

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 15, 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 October 11, 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 10:30 a.m.

1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, October 8, 2013.**

MOTION: Raybould 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, October 15, 2013.**

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

3) **PUBLIC HEARINGS:**

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

The Chair opened the public hearing.

PUBLIC HEARINGS CONTINUED:

Scott Holmes, Environmental Public Health Division Manager, was administered the oath. He said there are no body art establishments in the County's jurisdiction; however, the County chose to adopt the resolution when the City did so any new establishments would fall under the local regulations. Permit fees for body art establishments would increase, but fees would not increase for body art practitioners.

Amundson questioned the fee amounts. Holmes said a renewal of one to five units went from \$250 to \$260, which is a typical 3% increase. He said the fees were approved by the Board of Health.

Hudkins noted that fees increase a little each year rather than taking a large increase every four to six years.

The Chair closed the public hearing.

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

The Chair opened the public hearing.

Scott Holmes said the most common fee is for construction of a new system, which increases from \$355 to \$365. Repair of a system increases from \$195 to \$200. He said these amounts are typical among the fee increases. There is no fee change for individuals certified pursuant to State statute and local permit.

The Chair closed the public hearing.

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

The Chair opened the public hearing.

Scott Holmes said the fee for evaluation and review of property transfer changes from \$195 to \$200. This program is 100% fee funded so all fees go toward the service of reviewing property transfer inspections. Permit fees for inspectors are \$30; this is not proposed to change.

The Chair closed the public hearing.

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

PUBLIC HEARINGS CONTINUED:

The Chair opened the public hearing.

Scott Holmes said the air program is 100% fee funded so all fees support inspection, regulation, education, etc. He gave examples of fee increases for different businesses, all around a 3% increase. Holmes said emission fees are charged per ton of pollutant admitted into the atmosphere; those fees would increase from \$58 to \$60 per ton for most facilities (around 100 facilities). Facilities submitting larger amounts (NPPD and ADM) have a tiered admission approach. Holmes noted that the Air Pollution Advisory Board would be reviewing the entire fee structure again.

Schorr asked if reduced emissions resulted in reduced fees. Holmes said someone like NPPD is so large that there is a cap on the emission of 4,000 tons per pollutant. Once emissions go below that amount, the fees start dropping. Holmes said other options are being reviewed, including a contract with the State.

The Chair closed the public hearing.

4) **NEW BUSINESS:**

A. Resolution in the matter of adopting updated regulations for the operation of body art and piercing establishments in Lancaster County, Nebraska. (R-13-0063)

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

B. Resolution in the matter of updating and implementing procedures for the regulation of on-site wastewater treatment systems in Lancaster County, Nebraska. (R-13-0062)

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

C. Resolution in the matter of adopting 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. (R-13-0064)

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

D. Resolution in the matter of amending Article 1, Section 6 of the Lincoln-Lancaster County Air Pollution Control Program Regulation Standards as provided in Attachments A. (R-13-0065)

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

E. Appointment of Jeanne Sayers to the Lancaster County Pension Review Committee, representing the Employee Advisory Team.

NEW BUSINESS CONTINUED:

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

- F. **Acceptance of resignation of Don Thomas, Lancaster County Engineer, effective December 14, 2013. (The Clerk read the correct effective date of December 13, 2013, into the record.)**

Gwen Thorpe, Deputy Chief Administrative Officer, said a press release has been prepared for submission of applications by November 1. The consensus of the Board was to move forward with the press release and application process.

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

- G. **Construction contract with Hartmann Construction Company in the amount of \$414,198.40 for grading construction on Pine Lake Road from S. 112th Street to S. 148th Street; Project No. 14-03. (C-13-0509)**

Schorr said residents in this area would be notified that the road would be closed for an extended period.

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

- H. **Agreement between TooFast Supply Company, Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for the annual supply of power and hand tools. The County will pay for products and services on an as needed basis pursuant to the pricing listed in the contractor's proposal. Term of the contract is one year from the date of execution. (C-13-0510)**

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

- I. **Agreement between Total Tool Supply, Inc., Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for the annual supply of power and hand tools. The County will pay for products and services on an as needed basis pursuant to the pricing listed in the contractor's proposal. Term of the contract is one year from the date of execution. (C-13-0511)**

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

NEW BUSINESS CONTINUED:

- J. **Agreement between Jennifer Blankenship and Lancaster County, on behalf of the Lancaster County Department of Community Corrections, to provide substance abuse treatment to participants in Pretrial Release and Adult Drug Court. The County shall pay \$22 per hour, not to exceed 25 hours per week, for the services provided. Term of the agreement is October 1, 2013, to June 30, 2014. (C-13-0512)**

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

- K. **Addendum to County Contract C-12-0586 between New Dawn Technologies, Inc., and Lancaster County, on behalf of Community Corrections, for case management software. The addendum provides for software support services and hosting. Cost to the County is \$32,257.21 for the period of October 1, 2013, to September 30, 2014. (C-13-0513)**

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

- L. **Interlocal agreement between the Lincoln-Lancaster County Railroad Transportation Safety District (RTSD), Lancaster County and the City of Lincoln. The RTSD will provide funding in the amount of \$25,000 for South Lincoln Quiet Zone improvements from July 1, 2013, to June 30, 2014. (C-13-0514)**

MOTION: Schorr moved and Smoyer seconded approval of the agreement. 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 contracts between the County Engineer and the following:**
1. **Richard Olson, W. Stagecoach Road and SW 86th Street, for \$720.25. (C-13-0515)**
 2. **Manske Living Trust, N. 176th Street and Little Salt Road, for \$624. (C-13-0516)**
 3. **Kathleen Lostroh, W. Bluff Road and NW 112th Street, as a donation. (C-13-0517)**
 4. **Maxine Herman, W. Bluff Road and NW 112th Street, as a donation. (C-13-0518)**
- B. **Receive and place on file the following:**
1. **County Records & Information Management report for September 2013.**
 2. **County Attorney report for July to September 2013.**

CONSENT ITEMS CONTINUED:

- C. **Setting of a public hearing on Tuesday, October 22, 2013, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln), regarding automatic renewal of retail liquor licenses issued in Lancaster County and outside the corporate limits of any city, for which the County Clerk has received no protests.**

MOTION: Amundson moved and Raybould 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 hold a staff meeting on Thursday, October 17, 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 22, 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.**

8) **ADJOURNMENT**

MOTION: Raybould moved and Schorr seconded to adjourn the Board of Commissioners meeting at 10:55 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 15, 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 October 11, 2013.

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

Others present: Norm Agena, 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 10:55 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, October 8, 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:**

Girl Scouts Spirit of Nebraska
Immaculate Heart of Mary Church
Indian Center
Linh Quang Buddhist Center

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) **CERTIFICATION OF 2013-2014 TAX LEVIES**

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

4) **ADJOURNMENT**

MOTION: Schorr moved and Raybould seconded to adjourn the Board of Equalization meeting at 10:57 a.m. Smoyer, Schorr, Raybould, Amundson and Hudkins voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

