

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 23, 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 April 19, 2013.

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

Others present: 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, April 16, 2013.**

MOTION: Schorr moved and Smoyer 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, April 23, 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 Visitors Improvement Fund Grant in the amount of \$300,000 for the City of Lincoln Parks and Recreation Department to widen the Helen Boosalis Trail from 48th Street to 27th Street – Terry Genrich, Natural Resources & Greenways Manager; Glenn Moss, Lincoln Track Club President. (See 4A for correlating item.)**

Jeff Maul, Convention & Visitors Bureau Executive Director, highlighted recent activities and upcoming events in Lincoln.

Julie Lattimer, Visitors Promotion Committee Chair, said widening the trail would allow more participants in the Lincoln Marathon, increasing lodging and restaurant tax for the City. Funding for the project includes a \$50,000 contribution from the City of Lincoln and \$150,000 raised by the Lincoln Track Club.

SPECIAL PRESENTATIONS CONTINUED:

Glenn Moss, Lincoln Track Club President, discussed the history of the Lincoln Marathon and its growth to 10,000 participants. He said widening the trail could eventually allow up to 15,000 participants.

Terry Genrich, Natural Resources & Greenways Manager, said the project should be done by late summer or early fall to allow for a growing season of grass. It will be ready for next year's Lincoln Marathon.

The Board discussed the community support involved with the Lincoln Marathon.

4) NEW BUSINESS:

- A. Lancaster County Visitors Improvement Fund Grant in the amount of \$300,000 from the County to the City of Lincoln Parks and Recreation Department to widen the Helen Boosalis Trail from 48th Street to 27th Street. The grant period runs from April 15, 2013, to October 31, 2013. (C-13-0168)**

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

- B. Appointment of Martha A. Minchow to the Lancaster County Extension Board to complete the unexpired term of Clancy Dempsey, through January 2015.**

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

- C. Setting of the salary of John Watson, Deputy Lancaster County Attorney, at \$56,000 per year, effective April 23, 2013.**

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

- D. Resolution in the matter of transferring appropriations from the General Fund Miscellaneous Budget to the General Fund Budget & Fiscal and Juvenile Court Budgets. The amount to be transferred is \$218,000. (R-13-0023)**

Dennis Meyer, Budget & Fiscal Director, explained that \$2,000,000 is set aside as a contingency for extra costs incurred throughout the year. This year the Budget & Fiscal Office added an employee, increasing its salary cost. The Juvenile Court had reduced their budgeted amount for attorney fees initially, so now there is a need for funds to cover the extra cost.

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

- E. Construction contract with Pavers, Inc., in the amount of \$2,169,246.82 for asphaltic concrete resurfacing and paving on various County roads. (C-13-0169)**

Ken Schroeder, County Surveyor, detailed the projects: Agnew Road and 148th Street are overlays, W. Denton Road is a shouldering project and S. 120th Street and Princeton Road are new construction.

NEW BUSINESS CONTINUED:

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

- F. **Amendment to County Contract C-13-0090 with Midwest Coatings Company, Inc., for crack sealing bituminous surfacing. The amendment increases the project cost to \$58,493.84. (C-13-0170)**

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

- G. **Agreement with Morse Watchmans, Inc., for a key management system for Lancaster County Corrections. Cost to the County is \$29,365. Installation and training will be completed by May 6, 2013. (C-13-0171)**

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

- H. **Interlocal agreement with the Village of Hallam for one Sheriff's deputy to provide law enforcement services within the corporate limits of the Village of Hallam. Term of the agreement is May 1, 2013, to April 30, 2014. (C-13-0172)**

Terry Wagner, County Sheriff, said this is an ongoing contract for a few hours of dedicated law enforcement service. The County pays the deputies an overtime wage. Hallam will reimburse the wage plus a vehicle charge.

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

- I. **Amendment to County Contract C-12-0563 with Kristy Bauer, Attorney at Law, 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 amendment allows Kristy Bauer to work up to 20 hours per week from April 1, 2013 to June 30, 2013. (C-13-0173)**

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

- J. **Agricultural lease agreement with Dean Smith for use of up to 13.92 acres of agricultural land located at Day Commercial Park, Block 1, Lot 4, Property ID 24-20-401-004-000. Mr. Smith will pay the County \$287 per acre. Term of the agreement is May 1, 2013, to December 31, 2013. (C-13-0174)**

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

- K. **Contract with Wyuka Funeral Home for cremation/burial services as outlined in Lancaster County's General Assistance Program, beginning March 12, 2013, and ending March 11, 2014. (C-13-0175)**

NEW BUSINESS CONTINUED:

Raybould stated that people using the cremation and burial services through the General Assistance Program are treated with dignity and respect.

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

- L. **Contract with Roper and Sons Funeral Home for cremation/burial services as outlined in Lancaster County's General Assistance Program, beginning March 12, 2013, and ending March 11, 2014. (C-13-0176)**

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

- M. **Contract with Butherus, Maser and Love Funeral Home for cremation/burial services as outlined in Lancaster County's General Assistance Program, beginning March 12, 2013, and ending March 11, 2014. (C-13-0177)**

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

- N. **Contract with Aspen Aftercare for cremation/burial services as outlined in Lancaster County's General Assistance Program, beginning March 12, 2013, and ending March 11, 2014. (C-13-0178)**

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

- O. **Political subdivision tort claim filed against Lancaster County Corrections by Schuyler Dawn for lost property in the amount of \$270.**

MOTION: Smoyer moved and Schorr seconded denial of the tort claim based on the department director's recommendation. Raybould, Amundson, Smoyer, Schorr and Hudkins voted aye. Motion carried 5-0.

- P. **Political subdivision tort claim filed against Lancaster County Corrections by Brendan Horner for lost property in the amount of \$19.06.**

MOTION: Smoyer moved and Raybould seconded denial of the tort claim based on the department director's recommendation. Amundson, Smoyer, Schorr, Raybould and Hudkins voted aye. Motion carried 5-0.

- Q. **Pending litigation (executive session).**

The Chair announced the item would be held until the end of the meeting.

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

Martin Liphardt, 1777 W Dunraven Court, discussed the closing of SW 12th Street during the W. Denton Road construction. He estimated a cost of \$300,000-400,000 to use an alternate route during the road closing.

Hudkins acknowledged the calls and letters he received regarding the closing of SW 12th Street. He questioned how it would help if the road were closed for a shorter time. Liphardt said it was the primary route into Lincoln. He also noted the disruption for school buses, emergency services and law enforcement. Liphardt suggested starting construction on the west end rather than the east end.

Raybould asked if community meetings were held on the project. Liphardt said he was not aware of any meetings. Letters were sent to homeowners affected by land loss.

Schorr discussed how information on the project was conveyed to the public, including message boards, letters, and web postings. She thought neighborhood associations might be included in future notifications. Schorr stated the project was based on design and cost. The contractor can work more quickly and safely with SW 12th Street closed. Currently the County Engineer is in discussion with the contractor to open the intersection for a portion of the project.

Liphardt thought there was some confusion on the closing and referenced an article in the Lincoln Journal Star that read, "From SW 12th Street on west." He said the message boards were placed west of the intersection.

Raybould felt more discussion on the project would be beneficial.

6) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, April 25, 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, April 30, 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 under 5 City-TV, Video on Demand or 5 City-TV on YouTube.**

The Chair recessed the meeting at 11:13 a.m.

The Chair reconvened the meeting at 11:15 a.m.

RETURNING TO ITEM 4Q:

MOTION: Smoyer moved and Raybould seconded to enter executive session for the purpose of pending litigation and to protect the public interest at 11:15 a.m.

The Chair restated the motion for the record.

ROLL CALL: Smoyer, Schorr, Raybould, Amundson and Hudkins voted aye. Motion carried 5-0.

MOTION: Amundson moved and Raybould seconded to exit executive session at 11:22 a.m. Schorr, Raybould, Amundson, Smoyer and Hudkins voted aye. Motion carried 5-0.

7) **ADJOURNMENT**

MOTION: Smoyer moved and Raybould seconded to adjourn the Board of Commissioners meeting at 11:22 a.m. Raybould, Amundson, Smoyer, Schorr and Hudkins voted aye. Motion carried 5-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, APRIL 23, 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 April 19, 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
 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 11:13 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, April 16, 2013.**

MOTION: Schorr moved and Smoyer 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)**

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

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

Child Guidance Center
Christ United Methodist Church
Connecting Pointe Church of the Nazarene
Lincoln Medical Education Partnership
St. Peter's Catholic Church of Lincoln

MOTOR VEHICLE TAX EXEMPTION APPLICATIONS CONTINUED:

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

Schorr congratulated Beau Wolfe, 5 City-TV, for being awarded the City of Lincoln employee of the year award.

4) **ADJOURNMENT**

MOTION: Smoyer moved and Raybould seconded to adjourn the Board of Equalization meeting at 11:15 a.m. Smoyer, Schorr, Raybould, Amundson and Hudkins voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

