

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, SEPTEMBER 22, 2015
9:00 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 September 18, 2015.

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

Others present: Kerry Eagan, 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 9:00 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, September 15, 2015.

MOTION: Wiltgen moved and Hudkins 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 September 22, 2015.

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

3) PUBLIC HEARING:

- A. Setting of the final tax request at a different amount than the prior year tax request for Lancaster County and the Rural Library for Lancaster County.
(See corresponding item 4A)**

The Chair opened the public hearing.

Dennis Meyer, Budget & Fiscal Director, was administered the oath. Meyer explained that a state statute requires a public hearing if the tax request changes. He said a resolution will need to be adopted and then filed with the County Clerk's Office. Meyer noted that the levy will be set at 27.83 compared to 28.13 last year.

Hudkins asked what the difference was in the Rural Library levy from last year. Meyer said the levy was set at .0193 last year and this year will be .0188.

Gary Aldridge, 7112 S. 45th Street, Lincoln, NE 68516 appeared but declined to take the oath.

PUBLIC HEARING CONTINUED:

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

The Chair closed the public hearing.

4) NEW BUSINESS:

- A. Resolution in the matter of setting the 2015-2016 property tax request for Lancaster County at a different amount than that of the prior year. (R-15-0053)**

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

- B. Special designated license application from Fraiche, Inc. d/b/a Chez Hay for a reception to be held on Saturday, October 3, 2015 at Avalon Event Paradise, 12788 Roca Road, Crete, Nebraska.**

Sean Carmichael and Nicole Skarp, Chez Hay Event Managers, provided a brief overview of the event noting it was a wedding reception for approximately 200 guests.

Amundson inquired about the zoning issue that was included in the Planning Department's report and recommendations.

Tom Cajka, Lincoln-Lancaster County Planner, stated that he recently met with one of the owners of Avalon Event Paradise and notified them that under current zoning code events such as wedding receptions would be a violation. Cajka noted obtaining a special permit for expanded home occupation would allow this type usage. He said it would be too late to cancel the upcoming event on October 3rd but would recommend no further events be held until the permit could be obtained.

Schorr asked how this differed from wineries or other reception venues located in the County. Cajka said wineries hold events under "accessory uses" and other locations fall under the classification of historic preservation that allows events to be held.

Viann Martin, Avalon Event Paradise co-owner, informed the Board they were recently notified of the zoning code violation. She said they are completing the special permit application and are willing to do what is needed to comply with the regulations.

Amundson asked how long it will take for the special permit to be finalized. Cajka stated the final action will be the decision of the Planning Commission and would take up to six weeks after submission of the application. Martin indicated there are no scheduled events after October 3, 2015 until next spring.

Avery asked if it was the recommendation of the Planning Department to approve the event. Cajka said it was the recommendation of the Planning Staff to allow the special designated license.

NEW BUSINESS CONTINUED:

Kristy Bauer, Deputy County Attorney, informed the Board that a SDL was approved for an event at this venue in September. She added that once a special permit application is received a public hearing would need to be set by the Planning Commission and final action taken. Bauer said this matter is separate from the SDL that is before the Board.

MOTION: Schorr moved and Wiltgen seconded approval of the special designated license with the caveat that the necessary paperwork (special permit application) be submitted and the process begun with the Planning Commission to acquire proper zoning.

Hudkins said that he would not support the motion as the business has been operating illegally. He added he does not want the Planning Commission to assume the Board was all in favor.

ROLL CALL: Wiltgen, Schorr, Avery and Amundson voted aye. Hudkins voted nay. Motion carried 4-1.

C. Adoption of Mental Health Crisis Center of Lancaster County Advisory Committee By-Laws.

Scott Etherton, Crisis Center Director, said the advisory board for the Mental Health Center was not carried forward to the Crisis Center. He added they are actively searching for new members and currently have five confirmations.

Kerry Eagan, Chief Administrative Officer, informed the Board that a Commission on Accreditation of Rehabilitation Facilities (CARF) survey was upcoming and it was important to get the Advisory Board in place.

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

D. Setting of salary of David Derbin, Deputy County Attorney, at \$60,305.44 as an Attorney I in the Lancaster County Attorney's Office, effective September 22, 2015.

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

E. Recommendation from the Purchasing Department and the Lancaster County Courts to award a contract for the supply and installation of cable in Lancaster County, District and Juvenile Courtrooms (per Specification 15-200) to Commonwealth Electric Company of the Midwest in the total amount of \$21,050. (B-15-0038)

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

NEW BUSINESS CONTINUED:

- F. 2014 grant adjustment notice to sub-recipient agreement for 2014 State Homeland Security Grant EMW-2014-SS-00054/97.067 for the Southeast Region. The adjustment decreases grant funding by \$6,000. (C-15-0514)**

Jim Davidsaver, Emergency Management Director, said this was an administrative transfer from the grant to the Department of Agricultural to conduct an agricultural exercise per the recommendations of the Southeast Region.

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

- G. Interlocal agreement with the Village of Bennet for law enforcement services within the Village limits. The Lancaster County Sheriff will assign one or more deputies to duty in the Village limits and provide a cruiser or cruisers. The Village will reimburse the County at the average overtime rate based on the Deputy Sheriff's Pay Plan as detailed in the agreement between Lancaster County, Nebraska and the Lancaster County Deputy Sheriff's Association Fraternal Order of Police, Lodge 29, effective August 20, 2015. Term of the agreement is September 1, 2015 to August 31, 2016. (C-15-0493)**

Terry Wagner, County Sheriff, told the Board the agreement is for "as needed services". He added this agreement has been in place for a number of years.

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

- H. Agreement with Connecting Links to provide substance use evaluation services for Community Corrections. The County will pay up to \$125 per participant and \$160 per participant if the participant is in custody, should the participant not pay within 30 days. Term of the contract is July 1, 2015 through June 30, 2016. (C-15-0494)**

Kim Etherton, Community Corrections Director, said the contract has been in place for several years. She stated they do exhaust all other options prior to sending clients to Connecting Links for evaluation and they refer approximately one or two clients per month.

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

- I. Agreement with the National Association for Children of Alcoholics to conduct training on October 16 and 17, 2015 for Lancaster County Community Corrections. The County will expend federal grant funds in the amount of \$7,600 to cover the cost of the training. (C-15-0495)**

NEW BUSINESS CONTINUED:

Kim Etherton, Community Corrections Director, informed the Board the training involves specialized parenting curriculum for families in recovery. She said that adults receive parenting skills instruction while children receive information, at an appropriate developmental level, about the effects of addictions on family.

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

- J. Grant contract with Legal Aid of Nebraska to provide funding for the Domestic Violence Representation Project in the amount of \$5,000. Term of the agreement is July 1, 2015 to June 30, 2016. (C-15-0496)**

Sara Hoyle, Human Services Director, said the grant provides legal services for survivors of domestic violence that meet the Federal guidelines.

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

- K. Grant contract with Rapport International in the amount of \$10,000 to provide funding for the translation of Juvenile Justice documents into Spanish, Russian, Vietnamese, and Arabic. Term of the grant contract is March 1, 2015 through June 30, 2015. (C-15-0497)**

Sara Hoyle, Human Services Director, stated this funding is through Community Aid. She explained that Human Services receives documents from agencies such as the Lincoln Police Department and the County Attorney's Office for translation.

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

- L. Agreement between Kodak Alaris and Lancaster County, on behalf of Records and Information Management, for equipment maintenance. The County will pay \$9,768 for the services. Term of the agreement is September 30, 2015 through September 29, 2016. (C-15-0498)**

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

- M. Agreement with UNL Barkely Speech, Language & Hearing Clinic, 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-15-0499)**

Sara Hoyle, Human Services Director, said the contract allows for referral of clients seen at the Health Department to receive specialized care.

NEW BUSINESS CONTINUED:

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

- N. A contract between Lawson Products, Inc., Lancaster County, and the Lincoln-Lancaster County Public Building Commission, using cooperative purchasing with Region 4 & TCPN, for Maintenance, Repair and Operations (MRO) Supplies and Related Services. The agreement is effective upon execution through March 31, 2018. Pricing of items will be pursuant to the contract between Region 4 & TCPN and Lawson Products, Inc. The total cost of products and services for County agencies shall not exceed \$50,000. (C-15-0500)**

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

- O. Utility Permit No. 1336 allowing Unite Private Networks to perform approximately 4.75 miles of cable installation beginning 1,000 feet north of West Denton Road on SW 98th Street running south to West Denton Road, then east along West Denton Road to approximately 700 feet east of SW 33rd Street. There is no cost to Lancaster County. (C-15-0501)**

Ken Schroeder, County Surveyor, informed the Board that the installers have been provided with a detailed instruction list for proper placement of the cables along with plans for potential future projects.

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

- P. Change order supplemental agreement to County Contract C-15-0406 with Brandt Excavating for an increase of \$2,400 for "flagmen." (C-15-0502)**

Pam Dingman, County Engineer, stated that partial closure of roads to remove flood debris has been necessary. She added that seventy-five percent would be reimbursable by the Federal Emergency Management Agency (FEMA).

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

- Q. Amendment to County Contract C-14-0454 between Odyssey Travel, Lancaster County, and the City of Lincoln for travel agent services. The amendment renews the contract for an additional one-year term from September 9, 2015 to September 8, 2016. Total cost to Lancaster County during the renewal term shall not exceed \$12,000. (C-15-0503)**

NEW BUSINESS CONTINUED:

Wiltgen questioned how much is spent for travel agency services noting that out of state travel has been eliminated and what kind of services would be included.

Bob Walla, Assistant Purchasing Agent, said the amount was based on the previous year's usage.

Schorr noted that even though out of state travel has been prohibited there are individuals traveling for continuing education requirements or attending conferences for grant requirements that would utilize the service.

The Board requested a detailed list on how the money was spent last year.

MOTION: Wiltgen moved and Hudkins seconded to hold the item until a detailed statement could be obtained. Wiltgen, Avery, Hudkins, Schorr and Amundson voted aye. Motion carried 5-0.

- R. Amendment to County Contract C-12-0556 with Precision Delta Corporation for the annual supply of ammunition. The amendment renews the agreement for an additional one-year term from September 25, 2015 to September 24, 2016. (C-15-0504)**

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

- S. Amendment to County Contract C-12-0557 with Targets Online for the annual supply of ammunition. The amendment renews the agreement for an additional one-year term from September 25, 2015 to September 24, 2016. (C-15-0505)**

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

- T. Amendment to County Contract C-12-0559 with Ultramax Ammunition for the annual supply of ammunition. The amendment renews the agreement for an additional one-year term from September 25, 2015 to September 24, 2016. (C-15-0506)**

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

- U. Amendment to County Contract C-14-0394 with Insight Public Sector, Inc. for computers, enterprise hardware, software and services. The amendment extends the agreement for the period October 1, 2015 through June 30, 2016. The County's expenditures during the extension term shall not exceed \$5,000. (C-15-0507)**

MOTION: Avery moved and Wiltgen seconded to hold the item until further information could be obtained. Avery, Wiltgen, Schorr, Hudkins and Amundson voted aye. Motion carried 5-0.

NEW BUSINESS CONTINUED:

- V. Amendment to County Contract C-12-0700 between AOI Corporation, Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for annual requirements of office seating. The amendment reflects a price increase of \$1,000 for the remainder of the contract term, bringing the revised total for the County to \$11,000. (C-15-0508)**

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-12-0702 between Office Interiors and Design, Inc., Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for the annual requirements of office seating. The amendment reflects a price increase of \$1,000 for the remainder of the contract term, bringing the revised total for the County to \$11,000. (C-15-0509)**

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

- X. Amendment to County Contract C-12-0699 between Pay-Less Office Products, Inc., Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for the annual requirements of office seating. The amendment reflects a price increase of \$500 for the remainder of the contract term, bringing the revised total for the County to \$5,500. (C-15-0510)**

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

- Y. Amendment to County Contract C-12-0701 between Staples Contract & Commercial, Inc., Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for the annual requirements of office seating. The amendment reflects a price increase of \$200 for the remainder of the contract term, bringing the revised total for the County to \$4,200. (C-15-0511)**

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

- Z. Amendment to County Contract C-09-0515 between Mike's 66 Towing and Lancaster County for towing and storage of towed vehicles for the Lancaster County Sheriff's Office. The amendment extends the contract beginning on September 29, 2015 through November 30, 2015. (C-15-0512)**

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

NEW BUSINESS CONTINUED:

- AA. Amendment to County Contract C-14-0412 between Graybar Electric, the City of Lincoln, Lancaster County, and the Lincoln-Lancaster County Public Building Commission for the annual supply of small miscellaneous household batteries. The amendment extends the contract for an additional one (1) year-term beginning September 9, 2015 through September 8, 2016. The cost to the County shall not exceed \$1,000 during the term of the renewal period. (C-15-0513)**

MOTION: Wiltgen moved and Avery seconded approval of the amendment. 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 the Open Meetings Act or Nebraska Budget Act does not require that he swear or affirm his statements.

- 6) ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will conduct agency tours on Tuesday, September 22, 2015 at 1:00 p.m. at the County Motor Vehicle Facility, 625 North 46th Street and conclude at the Election Commission, 601 North 46th Street, Lincoln, Nebraska.**
- B. The Lancaster County Board of Commissioners will hold a staff meeting on September 24, 2015 at 8:30 a.m., in the Bill Luxford Studio (Room 113) of the County-City Building (555 S. 10th Street, Lincoln).**
- C. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, September 29, 2015, at 9:00 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.**

The Chair recessed the Lancaster County Board of Commissioners meeting at 9:52 a.m.

The Chair reconvened the meeting at 1:03 p.m.

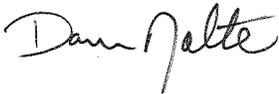
Commissioners Amundson, Hudkins, Avery and Wiltgen; Kerry Eagan, Chief Administrative Officer; and Ann Taylor, County Clerk's Office, toured the County Treasurer's Motor Vehicle Facility at 625 North 46th Street, and the Election Commissioner's Office, 601 North 46th Street.

Don Arp, Motor Vehicles Manager, led the tour of the Motor Vehicle Facility. One issue he cited was nonpayment of sales tax on motor vehicles and suggested it would be more appropriate to have the tax collected at the time of titling rather than when the vehicle is licensed. There was consensus to bring the issue forward at the Nebraska Association of County Officials (NACO) Legislative Conference on October 15th.

Dave Shively, Election Commissioner, led the tour of his office and outlined space needs (see Exhibit A).

7) **ADJOURNMENT**

There being no other business, the Chair adjourned the meeting at 2:34 p.m.



Dan Nolte, County Clerk





Election/Jury Commissioner Office
601 North 46th Street

County Board Tour – September 22, 2015

Election Commission Space Needs Wish List

Work Rooms

- Counting Board
- Early Vote Processing (Stuffing Envelopes)
- Early Vote Ballot Printing Area
- Larger Counting Room

Secure and Fireproof Areas

- Counting Room
- Voted Ballot Storage Areas (Early Voting)

Surveillance Cameras

- Ballot Drop Box
- Counting Room
- Processing Areas

Entrance

- Sliding Doors Handicapped Accessible

Jury Commissioner Possible Move to Clerk of the District Court

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, SEPTEMBER 22, 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 September 18, 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; 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 9:52 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, September 15, 2015.

MOTION: Wiltgen moved and Hudkins 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, Avery and Amundson voted aye. Motion carried 5-0.

3) PUBLIC HEARING:

A. Motor Vehicle Tax Exemption Applications

Christian Retirement Homes, Inc. d/b/a Eastmont Towers
CrossBridge Christian Church
Faith Lutheran Church and School
Lighthouse
Women in Community Service, Inc.

The Chair opened the public hearing.

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

PUBLIC HEARING CONTINUED:

The Chair closed the public hearing.

MOTION: Wiltgen moved and Schorr seconded approval of the exemptions. Schorr, Wiltgen Avery, Hudkins 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: Wiltgen moved and Schorr seconded to adjourn the Lancaster County Board of Equalization meeting at 9:55 a.m. Wiltgen, Avery, Hudkins, Schorr and Amundson voted aye. Motion carried 5-0.

Dan Nolte

Dan Nolte, County Clerk

