

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, MAY 20, 2014**  
**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 May 16, 2014.*

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 Chair called the meeting to order at 10:30 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, May 13, 2014.**

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

3) **CLAIMS: Approval of all claims processed through Tuesday, May 20, 2014.**

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

4) **SPECIAL PRESENTATION:**

**A. Recognition of County Employees' service anniversaries.**

The Clerk read the list of employees observing service anniversaries. William Bell, County Engineer's Office, discussed his 40 years of service and praised his co-workers for their work.

5) **NEW BUSINESS:**

- A. **Amusement license renewal application from Josh Kadavy to operate JK's Pumpkin Patch, 757 Bluff Road, Lincoln, from September 19-November 2, 2014.**

**MOTION:** Smoyer moved and Raybould seconded approval of the amusement license renewal.

Josh Kadavy, JK's Pumpkin Patch, said his business received the 2013 Nebraska Outstanding Nature-Tourism Entity Award. He discussed the growth of the business and asked the Board to reduce the liability insurance requirement as they had in past years. *(Previously, the Board had reduced the \$5,000,000 liability requirement to \$2,000,000.)*

Smoyer withdrew the original motion.

**MOTION:** Schorr moved and Smoyer seconded approval of the amusement license renewal with a reduction in liability insurance as in previous years. Smoyer, Schorr, Raybould, Amundson and Hudkins voted aye. Motion carried 5-0.

- B. **Special designated license applications from WunderRosa Winery, 2361 Wittstruck Road, Roca, for June 28-29 and July 3-4, 2014.**

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

- C. **Appointment of Phillip Nalley to the Lincoln-Lancaster County Air Pollution Advisory Board for a term expiring September 1, 2016.**

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

- D. **Approval of an amendment to Section 3 of the Lancaster County Visitors Promotion Committee By-Laws, clarifying the length of service of Committee members, effective May 20, 2014.**

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

- E. **Approval of Lancaster County's Governmental Accounting Standards Board (GASB) Fund Balance Policy.**

Dennis Meyer, Budget & Fiscal Director, said the policy will show definitions, balances available, types of funds and how funds can be moved.

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

**NEW BUSINESS CONTINUED:**

- F. **Agreement with Lincoln Literacy Council to conduct on-site English language and literacy classes for Lancaster County Corrections inmates. The County will pay up to \$9,090 for the services. Term of the contract is May 1, 2014, to April 30, 2015. (C-14-0237)**

Schorr clarified that funding is from the Inmate Benefit Fund and not from property tax dollars.

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

- G. **Agreement with Great Plains Appraisal Company, on behalf of Wayne Kubert and Tom Kubert, to provide the services of a referee coordinator to coordinate referees who will hear all property tax protests for the 2014 tax year before the Lancaster County Board of Equalization. The referee coordinator shall be reimbursed at a rate of \$720 per working day up to \$180,000. (C-14-0241)**

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

- H. **Memorandum of understanding with the Board of Regents of the University of Nebraska, on behalf of the University of Nebraska-Lincoln, Midwest Roadside Safety Facility. The agreement confirms the County's participation in motor-vehicle accident reconstruction, testing and research conducted by the Midwest Roadside Safety Facility. (C-14-0242)**

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

- I. **Amendment to County Contract C-12-0612 with Magellan Behavioral Health, Inc., for reimbursement of services at the Community Mental Health Center. The amendment removes various services no longer provided at the Community Mental Health Center. (C-14-0243)**

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

- J. **Agreement with Pharmerica for pharmacy services at the Youth Services Center and Mental Health Crisis Center. Term of the agreement is three years from the date of execution. (C-14-0244)**

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

**NEW BUSINESS CONTINUED:**

- K. **Agreement between Nifco Mechanical Systems, Inc., the City of Lincoln, Lancaster County and the Lincoln-Lancaster County Public Building Commission for inspection, testing and maintenance of sprinkler alarm system and backflow preventers. Term of the agreement is four years from the date of execution by all parties. (C-14-0245)**

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

- L. **Contract between Recycling Enterprises of NE, Inc., the City of Lincoln, Lancaster County and the Lincoln-Lancaster County Public Building Commission for recycling services. Term of the agreement is June 1, 2014 to January 31, 2015. (C-14-0246)**

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

- M. **Contract between New Heights Tree Service, the City of Lincoln, Lancaster County and the Lincoln-Lancaster County Public Building Commission for the annual requirement of tree trimming and removal services. Term of the contract is one year from date of execution. (C-14-0247)**

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

- N. **Amendment to County Contract C-14-0155 with Hood Masters, Inc., for the annual requirements of kitchen exhaust hood and equipment cleaning services for Lancaster County Corrections. The amendment sets the annual cleaning cost at \$4,950. (C-14-0248)**

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

- O. **Amendment to County Contract C-12-0288 with Nebraska Occupational Health for the annual requirements of influenza vaccines. The amendment renews the agreement for an additional one-year term from June 14, 2014, to June 13, 2015. (C-14-0249)**

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

- P. **Amendment to County Contract C-10-0068 with Hamilton Equipment Company for the annual requirements of equipment and accessory rental. The amendment extends the term of the agreement from May 2, 2014, to July 1, 2014. (C-14-0250)**

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

**NEW BUSINESS CONTINUED:**

- Q. **Amendment to County Contract C-10-0067 with Murphy Tractor & Equipment Company, Inc., for the annual requirements of equipment and accessory rental. The amendment extends the term of the agreement from May 2, 2014, to July 1, 2014. (C-14-0251)**

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

- R. **Amendment to County Contract C-10-0066 with NCS Equipment Rental for the annual requirements of equipment and accessory rental. The amendment extends the term of the agreement from May 2, 2014, to July 1, 2014. (C-14-0252)**

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

- 6) **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. **Setting of a public hearing on Tuesday, June 3, 2014, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln), regarding a site approval request from Prairieland Dairy to develop a solid waste compost facility.**

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

- 7) **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.

- 8) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will hold department budget hearings on Wednesday, May 21, 2014, at 8:00 a.m., in the Bill Luxford Studio (Room 113) of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln) and on Thursday, May 22, 2014, at 1:00 p.m., in Room 303 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln).**
- B. **The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, May 22, 2014, at 8:30 a.m., in the Bill Luxford Studio of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln).**

**ANNOUNCEMENTS CONTINUED:**

- C. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, May 27, 2014, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln) with the Board of Equalization immediately following.
- D. The County Commissioners can be reached at 402-441-7447 or [commish@lancaster.ne.gov](mailto: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](http://lancaster.ne.gov) under 5 City-TV, Video on Demand or 5 City-TV on YouTube.

9) **ADJOURNMENT**

**MOTION:** Raybould moved and Smoyer seconded to adjourn the Board of Commissioners meeting at 10:56 a.m. Amundson, Smoyer, Schorr, Raybould and Hudkins voted aye. Motion carried 5-0.

  
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Dan Nolte  
Lancaster County Clerk



**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, MAY 20, 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 16, 2014.*

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 Chair called the meeting to order at 10:56 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, May 13, 2014.**

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

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:**

**Christian Heritage Children's Homes  
Faith Lutheran Church  
First Slavic Baptist Church  
St. Theresa Church**

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

4) **PROPERTY TAX EXEMPTION APPLICATIONS:**

**Adventsource, Inc.  
Arc of Lincoln  
Camp Sonshine  
Center for People in Need  
Centerville Cemetery Association  
Diocesan Housing Ministries  
Epona Horse Rescue  
Family Christian, LLC  
Innovative Blood Resources  
Islamic Foundation of Lincoln  
Lincoln Orchestra Association**

**Nebraska Crop Improvement Association  
Nebraska Family Alliance  
Nebraska Wesleyan University  
No Greater Love Fellowship Church  
Pella Reformed Church  
Physician Network  
Sabah, Inc.  
St. Joseph Institute  
St. Mark's Preschool/Kidzone, Inc.  
St. Patrick Catholic Church  
University of Nebraska Foundation**

Scott Gaines, Deputy County Assessor/Register of Deeds, recommended approval of all applications except for three. Family Christian, LLC, has personal property that is part of a retail store, and the Islamic Foundation of Lincoln purchased property that will remain empty for a few years. Since neither is used for a religious, educational or charitable purpose, he recommended denial. Nebraska Wesleyan University is still gathering information for their exemption, so Gaines asked to hold this application for one week.

**MOTION:** Schorr moved and Smoyer seconded approval of the exemption applications for Adventsource, Inc., Arc of Lincoln, Camp Sonshine, Center for People in Need, Centerville Cemetery Association, Diocesan Housing Ministries, Epona Horse Rescue, Innovative Blood Resources, Lincoln Orchestra Association, Nebraska Crop Improvement Association, Nebraska Family Alliance, No Greater Love Fellowship Church, Pella Reformed Church, Physician Network, Sabah, Inc., St. Joseph Institute, St. Mark's Preschool/Kidzone, Inc., St. Patrick Catholic Church and University of Nebraska Foundation; denial of the exemption applications for Family Christian, LLC, and Islamic Foundation of Lincoln; and to hold the exemption application for Nebraska Wesleyan University for one week. Smoyer, Schorr, Raybould, Amundson and Hudkins voted aye. Motion carried 5-0.

5) **PROPOSED CHANGE IN EXEMPTION STATUS:**

**Cedars Home for Children Foundation  
Christian Church Disciples of Christ  
Lincoln Crisis Pregnancy Center  
RECF III LLC  
St. Paul Church of Christ**

Scott Gaines recommended approval of the changes in exemption status. In all five cases, the properties have been sold, which results in a loss of that owner's exemption. The new owner is then notified so they can make new application.

Schorr asked how long the new owner has to file for exemption. Gaines said the State Statute now requires filing by July 1 (formerly August 1).

**MOTION:** Amundson moved and Smoyer seconded to approve the changes in exemption status. Schorr, Raybould, Amundson, Smoyer and Hudkins voted aye. Motion carried 5-0.

6) **ADJOURNMENT**

**MOTION:** Raybould moved and Smoyer seconded to adjourn the Board of Equalization meeting at 11:04 a.m. Raybould, Amundson, Smoyer, Schorr and Hudkins voted aye. Motion carried 5-0.

  
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**Dan Nolte**  
**Lancaster County Clerk**

