

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 21, 2011
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

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

Commissioners absent: Bernie Heier, Vice Chair

Others present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Tom Fox, 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, June 14, 2011.**

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

2) **CLAIMS: Approval of all claims processed through Tuesday, June 21, 2011.**

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

3) **SPECIAL PRESENTATIONS:**

A. **Introduction of Darren Macfee, Lancaster County Visitors Promotion Committee – Jeff Maul, Convention & Visitors Bureau Executive Director, and Steve Hilton, Visitors Promotion Committee Chair.**

Jeff Maul introduced Darren Macfee, Lincoln Children's Museum Executive Director, as the committee replacement for John Chapo, Lincoln Children's Zoo President/CEO. Macfee expressed his appreciation and discussed the importance of tourism in the County. The Chair asked that Item 5A be read.

5A. **Appointment of Darren Macfee to the Lancaster County Visitors Promotion Committee for a four-year term commencing July 1, 2011.**

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

3) **SPECIAL PRESENTATIONS CONTINUED:**

- B. **Lancaster County Visitors Improvement Fund Grant to Lincoln Children's Zoo for enhancement of the zoo entrance – Jim Strand, Lincoln Children's Zoo Business Manager.**

Jeff Maul said the countdown clock used for the Special Olympics would be repurposed for use at the Lincoln Children's Zoo. Jim Strand said the grant would cover sign installation. He noted over 50 events would be held at the zoo this year and the sign would help publicize the information. John Chapo expressed his appreciation for the opportunity to serve on the Visitors Promotion Committee (VPC) and thanked everyone involved for the funding. Hudkins discussed the importance of the signage. Smoyer and Schorr praised Chapo for his many years of experience on the VPC. The Chair asked that Item 5B be read.

- 5B. **A grant contract in the amount of \$10,000 from the Lancaster County Visitors Improvement Fund between the Lincoln Children's Zoo, grantee, and Lancaster County, grantor, for enhancing the zoo entrance. (C-11-0332)**

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

4) **PUBLIC HEARING:**

- A. **Increase of appropriations for the Community Mental Health Fund, in the amount of \$32,500, for unanticipated increases in liability insurance.**

The Chair opened the public hearing. Dennis Meyer, County Budget & Fiscal Director, was administered the oath. He explained that a public hearing is required for this action as was done last week with the General Fund. This will give additional spending authority under the Community Mental Health fund but does not change property tax. The Chair closed the public hearing and asked that Item 5C be read.

- 5C. **A resolution in the matter of supplementing appropriations from the previously adopted budget for the Community Mental Health Fund in the amount of \$32,500. (R-11-0042)**

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

5) **NEW BUSINESS:**

Items 5A, 5B and 5C were moved forward on the agenda.

- D. **A resolution instituting eminent domain proceedings against Beverly A. Hempstead; Project C55-Q-409(1), Tract No. 32 (Pine Lake Road from S. 112th Street to S. 148th Street). (R-11-0041)**

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

5) **NEW BUSINESS CONTINUED:**

- E. **A recommendation from the Purchasing Agent and the County Engineer to award a bid for the annual production supply of gravel, rock and ice control gravel to the following: (B-11-0027)**

Gravel

Western Sand & Gravel - \$9.35/Ton

Bluff Gravel - \$9.00/Ton

Lyman-Richey Sand & Gravel - \$9.60/Ton

Rock Type "A"

Kerford Limestone - \$10.90/Ton

Rock Type "B"

Kerford Limestone - \$10.90/Ton

Ice Control Gravel

Western Sand & Gravel - \$5.10/Ton

Lyman-Richey Sand & Gravel - \$5.10/Ton

Don Thomas, County Engineer, said Rock "A" and "B" are differentiated by size and quality. Rock "B" is for construction while Rock "A" is for roads. He noted two companies had the same price as last year.

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

- F. **A 2008 grant adjustment notice to the sub-grant award agreement for 2008 Department of Homeland Security Grant 2008-GE-T8-0054 with the Nebraska Emergency Management Agency as the grantee and Lancaster County on behalf of the Southeast Region as the sub-grantee. The sub-grant is in the amount of \$532,190 and covers the period of September 1, 2008, to August 31, 2011. (C-11-0333)**

Doug Ahlberg, Emergency Management Director, said the grants in Items 5F and 5G have been previously approved. Funds had to be moved from one grant to another since one county was unable to complete their tower construction within the grant's timeframe. He noted that a delay in environmental impact studies held up the tower construction.

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

- G. **A 2009 sub-recipient agreement for 2009 Department of Homeland Security Grant 2009-SS-T9-0061 with the Nebraska Emergency Management Agency as the grantee and Lancaster County on behalf of the Southeast Region as the sub-grantee. The total award amount is \$607,880 and covers the period of September 1, 2009, to July 31, 2012. (C-11-0334)**

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

- H. **A partial release of easement releasing all utility easements within Lot 1, Cheney Cemetery Addition, Lancaster County, Nebraska, granted through the final plat of Cheney Cemetery Addition, filed in the office of the Lancaster County Register of Deeds as Instrument No. 1998-046438 on September 8, 1998. (C-11-0326)**

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

5) **NEW BUSINESS CONTINUED:**

- I. **A contract with LDV, Inc., on behalf of the Lancaster County Sheriff, for a mobile command center. The County will expend grant funds in the amount of \$194,000 for the purchase. (C-11-0327)**

Terry Wagner, County Sheriff, said their command center vehicle is being replaced and paid for by Homeland Security funds. He noted the contract involves the trade of the old vehicle.

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

- J. **An amendment to County Contract No. C-08-0390 between Brandt Excavating Company, Lancaster County, the Lincoln-Lancaster County Public Building Commission and the City of Lincoln for demolition services. The amendment renews the contract for a one-year term from July 1, 2011, to June 30, 2012, and verifies compliance with the Employee Classification Act. (C-11-0328)**

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

- K. **An amendment to County Contract No. C-08-0391 between K2 Construction, Inc., Lancaster County, the Lincoln-Lancaster County Public Building Commission and the City of Lincoln for demolition services. The amendment renews the contract for a one-year term from July 1, 2011, to June 30, 2012, and verifies compliance with the Employee Classification Act. (C-11-0329)**

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

- L. **An amendment to County Contract No. C-08-0392 between Mid Nebraska Grading & Demolition, Inc., Lancaster County, the Lincoln-Lancaster County Public Building Commission and the City of Lincoln for demolition services. The amendment renews the contract for a one-year term from July 1, 2011, to June 30, 2012, and verifies compliance with the Employee Classification Act. (C-11-0330)**

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

- M. **An amendment to County Contract No. C-11-0030 between Ferrellgas, Lancaster County and the City of Lincoln for annual requirements of propane. The amendment requires Ferrellgas to leave a delivery and meter ticket at each drop off location to be signed by an employee of the City or County, verifying delivery and quantity. (C-11-0331)**

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

5) **NEW BUSINESS CONTINUED:**

- N. **An agreement with Great Plains Appraisal, Inc., 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 2011 tax year before the Lancaster County Board of Equalization. The coordinator is also responsible for ensuring all papers related to such protests along with written findings and recommendations are made available to the Board. The Referee Coordinator shall be reimbursed at a rate of \$720 per working day up to \$100,000. (C-11-0335)**

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

- O. **An agreement between Kristy Bauer, Attorney at Law, and Lancaster County on behalf of the Human Services Department for professional legal services to screen and review juvenile law and truancy violations and to provide assistance with School Multi Agency Response Team meetings and truancy intervention programs. The County shall pay up to \$2,640 for the services. Term of the contract is July 1, 2011, to September 30, 2011. (C-11-0336)**

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

- P. **A contract between Chem-Trol and Lancaster County for noxious weed control along Burlington Northern Railroad right-of-way on an as needed basis. The County will pay for products and services according to the line item pricing as listed in the Contractor's proposal. Term of the agreement is one year from the date of execution by both parties. (C-11-0337)**

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

- Q. **An amendment to County Contract No. C-11-0211 between Kenwood USA Corporation Communication Division, Lancaster County and the City of Lincoln for two-way communications equipment and related accessories. The amendment adds several documents to the contract to comply with federal grant requirements. (C-11-0338)**

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

Schorr asked if more contract amendments would be needed to meet federal requirements. Bob Walla, Assistant Purchasing Agent, said federal funds require certain forms not included on the original bid.

- R. **An amendment to County Contract No. C-08-0316 between Dickey & Burham, Inc., Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for general construction services under \$25,000. The amendment renews the contract for an additional one-year term from July 1, 2011, to June 30, 2012, and verifies compliance with the Employee Classification Act. (C-11-0339)**

5) **NEW BUSINESS CONTINUED:**

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

- S. **An amendment to County Contract No. C-08-0317 between David Wood Construction, Inc., Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for general construction services under \$25,000. The amendment renews the contract for an additional one-year term from July 1, 2011, to June 30, 2012, and verifies compliance with the Employee Classification Act. (C-11-0340)**

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

- T. **An amendment to County Contract No. C-10-0317 with Correctional Healthcare Management (CHM), Inc., for juvenile healthcare services at the Youth Services Center. The amendment increases the amount of compensation paid to CHM to \$14,563.17 per month for the period of July 1, 2011 to June 30, 2012. (C-11-0342)**

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

- U. **Adoption of 2011 Lancaster County Board of Equalization Policies and Procedures for Property Valuation Protests.**

MOTION: Raybould moved and Hudkins seconded to adopt the policies and procedures. Raybould, Smoyer, Hudkins and Schorr voted aye. Heier was absent. Motion carried 4-0.

- 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. **A right-of-way agreement between the County Engineer and Janel Hesson, in the amount of \$358, located at SW 84th Street and Pioneers Boulevard; Project No. CP-N-7. (C-11-0341)**
- B. **Receive and place on file the County Records & Information Management monthly report for May 2011.**

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

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

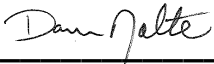
Jane Svoboda and John Austin appeared.

8) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, June 23, 2011, at 8:30 a.m., in Room 113 on the first floor of the County-City Building.
- B. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, June 28, 2011, at 9:30 a.m., in Room 112 on the first floor of the County-City Building, with the Board of Equalization meeting immediately following.
- C. Public hearings will be held on Tuesday, June 28, 2011, at 9:30 a.m. in Room 112 on the first floor of the County-City Building regarding the following:
 - 1. Establishment of an access road for Dorothy K. Maher, located in the Southeast Quarter of Section 8, Township 12, Range 8, East of the 6th Principal Meridian, Lancaster County, Nebraska.
 - 2. Nomination of Elaine Hammer and Bob Workman to the Board of Trustees of Hospital Authority No. 1 of Lancaster County, Nebraska, terms to expire July 30, 2017.
- D. The Lancaster County Board of Commissioners meeting is broadcast live. It is rebroadcast on Tuesday at 1:30 and 6:30 p.m. and on Saturday afternoon on 5 City-TV, Cable Channel 5. In addition, the meeting may be viewed on Nebraska On Demand Time Warner Channel 411 and on the internet at www.lancaster.ne.gov. Click on 5 City-TV Video on Demand.
- E. The County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.

9) **ADJOURNMENT**

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



Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JUNE 21, 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
Larry Hudkins
Jane Raybould
Brent Smoyer

Commissioners absent: Bernie Heier, Vice Chair

Others present: Scott Gaines, Deputy County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Tom Fox, 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 10:09 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 14, 2011.**

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

2) **ADDITIONS AND DEDUCTIONS: Approval of 17 additions and deductions to the tax assessment rolls per Attachments "A" and "B".**

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

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

Christian Retirement Homes
First Presbyterian Church
Sisters of Mercy

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

4) **ADJOURNMENT**

MOTION: Smoyer moved and Raybould seconded to adjourn the Board of Equalization meeting at 10:11 a.m. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk

