

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, MARCH 13, 2012**  
**COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**9:30 A.M.**

*Advance public notice of the Board of Commissioners meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and emailed to the media on March 9, 2012.*

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

Others present: Kerry Eagan, 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 9:33 a.m.

1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, March 6, 2012.**

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

2) **CLAIMS: Approval of all claims processed through Tuesday, March 13, 2012.**

Smoyer entered the meeting.

**MOTION:** Heier moved and Raybould seconded approval of the claims. Raybould, Heier, Hudkins, Smoyer and Schorr voted aye. Motion carried 5-0.

3) **SPECIAL PRESENTATIONS:**

A. **2011 Annual Commissioners Award of Excellence**

The clerk read some background information on the Commissioners' Award of Excellence. Committee members were recognized.

1. **Honorable Mention Award Winner – Diane Ness Kirchhoff, Community Mental Health Center**

## **SPECIAL PRESENTATIONS CONTINUED:**

The Clerk read the nomination for the record. Dean Settle, Community Mental Health Center Executive Director, accepted a plaque on behalf of Diane Ness Kirchhoff, who was unable to attend the meeting.

### **2. Award Winner – Todd Teut, County Engineering**

The Clerk read the nomination for the record and a plaque was presented to Todd Teut.

#### **B. Lancaster County Visitors Improvement Fund grant for the Lincoln USBC Bowling Association – Del Wendt, President. (See 4A for correlating item.)**

Del Wendt expressed his appreciation for the grant funds. He said the funds would be used to purchase equipment, including bleachers, shelving, a platform and a tent. Wendt noted the equipment could be made available for use at other events.

#### **4) NEW BUSINESS:**

#### **A. Lancaster County Visitors Improvement Fund grant with Lancaster County as the grantor and the Lincoln USBC Bowling Association as the grantee, providing \$10,000 for the purchase of bleachers to be used at bowling tournaments. (C-12-0126)**

**MOTION:** Hudkins moved and Smoyer seconded approval of the grant contract. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.

#### **B. A resolution in the matter of witness fees paid by Lancaster County which have remained unclaimed for six months or more. (R-12-0021)**

**MOTION:** Hudkins moved and Raybould seconded approval of the resolution. Hudkins, Raybould, Heier, Smoyer and Schorr voted aye. Motion carried 5-0.

#### **C. An interlocal agreement between Lancaster County and the City of Lincoln for road improvements on N. 14<sup>th</sup> Street from Fletcher Avenue to a point 1,185 feet north of Alvo Road. There is no cost to the County. (C-12-0127)**

**MOTION:** Smoyer moved and Raybould seconded approval of the agreement. Raybould, Heier, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.

#### **D. An agreement between Lancaster County, on behalf of the Lancaster County Emergency Management Department, and Jessica M. Vetter to develop the County's local emergency operational plan (LEOP). The County will pay \$12,000 for the services. The agreement is effective upon execution and will continue through June 30, 2012. (C-12-0128)**

Doug Ahlberg, Emergency Management Director, said an Emergency Management Performance Grant (EMPG) would fund the project. He noted the plan must be updated by the end of June to be eligible for future EMPG funding.

**MOTION:** Heier moved and Smoyer seconded approval of the agreement. Heier, Smoyer, Hudkins, Raybould and Schorr voted aye. Motion carried 5-0.

**NEW BUSINESS CONTINUED:**

- E. **An amendment to County Contract C-11-0743 between Orkin, Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for pest control services. The amendment deletes line items 7.1-7.4 from the agreement and provides for a price increase as listed on Attachment A. (C-12-0129)**

**MOTION:** Smoyer moved and Hudkins seconded approval of the amendment. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.

- F. **An amendment to County Contract C-11-0605 between Seminole Energy Services, Lancaster County, the City of Lincoln, and the Lincoln-Lancaster County Public Building Commission for the annual supply of natural gas. The amendment provides for service at the City of Lincoln Water - Ashland Plant. (C-12-0130)**

**MOTION:** Raybould moved and Hudkins seconded approval of the amendment. Hudkins, Raybould, Heier, Smoyer and Schorr voted aye. Motion carried 5-0.

- G. **An amendment to County Contract C-09-0160 with Whitehead Oil Company for the annual requirements for fuel (point of sale). The amendment renews the agreement for an additional one-year term from April 2, 2012, to April 1, 2013. (C-12-0131)**

**MOTION:** Hudkins moved and Raybould seconded approval of the amendment. Raybould, Heier, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.

- H. **An agreement with the Mental Health Association for a Supported Employment/Education Special Assistant to carry out duties and conduct research for the Community Mental Health Center's participation in the "Recovery after the Initial Schizophrenia Episode (RAISE) project. The County shall pay \$24.03 per hour for no more than five hours of service per week. Term of the agreement is July 13, 2011, to June 30, 2012. (C-12-0132)**

Item was held per the County Attorney.

- I. **An agreement with Community Alternatives Nebraska Industries to provide document shredding services for the Lancaster County Records and Information Department. The County will pay Community Alternatives \$0.0723 per pound of paper that is shredded. Term of the agreement is January 1, 2012, to December 31, 2012. (C-12-0133)**

**MOTION:** Raybould moved and Hudkins seconded approval of the agreement. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.

- J. **A recommendation from the Purchasing Agent and the Corrections Director to award a contract to AOI Corporation, Office Interiors and Design, and All Makes Office Equipment Company for office furniture and accessories for the new detention facility. (B-12-0010)**

Item was held per the County Attorney.

## **NEW BUSINESS CONTINUED:**

### **K. Executive session – pending litigation.**

The Chair announced the item would be held until the end of the meeting.

- 5) **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. Right-of-way contracts between the County Engineer and the following:**

- 1. Harlan A. Kuster Irrevocable Trust, in the amount of \$6,674, located on S. 54<sup>th</sup> Street between Hickman Road and Roca Road; Project C55-S-405(3). (C-12-0134) (C-12-0135)**
- 2. Bruce Kuster, in the amount of \$5,435, located on S. 54<sup>th</sup> Street between Hickman Road and Roca Road; Project C55-S-405(3). (C-12-0136) (C-12-0137)**

#### **B. Receive and place on file the February 2012 reports for the County Assessor/Register of Deeds and County Records & Information Management.**

**MOTION:** Raybould moved and Heier seconded approval of the consent items. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.

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

Kathleen Hanson discussed the involvement of consumers with the changes at the Community Mental Health Center. She announced the development of a consumer group to discuss ways to be involved.

### 7) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, March 15, 2012, at 8:30 a.m., in Room 113 on the first floor of the County-City Building.**
- B. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, March 20, 2012, at 9:30 a.m., in Room 112 on the first floor of the County-City Building.**
- C. The Lancaster County Board of Commissioners will hold public hearings on Tuesday, March 20, 2012, at 9:30 a.m. in Room 112, on the first floor of the County-City Building regarding the following:**
  - 1. County Change of Zone 12001, requested by Lakehouse Farms, LLC, to amend the Lancaster County Zoning Resolution to add "Market Garden" as a special permitted use in the AG and AGR zoning districts.**
  - 2. County Special Permit 12003, requested by Lakehouse Farms, LLC, for authority to operate a Market Garden with a restaurant as an accessory use, on property generally located at N. 112<sup>th</sup> Street and Branched Oak Road.**

**ANNOUNCEMENTS CONTINUED:**

- D. **The Lancaster County Board of Commissioners meeting is broadcast live. It is rebroadcast on Tuesday and Saturday 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](http://www.lancaster.ne.gov). Click on 5 City-TV Video on Demand.**
- E. **The County Commissioners can be reached at 402-441-7447 or [commish@lancaster.ne.gov](mailto:commish@lancaster.ne.gov).**

The Chair recessed the meeting at 9:55 a.m.

The Chair reconvened the meeting at 9:57 a.m.

**RETURNING TO ITEM 4K:**

**MOTION:** Smoyer moved and Raybould seconded to enter executive session for the purpose of pending litigation and to protect the public interest at 9:57 a.m.

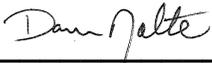
The Chair restated the motion for the record.

**ROLL CALL:** Raybould, Heier, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.

**MOTION:** Hudkins moved and Raybould seconded to exit executive session at 10:24 a.m. Heier, Smoyer, Hudkins, Raybould and Schorr voted aye. Motion carried 5-0.

8) **ADJOURNMENT**

**MOTION:** Hudkins moved and Raybould seconded to adjourn the Board of Commissioners meeting at 10:24 a.m. Hudkins, Raybould, Heier, Smoyer and Schorr voted aye. Motion carried 5-0.

  
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**Dan Nolte**  
**Lancaster County Clerk**



**MINUTES**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**TUESDAY, MARCH 13, 2012**  
**COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**IMMEDIATELY FOLLOWING THE LANCASTER COUNTY**  
**BOARD OF COMMISSIONERS MEETING**

*Advance public notice of the Board of Equalization meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and emailed to the media on March 9, 2012.*

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

Others present: Norm Agena, County Assessor/Register of Deeds  
Kerry Eagan, 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 9:55 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, March 6, 2012.**

**MOTION:** Heier moved and Smoyer seconded approval of the minutes. Hudkins, Raybould, Heier, Smoyer and Schorr voted aye. Motion carried 5-0.

2) **ADDITIONS AND DEDUCTIONS TO THE TAX ASSESSMENT ROLLS (See attached additions and deductions)**

**MOTION:** Hudkins moved and Smoyer seconded approval of the additions and deductions. Raybould, Heier, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.

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

**City Impact**  
**Dialysis Center of Lincoln**  
**First Baptist Church**  
**First Free Methodist Church**  
**First Lutheran Church**  
**Northern Lighthouse**  
**St. Patrick Catholic Church**

**MOTOR VEHICLE TAX EXEMPTION APPLICATIONS CONTINUED:**

**MOTION:** Heier moved and Raybould seconded approval of the motor vehicle tax exemption applications. Heier, Smoyer, Hudkins, Raybould and Schorr voted aye. Motion carried 5-0.

4) **ADJOURNMENT**

**MOTION:** Heier moved and Raybould seconded to adjourn the Board of Equalization meeting at 9:57 a.m. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.

*Dan Nolte*  
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**Dan Nolte**  
**Lancaster County Clerk**

