

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 30, 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 26, 2013.

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

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 10:31 a.m.

1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, April 23, 2013.**

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

2) **CLAIMS: Approval of all claims processed through Tuesday, April 30, 2013.**

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

3) **SPECIAL PRESENTATIONS:**

A. Recognition of Jim Cada for his service as Pretrial Diversion Hearing Officer.

Joe Kelly, County Attorney, discussed Jim Cada's background. He explained the role of the Pretrial Diversion Hearing Officer and the time donated to that position.

Cada discussed the projects in which he has been involved. He said he is now more focused on veterans service work.

The Board commended Cada for his service.

4) **NEW BUSINESS:**

- A. **Resolution and agreement with the Nebraska Department of Roads for consultant inspection and load re-rating on County fracture critical bridges. (R-13-0024) (C-13-0179)**

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

- B. **Resolution and agreement with the Nebraska Department of Roads to identify other Federal funding that Nebraska Department of Roads intends to use to replace Highway Bridge Program funds. (R-13-0025) (C-13-0180)**

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

- C. **Recommendation from the Purchasing Agent and the Emergency Management Director to award a bid to Schmader Electric Construction, Inc., in the amount of \$122,514 for outdoor warning sirens and replacement. (B-13-0019)**

Doug Ahlberg, Emergency Management Director, said a hazard mitigation grant through FEMA (Federal Emergency Management Agency) allows for the purchase of six new sirens. The County is responsible for 25% of the cost, which comes from the siren repair money.

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

- D. **2012 sub-recipient agreement for the Southeast Region in the amount of \$8,625 from the Nebraska Emergency Management Agency. Term of the agreement is September 1, 2012, to August 31, 2014. (C-13-0181)**

Doug Ahlberg said the funds would be used for training of a community emergency response team with citizens in Southeast Nebraska and Lancaster County.

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

- E. **Mini-grant contract application and award with the Nebraska Office of Highway Safety in the amount of \$952.14 for attendance of two Lancaster County Sheriff deputies at the 19th International Association of Chiefs of Police Annual Training Conference on Impaired Driving. (C-13-0182)**

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

- F. **Amendment to County Contract C-11-0186 with Malcolm School District 148 to provide one Lancaster County Sheriff's Office School Resource Officer to serve the school district while school is in session. The amendment renews the agreement for an additional one-year term from August 1, 2013, to July 31, 2014. (C-13-0183)**

NEW BUSINESS CONTINUED:

Terry Wagner, County Sheriff, said Items 4F-4I cover two school resource officers between the four schools. The two officers provide additional coverage for the deputy staff when school is not in session.

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

- G. Amendment to County Contract C-11-0187 with Waverly School District 145 to provide one Lancaster County Sheriff's Office School Resource Officer to serve the school district while school is in session. The amendment renews the agreement for an additional one-year term from August 1, 2013, to July 31, 2014. (C-13-0184)**

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

- H. Amendment to County Contract C-11-0188 with Raymond Central School District 161 to provide one Lancaster County Sheriff's Office School Resource Officer to serve the school district while school is in session. The amendment renews the agreement for an additional one-year term from August 1, 2013, to July 31, 2014. (C-13-0185)**

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

- I. Amendment to County Contract C-11-0189 with Norris School District 160 to provide one Lancaster County Sheriff's Office School Resource Officer to serve the school district while school is in session. The amendment renews the agreement for an additional one-year term from August 1, 2013, to July 31, 2014. (C-13-0186)**

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

- J. Agreement with Crouse Homes, Inc., for carpet, tile and installation at the Department of Motor Vehicles on West O Street. The County will pay \$21,238 for the products and services. The work will be completed no later than June 30, 2013. (C-13-0187)**

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

- K. Addendum to County Contract C-10-0384 with Aon Risk Services Central, Inc. The addendum provides for dependent verification services for the County's insurance programs. The County will pay \$35 per employee for these services. (C-13-0188)**

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

NEW BUSINESS CONTINUED:

- L. **Renewal of a maintenance agreement with Environmental Systems Research Institute, Inc. (ESRI) in the amount of \$14,800 for ArcGIS software used by the Lancaster County Engineer and County Assessor/Register of Deeds Geographic Information System (GIS). Term of the agreement is July 21, 2013, to July 20, 2014. (C-13-0189)**

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

- M. **Agreement with Objective Advantage, LLC, for professional consulting services to establish caseload standards for the Lancaster County Attorney's Office. The County will pay \$90 per hour for up to 60 hours of work. Term of the agreement is April 1, 2013, to March 31, 2014. (C-13-0190)**

Smoyer noted that the cost is covered by drug forfeiture funds.

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

- N. **Request for refund of personal property tax from Raising Cane's Chicken Fingers.**

Scott Gaines, Deputy County Assessor/Register of Deeds, said the assets were sold in 2011 and then erroneously reported in 2012. The new owner also reported the assets. He recommended approval of the refund request due to the erroneous filing.

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

- O. **Request for refund of personal property tax from First Financial Corporate Leasing, LLC.**

Scott Gaines recommended approval of the refund request. He said it was due to a typographical error on acquisition costs.

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

- P. **Labor negotiations and potential litigation (executive session).**

Brittany Behrens, Deputy County Attorney, said labor negotiations would not be discussed at this time. An executive session would still be needed to discuss potential 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. Setting of a public hearing for Tuesday, May 14, 2013, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln), regarding a corporate manager application for Michael Bolinger in connection with the Class B liquor license for Ely's Service, Inc., d/b/a Branched Oak Marina, 10001 W. Davey Road, Raymond.

MOTION: Raybould moved and Smoyer seconded approval of the consent items. Schorr, Raybould, Amundson, Smoyer and Hudkins 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.

No one appeared for public comment.

7) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, May 2, 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, May 7, 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 under 5 City-TV, Video on Demand or 5 City-TV on YouTube.

It was noted that the next staff meeting would be held at the new County Correctional Facility, 3801 W O Street, rather than Room 113 of the County-City Building.

The Chair recessed the meeting at 10:56 a.m.

The Chair reconvened the meeting at 10:58 a.m.

RETURNING TO ITEM 4P:

MOTION: Smoyer moved and Amundson seconded to enter executive session for the purpose of discussing potential litigation and to protect the public interest at 10:55 a.m. (Actual time was 10:58 a.m.)

ITEM 4P CONTINUED:

The Chair restated the motion for the record.

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

Schorr and Smoyer exited the meeting.

MOTION: Raybould moved and Amundson seconded to exit executive session at 11:50 a.m. Amundson, Raybould and Hudkins voted aye. Schorr and Smoyer were absent. Motion carried 3-0.

8) **ADJOURNMENT**

MOTION: Raybould moved and Amundson seconded to adjourn the Board of Commissioners meeting at 11:50 a.m. Raybould, Amundson and Hudkins voted aye. Schorr and Smoyer were absent. Motion carried 3-0.

Dan Nolte

**Dan Nolte
Lancaster County Clerk**



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, APRIL 30, 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 26, 2013.

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

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 10:56 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, April 23, 2013.**

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

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

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

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

City Impact
Food Bank of Lincoln
Resources for Human Development

MOTOR VEHICLE TAX EXEMPTION APPLICATIONS:

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

4) **NOTICE OF TAXABLE STATUS:**

Lancaster County

Scott Gaines, Deputy County Assessor/Register of Deeds, said the notice is related to the lease previously approved for the 13.9 acres outside of Waverly. Since it will be used for farming purposes, it will be subject to tax.

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

5) **ADJOURNMENT**

MOTION: Schorr moved and Smoyer seconded to adjourn the Board of Commissioners meeting at 10:58 a.m. Schorr, Raybould, Amundson, Smoyer and Hudkins voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

