

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 6, 2014
COUNTY-CITY BUILDING, ROOM 112
11:00 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 May 2, 2014.

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

Commissioners absent: Jane Raybould

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 Chair called the meeting to order at 11:00 a.m. and the location of the Nebraska Open Meetings Act was announced.

1) **PLEDGE OF ALLEGIANCE**

2) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, April 29, 2014.**

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

3) **CLAIMS: Approval of all claims processed through Tuesday, May 6, 2014.**

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

4) **SPECIAL PRESENTATIONS:**

A. **Commissioners' Award of Excellence for April 2014 to Deanna Covault, County Extension.**

Gary Bergman, County Extension Director, and Jenny DeBuhr, County Extension Administrative Aide, praised Deanna Covault for her work. The Clerk read the nomination for the record. Amundson presented a plaque to Covault who expressed her appreciation for the award.

SPECIAL PRESENTATIONS CONTINUED:

**B. Extension Centennial Celebration – Gary Bergman, County Extension Director.
(See 6A for correlating item.)**

Gary Bergman said May 8, 2014, would commemorate the 100-year anniversary of the Smith-Lever Act, which established cooperative extension through land-grant universities, the largest educational delivery system in the world.

Hudkins asked Bergman how many staff members he had and what information could be obtained from his office. Bergman said there are about 30 employees, but often these people are out of the office working in the community. Bergman said unbiased, research-based information is provided from the University of Nebraska, including entomology, home and family, 4-H youth development, agriculture, horticulture and food nutrition.

Amundson discussed the agricultural development teams in Afghanistan and the University of Nebraska Extension's involvement.

5) PUBLIC HEARINGS:

A. Class C liquor license for Topper Grill, LLC, d/b/a Dockside Bar & Grill, 10005 West Davey Road. (See 6B for correlating item.)

The public hearing was continued from last week. Since no one appeared to testify, the Chair closed the public hearing.

Terry Wagner, County Sheriff, stated he had erroneously provided information regarding violation omissions on the Topper Grill application during the public hearing for Casey's liquor license last week. He said Casey's has been notified of the error. Wagner confirmed for Schorr that the violation omissions on the Topper Grill application were old enough that they would not have been listed on the applicants' driving records if they had checked but would be visible to law enforcement. He noted that violations may not be an automatic disqualifier but would allow the Board to make judgment on character. Amundson clarified with Wagner that the Topper Grill application was incomplete (omission of previous violations) with no modifications made to the original application and that the applicants have not appeared at the public hearings.

B. Class D liquor license for Casey's Retail Company, d/b/a Casey's General Store 2721, 4131 Old Woodlawn Road. (See 6C for correlating item.)

The public hearing was continued from last week.

Terry Wagner, County Sheriff, was administered the oath. He wanted to correct his statement on the record at last week's public hearing regarding the application's violation omissions. He said he provided information on the Topper Grill application during the Casey's public hearing and the Casey's application does not need any corrections.

The Chair closed the public hearing.

6) **NEW BUSINESS:**

A. **Resolution in the matter of a proclamation for the Extension Centennial Celebration. (R-14-0023)**

The Clerk read the proclamation for the record.

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

B. **Resolution in the matter of an application for a Class C (beer, wine, distilled spirits, on and off sale) liquor license for Topper Grill, d/b/a Dockside Bar and Grill, and a limited liability company liquor license in connection with the Class C liquor license for Dockside Bar and Grill, located at 10005 W. Davey Road, Raymond, Lancaster County, Nebraska. (R-14-0024)**

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

C. **Resolution in the matter of an application for a Class D (beer, wine, distilled spirits, off sale only) for Casey's Retail Company, d/b/a Casey's General Store #2721, and a corporate license in connection with the Class D liquor license for Casey's General Store #2721, located at 4131 Old Woodlawn Road, Lincoln, Lancaster County, Nebraska. (R-14-0025)**

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

D. **Setting the salary of Amanda Baskin, Deputy Public Defender, at \$57,120.96 per year, effective May 12, 2014.**

Schorr noted this was a replacement position for someone leaving; it is not a new position.

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

E. **Recommendation from Purchasing and the County Engineer to award a contract to M.E. Collins Contracting Company in the amount of \$22,207.75 for repair of County Bridge X-129. (B-14-0022)**

Pam Dingman, County Engineer, noted the bid amount was within a few hundred dollars of the preliminary estimate.

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

F. **Recommendation from Purchasing and the County Engineer to award a contract to Foundation Supportworks by Thrasher in the amount of \$16,450 for repair of the Firth patrol station. (B-14-0023)**

NEW BUSINESS CONTINUED:

Pam Dingman explained that there are 16 buildings in rural areas used for housing equipment and the Firth Building needs repairs. She said the expense is covered in the budget.

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

- G. Construction contract with Pavers, Inc., in the amount of \$2,592,938.76 for asphaltic concrete resurfacing and paving on various County roads. (C-14-0227)**

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

- H. Contract between Beatrice Lawn Care, Inc., Lancaster County and the Lincoln-Lancaster County Public Building Commission for the annual supply of fertilizer and weed control. Term of the agreement is four years from the date of execution by all parties. (C-14-0228)**

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

- I. Addendum Four to the electronic government service level agreement between Nebraska Interactive, LLC, Nebraska State Records Board and Lancaster County for PayPort services for Lancaster County. (C-14-0229)**

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

- J. Agreement with Steven Wedige for the care and maintenance of Jordan Cemetery. Cost to the County is \$50 per mowing not to exceed \$200 per year. (C-14-0230)**

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

- K. Agreement with Jay Nutter for the care and maintenance of Deitz Cemetery. Cost to the County is \$50 per mowing not to exceed \$200 per year. (C-14-0231)**

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

- L. Agreement with Richard H. Legge, MD, to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. (C-14-0232)**

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

NEW BUSINESS CONTINUED:

- M. **Political subdivision tort claim filed against Lancaster County Corrections by Pamela K. Williams in an undisclosed amount.**

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

- N. **Political subdivision tort claim filed against Lancaster County Corrections by Muralon Harper for lost property in the amount of \$1,100.**

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

- O. **Refund request from WAPITI Enterprises, Inc., for overpayment of 2011, 2012 and 2013 property tax.**

Scott Gaines, County Assessor/Register of Deeds, recommended approval of the refund request. He said a quarter acre of ground was deeded to the State several years ago and his office inadvertently forgot to reduce the acreage.

MOTION: Schorr moved and Smoyer seconded approval of the refund request based on the County Assessor's recommendation. Amundson, Smoyer, Schorr and Hudkins voted aye. Raybould was absent. Motion carried 4-0.

- 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:**
1. **County Clerk for April 2014**
 2. **Clerk of the District Court for April 2014**
 3. **County Assessor/Register of Deeds for April 2014**
 4. **County Attorney for January to March 2014.**

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

No one appeared for public comment.

9) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, May 8, 2014, at 8:30 a.m., in the Bill Luxford Studio 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, May 13, 2014, 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.

10) **ADJOURNMENT**

MOTION: Schorr moved and Smoyer seconded to adjourn the Board of Commissioners meeting at 11:31 a.m. Smoyer, Schorr, Amundson and Hudkins voted aye. Raybould was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk



**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MAY 6, 2014
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 May 2, 2014.

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

Commissioners absent: Jane Raybould

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 Chair called the meeting to order at 11:31 a.m. and the location of the Nebraska Open Meetings Act was announced.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, April 29, 2014.**

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

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

Redeemer Lutheran Church

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

4) **ADJOURNMENT**

MOTION: Schorr moved and Smoyer seconded to adjourn the Board of Equalization meeting at 11:33 a.m. Smoyer, Schorr, Amundson and Hudkins voted aye. Raybould was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk

