

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, AUGUST 11, 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 August 7, 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; Cori Beattie, Deputy 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:

A. Approval of the minutes of the Board of Commissioners meeting held on Tuesday, August 4, 2015.

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

B. Approval of the minutes of the Strategic Planning meeting held on Tuesday, July 28, 2015.

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

2) CLAIMS: Approval of all claims process through August 11, 2015.

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

3) NEW BUSINESS:

A. Resolution in the matter of the 2015-2016 annual cost of living wage adjustments for Deputy Sheriff Captains. All wage adjustments are to be effective August 20, 2015. (R-15-0034)

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

NEW BUSINESS CONTINUED:

B. Resolution authorizing the installation of traffic signs at or near the intersection of Northwest 70th Street and West Mill Road. (R-15-0035)

Pam Dingman, County Engineer, informed the Board this intersection had two stop signs but not symmetrical. She said with the resolution they will install a four-way stop for sixty days and then will take down the stop signs going north and south.

Hudkins noted the reason for installing four stop signs to begin with is to help make drivers aware of the change.

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

C. Resolution authorizing the installation of traffic signs at or near the intersection of Northwest 12th Street and West Branched Oak Road. (R-15-0036)

Pam Dingman, County Engineer, told the Board this was a similar situation with the stop signs not being symmetrical.

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

D. Resolution authorizing the installation of an "Engine Braking Prohibited" sign on Old Cheney Road 1200 feet east of South 98th Street for westbound traffic. (R-15-0037)

Pan Dingman, County Engineer, said this resolution is the result of a request by the residents in the area to place the sign.

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

E. Request from the Human Resources Department to revise the Employee Assistance Program Personnel Policy Bulletin.

Doug McDaniel, Human Resources Director, noted the updates are housekeeping in nature, but have added a more comprehensive drug-testing component.

Hudkins asked if this strengthens the drug testing policy.

McDaniel stated that this is not the drug-testing policy but a component of the Employee Assistance Program (EAP) policy. He indicated EAP becomes referral source with a positive drug test.

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

NEW BUSINESS CONTINUED:

- F. Request from the Human Resources Department to revise the Drug-Free Workplace Act Personnel Policy Bulletin.**

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

- G. Interlocal agreement with the City of Waverly for three Sheriff's Deputies for law enforcement services within the corporate limits of the City of Waverly. Waverly will pay the County \$25,854.84 per month for the first year of the agreement, and \$26,399.78 for the second year. Term of the agreement is October 1, 2015 to September 30, 2017. (C-15-0376)**

Terry Wagner, Lancaster County Sheriff, informed the Board this is a two-year contract. He said the Sheriff's Office has provided dedicated law enforcement service to Waverly since 1973 and noted this has been a very good working relationship.

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

- H. Agreement with the University of Nebraska, Board of Regents and the Lincoln Housing Authority for operation of the Nutrition Education Program to address the nutritional needs of certain limited income persons living in urban housing in Lancaster County. The County will pay \$26,437 for the services provided by the University. The Housing Authority will pay \$10,519 for the services, combined with \$16,650 from the United States Department of Agriculture (USDA) Supplemental Nutrition Assistance Program. Term of the agreement is September 1, 2015 to August 31, 2016. (C-15-0377)**

Hudkins noted this is an excellent program with combined efforts of many entities. He added the Lancaster County Extension office is very involved in providing nutrition education to individuals.

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

- I. Agreement with U.S. Bank National Association for participation in U.S. Bank's Corporate Card Program. This agreement replaces County Contract C-15-0343 and adds an electronic statements provision to the agreement. (C-15-0378)**

Andy Stebbing, County Treasurer, told the Board this agreement was the result of a request from Tim Genuchi, Accounting Operations Manager, that a better paper trail for U.S. Bank transactions be provided.

Avery asked for clarification if this included electronic statements.

NEW BUSINESS CONTINUED:

Brittany Behrens, Deputy County Attorney, said U.S. Bank includes the provision for electronic statements in the agreement. She noted that the County will continue to request paper statements.

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

J. Deposit placement agreement and custodial agreement with West Gate Bank for certificate of deposit account registry services. (C-15-0379)

Andy Stebbing, County Treasurer, informed the Board this allows the Railroad Safety Transportation District to partake in certificate of deposit account registry services (CDARS) and it provides more options.

Hudkins noted that CDARS is available through Nebraska Public Agency Investment Trust (NPAIT), which the County is a member and encouraged Stebbing to utilize that option as well.

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

K. Contract between National Everything Wholesale, Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for janitorial and sanitation supplies, equipment, and related services from the City of Tucson, Arizona Contract No. 151148. The estimated cost to the County shall not exceed \$150,000. (C-15-0380)

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

L. Contract with Murphy Tractor & Equipment Company for the annual supply of John Deere filters. The County will pay for products and services according to the line item pricing as listed in the contractor's proposal. (C-15-0381)

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

M. Amendment to County Contract C-11-0745 with En Pointe Technologies, Inc., for commercial off the shelf software and related services. The amendment renews the agreement for an additional one-year term from June 3, 2015 to June 2, 2016. (C-15-0382)

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

N. Amendment to County Contract C-14-0129 with encompass for the annual supply of Haworth office seating. The amendment provides for the price increases as shown in Attachment A. (C-15-0383)

NEW BUSINESS CONTINUED:

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

- O. Amendment to County Contract C-13-0381 with Commonwealth Electric Company of the Midwest for emergency large-scale electrical services. The amendment renews the agreement for an additional one-year term from August 6, 2015 to August 5, 2016. (C-15-0384)**

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

- P. Amendment to County Contract C-13-0380 with Gregg Electric Company for emergency large-scale electrical services. The amendment renews the agreement for an additional one-year term from August 6, 2015 to August 5, 2016. (C-15-0385)**

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

- Q. Amendment to County Contract C-14-0008 with Firespring for offset printing and related services. The amendment changes the vendor's business name from Cornerstone Printing & Imaging to Firespring. (C-15-0386)**

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

- R. 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, 2015 to September 2, 2016. (C-15-0387)**

Pam Dingman, County Engineer, told the Board this provides for the service of pumping out the waste tanks that are connected to the floor drains and necessary for environmental safety.

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

- S. 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, 2015 to September 2, 2016. (C-15-0388)**

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

NEW BUSINESS CONTINUED:

- T. Amendment to County Contract C-14-0453 with Dr. Fuel Good for fuel maintenance and service on an as needed basis. The amendment renews the agreement for an additional one-year term from September 1, 2015 to August 31, 2016. (C-15-0389)**

Pam Dingman, County Engineer, said Dr. Fuel Good has provided excellent service to the County doing substantial work at all the County locations.

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

- U. Amendment to County Contract C-12-0495 with Crop Production Services for the annual supply of brush killer. The amendment renews the agreement for an additional one-year term from August 28, 2015 to August 27, 2016. (C-15-0390)**

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

- V. Amendment to County Contract C-12-0546 with Environmental Solutions, Inc., for hazardous vacuum services. The amendment renews the agreement for an additional one-year term from September 18, 2015 to September 17, 2016. (C-15-0391)**

Schorr inquired what situations would require hazardous vacuum services.

Bob Walla, Assistant Purchasing Agent, said that the service is utilized for cleanup of hazardous material spilled due to an accident on a County road or highway.

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

- W. Amendment to County Contract C-12-0547 with Haz-Mat Response, Inc., for hazardous vacuum services. The amendment renews the agreement for an additional one-year term from September 18, 2015 to September 17, 2016. (C-15-0392)**

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

- X. Amendment to County Contract C-12-0545 with Tan-Aire, Inc., for hazardous vacuum services. The amendment renews the agreement for an additional one-year term from September 18, 2015 to September 27, 2016. (C-15-0393)**

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

NEW BUSINESS CONTINUED:

Y. Executive Session – Potential Litigation

MOTION: Hudkins moved and Schorr seconded to enter Executive Session at 11:00 a.m. for the purpose of protecting the public interest with regards to pending litigation.

The Chair restated the motion for the record.

Schorr, Avery, Wiltgen, Hudkins and Amundson voted aye. Motion carried 5-0.

MOTION: Schorr moved and Wiltgen seconded to exit Executive Session at 11:14 a.m. Avery, Hudkins, Schorr, Wiltgen and Amundson voted aye. Motion carried 5-0.

MOTION: Wiltgen moved that bidding requirements according the County Purchasing Act be waived for cell modifications to meet an emergency which threatens serious loss of life, health and property in the County. Hudkins seconded the motion. Wiltgen, Avery, Hudkins, Schorr and Amundson voted aye. Motion carried 5-0.

4) 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 monthly report for July, 2015:

- 1. Assessor/Register of Deeds**
- 2. Clerk of the District Court**
- 3. County Clerk**
- 4. Records & Information Management**

B. Setting a public hearing for Tuesday, August 18, 2015, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) regarding the automatic renewal of Class C liquor licenses.

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

5) 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 commented that at the August 4, 2015 he spoke on a consent item that included the Fiscal Year proposed budget and did not feel that his questions were answered. He noted that he also spoke during public comment regarding protocol and procedures during public meetings.

PUBLIC COMMENT CONTINUED:

Amundson suggested that Aldridge request a meeting with Dennis Meyer, Budget and Fiscal Officer, to address his questions regarding the budget. Schorr noted that a public hearing regarding the proposed budget will be held at the August 25, 2015 Lancaster County Board meeting.

6) ANNOUNCEMENTS:

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, August 13, 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, August 18, 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 Lancaster County Board of Commissioners will hold a public hearing on Tuesday, August 25, 2015, 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 2015-2016.**
- 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.**

7) ADJOURNMENT

MOTION: Wiltgen moved and Schorr seconded to adjourn the Lancaster County Board of Commissioners meeting at 11:22 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, AUGUST 11, 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 August 7, 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; Cori Beattie, Deputy County Clerk; and Kelly Lundgren, County Clerk's Office

The Chair called the meeting to order at 11:22 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 11, 2015.

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

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

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

3) PUBLIC HEARING:

A. Motor Vehicle Tax Exemption Applications

The Bridge Behavioral Health, Inc.
Resources for Human Development
University of Nebraska Foundation

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

4) APPEAL OF PERSONAL PROPERTY TAX PENALTY:

Storz Brewing Company, Thomas Markel

Scott Gaines, Deputy Assessor/Register of Deeds, told the Board that a mandatory penalty applied when personal property returns are filed after the statutory deadlines. He said this is a miscommunication between the taxpayer and their accountant and not an issue for the Board or the Assessor's office. Gaines recommended denying the appeal request.

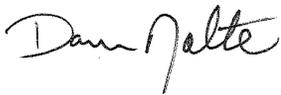
MOTION: Wiltgen moved and Schorr seconded to deny the request. Wiltgen, Avery, Hudkins, Schorr and Amundson voted aye. Motion carried 5-0.

5) 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.

6) ADJOURNMENT

MOTION: Schorr moved and Wiltgen seconded to adjourn the Lancaster County Board of Equalization meeting at 11:25 a.m. Wiltgen, Schorr, Hudkins, Avery and Amundson voted aye. Motion carried 5-0.



Dan Nolte, County Clerk

