

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, DECEMBER 17, 2013**  
**COUNTY-CITY BUILDING, ROOM 112**  
**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 December 13, 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 10:32 a.m.

1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, December 10, 2013.**

**MOTION:** Amundson 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, December 17, 2013.**

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

3) **SPECIAL PRESENTATION:**

**A. Lancaster County Visitors Improvement Fund Grant to the City of Lincoln for the Airport Entry Corridor Project – Nicole Fleck Tooze, City Parks and Recreation Special Projects Coordinator; Julie Lattimer, Lincoln Visitors Promotion Committee Chair. (See 5A for correlating item.)**

Julie Lattimer said the Visitors Promotion Committee voted unanimously to recommend the \$10,000 grant request. The entire cost is around \$8,000,000, including \$2,000,000 for street landscaping. \$4,200,000 is covered by City paving funds from the capital improvement program, additional private funding efforts are in progress, and the City has secured \$100,000 via a grant in addition to some matching funds.

## **SPECIAL PRESENTATION CONTINUED:**

Nicole Fleck Tooze said the entry corridor is one piece of a larger airport strategy to increase the area's economic development potential, improve infrastructure and enhance the City's image. She discussed the need to make a good first impression along Cornhusker Highway and I-180, which connect some important features of the community. New features include street trees, stylized prairie-like landscaping, a series of unique district markers that will illuminate at night and a series of banners. If successful, this project would go forward with repaving improvements in 2014.

Smoyer asked if there were plans to have a similar corridor into the northeast part of town. Fleck Tooze said they would like to address other areas, such as that one, in the future.

Schorr said there are limits on how the funds can be used; the banners would be one possibility. Fleck Tooze questioned if the district markers would be eligible. Schorr felt that was a legal question. Hudkins said there is a lot of interest in the monument markers, which provide a central theme. Kerry Eagan, Chief Administrative Officer, confirmed historical markers are an acceptable use for the funds.

### **4) OLD BUSINESS:**

- A. Amendment #4 to County Contract C-11-0214, an intercompany IT services agreement, between Southeast Nebraska Behavioral Health Information Network, d/b/a the Electronic Behavioral Health Information Network (eBHIN), and Lancaster County, on behalf of the Community Mental Health Center and the Mental Health Crisis Center. The amendment provides for a 2% increase in maintenance fees to accommodate payment of State of Nebraska sales tax by eBHIN. Region V Systems is continuing their support of maintenance fees for all participants at the new rate. (C-13-0596)**

Brittany Behrens, Deputy County Attorney, said the amendment was held for further investigation into eBHIN's requirement to pay Nebraska sales tax. Initially, eBHIN thought they were exempt from State sales tax; they have since been informed they are exempt from federal corporate taxes but not State sales tax. The agreement calls for all maintenance fees to be passed to entities utilizing the system.

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

### **5) NEW BUSINESS:**

- A. Lancaster County Visitors Improvement Fund grant contract in the amount of \$10,000 between Lancaster County (sponsor) and the City of Lincoln (grantee) for the Airport Entry Corridor Project. Term of the grant is January 1, 2014, to December 31, 2014. (C-13-0605)**

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

**NEW BUSINESS CONTINUED:**

- B. Request from the Personnel Department to create the classification of Records Courier.**

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

- C. Request from the Personnel Department to amend Rule 18.1 of the Personnel Rules – Compensation for Absence on Holidays.**

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

- D. Request from the Personnel Department to amend Rule 19.2 of the Personnel Rules - Vacation Leave.**

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

- E. Request from the Personnel Department to amend Rule 19.3 of the Personnel Rules - Sick Leave.**

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

- F. Request from the Personnel Department to amend Rule 19.4 of the Personnel Rules - Injury Leave.**

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

- G. Request from the Personnel Department to revise the Workers Compensation Personnel Policy Bulletin.**

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

- H. Resolution in the matter of designating banks as depositories for Lancaster County for 2014. (R-13-0077)**

Andy Stebbing, County Treasurer, said there are 22 banks on the current list.

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

- I. Deposit place agreement and custodial agreement with First State Bank for certificate of deposit account registry services. (C-13-0606)**

**NEW BUSINESS CONTINUED:**

Tom Oerter, First State Bank, said the deposit place agreements would allow their facility to provide insurance to funds over the FDIC insured amount without having to pledge bonds.

Brad Cole, Promontory Interfinancial, said FDIC insurance would be expanded for both CDARS (Certificate of Deposit Account Registry Service) and ICS (Insured Cash Sweep).

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

- J. **Deposit place agreement and custodial agreement with First State Bank for insured cash sweep options. (C-13-0607)**

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

- K. **Amendment to Resolution R-13-0075 to correct the resolution to replace Rhonda Most with Kristin Draper.**

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

- L. **Recommendation from the Purchasing Agent and the County Assessor to issue a purchase order to Anderson Ford Lincoln Mercury Mazda at an estimated cost of \$124,176 for eight 2014 Ford Focus vehicles from State of Nebraska Contract 136380C. (B-13-0047)**

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

- M. **Agreement between Waste Connections of Nebraska, Inc., Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for the annual requirements of waste collection services. The County will pay for products and services according to the line item pricing as listed in the contractor's proposal. Term of the agreement is January 1, 2014, to December 31, 2017. (C-13-0602)**

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

- N. **Agreement between Vulcan Signs, Lancaster County and the City of Lincoln for the annual supply of aluminum sign blanks. Term of the agreement is December 1, 2013, to November 30, 2014. (C-13-0603)**

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

**NEW BUSINESS CONTINUED:**

- O. **Amendment to County Contract C-07-0553 with PharMerica for pharmacy and related services. The amendment extends the contract for an additional 62-day term from December 16, 2013, to February 15, 2014. (C-13-0608)**

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

- P. **Amendment to County Contract C-13-0477 with the Regional Behavioral Health Authority (Region V) for the provision of certain behavioral mental health services at the Community Mental Health Center (CMHC). The amendment revises the reimbursement schedule to reflect the transition of day rehabilitation and emergency-24 hour clinician services from CMHC to CenterPointe. (C-13-0604)**

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

- Q. **Appointment of Gwen Thorpe as the administrator of the Lancaster County Community Mental Health Center at an annual salary of \$94,676, effective December 12, 2013.**

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

- R. **Second amendment of the Lancaster County, Nebraska Employees Retirement Plan, amending Section 3.2 (Participant Contributions) and Section 6.2 (Amount and Allocation of Employer Contributions) to provide that participant contributions and the amount and allocation of employer contributions shall be made in accordance with Nebraska Revised Statute §23-1118 (Reissue 2012).**

Raybould said Items 5R and 5S would allow the County to change their match from 1.5 to 1 for retirement contributions.

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

- S. **Amendment of the Summary Plan Description of the Lancaster County, Nebraska Employees Retirement Plan to include the second amendment of the Plan, which amends Sections 3.2 and 6.2.**

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

- T. **Special events permit application from the Lincoln Track Club to hold the State Farm Run For Your Life Road Race on March 29, 2014.**

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

**NEW BUSINESS CONTINUED:**

- U. **Political subdivision tort claim filed against Lancaster County Corrections by Jay Schultz in the amount of \$12.50.**

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

- V. **Political subdivision tort claim filed against Lancaster County Corrections by Marvin Snyder for lost property in the amount of \$36.10.**

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

- W. **Political subdivision tort claim filed against Lancaster County Corrections by Davin Bivens for lost property in an undisclosed amount.**

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

- X. **Withdrawal of the following Lancaster County Board of Commissioners agenda items that have been previously placed on hold:**
1. **Agreement with Trans-Alarm for security system monitoring services at the Lancaster County Department of Motor Vehicles. (C-13-0320)**
  2. **Recommendation from Personnel to create an Oral Interview Personnel Policy Bulletin.**

**MOTION:** Raybould moved and Smoyer seconded to withdraw the agenda items. Smoyer, Schorr, Raybould, Amundson 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 Lincoln Housing Authority 2013 annual report.**

**MOTION:** Raybould moved and Schorr seconded approval of the consent items. Schorr, Raybould, Amundson, Smoyer 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, December 19, 2013, at 8:30 a.m., in Room 113 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln).
- B. The Lancaster County Board of Commissioners will not hold meetings on Tuesday, December 24, 2013, or Tuesday, December 31, 2013, due to the holidays. The next regular meeting will be held on Tuesday, January 7, 2014, at 10:30 a.m., in Room 112 on the first floor of the County-City Building with the Board of Equalization immediately following.
- C. The County Commissioners can be reached at 402-441-7447 or [commish@lancaster.ne.gov](mailto: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](http://lancaster.ne.gov) under 5 City-TV, Video on Demand or 5 City-TV on YouTube.

Smoyer thanked Mike Thew, Deputy County Attorney, for his years of service, and said he would be retiring on December 31, 2013.

9) **ADJOURNMENT**

**MOTION:** Smoyer moved and Raybould seconded to adjourn the Board of Commissioners meeting at 11:04 a.m. Raybould, Amundson, Smoyer, Schorr and Hudkins voted aye. Motion carried 5-0.

  
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Dan Nolte  
Lancaster County Clerk



**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, DECEMBER 17, 2013  
COUNTY-CITY BUILDING, ROOM 112  
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 December 13, 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 11:04 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, December 10, 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:** 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:**

**Christian Heritage Children's Homes  
Immanuel Retirement Communities  
Nebraska Annual Conference of the United Methodist Church  
Priestly Fraternity of St. Peter  
Sheridan Lutheran Church  
St. Joseph Catholic Church and School  
St. Mark's United Methodist Church**



**MOTOR VEHICLE TAX EXEMPTION APPLICATIONS CONTINUED:**

**St. Monica's Home**

**MOTION:** Raybould 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 11:06 a.m. Smoyer, Schorr, Raybould, Amundson and Hudkins voted aye. Motion carried 5-0.

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

