

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, NOVEMBER 27, 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 November 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
Richard Grabow, 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 9:32 a.m.

1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, November 20, 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, November 27, 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. **Introduction of Dennis D. Scheer and Tracy Corr, nominees for appointment to the Lincoln-Lancaster County Planning Commission. (See 4A and 4B for correlating items.)**

Dennis Scheer and Tracy Corr introduced themselves and provided background information on their personal and professional histories.

4) **NEW BUSINESS:**

A. Appointment of Dennis D. Scheer to the Lincoln-Lancaster County Planning Commission to complete the unexpired term of Dick Esseks, ending August 24, 2017.

Heier stated he would be voting no, which was no reflection on either nominee; it was due to his previous recommendation that the County Board select four representatives.

Hudkins explained that the Board previously recommended that four members be nominated by the County Board, four members be nominated by the City Council and one member be picked by the Mayor. He said the nominees could be rejected if the County or City did not agree. Hudkins encouraged the nominees to consider the County's planning needs, not just the City's.

Smoyer asked the nominees to encourage growth in northeast Lincoln.

Raybould and Schorr thanked the nominees for their willingness to serve on the Planning Commission.

MOTION: Raybould moved and Hudkins seconded approval of the appointment. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier voted nay. Motion carried 4-1.

B. Appointment of Tracy Corr to the Lincoln-Lancaster County Planning Commission to complete the unexpired term of Greg Butcher, ending August 24, 2017.

MOTION: Raybould moved and Hudkins seconded approval of the appointment. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier voted nay. Motion carried 4-1.

C. Reappointment of Timothy Plander to the Air Pollution Advisory Board for a three-year term, expiring October 1, 2015.

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

D. An amendment to County Contract C-09-0515 with Mike's 66 Towing for towing and storage service for the County Sheriff's office. The amendment renews the contract for an additional three-year term from September 29, 2012, to September 28, 2015. (C-12-0661)

Heier inquired about concerns regarding zoning for Mike's 66 & Towing. Bob Walla, Assistant Purchasing Agent, explained that a letter was received from someone who questioned whether the land was properly zoned for this type of business. This issue was forwarded to the County Attorney's Office who turned it over to Building & Safety for further review. Richard Grabow, Deputy County Attorney, said his office worked with Building & Safety and had not received any response showing evidence of a violation; therefore, the contract could proceed. If a violation is uncovered later, it could be addressed and the contract could possibly be terminated at that time.

Hudkins questioned the satisfaction of the service. Terry Wagner, County Sheriff, felt the service had been very good. He noted the previous contractor had many thefts, whereas there had not been a problem with theft at Mike's 66 & Towing.

NEW BUSINESS CONTINUED:

Mike Barnett, owner of Mike's 66 & Towing, discussed landscaping for the business, noting it had been approved by the Planning Commission. Wagner and Jeff Bliemeister, Chief Deputy Sheriff, expressed concern over the new landscape work obstructing views to the property, thus making it easier for thefts to occur.

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

- E. **An amendment to County Contract C-09-0597 with DeMars, Gordon, Olson, Zalewski and Wynner Law Firm for legal representation to indigent parties in child support and paternity proceedings. The amendment extends the agreement for three years from January 1, 2013, to December 31, 2015. Lancaster County will pay the firm \$79,560 in the first year, \$81,151 in the second year and \$82,774 in the third year. (C-12-0662)**

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

- F. **A grant contract with Cedars Youth Services, Inc., in the amount of \$79,199 per year to provide funding for Cedars' Day and Evening Reporting Centers Program. Term of the grant contract is July 1, 2012, to June 30, 2013. (C-12-0663)**

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

- G. **A grant contract with United Way of Lincoln and Lancaster County in the amount of \$6,250 to provide funding for the Food Distribution Service Point Project and the Grants Management Software Program. Term of the grant contract is July 1, 2012, to June 30, 2013. (C-12-0664)**

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

- H. **A grant contract with Lincoln Public Schools in the amount of \$14,218 to provide funding for the Truancy Diversion Program at Park Middle School. Term of the grant contract is July 1, 2012, to June 30, 2013. (C-12-0665)**

MOTION: Raybould moved and Heier 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 County Engineer quarterly report for July, August and September 2012.**

CONSENT ITEMS CONTINUED:

MOTION: Hudkins moved and Raybould 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, November 29, 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, December 4, 2012, at 9:30 a.m., in Room 112 on the first floor of the County-City Building.
- C. The County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.
- D. 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: Smoyer moved and Heier seconded to adjourn the Board of Commissioners meeting at 9:55 a.m. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk



**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, NOVEMBER 27, 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 November 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
Richard Grabow, 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 9:55 a.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, November 20, 2012.

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

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

**Central States Conference/Allon Chapel Seventh-day Adventist Church
Cornhusker Place of Lincoln-Lancaster County
Nebraska United Methodist Foundation
RHD Nebraska
St. Paul United Methodist Church
Sheridan Lutheran Church ELCA
University of Nebraska Foundation**

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

3) **ADJOURNMENT**

MOTION: Raybould moved and Heier seconded to adjourn the Board of Equalization meeting at 9:56 a.m. Heier, Smoyer, Hudkins, Raybould and Schorr voted aye. Motion carried 5-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk

