

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 7, 2014
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 January 3, 2014.

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 17, 2013.**

MOTION: Smoyer moved and Schorr 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, January 7, 2014.**

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

3) **PUBLIC HEARING:**

- A. **Manager application for Bradley Neunaber in connection with a Class IB liquor license for Hidden Valley Golf Course, 10501 Pine Lake Road, Lincoln. (See 4A for correlating item.)**

The Chair opened the public hearing.

Bradley Neunaber, Hidden Valley Golf Course, was administered the oath. He introduced himself and discussed his background.

PUBLIC HEARING CONTINUED:

Hudkins questioned if Neunaber had taken the Health Department's responsible hospitality training and if he would encourage his employees to do the same. Neunaber said he has had the training and would expect the same of the other employees.

Schorr asked how many employees are at Hidden Valley Golf Course. Neunaber said there are 12-15 employees in season.

Terry Wagner, County Sheriff, was administered the oath. He pointed out that a previous motor vehicle registration violation was not listed on the application. He explained that a discrepancy exists because most violations drop off driving abstracts after a certain period but may still show up on a law enforcement background check. Wagner added that this is a common oversight on these applications.

Hudkins questioned how long it would take for a charge to drop off someone's record. Wagner said certain criteria are used and it depends on the severity of the charge.

Raybould asked how someone could search his or her background record. Wagner said people could obtain a copy of their driver's abstract to remember dates and times of offenses, keeping in mind that it may not show everything. He noted that the application requires any conviction or violation to be listed, which would be all encompassing for any law enforcement contact a person might have. Schorr clarified that it was the State's form so the County would not have the option to change any wording on the application.

The Chair closed the public hearing.

4) **NEW BUSINESS:**

- A. **Resolution in the matter of a corporate manager liquor license application for Bradley Neunaber in connection with a Class IB liquor license for Hidden Valley Golf Course, 10501 Pine Lake Road, Lincoln, Lancaster County, Nebraska. (R-14-0001)**

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

- B. **Resolution in the matter of changing the name of the Lincoln-Lancaster County Personnel Department to Lincoln-Lancaster County Human Resources Department. (R-14-0002)**

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

- C. **Resolution in the matter of Chief Deputy Elected Official salary increases for the 2014 calendar year. (R-14-0003)**

Raybould explained she would be voting no as she always tries to find the middle ground.

NEW BUSINESS CONTINUED:

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

D. Resolution in the matter of setting salaries for Elected County Officials for the 2015-2018 term. (R-14-0004)

MOTION: Amundson moved and Schorr seconded approval of the resolution. No action was taken.

Terry Wagner, County Sheriff, voiced his concern over the salary recommendations. He asked the Board to hold the resolution and reconsider the recommendations.

Raybould asked if delaying a week would affect the Election Commissioner in setting candidate filing fees. Kerry Eagan, Chief Administrative Officer, said the fees must be set by January 15 in the year in which the general election is held, so the resolution could be held until the January 14 Board meeting.

Schorr questioned the Sheriff's comments that certain information was not considered. She asked Eagan, who was the facilitator of the Elected Officials Salary Review Committee meetings, if there were salary comparisons to other counties. Eagan said comparisons were made, but he thought the Sheriff's point was that the information might not be timely. Wagner explained that the data provided by Human Resources used 2013 comparative figures for 2014 salaries in setting 2015 salaries.

Raybould questioned if the Salary Review Committee was using the projected 2% increase for elected officials. Wagner thought the 2% was based on increases received by other unrepresented employees in Lancaster County. Raybould said she would be willing to hold it a week to review the recommendations. She felt the total benefit package should also be taken into consideration.

MOTION: Raybould moved and Smoyer seconded to hold the resolution for one week and schedule further discussion at the January 9 staff meeting. Amundson, Smoyer, Schorr, Raybould and Hudkins voted aye. Motion carried 5-0.

- E. Acceptance and implementation of the following recommendations from the Lancaster County Pension Review Committee regarding the 401(a) Lancaster County Employees Retirement Plan and 457(b) Deferred Compensation Program:**
- 1. After March 31, 2014, replace IncomeFlex Select with IncomeFlex Target;**
 - 2. Lancaster County employees with money in IncomeFlex Select are allowed to leave those funds in IncomeFlex Select after March 31, 2014;**
 - 3. The default investment for Lancaster County employees enrolled in IncomeFlex Select will be IncomeFlex Target; and**
 - 4. The Qualified Default Investment Alternative (201A) for the 401(a) Retirement Plan will be changed to the Conservative GoalMaker Fund and integrated with IncomeFlex Target, effective March 31, 2014.**

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

NEW BUSINESS CONTINUED:

- F. **Appointment of Cindy Rempe to the Lincoln-Lancaster County Air Pollution Advisory Board for a term expiring September 1, 2016.**

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

- G. **Approval of the Abbott Motocross Track Facility Operation Plan for 2014. (C-14-0001)**

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

- H. **Deposit placement agreement and custodial agreement with West Gate Bank for insured cash sweep services. (C-14-0002)**

Andy Stebbing, County Treasurer, said he has been working on a new investment option with West Gate Bank. He discussed the large swing in funds based on the time of the year.

Carl Sjulín, President of West Gate Bank, said the insured cash sweep service marries banks that have excess funds with banks that want excess funds. It allows the County to use a local bank in an unlimited manner and receive full FDIC protection for all deposits. The funds are liquid and available daily.

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

- I. **Nebraska Office of Highway Safety mini-grant contract application and award for the purchase of six new preliminary breath-testing units at a total cost of \$1,710. (C-14-0003)**

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

- J. **Grant contract application and award with the Nebraska State Patrol in the amount of \$2,500 for the County Sheriff's Internet Crimes against Children Task Force. (C-13-0609)**

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

- K. **Resolution in the matter of authorizing the installation of a right curve sign (W 1-2R) on Yankee Hill Road, 1500 feet east of South 84th Street for eastbound traffic. (R-14-0005)**

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

NEW BUSINESS CONTINUED:

- L. **Interlocal agreement with the City of Hickman for asphalt crack sealing maintenance on S. 68th Street from Hickman Road to Roca Road. (C-14-0004)**

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

- M. **Approval of a cost increase under County Contract C-12-0171 with Magellan-Midstream Partners, LP, for relocation of a petroleum pipeline facility for the road rebuilding project on W. Denton Road from SW 12th Street to SW 56th Street; Project STPE-3305(9). The original cost estimate was \$10,084 and the actual cost is \$17,070.20.**

Pam Dingman, County Engineer, said the increase was associated with cost overruns for the lowering of a gas main. She noted her goals for estimating and reducing costs.

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

- N. **Contract with Judds Brothers Construction Company in the amount of \$4,540 for repair of County Bridge C-262 located at NW 19th Street approximately one-fourth mile north of W. Branched Oak Road. (C-14-0005)**

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

- O. **Amendment to County Contract C-13-0002 with Fastenal Company for the annual supply of snowplow nuts, bolts and washers. The amendment renews the agreement for an additional one-year term from January 8, 2014, to January 7, 2015. (C-14-0006)**

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

- P. **Agreement between A to Z Printing, Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for the annual supply of offset printing and related services. Term of the agreement is three years from the date of execution by all parties. (C-14-0007)**

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

- Q. **Agreement between Cornerstone Printing & Imaging, Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for the annual supply of offset printing and related services. Term of the agreement is three years from the date of execution by all parties. (C-14-0008)**

NEW BUSINESS CONTINUED:

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

- R. **Agreement between Rixstine Recognition, Lancaster County and the City of Lincoln for the annual supply of trophies, plaques, awards and promotional items. Term of the agreement is one year from the date of execution by all parties. (C-14-0009)**

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

- S. **Agreement with Dickey & Burham, Inc., for warehouse improvements at the Lancaster County Adult Detention Facility. The County will pay \$554,800 for the products and services. The work will be completed within 135 days after notice to proceed. (C-14-0010)**

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

- T. **Amendment to County Contract C-12-0646 with Inteconnect, Inc., for CCTV security/surveillance systems. The amendment renews the agreement for an additional one-year term from November 1, 2013, to October 31, 2014. (C-14-0011)**

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

- U. **Amendment to County Contract C-08-0626 with CBM Food Service for food service at County correctional facilities. The amendment renews the agreement for an additional one-year term from December 2, 2013, to December 1, 2014, and provides for various price adjustments. (C-14-0012)**

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

- V. **Agreement with Lincoln Literacy Council to conduct a twelve-week pilot program to determine the cost and pedagogical effectiveness of on-site English language and literacy classes for Lancaster County Corrections inmates. The County will pay up to \$1,789 for the services. Term of the contract is January 27, 2014, to April 18, 2014. (C-14-0013)**

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

- W. **Sales order agreement with Election Systems & Software for a DS850 scanner and related items. (C-14-0014)**

NEW BUSINESS CONTINUED:

Dave Shively, Election Commissioner, said the upcoming Lincoln School bond election would be done by mail. To do it cost effectively, ballots must be folded in envelopes and still be able to be counted. The folded ballots would reduce mailing cost from around \$1.20 to \$0.50-0.60 per piece. Cost to return the ballot would go from \$1.10 to \$0.49. The Secretary of State's Office has certified a new vote-tabulating machine that makes it easier to count folded ballots. He planned to send out around 163,000 ballots for the school district and hoped to have a return rate of 40-45%. If all goes well, he intended to use the system for absentee ballots for primary and general elections and possibly purchase a second machine.

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

X. Settlement agreement and release between Sharon Hartmann and Lancaster County. (C-14-0015)

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

Y. Political subdivision tort claim filed against Lancaster County Corrections by Arthur Jones for lost property in the amount of \$1.44.

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

Z. Political subdivision tort claim filed against Lancaster County Corrections by Richard Brinigar for lost property in the amount of \$10.

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.

AA. Political subdivision tort claim filed against Lancaster County Corrections by Ronald Hutt in the amount of \$40.

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.

BB. Political subdivision tort claim filed against Lancaster County Corrections by Charlene Mathews for lost property in the amount of \$2,500.

MOTION: Smoyer moved and Raybould 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.

NEW BUSINESS CONTINUED:

CC. **Official designation of the following methods for County Board of Commissioners meeting notification: County-City Building bulletin board; Lancaster County, Nebraska, web site; and media email.**

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

DD. **Determination regarding the necessity of a reduction in force for the Community Support Program at the Lancaster County Community Mental Health Center effective at 11:59 p.m. on January 23, 2014.**

Hudkins confirmed with Gwen Thorpe, Deputy Chief Administrative Officer/Community Mental Health Center Interim Administrator, that the effective date should be January 31, 2014, instead of January 23, 2014.

MOTION: Schorr moved and Amundson seconded approval of the reduction in force effective January 31, 2014. Schorr, Raybould, Amundson, Smoyer and Hudkins 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. **Right-of-way contracts between the County Engineer and the following:**

1. **Barry Cattle Company, south of W. Ashland Road, in the amount of \$163. (C-14-0016)**
2. **Daniel and Debra Badeer, S. 134th Street and Stagecoach Road, in the amount of \$175. (C-14-0017) (C-14-0018)**

B. **Receive and place on file the following reports:**

1. **County Sheriff for November 2013**
2. **County Clerk for December 2013**
3. **Clerk of the District Court for December 2013**
4. **County Assessor/Register of Deeds for December 2013**
5. **County Records & Information Management for December 2013**
6. **County Engineer for July, August and September 2013**

MOTION: Amundson moved and Raybould seconded approval of the consent items. Raybould, Amundson, Smoyer, Schorr and Hudkins 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, January 9, 2014, 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, January 14, 2014, at 10:30 a.m., in Room 112 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.
- 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.

8) **ADJOURNMENT**

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



Dan Nolte
Lancaster County Clerk



**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JANUARY 7, 2014
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 January 3, 2014.

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 11:15 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, December 17, 2013.**

MOTION: Amundson moved and Schorr 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 Schorr 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:**

**Connecting Pointe Church of the Nazarene
Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints
Goodwill Industries Serving Southeast Nebraska
Homestead Presbytery**

MOTION: Amundson 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 11:16 a.m. Smoyer, Schorr, Raybould, Amundson and Hudkins voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

