

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 8, 2011
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

Commissioners present: Deb Schorr, Chair
Bernie Heier, Vice Chair
Larry Hudkins
Jane Raybould

Commissioners absent: Brent Smoyer

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 9:30 a.m.

1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, February 1, 2011.**

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

2) **CLAIMS: Approval of all claims processed through Tuesday, February 8, 2011.**

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

3) **PUBLIC HEARING:**

- A. **A Class IB liquor license application from Michael and Tammy Roth, d/b/a Kramer Bar & Grill, located at 11365 W. Kramer Street, Kramer, Lancaster County, Nebraska.**

The Chair announced the item would be held until later in the meeting pending the arrival of the applicants.

4) **NEW BUSINESS:**

- A. **A resolution in the matter of approving an additional expenditure in the amount of \$1,824 pursuant to Section 7 of Utility Relocation Agreement C-09-0536 for Project No. C55-KP-412(2) on S. 98th Street from Pioneers Boulevard to Van Dorn Street. (R-11-0011)**

4) **NEW BUSINESS CONTINUED:**

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

- B. **A program resolution and program agreement with Nebraska Department of Roads for Project No. BR-NBIS(91) to perform a routine and fracture critical bridge inspection on County bridges. (R-11-0012) (C-11-0062)**

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

- C. **A memorandum of agreement between the Lincoln Council on Alcoholism and Drugs, Inc., and Lancaster County, on behalf of the Lancaster County Sheriff's Office, to fund law enforcement activities designed to prevent instances of underage drinking, detect alcohol related violations and prevent alcohol related automobile accidents in Lancaster County. (C-11-0061)**

John Austin asked if this was similar to the DARE program. Terry Wagner, County Sheriff, explained the program reimburses the County Sheriff's Office for overtime spent on enforcement of alcohol violations.

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

- D. **A recommendation from the Purchasing Agent and the County Engineer to award a contract in the amount of \$38,700 to Midwest Coating Company, Inc., for crack sealing bituminous surfacing. (B-11-0008)**

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

- E. **An amendment to County Contract No. C-10-0022 between Lancaster County, the City of Lincoln and Osburn Associates, Inc., for the annual supply of aluminum sign blanks. The amendment provides for additional products and pricing as listed in Attachment A. (C-11-0063)**

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

- F. **An amendment to County Contract No. C-10-0189 between Lancaster County, the City of Lincoln and Teknion, L.L.C., for the annual requirements of Teknion office furniture. The amendment renews the agreement for an additional one-year term from March 1, 2011, to February 29, 2012. (C-11-0064)**

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

4) **NEW BUSINESS CONTINUED:**

- G. **An addendum to County Contract No. C-09-0354 between Central States Tactical, Inc., and Lancaster County for the annual supply of ammunition. The addendum assigns the rights, duties and obligations of the agreement from Central States Tactical to Remington Arms Company, Inc. (C-11-0065)**

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

- H. **A grant contract between Lancaster County and the City of Lincoln, on behalf of the Lincoln Police Department, to provide funding for the Police Officers Working with Education Referrals (POWER) program. The County shall expend federal grant funds in the amount of \$9,584 and the City of Lincoln shall contribute \$1,320 in matching funds. Term of the grant contract is July 1, 2010, to June 30, 2011. (C-11-0066)**

In response to Schorr's inquiry, Terry Wagner said he was not familiar with the program.

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

- I. **A grant contract between Lancaster County and the City of Lincoln to provide funding for the Lincoln Police Department's Domestic Violence Specialist position. The County will expend \$34,904 from the Federal Violence Against Women fund and the City of Lincoln will contribute \$11,635 in matching funds. Term of the grant contract is June 1, 2010, to May 31, 2011. (C-11-0067)**

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

- J. **A political subdivision tort claim filed against Lancaster County Corrections by Alvin G. Long for lost property in the amount of \$79.**

MOTION: Raybould moved and Hudkins seconded denial of the tort claim.

Heier noted the denial was based on the department director's recommendation.

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

- K. **A political subdivision tort claim filed against Lancaster County Corrections by Terrell A. Wilkins.**

Hudkins noted Wilkins was lodged in the Saunders County jail at the time of the claim.

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

- L. **A political subdivision tort claim filed against Lancaster County Corrections by Tarrel S. Brooks.**

4) **NEW BUSINESS CONTINUED:**

Item held per request of the County Attorney.

M. Approval of a press release policy for the Lancaster County Board of Commissioners.

MOTION: Heier moved and Hudkins seconded approval of the press release policy. Hudkins, Raybould, Heier and Schorr voted aye. Smoyer was absent. Motion carried 4-0.

Returning to Item 3A:

The Chair opened the public hearing.

Michael and Tammy Roth were administered the oath. Schorr confirmed the bar was a purchase of an existing business. Heier asked if any changes would be made. Michael Roth said they are trying to make a more family friendly environment. Raybould asked about the violation omissions on the application, which were addressed in the County Sheriff's letter. Michael Roth said they overlooked citations from several years ago. He submitted a list of offenses not previously noted (copy placed on file with the application). Schorr noted these kinds of omissions have occurred often as the application is not clear; however, it is a State application and cannot be altered by the County. Hudkins asked about bar experience and hospitality training. Michael Roth said his wife had previous bartending experience and a few employees have taken hospitality training. He said they would be willing to take the hospitality training also.

Terry Wagner, County Sheriff, was administered the oath. He explained the Sheriff's database had a much more extensive record of violations than what the Department of Motor Vehicles could provide to the public; therefore, it would be difficult for a regular citizen to obtain old driving citations.

The Chair announced the public hearing would be held open for one week and the applicant would not be required to reappear.

John Austin was administered the oath. He expressed his support for the Kramer Bar & Grill.

5) **CONSENT ITEMS:** *These are items of business that are routine which 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 monthly reports for January, 2011:

1. **County Clerk.**
2. **Clerk of the District Court.**
3. **County Assessor/Register of Deeds.**
4. **County Records & Information Management.**

B. A leasehold contract between the County Engineer and Dean Buhr, in the amount of \$10, located north of Martell Road on S. 120th Street; Project No. CP-R-104. (C-11-0068)

5) **CONSENT ITEMS CONTINUED:**

C. **Right-of-way contracts between the County Engineer and the following:**

1. **Kimberly and Bruce Topp, in the amount of \$9, located at SW 2nd Street and W. Pella Road; Project No. CP-W-175. (C-11-0069)**
2. **L. Dwight Cherry, in the amount of \$361, located at 120th Street and Martell Road; Project No. CP-R-104. (C-11-0070)**

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

6) **PUBLIC COMMENT:**

Melvin Moore discussed the sale of Lancaster Manor. He questioned the sale's effect on bond ratings. Hudkins said it was unknown at this point, but it could affect the bond rating in the future.

Kim Kaspar, American Federation of State, County & Municipal Employees, asked the County Board to give the union the opportunity to discuss various issues with them. Raybould agreed it was important to meet for union discussions as long as certain rules were followed. Heier questioned Kaspar on comments she had made in regards to the meeting he had with her, Melvin Moore and Commissioner Hudkins. She said her understanding following the meeting was that Heier felt the Board should not have met with the union. Heier stated he would not have another union meeting unless it was scheduled. Hudkins felt it was a good meeting and communication with the union was important.

John Austin discussed a variety of topics, including the Lancaster Manor sale, livestock and a loose railing in front of the County-City Building.

7) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will hold a staff meeting on Tuesday, February 8, 2011, at 10:30 a.m., or immediately following the County Board of Commissioners and Board of Equalization meetings, in Room 113 on the first floor of the County-City Building. A staff meeting will not be held on Thursday, February 10, 2011, due to attendance at the Nebraska Association of County Officials (NACO) County Board Workshop.**
- B. **The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, February 15, 2011, at 5:00 p.m., in Room 112 on the first floor of the County-City Building, with the Board of Equalization meeting immediately following.**
- C. **A public hearing will be held on Tuesday, February 15, 2011, at 5:00 p.m., in Room 112 on the first floor of the County-City Building regarding Lancaster Manor proceeds.**
- D. **The Lancaster County Board of Commissioners meeting is broadcast live at 9:30 a.m., on Tuesdays and rebroadcast at 1:30 p.m., and 6:30 p.m., as well as on Saturday afternoon on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on Nebraska On Demand Time Warner Channel 101 and is available on the internet 24 hours a day at www.lancaster.ne.gov. Click on 5 City-TV Video on Demand.**

8) **ADJOURNMENT**

MOTION: Heier moved and Hudkins seconded to adjourn the Board of Commissioners meeting at 10:08 a.m. Raybould, Heier, Hudkins and Schorr voted aye. Smoyer was absent. Motion carried 4-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, FEBRUARY 8, 2011
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE LANCASTER COUNTY
BOARD OF COMMISSIONERS MEETING

Commissioners present: Deb Schorr, Chair
Bernie Heier, Vice Chair
Larry Hudkins
Jane Raybould

Commissioners absent: Brent Smoyer

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 10:08 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, February 1, 2011.**

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

2) **ADDITIONS AND DEDUCTIONS: Approval of 18 additions and deductions to the tax assessment rolls per Attachments "A" and "B".**

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

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

St. Joseph Catholic Church and School
Southeast Nebraska Mobile Diagnostic Services, Inc.

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

4) **ADJOURNMENT**

MOTION: Heier moved and Hudkins seconded to adjourn the Board of Equalization meeting at 10:09 a.m. Hudkins, Raybould, Heier and Schorr voted aye. Smoyer was absent. Motion carried 4-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk

