

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 9, 2013
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
10:30 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 April 5, 2013.

Commissioners present: Larry Hudkins, Chair
Roma Amundson
Deb Schorr

Commissioners absent: Brent Smoyer, Vice Chair
Jane Raybould

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 10:32 a.m.

1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, April 2, 2013.**

MOTION: Amundson moved and Schorr seconded approval of the minutes. Schorr, Amundson and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

2) **CLAIMS: Approval of all claims processed through Tuesday, April 9, 2013.**

MOTION: Schorr moved and Amundson seconded approval of the claims. Amundson, Schorr and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

3) **PUBLIC HEARINGS:**

A. **County Text Amendment No. 13005 (Lancaster County Zoning Resolution to update floodplain information).**

The Chair opened the public hearing.

Ben Higgins, Public Works & Utilities, was administered the oath. He said the date listed in Article 11 (Lancaster County Zoning Resolution) needs to be updated to reflect the effective date of April 16, 2013, for the Federal Insurance Rate Maps and Flood Insurance Study.

PUBLIC HEARINGS CONTINUED:

Higgins discussed methods of public notice used, including briefings to the towns and villages, open houses, Lincoln Journal Star articles, web site publication, legal notice, mass mailings and the Lincoln City Council public hearing.

Hudkins asked for action to be taken. Brittany Behrens, Deputy County Attorney, said there is no requirement to hold open the public hearing and referenced the corresponding resolution under Item 4A.

The Chair closed the public hearing.

4) **NEW BUSINESS:**

- A. **Resolution in the matter of County Text Amendment No. 13005, a text amendment to the Lancaster County Zoning Resolution, amending Article 11, Sections 11.001 and 11.029 to adopt the Flood Insurance Study (FIS), effective April 16, 2013, as required by the Federal Emergency Management Agency. The amendments are provided in Attachment A. (R-13-0021)**

MOTION: Schorr moved and Amundson seconded approval of the resolution. Schorr, Amundson and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

- B. **Refund request on real property tax from Laurie Novak.**

Scott Gaines, Deputy County Assessor/Register of Deeds, said a property line error had resulted in inadvertently including some railroad right-of-way with the parcel. The refund is limited to three years, so he recommended approval for 2010, 2011 and 2012. Gaines noted the property's value is \$3,000 for each year.

MOTION: Schorr moved and Amundson seconded approval of the refund request for 2010, 2011 and 2012 based on the recommendation of the County Assessor's Office. Schorr, Amundson and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

- C. **Special designated license applications from Hillcrest County Club to provide alcoholic beverage service at 9401 O Street on May 5, May 26, June 2, August 4, August 25 and September 1, 2013, from 6:00 a.m. to 12:00 p.m.**

Andy Reetz, Hillcrest Country Club, appeared to answer questions.

MOTION: Amundson moved and Schorr seconded approval of the special designated license applications. Amundson, Schorr and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

- D. **Accept and place on file the resignation of Sue Kirkland, Lancaster County Clerk of the District Court, effective May 31, 2013, and establish a procedure and timeline for appointing a replacement to fill the vacancy.**

NEW BUSINESS CONTINUED:

Kerry Eagan, Chief Administrative Officer, said the resignation must first be accepted and placed on file; then the Board must decide on a procedure. He distributed a press release that had been prepared (Exhibit A).

MOTION: Schorr moved and Amundson seconded to accept the resignation of Sue Kirkland as Clerk of the District Court and to approve the procedure for her replacement as outlined in the press release. Amundson, Schorr and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

E. Appointment of Eric S. Zach to the Lincoln/Lancaster County Ecological Advisory Committee with the term expiring December 31, 2013.

MOTION: Amundson moved and Schorr seconded approval of the appointment. Schorr, Amundson and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

F. Resolution granting the Nebraska Department of Roads temporary and permanent easement for property generally located at the intersection of US Highway 6 and SW 40th Street. (R-13-0022)

MOTION: Schorr moved and Amundson seconded approval of the resolution. Schorr, Amundson and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

G. Recommendation from the County Engineer to award a bid to Pavers, Inc., in the amount of \$2,169,246.82 for asphaltic concrete resurfacing and paving. (B-13-0014)

Don Thomas, County Engineer, said the annual asphalt contract is around \$400,000 below estimate. He hoped to finish paving Saltillo Road with the remaining money.

MOTION: Schorr moved and Amundson seconded approval of the recommendation. Amundson, Schorr and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

H. Amendment to County Contract C-11-0199 with Swarco Reflex, Inc., for the annual supply of glass pavement marking beads. The amendment renews the agreement for an additional one-year term from March 1, 2013, to February 28, 2014. (C-13-0150)

MOTION: Schorr moved and Amundson seconded approval of the amendment. Amundson, Schorr and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

I. Agreement between the Lincoln Journal Star, Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for the annual requirements of publishing legal notices and all other verbiage necessary to conduct City and County business. Services will be purchased pursuant to the line item pricing list attached and incorporated within the agreement. Term of the agreement is one year from the date of execution with an option to renew for three additional one-year terms. (C-13-0151)

NEW BUSINESS CONTINUED:

MOTION: Amundson moved and Schorr seconded approval of the agreement. Schorr, Amundson and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

- J. **Amendment to County Contract C-12-0659 with the City of Lincoln for funding of the Officers Working with Education Referrals (POWER) program. The amendment provides \$3,389 in additional funding for extended classes and programming. (C-13-0152)**

MOTION: Amundson moved and Schorr seconded approval of the amendment. Schorr, Amundson and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

- K. **Addendum to a contract with Tesseract Corporation for an additional product rider. The County will pay an annual maintenance fee of \$10,000. (C-13-0153)**

MOTION: Schorr moved and Amundson seconded approval of the addendum. Amundson, Schorr and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

- L. **Contract with the University of Nebraska Public Policy Center for facilitation of a motivational interviewing skill building workshop for employees of the Community Mental Health Center on April 12, 2013. The County will pay \$700 for the training. (C-13-0154)**

MOTION: Amundson moved and Schorr seconded approval of the contract. Amundson, Schorr and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

- M. **Agreement with Mary Sullivan, LCSW, for professional services of a psychiatric rehabilitation clinician to assist in the provision of psychiatric services at the Community Mental Health Center's Midtown location. The County will pay \$50 per hour for no more than 20 hours per week. Term of the agreement is April 1, 2013, to June 30, 2013. (C-13-0155)**

MOTION: Amundson moved and Schorr seconded approval of the agreement. Schorr, Amundson and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

- 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. **E. James Wood, 2300 W. Denton Road, in the amount of \$60. (C-13-0156)**
 2. **West Gate Banshares, Inc., SW 14th Street and W. Denton Road, in the amount of \$235. (C-13-0157)**
 3. **Randal Braunsroth, Leslie Jo Fitzpatrick and Bradley Braunsroth, SW 42nd Street and W. Denton Road, in the amount of \$464.50. (C-13-0158)**

CONSENT ITEMS CONTINUED:

4. Chad and Amy Hansen, SW 12th Street and Old Cheney Road, in the amount of \$3,055. (C-13-0159)

B. Receive and place on file the following:

1. County Clerk monthly report for March 2013.
2. County Assessor/Register of Deeds monthly report for March 2013.
3. Clerk of the District Court monthly report for March 2013.
4. County Records & Information Management monthly report for March 2013.

MOTION: Schorr moved and Amundson seconded approval of the consent items. Schorr, Amundson and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

- 6) **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.

Hudkins read a note from Ann Bartek expressing her appreciation for the assistance she received from fellow citizens when she had car trouble.

7) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, April 11, 2013, at 8:30 a.m., in Room 113 of the County-City Building (555 S. 10th Street, Lincoln).
- B. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, April 16, 2013, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) with the Board of Equalization immediately following.
- 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 the internet at lancaster.ne.gov. Click on 5 City-TV Video on Demand.

Schorr reminded everyone of the primary election and encouraged citizens to vote.

8) **ADJOURNMENT**

MOTION: Schorr moved and Amundson seconded to adjourn the Board of Commissioners meeting at 10:52 a.m. Amundson, Schorr and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk



**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, APRIL 9, 2013
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 April 5, 2013.

Commissioners present: Larry Hudkins, Chair
Roma Amundson
Deb Schorr

Commissioners absent: Brent Smoyer, Vice Chair
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
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 10:52 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, April 2, 2013.**

MOTION: Amundson moved and Schorr seconded approval of the minutes. Schorr, Amundson and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

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

MOTION: Schorr moved and Amundson seconded approval of the additions and deductions. Amundson, Schorr and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

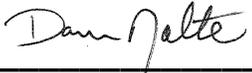
3) **MOTOR VEHICLE TAX EXEMPTION APPLICATIONS:**

VITAL Services, Inc.

MOTION: Amundson moved and Schorr seconded approval of the motor vehicle tax exemption applications. Amundson, Schorr and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

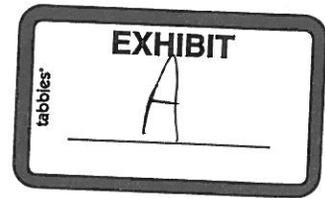
4) **ADJOURNMENT**

MOTION: Schorr moved and Amundson seconded to adjourn the Board of Equalization meeting at 10:53 a.m. Schorr, Amundson and Hudkins voted aye. Raybould and Smoyer were absent. Motion carried 3-0.



Dan Nolte
Lancaster County Clerk





For Immediate Release

April 9, 2013

For more information contact Gwen Thorpe: 402-441-7447

LANCASTER COUNTY BOARD OF COMMISSIONERS

ACCEPTING RESUMES TO FILL CLERK OF THE DISTRICT COURT VACANCY

Sue Kirkland, Clerk of the District Court for Lancaster County, has announced her retirement effective May 31, 2013. Per Nebraska law, the Lancaster County Board of Commissioners will appoint a replacement for the remainder of the current term of office.

The Board of Commissioners wishes to thank Sue Kirkland for her service to Lancaster County and extends their best wishes to her as she retires. Ms. Kirkland was first elected in 2002, reelected in 2006 and 2010. This position will appear on the ballot in 2014.

Besides being the administrative officer of the court, the Clerk of the District Court is responsible for the record keeping and collection of child support payments, the record keeping of criminal and civil cases, maintenance of the court's dockets, and processing judgments.

Parties interested in appointment to this position are asked to submit a resume to the Board, in care of Kerry Eagan, Chief Administrative Officer, by April 30, 2013. Qualifications for appointment are:

- Must be a registered voter
- Must be a resident of Lancaster County at the time of appointment

The Board will accept resumes by mail at 555 S 10 Street, Lincoln, NE 68508, or by email: commish@lancaster.ne.gov