

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 2, 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 28, 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
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, September 25, 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, October 2, 2012.

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

3) **SPECIAL PRESENTATIONS:**

A. **Commissioners' Award of Excellence for September 2012 to Casey Mitchell, Corrections.**

Mike Thurber introduced Casey Mitchell. The Clerk read the nomination for the record. Heier presented a plaque to Mitchell who expressed his appreciation for the award.

B. **Introduction of John Turner, Region V Housing Coordinator and Chair of the 2012 Lincoln Homeless Coalition, new appointee to the Lancaster County General Assistance Monitoring Committee. (See 5A for correlating item.)**

SPECIAL PRESENTATIONS CONTINUED:

John Turner introduced himself and discussed his goal to end homelessness.

4) PUBLIC HEARINGS:

- A. 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. (See 5B for correlating item.)**

The Chair opened the public hearing.

Dennis Meyer, Budget & Fiscal Director, was administered the oath. He said the State statutes require a public hearing and resolution to set the final tax request if different from the previous year. Setting the tax request will finalize the budget process.

The Chair closed the public hearing.

- B. Amendment of Sections VI, XV and XXIX of County Resolution No. 03-0007, regulations for the operation of body art and piercing establishments in Lancaster County, Nebraska, by increasing various fees. (See 5C for correlating item.)**
- C. 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. (See 5D for correlating item.)**
- D. 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. (See 5E for correlating item.)**
- E. 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. (See 5F for correlating item.)**
- F. 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. (See 5G for correlating item.)**

The Chair opened the public hearing for Items 4B through 4F. Since no one appeared to testify, the Chair closed the public hearing.

- G. County Miscellaneous No. 12010, text amendment to the Lancaster County Land Subdivision Resolution to remove reference to application filing fees. (See 5H for correlating item.)**
- H. County Change of Zone 12025, text amendment to the Lancaster County Zoning Resolution to remove reference to application filing fees. (See 5I for correlating item.)**

PUBLIC HEARINGS CONTINUED:

- I. **Request for resolution adopting Planning Department fee schedule. (See 5J for correlating item.)**

The Chair opened the public hearing for Items 4G through 4I.

Sara Hartzell, County Planning, was administered the oath. She said the Zoning Resolution and the Subdivision Resolution both have chapters detailing application fees. Currently, when any of the fees need to be changed, the Planning Commission and the County Board both hold public hearings and a resolution is passed by the County Board. The proposal is to remove the fees from the text of the resolutions and have them in a separate schedule as the City had done previously. This would bypass the Planning Commission, saving time and money; the County Board would still hold a public hearing and pass a resolution. She noted that the fee schedule shows modest increases.

The Chair closed the public hearing.

5) NEW BUSINESS:

- A. **Appointment of John Turner to the Lancaster County General Assistance Monitoring Committee.**

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

- B. **A resolution in the matter of setting the 2012-2013 property tax request for Lancaster County at a different amount than that of the prior year. (R-12-0086)**

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

- C. **A resolution amending Sections VI, XV and XXIX of County Resolution No. 03-0007, regulations for the operation of body art and piercing establishments. The amendment increases permit fees for the operation of body art and piercing establishments and provided in Attachment "A". (R-12-0077)**

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

- D. **A resolution amending Section XIII of County Resolution No. 02-30, procedures for the regulation of on-site wastewater treatment systems. The amendment increases various fees for on-site wastewater treatment permits as provided in Attachment "A". (R-12-0078)**

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

NEW BUSINESS CONTINUED:

- E. **A resolution amending 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. The amendment increases the fees for evaluation and review of property transfer inspector reports and necessary site visits by the Health Director as provided in Attachment "A". (R-12-0079)**

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

- F. **A resolution amending Resolution No. 5069, the Lancaster County Air Pollution Control Resolution of 1993, to increase the fee for open burning permits as provided in Attachment "A". (R-12-0080)**

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

- G. **A resolution amending Article 1, Section 6 of the Lincoln-Lancaster County Air Pollution Regulations and Standards. The amendment increases various fees, as provided in Attachment "A". (R-12-0081)**

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

- H. **A resolution in the matter of County Miscellaneous No. 12010, a text amendment to the Lancaster County Land Subdivision Resolution to amend Chapter 10, Fees, to remove references to application filing fees. The amendments are provided in Attachment "A". (R-12-0082)**

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

- I. **A resolution in the matter of County Change of Zone No. 12025, a text amendment to the Lancaster County Zoning Resolution to amend Chapter 23, Fees, to remove references to application filing fees. The amendments are provided in Attachment "A". (R-12-0083)**

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

- J. **A resolution in the matter of adopting the Lancaster County Zoning and Subdivision Fee Schedules as provided in Attachment "A". (R-12-0084)**

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

- K. **A resolution in the matter of proclaiming October 2012 as Cyber Security Awareness Month. (R-12-0087)**

NEW BUSINESS CONTINUED:

The Clerk read the resolution for the record.

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

- L. **A resolution authorizing the installation of "Emergency Vehicle" warning signs (W11-8) with 500 foot warning plaques (W16-2aP) for the Raymond Volunteer Fire Station located at 3201 Arbor Road. The location of the traffic signs will be at the following more particularly described locations: one set 500 feet east of the drive for westbound traffic and one set 500 feet west of the drive for eastbound traffic. (R-12-0085)**

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

- M. **A recommendation from the Purchasing Agent and the County Engineer to award a bid to Whitehead Oil Company at an annual estimated cost of \$1,085,000 for motor fuels. (B-12-0034)**

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

- N. **An amendment to County Contract C-08-0580 with Electronic Contracting Company for fire alarm and security system monitoring services. The amendment adds the Engineering Shop and Weed Control Building at 444 Cherrycreek Road, Building B, to the locations serviced. Cost of the additional service is \$27 per month. (C-12-0577)**

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

- O. **A contract between Jacobsen Fire Equipment, Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for fire extinguisher service and replacements. Term of the agreement is one year from the date of execution by all parties. (C-12-0578)**

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

- P. **A grant contract with Houses of Hope Nebraska, Inc., in the amount of \$40,000 to provide funding for the Halfway House program. Term of the contract is from July 1, 2012, to June 30, 2013. (C-12-0579)**

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

- Q. **A political subdivision tort claim filed against Lancaster County Corrections by Troy Smith for lost property in the amount of \$88.70.**

NEW BUSINESS CONTINUED:

MOTION: Heier moved and Hudkins seconded denial of the tort claim based on the department director's recommendation. Hudkins, Raybould, Heier, Smoyer 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, October 4, 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 9, 2012, at 9:30 a.m., in Room 112 on the first floor of the County-City Building.
- C. A public hearing will be held 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.
- D. The County Commissioners can be reached at 402-441-7447 or 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. Click on 5 City-TV Video on Demand.

8) **ADJOURNMENT**

MOTION: Hudkins moved and Raybould seconded to adjourn the Board of Commissioners meeting at 9:58 a.m. Raybould, Heier, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk



**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, OCTOBER 2, 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 28, 2012.

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

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 9:58 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, September 25, 2012.**

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

**Bryan Medical Center
Girl Scouts Spirit of Nebraska
Immaculate Heart of Mary Church**

MOTION: Raybould 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: Smoyer moved and Raybould seconded to adjourn the Board of Equalization meeting at 10:00 a.m. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk

