

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, APRIL 14, 2015
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 April 10, 2015.

Commissioners present: Roma Amundson, Chair; Larry Hudkins, Vice Chair; Bill Avery, Deb Schorr and Todd Wiltgen

Others present: Kerry Eagan, Chief Administrative Officer; Gwen Thorpe, Deputy Chief Administrative Officer; Kristy Bauer, Deputy County Attorney; Dan Nolte, County Clerk; Cori Beattie, Deputy County Clerk; and Kelly Lundgren, County Clerk's Office

The Chair called the meeting to order at 10:32 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, April 7, 2015.

MOTION: Hudkins moved and Avery seconded approval of the minutes. Avery, Hudkins, Schorr, Wiltgen and Amundson voted aye. Motion carried 5-0.

2) CLAIMS: Approval of all claims process through April 14, 2015.

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

3) PUBLIC HEARINGS:

A. Class I liquor license for Engine House Café on the Lake, LLC, d/b/a Boat House Bar & Grill, 10005 W Davey Road, Raymond, Nebraska. (See 4A for correlating item)

The public hearing was continued from last week.

Roger Pletcher, Engine House Café Manager, was administered the oath. He informed the Board the Health Department had completed their inspection and he would be meeting with the Fire Marshall later today.

No one appeared in opposition or in a neutral position.

The Chair closed the public hearing.

PUBLIC HEARINGS CONTINUED:

- B. Request from Lancaster County Public Rural Transit for financial assistance from the Federal Transit Administration pursuant to the Federal Transit Act (FTA). (See 4B and 4C for correlating items)**

The Chair opened the public hearing.

Deb Peck, Aging Services Supervisor, was administered the oath. She told the Board this financial assistance will continue to help provide transportation services. Peck said they continue to look at ways to expand the service such as transportation for students wishing to volunteer at public libraries. Schorr noted that while visiting with residents in the County communities she received many positive comments regarding the Public Rural Transit system.

No one appeared in opposition or in a neutral position.

The Chair closed the public meeting.

4) NEW BUSINESS:

- A. Resolution in the matter of application for a Class I (beer, wine, and distilled spirits, on sale only) liquor license for Engine House Café on the Lake, LLC, d/b/a Boat House Bar & Grill, and a corporate manager liquor license application for Roger Pletcher in connection with the Class I liquor license for Boat House Bar & Grill, 10005 West Davey Road, Raymond, Nebraska. (R-15-0017)**

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

- B. Resolution instructing Lancaster County Public Transit to apply for federal funds available under Section 5311 of the Federal Transit Act and to use said funds to provide public transportation in Lancaster County and the bordering communities of Adams, Cortland, Ceresco and Greenwood. (R-15-0018)**

MOTION: Hudkins moved and Schorr seconded approval of the resolution. Avery, Hudkins, Schorr and Amundson voted aye. Wiltgen abstained. Motion carried 4-0 with one abstention.

- C. Application for public transportation operating assistance for Lancaster County Public Rural Transit.**

MOTION: Avery moved and Hudkins seconded approval of the application. Avery, Schorr, Hudkins and Amundson voted aye. Wiltgen abstained. Motion carried 4-0 with one abstention.

NEW BUSINESS CONTINUED:

- D. Request from Lancaster County Corrections to use \$18,000 from the Inmate Benefit Fund for the Good News Jail and Prison Ministries of Fairfax, Virginia, to provide counseling and religious activities for Lancaster County inmates.**

Mike Thurber, Corrections Administrator, told the Board that in 1995 Good News contacted County Corrections regarding placing a chaplain in the facility. Sheldon Crapo, Chaplain, began at that time and has been with Corrections for the majority of the past twenty years. Thurber asked for the Board's approval to allow use of monies from the Inmate Benefit fund to allow for church services and Bible study programs.

Crapo informed the Board since moving to the new corrections facility the number of church services and studies offered has grown 28% and inmate attendance is up 36%. He said that because of the Lancaster County community, they have been able to meet that need with fifty active religious volunteers providing services. Crapo expressed his thanks to the Board for their support.

Avery asked if inmates had any input on how funds are used. Thurber said they have input as far as selecting programs but not how the funds are spent.

The Board expressed their thanks to Crapo for his continued service to Lancaster County.

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

- E. Special designated license applications from WunderRosa Winery, 2361 Wittstruck Road, Roca, for events on June 11–14, June 27, July 9-12, August 28-29 and September 11-12, 2015.**

MOTION: Schorr moved and Avery seconded approval of the special designated licenses. Hudkins, Avery, Wiltgen, Schorr and Amundson voted aye. Motion carried 5-0.

- F. Resolution in the matter of setting salaries of the Election Commissioner and Chief Deputy Election Commissioner for the term of office starting September 7, 2015. (R-15-0019)**

Doug McDaniel, Human Resources Director, noted the salary recommendation is based on information received from comparable sized counties.

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

- G. Recommendation from the Purchasing Department and the County Engineer to award a contract to M.E. Collins Contracting Company, Inc., in the amount of \$202,461.14 for concrete box culverts for Project No. 15-08 (Bid No. 15-076). (B-15-0017)**

NEW BUSINESS CONTINUED:

Pam Dingman, County Engineer, told the Board it is procedure to replace two culverts per year. She said while the contract was over budget, it was important to replace the culverts and she could make adjustments elsewhere in the budget to cover the extra expense.

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

H. Quitclaim deed from Lancaster County to the City of Waverly for part of Amberly Road and North 134th Street.

MOTION: Wiltgen moved and Hudkins seconded approval of the quitclaim deed. Avery, Schorr, Hudkins, Wiltgen and Amundson voted aye. Motion carried 5-0.

I. Mini-grant contract application and award with the Nebraska Office of Highway Safety to pay mileage and overtime in the amount of \$9,232.75 for the "Click It or Ticket" mobilization. (C-15-0182)

Sheriff Terry Wagner informed the Board that this is one of the annual events held in conjunction with the Nebraska Highway Safety Office to encourage the use of seat belts. The grant helps with the cost of overtime for officers staffing the safety checkpoints.

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

J. Grant contract with the City of Lincoln, Lincoln Police Department, in the amount of \$50,836 to provide funding for the domestic violence advocate as part of the "Improved Legal Advocacy Relating to Protection Orders and Immigrants in Lancaster County" project. Term of the contract is October 1, 2014 to September 30, 2017. (C-15-0183)

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

K. Agreement between Lancaster County and Segal Rogerscasey for retirement plan consulting services. Segal Rogerscasey will provide an annual investment and administrative review of the Lancaster County 401(a) and 457 retirement plans. The County will pay \$28,500 for these services. Term of the contract is March 1, 2015 to December 31, 2015. (C-15-0184)

Kerry Eagan, Chief Administrative Officer, told the Board the agreement was competitively bid five years ago and Segal Rogerscasey was selected. Eagan said he felt this is a reasonable proposal as the company provides excellent service and is very familiar with the retirement plans.

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

NEW BUSINESS CONTINUED:

- L. Contract between the City of Lincoln, Lancaster County and Stericycle for infectious waste pickup and disposal on an as needed basis. 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 shall be one year from the date of execution by all parties. (C-15-0185)**

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

- M. Contract between the City of Lincoln, Lancaster County and Safety-Kleen Systems, Inc., for the annual requirements for parts washer services/recycling solvent on an as needed basis. The County shall pay for products and services according to the line item pricing as listed in the contractor's proposal. Term of the contract is one year from the date of execution by all parties. (C-15-0186)**

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

- N. Contract between Lancaster County and Schmader Electric Construction, Inc., for the maintenance and repair of emergency management sirens on an as needed basis. The County will pay for products and services according to the line item pricing in the contractor's proposal. Term of the contract is one year from the date of execution by both parties, with the option for three additional one (1) year terms. (C-15-0187)**

Jim Davidsaver, Emergency Management Director, noted there are approximately one hundred sirens in the County. He added the repair and maintenance of the sirens is especially important during the severe weather season.

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

- O. Resolution in the matter of County Special Permit No. 15006, granting authority for the development of the Coyote Ridge Community Unit Plan, consisting of nine dwelling units, and a waiver of the block length on Blocks 2 and 3, on property generally located at Northwest 70th Street and West Rock Creek Road, Lancaster County, Nebraska. (R-15-0020)**

MOTION: Hudkins moved and Wiltgen seconded approval of the resolution.

Avery informed the Board that he would be voting no due to water concerns and the potential risk to existing property owners regarding adequate water supply.

Amundson stated that she would be voting no because of the hardship nine additional dwellings could pose on the current water supply. She commented on the block length waiver and felt seven lots would be preferable.

NEW BUSINESS CONTINUED:

Wiltgen said the professional expertise and information presented at the public hearing on April 7th alleviated his concerns regarding the water issues. He indicated that he would be voting in favor of the project.

FRIENDLY AMENDMENT: Schorr offered a friendly amendment to reduce the number of units to seven which would help lessen the demand on water and traffic.

The maker of the motion did not accept the friendly amendment.

Hudkins' concern was keeping 70% of the property in farmland. He said he would consider eight units (seven plus one bonus lot) as an incentive for the landowner.

Sara Hartzell, Planner II, told the Board that the Community Unit Plan is not a requirement but a request by the landowner and allows for some adjustment and creativity in using the property.

Kristy Bauer, Deputy County Attorney, noted that a new public hearing would not be required if an amendment was made to the resolution. Bauer told the Board they would, however need to direct the County Attorney's office to prepare a new resolution.

Eugene Benes, 12500 West Agnew Road, Valparaiso, (applicant) said that he was trying to make the best use of the land by requesting a community unit plan. He stated that the information provided to the Board by professionals indicated the water supply would be sufficient for nine dwellings.

FRIENDLY AMENDMENT: Schorr offered a friendly amendment to allow a total of eight dwellings.

The maker and seconder of the motion agreed to the friendly amendment.

Donald Olson, 318 County Road 29, Valparaiso, asked the County if there has been similar opposition with other proposed developments in the County. Schorr responded that there have been several instances where the Board dealt with greater opposition, although, water was not necessarily the issue. Olson said he still has concerns about the amount of water runoff. Wiltgen noted a study performed by the County Engineer found that the same amount of runoff would be generated whether the property was used for residential or agricultural purposes.

Amundson clarified that the Board would be voting to reduce the number of dwellings to eight and to direct the County Attorney's office to prepare a new resolution for the meeting on April 21, 2015.

ROLL CALL: Hudkins, Schorr and Wiltgen voted aye. Avery and Amundson voted nay. Motion carried 3-2.

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:

CONSENT ITEMS CONTINUED:

- A. Receive and place on file the following:
 - 1. County Attorney Quarterly Report (January-March, 2015)
- B. Setting of public hearing on Tuesday, April 21, 2015 at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) regarding an amusement license application for Norris Public High School at 25211 S. 68th Street, Firth, Nebraska to hold a car show.

MOTION: Schorr moved and Wiltgen seconded approval of the consent items. Hudkins, Schorr, Wiltgen, Avery and Amundson 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.

Gary Aldridge, 7112 S. 45th Street, Lincoln, NE 68516, appeared and commented on the County Board meeting held on March 31, 2015. He referenced procedures for obtaining bids and issuing contracts for communication services.

7) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Tuesday, April 14, 2015 at 11:30 a.m. or immediately following the regular County Board of Commissioners/Board of Equalization meeting 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 not hold a staff meeting on Thursday, April 16, 2015 due to the Board's attendance at the Southeast District NACO (Nebraska Association of County Officials) meeting at Mahoney State Park, Ashland, Nebraska
- C. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, April 21, 2015, 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.
- 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.

8) **ADJOURNMENT**

MOTION: Wiltgen moved and Hudkins seconded to adjourn the Lancaster County Board of Commissioners meeting at 11:40 a.m. Schorr, Wiltgen, Avery, Hudkins and Amundson voted aye. Motion carried 5-0.

Dan Nolte

Dan Nolte, County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, APRIL 14, 2015
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 April 10, 2015.

Commissioners present: Roma Amundson, Chair; Larry Hudkins, Vice Chair; Bill Avery, Deb Schorr and Todd Wiltgen

Others present: Scott Gaines, Deputy Assessor/Register of Deeds; Kerry Eagan, Chief Administrative Officer; Gwen Thorpe, Deputy Chief Administrative Officer; Kristy Bauer, Deputy County Attorney; Dan Nolte, County Clerk; Cori Beattie, Deputy County Clerk; and Kelly Lundgren, County Clerk's Office

The Chair called the meeting to order at 11:40 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, April 7, 2015.

MOTION: Schorr moved and Wiltgen seconded approval of the minutes. Avery, Hudkins, Schorr, Wiltgen and Amundson voted aye. Motion carried 5-0.

2) ADDITIONS AND DEDUCTIONS TO THE TAX ASSESSMENT ROLLS: (See attached additions and deductions)

MOTION: Schorr moved and Wiltgen seconded approval of the additions and deductions. Hudkins, Schorr, Wiltgen and Amundson voted aye. Avery abstained. Motion carried 4-0 with one abstention.

3) PUBLIC HEARING:

A. Motor Vehicle Tax Exemption Applications

Goodwill Industries Serving Southeast Nebraska, Inc.
Lincoln Baptist Church
Lincoln Foursquare Church
St. Monica's Home
VITAL Services, Inc.

The Chair opened the public hearing.

No one appeared to testify in support, opposition or in a neutral position.

The Chair closed the public hearing.

PUBLIC HEARING CONTINUED:

MOTION: Wiltgen moved and Hudkins seconded approval of the exemptions. Schorr, Wiltgen, Avery, Hudkins and Amundson voted aye. Motion carried 5-0.

4) PUBLIC COMMENT: Those wishing to speak on items relating to County Board of Equalization business not on the agenda may do so at this time.

No one appeared for public comment.

5) ADJOURNMENT

MOTION: Wiltgen moved and Hudkins seconded to adjourn the Lancaster County Board of Equalization meeting at 11:43 a.m. Wiltgen, Avery, Hudkins, Schorr and Amundson voted aye. Motion carried 5-0.

Dan Nolte

Dan Nolte, County Clerk

