

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JULY 19, 2011
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

Commissioners present: Deb Schorr, Chair
Larry Hudkins
Jane Raybould
Brent Smoyer

Commissioners absent: Bernie Heier, Vice Chair

Others present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Brittany Behrens, 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, July 12, 2011.**

MOTION: Smoyer moved and Raybould seconded approval of the minutes. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier was absent. Motion carried 4-0.

2) **CLAIMS: Approval of all claims processed through Tuesday, July 19, 2011.**

MOTION: Raybould moved and Hudkins seconded approval of the claims. Raybould, Smoyer, Hudkins and Schorr voted aye. Heier was absent. Motion carried 4-0.

3) **NEW BUSINESS:**

- A. **A special designated license application from WunderRosa Winery to provide liquor beverage service for an event at 2361 Wittstruck Road, Roca, Lancaster County, Nebraska, on July 30, 2011.**

MOTION: Raybould moved and Hudkins seconded approval of the special designated license application. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

- B. **A resolution authorizing the installation of "Engine Braking Prohibited" signs at the following locations in Lancaster County: one sign on Saltillo Road, 700 feet east of S. 56th Street for westbound traffic, and one sign on Saltillo Road, 1000 feet west of S. 54th Street for eastbound traffic. (R-11-0047)**

3) **NEW BUSINESS CONTINUED:**

Schorr noted the signs were at the request of a constituent due to heavy truck traffic in this area.

MOTION: Hudkins moved and Smoyer seconded approval of the resolution. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

- C. **A utility relocation agreement between Lancaster County and Norris Public Power District in an estimated amount of \$21,376.50 to relocate utility facilities to accommodate a bridge replacement project on NW 98th Street between W. O Street and W. Holdrege Street; Project No. BRO-7055(102). (C-11-0405)**

MOTION: Hudkins moved and Smoyer seconded approval of the agreement. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier was absent. Motion carried 4-0.

- D. **Utility Permit No. 1038 for Windstream to provide fiber optic and copper cable placement in conjunction with the S. 1st Street grading project C55-O-408(4) (Old Cheney Road to Pioneers Boulevard). There is no cost to the County. (C-11-0421)**

MOTION: Hudkins moved and Raybould seconded approval of the utility permit. Raybould, Smoyer, Hudkins and Schorr voted aye. Heier was absent. Motion carried 4-0.

- E. **A unit price construction contract between Commonwealth Electric Company of the Midwest, Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for traffic signal construction. The County will pay for products and services according to the line item pricing in the contractor's proposal. Term of the contract is one year from the date of execution by all parties. (C-11-0422)**

MOTION: Raybould moved and Hudkins seconded approval of the contract. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

- F. **A unit price construction contract between ABC Electric Company, Inc., Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for traffic signal construction. The County will pay for products and services according to the line item pricing in the contractor's proposal. Term of the contract is one year from the date of execution by all parties. (C-11-0423)**

MOTION: Smoyer moved and Raybould seconded approval of the contract. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

- G. **A unit price construction contract between Watts Electric Company, Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for traffic signal construction. The County will pay for products and services according to the line item pricing in the contractor's proposal. Term of the contract is one year from the date of execution by all parties. (C-11-0424)**

MOTION: Hudkins moved and Raybould seconded approval of the contract. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier was absent. Motion carried 4-0.

3) **NEW BUSINESS CONTINUED:**

- H. **A contract between Sapp Brothers Petroleum, Inc., Lancaster County and the City of Lincoln for the annual supply of lubricants for the County Engineering shop. The County will pay for products and services on an as needed basis according to line item pricing in the contractor's proposal. Term of the contract is one year from the date of execution by all parties. (C-11-0406)**

MOTION: Hudkins moved and Smoyer seconded approval of the contract. Raybould, Smoyer, Hudkins and Schorr voted aye. Heier was absent. Motion carried 4-0.

- I. **A contract between Stern Oil Company, Lancaster County and the City of Lincoln for the annual supply of lubricants for the County Engineering shop. The County will pay for products and services on an as needed basis according to line item pricing in the contractor's proposal. Term of the contract is one year from the date of execution by all parties. (C-11-0407)**

MOTION: Raybould moved and Hudkins seconded approval of the contract. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

- J. **An amendment to County Contract C-10-0272 between Nebraska Salt & Grain Company, Lancaster County and the City of Lincoln for the annual supply of road salt. The amendment renews the contract for an additional term from June 1, 2011, to May 31, 2012. (C-11-0408)**

MOTION: Smoyer moved and Hudkins seconded approval of the amendment. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

- K. **An amendment to County Contract C-08-0328 between Husker Car Wash, Inc., Lancaster County and the City of Lincoln for the annual requirements of vehicle washes and related services. The amendment renews the contract for an additional term from August 4, 2011, to August 3, 2012. (C-11-0409)**

MOTION: Hudkins moved and Smoyer seconded approval of the amendment. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier was absent. Motion carried 4-0.

- L. **An amendment to County Contract C-08-0329 between West O Super Wash, Lancaster County and the City of Lincoln for the annual requirements of vehicle washes and related services. The amendment renews the contract for an additional term from August 4, 2011, to August 3, 2012. (C-11-0410)**

MOTION: Raybould moved and Smoyer seconded approval of the amendment. Raybould, Smoyer, Hudkins and Schorr voted aye. Heier was absent. Motion carried 4-0.

- M. **An amendment to County Contract C-08-0330 between JetSplash Full Service Car Wash, Lancaster County and the City of Lincoln for the annual requirements of vehicle washes and related services. The amendment renews the contract for an additional term from August 4, 2011, to August 3, 2012. (C-11-0411)**

3) **NEW BUSINESS CONTINUED:**

MOTION: Hudkins moved and Smoyer seconded approval of the amendment. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

- N. **An amendment to County Contract C-08-0319 between KMG Enterprises d/b/a Buggy Bath Car Wash North, Lancaster County and the City of Lincoln for the annual requirements of vehicle washes and related services. The amendment renews the contract for an additional term from August 4, 2011, to August 3, 2012. (C-11-0412)**

John Austin asked about the policy of having inmates wash vehicles. Schorr said they do not currently have a vehicle wash program for inmates. Hudkins said there used to be one, but it became difficult to coordinate the wash times. Austin asked about pricing in the vehicle wash contracts. Hudkins said Purchasing negotiates the best rates for the County.

MOTION: Hudkins moved and Smoyer seconded approval of the amendment. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

- O. **An amendment to County Contract C-08-0359 between FS Enterprises, Inc., d/b/a Southside Carwash, Lancaster County and the City of Lincoln for the annual requirements of vehicle washes and related services. The amendment renews the contract for an additional term from August 4, 2011, to August 3, 2012. (C-11-0413)**

MOTION: Smoyer moved and Hudkins seconded approval of the amendment. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier was absent. Motion carried 4-0.

- P. **An amendment to County Contract C-08-0464 between Benes Heating and Air Conditioning, Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for miscellaneous mechanical (HVAC) services under \$25,000. The amendment renews the contract for an additional term from July 1, 2011, to June 30, 2012, and verifies compliance with the Employee Classification Act. (C-11-0414)**

MOTION: Hudkins moved approval of the amendment subject to receiving a certificate of insurance.

Schorr noted the insurance certificate was needed for Item 3Q, not Item 3P.

AMENDED MOTION: Hudkins moved and Smoyer seconded approval of the amendment without the additional insurance certificate. Raybould, Smoyer, Hudkins and Schorr voted aye. Heier was absent. Motion carried 4-0.

- Q. **An agricultural lease agreement with Mark and Kristina Benes for use of up to 13.92 acres of agricultural land located at Day Commercial Park, Block 1, Lot 4, Property ID 24-20-401-004-000. The Benes' will pay the County \$125 per acre. Term of the agreement is May 1, 2011, to April 30, 2012. (C-11-0425)**

MOTION: Hudkins moved and Smoyer seconded approval of the agreement subject to receiving a certificate of insurance. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

3) **NEW BUSINESS CONTINUED:**

- R. **An amendment to County Contract C-10-0384 with Aon Risk Services Central, Inc., to provide employee benefit consulting services for insurance programs. The amendment renews the contract for an additional term from June 1, 2011, to May 31, 2012. (C-11-0415)**

MOTION: Smoyer moved and Hudkins seconded approval of the amendment. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

- S. **An amendment to County Contract C-10-0401 with Region V Systems Governing Board to enhance affordable supportive housing for youth transitioning to adulthood and young adults as part of the Justice and Mental Health Collaboration program grant. The amendment extends the end date of the agreement from June 30, 2011, to August 31, 2011, and increases the amount paid by Region V to the County from \$47,495 to \$57,994. (C-11-0416)**

MOTION: Smoyer moved and Raybould seconded approval of the amendment. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier was absent. Motion carried 4-0.

- T. **An agreement with Cedars Youth Services for tracker services for adolescents placed in the Lancaster County Juvenile Drug Court. The County will pay up to \$25,000 for the services. Term of the agreement is July 1, 2011, to June 30, 2012. (C-11-0417)**

MOTION: Raybould moved and Hudkins seconded approval of the agreement. Raybould, Smoyer, Hudkins and Schorr voted aye. Heier was absent. Motion carried 4-0.

- U. **A grant contract with United Methodist Ministries of the Lincoln District Center for Legal Immigration Assistance to provide funding to strengthen legal advocacy for victims of domestic abuse and dating violence as part of the "Improved Response to Violence Against Latina and African American Women". The County will expend federal grant funds in the amount of \$48,415. Term of the contract is December 1, 2010, to November 30, 2012. (C-11-0418)**

MOTION: Raybould moved and Smoyer seconded approval of the grant contract. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

- V. **A grant contract with the City of Lincoln to provide funding for the Lincoln Police Department's Bilingual Domestic Violence Advocate as part of the "Improved Response to Violence Against Latina and African American Women". The County will expend federal grant funds in the amount of \$16,616. Term of the contract is December 1, 2010, to November 30, 2012. (C-11-0419)**

MOTION: Hudkins moved and Raybould seconded approval of the grant contract. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

3) **NEW BUSINESS CONTINUED:**

W. **A grant contract with Friendship Home to provide funding for program coordination of the Violence Against Women Act (VAWA) grant program "Improved Response to Violence Against Latina and African American Women". The County will expend federal grant funds in the amount of \$81,408. Term of the contract is December 1, 2010, to November 30, 2012. (C-11-0420)**

MOTION: Raybould moved and Hudkins seconded approval of the grant contract. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier was absent. Motion carried 4-0.

X. **Acceptance of a grant award from the Nebraska Commission on Law Enforcement and Criminal Justice for Lancaster County – County Aid; Grant No. 11-CA-0531. The County shall receive \$190,686. Term of the grant award is July 1, 2011, to June 30, 2012.**

MOTION: Smoyer moved and Raybould seconded approval of the grant award. Raybould, Smoyer, Hudkins and Schorr voted aye. Heier was absent. Motion carried 4-0.

Y. **Approval of Lancaster County's Equal Employment Opportunity Program Short Form. The program is a requirement for certain Federal grant funding and is effective through September 30, 2013.**

MOTION: Hudkins moved and Smoyer seconded approval of the form. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

Z. **Reappointment of Larry Hudkins to the Lincoln-Lancaster County Public Building Commission to a four-year term commencing August 1, 2011, and ending July 31, 2015.**

MOTION: Raybould moved and Smoyer seconded approval of the reappointment. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

4) **CONSENT ITEMS:** *These are routine business items that 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 right-of-entry contract between the County Engineer and Forrest and Carol Nisley located at 11601 S. 120th Street; Project No. C55-PQ-406(2). (C-11-0426)**

B. **Receive and place on file the Nebraska Surface Transportation Program Book for Fiscal Years 2012-2017.**

MOTION: Smoyer moved and Hudkins seconded approval of the consent items. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier was absent. Motion carried 4-0.

- 5) **PUBLIC COMMENT:** Those wishing to speak on items relating to County business not on the agenda may do so at this time.

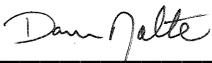
John Austin appeared.

6) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, July 21, 2011, at 8:30 a.m., at the Waverly Nebraska City Offices, 14130 Lancashire Street, Waverly.
- B. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, July 26, 2011, at 9:30 a.m., in Room 112 on the first floor of the County-City Building, with the Board of Equalization meeting immediately following.
- C. Public hearings will be held on Tuesday, July 26, 2011, at 9:30 a.m. in room 112 on the first floor of the County-City Building regarding the following:
1. Establishment of an access road for Dorothy K. Maher, located in the Southeast Quarter of Section 8, Township 12, Range 8, East of the 6th Principal Meridian, Lancaster County, Nebraska.
 2. An amusement license application from the Capital City Horse and Pony Club for a fundraiser event at 12900 N. 14th Street, Raymond, Nebraska, on Saturday, August 27, 2011.
- D. The public hearing previously scheduled for Tuesday, July 26, 2011, at 9:30 a.m. regarding the amendment of the Lancaster County General Assistance Guidelines has been cancelled.
- E. The Lancaster County Board of Commissioners meeting is broadcast live. It is rebroadcast on Tuesday at 1:30 and 6:00 p.m. and on Saturday afternoon on 5 City-TV, Cable Channel 5. In addition, the meeting may be viewed on Nebraska On Demand Time Warner Channel 411 and on the internet at www.lancaster.ne.gov. Click on 5 City-TV Video on Demand.
- F. The County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.

7) **ADJOURNMENT**

MOTION: Smoyer moved and Hudkins seconded to adjourn the Board of Commissioners meeting at 9:56 a.m. Raybould, Smoyer, Hudkins and Schorr voted aye. Heier was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JULY 19, 2011
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE LANCASTER COUNTY
BOARD OF COMMISSIONERS MEETING

Commissioners present: Deb Schorr, Chair
Larry Hudkins
Jane Raybould
Brent Smoyer

Commissioners absent: Bernie Heier, Vice Chair

Others present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Brittany Behrens, 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 9:56 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, July 12, 2011.**

MOTION: Smoyer moved and Raybould seconded approval of the minutes. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier was absent. Motion carried 4-0.

2) **ADDITIONS AND DEDUCTIONS: Approval of nine additions and deductions to the tax assessment rolls per Attachments "A" and "B".**

Hudkins questioned the decrease under Molex for 2009-2010. Norm Agena, County Assessor/Register of Deeds, said it was a change made by TERC (Tax Equalization Review Commission).

MOTION: Hudkins moved and Smoyer seconded approval of the additions and deductions. Raybould, Smoyer, Hudkins and Schorr voted aye. Heier was absent. Motion carried 4-0.

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

Capital Humane Society
School Sisters of Christ the King
Tabitha, Inc.
Villa Marie School

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

MOTION: Smoyer moved and Raybould seconded approval of the motor vehicle tax exemption applications. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

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

Phyllis Acklie (four notices)
George Bool
Larry & Kathleen Burklund
Gerard & Patricia Byrne
Dawn & Richard Campos
Rosemary Chase

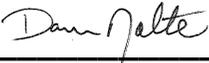
Maurice & Jane Egan
Scott & Erin Kitt
Gregory & Sue Kozisek
Marco & Elva Martinez
Gene & Patricia Petersen
Hyla Robbins

Norm Agena said the notices are for value changes resulting from new greenbelt applications.

MOTION: Smoyer moved and Hudkins seconded to send the notices. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

5) **ADJOURNMENT**

MOTION: Smoyer moved and Raybould seconded to adjourn the Board of Equalization meeting at 9:59 a.m. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk

