

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 19, 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 June 15, 2012.

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

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, June 12, 2012.**

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

2) **CLAIMS: Approval of all claims processed through Tuesday, June 19, 2012.**

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

3) **SPECIAL PRESENTATIONS:**

A. **Introduction of Bruce Trautwein, Lancaster County Veterans Service Committee.**
(See 5A for correlating item.)

Item was held until June 26.

4) **PUBLIC HEARINGS:**

A. **Amendment of Sections III, X, XVIII, XIX, and XXV of County Resolution No. 03-0007, Regulations for the Operation of Body Art and Piercing Establishments in Lancaster County.** (See 5B for correlating item.)

PUBLIC HEARINGS CONTINUED:

The Chair opened the public hearing.

Scott Holmes, Lincoln-Lancaster County Health Department Environmental Public Health Division Manager, was administered the oath. He discussed the amendments, including length of time items could be left on a shelf after sterilization, sink requirements and permit posting. Holmes confirmed there are currently no body art establishments in the County's jurisdiction.

The Chair closed the public hearing.

- B. Amendment of Article 1, Sections 5 and 6, and Article 2, Sections 1, 2, 4, 17, 19, 20 and 22 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards. (See 5C for correlating item.)**

The Chair opened the public hearing.

Scott Holmes said updates are being made to stay in synch with the Federal and State air quality regulations. He discussed the amendments, including definition changes, regulations for nitrous oxide as a precursor to ozone, ambient air quality standards for lead, ambient air quality standards for ozone and dry cleaners' fees.

The Chair closed the public hearing.

5) NEW BUSINESS:

- A. Appointment of Bruce Trautwein to the Lancaster County Veterans Service Committee for a five-year term, commencing July 1, 2012, and ending June 30, 2017.**

Item was held until June 26.

- B. A resolution amending Sections III, X, XVIII, XIX, and XXV of County Resolution No. 03-0007, Regulations for the Operation of Body Art and Piercing Establishments in Lancaster County. The amendments provide for the changes outline in Attachment A. (R-12-0046)**

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

- C. A resolution amending Article 1, Sections 5 and 6, and Article 2, Sections 1, 2, 4, 17, 19, 20 and 22 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards. The amendments provide for the changes outlined in Attachments A, B, C, D, E, F, G, H and I. (R-12-0047)**

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

- D. A resolution in the matter of transferring appropriations from the General Fund Miscellaneous Budget to various General Fund agencies. The amount to be transferred is \$409,886. (R-12-0048)**

NEW BUSINESS CONTINUED:

Dennis Meyer, Budget & Fiscal Director, said the transfer primarily covers PEHP (Post Employment Health Plan) expense, which was originally figured out of the budget for 75% of the year but must now be included. In addition, General Assistance will require a transfer of \$150,000 as there has been a larger number of claims this year.

Raybould commended departments for meeting their budgets. She acknowledged that many of the expenses requiring additional appropriations are beyond their control; however, she encouraged departments to be progressive in finding solutions to controlling expenses when possible. Hudkins agreed with Raybould. He said the additional General Assistance claims are directly reflective of the current economy.

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

E. A refund request from John A. Arnold III for 2009 and 2010 real estate property tax.

Rob Ogden, Deputy County Assessor/Register of Deeds, said Arnold received relief from the Board of Equalization in 2011 for a value-based judgment decision. The clerical error statute does not cover judgment decisions, so he recommended denial for 2009 and 2010. Raybould confirmed with Ogden that relief for 2009 and 2010 should have been filed in those years.

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

F. A mini-grant contract application and award with the Nebraska Office of Highway Safety in the amount of \$1,800 for two radar units for the Lancaster County Sheriff. (C-12-0329)

Bill Jarrett, Chief Deputy Sheriff, said the grants in Items 5F and 5G would be covered from the Sheriff's budget and later reimbursed into revenue. Raybould questioned if the grant funds would be part of the current budget year. Jarrett said they would be done after July 1.

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

G. A mini-grant contract application and award with the Nebraska Office of Highway Safety in the amount of \$10,500 for three in-car camera systems for the Lancaster County Sheriff. (C-12-0330)

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

H. An agreement with Legal Aid of Nebraska for the representation of indigent parents and juveniles in the Separate Juvenile Court of Lancaster County. The County will pay Legal Aid \$1,555,464 for the service provided. Term of the agreement is July 1, 2012, to June 30, 2015. (C-12-0331)

NEW BUSINESS CONTINUED:

Smoyer acknowledged the large cost of the service but stated it must be done per State mandate. He said changes would need to go through the State Legislature. Raybould agreed that the legislation should be reviewed. She felt the focus should be on custodial parents receiving indigent defense appointments rather than non-custodial parents. Hudkins commended the Juvenile Court administration for managing the costs of legal representation the best they can.

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

- I. **An agreement between the Nebraska Department of Health and Human Services (DHHS) Division of Children and Family Services and Lancaster County Youth Services for the provision of detention services for youth committed to or placed with DHHS. The County will be paid \$236 per youth per day. Term of the agreement is July 1, 2012, to June 30, 2013. (C-12-0332)**

Heier noted the rate has remained the same due to budgetary constraints.

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

- J. **A grant contract with Cedars Youth Services, Inc., in the amount of \$230,000 per year to provide funding for Cedars' Juvenile Diversion Services Program. Term of the grant contract is July 1, 2012, to June 30, 2015. (C-12-0333)**

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

- K. **A grant contract with Cedars Youth Services, Inc., in the amount of \$130,000 per year to provide funding for Cedars' Tracking Program. Term of the grant contract is July 1, 2012, to June 30, 2015. (C-12-0334)**

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

- L. **A grant contract with Cedars Youth Services, Inc., in the amount of \$290,000 per year to provide funding for the Out of Home Continuum program. Term of the grant contract is July 1, 2012, to June 30, 2015. (C-12-0335)**

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

- M. **A grant contract with Cedars Youth Services, Inc., in the amount of \$80,000 per year to provide funding for Cedars' Day, Evening and Weekend Reporting Center Program. Term of the grant contract is July 1, 2012, to June 30, 2015. (C-12-0336)**

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

NEW BUSINESS CONTINUED:

- N. An agreement with the University of Nebraska Board of Regents, on behalf of the Department of Psychology, for a Project Director and Psychology Extern 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 \$18,395.09 for the services provided. Term of the agreement is July 1, 2012, to June 30, 2013. (C-12-0337)**

Ron Sorensen, Community Mental Health Center Director, said the amount would likely be less than \$18,000 since there are fewer participants than expected. Heier questioned if the agreement should read up to \$18,395.09. Brittany Behrens, Deputy County Attorney, said the contract language reads "up to \$18,395.09" which is the governing language. Hudkins questioned if Item 50 should read the same. Behrens said Item 50 is for a fixed amount.

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

- O. An agreement with the University of Nebraska Board of Regents, on behalf of the Department of Psychology, to provide the services of a licensed clinical Ph.D. psychologist for four hours a week at the Community Transition Program at the Heather. The County will pay \$8,246.90 for the services. Term of the agreement is July 1, 2012, to June 30, 2013. (C-12-0338)**

Hudkins questioned if all four hours would be needed. Sorensen said the hours most likely will be needed since the program stays full.

Heier questioned if the Heather was a State program. Sorensen said the Heather was created by moving employees out of the Regional Center as part of localization services. He added those employees are State employees.

Raybould asked if this was a new agreement. Sorensen said the agreement has been around for 10-15 years. He discussed finding funds to cover the extra expense for the services.

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

Hudkins said there should be more discussion as services are reassessed.

- P. An agreement with the University of Nebraska Board of Regents, on behalf of the Clinical Psychology Training Program, for five graduate psychology students who will provide services such as psychotherapy, counseling and psychological testing for the Community Mental Health Center. The County will pay \$82,924.80 for the services. Term of the agreement is June 1, 2012, to May 31, 2013. (C-12-0339)**

Sorensen said the contract has existed for a long time. One graduate student is assigned to Midtown Center and the rest work primarily at the main office. In addition, there are graduate students who volunteer at Midtown Center.

NEW BUSINESS CONTINUED:

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

- Q. **A child and adult care food program application and agreement with Nebraska Department of Education, Nutrition Services for Program Year 2013 on behalf of the Lancaster County Community Mental Health Center. (C-12-0340)**

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

- R. **A recommendation from the Purchasing Agent and County Corrections to award a contract to Derby Industries at a total estimated cost of \$43,252 for mattresses at the new detention facility. (B-12-0028)**

Item was held per the request of Purchasing.

- 6) **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. **Receive and place on file the County Sheriff monthly report for May 2012.**
- B. **Setting of a public hearing for Tuesday, June 26, 2012, at 9:30 a.m. in Room 112 on the first floor of the County-City Building regarding the increase of appropriations for the Weed Control Fund, in the amount of \$4,500, for unanticipated increases in motor fuel and contractor payments.**

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

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

No one appeared for public comment.

- 8) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, June 21, 2012, at 9:00 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, June 26, 2012, at 9:30 a.m., in Room 112 on the first floor of the County-City Building.**

ANNOUNCEMENTS CONTINUED:

- C. The County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.
- 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 lancaster.ne.gov. Click on 5 City-TV Video on Demand.

9) **ADJOURNMENT**

MOTION: Raybould moved and Smoyer seconded to adjourn the Board of Commissioners meeting at 10:01 a.m. Hudkins, Raybould, Heier, Smoyer and Schorr voted aye. Motion carried 5-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk



**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JUNE 19, 2012
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE LANCASTER COUNTY
BOARD OF COMMISSIONERS MEETING**

**COMMISSIONERS: Deb Schorr, Chair; Larry Hudkins, Vice Chair;
Bernie Heier; Jane Raybould; and Brent Smoyer**

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 June 15, 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
 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 10:01 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 12, 2012.**

MOTION: Smoyer moved and Raybould 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)**

Hudkins questioned the \$3,000,000 value decrease on the list. Norm Agena, County Assessor/Register of Deeds, said this was a TERC (Tax Equalization Review Commission) case, and it was a stipulation made because of appraisals done by Great Plains Appraisal prior to going to TERC.

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

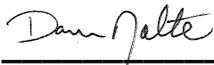
3) **MOTOR VEHICLE TAX EXEMPTION APPLICATIONS:**

Catholic Bishop of Lincoln
Child Guidance Center
College View Academy
Epona Horse Rescue
First Free Methodist Church
First Presbyterian Church
Priestly Fraternity of St. Peter
Radiant Church
Saint Paul United Methodist Church
Second Baptist Church
Sisters of Mercy
Zion Church

MOTION: Raybould moved and Smoyer 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 Smoyer seconded to adjourn the Board of Equalization meeting at 10:03 a.m. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

