

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, JULY 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 July 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; Brittany Behrens, Deputy County Attorney; Dan Nolte, County Clerk; and Kelly Lundgren, 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, July 7, 2015.

MOTION: Hudkins moved and Wiltgen 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 July 14, 2015.

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

3) SPECIAL PRESENTATION:

A. Stepping Up Initiative to Reduce the Number of People with Mental Illness in Jails – Kim Etherton, Lancaster County Community Corrections Director (See correlating item 5A)

Kim Etherton, Community Corrections Director, gave an overview of the Stepping Up Initiative. (See Exhibit A)

The Board thanked Etherton for her leadership and developing a progressive program in Lancaster County.

4) **PUBLIC HEARING:**

- A. **Amusement license for Murgatroyd Productions to hold 2015 Nebraska Folk and Roots Festival on July 31 and August 1, 2015 at Branched Oak Farm, 17015 Northwest 70th Street, Raymond, Nebraska. (See correlating item 5B and 5C)**

The Chair opened the Public Hearing.

Jeremy Buckley, representing Murgatroyd Productions LLC, was administered the oath.

He informed the Board this is the second year for the event but the first year it is held at Branched Oak Farm. He said they are planning two stages for music throughout both days of the event. Buckley added that the festival also includes food vendors and arts/craft vendors. He noted that Raymond Fire Department as well as Lancaster County Sheriff have been contacted regarding the event.

Schorr questioned what plans had been made for the increased traffic. Buckley said road signs would be utilized directing traffic to enter from the south and exit to the north. He added volunteers will be stationed at the parking area to help direct traffic.

Ken Schroeder, County Surveyor, was administered the oath. He presented a more detailed aerial map to help clarify traffic concerns and questions. Buckley also clarified questions regarding the areas where fencing will be located as well the areas of the stages and parking.

Hudkins questioned the height and type of fencing. Buckley indicated the orange roll out fencing four feet in height would be utilized.

Jeff Bliemeister, Chief Deputy Sheriff, was administered the oath. Bliemeister addressed concerns the Sheriff's Department had with the event applications. He did thank Buckley for clarifying the placement of the 1000 x 1000 foot area and fencing utilized. Bliemeister asked how many paid security staff members they planned to have. Buckley said they would follow the recommendations of the Sheriff's Department as well as provide the names of the security staff members.

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

The Chair closed the public hearing.

5) **NEW BUSINESS:**

- A. **Resolution in the matter of supporting the Stepping Up Initiative to Reduce the Number of People with Mental Illness in Jail. (R-15-0031)**

The Clerk read the resolution into the record.

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

NEW BUSINESS CONTINUED:

- B. Amusement license for Murgatroyd Productions to hold 2015 Nebraska Folk and Roots Festival on July 31 and August 1, 2015 at Branched Oak Farm, 17015 Northwest 70th Street, Raymond, Nebraska.**

MOTION: Hudkins moved and Wiltgen seconded approval of the amusement license. Schorr offered a Friendly Amendment that the applicant complies with the security requirements outlined by the Sheriff's Department.

The maker and seconder of the motion accepted the Friendly Amendment. Wiltgen, Schorr, Hudkins, Avery and Amundson voted aye. Motion carried 5-0.

- C. Special designated license application for Box Awesome, LLC, for an event on July 31 and August 1, 2015 to be held at Branched Oak Farm, 17015 Northwest 70th Street, Raymond, Nebraska.**

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

- D. Special designated license application for Meier's Wine, Inc. d/b/a Meier's Cork N' Bottle, for an event on August 1, 2015 to be held at UNL Farmsite, 3130 North 112th Street, Lincoln, Nebraska.**

Jeff Bliemeister, Chief Deputy Sheriff, said the Lancaster County Sheriff's Department found no reason to deny the license.

MOTION: Schorr moved and Wiltgen seconded approval of the special designated license. Avery, Wiltgen, Schorr and Amundson voted aye. Hudkins voted nay. Motion carried 4-1.

- E. Request from Mary Kay Hansen, Esquire, for payment of attorney fees in the amount of \$3,150.00 pursuant to Lancaster County Resolution No. R-09-0106, for reimbursement of Lancaster County by the Social Security Administration in the amount of \$26,860.00 for General Assistance provided to her client, James Hradecky.**

Kerry Eagan, Chief Administrative Officer, told the Board the County has a long-standing policy to reimburse attorneys who represent General Assistance clients. He stated that it is a very long procedure. Eagan noted that the policy provides that the attorney could be paid up to 25% of the award. He would recommend approval of the request.

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

- F. Recommendation from the Purchasing Department to issue a contract to Jones Automotive, Inc., for the supply and installation of emergency equipment for police vehicles from a City of Omaha/Douglas County contract. The estimated cost of the contract is \$25,000. (B-15-0030)**

NEW BUSINESS CONTINUED:

Jeff Bliemeister, Chief Deputy Sheriff, informed the Board the recommendation is based on extensive research conducted by Sheriff Department staff members. He said the contract will be piggy backed off a Douglas County contract with specifics for the set up of new cruisers. Bliemeister noted that preliminary estimates show this contract will save an estimated \$3516 per cruiser per set up and improved efficiency with estimated set up time in two weeks.

Wiltgen asked if information that is more detailed was available at this time for review.

Brittany Behrens, Deputy County Attorney, told the Board according to the purchasing policy of the Board any purchase over \$20,000 comes before the Board prior to the contract being drafted for recommendation award of bid and typically receives information regarding who the contract will be awarded to, the service being provided and specifications. She stated this policy offers the Board an opportunity to review and ask questions prior to awarding a contract. Behrens said the approval today gives the Purchasing Department and County Attorney, the ability to proceed with drafting a contract.

Schorr asked Bliemeister if travel time to and from Omaha had been factored into the analysis as well as a priority system that Jones automotive would be using. Bliemeister said staff travel time had been included in the analysis and entering into a contract with Jones automotive would save at least thirty days of set up per vehicle.

Pam Dingman, County Engineer, told the Board recent changes have been made to the mechanic shop in hopes of being competitive and more efficient. She stated that she has had met with the Sheriff's Department regarding the changes made in the shop and that if an "apples to apples" comparison could be done the cost difference could be much less.

Amundson said that due to information provided, that discussion at the Board of Commissioners Staff meeting on Thursday would be a more appropriate setting.

Rick Deboer, AFSCME #2468 Union President, stated that he appreciates the Sheriff's Department looking to save the taxpayer's money but is concerned that if the contract is awarded to Jones Automotive, that County employees could be in danger of losing jobs. Deboer said he hopes that the Sheriff's Department and County Engineer Department can come to an agreement.

MOTION: Wiltgen moved and Hudkins seconded that the item be held until a Thursday Staff meeting. Schorr requested that information obtained by the Sheriff's Department analysis be provided to the Board in writing. Wiltgen, Hudkins, Avery, Schorr and Amundson voted aye. Motion carried 5-0.

G. Recommendation from the Purchasing Department to issue a contract to National Everything Wholesale for janitorial and sanitation supplies, equipment, and related services from the City of Tucson, Arizona Contract No. 151148. The estimated cost of the contract is \$150,000. (B-15-0031)

Gary Aldridge, 7112 S. 45th Street, Lincoln, NE 68516 asked if any local firm could offer these services.

NEW BUSINESS CONTINUED:

Vince Mejer, Purchasing Agent, said the City of Tucson bids out a large cooperative contract for all governmental entities to get the most cost savings. There are local vendors that utilize the contract and pass along the savings to the County.

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

- H. Recommendation from the Purchasing Department and the County Extension Office to award a contract to Bizco Technologies for audio/visual equipment per Specification 15-146. The total cost of contract is \$54,761.09 (Initial Project – Pkg 1-3) \$17,204.56 (Future Option – Pkg 4&5) (B-15-0032)**

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

- I. Authorize Pam Dingman, Lancaster County Engineer, to notify the Nebraska Department of Roads that Lancaster County intends to accept it's Highway Allocation Revenue for fiscal year 2015-2016 to help address local road and bridge maintenance and construction needs.**

Pam Dingman, County Engineer, informed the Board that new legislation at the State level requires a letter written requesting funds allocated to the County and request the Board's approval to write the letter.

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

- J. Authorize Pam Dingman, Lancaster County Engineer, to sign the Annual Certification form for Lancaster County for the period of time from July 1, 2014 to June 30, 2015, in accordance with Section 5 and 6 of the Federal-Aid Transportation Fund Purchase-Sale Agreement between the State of Nebraska Department of Roads and Lancaster County.**

Pam Dingman, County Engineer, asked the Board's permission to sign the Annual Certification form.

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

- K. Contract with Speece Lewis Engineers, in the amount of \$10,100 for repair of County Bridge T-171 located on Southwest 14th Street, 180 feet south of West Sprague Road. (C-15-0333)**

Pam Dingman, County Engineer, told the Board that emergency repair was done following the flooding. She stated an engineering study needs to be performed for further permanent construction.

NEW BUSINESS CONTINUED:

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

- L. Contract with H.R. Bookstrom Construction, Inc., in the amount of \$596,965 for culvert pipe maintenance. (C-15-0334)**

Pam Dingman, County Engineer, said this is the annual contract for pipe maintenance.

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

- M. Grant contract with Nebraska Crime Commission in the amount of \$181,420 for the Coordinated Response to Reducing Violence Against Women in Lancaster County. The Count will provide an in-kind match of \$51,481 and the Lincoln Police Department and Family Violence Council will provide \$18,477 for a total project cost of \$251,378. (C-15-0335)**

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

- N. Submission of Certification Form for the Nebraska Crime Commission stating Lancaster County is in compliance with the Equal Employment Opportunity Plan Requirements stating an EEOP Utilization Report has been submitted to the Office for Civil Rights for Review. Certification is required for receipt of certain grants.**

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

- O. Agreement with Region V Systems for Emergency Protective Custody (EPC) services at the Mental Health Crisis Center. Region V will enter into separate agreements with referring counties who will send acutely mentally ill individuals to Lancaster County. The County will be paid \$186 per individual per day. Term of the agreement is July 1, 2015 to June 30, 2016. (C-15-0336)**

Wiltgen informed the Board that he asked the Crisis Center and Region V to review the number of beds utilized and identify the individual's county of residence. In the past Lancaster County had been paying more than outlying counties and this agreement requires the referring counties to pay for the services.

Hudkins thanked Commissioner Wiltgen for his effort in finding a more equitable solution for Lancaster County.

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

NEW BUSINESS CONTNIUED:

- P. Agreement between the State of Nebraska Department of Roads and Lancaster County for the provision of transportation services for the Lancaster County Public Rural Transit Program. Term of the agreement is July 1, 2015 through June 30, 2016. Funding is from the Federal Funding for Public Transportation Operating Assistance program and the State of Nebraska Department of Roads. The cost to Lancaster County shall be remaining eligible costs not paid by Federal and State funds and shall not exceed \$18,964. (C-15-0337)**

Hudkins noted that this is a wonderful service. He said this is not just for elderly or traveling from smaller communities to Lincoln but that any individual can use the service and travel from town to town as well.

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

- Q. Subgrant agreement between the Nebraska Department of Health and Human Services, Division of Children and Family Services Child Support Enforcement, and Lancaster County, on behalf of the Clerk of the District Court, for the Child Support Enforcement Title IV-D State Program. Term of the agreement is October 1, 2015 to September 30, 2016. The Department of Health and Human Services will reimburse the County \$366,045. (C-15-0338)**

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

- R. Annual telephone technical support contract with Jantek Electronics, Inc., in the amount of \$750 for the Youth Service Center. The service contract includes unlimited technical support via telephone, fax, internet, and e-mail. Term of the contract is July 8, 2015 to July 7, 2016. (C-15-0339)**

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

- S. Amendment to County Contract C-14-0171 with Family Violence Council for the Safe and Sound Trauma Response for Juveniles Study. The amendment extends the end date of the grant contract to June 30, 2015. (C-15-0340)**

Avery questioned the end date of the contract being June 30, 2015.

Brittany Behrens, Deputy County Attorney, said that with State and Federal grants often times a grant term is extended in order to fully utilize Federal funds and the notice is received after the term agreement has passed. Behrens noted that a current contract must be in place in order for the County Clerk's Office to process payment to the vendor of that the grant contract.

NEW BUSINESS CONTINUED:

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

- T. Amendment to County Contract C-13-0495 with Datashield Corporation for document shredding services. The amendment renews the agreement for an additional one-year term from July 15, 2015 to July 14, 2016. (C-15-0341)**

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

- U. Refund request of personal property tax from Women's Clinic of Lincoln, P.C.**

Scott Gaines, Deputy County Assessor/Register of Deeds, recommended approval of the request with one clarification. He stated that the request actually comes from Olympus America Inc. and not the Lincoln's Women Clinic.

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

- V. Setting the salary of Elizabeth Carpenter, Bailiff for the Honorable Susan Strong, at \$48,023 effective July 6, 2015.**

Joe Kelly, Lancaster County Attorney, stated he sees a need for Human Resources to look at the position to see if there should be salary steps as well as what the proper salary for those steps would be. He said that it should be at a more appropriate time and not in the middle of a hiring process. Kelly asked that the Board support the request of Judge Nelson and approve the salary of \$59,000.

Hudkins asked Kelly to verify it was the duty of the Board to set the salary for the bailiff. Kelly indicated that it is the responsibility of the Board according to State Statute to set the salary annually.

Jodi Nelson, District Court Judge, stated the decision before the Board at this meeting is the salary to offer Elizabeth Carpenter. She said Carpenter should receive the salary of that position, consistent with what the Board had set earlier this year. Nelson noted that all the District Court Judges signed and submitted a letter that outlines the State statute requirements. (Exhibit B) Nelson agrees that a conversation is needed to resolve the concerns regarding parity and salary in job positions.

Kerry Eagan, Chief Administrative Officer, confirmed the salary, based on the last resolution of the Board regarding bailiff salaries, was \$59,012.

MOTION: Avery moved approval to set the salary of \$59,012 for Elizabeth Carpenter with the understanding that the Board will investigate the appropriate salary for bailiffs in the future. Wiltgen seconded the motion. Wiltgen, Hudkins, Avery, Schorr and Amundson 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. Receive and place on file the following reports for June, 2015:

1. Records and Information Management
2. County Assessor/Register of Deeds

B. Receive and place on the file Railroad Transportation Safety District Statement of Receipts and Disbursements for 2015.

MOTION: Wiltgen moved and Schorr seconded approval of the consent items. Hudkins, Wiltgen, Schorr, 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 political subdivisions spending discipline. He expressed concerns with spending increases and taxes not decreasing.

Schorr exited meeting at 12:12.

As a point of personal privilege Aldridge commented that the district baseball playoffs will be held at Sherman Field beginning Thursday, July 16th and local high school summer teams are involved. He invited the Board to come out to the ballpark.

7) **ANNOUNCEMENTS**:

A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, July 16, 2015 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, July 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.

C. The County Commissioners can be reached at 402-441-7447 or commish@lanaster.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 lanaster.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 County Board of Commissioners meeting at 12:15 p.m. Avery, Wiltgen, Hudkins and Amundson voted aye. Schorr was absent. Motion carried 4-0.

Dan Nolte

Dan Nolte, County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, JULY 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 July 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; Brittany Behrens, Deputy County Attorney; Dan Nolte, County Clerk; and Kelly Lundgren, County Clerk's Office

The Chair called the meeting to order at 12:15 p.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, July 7, 2015.

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

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

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

3) PUBLIC HEARING:

A. Motor Vehicle Tax Exemption Applications

Villa Marie School

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.

MOTION: Wiltgen moved and Hudkins seconded approval of the motor vehicle exemptions. Wiltgen, Avery, Hudkins and Amundson voted aye. Schorr was absent. Motion carried 4-0 with one abstention.

4) LANCASTER COUNTY'S THREE-YEAR ASSESSMENT PLAN FOR 2016-2018

Scott Gaines, Deputy Assessor/Register of Deeds, said it is a statutory requirement to submit to the Department of Revenue and the Board of Commissioners the three year assessment plan.

Hudkins asked if reappraisal of all classes of properties take place in the same year. Gaines said all classes are reappraised the same year, every three years, unless studies indicate adjustments are needed in the interim.

Wiltgen asked Gaines to explain why the complete reappraisal is done on an every three-year basis noting that it has an adverse impact in government. Gaines stated that to review all the information that is gathered for reappraisal on an annual basis is not realistic due to all the work involved.

Avery noted field inspections on one-sixth of properties in all classes are done on a yearly basis and questioned how properties are selected. Gaines noted the appraisal staff schedules the inspections noting sales and geography often determines what areas are inspected first.

5) NOTICE OF ASSESSED VALUATION CHANGE FOR PROPERTY TAXATION PURPOSES:

Kenneth T. & Kimberly S. Brady

Scott Gaines, Deputy Assessor/Register of Deeds, informed the Board a garage was being included on both properties for several years. He said the garage will be removed from the parcel that does not own the garage and the valuation change made.

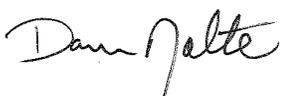
MOTION: Hudkins moved and Wiltgen seconded approval of the notice. Wiltgen, Hudkins, Avery and Amundson voted aye. Schorr was absent. Motion carried 4-0 with one abstention.

6) 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.

7) ADJOURNMENT

MOTION: Wiltgen moved and Hudkins seconded to adjourn the Lancaster County Board of Equalization meeting at 12:24 p.m. Hudkins, Avery, Wiltgen and Amundson voted aye. Schorr was absent. Motion carried 4-0 with one abstention.



Dan Nolte, County Clerk

