

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 19, 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 August 15, 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
 Angela Zocholl, County Clerk's Office

The Chair called the meeting to order at 10:30 a.m., the pledge of allegiance was recited and the location of the Nebraska Open Meetings Act was announced.

1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, August 12, 2014.**

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, August 19, 2014.**

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

3) **PUBLIC HEARINGS:**

- A. **Automatic renewal of Class C liquor licenses issued in Lancaster County and outside the corporate limits of any city, for which the County Clerk has received no protests.**

The Chair opened the public hearing. No one appeared to testify and the Chair closed the public hearing.

4) **NEW BUSINESS:**

- A. **Renewal of Class C liquor licenses.**

NEW BUSINESS CONTINUED:

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

B. Reappointment of Sharon L. Busch to the Aging Partners Areawide Advisory Council for a term to expire on July 1, 2017.

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

C. Setting of the compensation of Kristy Bauer, Deputy County Attorney, at the rate of \$29.475 per hour.

Brittany Behrens, Deputy County Attorney, said Kristy Bauer would be returning to the Attorney's Office on an interim basis (possibly permanent) until future decisions are made on covering a recently vacated position.

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

D. Contract between Cather & Son's Construction, Inc., Lancaster County and the City of Lincoln for the annual supply of asphaltic concrete. Term of the contract is one year from the date of execution by all parties. (C-14-0410)

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

E. Contract between Constructors, Inc., Lancaster County and the City of Lincoln for the annual supply of asphaltic concrete. Term of the contract is one year from the date of execution by all parties. (C-14-0411)

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

F. Contract between Graybar Electric, Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for the annual supply of small miscellaneous household batteries. Term of the contract is one year from the date of execution by all parties. (C-14-0412)

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

G. Amendment to County Contract C-13-0448 with A 1st Rate Pumping Service, Inc., for the annual requirements of pumping, hauling and disposal services for liquid waste products. The amendment renews the agreement for an additional one-year term from September 3, 2014, to September 2, 2015. (C-14-0413)

NEW BUSINESS CONTINUED:

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

- H. **Amendment to County Contract C-13-0449 with Tan-Aire, Inc., for the annual requirements of pumping, hauling and disposal services for liquid waste products. The amendment renews the agreement for an additional one-year term from September 3, 2014, to September 2, 2015. (C-14-0414)**

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

- I. **Amendment to County Contract C-14-0480 with Paramount Linen, Inc., for the annual supply of rental and cleaning of mats and various linen and related items. The amendment renews the agreement for an additional one-year term from September 13, 2014, to September 12, 2015. (C-14-0415)**

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

- J. **Network provider contract with the Regional Behavioral Health Authority (Region V) for the provision of certain psychiatric residential rehabilitation services. The County shall be reimbursed up to \$35,044 for the services. Term of the agreement is July 1, 2014, to June 30, 2015. (C-14-0416)**

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

- K. **Grant contract with the Indian Center, Inc., in the amount of \$41,000 for the Indian Center Four Directions Youth Program. Term of the agreement is July 1, 2014, to June 30, 2015. (C-14-0417)**

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

- L. **Grant contract with the Boys & Girls Club of Lincoln/Lancaster County in the amount of \$15,000 for the Power Hour Program. Term of the contract is July 1, 2014, to June 30, 2015. (C-14-0418)**

Schorr noted that Items 4K & 4L are part of the Juvenile Justice funding initiative.

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

- M. **Federal equitable sharing agreement and annual certification for the Lancaster County Sheriff's Office regarding equitable sharing activity of drug forfeiture funds for the fiscal year ending June 30, 2014. (C-14-0420)**

NEW BUSINESS CONTINUED:

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

- N. **Agreement with Superior Medical Imaging, 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-14-0421)**

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

- O. **Political subdivision tort claim filed against Lancaster County Corrections by Jennifer Howard for lost property in the amount of \$3,000.**

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.

- P. **Political subdivision tort claim filed against Lancaster County Corrections by Kevin Tomlin for lost property in the amount of \$25.**

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.

- Q. **Labor negotiations (Executive Session).**

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

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 contract between the County Engineer and Susan Boswell, SW 56th Street and W. Claire Avenue, in the amount of \$149.50. (C-14-0419)**
- B. **Receive and place on file the County Treasurer's Mid Term Report on 2012 Distress Warrants.**
- C. **Setting of public hearings for Tuesday, August 26, 2014, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) regarding Keno Fund Projects and Lancaster County's Proposed Budget for Fiscal Year 2014-2015 (on file with the County Budget and Fiscal Office).**

CONSENT ITEMS CONTINUED:

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

Rick DeBoer, AFSCME (American Federation of State, County and Municipal Employees) 2468 Union President, referenced an article in the Lincoln Journal Star from August 8, 2014, regarding a proposal by the Board to give a 3% raise to non-union employees in the upcoming fiscal year. He discussed his concern of balancing pay and benefits for union and non-union employees. DeBoer noted many positive contributions that AFSCME makes in the community.

7) **ANNOUNCEMENTS:**

- A. **The Lancaster Board of Commissioners will hold a staff meeting on Thursday, August 21, 2014, at 8:30 a.m., in the Bill Luxford Studio (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, August 26, 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. **Public hearings will be held on Tuesday, August 26, 2014, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln), regarding Lincoln-Lancaster County Health Department amendments:**
 1. **Section XIII of County Resolution R-13-0062, Procedures for the Regulation of On-Site Wastewater Treatment Systems in Lancaster County, Nebraska, by increasing various fees and clarifying refund of fees.**
 2. **Sections VI, XV and XXIX of County Resolution R-13-0063, Regulations for the Operation of Body Art and Piercing Establishments in Lancaster County, Nebraska, by increasing various fees and clarifying where such funds shall be deposited.**
 3. **Section XI of County Resolution R-13-0064, Procedures for the Inspection of On-site Water Supply Systems and On-site Wastewater Treatment Systems Prior to the Sale, Transfer, or Conveyance of Property in Lancaster County, Nebraska, by increasing various fees and clarifying refund of fees.**
 4. **County Resolution R-13-0072, Lincoln-Lancaster County Air Pollution Regulations and Standards, Article 1, Section 6, to increase the fees for asbestos project notifications, area sources of hazardous air pollutants and emergency electrical generators.**
 5. **County Resolution R-13-0073, Lancaster County Air Pollution Control Resolution, Section 13, to increase the fee for open burning permits for industrial or commercial businesses and clarifying where such funds shall be deposited.**

ANNOUNCEMENTS CONTINUED:

- D. **The County Commissioners can be reached at 402-441-7447 or 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 under 5 City-TV, Video on Demand or 5 City-TV on YouTube.**

The Chair recessed the meeting at 10:50 a.m.

The Chair reconvened the meeting at 10:57 a.m.

RETURNING TO ITEM 4Q:

MOTION: Smoyer moved and Schorr seconded to enter executive session at 10:57 a.m. for the purpose of discussing labor negotiations and to protect the public interest.

The Chair restated the motion for the record.

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

MOTION: Schorr moved and Raybould seconded to exit executive session at 11:28 a.m. Smoyer, Schorr, Raybould, Amundson and Hudkins voted aye. Motion carried 5-0.

8) **ADJOURNMENT**

MOTION: Smoyer moved and Raybould seconded to adjourn the Board of Commissioners meeting at 11:28 a.m. Raybould, Amundson, Smoyer, Schorr and Hudkins voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, AUGUST 19, 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 August 15, 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
 Angela Zocholl, County Clerk's Office

The Chair called the meeting to order at 10:50 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, August 12, 2014.**

MOTION: Schorr 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:**

MOTION: Smoyer 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:**

**Centerpointe
Developmental Services of Nebraska
Resources for Human Development
St. Peter's Catholic Church**

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

4) **2014 LATE FILED HOMESTEAD EXEMPTION:**

Joyce Wortman
Donald & Bonnie Wenzl
Willard & Shirley Thorburn
Michael Tritsch
Richard & Margaret Stansbury
Millard & Marie Stangl
Myron Sisel
Steven Scheneman
Karen Romsdal
Browning & Janet Robertson
Abibat & Lateef Olude
Chester Nicholas
Sandra McCullough
Lucille Melichar

Jerry & Marie Ludwig
Dorothy Kreick
Delores Kaufman
Sherry Krull
William Harm
Robert & Mary Helen Haeffner
Gail Frohman
Janet & John Chrastil
Patricia Cave
Eugene & Dianne Blaser
Gary Wood
Myron & Nadine Robertson
JoAnn Fleming
Melody Batten

Scott Gaines, Deputy County Assessor/Register of Deeds, explained that State statute requires an application be filed by June 30 for homestead exemption, but an extension is allowed if a written request is received by July 20 and the extension was not used the previous year. He recommended approval of all the applications since they met these requirements. Gaines commended his staff for all their work on this process.

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

5) **PROPOSED CHANGE IN EXEMPTION STATUS:**

**Catholic Bishop of Lincoln
Good News Church**

Scott Gaines recommended exemption removal on both due to ownership change. Catholic Bishop of Lincoln sold the property on December 24, 2013, to Lincoln Pius. If the property is acquired after the previous filing period, State statute says exemption application must be made by July 1. In this case, the deed was not filed until August. Pius will likely appeal to the Board on the exemption. Good News Church sold the property to Lincoln Zomi Church on July 7, 2014. Since Zomi Church acquired the property after July 1, State statute allows exemption application through November 15, which Zomi Church has submitted (Item 6).

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

6) **PROPERTY TAX EXEMPTION APPLICATION:**

Lincoln Zomi Church

Scott Gaines recommended approval based off the previous discussion (Item 5).

PROPERTY TAX EXEMPTION APPLICATION CONTINUED:

MOTION: Amundson moved and Raybould seconded approval of the property tax exemption application. Raybould, Amundson, Smoyer, Schorr 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.

RETURNING TO ITEM 5:

Marsha Bartek, Catholic Bishop of Lincoln, said ownership transferred from Catholic Bishop of Lincoln to Lincoln Pius in December, but the deed did not get filed with Register of Deeds until the first week in August. At that time, Pius was notified that they needed to apply for tax exemption. Pius will appeal if the decision to continue the exemption on the property is denied. Bartek noted that the use remains the same as it had before the sale.

8) **ADJOURNMENT**

MOTION: Amundson moved and Schorr seconded to adjourn the Board of Equalization meeting at 10:58 a.m. Amundson, Smoyer, Schorr, Raybould and Hudkins voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

