

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 30, 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 September 26, 2014.

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

Others present: 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., the pledge of allegiance was recited and the location of the Nebraska Open Meetings Act was announced.

PLEDGE OF ALLEGIANCE

1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, September 23, 2014.**

MOTION: Smoyer moved and Raybould 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, September 30, 2014.**

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

3) **PUBLIC HEARING:**

A. **Setting of the final tax request at a different amount than the prior year tax request for Lancaster County and the Rural Library for Lancaster County.**

The Chair opened the public hearing.

Dennis Meyer, County Budget & Fiscal Director, was administered the oath. He explained that a public hearing must be held and a resolution must be adopted if the tax request changes from one year to the next. In this case, the levy stayed the same but the tax request increased.

PUBLIC HEARING CONTINUED:

Gary Aldridge, 7112 S 45th Street, appeared but declined to take the oath.

Brittany Behrens, Deputy County Attorney, said the Board has the authority to set reasonable rules and regulations for their meetings; opinions from the Attorney General's Office state that administration of the oath is a reasonable rule/regulation. She advised the Board to continue complying with their rules and regulations and noted the upcoming agenda item that pertains to the public hearing where the oath would not need to be taken.

Hudkins said the oath simply means that the statements made are true to the best of one's knowledge.

Schorr restated that the opportunity to provide comment on this item without taking the oath would be available during the next item (New Business 4A). She stated that she would not want to set a precedent by accepting testimony at a public hearing without administering the oath.

The Chair closed the public hearing.

4) **NEW BUSINESS:**

- A. **Resolution in the matter of setting the 2014-2015 property tax request for Lancaster County at a different amount than that of the prior year. (R-14-0060)**

MOTION: Raybould moved and Smoyer seconded approval of the resolution.

Gary Aldridge discussed public hearings related to the budget, his testimony at the budget hearings and money spent by taxing authorities.

ROLL CALL: Amundson, Smoyer, Schorr, Raybould and Hudkins voted aye. Motion carried 5-0.

- B. **Resolution in the matter of striking uncollectible property tax from the tax list. (R-14-0061)**

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

- C. **Resolution in the matter of fixing the date, time and place for a public hearing regarding a request to vacate portions of SW 28th Street, W. Simon Street and W. Frye Street, more particularly described in Exhibit "A," and located in Lancaster County, Nebraska. (R-14-0062)**

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

- D. **Setting the salary of Amy Clemens, Deputy Lancaster County Attorney, in the amount of \$58,834.88 per year, effective September 25, 2014.**

NEW BUSINESS CONTINUED:

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

- E. Recommendation from Purchasing and the County Engineer to award bids to Lyman-Richey, Westover Trucking and Western Sand for gravel hauling in the amount of \$151,855. (B-14-0034)**

Pam Dingman, County Engineer, said changes are being made to the way rock is allocated to stockpiles. More rock will be sent to the southern part of the County since more is being used there. She said it is more efficient to stockpile rock now rather than try to obtain some later at a higher price.

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

- F. Contract between Sunset Law Enforcement, Lancaster County and the City of Lincoln for the annual supply of Hornady critical duty ammunition pursuant to State of Nebraska Contract 13694 OC. Term of the agreement is August 22, 2014, to August 21, 2015. (C-14-0518)**

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

- G. Contract between Sunset Law Enforcement, Lancaster County and the City of Lincoln for the annual supply of Hornady TAP and training ammunition pursuant to State of Nebraska Contract 13715 OC. Term of the agreement is August 22, 2014, to August 21, 2015. (C-14-0519)**

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

- H. Amendment to County Contract C-10-0386 with Factory Motor Parts for the annual requirements of vehicle/equipment maintenance parts and accessories. The amendment renews the agreement for an additional 60-day term from September 13, 2014, to November 11, 2014. (C-14-0520)**

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

- I. Amendment to County Contract C-10-0387 with Utility Parts Services, d/b/a NAPA Stores of Lincoln, for the annual requirements of vehicle/equipment maintenance parts and accessories. The amendment renews the agreement for an additional 60-day term from September 13, 2014, to November 11, 2014. (C-14-0521)**

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

NEW BUSINESS CONTINUED:

- J. **Amendment to County Contract C-10-0520 with General Parts Distribution, LLC, for the annual requirements of vehicle/equipment maintenance parts and accessories. The amendment renews the agreement for an additional 31-day term from October 12, 2014, to November 11, 2014. (C-14-0522)**

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

- K. **Amendment to County Contract C-11-0008 with Nebraska Salt & Grain Company for the annual supply of ice melt. The amendment provides for the price increases per Attachment A. (C-14-0523)**

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

- L. **Amendment to County Contract C-11-0094 with Hewlett Packard Company for computer equipment, peripherals and related services. The amendment renews the contract for an additional four-month term from September 1, 2014, to December 31, 2014. (C-14-0524)**

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

- M. **Amendment to County Contract C-13-0578 with A Photo Identification for the annual supply of inmate ID wristbands for County Corrections. The amendment renews the agreement for an additional one-year term from December 1, 2014, to November 30, 2015. (C-14-0525)**

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

- N. **Assignment agreement between Southeast Nebraska Behavioral Health Information Network, Inc. (eBHIN) and Lancaster County. The agreement assigns the terms of the Software License and Services Agreement at the Mental Health Crisis Center from eBHIN to NextGen Healthcare. (C-14-0526)**

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

- O. **Software License and Services Agreement between NextGen Healthcare Information Systems, LLC, and Lancaster County, on behalf of the Mental Health Crisis Center. (C-14-0527)**

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:

- P. **Agreement with the Nebraska Safety Council to assist with the operation of the Safety Training Option Program (STOP) for participants eligible to participate in the Lancaster County Traffic Diversion Program. Term of the agreement is October 1, 2014, to December 31, 2015. (C-14-0528)**

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

- Q. **Third addendum to County Contract C-12-0385 with the Spring Creek Prairie Audubon Center, extending the contract term to December 31, 2014. (C-14-0529)**

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

- R. **Grant contract with the People's City Mission to provide funding in the amount of \$35,000 for the Family Shelter program. Term of the grant contract is July 1, 2014, to June 30, 2015. (C-14-0530)**

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

- S. **Acceptance of a grant award from the United States Department of Justice, Office on Violence Against Women, in the amount of \$300,000 for improved legal advocacy related to protection orders and immigrants in Lancaster County. (C-14-0531)**

Kit Boesch, Human Services Director, said the grant would provide \$100,000 per year for three years. She discussed the program goals and distribution of the funds.

MOTION: Smoyer moved and Raybould seconded approval of the grant award. Schorr, Raybould, Amundson, Smoyer 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. **Setting of public hearings on October 7, 2014, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln), regarding the following:**
1. **County Change of Zone 14006 from AG Agricultural District to AGR Agricultural Residential District on property generally located at SW 98th Street and W. Van Dorn Street.**
 2. **County Preliminary Plat 14003, West Van Dorn Estates, on property generally located at SW 98th Street and W. Van Dorn Street.**

CONSENT ITEMS CONTINUED:

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

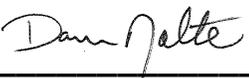
No one appeared for public comment.

7) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, October 2, 2014, at 8:30 a.m., in the Bill Luxford Studio of the County-City Building (Room 113, 555 S. 10th Street, Lincoln).
- B. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, October 7, 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. A public hearing will be held on Tuesday, October 7, 2014, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln), regarding the amendment of the Lancaster County General Assistance Guidelines.
- 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: Schorr moved and Raybould seconded to adjourn the Board of Commissioners meeting at 11:02 a.m. Amundson, Smoyer, Schorr, Raybould and Hudkins voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk



**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, SEPTEMBER 30, 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 September 26, 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
 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 11:02 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, September 23, 2014.**

MOTION: Smoyer moved and Raybould 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:**

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:**

**Child Guidance Center
Faith Lutheran Church & School
People's City Mission
Sacred Winds Native United Methodist Church
Tabitha
Villa Marie School**

MOTION: Schorr 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) **PROPOSED CHANGE IN PROPERTY EXEMPTION STATUS:**

**Indian Hills Community Church
Lincoln Woman's Club
Methodist Church of Malcolm
United Presbyterian Church of Hickman**

Scott Gaines, Deputy County Assessor/Register of Deeds, recommended all the properties be placed back on the tax roll. Regarding United Presbyterian Church of Hickman, the property is now being rented. The rest of the properties have sold and the exemptions should be removed from the prior owner.

MOTION: Schorr moved and Smoyer seconded approval of the change in property tax exemption status based on the recommendation of the County Assessor. Smoyer, Schorr, Raybould, Amundson and Hudkins voted aye. Motion carried 5-0.

5) **APPEAL OF PERSONAL PROPERTY LATE FILING PENALTY:**

JE Dunn Construction Company

Scott Gaines recommended denial of the appeal since State Statutes do not provide authority to waive the penalty unless it was wrongly imposed or incorrectly calculated, which is not the case in this situation.

MOTION: Amundson moved and Raybould seconded denial of the appeal based on the recommendation of the County Assessor. Schorr, Raybould, Amundson, Smoyer 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) **ADJOURNMENT**

MOTION: Smoyer moved and Raybould seconded to adjourn the Board of Equalization meeting at 11:06 a.m. Raybould, Amundson, Smoyer, Schorr and Hudkins voted aye. Motion carried 5-0.



**Dan Nolte
Lancaster County Clerk**

