

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JULY 2, 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 June 28, 2013.

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

Commissioners absent: Roma Amundson

Others present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Brittany Behrens, Deputy County Attorney
Richard Grabow, 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 10:33 a.m.

1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, June 25, 2013.**

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

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

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

3) **SPECIAL PRESENTATION:**

A. Introduction of Lancaster County Sheriff Captain Tom Brookhouser. (See 5T for correlating item.)

Terry Wagner, County Sheriff, introduced Tom Brookhouser and discussed his experience with the department. Brookhouser said he would cover the Civil Division in his new position as Captain. Wagner said there are five captains, one for each of the divisions.

4) **PUBLIC HEARINGS:**

- A. **Manager application for John Crow in connection with the liquor license for Hidden Valley Golf Course, 10501 Pine Lake Road, Lincoln. (See 5A for correlating item.)**

The Chair opened the public hearing. Since no one appeared to testify, the Chair closed the public hearing.

- B. **Amusement license application from Abbott Sports Complex to hold an event at the Abbott Motocross Track, 7600 N. 70th Street, Lincoln, on July 12, 2013. (See 5B and 5C for correlating items.)**

The Chair opened the public hearing.

Craig Fritz, Abbott Sports Complex Motocross Coordinator, was administered the oath. He said the Rock & Ride Festival would take place on Friday, July 12, with gates opening at 3:00 p.m. and activities starting at 4:00 p.m. Open riding will take place as usual from 4:00 to 8:00 p.m. with a concert starting around 7:00 p.m. In addition, there will be food vendors and a Motocross Olympics competition. Raybould addressed the Health Department's concern of having appropriately licensed food vendors. Fritz said he is still confirming the food vendors but he is aware that each one will need the appropriate permit. He said the Motocross Track can be reached by going east on Arbor Road from 70th Street.

Jeremiah Moore, Bourbon Theatre, was administered the oath. He said he would be providing beverage service for the event. He discussed his background and confirmed that he had taken hospitality training. Raybould expressed concern over the riders drinking alcohol. Moore said the festival events are geared more toward the spectators than the riders.

Pat Thomas, Lincoln Sports Foundation Board of Directors and General Contractor for Abbott Motocross Track, was administered the oath. He thanked the Board for their support of the event and of the Motocross Track.

The Chair closed the public hearing.

5) **NEW BUSINESS:**

- A. **Resolution in the matter of a corporate manager liquor license application for John Crow in connection with a Class IB liquor license for Hidden Valley Golf Course, 10501 Pine Lake Road, Lincoln, Lancaster County, Nebraska. (R-13-0039)**

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

- B. **Amusement license application from Abbott Sports Complex to hold an event at the Abbott Motocross Track, 7600 N. 70th Street, Lincoln, on July 12, 2013.**

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

NEW BUSINESS CONTINUED:

- C. **Special designated license application from Box Awesome's Bourbon Theatre to provide alcoholic beverage service for an event at the Abbott Sports Complex Motocross Track, 7600 N. 70th Street, Lincoln, on July 12, 2013.**

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

- D. **Recommendation from the Purchasing Agent and County Corrections to award a contract to Egan Supply (\$10,939.32), Hillyard, Inc. (\$1,156.02) and Carpenter Paper (\$22,652.60) at a total cost of \$34,747.94 for floor machines for the new adult detention facility. (B-13-0029)**

Raybould asked for information on Carpenter Paper since she did not see numbers for their bid. Bob Walla, Assistant Purchasing Agent, explained that Carpenter Paper bid alternates and the numbers may not have been on the information she reviewed. He said they were selected based on price and performance.

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

- E. **Amendment to County Contract C-10-0192 with Eagle Services for portable chemical toilet services. The amendment provides for price increases as listed in Attachment A. (C-13-0285)**

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

- F. **Contract between Constructors, Inc., Lancaster County and the City of Lincoln for the annual supply of asphaltic concrete. The County will pay up to \$35,000 for the products and services listed in the contractor's proposal. Term of the contract is one year from date of execution by all parties. (C-13-0286)**

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

- G. **Contract between Cather & Son's Construction, Inc., Lancaster County and the City of Lincoln for the annual supply of asphaltic concrete. The County will pay up to \$35,000 for the products and services listed in the contractor's proposal. Term of the contract is one year from date of execution by all parties. (C-13-0287)**

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

- H. **Contract between Dobson Brothers Construction Company, Lancaster County and the City of Lincoln for the annual supply of asphaltic concrete. The County will pay up to \$35,000 for the products and services listed in the contractor's proposal. Term of the contract is one year from date of execution by all parties. (C-13-0288)**

NEW BUSINESS CONTINUED:

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

- I. **Utility permits No. 1103, 1105 and 1106 for Windstream Nebraska, Inc., for the installation of underground cable along Panama Road (east of S. 68th Street), along West Van Dorn Street (east of SW 56th Street) and along NW 70th Street (south of Branched Oak Road). There is no cost to the County. (C-13-0289)**

Hudkins asked if the work would be monitored after the permits are approved. Ken Schroeder, County Surveyor, said the District Supervisors would periodically check the work. He also contacted Windstream to be sure their field people receive any special notes on the permits.

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

- J. **Agreement with the Nebraska Department of Roads for federal and state funding to assist the County in the provision of transportation services for the general public in non-urban areas. Federal funds of \$47,176 and state funds of \$23,588, with a County match of \$23,589, shall be provided for the period beginning July 1, 2013, and ending June 30, 2014. (C-13-0290)**

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

- K. **Lease agreement with Healthy Families Project for approximately 1141.75 square feet of office space in Trabert Hall, located at 2202 S. 11th Street, Lincoln. Healthy Families Project will pay the County \$800.66 per month for the leased space. Term of the agreement is July 1, 2013, to July 31, 2013, with automatic one-month renewals thereafter. (C-13-0291)**

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

- L. **Subgrant agreement with the Nebraska Department of Health and Human Services for child support enforcement services provided by the Lancaster County Child Support Referee. The County shall be reimbursed an estimated amount of \$202,053 for these services. Term of the agreement is October 1, 2013, to September 30, 2014. (C-13-0292)**

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

- M. **Annual telephone technical support contract with Jantek Electronics, Inc., in the amount of \$750 for the Youth Service Center time clock system. The service contract includes unlimited technical support via telephone, fax, internet and e-mail. Term of the contract is May 19, 2013, to May 18, 2014. (C-13-0293)**

NEW BUSINESS CONTINUED:

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

- N. **Interlocal agreement with Educational Service Unit (ESU) No. 18 for educational services to youth detained at the Youth Services Center. The County will reimburse the ESU up to \$939,751 for the services provided. Term of the agreement is August 1, 2013, to July 31, 2014. (C-13-0294)**

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

- O. **Agreement with Vest Psychiatrist Services, LLC, for professional services of a nurse practitioner to assist in the provision of psychiatric services at the Community Mental Health Center. The County will pay \$75 per hour for up to 12 hours per week. Term of the agreement is July 1, 2013, to June 30, 2014. (C-13-0295)**

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

- P. **Grant contract with Cedars Youth Services, Inc., in the amount of \$4,000 per month to provide funding for the Centralized Risk and Needs Assessment project. Term of the grant contract is July 1, 2013, to July 31, 2013, with automatic one-month renewals thereafter. (C-13-0296)**

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

- Q. **Political subdivision tort claim filed against Lancaster County Corrections by Javier Mendoza for lost property in the amount of \$24.38.**

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

- R. **Political subdivision tort claim filed against Lancaster County Corrections by Joshua Ballew for lost property in the amount of \$34.95.**

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

- S. **Labor negotiations & potential litigation (executive session).**

Item was held until the end of the meeting.

- T. **Annual salary of \$83,500 for Lancaster County Sheriff Captain Tom Brookhouser, effective June 27, 2013.**

NEW BUSINESS CONTINUED:

MOTION: Schorr moved and Smoyer seconded approval of the annual salary. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson 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. **Right-of-way contract between the County Engineer and Eugene Chrastil Farms, Inc., SW 128th Street and W. Stagecoach Road, as a donation. (C-13-0297)**

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

Smoyer announced that Lancaster County was officially accepted as a Commemorative Partner for the 50th Anniversary of the Vietnam War.

8) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will not hold a staff meeting on Thursday, July 4, 2013, due to the holiday. The next staff meeting is tentatively scheduled for Thursday, July 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, July 9, 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. **A public hearing will be held on Tuesday, July 23, 2013, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln), regarding County Change of Zone No. 12038 – AG to AGR (NW 126th Street and W. Bluff Road).**
- D. **The County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.**
- 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.**

The Chair recessed the meeting at 11:02 a.m.

The Chair reconvened the meeting at 11:05 a.m.

RETURNING TO ITEM 5S:

MOTION: Smoyer moved and Raybould seconded to enter executive session at 11:05 a.m. for the purpose of labor negotiations and potential litigation and to protect the public interest.

The Chair restated the motion for the record.

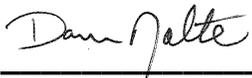
ROLL CALL: Schorr, Raybould, Smoyer and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

Schorr exited the meeting.

MOTION: Smoyer moved and Raybould seconded to exit executive session at 12:13 p.m. Raybould, Smoyer and Hudkins voted aye. Amundson and Schorr were absent. Motion carried 3-0.

9) **ADJOURNMENT**

MOTION: Smoyer moved and Raybould seconded to adjourn the Board of Commissioners meeting at 12:13 p.m. Raybould, Smoyer and Hudkins voted aye. Amundson and Schorr were absent. Motion carried 3-0.



Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JULY 2, 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 June 28, 2013.

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

Commissioners absent: Roma Amundson

Others present: Scott Gaines, Deputy County Assessor/Register of Deeds
Rob Ogden, Deputy County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Richard Grabow, 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 11:02 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 25, 2013.**

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

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

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

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

College View Academy
St. Mark's United Methodist Church

MOTOR VEHICLE TAX EXEMPTION APPLICATIONS CONTINUED:

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

4) **ADJOURNMENT**

MOTION: Schorr moved and Raybould seconded to adjourn the Board of Equalization meeting at 11:05 a.m. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk

