

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 28, 2011
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

Commissioners present: Deb Schorr, Chair
Jane Raybould
Brent Smoyer

Commissioners absent: Bernie Heier, Vice Chair
Larry Hudkins

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, June 21, 2011**

MOTION: Smoyer moved and Raybould seconded approval of the minutes. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

2) **CLAIMS: Approval of all claims processed through Tuesday, June 28, 2011.**

MOTION: Raybould moved and Smoyer seconded approval of the claims. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

3) **SPECIAL PRESENTATIONS:**

A. **Introduction of William Bowman, Lancaster County Veterans Service Committee – Gary Chalupa, County Veterans Service Officer.**

Gary Chalupa introduced William Bowman who is being reappointed to the Veterans Service Committee. He discussed the appointment process. Bowman gave an overview of his military and work experience.

5A. **Reappointment of William Bowman to the Lancaster County Veterans Service Committee for a five-year term, commencing July 1, 2011, and ending June 30, 2016.**

MOTION: Smoyer moved and Raybould seconded approval of the reappointment. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

3) **SPECIAL PRESENTATIONS CONTINUED:**

- B. **Lancaster County Visitors Improvement Fund grant to Lancaster County Agricultural Society for facility improvements at the Lancaster Event Center – Ron Snover, Lancaster Event Center Managing Director; and Jeff Maul, Convention & Visitors Bureau Executive Director.**

Jeff Maul discussed the projects at the Lancaster Event Center, which includes ceiling fan units, concrete work, a public address system and additional meeting room space. Raybould asked if the improvements would be done before the County Fair. Ron Snover said the concrete work is already being done and the fans will be installed this week, but the additional office space will not be done until later. He said the Fair would run from August 4-13.

- 5B. **A grant contract in the amount of \$275,751 from the Lancaster County Visitors Improvement Fund between the Lancaster County Agricultural Society, grantee, and Lancaster County, grantor, for improvements to the Lancaster Event Center. (C-11-0372)**

MOTION: Smoyer moved and Raybould seconded approval of the contract. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

4) **PUBLIC HEARINGS:**

- A. **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.**

The Chair opened the public hearing. Lauren Wismer, Gilmore & Bell, was administered the oath. He said there are six members on the Board that serve six-year terms. Elaine Hammer is seeking reappointment and Bob Workman is seeking to fill a vacated spot. Wisner noted Kathy Campbell has submitted a letter of resignation. The Chair closed the public hearing.

- 5C. **A resolution in the matter of the reappointment of Elaine Hammer and the appointment of Bob Workman to the Board of Trustees of Hospital Authority No. 1 of Lancaster County, Nebraska, terms to expire July 30, 2017. (R-11-0043)**

MOTION: Smoyer moved and Raybould seconded approval of the resolution. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- B. **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.**

Mike Thew, Deputy County Attorney, explained that statutes require the County Board to hold a public hearing within 30 days of this petition being filed for road access to an isolated piece of property. He said the attorneys for both parties contacted him and said they are working to resolve the matter. Thew asked that the public hearing be postponed since the attorneys are willing to waive the 30-day deadline for the hearing.

4) **PUBLIC HEARINGS CONTINUED:**

J.L. Spray, attorney for Dorothy Maher (applicant), said this is a statutory proceeding to gain access across a third party's property to an isolated piece of ground. He said they are working with the County Engineer to discuss cost and possible requirements. Spray asked the Board to postpone the public hearing for 30 days (or four weeks) until July 26. He stated, on behalf of the Mahers, that they are willing to waive the right to the public hearing within 30 days.

Vic Covalt, attorney for John and Bridget Pacovsky (adjoining landowners), said they are agreeable to postponing the hearing for 30 days, reserving all other rights.

The Chair announced that the public hearing would be delayed until July 26.

5) **NEW BUSINESS:**

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

- D. **A resolution in the matter of setting salaries of the Election Commissioner and Chief Deputy Election Commissioner for the term of office starting September 7, 2011. (R-11-0044)**

MOTION: Smoyer moved and Schorr seconded approval of the resolution. Smoyer and Schorr voted aye. Raybould voted nay. Heier and Hudkins were absent. Motion carried 2-1.

- E. **A special events permit application from St. Michael's Church to hold a car show at 9210 Yankee Hill Road, Cheney, on Sunday, August 28, 2011, from 12:00 to 5:00 p.m.**

Richard Hergott said St. Michael's Church in Cheney planned to have a car show as a fundraiser. He requested permission to block off streets for the show. Hergott submitted signatures from the landowners along the streets involved (Exhibit A). In response to Schorr's question, he said he was comfortable with the Sheriff and Engineer's recommendations.

Edward Malk said 100 to 125 cars are expected for the show. He explained the fundraiser would help build a new school for the church.

MOTION: Smoyer moved and Raybould seconded approval of the special events permit application. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- F. **Appointment of Cary Sandell, Michael Sullivan, Mike Ayars, Jeff Krejci and Toby Boss to the Lancaster County CDBG Re-Use Fund Loan Review Committee.**

MOTION: Raybould moved and Smoyer seconded approval of the appointments. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- G. **Promotion of Sarah Newell from Attorney I to Attorney II at an annual salary of \$63,687, effective June 28, 2011.**

The consensus of the Board was to delay the item for one week to obtain more information.

5) **NEW BUSINESS CONTINUED:**

- H. **A labor agreement with the Lancaster County Deputy Sheriffs' Association, Fraternal Order of Police, Lodge 29, for a one-year period beginning September 8, 2011. (C-11-0362)**

MOTION: Smoyer moved and Raybould seconded approval of the agreement. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- I. **An interlocal agreement with Lower Platte South Natural Resources District for erosion control and stream stabilization as part of the Little Salt Creek Watershed Master Plan; Project No. C.I.P., Site Numbers 1, 11 and 13. Estimated cost to the County is \$22,000. Term of the agreement is five years from the date of execution by both parties. (C-11-0363)**

MOTION: Smoyer moved and Raybould seconded approval of the agreement. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- J. **An interlocal agreement with the City of Lincoln for the services of the City's Equal Opportunity Officer in conducting investigations and trainings. The County will pay \$15,000 for the services provided. Term of the agreement is July 1, 2010, to June 30, 2011. (C-11-0361)**

MOTION: Smoyer moved and Raybould seconded approval of the agreement. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- K. **Amendment No. 1 to the 2010-2011 network provider contract with the Regional Behavioral Health Authority (Region V) for certain behavioral mental health services at the Community Mental Health Center. The amendment amends Appendix A, Section IV, Behavioral Health Service Allocations regarding reimbursement for services provided by the Community Mental Health Center. (C-11-0364)**

MOTION: Raybould moved and Smoyer seconded approval of the amendment. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- L. **An agreement with the Board of Regents of the University of Nebraska, on behalf of the Department of Psychology, for a Project Director and Psychology Extern to carry out duties and conduct research for the Community Mental Health Center's participation in the "Recovery After the Initial Schizophrenia Episode (RAISE)" project. The County shall pay \$36,671.65 for the services provided. Term of the agreement is July 13, 2011, to June 30, 2012. (C-11-0365)**

MOTION: Smoyer moved and Raybould seconded approval of the agreement. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

5) **NEW BUSINESS CONTINUED:**

- M. **A contract with Aging Partners (AP) for the Harvest Project, the provision of mental health, substance abuse and aging services to elderly residents of Lancaster County. AP will provide one Traditional Community Support Care Manager and one Emergency Support Manager, each to work 40 hours per week to assist in the provision of services. The County will pay up to \$139,000 for the services. Term of the contract is July 1, 2011, to June 30, 2012. (C-11-0366)**

MOTION: Raybould moved and Smoyer seconded approval of the contract. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- N. **A child and adult care food program application agreement with Nebraska Department of Education, Nutrition Services for Program Year 2012 on behalf of the Lancaster County Community Mental Health Center. (C-11-0373)**

MOTION: Raybould moved and Smoyer seconded approval of the agreement. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- O. **An agreement with Great Plains Appraisal, Inc., to provide referees to hear valuation protests and transmit to the Lancaster County Board of Equalization all papers relating to such protests, together with written findings and recommendations. Great Plains Appraisal will provide the services of Richard Keith, Wayne Kubert, Cay Lacey, Thomas Kubert, Mickey Tuttle, Cody Gerdes, Shana Sprackling, Lori Johnson, Kevin James, Mona Kubert and Cathy Briley. The County will pay from \$60 to \$85 per hour for referee service, \$30 per hour for clerical support and \$35 per hour for security service. (C-11-0343)**

Smoyer commended the process as it allows taxpayers a fair chance to protest their property valuations. He encouraged people to take advantage of the opportunity.

MOTION: Smoyer moved and Raybould seconded approval of the agreement. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- P. **Agreements with the following individuals for referee services provided to hear valuation protests filed for the 2011 tax year and to transmit information to the Lancaster County Board of Equalization.**

| <u>Individual</u> | <u>Hourly Rate</u> |
|----------------------------------|---------------------------|
| Robert W. Anderson (C-11-0344) | \$59 |
| Dan L. Cuda (C-11-0345) | \$75 |
| Kathy J. Everman (C-11-0346) | \$65 |
| Stephen Folmer (C-11-0347) | \$75 |
| Benjamin Hynek (C-11-0348) | \$70 |
| Bill Lange (C-11-0349) | \$60 |
| John E. McVay (C-11-0350) | \$45 |
| Jan Moore (C-11-0351) | \$55 |
| Barbara J. Ramm (C-11-0352) | \$70 |
| John (Jack) Sullivan (C-11-0353) | \$55 |
| Larry G. Swanson (C-11-0354) | \$75 |

5) **NEW BUSINESS CONTINUED:**

| | |
|--|------|
| Marilyn Tabor (C-11-0355) | \$50 |
| Joel S. Walker, d/b/a A Plus Appraisal (C-11-0356) | \$50 |
| Sally A. Webster (C-11-0357) | \$70 |
| Aaron Wilson (C-11-0358) | \$70 |
| Joe Wilson (C-11-0359) | \$85 |
| Larry K. Wrasse (C-11-0360) | \$59 |

MOTION: Raybould moved and Smoyer seconded approval of the agreements. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- Q. **A contract with Metro Building Services, Inc., for cleaning services at the Cherrycreek Road facilities. The County will pay for products and services pursuant to the pricing listed in the contractor's proposal. Term of the contract is July 1, 2011, to June 30, 2012. (C-11-0367)**

MOTION: Smoyer moved and Raybould seconded approval of the contract. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- R. **An amendment to County Contract C-08-0219 with Legal Aid of Nebraska for legal representation to indigent parties in proceedings in the Juvenile Court of Lancaster County. The amendment renews the agreement for an additional one-year term from July 1, 2011, to June 30, 2012. (C-11-0368)**

MOTION: Raybould moved and Smoyer seconded approval of the amendment. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- S. **An amendment to County Contract C-07-0553 with PharMerica for pharmacy and related services. The amendment provides that PharMerica will no longer service Lancaster Manor and Lancaster County Correctional Facilities. (C-11-0369)**

MOTION: Smoyer moved and Raybould seconded approval of the amendment. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- T. **An amendment to County Contract C-08-0358 between Weathercraft Company of Lincoln, Lancaster County, the City of Lincoln, and the Lincoln-Lancaster County Public Building Commission for miscellaneous roofing services. The amendment renews the contract for an additional one-year term from August 1, 2011, to July 31, 2012, and verifies compliance with the Employee Classification Act. (C-11-0370)**

MOTION: Smoyer moved and Raybould seconded approval of the amendment. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

- U. **An amendment to County Contract C-08-0356 between Midwest Roofing, Inc., Lancaster County, the City of Lincoln, and the Lincoln-Lancaster County Public Building Commission for miscellaneous roofing services. The amendment renews the contract for an additional one-year term from August 1, 2011, to July 31, 2012, and verifies compliance with the Employee Classification Act. (C-11-0371)**

5) **NEW BUSINESS CONTINUED:**

MOTION: Smoyer moved and Raybould seconded approval of the amendment. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

V. **Determination regarding reduction in force of one Clerk II position at the Lancaster County Community Corrections Department effective at 11:59 p.m. on July 14, 2011.**

Kim Etherton, Community Corrections Director, asked to hold the item for more discussion at a staff meeting. The Chair announced the item would be held.

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

Jane Svoboda appeared.

7) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, June 30, 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, July 5, 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. **The Lancaster County Board of Commissioners meeting is broadcast live. It is rebroadcast on Tuesday at 1:30 and 6:00 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.**
- D. **The County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.**

8) **ADJOURNMENT**

MOTION: Raybould moved and Smoyer seconded to adjourn the Board of Commissioners meeting at 10:04 a.m. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.



Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JUNE 28, 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
Jane Raybould
Brent Smoyer

Commissioners absent: Bernie Heier, Vice Chair
Larry Hudkins

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 10:04 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 21, 2011.**

MOTION: Smoyer moved and Raybould seconded approval of the minutes. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

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

MOTION: Smoyer moved and Raybould seconded approval of the additions and deductions. Raybould, Smoyer and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

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

Indian Hills Community Church

MOTION: Raybould moved and Smoyer seconded approval of the motor vehicle tax exemption application. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

4) **ADJOURNMENT**

MOTION: Smoyer moved and Raybould seconded to adjourn the Board of Equalization meeting at 10:05 a.m. Smoyer, Raybould and Schorr voted aye. Heier and Hudkins were absent. Motion carried 3-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk



