

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, DECEMBER 3, 2013
COUNTY-CITY BUILDING, ROOM 112
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 November 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 10:32 a.m.

1) **MINUTES: Approval of the minutes of the Board of Commissioners meetings held on Tuesday, November 26, 2013.**

MOTION: Smoyer moved and Raybould seconded approval of the minutes. Raybould, Amundson and Smoyer voted aye. Schorr and Hudkins abstained. Motion carried 3-0 with two abstentions.

2) **CLAIMS: Approval of all claims processed through Tuesday, December 3, 2013.**

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

3) **PUBLIC HEARING:**

A. County Text Amendment 13011 for amendment of the Lancaster County Land Subdivision Resolution.

The Chair opened the public hearing.

Sara Hartzell, County Planning, was administered the oath. She highlighted the following changes:

- Section 3.13 "Department Reports on Final Plats" changes the Planning Director response time from 15 to 10 days after comments have been received from all reviewing departments and agencies.

PUBLIC HEARING CONTINUED:

- Section 3.20 "Final Plat Amendments" requires amendments to final plats be processed as another final plat rather than an administrative amendment.
- Chapter 8 allows the lien holder signatures for final plats to be submitted on 8½x11 sheets as opposed to 16x22 sheets.
- Chapter 8 removes redundant language.

Amundson asked if use of electronic signatures is being considered. Hartzell was not sure if it had been looked at, but Register of Deeds requires an original signature.

The Chair closed the public hearing.

MOTION: Schorr moved and Smoyer seconded to direct the County Attorney's Office to prepare a resolution adopting the changes outlined. Amundson, Smoyer, Schorr, Raybould and Hudkins voted aye. Motion carried 5-0.

4) **NEW BUSINESS:**

- A. **Resolution in the matter of declaring projects under Neb. Rev. Stat. § 23-120 as amended and imposing levy for the costs and indebtedness for such projects. (R-13-0068)**

Dennis Meyer, County Budget & Fiscal Director, said 0.7644 cents out of 5.2 cents will be used for building projects and bonded indebtedness. This includes the 2004 series bond for a variety of projects, Health Department bond, VOIP (Voice Over Internet Protocol) bond and the building fund.

MOTION: Schorr 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 Comprehensive Plan Conformance No. 13008: Adopting the One and Six-Year Road and Bridge Construction Program for Lancaster County, Fiscal Years 2014 and 2015-2019. (R-13-0069)**

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

- C. **Cooperative agreement with the US Department of the Interior US Geological Survey in the amount of \$12,025 for joint funding of water resources investigations. The agreement is for the operation and computation of records for four gauging stations: Salt Creek at Roca, Little Salt Creek near Lincoln, Stevens Creek near Lincoln and Rock Creek near Ceresco. Term of the agreement is October 1, 2013, to September 30, 2014. (C-13-0586)**

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

NEW BUSINESS CONTINUED:

- D. **Community Health Endowment of Lincoln grant contract in the amount of \$7,830 to implement the NIATX Change Project for the purpose of enhancing the cultural competency of five key health care providers. Grant period is January 1, 2014, to December 31, 2014. (C-13-0587)**

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

- E. **Agricultural lease agreement with Dean Smith for use of up to 13.92 acres of agricultural land located at Day Commercial Park, Block 1, Lot 4, Property ID 24-20-401-004-000. Mr. Smith will pay the County \$287 per acre. Term of the agreement is January 1, 2014, to December 31, 2014. (C-13-0588)**

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

- F. **Agreement with Magellan Ammonia Pipeline, LP, and Lancaster County for the location of two monitoring wells within County right-of-way on the east side of S. 148th Street just north of Midway Road. (C-13-0589)**

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

- G. **Amendment to County Contract C-10-0021 between Mid-Continent Safety, LLC, Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for the annual supply of personal protective equipment and first aid supplies. The amendment renews the agreement from December 1, 2013, to February 28, 2014, and provides for revised pricing as listed on Attachment A. (C-13-0590)**

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

- H. **Amendment to County Contract C-11-0040 with Cardiac Science Corporation for automated external defibrillators. The amendment renews the agreement for an additional one-year term from October 9, 2013, to October 8, 2014. (C-13-0591)**

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

- I. **Political subdivision tort claim filed against Lancaster County Corrections by Jesus Brown for lost property in the amount of \$6.**

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

NEW BUSINESS CONTINUED:

- J. **Political subdivision tort claim filed against Lancaster County Corrections by Justin Casteel for lost property in the amount of \$34.08.**

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

- K. **Designation of official Lancaster County newspapers for 2014 publication of transportation projects as follows: Lincoln Journal Star, The Voice (Hickman), Seward Independent, Crete News and The News (Waverly).**

MOTION: Raybould moved and Amundson seconded approval of the designation of newspapers. 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. **JALA Farms, LLC, Little Salt Road & N. 148th Street, as a donation. (C-13-0592)**
 2. **DJMJ Properties, LLC, W. Mill Road & NW 112th Street, as a donation. (C-13-0593)**
 3. **Isla Kreiner, Trustee, Bluff Road & N. 27th Street, for \$29,662.15. (C-13-0594) (C-13-0595)**

MOTION: Amundson moved and Schorr 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.**

The students present from the University of Nebraska-Lincoln introduced themselves.

- 7) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, December 5, 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, December 10, 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.**

CONSENT ITEMS CONTINUED:

- C. Public hearings will be held on Tuesday, December 10, 2013, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln), regarding the following:
1. Amendment and readoption of County Resolution No. 5066 (Lincoln-Lancaster County Air Pollution Control Regulations and Standards) to correct typographical errors, update definitions, reformat for clarity, update references to Federal and State regulations and "spell out" numeric quantities.
 2. Amendment and readoption of County Resolution No. 5069 (Lincoln-Lancaster County Air Pollution Control Resolution) to update definitions and references.
- 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.

8) **ADJOURNMENT**

MOTION: Raybould moved and Smoyer seconded to adjourn the Board of Commissioners meeting at 10:50 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, DECEMBER 3, 2013
COUNTY-CITY BUILDING, ROOM 112
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 November 27, 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 10:50 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, November 26, 2013.**

MOTION: Smoyer moved and Raybould seconded approval of the minutes. Raybould, Amundson and Smoyer voted aye. Schorr and Hudkins abstained. Motion carried 3-0 with two abstentions.

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

MOTION: Schorr moved and Raybould 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:**

**Great Plains Community Church
Homestead Presbytery
Pius X High School**

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

4) **ADJOURNMENT**

MOTION: Smoyer moved and Raybould seconded to adjourn the Board of Equalization meeting at 10:52 a.m. Smoyer, Schorr, Raybould, Amundson and Hudkins voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

