on the internet 24 hours a day at www.lancaster.ne.gov. Click on 5 City-TV Video on Demand.**

9) **ADJOURNMENT:**

MOTION: Schorr moved and Hudkins seconded to adjourn the Board of Commissioners meeting at 10:42 a.m. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried 4-0.

/s/Dan Nolte

Dan Nolte
Lancaster County Clerk

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, AUGUST 24, 2010
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE LANCASTER COUNTY
BOARD OF COMMISSIONERS MEETING

Commissioners present: Ray Stevens, Vice Chair
Larry Hudkins
Deb Schorr
Bob Workman

Commissioners absent: Bernie Heier, Chair

Others present: Norm Agena, County Assessor/Register of Deeds
Scott Gaines, Deputy County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Tom Fox, Deputy County Attorney
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Angela Zocholl, County Clerk's Office

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 10:42 a.m.

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meetings held on Tuesday, August 3, Thursday, August 5, and Tuesday, August 17, 2010.**

MOTION: Hudkins moved and Workman seconded approval of the minutes. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried 4-0.

- 2) **ADDITIONS AND DEDUCTIONS: Approval of seven additions and deductions to the tax assessment rolls per Attachment "A".**

MOTION: Schorr moved and Workman seconded approval of the additions and deductions.

Hudkins questioned the large value decrease for Old Cheney Properties. Scott Gaines, Deputy County Assessor/Register of Deeds, said the taxpayer appealed the County Board's decision to the Tax Equalization Review Commission.

ROLL CALL: Schorr, Hudkins, Workman and Stevens voted aye. Motion carried 4-0.

- 3) **MOTOR VEHICLE TAX EXEMPTION APPLICATIONS:**

The Arc of Nebraska
Calvary Cemetery & Mausoleum
Capitol City Christian Church

3) **MOTOR VEHICLE TAX EXEMPTION APPLICATIONS CONTINUED:**

**Grace Lutheran Church
Priestly Fraternity of St. Peter, d/b/a Our Lady of Guadalupe Seminary
Sacred Heart Church
St. Monica's
University of Nebraska Foundation**

MOTION: Schorr moved and Workman seconded approval of the motor vehicle tax exemption applications. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

4) **NOTICE OF TAXABLE STATUS:**

City of Lincoln

Scott Gaines said the City acquired property with the intent to turn it over to private use. He recommended sending notice to the City.

MOTION: Hudkins moved and Schorr seconded approval to sent the notice. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried 4-0.

5) **NOTICE OF ASSESSED VALUATION CHANGE FOR PROPERTY TAXATION PURPOSES:**

Ron Talbert

Scott Gaines said the notice would correct the valuation caused by a previous clerical error which omitted a wetlands adjustment.

MOTION: Workman moved and Hudkins seconded to send the notice. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

6) **ADJOURNMENT:**

MOTION: Schorr moved and Hudkins seconded to adjourn the Board of Equalization meeting at 10:46 a.m. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried 4-0.

/s/Dan Nolte

**Dan Nolte
Lancaster County Clerk**