

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, SEPTEMBER 25, 2012**  
**COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**9:30 A.M.**

*Advance public notice of the Board of Commissioners meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and emailed to the media on September 21, 2012.*

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

Others present: Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Brittany Behrens, Deputy County Attorney  
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, September 18, 2012.**

**MOTION:** Hudkins moved and Smoyer 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, September 25, 2012.**

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

3) **PUBLIC HEARINGS:**

- A. **An amusement license application from John Rockenbach to hold the "Rock's Ridge Mud Run" on Saturday, October 13, 2012, at 174th Street and Pioneers Boulevard. (See 4A for correlating item.)**

The Chair opened the public hearing.

John Rockenbach, Ernie Rockenbach and Jeremy Shafer were administered the oath.

John Rockenbach discussed the 5K mud run, which includes food, beer and music from the Blaze radio station following the run. He hoped it would become an annual event.

## **PUBLIC HEARINGS CONTINUED:**

Schorr questioned how the beer area would be maintained. Rockenbach said there would be a four-foot plastic fence around the area and two tents segregating the area. He noted that no one under 21 had registered so far.

Raybould asked Rockenbach about the zombie costumes. Rockenbach said the runners were encouraged to dress as zombies in the spirit of Halloween. As far as he knew, it was the first mud run involving zombie costumes in this area.

Jeremy Shafer said his business, Top Shelf Beverage Service, would provide the beer. Top Shelf would be in charge of checking identification, handing out wristbands and maintaining security. He said there would be an additional fence in the tent area. He confirmed that he has had hospitality training.

The Chair closed the public hearing.

### **4) NEW BUSINESS:**

- A. An amusement license application from John Rockenbach to hold the "Rock's Ridge Mud Run" on Saturday, October 13, 2012, at 174th Street and Pioneers Boulevard.**

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

- B. A special events permit application from John Rockenbach to hold the "Rock's Ridge Mud Run" on Saturday, October 13, 2012, at 174th Street and Pioneers Boulevard.**

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

- C. A special designated license application from Top Shelf Beverage Services, LLC, to provide alcoholic beverage service for the "Rock's Ridge Mud Run" on Saturday, October 13, 2012, at 174th Street and Pioneers Boulevard.**

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

- D. A request from Mary Kay Hansen for payment of attorney's fees pursuant to Resolution R-09-0106 for legal services related to a Social Security reimbursement award for General Assistance provided to Erwin Robbins. The request is for 25% of the Social Security award of \$4,116 for a total attorney's fee of \$1,029.**

Kerry Eagan, Chief Administrative Officer, said Lancaster County only received \$3,418 as reimbursement. County Resolution R-09-0106 says the County will pay 25% of the reimbursed amount to the attorney, which equals \$854.50. The request of \$1,029 was based off Mary Kay Hansen's contract with the client. Since the County does not have a contractual relationship with Hansen, Eagan recommended payment of \$854.50 as provided for in the resolution.

## **NEW BUSINESS CONTINUED:**

**MOTION:** Hudkins moved and Smoyer seconded approval of the request for payment in the amount of \$854.50. Raybould, Heier, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.

- E. **Promotion of Jeremy Lavene, Maureen Lamski and Christopher Seifert from Attorney I to Attorney II at an annual salary of \$67,479 for Lavene; \$66,408 for Lamski; and \$63,517 for Seifert, effective September 20, 2012.**

Joe Kelly, County Attorney, said these attorneys have completed five years of service and are eligible for promotion. The promotions were previously delayed due to budget constraints.

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

- F. **A resolution authorizing the removal of "School Bus Stop Ahead" signs at the following locations in Lancaster County, Nebraska: on W. Saltillo Road west of 7601 W. Saltillo Road for eastbound traffic, on SW 100<sup>th</sup> Street north of 13833 SW 100<sup>th</sup> Street for southbound traffic, on Mill Road east of 3505 Mill Road for westbound traffic, on Mill Road east of 5335 Mill Road for westbound traffic, on W. Mill Road east of 10655 W. Mill Road for westbound traffic, on NW 112<sup>th</sup> Street south of 9155 NW 112<sup>th</sup> Street for northbound traffic, and on NW 84<sup>th</sup> Street north of 8425 NW 84<sup>th</sup> Street for southbound traffic. (R-12-0075)**

Raybould questioned the removal of the signs. Ken Schroeder, County Surveyor, said the bus no longer stops in this area so there is no reason to maintain the signage.

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

- G. **An interlocal agreement with the Lincoln-Lancaster County Railroad Transportation Safety District (RTSD) to provide supplemental funding for the Hickman Viaduct; Project C55-S-401(6). The RTSD will provide the County up to \$10,000 for the project. (C-12-0552)**

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

- H. **An interlocal agreement with the Village of Denton 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 will be from September 1, 2012, to August 31, 2013. (C-12-0553)**

Terry Wagner, County Sheriff, said this is an annual renewal. Denton will reimburse the County for the overtime rate and mileage fee.

## **NEW BUSINESS CONTINUED:**

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

- I. **A contract between Hornady Manufacturing Company, Lancaster County and the City of Lincoln for the annual supply of ammunition. Term of the contract is one year from the date of execution by all parties. (C-12-0554)**

Terry Wagner said the multiple ammunition contracts give access to different ammunition and pricing. In response to Hudkins' question, Wagner said there is currently no shortage of ammunition at this time.

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

- J. **A contract between OMB Guns, Lancaster County and the City of Lincoln for the annual supply of ammunition. Term of the contract is one year from the date of execution by all parties. (C-12-0555)**

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

- K. **A contract between Precision Delta, Lancaster County and the City of Lincoln for the annual supply of ammunition. Term of the contract is one year from the date of execution by all parties. (C-12-0556)**

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

- L. **A contract between Targets Online, Lancaster County and the City of Lincoln for the annual supply of ammunition. Term of the contract is one year from the date of execution by all parties. (C-12-0557)**

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

- M. **A contract between GT Distributors, Inc., Lancaster County and the City of Lincoln for the annual supply of ammunition. Term of the contract is one year from the date of execution by all parties. (C-12-0558)**

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

- N. **A contract between Ultramax Ammunitions, Lancaster County and the City of Lincoln for the annual supply of ammunition. Term of the contract is one year from the date of execution by all parties. (C-12-0559)**

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

**NEW BUSINESS CONTINUED:**

- O. **An amendment to County Contract C-08-0386 with A to Z Printing for the annual requirements of offset printing and related services. The amendment provides for the price increases as listed in Attachment A. (C-12-0560)**

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

- P. **A detention services agreement with Kimball County for juvenile services. Lancaster County will provide for the safekeeping, care and sustenance of juveniles while at the Youth Services Center. Kimball County will pay Lancaster County a rate of \$236 per youth per day. The agreement is effective upon execution by both parties. (C-12-0561)**

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

- Q. **A resolution for the issuance of tax sale certificates on delinquent parcels which were not sold for want of bids. (R-12-0076)**

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

- R. **An agreement with Objective Advantage, LLC, for implementation of the recommendations of the Lancaster County Indigent Defense Advisory Committee to decrease the costs of legal services in Lancaster County. The County shall pay up to \$23,400 for the services provided. Term of the agreement is September 1, 2012, to February 28, 2014. (C-12-0562)**

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

- S. **An agreement with 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 \$31,914 for the services. Term of the contract is October 1, 2012, to June 30, 2013. (C-12-0563)**

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

- T. **An authorization for release of escrow funds to Larry Geiger in accordance with County Contract C-12-0192. (C-12-0564)**

**MOTION:** Hudkins moved and Heier seconded approval to release the escrow funds. Raybould, Heier, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.

**NEW BUSINESS CONTINUED:**

- U. **A Medicare enrollment application for institutional providers for the Lancaster County Community Mental Health Center. (C-12-0565)**

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

- V. **An agreement between Medical Staffing Network Healthcare, LLC, and Lancaster County, on behalf of the Community Mental Health Center/Crisis Center, for healthcare staffing services. The County shall pay for nursing services in accordance with the rate schedule as listed in Attachment A. Term of the agreement is July 1, 2012, to June 30, 2013. (C-12-0566)**

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

- W. **A grant contract with the Asian Community and Cultural Center 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 \$8,837. Term of the grant contract is June 1, 2012, to May 31, 2013. (C-12-0567)**

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

- X. **A grant contract with the Asian Community and Cultural Center in the amount of \$23,650 to provide funding for the Sudanese Advocate Project. The Asian Community and Cultural Center will contribute \$8,095 in matching funds. Term of the grant contract is July 1, 2012, to June 30, 2013. (C-12-0568)**

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

- Y. **A grant contract with Volunteer Partners in the amount of \$19,475 to provide funding for the Community Service Project. Term of the grant contract is July 1, 2012, to June 30, 2013. (C-12-0569)**

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

- Z. **A grant contract with Salvation Army in the amount of \$7,500 to provide funding for the Teen Night program. Term of the grant contract is July 1, 2012, to June 30, 2013. (C-12-0570)**

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

**NEW BUSINESS CONTINUED:**

- AA. **A grant contract with Christian Heritage, Inc., in the amount of \$34,635 to provide funding for the Destination Dad program. Christian Heritage will contribute \$56,203 in matching funds. Term of the grant contract is July 1, 2012, to June 30, 2013. (C-12-0571)**

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

Schorr noted the ten grant contracts in Items 4W to 4FF are for federal funds that flow through the Nebraska Crime Commission. A significant portion is being used for the juvenile justice system.

- BB. **A grant contract with Cedars Youth Services, Inc., in the amount of \$25,000 to provide funding for the Weekend Reporting Center program. Cedars Youth Services, Inc., will contribute \$6,050 in matching funds. Term of the grant contract is July 1, 2012, to June 30, 2013. (C-12-0572)**

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

- CC. **A grant contract with Cedars Youth Services, Inc., in the amount of \$38,095 to provide funding for the Centralized Risk and Needs Assessment project. Cedars Youth Services, Inc., will contribute \$11,094 in matching funds. Term of the grant contract is July 1, 2012, to June 30, 2013. (C-12-0573)**

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

- DD. **A grant contract with The HUB, Inc., in the amount of \$10,000 to provide funding for the Lincoln Education and Academic (LEAP) program. The HUB, Inc., will contribute \$29,000 in matching funds. Term of the grant contract is July 1, 2012, to June 30, 2013. (C-12-0574)**

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

- EE. **A grant contract with The HUB, Inc., in the amount of \$47,570 to provide funding for the Helping Improve Readiness for Employment (Project HIRE) program. Term of the grant contract is July 1, 2012, to June 30, 2013. (C-12-0575)**

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

- FF. **A grant contract with The HUB, Inc., in the amount of \$12,500 to provide funding for the Building UP Interdependence and Leadership Development (BUILD) program. The HUB, Inc., will contribute \$27,500 in matching funds. Term of the grant contract is July 1, 2012, to June 30, 2013. (C-12-0576)**

## **NEW BUSINESS CONTINUED:**

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

- 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. **City of Lincoln/Lancaster County Railroad Transportation Safety District Management's Discussion and Analysis, Financial Statements and Supplementary Information**
  - 2. **County Treasurer's Report on 2010 Distress Warrants**
- B. **Setting of a public hearing on Tuesday, October 9, 2012, at 9:30 a.m., in Room 112 on the first floor of the County-City Building, regarding automatic renewal of Class C liquor licenses issued in Lancaster County and outside the corporate limits of any city for which the County Clerk has received no protests.**

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

- 6) **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.

7) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, September 27, 2012, 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, October 2, 2012, at 9:30 a.m., in Room 112 on the first floor of the County-City Building.**
- C. **Public hearings will be held on Tuesday, October 2, 2012, at 9:30 a.m., in Room 112 on the first floor of the County-City Building, regarding the following:**
  - 1. **Setting of the final tax request at a different amount than the prior tax year request. The request is for Lancaster County and the Rural Library for Lancaster County.**
  - 2. **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 (on file with the County Clerk's Office).**



## **ANNOUNCEMENTS CONTINUED:**

3. **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 (on file with the County Clerk's Office).**
  4. **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 (on file with the County Clerk's Office).**
  5. **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 (on file with the County Clerk's Office).**
  6. **Amendment of the Lincoln-Lancaster County Air Pollution Regulations and Standards, to increase the fee for asbestos project notifications, Area Sources of Hazardous Air Pollutants, etc. (on file with the Lancaster County Clerk's Office).**
  7. **County Change of Zone 12025, text amendment to the Lancaster County Zoning Resolution to remove reference to application filing fees.**
  8. **County Miscellaneous 12010, text amendment to the Lancaster County Land Subdivision Resolution to remove reference to application filing fees.**
  9. **Request for resolution adopting Planning Department fee schedule.**
- D. **The County Commissioners can be reached at 402-441-7447 or [commish@lancaster.ne.gov](mailto:commish@lancaster.ne.gov).**
- 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 [lancaster.ne.gov](http://lancaster.ne.gov). Click on 5 City-TV Video on Demand.**

## **8) ADJOURNMENT**

**MOTION:** Raybould moved and Smoyer seconded to adjourn the Board of Commissioners meeting at 10:03 a.m. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.

*Dan Nolte*

**Dan Nolte**  
**Lancaster County Clerk**



**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, SEPTEMBER 25, 2012  
COMMISSIONERS HEARING ROOM, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE LANCASTER COUNTY  
BOARD OF COMMISSIONERS MEETING**

*Advance public notice of the Board of Equalization meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and emailed to the media on September 21, 2012.*

Commissioners present:    Deb Schorr, Chair  
                                     Larry Hudkins, Vice Chair  
                                     Bernie Heier  
                                     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  
                                     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 10:03 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, September 18, 2012.**

**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 TO THE TAX ASSESSMENT ROLLS (See attached additions and deductions)**

**MOTION:** Raybould moved and Hudkins 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:**

**American Legion, Department of Nebraska  
Christian Retirement Homes, d/b/a Eastmont Towers  
Cornhusker Place of Lincoln-Lancaster County  
Gentle Shepherd Baptist Church  
Priestly Fraternity of St. Peter, d/b/a Our Lady of Guadalupe Seminary  
Tabitha, Inc.**

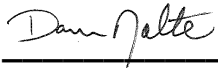
**MOTOR VEHICLE TAX EXEMPTION APPLICATIONS CONTINUED:**

**VITAL Services, Inc.**  
**Women in Community Service**

**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 Raybould seconded to adjourn the Board of Equalization meeting at 10:04 a.m. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.



**Dan Nolte**  
**Lancaster County Clerk**

