

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 23, 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
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, August 16, 2011.**

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

2) **CLAIMS: Approval of all claims processed through Tuesday, August 23, 2011.**

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

3) **SPECIAL PRESENTATION:**

A. **Commissioners Award of Excellence for July 2011 to Alan Fulton, Community Mental Health Center.**

Dean Settle, Community Mental Health Center Executive Director, introduced Alan Fulton and gave an overview of his work.

The Clerk read the nomination for the record.

Settle introduced those present in support of Fulton: Travis Parker, Community Mental Health Center Deputy Director; Scott Etherton, Crisis Center Director; and Dr. Sanat Roy, Community Mental Health Center Medical Director.

Raybould presented a plaque to Fulton, who expressed his appreciation for the award.

4) **OLD BUSINESS:**

- A. **An agreement with Maximus, Inc., for professional consulting services to provide cost allocation plans and collections from programs which the County operates with outside funding for fiscal years 2011, 2012 and 2013. The County will pay \$9,200 per year for the services. (C-11-0479)**

MOTION: Hudkins moved and Smoyer seconded approval of the agreement subject to receipt of the insurance certificate and final review by the County Attorney's Office. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.

5) **NEW BUSINESS:**

- A. **Special designated license applications from WunderRosa Winery to provide liquor beverage service at 2361 Wittstruck Road, Roca, for events on Saturday, October 1, and Saturday, October 8.**

MOTION: Heier moved and Smoyer seconded approval of the special designated licenses. Hudkins, Raybould, Heier, Smoyer and Schorr voted aye. Motion carried 5-0.

- B. **A special events permit application from Angry Cow Adventures to hold an Adventure Race in Southeast Lancaster County on Saturday, September 17, 2011.**

Jim Craig, Angry Cow Adventures, said this event was originally scheduled for Indian Cave State Park, but it was moved to Lancaster County due to flooding.

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

- C. **A special events permit application from Nebraska Sports Council to hold a Mud Run around the Lancaster Event Center on Saturday, August 27, 2011.**

Dave Mlnarik, Nebraska Sports Council Executive Director, said close to 1400 people are registered for the event, representing more than 14 states. He said the run would involve Havelock Street east of the Lancaster Event Center parking areas and 98th Street over to the trail; Sheriff Deputies would be in place to cover that stretch of road.

Hudkins discussed the positive impact on Lincoln's economy from an event that draws so many people.

Per Raybould's request, Mlnarik provided an overview of the event.

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

- D. **A request for a refund of 2010 personal property taxes from Key Equipment Finance.**

Scott Gaines, Deputy County Assessor/Register of Deeds, recommended approval of the refund request. He said the taxpayer corrected a previously made error.

5) **NEW BUSINESS CONTINUED:**

MOTION: Heier moved and Hudkins seconded approval of the refund request based on the recommendation of the County Assessor/Register of Deeds' Office. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.

- E. **An interlocal agreement between the City of Lincoln and Lancaster County, on behalf of Lancaster County Corrections, for roadside litter pickup. The City will pay the County \$50 per mile of roadside litter pickup along county roads, not to exceed \$4,708. Term of the agreement is April 15, 2011, to November 30, 2011. (C-11-0481)**

Hudkins commended Commissioner Heier for promoting the program.

Heier said the grant accounts for about 97 miles of County roads. He said the program has been in place for almost six years.

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

- F. **An amendment to County Contract C-07-0483 with Payflex Systems USA, Inc., for flexible benefits administration. The amendment renews the agreement for an additional three-year term effective January 1, 2012. The County will pay \$4.25 per month for each participating employee. (C-11-0482)**

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

- G. **An amendment to County Contract C-08-0355 between Hernandez Painting, Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for miscellaneous painting 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-11-0483)**

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

- H. **An amendment to County Contract C-08-0357 between David Wood Construction, Inc., Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for miscellaneous painting 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-11-0484)**

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

- I. **An amendment to County Contract C-08-0532 between Roberts Dairy, Lancaster County and the City of Lincoln for dairy products at the Midtown Center and Lincoln Area Agency on Aging. The amendment renews the agreement for an additional one-year term from August 1, 2011, to July 31, 2012. (C-11-0486)**

5) **NEW BUSINESS CONTINUED:**

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

- J. **An interlocal agreement with the Village of Bennet 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, 2011, to August 31, 2012. (C-11-0487)**

Terry Wagner, County Sheriff, said this is a continuing contract for a Deputy on an as needed basis. He explained that the Village of Bennet decides how much coverage is needed and the deputy works those hours. The County pays the overtime and bills the Village for the overtime and vehicle mileage.

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

- K. **Acceptance of a grant award from the Nebraska Commission on Law Enforcement and Criminal Justice for the Enhancement Grant, Grant No. 11-EG-0100. The County shall receive \$20,224. Term of the grant award is July 1, 2011, to June 30, 2012.**

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

- L. **An interlocal agreement with the City of Lincoln for left and right turn lanes to be added at N. 95th Street and Holdrege Street. There is no cost to the County. (C-11-0488)**

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

- M. **A resolution authorizing the installation of the following traffic sign in Lancaster County, Nebraska: one "School Bus Stop Ahead" sign (S3-1) on W. Rokeby Road, approximately 500 feet in advance of 11351 W. Rokeby Road, for westbound traffic. (R-11-0054)**

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

- N. **A resolution in the matter of adoption of the VantageCare Retirement Health Savings (RHS) Plan. (R-11-0055)**

Kerry Eagan, Chief Administrative Officer, said this is the culmination of the request for proposals for the Post Employment Health Plan (PEHP). He explained the County makes a contribution to employee accounts. The money is tax-free when deposited and, if used for qualifying medical expenses or insurance premiums, when withdrawn. There have been concerns with the old plan regarding the ability to monitor it and the fees involved. The documents in 5N through 5R are needed to start the process for a new plan with The International City Management Association Retirement Corporation (ICMA-RC).

5) **NEW BUSINESS CONTINUED:**

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

O. **Approval of the Employer VantageCare Retirement Health Savings (RHS) Plan adoption agreement. (C-11-0489)**

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

P. **An administrative services agreement between The International City Management Association Retirement Corporation (ICMA-RC) and Lancaster County for administration of the VantageCare Retirement Health Savings Plan for the benefit of the employees of Lancaster County. (C-11-0490)**

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

Q. **Approval of the VantageCare Retirement Health Savings (RHS) Plan implementation data form. (C-11-0491)**

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

R. **Approval of the EZLINK access form for the Lancaster County, Nebraska Retirement Health Savings plan with The International City Management Association Retirement Corporation (ICMA-RC). (C-11-0492)**

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

S. **A grant contract with Community Health Endowment of Lincoln to fund research on the integration of mental and physical health care services in Lincoln and Lancaster County. The grant amount is \$5,000 and the term of the grant contract is July 1, 2011 to June 30, 2012. (C-11-0493)**

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

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 contract between the County Engineer and Kenneth Cook and Kathy Havlicek, in the amount of \$404, located at S. 112th Street and Pioneers Boulevard. (C-11-0485)**

6) **CONSENT ITEMS CONTINUED:**

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

7) **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.

8) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, August 25, 2011, at 8:00 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, August 30, 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, August 30, 2011, at 9:30 a.m. in Room 112 on the first floor of the County-City Building regarding the following:**
 - 1. **The vacation of a portion of W. Panama Road, more particularly described as Lot 2, an irregular tract located at a point in the Southwest Quarter of Section 4, Township 7 North, Range 6 East of the Sixth Principal Meridian, Lancaster County, Nebraska.**
 - 2. **An amusement license application from Christian Heritage Children's Home to hold an event at 14880 Old Cheney Road, Walton, on Thursday, September 15, 2011.**
 - 3. **The Lincoln-Lancaster County Health Department's proposal to amend fees in County Resolutions:**
 - (a) **Amendment of Sections VI and XV of County Resolution No. 03-0007, Regulations for the Operation of Body Art and Piercing Establishments in Lancaster County, Nebraska, by increasing various fees.**
 - (b) **Amendment of Section XIII of County Resolution No. 02-30, Procedures for the Regulation of On-Site Wastewater Treatment Systems in Lancaster County, Nebraska, by increasing various fees.**
 - (c) **Amendment of Section X of County Resolution No. 06-0005, Procedures for the Inspection of On-site Water Supply Systems and On-site Wastewater Treatment Systems Prior to the Sale, Transfer, or Conveyance of Property in Lancaster County, Nebraska, by increasing various fees.**
 - (d) **Amendment of Resolution No. 5069, the Lancaster County Air Pollution Control Resolution, to increase the fee for open burning permits charged to business and industry.**
 - (e) **Amendment of the Lincoln-Lancaster County Air Pollution Regulations and Standards, to increase the fee for asbestos project notifications and consolidate all fees into a single section for clarity.**

8) **ANNOUNCEMENTS CONTINUED:**

- D. A public hearing will be held on Tuesday, August 30, 2011, at 7:00 p.m., in Room 112 on the first floor of the County-City Building regarding the following:
1. Keno Fund Projects (on file with the County Budget and Fiscal Office).
 2. Lancaster County's Proposed Budget for Fiscal Year 2011-2012.
- 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 Nebraska On Demand Time Warner Channel 411 and on the internet at www.lancaster.ne.gov. Click on 5 City-TV Video on Demand.
- F. The County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.

9) **ADJOURNMENT**

MOTION: Raybould moved and Heier seconded to adjourn the Board of Commissioners meeting at 9:57 a.m. Hudkins, Raybould, Heier, Smoyer and Schorr voted aye. Motion carried 5-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, AUGUST 23, 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
Brent Smoyer

Others present: Norm Agena, 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 9:57 a.m.

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meetings held on Tuesday, August 2, 2011; Wednesday, August 3, 2011; and Tuesday, August 16, 2011.**

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

- 2) **ADDITIONS AND DEDUCTIONS: Approval of 19 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, Heier, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.

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

Benedictine Sisters
Grace Lutheran Church

MOTION: Heier moved and Smoyer seconded approval of the motor vehicle tax exemption applications. Heier, Smoyer, Hudkins, Raybould and Schorr voted aye. Motion carried 5-0.

4) **ADJOURNMENT**

MOTION: Heier moved and Smoyer seconded to adjourn the Board of Equalization meeting at 9:59 a.m. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk

