

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MARCH 19, 2013
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
10:30 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 March 15, 2013.

Commissioners present: Larry Hudkins, Chair
 Brent Smoyer, Vice Chair
 Roma Amundson
 Jane Raybould
 Deb Schorr

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 10:30 a.m.

1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, March 12, 2013.**

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

2) **CLAIMS: Approval of all claims processed through Tuesday, March 19, 2013.**

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

3) **SPECIAL PRESENTATIONS:**

A. **Lancaster County Public Rural Transit application for public transportation operating assistance – Carol Meyerhoff, Lancaster County Public Rural Transit Manager. (See 5A and 5B for correlating items.)**

Carol Meyerhoff discussed the addition of transfers to the Rural Transit system. She noted that the increase in personnel time added an additional cost. To help offset this, a \$12-per-boarding fare was added outside normal operating hours (7:30 a.m. to 5:00 p.m.). Another personnel cost increase was due to the replacement of the dispatcher at a higher salary which was non-negotiable.

SPECIAL PRESENTATIONS CONTINUED:

Meyerhoff said an agreement was made with the Lincoln Police Department (LPD) for use of their garage. Under the agreement, the fee is \$0.645 per mile, which includes fuel, repair and maintenance cost. The two buses previously purchased with stimulus money are out of warranty, which adds to the maintenance cost. Fuel is covered through the LPD garage at \$3.51 per gallon, but repairs for the buses need to be done elsewhere since the LPD garage cannot accommodate buses.

Schorr asked about the bidding process for the garage. Meyerhoff said Purchasing requires three bids for service and it is not feasible to get into a bidding process if immediate service was needed. The agreement with the LPD garage covers everything and satisfies federal requirements.

Smoyer asked if the County garage could provide service cheaper. Meyerhoff said she checked with the County and StarTran but neither could accommodate their needs. Smoyer asked what it would take to bring the County garage up to par. Meyerhoff said it was a personnel issue, and the County could not take on more work than they already had.

4) PUBLIC HEARINGS:

A. Amendment of the Lincoln-Lancaster County Air Pollution Regulations and Standards, Article 1, Section 6, increasing the fee for emission of air pollutants and changing the fee structure.

The Chair opened the public hearing.

Judy Halstead, Lincoln-Lancaster County Health Department Director, was administered the oath. She said the emission program recorded a revenue shortfall this year so fees need to be modified to keep the Title V air quality program fully fee funded. To minimize the impact to agencies, one full time employee is being eliminated within the Health Department to help offset the fee increase. Halstead said there are 91 industries being regulated under the program. Of those, 59% will not see a fee increase, 39% will only see a 2.7% increase and two industries (NPPD and ADM) will see a typical increase of 3-5%. Staff will continue to work with NPPD and ADM on the new-tiered approach. Halstead said the amendment has been approved by the Air Pollution Control Advisory Board, the Board of Health and the City Council.

The Chair closed the public hearing.

Brittany Behrens, Deputy County Attorney, confirmed that a resolution on the amendment would be prepared for the next meeting per the Board's request.

5) NEW BUSINESS:

A. Application for public transportation operating assistance for Lancaster County Public Rural Transit.

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

NEW BUSINESS CONTINUED:

- B. Resolution instructing Lancaster County Public Rural Transit to apply for federal funds available under Section 5311 of the Federal Transit Act and to use said funds to provide public transportation in Lancaster County and the bordering communities of Adams, Cortland, Ceresco and Greenwood. (R-13-0013)**

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

Meyerhoff said she received a vehicle agreement from the Nebraska Department of Roads, which will be before the County Board on March 26. The original quote was \$28,000 and the contracted price with the State was \$23,187. There is \$2,630.84 in the reserve fund from the previous vehicle's sale, the current vehicle up for auction is appraised at \$5,250 and the County's match is \$2,800-2,900. Some of the costs may need to be covered up front, but in the end, the vehicle should be free.

- C. A special events permit application from Nebraska Sports Council to hold the Cornhusker State Games Non-Competitive Cycle Tour on July 21, 2013.**

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

- D. Recommendation from Personnel to amend Rule 7.5 of the Personnel Rules – Seasonal Appointment.**

Doug McDaniel, Personnel Director, said amending Items 5D and 5E would make them consistent with Rule 7.4 for temporary appointments, which do not have rights or assignments.

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

- E. Recommendation from Personnel to amend Rule 7.6 of the Personnel Rules – On-Call Appointment.**

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

- F. Recommendation from Personnel to create an Oral Interview Personnel Policy Bulletin.**

Item was held per the County Attorney.

- G. Appointment of Scott Neal to the Aging Partners Area Agency on Aging Areawide Advisory Council to complete the unexpired term of Corine Simon, ending July 1, 2016.**

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

NEW BUSINESS CONTINUED:

H. Resolution in the matter of designating an additional bank as a depository for Lancaster County for 2013. (R-13-0014)

Andy Stebbing, County Treasurer, said banks will be added to the depository list as more competitive rates are being sought.

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

I. Resolution in the matter of County maintenance of the following roads in Four Stones Addition: approximately 2,787 feet of W. Fresh Water Lane, approximately 262 feet of SW Deer Track Circle, approximately 565 feet of SW Hollow Court and approximately 1,261 feet of SW 21st Street. (R-13-0015)

Ken Schroeder, County Surveyor, confirmed that all requirements have been met for the County to assume maintenance responsibility.

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

J. Utility Permit No. 1090 with Hamilton Long Distance for the installation of nine miles of fiber optic cable beginning at NW 140th Street and W. Superior Street, then along W. Superior Street, NW 126th Street, Holdrege Street and NW 56th Street, ending at NW 56th Street and West O Streets. There is no cost to Lancaster County. (C-13-0109)

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

K. Contract with K and M Surveying, Inc., in the amount of \$15,900, for professional surveying services at S. 98th Street (Van Dorn Street to A Street) and Denton East (SW 12th Street to SW 56th Street). (C-13-0117)

Hudkins questioned using an outside contractor when the department has registered surveyors. Ken Schroeder said there is a conflict of interest on public property, in addition to not having enough staff to keep up with all the surveys. Since there are so many surveys in one area, the price is lower than if done individually. He said the County is responsible for the section corners, which is furnished to the surveyors.

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

L. Contract with EnviroTech Services, Inc., for the annual supply of de-icer material. The County will pay for products and services according to the line item pricing as listed in the contractor's proposal. Term of the contract is one year from the date of execution. (C-13-0110)

NEW BUSINESS CONTINUED:

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

- M. **Contract between Halls Culligan, Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for the annual supply of water softener salt. The County will pay for products and services according to the line item pricing in the contractor's proposal. Term of the contract is one year from the date of execution. (C-13-0111)**

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

- N. **Interlocal agreement with the Village of Firth for one Sheriff's Deputy for law enforcement services within the corporate limits of the Village of Firth. Term of the agreement is April 1, 2013, to March 31, 2014. (C-13-0112)**

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

- O. **Agreement between Lancaster County, on behalf of the Lancaster County Election Commissioner, and Steve McClatchey for the delivery of voting machines and other miscellaneous equipment to several polling locations for the Primary Election to be held on Tuesday, April 9, 2013. The agreement shall continue until April 12, 2013. The County will pay \$53 per polling location for the delivery service. (C-13-0113)**

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

- P. **Agreement between Lancaster County, on behalf of the Lancaster County Election Commissioner, and Steve McClatchey for the delivery of voting machines and other miscellaneous equipment to several polling locations for the General Election to be held on Tuesday, May 7, 2013. The agreement shall continue until May 10, 2013. The County will pay \$53 per polling location for the delivery service. (C-13-0114)**

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

- Q. **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 Law Firm has asked that Matthew Watson be deleted from the agreement and that Matt Jenkins be formally authorized to provide services under the original agreement. As a result, the parties wish to amend the agreement to reflect such change. (C-13-0115)**

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

NEW BUSINESS CONTINUED:

- R. **Amendment to County Contract C-11-0074 with Lincoln Public Schools to provide funding for the Truancy Diversion Program. The amendment extends the end date of the grant contract to February 28, 2013. (C-13-0116)**

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

- S. **Amendment to County Contract C-12-0566 with Medical Staffing Network Healthcare, LLC, for healthcare staffing services at the Community Mental Health Center. The amendment provides for a waiver of liquidation fees pursuant to the terms and conditions outlined in the amendment. (C-13-0122)**

MOTION: Raybould moved and Smoyer seconded approval of the amendment. Amundson, Smoyer, Schorr, Raybould and Hudkins 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. **Leasehold contract between the County Engineer and Gary Williams, SW 84th Street and Yankee Hill Road, in the amount of \$10. (C-13-0118)**
- B. **Right-of-way contracts between the County Engineer and the following:**
1. **Lujean Boller, W. Yankee Hill Road and SW 8th Street, in the amount of \$717.75. (C-13-0119)**
 2. **Gary Blomstrom, Agnew Road and N 141st Street, in the amount of \$862. (C-13-0120)**
 3. **Ernest and Valerie Cajka, Holdrege Street and N. 148th Street, in the amount of \$26. (C-13-0121)**
- C. **Receive and place on file the following:**
1. **County Sheriff monthly report for February 2013**
 2. **Lancaster County Agricultural Society Management's Discussion and Analysis, Financial Statements and Supplementary Information for year ended November 30, 2012**

MOTION: Raybould moved and Smoyer seconded approval of the consent items. Smoyer, Schorr, Raybould, Amundson and Hudkins 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, March 21, 2013, at 8:30 a.m., in Room 113 of the County-City Building (555 S. 10th Street, Lincoln).
- B. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, March 26, 2013, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) with the Board of Equalization immediately following.
- 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 the internet at lancaster.ne.gov. Click on 5 City-TV Video on Demand.

9) **ADJOURNMENT**

MOTION: Schorr moved and Raybould seconded to adjourn the Board of Commissioners meeting at 11:03 a.m. Schorr, Raybould, Amundson, Smoyer and Hudkins voted aye. Motion carried 5-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk



**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MARCH 19, 2013
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 March 15, 2013.

Commissioners present: Larry Hudkins, Chair
 Brent Smoyer, Vice Chair
 Roma Amundson
 Jane Raybould
 Deb Schorr

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 11:03 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, March 12, 2013.**

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

2) **ADDITIONS AND DEDUCTIONS TO THE TAX ASSESSMENT ROLLS (See attached additions and deductions)**

Scott Gaines, Deputy County Assessor/Register of Deeds, stated the entry under Coca-Cola should read 2012 instead of 2013.

MOTION: Smoyer moved and Amundson seconded approval of the additions and deductions with the correction. Raybould, Amundson, Smoyer, Schorr and Hudkins voted aye. Motion carried 5-0.

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

**Alzheimer's Disease and Related Disorders Association, Inc.
Catholic Social Services
City Impact**

MOTOR VEHICLE TAX EXEMPTION APPLICATIONS CONTINUED:

Dialysis Center of Lincoln

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

4) **ADJOURNMENT**

MOTION: Schorr moved and Raybould seconded to adjourn the Board of Equalization meeting at 11:05 a.m. Smoyer, Schorr, Raybould, Amundson and Hudkins voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

