

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 1, 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 September 27, 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 10:38 a.m.

1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, September 24, 2013.**

MOTION: Amundson moved and Smoyer seconded approval of the minutes. Schorr, Amundson, Smoyer and Hudkins voted aye. Raybould abstained. Motion carried 4-0 with one abstention.

2) **CLAIMS: Approval of all claims processed through Tuesday, October 1, 2013.**

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

3) **PUBLIC HEARINGS:**

- A. **Amusement license application from Spartan Race, Inc., to hold a race at the Abbott Sports Complex, 7600 N. 70th Street, Lincoln, on October 12, 2013. (See 4A for correlating item.)**

The Chair opened the public hearing.

Ken Schroeder, County Surveyor, was administered the oath. He said permits for two additional drives have been submitted. In response to Raybould, Schroeder said the applicant felt there would be adequate parking for the number of participants.

PUBLIC HEARINGS CONTINUED:

Hudkins noted that the Health Department approved the application since all necessary permits with them have been completed.

The Chair closed the public hearing.

- B. Setting of the final tax request at a different amount than the prior year tax request for Lancaster County and the Rural Library for Lancaster County. (See 4B for correlating item.)**

The Chair opened the public hearing.

Dennis Meyer, Budget & Fiscal Director, was administered the oath. He said State statute requires a public hearing and resolution when the property tax request changes from one year to the next. The overall tax dollars increased but the tax levy decreased because 0.3 cents was given back to the RTSD (Railroad Transportation Safety District). In addition, the Mental Health Center funds and one of the matches to the Region were moved under the General Fund.

The Chair closed the public hearing.

4) NEW BUSINESS:

- A. Amusement license application from Spartan Race, Inc., to hold a race at the Abbott Sports Complex, 7600 N. 70th Street, Lincoln, on October 12, 2013.**

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

- B. Resolution in the matter of setting the 2013-2014 property tax request for Lancaster County at a different amount than that of the prior year. (R-13-0059)**

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

- C. Agreement between Midwest Service and Sales Company, Lancaster County and the City of Lincoln for the annual supply of grader blades. The County will pay for products and services according to the line item pricing as listed in the contractor's proposal. Term of the agreement is September 1, 2013, to August 31, 2014. (C-13-0481)**

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

- D. Agreement between Diamond Vogel, Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for paint and related products. The County will pay for products and services in accordance with the pricing as listed in University of Nebraska RFP#2135-13-7215. Term of the agreement is July 1, 2013, to June 30, 2016. (C-13-0482)**

NEW BUSINESS CONTINUED:

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

- E. **Agreement between Sherwin Williams Paint Company, Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for paint and related products. The County will pay for products and services in accordance with the pricing as listed in University of Nebraska RFP#2135-13-7215. Term of the agreement is July 1, 2013, to June 30, 2016. (C-13-0483)**

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

- F. **Amendment to County Contract C-12-0461 with Mr. Yards and More for the annual requirements of snow and ice removal services. The amendment renews the agreement from October 1, 2013, to September 30, 2014. (C-13-0484)**

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

- G. **Amendment to County Contract C-12-0460 with LeGrande Excavating, Inc., for the annual requirements of snow and ice removal services. The amendment renews the agreement from October 1, 2013, to September 30, 2014. (C-13-0485)**

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

- H. **Amendment to County Contract C-13-0578 with Jacobsen Fire Equipment for the annual requirements of fire extinguisher service and replacements. The amendment renews the agreement from October 2, 2013, to October 1, 2014. (C-13-0486)**

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

- I. **Agreement with Youth For Christ for the provision of chaplain services at the Youth Services Center. The agreement is effective upon execution and will continue in full force and effect unless terminated in accordance with the contract terms. (C-13-0487)**

Schorr noted that services are provided at no cost to the County.

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

NEW BUSINESS CONTINUED:

- J. **Agreement with Kristy Bauer, Attorney at Law, and Lancaster County, on behalf of the Human Services Department, for professional legal services to screen and review juvenile law and truancy violations and to provide assistance with School Multi Agency Response Team meetings and truancy intervention programs. The County shall pay up to \$5,958 for the services. Term of the contract is October 1, 2013, to December 31, 2013. (C-13-0488)**

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

- K. **Agreement with the United States Department of Agriculture Animal and Plant Health Inspection Service – Wildlife Services for assistance in facilitating wildlife damage management. The County will pay up to \$7,500 per year for the services. Term of the agreement is October 1, 2013, to June 30, 2018. (C-13-0489)**

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

- L. **Network provider contract with the Regional Behavioral Health Authority (Region V) for the provision of certain behavioral mental health services at the Mental Health Crisis Center. The County shall be reimbursed up to \$1,487,538 for the services. Term of the agreement is July 1, 2013, to June 30, 2014. (C-13-0490)**

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

- M. **Amendment to County Contract C-13-0210 with Karen S. Amen to increase the total compensation ceiling to \$4,250. All other terms of the agreement shall remain in full force and effect. (C-13-0491)**

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

- N. **Political subdivision tort claim filed against Lancaster County Corrections by Robert E. Huffman for lost property in the amount of \$40.**

MOTION: Amundson moved and Raybould seconded denial of the tort claim based on the County Attorney's recommendation. Raybould, Amundson, Smoyer, Schorr and Hudkins voted aye. Motion carried 5-0.

- O. **Political subdivision tort claim filed against Lancaster County Corrections by Dominic J. Wani for lost property in the amount of \$6.45.**

MOTION: Smoyer moved and Raybould seconded denial of the tort claim based on the Corrections Director's recommendation. 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. Receive and place on file the Election Commission's report on the All Mail Special Election for Otoe County School District.
- B. Setting of public hearings for Tuesday, October 15, 2013, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln), regarding the following:
 - 1. Amendment of Sections VI and XV of County Resolution No. 03-0007, Regulations for the Operation of Body Art and Piercing Establishments in Lancaster County, Nebraska, by increasing various fees and re-adoption of the entire resolution.
 - 2. Amendment of Section XIII of County Resolution No. 02-30, Procedures for the Regulation of On-Site Wastewater Treatment Systems in Lancaster County, Nebraska, by increasing various fees and re-adoption of the entire resolution.
 - 3. Amendment of Section X of County Resolution No. 06-0005, Procedures for the Inspection of On-site Water Supply Systems and On-site Wastewater Treatment Systems Prior to the Sale, Transfer, or Conveyance of Property in Lancaster County, Nebraska, by increasing various fees and re-adoption of the entire resolution.
 - 4. Amendment of the Lincoln Lancaster County Air Pollution Regulations and Standards, to increase the fee for emission fees, asbestos project notifications and area sources of hazardous air pollutants.

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.

Brian Halstead, 7633 Bobcat Circle, Lincoln, thanked the County Board and County Engineer for the work done on the West Denton Road.

7) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, October 3, 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, October 8, 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.

ANNOUNCEMENTS CONTINUED:

- 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.

8) **ADJOURNMENT**

MOTION: Raybould moved and Smoyer seconded to adjourn the Board of Commissioners meeting at 11:00 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, OCTOBER 1, 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 September 27, 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 11:00 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, September 24, 2013.**

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

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:**

Bryan Medical Center

MOTION: Schorr 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) **REVIEW OF PROPERTY TAX EXEMPTION STATUS:**

Nebraska Masonic Foundation

Scott Gaines, Deputy County Assessor/Register of Deeds, said the Nebraska Masonic Foundation has transitioned from their old property on N. 10th Street to their new property on N. Cotner Boulevard. He recommended removal of the exemption on the old property, which is currently for sale and no longer used for an exempt purpose.

MOTION: Schorr moved and Smoyer seconded to remove the exemption based on the County Assessor's recommendation. Smoyer, Schorr, Raybould and Amundson voted aye. Hudkins abstained. Motion carried 4-0 with one abstention.

5) **ADJOURNMENT**

MOTION: Schorr moved and Raybould seconded to adjourn the Board of Equalization meeting at 11:02 a.m. Schorr, Raybould, Amundson, Smoyer and Hudkins voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

