

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 4, 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 August 31, 2012.

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

Commissioners absent: Jane Raybould

Others present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Brittany Behrens, Deputy County Attorney
Dan Nolte, 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 28, 2012.**

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

2) **CLAIMS: Approval of all claims processed through Tuesday, September 4, 2012.**

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

3) **SPECIALS PRESENTATIONS:**

A. Lancaster County Visitors Improvement Fund Grant to Nebraska Sports Council for Opening Ceremonies of the 2012 Cornhusker State Games – Dave Mlnarik, Nebraska Sports Council Executive Director. (See New Business Item 5A)

Dave Mlnarik thanked everyone involved with the Cornhusker State Games. He said there were 11,643 participants with 4,600 from Lancaster County and the remaining from 81 other Nebraska counties. Mlnarik discussed the economic impact of the Games on the County, which he estimated at \$4,200,000.

4) **OLD BUSINESS:**

- A. **An agreement with the Child Guidance Center for the services of an internal case manager and for the provision of substance abuse evaluations for youth at the Youth Services Center. The County will pay \$69,333.39 for the services of the case manager and \$65,710.07 for substance abuse evaluations for a total amount up to \$135,043.46. Term of the agreement is July 1, 2012, to June 30, 2013. (C-12-0424)**

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

5) **NEW BUSINESS:**

- A. **Grant contract from the Lancaster County Visitors Improvement Fund to the Nebraska Sports Council in the amount of \$10,000 for enhancement of the 2012 Cornhusker State Games Opening Ceremonies. (C-12-0508)**

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

- B. **A request for an exceptional circumstance award under Rule 17.14(b) of the Lancaster County Personnel Rules for Renee Runge, Accounting Specialist in the Lancaster County Clerk's Office, in the amount of \$500.**

Tim Genuchi, County Clerk's Office, introduced Renee Runge and commended her handling of extra work upon a coworker's retirement.

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

- C. **Acceptance of a Deputy Sheriff Captains' Temporary Retirement Buyout Program Application and Agreement between the County of Lancaster, Nebraska and William E. Jarrett, an employee of the Lancaster County Sheriff's Office. Mr. Jarrett's resignation is effective August 30, 2012. (C-12-0509)**

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

- D. **A resolution in the matter of amending the final allocation of levy authority to all political subdivisions subject to County levy authority. (R-12-0072)**

Dennis Meyer, Budget & Fiscal Director, said he originally based the allocation for the Raymond Rural Fire District off tax request dollars, but Raymond wanted to base it off the prior year's levy. This resolution would adjust the allocation. Meyer confirmed for Hudkins that this could be adjusted, even though it is past September 1, if both bodies agree.

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

NEW BUSINESS CONTINUED:

- E. **A labor agreement with the Fraternal Order of Police, Lodge 32, for a one-year period beginning August 23, 2012 and ending August 31, 2013. (C-12-0520)**

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

- F. **A contract between the Nebraska Department of Health and Human Services Division of Children and Family Services and Lancaster County, on behalf of the Lancaster County Attorney's Office, to provide funding to assist the Lancaster County Attorney in the preparation and filing of termination of parental rights in accordance with Nebraska Revised Statute §43-292. The Department of Health and Human Services will pay the County \$104,500. Term of the contract is July 1, 2012 to June 30, 2013. (C-12-0510)**

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

- G. **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, 2012 to August 31, 2013. (C-12-0511)**

Terry Wagner, County Sheriff, said Deputies provide additional coverage to Bennet as needed. Bennet then reimburses the County for overtime and vehicle use.

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

- H. **An agreement between Lancaster County, on behalf of the Lancaster County Election Commissioner, and Steve McClatchey for the delivery of voting machines and other miscellaneous equipment to several polling locations for the General Election to be held on Tuesday, November 6, 2012. The agreement shall continue until November 9, 2012. The County will pay \$53 per polling location for the delivery service. (C-12-0512)**

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

- I. **A contract between Packaging Distribution Services, Lancaster County and the City of Lincoln to supply and deliver boxes and cartons. The County will pay for products and services according to State of Nebraska Contract Number 13329 OC. Term of the contract is August 1, 2012 to July 31, 2013. (C-12-0513)**

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

NEW BUSINESS CONTINUED:

- J. **An agreement and acceptance of proposal with the Lincoln League of Women Voters to assist with voter registration sites in Lancaster County. The County shall pay \$2,500 for the services provided. Term of the agreement is September 1, 2012 to August 31, 2013. (C-12-0514)**

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

- K. **Acceptance of a grant award from the Nebraska Commission on Law Enforcement and Criminal Justice for the Lancaster County Justice Council – A Coordinated Response to Reducing Violence Against Women in Lancaster County; Grant No. 11-VW-0713. The County shall receive \$187,584. Term of the grant award is June 1, 2012 to May 31, 2013. (C-12-0515)**

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

- L. **A grant contract with the Malone Center, in the amount of \$10,000, to provide funding for the Talented Tenth Scholar's Empowerment Program. Term of the contract is July 1, 2012 to June 30, 2013. (C-12-0516)**

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

- M. **An amendment to County Contract No. C-08-0324 with Cornerstone Printing & Imaging for the annual requirements for quick copy and related services. The amendment renews the agreement for an additional one-year term from July 25, 2012 to July 24, 2013. (C-12-0517)**

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

- N. **A lease termination agreement between Lancaster County and Lincoln Poultry & Egg Co., as the remote successor-in-interest to Pegler & Company. The agreement terminates the 1984 memorandum of lease and assignment and all lease instruments for property commonly known as 1700 Center Park Road, Lincoln, Nebraska. (C-12-0518)**

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

- O. **A lease termination agreement between Lancaster County and Lincoln Poultry & Egg Co., as the remote successor-in-interest to Pegler & Company. The agreement terminates the 1964 lease agreement and all supplemental lease agreements for property commonly known as 1700 Center Park Road, Lincoln, Nebraska. (C-12-0519)**

NEW BUSINESS CONTINUED:

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

- P. **A quitclaim deed from Lancaster County to Lincoln Poultry & Egg Co. for property legally described as Lots Six (6), Seven (7), Eight (8) and Nine (9), Block Two (2), Lincoln Industrial Park Subdivision in Lancaster County, Nebraska, being located in the Northwest quarter (NW ¼) of Section Twelve (12), Township Nine (9) North, Range Six (6) East of the 6th Principal Meridian, Lancaster County, Nebraska.**

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

- Q. **A political subdivision tort claim filed against Lancaster County Corrections by Tim Ostrom for damaged property in the amount of \$65.00.**

MOTION: Heier moved and Smoyer seconded denial of the tort claim based on the department director's recommendation. Hudkins, Heier, Smoyer and Schorr voted aye. Raybould was absent. Motion carried 4-0.

- R. **A political subdivision tort claim filed against Lancaster County Corrections by Richard L. Kess for lost property in the amount of \$56.00.**

MOTION: Hudkins moved and Heier seconded approval of the tort claim in the amount of \$5.60 based on the department director's recommendation. Heier, Smoyer, Hudkins and Schorr voted aye. Raybould was absent. Motion carried 4-0.

- 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. **A leasehold agreement between the County Engineer and Kirk Helmink, in the amount of \$10, located south of Pella Road on South 110th Street; Project No. CP-Y-5. (C-12-0521).**
- B. **A right-of-way contract between the County Engineer and Keith L. and Peggy A. Sorensen, as a donation, located south of West Waverly Road on Northwest 27th Street; Project CP-F-114. (C-12-0522)**

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

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

Heier had Schorr come forward so he could tell about her experience in learning to run a combine. He showed pictures and presented her with a hat.

8) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, September 6, 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, September 11, 2012, at 9:30 a.m., in Room 112 on the first floor of the County-City Building.
- 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: Smoyer moved and Heier seconded to adjourn the Board of Commissioners meeting at 9:53 a.m. Smoyer, Hudkins, Heier and Schorr voted aye. Raybould was absent. Motion carried 4-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, SEPTEMBER 4, 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 August 31, 2012.

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

Commissioners absent: Jane Raybould

Others present: Scott Gaines, Deputy 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
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 9:53 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, August 28, 2012.**

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

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

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

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

Benedictine Sisters

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

4) **PERSONAL PROPERTY TAX PENALTY APPEAL:**

Nebraska Surgery Center

Scott Gaines, Deputy County Assessor/Register of Deeds, said a late filing penalty of 25% was imposed, which totals around \$3,400. Statutorily the Board can only adjust this if it was wrongly imposed or incorrectly calculated, neither being the case.

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

5) **ADJOURNMENT**

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

Dan Nolte

Dan Nolte
Lancaster County Clerk

