

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, OCTOBER 14, 2014
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 October 10, 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 10:31 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, October 7, 2014.**

MOTION: Smoyer moved and Raybould seconded approval of the minutes. Raybould, Amundson, Smoyer and Hudkins voted aye. Schorr abstained. Motion carried 4-0 with one abstention.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, October 14, 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. **Vacation of portions of SW 28th Street, W. Simon Street and W. Frye Street, Martell, Lancaster County, Nebraska.**

The Chair opened the public hearing.

Mike Eckert, Civil Design Group, was administered the oath. He felt the County's valuation of the land was satisfactory, but he questioned the County Engineer's condition of a blanket utility easement. He verified with Black Hills, Time Warner and Norris Power that there is no service.

PUBLIC HEARING CONTINUED:

Eckert requested the Board accept the vacation at the determined value with the understanding that there are no utilities so the blanket utility easement is not needed.

Hudkins suggested also contacting Alltel (now Windstream).

Raybould asked where existing utility easements are located. Eckert said there is a ten-foot wide utility easement along the property. He agreed that access would not be taken from SW 29th Street and an access easement would be provided.

Ken Schroeder, County Surveyor, was administered the oath. He said inclusion of the blanket utility easement is typical; research is not done to find out if there are existing utilities. In this case, he is comfortable with foregoing the blanket utility easement.

Hudkins clarified that Schroeder was saying to move forward with the sale and conveyance subject to a letter stating research has been done on utilities and there are no active easements.

Brittany Behrens, Deputy County Attorney, was administered the oath. She agreed it was standard to include a blanket utility easement to protect the County in case existing utilities lay within the right-of-way. In this case, Civil Design Group has been doing some of the work already to determine if there are utilities. Behrens said the Board could include a condition of sale in the resolution that, prior to transfer of the property, documentation satisfactory to the County Attorney's Office would be needed stating there are no existing utilities in the right-of-way. She added that the Board needs to give direction after the public hearing is closed; by statute, a resolution must be done at the next meeting or as soon after is practicable.

Teri Pope-Gonzalez, 349 S. 1st Street, was administered the oath. She asked for clarification on various terms being used throughout the meeting.

Behrens explained that testimony during the public hearing is specific to the road vacation and comments or questions not related to agenda items could be brought forth during the Public Comment section of the meeting.

The Chair closed the public hearing.

MOTION: Amundson moved and Smoyer seconded to direct the County Attorney to prepare a resolution accepting the vacation and the price subject to a blanket utility agreement and final approval by the County Attorney. Amundson, Smoyer, Schorr, Raybould and Hudkins voted aye. Motion carried 5-0.

4) **NEW BUSINESS:**

A. **Adoption of the revised Lancaster County General Assistance Guidelines.**

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

NEW BUSINESS CONTINUED:

- B. Recommendation from Purchasing to award a bid to The Office Pal for \$48,000 (four-year term) for the annual supply of Lexmark toner cartridges. (B-14-0036)**

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

- C. 2014 sub-recipient agreement for the Southeast Region with the Nebraska Emergency Management Agency for \$371,685. Term of the agreement is September 25, 2014, to August 31, 2016. (C-14-0540)**

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

- D. Utility Permit No. 1218 with Windstream Nebraska, Inc., for the installation of underground telephone cable approximately one-half mile along W. Mill Road, west from NW 112th Street. (C-14-0541)**

Hudkins asked if installation of cables would interfere with engineering and grading of roads.

Pam Dingman, County Engineer, said her office lets utility companies with permits know in advance when construction will be done. She discussed problems with Windstream not leaving the right-of-ways in good condition and billing for damages.

Raybould asked if Windstream understood they would be billed for damage left behind. Brittany Behrens said the company would be legally obligated to pay for damages caused, although it is not part of the permitting process. Raybould asked if billing attempts have been met with good response. Dingman said the response has not been good. Behrens noted the subcontractors had been the ones contacted, and in the future, they would go directly through Windstream.

Dingman noted that the utility permit cost is only \$5.

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

- E. Utility Permit No. 1219 with Windstream Nebraska, Inc., for the installation of underground telephone cable approximately one-quarter mile along Agnew Road, west from N. 134th Street. (C-14-0542)**

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

- F. Utility Permit No. 1220 with Windstream Nebraska, Inc., for the installation of underground telephone cable approximately three-quarter mile along W. Pioneers Boulevard from SW 84th Street to SW 91st Street. (C-14-0543)**

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

NEW BUSINESS CONTINUED:

- G. Interlocal agreement with the Village of Denton for law enforcement services within the Village limits. The Lancaster County Sheriff will assign one deputy to duty in the Village limits and provide a cruiser. The Village will reimburse the County at the overtime rate of pay for the Deputy assigned. Term of the agreement is September 1, 2014, to August 31, 2015. (C-14-0544)**

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

- H. Contact between Stock Auction Company, Lancaster County, the City of Lincoln and the Lancaster County Public Building Commission for on-line and on-site auctioneer services. Term of the contract is one year from date of execution by all parties with an option for three additional one-year terms. (C-14-0545)**

Bob Walla, Assistant Purchasing Agent, said on-line auctions are one way the County and City distribute surplus items. Many large items are placed on www.bigiron.com and smaller items are generally put on www.publicsurplus.com. In response to Hudkins' question, Walla said there has been more success using on-line auctions.

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

- I. Grant contract with the Guidance to Success Youth Club to provide funding of \$10,000. Term of the contract is July 1, 2014, to June 30, 2015. (C-14-0546)**

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

- J. Grant contract with Heartland Big Brothers Big Sisters, Inc., to provide funding of \$10,000 for the High Risk Mentoring program. Term of the contract is July 1, 2014, to June 30, 2015. (C-14-0547)**

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

- K. Grant contract with Families Inspiring Families to provide funding of \$41,145 to establish a program to serve and support families with youth who have emotional, behavioral or mental health disorders. Families Inspiring Families will contribute \$17,680 in non-federal matching funds. Term of the contract is July 1, 2014, to June 30, 2015. (C-14-0548)**

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

NEW BUSINESS CONTINUED:

- L. Grant contract with Families Inspiring Families to provide funding of \$66,413 for the Truancy Prevention with Family Peer Support program. Families Inspiring Families will contribute \$46,065 in non-federal matching funds. Term of the contract is July 1, 2014, to June 30, 2015. (C-14-0549)**

Schorr said money provided by the County is part of federal funding received as part of the juvenile reentry grant.

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

- M. Amendment to County Contract C-13-0493 with the City of Lincoln for improving and expanding parking in Pioneers Park for Pinewood Bowl. The amendment extends the contract term to December 31, 2014. (C-14-0491)**

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

- N. Renewal of an agreement with Ameritas Group for the administration of the Lancaster County self-insured dental plan from January 1, 2015, to December 31, 2015. The monthly fee of \$4.47 per enrolled employee will be applicable for the stated term. (C-14-0550)**

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

- O. Adoption of Lancaster County Legislative Priorities for the 2015 Nebraska Legislative Session.**

Kerry Eagan, Chief Administrative Officer, reviewed the legislative priorities: 1) property tax relief; 2) support expansion of Medicaid under the Affordable Care Act; 3) address Lancaster County obligations under the 300,000 population threshold; 4) eliminate responsibility of Counties to pay HHS (Health and Human Services) rent; 5) amend Mental Health Commitment Act to include a sex offender disorder as a diagnosed mental illness / funding for community-based sex offender treatment; and 6) monitor adult corrections reform.

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

- P. Labor negotiations (executive session).**

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

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 with the following:**

1. **Becki Bea Fairman, S. 155th Street & Stagecoach Road, for \$6. (C-14-0551)**
2. **Jeffery & Monica Jochum, SW 2nd Street & W. Bennet Road, for \$163. (C-14-0552)**
3. **Shannon Vogler, S. 82nd Street & Olive Creek Road, for \$109. (C-14-0553)**

B. **Receive and place on file the September 2014 report for County Records & Information Management.**

C. **Setting of a public hearing for Tuesday, October 28, 2014, at 7:00 p.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln), regarding the One and Six-Year Road and Bridge Improvement Program for July 1, 2015, through June 30, 2020.**

MOTION: Raybould moved and Amundson seconded approval of the consent items. 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.**

Teri Pope-Gonzalez, 349 S. 1st Street, discussed consent items, voting, political parties, and public comment.

7) **ANNOUNCEMENTS:**

A. **The Lancaster County Board of Commissioners will not hold a staff meeting on Thursday, October 16, 2014, due to the Board's attendance at the NACO (Nebraska Association of County Officials) Legislative Conference in Kearney, Nebraska.**

B. **The Lancaster County Board of Commissioners will meet with the Lancaster County Agricultural Society on Thursday, October 16, 2014, at 7:30 p.m., at the Lancaster Event Center in the Nebraska Room (4100 N. 84th Street, Lincoln).**

C. **The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, October 21, 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.**

D. **The County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.**

ANNOUNCEMENTS CONTINUED:

- 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.

The Chair recessed the meeting at 11:18 a.m.

The Chair reconvened the meeting at 11:27 a.m.

RETURNING TO ITEM 4P:

MOTION: Smoyer moved and Raybould seconded to enter executive session at 11:27 a.m. for the purpose of labor negotiations and to protect the public interest.

The Chair restated the motion for the record.

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

Amundson exited the meeting.

MOTION: Smoyer moved and Raybould seconded to exit executive session at 11:46 a.m. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

8) **ADJOURNMENT**

MOTION: Smoyer moved and Schorr seconded to adjourn the Board of Commissioners meeting at 11:46 a.m. Raybould, Smoyer, Schorr and Hudkins voted aye. Amundson was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, OCTOBER 14, 2014
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 October 10, 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 11:18 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, October 7, 2014.**

MOTION: Smoyer moved and Raybould seconded approval of the minutes. Raybould, Amundson, Smoyer and Hudkins voted aye. Schorr abstained. Motion carried 4-0 with one abstention.

2) **ADDITIONS AND DEDUCTIONS TO THE TAX ASSESSMENT ROLLS:**

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

3) **CERTIFICATION OF 2014-2015 TAX LEVIES**

MOTION: Amundson moved and Raybould seconded approval of the 2014-2015 tax levies. Amundson, Smoyer, Schorr, Raybould and Hudkins voted aye. Motion carried 5-0.

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

Teri Pope-Gonzalez, 349 S. 1st Street, discussed tax levies and tax assessment rolls.

5) **ADJOURNMENT**

MOTION: Smoyer moved and Raybould seconded to adjourn the Board of Equalization meeting at 11:27 a.m. Smoyer, Schorr, Raybould, Amundson and Hudkins voted aye. Motion carried 5-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk

