

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, OCTOBER 6, 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 October 2, 2015.

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

Commissioners absent: Deb Schorr

Others present: Kerry Eagan, Chief Administrative Officer; Gwen Thorpe, Deputy Chief Administrative Officer; David Derbin, 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 29, 2015.

MOTION: Hudkins moved and Wiltgen seconded approval of the minutes. Hudkins, Wiltgen and Amundson voted aye. Avery abstained. Schorr was absent. Motion carried 3-0 with one abstention.

2) CLAIMS: Approval of all claims process through October 6, 2015.

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

3) NEW BUSINESS:

A. Setting the annual salary for Amber Rothe, Bailiff II, at \$59,013, effective October 5, 2015.

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

B. Request to create the classification of Social Worker (E16) at the proposed pay grade of \$52,509.60 to \$67,258.88.

Joe Nigro, Public Defender, informed the Board the position was included in their budget proposal. He stated the social worker will do assessments for mental health and substance abuse as well as help connect clients with services. Nigro said the addition of the social worker will allow the Public Defender's Office to do a more complete and effective job in representing their clients.

NEW BUSINESS CONTINUED:

Wiltgen requested that the effectiveness and cost savings of adding this position be monitored. He asked that Nigro report back to the Board in the future once adequate information is collected.

Nigro said he is currently working on ways to measure this information. He noted the addition of a social worker has been shown to be very effective in other public defender offices throughout the country.

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

- C. Recommendation from the Purchasing Department and the County Sheriff's Office to award a purchase order for two (2) seven-passenger minivans (Specification 15-211) to Gene Steffy Chrysler Jeep Dodge. The total amount will be \$45,820.00. (B-15-0040)**

Jeff Bliemeister, Chief Deputy Sheriff, said this item was included in their original expense budget.

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

- D. Mini-grant contract application and award with the Nebraska Office of Highway Safety to provide funding assistance to law enforcement agencies to acquire radar units. The Nebraska Office of Highway Safety (NOHS) will provide funding for 75% of the cost of two units up to a maximum of \$900.00 per unit. (C-15-0523)**

Jeff Bliemeister, Chief Deputy Sheriff, informed the Board the grant offsets the cost of the mobile radar units. He noted the cost per radar unit is \$2,690.00 with the grant funding \$1,800 per unit.

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

- E. Amendment to County Contract C-14-0432 between NMC, Inc. and Lancaster County for generator inspection and testing. The amendment renews the contract for an additional one-year term from August 3, 2015 to August 2, 2016 and reflects a price increase for services. (C-15-0524)**

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

- F. 2014 Grant Adjustment Notice to sub-recipient agreement for 2014 Homeland Security Grant EMW-2014-EP-00049-201/97.042 for the Southeast Region. The adjustment increases grant funding by \$94,746.29. (C-15-0525)**

NEW BUSINESS CONTINUED:

Note: Following the meeting, the Emergency Management Director informed the County Clerk's Office of a clerical error with regard to agenda wording. The sub-recipient agreement is for Lancaster County and not the Southeast Region.

Jim Davidsaver, Emergency Management Director, told the Board the Emergency Management Performance Grant is an annual grant that covers the salary and benefits of emergency management workers. He said quarterly reports for all expenses are required. Davidsaver added that at the end of the year if any funds are remaining emergency management departments can apply for additional appropriations.

MOTION: Hudkins moved and Avery seconded approval of the adjustment notice. Avery, Hudkins and Amundson voted aye. Wiltgen abstained. Schorr was absent. Motion carried 3-0 with one abstention.

Sara Hoyle, Human Resources Director, provided an overview of items G – J.

- G. Grant contract with El Centro de las Americas in the amount of \$45,000 for the Golden Warriors program. Term of the contract is July 1, 2015 to June 30, 2016. (C-15-0526)**

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

- H. Grant contract with Fresh Start in the amount of \$10,000 for the Transitional Shelter Program for homeless women. Term of the contract is July 1, 2015 to June 30, 2016. (C-15-0527)**

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

- I. Amendment to grant contract C-14-0549 with Families Inspiring Families to provide funding for the Truancy Prevention with Family Peer Support program. The amendment extends the end date of the contract to June 30, 2016. (C-15-0528)**

MOTION: Avery moved and Hudkins seconded approval of the amendment. Hudkins, Avery and Amundson voted aye. Wiltgen abstained. Schorr was absent. Motion carried 3-0 with one abstention.

- J. Contract between the Board of Regents on behalf of the University of Nebraska-Lincoln and Lancaster County for evaluation of the school arrest based diversion program "SUCCESS". The contractor will provide the final evaluation report by July 31, 2016. Funding is from the State Juvenile Services Grant (#15-JS-409) in the amount of \$10,000. (C-15-0529)**

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

NEW BUSINESS CONTINUED:

- K. Utility Permit No. 1352 allowing the City of Lincoln to install approximately two miles of 36 inch water main along Yankee Hill Road between South 56th Street and South 84th Street scheduled for construction in the spring of 2016. There is no cost to Lancaster County. (C-15-0530)**

Pam Dingman, County Engineer, informed the Board that the water main will go down the center lane of Yankee Hill Road. She stated this is a City of Lincoln facility and it is expected the City will pave the two miles of road next year.

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

- L. Utility Permit No. 1353 allowing Unite Private Networks to perform cable installation in the general area of Northwest 70th Street to Northwest 84th Street and West O Street to West Superior Street. Construction to begin upon permit approval, depending on weather conditions. There is no cost to Lancaster County. (C-15-0531)**

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

- M. Contract between Tamara Jo Dirks, M.S., L.A.D.C., P.L.M.H.P and Lancaster County, on behalf of the Lancaster County Mental Health Crisis Center, for certified alcohol and drug abuse counselor services. The services will be provided at the rate of \$28 per hour for up to 20 hours per week. Term of the contract is October 6, 2015 through June 30, 2016. (C-15-0532)**

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

- N. Recommendation from the County Engineer to waive the bidding requirements to enter into a contract to repair Bridge D88. The proposed repairs consist of installation of a 35 foot long steel sheet pile, a 24 inch CMP and fill. The repairs are estimated to cost \$128,185.00. One hundred percent (100%) reimbursement from Nebraska Department of Roads (NDOR) is available until October 28, 2015. Thereafter, reimbursement drops to an 80%/20% split. (B-15-0041)**

Pam Dingman, County Engineer, told the Board repairing Bridge D88 will qualify for Federal Aid and can receive reimbursement from the Nebraska Department of Roads (NDOR). She said a repair plan was approved by NDOR 2 weeks ago, which was when she was notified the deadline for 100% reimbursement was the end of October. Dingman stated an extension will be requested however the County needs to move forward aggressively in order to receive the full reimbursement. She requested the Board waive bidding requirements in order to put out an emergency bid.

Hudkins inquired as to how the cost of the project was determined. Dingman said they referred back to recent state bid pricing.

NEW BUSINESS CONTINUED:

Bob Walla, Assistant Purchasing Agent, stated the information provided indicated that federal highway requirements were to be followed as well as following the County's process. He said according to the County Purchasing Act only the County Board can determine something to be an emergency and waive the bidding process.

David Derbin, Deputy County Attorney, noted the County Purchasing Act provides that an exception for present emergency is threat to life, health and property. He stated it was the opinion of the County Attorney's Office that the loss of funding did not constitute an emergency and therefore would recommend not waiving the bidding requirements.

Hudkins stated he considers the reason for repairing the bridge to protect the safety and health of the people involved as it is a main school bus route for Raymond Central.

Avery asked how the cost is determined without a bid and if it is a fair and reasonable price.

Dingman stated the price is based on the best available data on this type of repair in recent years.

MOTION: Avery moved and Wiltgen seconded to approve the recommendation to waive the bidding requirements. Avery, Hudkins and Amundson voted aye. Wiltgen abstained. Schorr was absent. Motion carried 3-0 with one abstention.

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 the file the following reports:

1. County Sheriff for August, 2015
2. County Clerk for September, 2015
3. County Treasurer Final Report of 2012 distress warrants issued in 2013.

B. Setting a public hearing regarding the reappointment of James Mastera, Marilyn Borchardt, James Linderholm and Lauren Wismer to the Board of Trustees of Hospital Authority No. 1 of Lancaster County, Nebraska for Tuesday, October 20, 2015 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).

C. Setting a public hearing regarding the Commercial Wind Energy Text Amendment for Tuesday, October 20, 2015 at 4:30 p.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).

D. Setting a public hearing regarding the One and Six-Year Road and Bridge Improvement Program for Thursday, October 29, 2015 at 6:30 p.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).

CONSENT ITEMS CONTINUED:

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

- 5) **PUBLIC COMMENT:** Those wishing to speak on items relating to County business not on the agenda may do so at this time.

No one appeared for public comment.

6) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, October 8, 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, October 13, 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.
- C. The County Commissioners can be reached at 402-441-7447 or commish@lancaster.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 lancaster.ne.gov under 5 City-TV, Video on Demand or 5 City-TV on YouTube.

7) **ADJOURNMENT**

MOTION: Wiltgen moved and Hudkins seconded to adjourn the Lancaster County Board of Commissioners meeting at 9:36 a.m. Hudkins, Wiltgen, Avery 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, OCTOBER 6, 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 October 2, 2015.

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

Commissioner absent: Deb Schorr

Others present: Scott Gaines, County Assessor/Register of Deeds Office; Kerry Eagan, Chief Administrative Officer; Gwen Thorpe, Deputy Chief Administrative Officer; David Derbin, 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 9:36 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 29, 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.

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

Hudkins inquired about the number of final decisions from the Tax Equalization Review Committee (TERC) included on the tax assessment rolls.

Scott Gaines, Deputy Assessor/Register of Deeds, said the property owners appealed to TERC and their decision was to lower the property value.

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

3) **PUBLIC HEARING:**

Motor Vehicle Tax Exemption Applications

Girl Scouts Spirit of Nebraska
Immaculate Heart of Mary
Messiah Lutheran Church
Peoples City Mission
The Salvation Army

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

RETURNING TO ITEM 2:

Norm Agena, County Assessor, informed the Board that the items questioned on the tax assessment rolls were stipulations that the Assessor's Office made and sent to TERC and not TERC decisions.

4) **NOTICE OF TAXABLE STATUS:**

Board of Regents of the University of Nebraska (2 parcels)

Scott Gaines, Deputy Assessor/Register of Deeds, informed the Board the property was formally the Nebraska Bookstore. He noted sixty percent of the property is intended for University use and the remaining forty percent will be used for retail, which is taxable.

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

5) **APPEAL OF HOMESTEAD EXEMPTION REJECTION:**

Amy D. Skinner

Scott Gaines, Deputy Assessor/Register of Deeds, said the state statutes determine the August 15 deadline and the County has no authority to grant an exemption.

Judy Showen, Amy Skinner's daughter, appeared and requested reconsideration. She felt the August 15th deadline was not fair.

Hudkins stated that the deadline is determined by the State and encouraged Showen to contact the State Legislature with her concerns.

APPEAL OF HOMESTEAD EXEMPTION REJECTION:

MOTION: Hudkins moved and Wiltgen seconded to deny the appeal. Wiltgen, Hudkins, Avery and Amundson voted aye. Schorr was absent. Motion carried 4-0.

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 Avery seconded to adjourn the Lancaster County Board of Equalization meeting at 9:47 a.m. Hudkins, Avery, Wiltgen and Amundson voted aye. Schorr was absent. Motion carried 4-0.

Dan Nolte

Dan Nolte, County Clerk

