

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 14, 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 10, 2013.

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

Commissioners absent: Brent Smoyer, Vice Chair

Others present: 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 and the Clerk of the District Court interviews held on Tuesday, May 7, 2013.**

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

2) **CLAIMS: Approval of all claims processed through Tuesday, May 14, 2013.**

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

3) **PUBLIC HEARINGS:**

- 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. (See 4A for correlating item.)**

The Chair opened the public hearing. Since no one appeared, Schorr suggested delaying action until Michael Bolinger could be present. Brittany Behrens, Deputy County Attorney, said a corporate manager liquor license application does not require the public hearing to be held open, but she recommended doing so if the Board waited to take action. The consensus was to hold open the public hearing and have the County Clerk's Office notify Michael Bolinger.

4) **NEW BUSINESS:**

- A. **Resolution in the matter of a corporate manager liquor license application for Michael Bolinger in connection with the Class B liquor license for Ely's Service, Inc., d/b/a Branched Oak Marina, located at 10001 W. Davey Road, Raymond, Lancaster County, Nebraska. (R-13-0028)**

Item was held.

- B. **Appointment of Troy Hawk to the position of Lancaster County Clerk of the District Court to complete the remainder of the term of Sue Kirkland, effective June 1, 2013, at an annual salary of \$81,365.52.**

Troy Hawk thanked everyone for the appointment and the support he has received.

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

- C. **Second amendment of Grant Contract C-13-0030 between Lancaster County (sponsor) and Abbott Sports Complex – Abbott Motocross Park (grantee), extending the completion date to June 30, 2013. (C-13-0209)**

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

- D. **Resolution to withdraw Project No. HRRR-55(179) (SW 12th Street and W. Old Cheney Road) from the Federal-Aid funding list. (R-13-0027)**

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

- E. **Utility Permit No. 1095 for Windstream Nebraska, Inc., for installation of approximately three-quarters of a mile of fiber optic cable along Pioneers Boulevard from S. Folsom Street to S. 1st Street, then north along S. 1st Street to the existing cell tower site at 4200 S. 1st Street. There is no cost to Lancaster County. (C-13-0197)**

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

- F. **Amendment to County Contract C-13-0096 with the Lincoln Airport Authority for storage of Emergency Management equipment and supplies. The amendment adds Cedar County to the lease agreement, whereby reducing Lancaster County's rent to \$284 per month. (C-13-0198)**

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

NEW BUSINESS CONTINUED:

- G. **Amendment to County Contract C-10-0273 with Alamar Uniforms for the annual supply of sheriff uniforms. The amendment renews the agreement for an additional three-year term from June 15, 2013, to June 14, 2016. (C-13-0199)**

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

- H. **Amendment to County Contract C-12-0237 with Graybar Electric for the annual supply of small miscellaneous household batteries. The amendment renews the agreement for an additional one-year term from May 29, 2013, to May 28, 2014. (C-13-0200)**

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

- I. **Amendment to County Contract C-08-0257 with First Choice Vending for snack food vending services at various locations. The amendment renews the agreement for an additional two-month period from May 1, 2013, to June 30, 2013. (C-13-0204)**

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

- J. **Amendment to County Contract C-09-0514 with First Choice Vending for snack food vending services at County Correctional facilities. The amendment renews the agreement for an additional two-month period from May 1, 2013, to June 30, 2013. (C-13-0201)**

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

- K. **Agreement with Father Flanagan's Boys Home for the provision of Treatment Family Home Services to youth placed at the Boys Home by the Lancaster County Juvenile Court. The County will pay \$89.50 per day per youth for Family Home Services and \$116 per day per youth for Enhanced Family Home Services. Term of the contract is March 1, 2013, to February 28, 2015. (C-13-0202)**

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

- L. **Service provider agreement between the Nebraska Department of Health and Human Services and Lancaster County, on behalf of the Community Mental Health Center, for adult day services. (C-13-0203)**

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

NEW BUSINESS CONTINUED:

- M. **Agreement with Jay Nutter for the care and maintenance of Deitz Cemetery. Cost to the County is \$50 per mowing not to exceed \$200 per year. (C-13-0205)**

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

- N. **Contract with Lincoln Memorial Funeral Home for cremation/burial services as outlined in Lancaster County's General Assistance Program, beginning March 12, 2013, and ending March 11, 2014. (C-13-0206)**

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

- O. **Contract with Metcalf Funeral Home for cremation/burial services as outlined in Lancaster County's General Assistance Program, beginning March 12, 2013, and ending March 11, 2014. (C-13-0207)**

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

- P. **Contract with Wadlow Rozanek Funeral Home for cremation/burial services as outlined in Lancaster County's General Assistance Program, beginning March 12, 2013, and ending March 11, 2014. (C-13-0208)**

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

- Q. **Agreement with Segal Rogerscasey for an administrative and investment review of the Lancaster County 401(a) and 457 retirement programs for the annual period ending June 30, 2013. The County will pay Segal Rogerscasey \$25,000 for the review. Term of the contract shall run from March 1, 2013, to December 31, 2013. (C-13-0196)**

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

- R. **Agreement with Karen Amen for professional facilitation services relating to the City of Lincoln-Lancaster County Consolidation Committee. The County will pay at the rate of \$50 per hour for services not to exceed a total of 25 hours, plus reimbursement of authorized expenses up to \$150. Term of the contract is May 1, 2013, to December 31, 2013. (C-13-0210)**

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

- S. **Settlement agreement and release between Julie Bergfield, Healthy Families Project, and Lancaster County. (C-13-0211)**

NEW BUSINESS CONTINUED:

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

T. Request for a refund of personal property tax from Harold W. Smith, DVM.

Scott Gaines, Deputy County Assessor/Register of Deeds, recommended approval of the refund since the equipment was double reported.

MOTION: Schorr moved and Raybould seconded approval of the refund request based on the County Assessor's recommendation. Amundson, Schorr, Raybould and Hudkins voted aye. Smoyer was absent. Motion carried 4-0.

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. **Receive and place on file the following monthly reports for April 2013:**
1. **County Assessor/Register of Deeds**
 2. **County Sheriff**

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

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 16, 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 21, 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 Lancaster County Board of Commissioners will hold department budget hearings on Tuesday, May 21, 2013, from 1:30 p.m. to 5:00 p.m., and on Wednesday, May 22, 2013, from 8:00 a.m. to 5:00 p.m. in Room 113 of the County-City Building (555 S. 10th Street, Lincoln).**
- D. **The County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.**

ANNOUNCEMENTS CONTINUED:

E. 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.

8) **ADJOURNMENT**

MOTION: Schorr moved and Raybould seconded to adjourn the Board of Commissioners meeting at 10:49 a.m. Schorr, Raybould, Amundson and Hudkins voted aye. Smoyer was absent. Motion carried 4-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk



**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MAY 14, 2013
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE LANCASTER COUNTY
BOARD OF COMMISSIONERS MEETING**

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

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 10, 2013.

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

Commissioners absent: Brent Smoyer, Vice Chair

Others present: Scott Gaines, Deputy County Assessor/Register of Deeds
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 10:49 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, May 7, 2013.**

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

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. Raybould, Amundson, Schorr and Hudkins voted aye. Smoyer was absent. Motion carried 4-0.

3) **APPEAL OF HOMESTEAD EXEMPTION REJECTION:**

Stanley Tryon

APPEAL OF HOMESTEAD EXEMPTION REJECTION CONTINUED:

Scott Gaines, Deputy County Assessor/Register of Deeds, said the application was rejected since the applicant no longer owns the property. The trustee's deed was executed to transfer ownership in January 2011.

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

4) **PROPERTY TAX EXEMPTION APPLICATIONS:**

**Center for Legal Immigration Assistance
CenterPointe
Christ's Place Church
Diocesan Housing Ministries
El Centro de las Americas
Friedens Evangelical Lutheran
Indian Hills Community Church
Islamic Foundation of Lincoln
Light of the Gospel Church
Lincoln Crisis Pregnancy Center
Madonna Rehabilitation Hospital
Nebraska Wesleyan University**

**Northern Lighthouse
Open Sky Policy Institute
Priestly Fraternity of St. Peter
Queen of Mercy Motherhouse
Region V Foundation
Salt Creek Wranglers
St. John's Lutheran Cemetery Association
St. Thomas Aquinas Church
The Smith Collection
Union College
Willard Community Center**

Scott Gaines recommended approval of all the applications but the following:

- CenterPointe previously had other uses for the property, which is now for sale.
- Friedens Evangelical Lutheran temporarily used the property for storage and now plans to sell it.
- Islamic Foundation of Lincoln recently sold the property.
- Lincoln Crisis Pregnancy Center has three applications, one holding the main building (111 Piazza Terrace) and two with empty lots (4225 O Street, 4235 O Street). The two empty lots will not be used for expansion as originally planned.
- Priestly Fraternity has 20 acres of pasture not used for religious purposes.

Janelle Soderling, Willard Community Center, and Michael Tavlin, The Smith Collection, appeared to answer questions.

MOTION: Schorr moved and Amundson seconded approval of the property tax exemption applications for the Center for Legal Immigration Assistance, Christ's Place Church, Diocesan Housing Ministries, El Centro de las Americas, Indian Hills Community Church, Light of the Gospel Church, Lincoln Crisis Pregnancy Center (111 Piazza Terrace), Madonna Rehabilitation Hospital, Nebraska Wesleyan University, Northern Lighthouse, Open Sky Policy Institute, Queen of Mercy Motherhouse, Region V Foundation, Salt Creek Wranglers, St. John's Lutheran Cemetery Association, St. Thomas Aquinas Church, The Smith Collection, Union College and Willard Community Center. Schorr, Raybould, Amundson and Hudkins voted aye. Smoyer was absent. Motion carried 4-0.

MOTION: Schorr moved and Raybould seconded denial of the property tax exemption applications for CenterPointe, Friedens Evangelical Lutheran Church, Islamic Foundation of Lincoln, Lincoln Crisis Pregnancy Center (4225 O Street, 4235 O Street) and Priestly Fraternity of St. Peter. Amundson, Schorr, Raybould and Hudkins voted aye. Smoyer was absent. Motion carried 4-0.

5) **PROPERTY TAX EXEMPTION REVIEWS:**

**Christ's Place Church
Faith Bible Church
Glad Tidings Assembly of God
Radix Inc
Southpointe Christian Church**

Scott Gaines said these applications were previously approved but have had a change in status since then. The changes are as follows:

- Christ's Place Church has a private daycare operator using part of the property. The recommendation is to change it from a full to partial exemption with 94% remaining exempt.
- Faith Bible Church has a house on the property that is now being used for religious purposes. He recommended a change from a partial to full exemption.
- Glad Tidings Assembly of God sold the property to Christ's Place (approved under Item 4).
- Radix, Inc., sold to a private entity so the property will now be taxable.
- Southpointe Christian Church built private storage units on the property. The recommendation is to change from a full to partial exemption of 55.35%.

MOTION: Schorr moved and Amundson seconded to change Christ's Place Church and SouthPointe Christian Church to a partial exemption, change Faith Bible Church to a full exemption, and remove the exemption from Glad Tidings Assembly of God and Radix, Inc. Schorr, Raybould, Amundson and Hudkins voted aye. Smoyer was absent. Motion carried 4-0.

6) **ADJOURNMENT**

MOTION: Raybould moved and Amundson seconded to adjourn the Board of Equalization meeting at 11:06 a.m. Raybould, Amundson, Schorr and Hudkins voted aye. Smoyer was absent. Motion carried 4-0.



**Dan Nolte
Lancaster County Clerk**

