

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 7, 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 May 3, 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 10:32 a.m.

1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, April 30, 2013.**

MOTION: Smoyer moved and Raybould 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, May 7, 2013.**

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

3) **SPECIAL PRESENTATIONS:**

A. **Designation of May 12-17, 2013, as Police Week in Lancaster County – Terry Wagner, County Sheriff. (See 5A for correlating item.)**

Terry Wagner, County Sheriff, discussed the history of Police Week and Peace Officers Memorial Day. He said a dedication of the Craig Dodge Memorial Park, 421 Main, Hickman, would be held on May 13 at 11:00 a.m. Wagner asked that the Board proclaim May 15 as Law Enforcement Memorial Day and May 12-17 as Police Week.

4) **NEW BUSINESS:**

A. **Resolution in the matter of designating May 12-17, 2013, as Police Week in Lancaster County. (R-13-0026)**

The Clerk read the resolution for the record.

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

B. **Amusement license renewal application from Josh Kadavy to operate JK's Pumpkin Patch at 757 Bluff Road on Fridays, Saturdays and Sundays from September 20 to October 27, 2013.**

Josh Kadavy, JK's Pumpkin Patch, said completion of construction work on N. 14th Street should make it easier for people to reach his location. He noted the promotion of agriculture at the pumpkin patch.

MOTION: Amundson moved and Raybould seconded approval of the amusement license renewal application.

FRIENDLY AMENDMENT: Schorr amended the motion to reduce the insurance liability to \$2,000,000. The maker and seconder concurred.

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

C. **Special events permit application for The Great Nebraska Tractor Ride on June 14 and 15, 2013.**

Nikki Hagedorn, KTIC Radio, said this would be the eighth year for the ride and the first time through Lancaster County. There are 179 tractors registered for the ride, which will go from Wahoo to Lincoln on June 14. The riders will end the night with a meal and a concert north of Tractor Supply Company, spending the night at hotels on N. 27th Street. On June 15, the riders will depart from Star City Motorsports and continue to Camp Creek Threshers in Waverly, before heading back to Wahoo. Hagedorn noted the route through Waverly had been revised to include nursing homes.

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

D. **Agreement with Terry Briley for the care and maintenance of Evangelical Cemetery. Cost to the County is \$50 per mowing not to exceed \$200 per year. (C-13-0192)**

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

NEW BUSINESS CONTINUED:

- E. **Agreement with Infuscience to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. The agreement sets forth a reimbursement arrangement in which the County will provide payment for the medical care and Infuscience will reimburse the County if/when the General Assistance client is later determined eligible for Medicaid reimbursement. The agreement is effective upon execution of both parties and contains a 30-day termination provision. (C-13-0191)**

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

- F. **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 five hours a week at the Community Transition Program at the Heather. The County will pay \$14,500 for the services. Term of the agreement is July 1, 2013, to June 30, 2014. (C-13-0193)**

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

- G. **Affiliation 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 \$84,583.20 for the services. Term of the agreement is June 1, 2013, to May 31, 2014. (C-13-0194)**

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

- H. **Letter to Wilmington Trust Retirement and Institutional Services Company terminating trustee services and transferring assets to the ICMA-RC as the new provider for the VantageCare Retirement Health Savings (RHS) Plan.**

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

- 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 contract between the County Engineer and David Etmund and Scott Bryant, S. 82nd Street and Bennet Road, in the amount of \$19.50. (C-13-0195)**

CONSENT ITEMS CONTINUED:

- B. Receive and place on file the following monthly reports for April 2013:
1. County Clerk
 2. Clerk of the District Court
 3. County Records & Information Management

MOTION: Raybould moved and Smoyer seconded approval of the consent items. Smoyer, Schorr, Raybould, Amundson 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 meet on Tuesday, May 7, 2013, time to be announced, in Room 303 of the County-City Building (555 S. 10th Street, Lincoln) to conduct interviews for the Clerk of the District Court.
- B. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, May 9, 2013, at 8:30 a.m., in Room 113 of the County-City Building (555 S. 10th Street, Lincoln).
- C. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, May 14, 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.
- D. A public hearing will be held on 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.
- E. The County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.
- F. 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.

The chair recessed the meeting at 10:52 a.m.

The chair reconvened at 10:56 a.m.

8) **ADJOURNMENT**

MOTION: Schorr moved and Smoyer seconded to adjourn the Board of Commissioners meeting at 10:56 a.m. Schorr, Raybould, Amundson, Smoyer and Hudkins voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MAY 7, 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 May 3, 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 10:52 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, April 30, 2013.**

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

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

Alzheimer's Disease and Related Disorders Association
Priestly Fraternity of St. Peter

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

3) **ADJOURNMENT**

MOTION: Schorr moved and Smoyer seconded to adjourn the Board of Equalization meeting at 10:56 a.m. Smoyer, Schorr, Raybould, Amundson and Hudkins voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 7, 2013
COUNTY-CITY BUILDING, ROOM 303
8:00 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 May 3, 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
 Cori Beattie, Deputy County Clerk

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 8:15 a.m.

Kerry Eagan, Chief Administrative Officer, presented seven interview questions for consideration. He emphasized that the same questions must be asked of each applicant. Amundson suggested a Commissioner be assigned to each question. It was decided that the Chair would begin each interview with a brief opening statement, including a reference to the 30-minute time limit and Board introductions, prior to asking question #1 and would end the interview by asking each candidate why they desired to serve the citizens of Lancaster County. Candidates would also have the opportunity to ask questions. The remaining interview questions were assigned as follows: #2 – Smoyer; #3 and #5 – Amundson; #4 and #7 – Schorr and #6 – Raybould.

With regard to Commissioners' attendance, Schorr said she felt strongly that it would be unfair to the candidates for a Commissioner to be making a hiring decision if he/she were not present for all interviews. Amundson concurred. Eagan reminded the Board that the interviews are being conducted in open session since the appointment of an elected official is very public in nature.

Smoyer arrived at 8:30 a.m.

Eagan gave a brief overview of the statutory duties of the Clerk of the District Court.

Raybould arrived at 8:35 a.m.

Raybould requested that the order of questions #5 and #6 be reversed. There were no objections to the request.

Interviews commenced with the following applicants: Troy Hawk (8:45 a.m.); Darik Von Loh (9:15 a.m.); and Becky Bruckner (9:45 a.m.).

MOTION: Smoyer moved and Raybould seconded to recess the meeting at 10:04 a.m. Schorr, Raybould, Amundson, Smoyer and Hudkins voted aye. Motion carried 5-0.

The Chair reconvened the meeting at 11:30 a.m.

Interviews commenced with the following applicants: Julie Agena (11:30 a.m.); Chuck Salem (12:00 p.m.); John Voyle Hodge (12:30 p.m.); and Robert Van Valkenburg (1:00 p.m.).

Following the interviews, Eagan suggested each Commissioner bring back their top two candidates for consideration at the May 9, 2013 staff meeting.

Raybould said the Board should feel fortunate that so many qualified candidates applied. She also felt that a law background was essential to the position along with administrative management skills. Amundson agreed.

Schorr indicated that, in her opinion, one candidate stood out among the rest. She questioned whether the Board would like to continue discussing the applicants during the current open session or wait until Thursday. There were no objections to continuing the discussion.

Commissioners offered the names of their top two candidates as follows:

Raybould: #1 – Troy Hawk; #2 – Julie Agena
Amundson: #1 – Julie Agena; #2 – Troy Hawk
Hudkins: #1 – Troy Hawk; #2 – Julie Agena
Smoyer: #1 – Troy Hawk; #2 – Chuck Salem
Schorr: #1 – Troy Hawk; #2 – Becky Bruckner

There was a general consensus that Troy Hawk was a strong candidate. Schorr added his experience would make an immediate impact with regard to strengthening the office's relationship with the judges. Amundson said she liked Hawk's suggestion to return the Jury Commissioner to the Clerk of the District Court. Raybould also liked Hawk's ability to think "outside the box."

Eagan said following additional discussion at Thursday's staff meeting, a motion will need to be made to place the item on a Tuesday agenda for formal action.

MOTION: Smoyer moved and Amundson seconded to adjourn the meeting at 1:45 p.m. Schorr, Raybould, Amundson, Smoyer and Hudkins voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

