

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JULY 1, 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 June 27, 2014.

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

Commissioners absent: Roma Amundson

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 Chair called the meeting to order at 10:31 a.m. and the location of the Nebraska Open Meetings Act was announced.

1) **PLEDGE OF ALLEGIANCE**

2) **MINUTES: Approval of the minutes of the Board of Commissioners meetings (regular and Emergency Management Director interviews) held on Tuesday, June 24, 2014.**

MOTION: Smoyer moved and Raybould seconded approval of the minutes. Schorr, Raybould, Smoyer and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

3) **CLAIMS: Approval of all claims processed through Tuesday, July 1, 2014.**

MOTION: Raybould moved and Smoyer seconded approval of the claims. Raybould, Smoyer, Schorr and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

4) **SPECIAL PRESENTATION:**

- A. **Recognition of Thomas Gandara, an employee of the Youth Services Center (YSC) since 1976, for his dedicated years of service to youth in the community - Sheli Schindler, YSC Director; Annette Thompson, YSC Deputy Director.**

SPECIAL PRESENTATION CONTINUED:

Sheli Schindler introduced Thomas Gandara and discussed the changes he experienced throughout his career at YSC. Annette Thompson commended Gandara for his work with the youth and presented him with a plaque. Gandara discussed his history with YSC and recognized his family and co-workers. Gandara's grandson, Diego, presented him with a shirt from YSC.

5) PUBLIC HEARING:

- A. **County Change of Zone No. 14014, AG Agricultural District to AGR Agricultural Residential District, on property generally located at SW 29th Street and Martell Road.**

The Chair opened the public hearing.

Sara Hartzell, County Planner, was administered the oath. She explained that the property borders the town of Martell and is on the line of the extraterritorial jurisdiction (one mile) of Sprague. The full property extends from SW 29th Street to W. Luther Street and includes already platted residential lots with about 18 acres total. Application was made to the Sprague Village Board and the jurisdiction was changed to AGR. At the same time, application was made to the County Planning Department to change the remaining portion of AG to AGR with the intent of subdividing the land into acreage size parcels. Martell does not have a community system, so all the dwellings in Martell are on their own septic or lagoon system. The State of Nebraska Department of Environmental Quality requires three acres for an individual system, but most of the properties predate the requirement. She felt it would make sense to rezone as AGR to allow individual wastewater and utilities for the properties. Hartzell stated that the Planning Commission unanimously voted approval with no opposing testimony.

Mike Eckert, Civil Design Group, was administered the oath. He said there is no community sewer system so acreages would be the best solution. His client bought the existing lots. The right-of-way would be vacated and the alley would be left adjacent to the neighbors. Common access easements would go to Martell Road and to W. Luther Street. There will be no access on SW 29th Street.

Hudkins asked if access on SW 29th Street would be preferred. Eckert said there is a drainage way on the property, so not setting up access on SW 29th Street would save the cost of a culvert.

The Chair closed the public hearing.

MOTION: Schorr moved and Smoyer seconded to direct the County Attorney to prepare a resolution in support of County Change of Zone No. 14014. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

6) NEW BUSINESS:

- A. **Amusement license renewal application from Community CROPS to hold an event on August 9, 2014, at 3130 N. 112th Street, Lincoln.**

NEW BUSINESS CONTINUED:

Andrea Anthony, Community CROPS, said the annual fundraiser is on August 9, 2014, at 5:00 p.m., and would have around 200 people in attendance. There will be 13 different chefs involved from Bread & Cup, Chez Hay, Daffodil, Dish, Grateful Greens, Maggie's Wraps, Pepe's Bistro, Pop Art, Relsih, Sebastian's Table, Shen Café, Single Barrel and Taco Parral. She noted the farm is on leased property from the University of Nebraska Foundation.

MOTION: Raybould moved and Smoyer seconded approval of the amusement license renewal. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- B. Resolution in the matter of extending the deadline for hearing protests regarding real property in Lancaster County from July 25, 2014, to August 10, 2014. (R-14-0034)**

MOTION: Raybould moved and Smoyer seconded approval of the resolution. Schorr, Raybould, Smoyer and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- C. Contract with Logan Contractors Supply, Inc., for the annual requirements of polypatch applicator rental and mastic pave patch. The County will pay for products and services under this agreement in accordance with the contractor's line item pricing. (C-14-0328)**

MOTION: Raybould moved and Smoyer seconded approval of the contract. Raybould, Smoyer, Schorr and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- D. Contract with Right Pointe Company for the annual requirements of polypatch applicator rental and mastic pave patch. The County will pay for products and services under this agreement in accordance with the contractor's line item pricing. (C-14-0329)**

MOTION: Smoyer moved and Raybould seconded approval of the contract. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- E. Agreement with Mr. Yards and More, LLC, for the annual requirements of noxious weed control including spraying and mowing. Term of the contract is one year from the date of execution by all parties with an option to renew for three additional one-year terms. (C-14-0338)**

MOTION: Schorr moved and Smoyer seconded approval of the agreement. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- F. Amendment to County Contract C-11-0406 between Sapp Brothers Petroleum, Lancaster County and the City of Lincoln. The amendment extends the contract for an additional one-year term from July 19, 2014, to July 18, 2015. (C-14-0339)**

MOTION: Raybould moved and Smoyer seconded approval of the amendment. Schorr, Raybould, Smoyer and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

NEW BUSINESS CONTINUED:

- G. **Agreement with Lutheran Family Services of Nebraska, Inc., for lease of 14,774 square feet of office space on the first floor and 712 square feet on the lower level of 2201 S. 17th Street, Lincoln, Lancaster County, Nebraska. Term of the lease is month-to-month, beginning May 1, 2014. LFS agrees to pay the County \$12,667.67 per month and all utility charges. (C-14-0340)**

MOTION: Raybould moved and Schorr seconded approval of the agreement. Raybould, Smoyer, Schorr and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- H. **Collective bargaining agreement with the Fraternal Order of Police Lodge #29. Term of the agreement is August 21, 2014, to August 31, 2016. (C-14-0341)**

MOTION: Raybould moved and Schorr seconded approval of the agreement. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- I. **Agreement with Bryan Health, on behalf of its Independence Center, for non-physician substance abuse treatment services for adolescents placed in the Lancaster County Juvenile Drug Court. The County will pay up to \$8,000 for the services. Term of the agreement is July 1, 2014, to June 30, 2015. (C-14-0342)**

MOTION: Smoyer moved and Schorr seconded approval of the agreement. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- J. **Amendment to County Contract C-12-0335 with CEDARS Youth Services. The amendment changes the grant contract's age requirement to reflect that the CEDARS' Out of Home Continuum program will serve persons from birth to 24 years of age. (C-14-0330)**

MOTION: Raybould moved and Smoyer seconded approval of the amendment. Schorr, Raybould, Smoyer and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- K. **Grant contract with the Nebraska Crime Commission for the Four County Juvenile Services Program. The Commission will provide \$159,346 and Lancaster County will provide a \$64,996 match for a total project cost of \$224,342. (C-14-0331)**

Schorr noted that Items 6K-6U use federal funds that flow through the Nebraska Crime Commission, partnering with non-profit organizations in the community that encompass juvenile justice programs.

MOTION: Raybould moved and Smoyer seconded approval of the contract. Raybould, Smoyer, Schorr and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- L. **Grant contract with the Nebraska Crime Commission for the Weekend Reporting Center. The Commission will provide \$5,000 and CEDARS Youth Services will provide an \$8,339 match for a total project cost of \$13,339. (C-14-0332)**

MOTION: Raybould moved and Smoyer seconded approval of the contract. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

NEW BUSINESS CONTINUED:

- M. **Grant contract with the Nebraska Crime Commission for the POWER HOUR. The Commission will provide \$15,000 and the Boys & Girls Club will provide an \$8,500 match for a total project cost of \$23,500. (C-14-0333)**

MOTION: Raybould moved and Smoyer seconded approval of the contract. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- N. **Grant contract with the Nebraska Crime Commission for the Children in Shelter Project. The Commission will provide \$7,000 and the Friendship Home will provide a \$17,974 match for a total project cost of \$24,974. (C-14-0334)**

MOTION: Schorr moved and Smoyer seconded approval of the contract. Schorr, Raybould, Smoyer and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- O. **Grant contract with the Nebraska Crime Commission for the Artist Inside Program. The Commission will provide \$8,000 and the LUX Center for the Arts will provide a \$2,010 match for a total project cost of \$10,010. (C-14-0335)**

MOTION: Raybould moved and Smoyer seconded approval of the contract. Raybould, Smoyer, Schorr and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- P. **Grant contract with the Nebraska Crime Commission for the Back on Track Program. The Commission will provide \$36,200 and the HUB will provide a \$28,000 match for a total project cost of \$64,200. (C-14-0336)**

MOTION: Smoyer moved and Raybould seconded approval of the contract. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- Q. **Grant contract with the Nebraska Crime Commission for Operation Tipping Point. The Commission will provide \$11,652 and the Lincoln Police Department will provide a \$9,601 match for a total project cost of \$21,253. (C-14-0337)**

MOTION: Smoyer moved and Raybould seconded approval of the contract. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- R. **Grant contract with the Nebraska Crime Commission for Truancy Prevention with Family Peer Support. The Commission will provide \$66,413 and Families Inspiring Families will provide a \$46,065 match for a total project cost of \$112,478. (C-14-0343)**

MOTION: Smoyer moved and Raybould seconded approval of the contract. Schorr, Raybould, Smoyer and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- S. **Grant contract with the Nebraska Crime Commission for Lancaster County Community Aid. The Commission will provide \$612,546 and CEDARS Youth Services will provide a \$75,619 match for a total project cost of \$688,165. (C-14-0344)**

NEW BUSINESS CONTINUED:

MOTION: Schorr moved and Smoyer seconded approval of the contract. Raybould, Smoyer, Schorr and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- T. **Grant contract with the Nebraska Crime Commission for Lancaster County Community Aid. The Commission will provide \$2,500. (C-14-0345)**

MOTION: Schorr moved and Raybould seconded approval of the contract. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- U. **Grant contract with the Nebraska Crime Commission for Lancaster County Community Aid. The Commission will provide \$65,528. (C-14-0346)**

MOTION: Raybould moved and Smoyer seconded approval of the contract. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- V. **Political subdivision tort claim filed against Lancaster County Corrections by Joseph Cotten for lost property in the amount of \$45.48.**

MOTION: Smoyer moved and Raybould seconded denial of the tort claim based on the Corrections Director's recommendation. Schorr, Raybould, Smoyer and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

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

MOTION: Smoyer moved and Raybould seconded denial of the tort claim based on the Corrections Director's recommendation. Raybould, Smoyer, Schorr and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- X. **Political subdivision tort claim filed against Lancaster County Corrections by Jonathan Thomas for lost property in the amount of \$250.**

MOTION: Smoyer moved and Raybould seconded denial of the tort claim based on the Corrections Director's recommendation. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- Y. **Political subdivision tort claim filed against Lancaster County Corrections by Brad Walton for lost property in the amount of \$9.50.**

MOTION: Smoyer moved and Raybould seconded denial of the tort claim based on the Corrections Director's recommendation. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

- Z. **Political subdivision tort claim filed against the Lancaster County Sheriff's Department by the City of Lincoln in the amount of \$31,873.80.**

NEW BUSINESS CONTINUED:

MOTION: Schorr moved and Raybould seconded denial of the tort claim based on the County Attorney's recommendation. Schorr, Raybould, Smoyer and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

AA. Labor negotiations (executive session).

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

7) **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. **Setting of a public hearing on Tuesday, July 15, 2014, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) regarding a manager application for Thomas Trainor in connection with a Class CK liquor license for Sesostris Temple, 1050 Saltillo Road, Roca.**

MOTION: Raybould moved and Smoyer seconded approval of the consent items. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

8) **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.

9) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will not hold a staff meeting on Thursday, July 3, 2014, due to the holiday. The next staff meeting is tentatively scheduled for Thursday, July 10, 2014, at 8:30 a.m., in the Bill Luxford Studio 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, July 8, 2014, 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 11:07 a.m.

The Chair reconvened the meeting at 11:09 a.m.

RETURNING TO ITEM 6AA:

MOTION: Smoyer moved and Raybould seconded to enter executive session at 11:09 a.m. for the purpose of labor negotiations and to protect the public interest.

The Chair restated the motion for the record.

ROLL CALL: Raybould, Smoyer, Schorr and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

MOTION: Schorr moved and Raybould seconded to exit executive session at 11:38 a.m. Schorr, Raybould, Smoyer and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

10) **ADJOURNMENT**

MOTION: Smoyer moved and Raybould seconded to adjourn the Board of Commissioners meeting at 11:38 a.m. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk



**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JULY 1, 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 June 27, 2014.

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

Commissioners absent: Roma Amundson

Others present: Connie Ahlschwede, County Assessor/Register of Deeds' Office
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 Chair called the meeting to order at 11:07 a.m. and the location of the Nebraska Open Meetings Act was announced.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 24, 2014.**

MOTION: Smoyer moved and Raybould seconded approval of the minutes. Schorr, Raybould, Smoyer and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

2) **ADDITIONS AND DEDUCTIONS TO THE TAX ASSESSMENT ROLLS**

MOTION: Raybould moved and Smoyer seconded approval of the additions and deductions. Raybould, Smoyer, Schorr and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

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

**Child Guidance Center
Corporate Presiding Bishop of the Church of Jesus Christ of Latter Day Saints
First Free Methodist Church
Sisters of Mercy**

MOTOR VEHICLE TAX EXEMPTION APPLICATIONS CONTINUED:

MOTION: Schorr moved and Raybould seconded approval of the motor vehicle tax exemption applications. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.

4) **ADJOURNMENT**

MOTION: Raybould moved and Schorr seconded to adjourn the Board of Equalization meeting at 11:09 a.m. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk

