

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, JULY 30, 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 July 26, 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, July 23, 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, July 30, 2013.**

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

3) **SPECIAL PRESENTATION:**

- A. **First Friday Opening Reception, first floor of the County-City Building on Friday, August 2, 2013, featuring the exhibition, "Remembering our Fallen", by Patriotic Productions and sponsored by the Hildegard Center for the Arts, introduced by Liz Shea-McCoy.**

Liz Shea-McCoy said the exhibition is in conjunction with the Heroes Among Us project and focuses on war heroes who have died since 9/11. The reception on August 2 will feature Bill and Evonne Williams, who were the driving force behind the Heartland Honor Flight, which took 1,500 World War II veterans to Washington D.C. The display, including a video, will be featured in the building through August 20. The Board thanked Shea-McCoy for her work.

4) **PUBLIC HEARINGS:**

A. **County Text Amendment No. 13008 (Lancaster County Zoning Resolution, Articles 2, 3, 15 and 22). (See 5A for correlating item.)**

The Chair opened the public hearing.

Sara Hartzell, County Planner, was administered the oath. She highlighted the following amendments:

- In Article 2, a definition for outlot was added.
- In Article 3, districts and boundaries were more accurately described.
- In Article 15, uses on outlots were specified.
- In Article 22, a procedure was added for the protest of changes to the zoning resolution not in conformance with the Comprehensive Plan. In addition, the requirement to publish notice in the newspaper of an adjacent county when zoning action was requested on property within three miles of that county would be removed.

J.D. Burt, 220 S. 38<sup>th</sup> Street, was administered the oath. He discussed the problems he encountered with outlots in the plat process and thanked the Board for the amendments.

The Chair closed the public hearing.

B. **County Text Amendment No. 13010 (Lancaster County Land Subdivision Resolution, Section 2.22). (See 5B for correlating item.)**

The Chair opened the public hearing.

Sara Hartzell said this amendment similarly amends the outlot definition in the Subdivision Resolution.

The Chair closed the public hearing.

C. **County Change of Zone No. 13012 (AG to AGR and AGR to AG around S. 68<sup>th</sup> Street and Martell Road). (See 5C for correlating item.)**

The Chair opened the public hearing.

Sara Hartzell said Hickman passed an ordinance to change their extraterritorial zoning jurisdiction. Several parcels were cut through by the one-mile jurisdiction line, so the line was pulled back to match property lines. In some parcels, the property needs to be adjusted from AG to AGR or AGR to AG to be in line with the jurisdiction change.

The Chair closed the public hearing.

5) **NEW BUSINESS:**

A. **Resolution in the matter of County Text Amendment No. 13008, to amend Sections 2.098, 3.011, 15.007, 22.003 and 22.005 of the Lancaster County Zoning Resolution, as provided in Attachment A. (R-13-0043)**

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

**NEW BUSINESS CONTINUED:**

- B. **Resolution in the matter of County Text Amendment No. 13010, to amend Section 2.22 of the Lancaster County Land Subdivision Resolution, as provided in Attachment A. (R-13-0044)**

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

- C. **Resolution in the matter of County Change of Zone No. 13012, from AG Agricultural to AGR Agricultural Residential, on property generally located at South 72<sup>nd</sup> Street and Leisure Place and from AGR Agricultural Residential to AG Agricultural on property generally located at South 68<sup>th</sup> Street and Martell Road. (R-13-0045)**

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

- D. **Resolution in the matter of County Change of Zone No. 12038, from AG Agricultural to AGR Agricultural Residential, requested by Dawn Robey, on property generally located at Northwest 126<sup>th</sup> Street and West Bluff Road. (R-13-0046)**

Hudkins clarified that the resolution was for denial of the Change of Zone.

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

- E. **Special designated license applications from WunderRosa Winery to provide alcoholic beverage service for events at 2361 Wittstruck Road, Roca, on August 23-25, August 29-31 and September 27-29, 2013.**

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

- F. **Resolution authorizing execution of a program agreement for consultant underwater inspections on County bridges with the Nebraska Department of Roads for County Bridge H-154 (Waverly Road at Salt Creek). The County will pay approximately \$522.40 for the project. (R-13-0042) (C-13-0357)**

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

- G. **Utility Permit No. 1119 for Windstream Nebraska, Inc., for the installation of approximately three miles of fiber optic cable along S. 68<sup>th</sup> Street from the City of Hickman south to Olive Creek Road and then east on Olive Creek Road to an existing cell tower at 7840 Olive Creek Road. There is no cost to Lancaster County. (C-13-0368)**

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

**NEW BUSINESS CONTINUED:**

- H. **Agreement with Farris Engineering for design engineering services for the mechanical, electrical, fire protection and fire detection system, and architectural and plumbing systems at the new Lancaster County Adult Detention Center. The County will pay up to \$35,000 for the services. The services included in the agreement will be completed by January 31, 2014. (C-13-0358)**

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

- I. **Amendment to County Contract C-11-0164 with Clean and Sober Living for sober living units. The amendment renews the agreement for an additional one-year term from July 1, 2013, to June 30, 2014, and decreases the number of units being leased. (C-13-0359)**

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

- J. **Amendment to County Contract C-11-0449 with Fresh Start for sober living units. The amendment renews the agreement for an additional one-year term from July 1, 2013, to June 30, 2014, and decreases the number of units being leased. (C-13-0360)**

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

- K. **Amendment to County Contract C-12-0612 with Magellan Behavioral Health, Inc., for reimbursement of services at the Community Mental Health Center. The amendment changes the benefit plan name, payor and claims processing, and provides a new Nebraska Magellan Medicaid Addendum. (C-13-0361)**

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

- L. **Amendment to County Contract C-11-0512 with Physicians Laboratory Services for laboratory testing services at the Community Mental Health Center. The amendment renews the agreement from September 9, 2013, to September 8, 2014. (C-13-0364)**

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

- M. **Grant contract with Cedars Youth Services, Inc., in the amount of \$79,199 to provide funding for Cedars' Day and Evening Reporting Centers Program. Term of the grant contract is July 1, 2013, to June 30, 2014. (C-13-0362)**

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

**NEW BUSINESS CONTINUED:**

- N. **Grant contract with CASA for Lancaster County in the amount of \$6,500 to provide funding for the court appointed advocates program. Term of the grant contract is July 1, 2013, to June 30, 2014. (C-13-0363)**

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

- O. **Grant contract with the United Way of Lincoln and Lancaster County to provide funding in the amount of \$5,000 for the Grants Management Software Program and \$1,250 for the Food Distribution Services Point Project. Term of the contract is July 1, 2013, to June 30, 2014. (C-13-0365)**

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

- P. **Grant contract with the Indian Center, Inc., to provide funding in the amount of \$41,000 for the Indian Center Youth program. The Indian Center, Inc., will provide \$50,000 in non-federal matching funds. Term of the contract is July 1, 2013, to June 30, 2014. (C-13-0366)**

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

- Q. **Grant contract with Girl Scouts Spirit of Nebraska to provide funding in the amount of \$15,000 for the Girl Scout Leadership program. Term of the contract is July 1, 2013, to June 30, 2014. (C-13-0367)**

Schorr noted the grant contracts are with juvenile justice funds (Items 5M-5Q).

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

- R. **Acceptance of Federal Grant Award 2012-JF-FX-0059 from the Nebraska Commission on Law Enforcement and Criminal Justice in the amount of \$21,539 for the Golden Warriors Program. El Centro de las Americas will provide a \$39,851 match for a total project cost of \$61,390. (C-13-0369)**

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

- S. **Acceptance of State Grant Award 13-JS-426 from the Nebraska Commission on Law Enforcement and Criminal Justice in the amount of \$11,500 for the Building Up Interdependence and Leadership Development (BUILD) Project. The HUB will provide a \$5,000 match for a total project cost of \$16,500. (C-13-0370)**

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

**NEW BUSINESS CONTINUED:**

- T. **Acceptance of State Grant Award 13-JS-423 from the Nebraska Commission on Law Enforcement and Criminal Justice in the amount of \$14,000 for the Children in Shelter Project Enhancement program. Friendship Home will provide a \$76,225 match for a total project cost of \$90,225. (C-13-0371)**

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

- U. **Acceptance of State Grant Award 13-JS-428 from the Nebraska Commission on Law Enforcement and Criminal Justice in the amount of \$10,000 for the Cedars' Weekend Reporting Center. The grant match amount is \$16,450 for a total project cost of \$26,450. (C-13-0372)**

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

- V. **Acceptance of State Grant Award 13-JS-427 from the Nebraska Commission on Law Enforcement and Criminal Justice in the amount of \$19,757 for the Christian Heritage Destination...Dad project. The grant match amount is \$69,846 for a total project cost of \$89,603. (C-13-0373)**

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

- W. **Acceptance of State Grant Award 13-JS-429 from the Nebraska Commission on Law Enforcement and Criminal Justice in the amount of \$8,000 for the Artist Inside project. The LUX Center will provide a match of \$3,576 for a total project cost of \$11,576. (C-13-0374)**

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

- X. **Agreement with Nebraska Neurosurgery Group to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. (C-13-0355)**

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

- Y. **Agreement with Horizon Physical Therapy to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. (C-13-0356)**

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

**NEW BUSINESS CONTINUED:**

- Z. **Agreement with Dr. Paul Kampfe to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. (C-13-0375)**

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

- AA. **Agreement between the American Federation of State, County and Municipal Employees (AFSCME – General) Local 2468 and Lancaster County for the contract term August 22, 2013, to August 20, 2014. (C-13-0376)**

Raybould discussed changing the retirement match from 1:1.5 to 1:1. She felt it was a step in the right direction for the budget and the taxpayers.

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

- BB. **Agreement between the American Federation of State, County and Municipal Employees (AFSCME – Engineering) Local 2468 and Lancaster County for the contract term August 22, 2013, to August 20, 2014. (C-13-0377)**

**MOTION:** Schorr moved and Amundson seconded approval of the agreement. Raybould, Amundson, Smoyer, Schorr 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. **Receive and place on file the quarterly reports for April-June, 2013, for the County Engineer and the County GIS Division.**
- B. **Setting of a public hearing on Tuesday, August 6, 2013, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln) regarding an amusement license application from Kramer Bar & Grill to hold an event on August 24, 2013.**

**MOTION:** Amundson moved and Raybould seconded approval of the consent items. Amundson, Smoyer, Schorr, Raybould 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.**

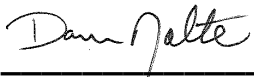
No one appeared for public comment.

8) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Equalization will hold a meeting on Tuesday, July 30, 2013, at 1:30 p.m., in Room 112 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln) to take final action on real property valuation protests for 2013.
- B. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, August 1, 2013, at 8:30 a.m., in Room 113 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln).
- C. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, August 6, 2013, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln) with the Board of Equalization immediately following.
- 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 the internet at [lancaster.ne.gov](http://lancaster.ne.gov) under 5 City-TV, Video on Demand or 5 City-TV on YouTube.

9) **ADJOURNMENT**

**MOTION:** Raybould moved and Schorr seconded to adjourn the Board of Commissioners meeting at 11:16 a.m. Smoyer, Schorr, Raybould, Amundson and Hudkins voted aye. Motion carried 5-0.



**Dan Nolte**  
Lancaster County Clerk





**MINUTES**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**TUESDAY, JULY 30, 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 July 26, 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 11:16 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, July 23, 2013.**

**MOTION:** Smoyer moved and Raybould 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:** Schorr moved and Raybould 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:**

**American Legion, Department of Nebraska**  
**Lincoln-Lancaster County Child Guidance Center**  
**St. Monica's Home**  
**Tabitha, Inc.**

**MOTOR VEHICLE TAX EXEMPTION APPLICATIONS CONTINUED:**

**MOTION:** Schorr moved and Smoyer 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 11:18 a.m. Smoyer, Schorr, Raybould, Amundson and Hudkins voted aye. Motion carried 5-0.

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

