

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, DECEMBER 10, 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 December 6, 2013.

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

Commissioners absent: Larry Hudkins, Chair

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 10:31 a.m.

1) **MINUTES: Approval of the minutes of the Board of Commissioners meetings held on Tuesday, December 3, 2013.**

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

2) **CLAIMS: Approval of all claims processed through Tuesday, December 10, 2013.**

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

3) **SPECIAL PRESENTATIONS:**

A. **Administration of the Oath of Office to Pamela L. Dingman, Lancaster County Engineer – The Honorable John Colborn presiding. (See Item 6A for correlating item.)**

Judge Karen Flowers administered the oath to Pamela Dingman who then introduced her family members.

B. **Commissioners' Award of Excellence for November 2013 to Joni Bates and Jessica Vice – Property Management.**

SPECIAL PRESENTATIONS CONTINUED:

The Clerk read the nominations for the record. Don Killeen, Property Management Building Administrator, introduced Joni Bates and Jessica Vice. Raybould presented a plaque to Bates and Amundson presented a plaque to Vice. Bates and Vice expressed their appreciation for the awards.

4) PUBLIC HEARINGS:

- A. 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. (See Item 6B for correlating item.)**
- B. Amendment and readoption of County Resolution No. 5069 (Lincoln-Lancaster County Air Pollution Control Resolution) to update definitions and references. (See 6C for correlating item.)**

The Chair opened the public hearing.

Judy Halstead, Lincoln-Lancaster County Health Department Director, was administered the oath. She said the amendments are simply updates to the some of the language. Halstead noted the City is in the process of approving the amendments as well.

The Chair closed the public hearing.

5) OLD BUSINESS:

- A. Agreement between Hamilton Equipment Company and Lancaster County, on behalf of the Lancaster County Engineering Department, for rental of a bobcat S750 skid loader for \$195 per month. Term of the rental agreement is one year from the date of execution. (C-13-0571)**

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

6) NEW BUSINESS:

- A. Resolution in the matter of approval of the official bond for Pam L. Dingman, Lancaster County Engineer. (R-13-0071)**

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

- B. Resolution in the matter of implementing the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards. (R-13-0072)**

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

NEW BUSINESS CONTINUED:

C. Resolution in the matter of adopting the Lancaster County Air Pollution Control Resolution. (R-13-0073)

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

D. Resolution in the matter of County Text Amendment No. 13011, to amend Chapter 3 and Chapter 8 of the Lancaster County Land Subdivision Resolution, as provided in Attachment A. (R-13-0070)

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

E. Resolution in the matter of authorizing use of Lancaster County Visitors Improvement Fund proceeds for visitor promotion. (R-13-0074)

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

F. Resolution in the matter of annual salary increases for Appointed Directors, Assistant Directors, Bailiffs, the Child Support Referee and the District Court Law Clerks. All salary increases are effective December 12, 2013. (R-13-0075)

Raybould discussed balancing concerns of taxpayers while maintaining fair compensation for employees. She said she would support the resolution, but in the future, she would like to see the group separated to better reward employees who may not be compensated as greatly.

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

G. Resolution in the matter of authorizing the County Clerk to issue payments while the County Board is adjourned. (R-13-0076)

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

H. Recommendation from the Purchasing Agent and County Corrections to award a contract to Dickey & Burham, Inc., at a cost of \$544,800 for warehouse improvements at the new detention facility. (B-13-0046)

Mike Thurber, Corrections Director, said this would cover warehouse completion, including electrical, HVAC, sprinklers and cameras. He said the funds are covered by jail savings and DEC (District Energy Corporation) savings.

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

NEW BUSINESS CONTINUED:

- I. **Contract between Otte Oil & Propane, Lancaster County and the City of Lincoln for the annual supply of propane. The County will pay for products according to the line item pricing as listed in the contractor's proposal on an as needed basis. Term of the contract is January 1, 2014, to December 31, 2014. (C-13-0597)**

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

- J. **Amendment to County Contract C-08-0665 between Recycling Enterprises of Nebraska, Inc., Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for recycling services. The amendment renews the agreement for an additional three-month period from November 1, 2013, to January 31, 2014. (C-13-0598)**

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

- K. **Amendment to County Contract C-13-0003 with Mr. Yards and More, LLC, for lawn mowing and maintenance services at Community Mental Health Center facilities. The amendment renews the agreement for an additional one-year term from January 8, 2014, to January 7, 2015. (C-13-0599)**

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

- L. **Amendment #4 to County Contract C-11-0214, an intercompany IT services agreement, between Southeast Nebraska Behavioral Health Information Network, d/b/a the Electronic Behavioral Health Information Network (eBHIN), and Lancaster County, on behalf of the Community Mental Health Center and the Mental Health Crisis Center. The amendment provides for a 2% increase in maintenance fees to accommodate payment of State of Nebraska sales tax by eBHIN. Region V Systems is continuing their support of maintenance fees for all participants at the new rate. (C-13-0596)**

Raybould questioned if it was standard for sales tax to be passed on to entities using eBHIN.

Brittany Behrens, Deputy County Attorney, said the service is provided, fees are passed to the County and the County is notified of the amendments. It is processed this way across the State.

Schorr questioned why sales tax would be instituted if eBHIN is a nonprofit entity.

The consensus of the Board was to hold the item and have Behrens look further into the details.

- M. **Staffing agreement with Lutheran Family Services of Nebraska for temporary staffing of the Community Mental Health Center. Term of the agreement is from date of execution until June 30, 2014. (C-13-0600)**

NEW BUSINESS CONTINUED:

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

- N. **Agreement and software license with Pearson VUE for authorization to conduct GED testing at the Lancaster County Department of Corrections. There is no cost to the County. (C-13-0601)**

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

- O. **Setting the salary of Christopher Reid, Deputy Lancaster County Attorney, at \$57,120.96 per year, effective January 6, 2014.**

Doug Cyr, Deputy County Attorney, presented Chris Reid as the new attorney handling juvenile cases. He said Reid's salary is derived from the previous deputy attorney salary plus an extra 2% that went into effect last summer. Reid introduced himself and discussed his background.

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

- P. **Personnel matter (executive session).**

The Chair announced the item would be held until the end of the meeting.

- 7) **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 reports for November 2013:**
1. **County Clerk**
 2. **Clerk of the District Court**
 3. **County Assessor/Register of Deeds**
 4. **County Records & Information Management**

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

- 8) **PUBLIC COMMENT: *Those wishing to speak on items relating to County business not on the agenda may do so at this time.***

Schorr thanked Jordan Pascale for his outstanding coverage of County and City issues as a reporter for the Lincoln Journal Star and wished him well in his new position with Silicon Prairie News.

9) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Tuesday, December 10, 2013, at 11:30 a.m., or immediately following the County Board of Commissioners/Board of Equalization meetings, in Room 113 of the County-City Building (555 S. 10th Street, Lincoln). There will not be a staff meeting on Thursday, December 12, 2013, due to the Board's attendance at the NACO (Nebraska Association of County Officials) annual conference.
- B. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, December 17, 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.

The Chair recessed the meeting at 10:59 a.m.

The Chair reconvened the meeting at 11:00 a.m.

RETURNING TO ITEM 6P:

MOTION: Schorr moved and Raybould seconded to enter executive session at 11:00 a.m. to address a personnel matter per the request of the employee.

The Chair restated the motion for the record.

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

MOTION: Amundson moved and Raybould seconded to exit executive session at 11:26 a.m. Schorr, Raybould, Amundson and Smoyer voted aye. Hudkins was absent. Motion carried 4-0.

MOTION: Schorr moved and Amundson seconded to accept the resignation of Ron Sorensen, Community Mental Health Center Director, effective December 11, 2013. Amundson, Schorr, Raybould and Smoyer voted aye. Hudkins was absent. Motion carried 4-0.

10) **ADJOURNMENT**

MOTION: Raybould moved and Schorr seconded to adjourn the Board of Commissioners meeting at 11:27 a.m. Raybould, Amundson, Schorr and Smoyer voted aye. Hudkins was absent. Motion carried 4-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, DECEMBER 10, 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 December 6, 2013.

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

Commissioners absent: Larry Hudkins, Chair

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 10:59 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, December 3, 2013.**

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

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

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

3) **ADJOURNMENT**

MOTION: Raybould moved and Amundson seconded to adjourn the Board of Equalization meeting at 11:00 a.m. Amundson, Schorr, Raybould and Smoyer voted aye. Hudkins was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk

