

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 6, 2011
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

Commissioners present: Deb Schorr, Chair
Bernie Heier, Vice Chair
Jane Raybould
Brent Smoyer

Commissioners absent: 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 and the minutes of the County budget public hearing both held on Tuesday, August 30, 2011.**

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

- 2) **CLAIMS: Approval of all claims processed through Tuesday, September 6, 2011.**

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

- 3) **SPECIAL PRESENTATIONS:**

- A. **Ceremonial administration of the oath of office to Dave Shively, Lancaster County Election Commissioner, and Maura Kelly Tolzin, Chief Deputy Lancaster County Election Commissioner.**

Per Schorr's request, Dave Shively gave an overview of his and Maura Kelly Tolzin's history with the Election Commission.

The Clerk administered the oath to Shively and Kelly Tolzin.

4) **NEW BUSINESS:**

- A. **An interlocal agreement with the City of Hickman for the provision of law enforcement services with the City, as needed by the City. The Sheriff shall assign one Deputy for duty and provide one Sheriff's cruiser. The County shall be reimbursed at the Deputy's overtime rate for the services provided and shall be reimbursed \$0.555 per mile for cruiser maintenance. Total compensation to the County shall not exceed \$3,500. Term of the agreement is October 1, 2011, to September 30, 2012. (C-11-0499)**

Terry Wagner, County Sheriff, said this item corresponds with the standard agreement in Item 4B, which has been in place over 20 years and provides one full time Deputy Sheriff to Hickman. He said this "as needed" agreement covers overtime worked in Hickman; the overtime is paid back to the County plus mileage.

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

- B. **An interlocal agreement with the City of Hickman for one Sheriff's Deputy for law enforcement services within the corporate limits of the City of Hickman. The County will be reimbursed up to \$86,350.58. Term of the agreement is October 1, 2011, to September 30, 2012. (C-11-0500)**

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

- C. **An interlocal agreement between Lancaster County and the City of Lincoln to provide assistance with Pandemic Flu Preparedness and Response and continuity of operations planning. The City will pay the County \$10,000 for the services of the Deputy Lancaster County Emergency Management Director. Term of the contract is July 1, 2011 to December 31, 2011. (C-11-0501)**

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

- D. **An agreement with the Lincoln Council on Alcoholism and Drugs, Inc., to provide substance use evaluation services for Community Corrections. The County will pay up to \$125 per participant should the participant not pay within 30 days. Term of the contract is July 1, 2011 to June 30, 2012. (C-11-0502)**

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

- E. **An amendment to County Contract No. C-10-0021 between Mid-Continent Safety LLC, the City of Lincoln, Lancaster County and the Lincoln-Lancaster County Public Building Commission for the annual supply of personal protective equipment and first aid supplies. The amendment provides for the addition of the line items listed in Attachment A. (C-11-0503)**

NEW BUSINESS CONTINUED:

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

- F. **An amendment to County Contract No. C-09-0564 with Waste Connections of Nebraska, for waste hauling services. The amendment provides for a 3% price increase in accordance with Attachment A, and renews the agreement for an additional two-year term from November 1, 2011 to October 31, 2013. (C-11-0504)**

Schorr noted the 3% increase is a fuel surcharge contingent upon the price of fuel exceeding \$3.11 per gallon.

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

- G. **A grant contract with Regional Behavioral Health Authority to provide funding for an online resource library for non-profit agencies in Lancaster County. The grant amount is \$25,000 and the term of the grant contract is July 1, 2011 to June 30, 2012. (C-11-0505)**

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

- H. **A grant contract with Voices of Hope to provide funding for the Project Coordinator of the program, "A Coordinated Response to Reducing Domestic Violence." The County will expend federal grant funds in an amount of \$43,722. Term of the grant contract is June 1, 2011 to May 31, 2012. (C-11-0511)**

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

- I. **A resolution in the matter of the vacation of a portion of West Panama Road a.k.a Lot 2, 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. (R-11-0065)**

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

- J. **A resolution in the matter of approving the Lancaster County Fiscal Budget for the Fiscal Year of July 1, 2011 to June 30, 2012. (R-11-0066)**

Raybould thanked County employees, department directors and elected officials for their part in the budget process. She discussed ongoing and future budget challenges.

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

NEW BUSINESS CONTINUED:

- K. **A political subdivision tort claim filed against Lancaster County by Dukhan Mumin for alleged violations of state and federal speedy trial requirements.**

Brittany Behrens, Deputy County Attorney, said this tort claim was filed in response to a previously denied tort claim. She recommended denial.

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

L. Pending Litigation (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. Receive and place on file the following:

1. **Clerk of the District Court monthly report for August 2011.**
2. **Summary of Benefits for the Lancaster County Retirement Health Savings Plans, which is related to the Employer VantageCare Retirement Health Savings (RHS) Plan adoption agreement. (C-11-0489)**

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

1. **Akhtar and Najiba Niazi, in the amount of \$444, located on S. 112th Street and Pioneer Boulevard. (C-11-0506)**
2. **Dorothy Maher, Trustee, in the amount of \$163, located on N. 134th Street 68' north of Agnew Road; Project No. CP-A-225. (C-11-0507)**
3. **Larry Klug, in the amount of \$364, located on W. Holdrege Street 694' west of NW 126th Street; Project No. CP-M-121. (C-11-0508)**
4. **Jack and Glenda Johnson, in the amount of \$163, located on Agnew Road 2,142' west of N. 70th Street; Project No. CP-B-135. (C-11-0509)**
5. **Jean Borgmann, located on W. Holdrege Street 1853' west of NW 126th Street; Project No. CP-M-120. (C-11-0510)**

Smoyer thanked Jean Borgmann for the right-of-way donation.

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

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

John Austin discussed a variety of topics, including the County budget, the Sheriff's department, County roads and transportation for veterans.

7) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, September 8, 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, September 13, 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 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.
- D. The County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.

The Chair recessed the meeting at 9:54 a.m.

The Chair reconvened the meeting at 9:55 a.m.

MOTION: Smoyer moved and Heier seconded to enter executive session for the discussion of pending litigation and to protect the public interest at 9:55 a.m.

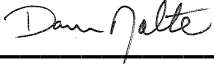
The Chair restated the motion for the record.

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

MOTION: Heier moved and Smoyer seconded to exit the executive session at 10:13 a.m. Raybould, Heier, Smoyer and Schorr voted aye. Hudkins was absent. Motion carried 4-0.

7) **ADJOURNMENT**

MOTION: Heier moved and Smoyer seconded to adjourn the Board of Commissioners meeting at 10:13 a.m. Smoyer, Raybould, Heier and Schorr voted aye. Hudkins was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, SEPTEMBER 6, 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
Jane Raybould
Brent Smoyer

Commissioners absent: Larry Hudkins

Others present: Norm Agena, County Assessor/Register of Deeds
Scott Gaines, Deputy County Assessor/Register of Deeds
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 9:54 a.m.

1) **MINUTES**: Approval of the minutes of the Board of Equalization meeting held on Tuesday, August 30, 2011.


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

2) **ADDITIONS AND DEDUCTIONS**: Approval of 12 additions and deductions to the tax assessment rolls per Attachments "A" and "B".

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

3) **ADJOURNMENT**

MOTION: Heier moved and Smoyer seconded to adjourn the Board of Equalization meeting at 9:55 a.m. Heier, Smoyer, Raybould and Schorr voted aye. Hudkins was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk

