

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, FEBRUARY 23, 2016
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 February 19, 2016.

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

Commissioner 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, February 16, 2016.

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

2) CLAIMS: Approval of all claims process through February 23, 2016.

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

3) PUBLIC HEARINGS:

A. Automatic renewal of retail liquor licenses issued in Lancaster County and outside the corporate limits of any city for which the County Clerk has received no protests:

Boat House Bar & Grill, Branched Oak Marina, Casey's General Store 2721, Casey's General Store 2967, Country Pines Vineyard, Deer Springs Winery, Emerald Mini Mart, Firethorn Golf Club, Hidden Valley Golf Course, Hillcrest Country Club, Himark Golf Course, James Arthur Vineyards, Kramer Bar & Grill, Lincoln Izaak Walton League, Merle's Food & Drink, MJ Catering, Pla Mor Ballroom, Prairie Plate Restaurant, Prime Country Winery, Raymono's Pizza Plus, Shoemaker's South Truck Stop, Toni's Corner, VFW 3606, Windcrest Winery and Wunderrosa Wine

The Chair opened the public hearing.

PUBLIC HEARING CONTINUED:

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 to renew the retail liquor licenses. Hudkins, Avery, Wiltgen and Amundson voted aye. Schorr was absent. Motion carried 4-0.

B. Vacation of a portion of (old) South 54th Street between Hickman Road and relocated South 54th Street.

The Chair opened the public hearing.

Pam Dingman, County Engineer, was administered the oath. She clarified that the office has verified it is surplus and supports the vacation of the portion of old South 54th Street.

No one spoke in opposition or in a neutral position.

The Chair closed the public hearing.

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

Dave Derbin, Deputy County Attorney, appeared and clarified that the County Board's motion needs to direct the County Attorney's Office to prepare a resolution. He added that the resolution should also contain specific language which, if not included, could cause the vacated road to revert by operation of law to the adjacent landowners. Derbin said it was his understanding the Board desired to sell the property versus it reverting.

Amundson read the required wording as follows: "The road will be vacated without qualification and will no longer retain its character as a public road. The land will be sold as land no longer serving a county purpose but, if no sale can be completed, then title to the land in question will be retained by the county and may be sold at a later date and in no event shall title to the land revert by operation of law to the adjacent landowners."

Derbin further explained if the reversion is not barred by resolution, the land will automatically revert, based on statutory language not the deed, if the property is not sold or used for a public purpose within 10 years.

Hudkins clarified that the original motion is to direct the County Attorney's Office to prepare a resolution to include the verbiage read by Commissioner Amundson. Wiltgen, as seconder, agreed.

Ken Schroeder, County Surveyor, said the County Engineer's Office does not have any objection to the road vacation but does have a couple of conditions. He noted that access should be limited to one point and that the property be combined with two adjacent parcels so there is only one lot (6.49 total acres) with one access point.

NEW BUSINESS CONTINUED:

Derbin stated that these conditions will be addressed at the time of sale which will take place following a public hearing. He said the resolution will eliminate the land as a public road and declare it as County surplus property.

ROLL CALL: Avery, Wiltgen, Hudkins and Amundson voted aye. Schorr was absent. Motion carried 4-0.

4) NEW BUSINESS:

- A. Special Events permit application from Niles Uerling, UNL Cycling Club, to hold the 2016 Tour De Husker cycling race on March 19, 2016.**

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

- B. Resolution in the matter of amending the One and Six Year Road and Bridge Construction Program for Lancaster County, Fiscal Years 2016 and 2017-2021, in response to comments received at the October 29, 2015 public hearing. (R-16-0013)**

Dingman noted that Lincoln Electric System (LES) came forward at the One and Six Year Road and Bridge Improvement Program public hearing and asked the County to consider paving Rokeby Road from 84th Street to 98th Street which is in the vicinity of their new facility. She said LES is offering to pay for this paving. She also referenced an Interlocal Agreement with the City of Lincoln which addresses various road projects, including the paving of Rokeby Road from 70th street to 84th Street. The developer has offered to pay for the grading and paving of this portion of the road. Dingman added the stretch of road from 84th Street to 98th Street was not incorporated in the original resolution and recommended that it be added to the plan in order to assure accurate reporting at the state and federal levels.

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

- C. Setting the annual salary of Paul E. Cooney, Chief Deputy Public Defender, at \$141,059 effective February 18, 2016.**

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

- D. Setting the annual salary of Kim Etherton, Lancaster County Community Corrections Director, at \$95,085 effective December 24, 2015.**

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

Avery said he would be voting no but that his decision is no reflection on Etherton's capabilities or performance. His preference was for the item to be discussed during the budget process.

NEW BUSINESS CONTINUED:

Hudkins indicated he would also be voting no and agreed that the issue should be considered during the budget process, along with potential salary increases for some other directors.

MOTION: Wiltgen moved to table the item for one week.

Wiltgen added that he felt Commissioner Schorr should be present since she initiated the process.

Avery seconded the motion.

ROLL CALL: Avery, Wiltgen and Amundson voted aye. Hudkins voted nay. Schorr was absent. Motion carried 3-1.

The County Clerk questioned whether action was needed on the original motion.

Wiltgen withdrew his original motion.

Hudkins, who seconded the original motion, did not support withdrawing it and felt it should be voted on.

Avery seconded to withdraw the original motion.

ROLL CALL: Avery, Wiltgen and Amundson voted aye. Hudkins voted nay. Schorr was absent. Motion carried 3-1.

NOTE: There was no formal motion made to withdraw the original motion.

Hudkins stated that according to Robert's Rules of Order, the motion to table the item supersedes the original motion, therefore, a vote to withdraw the original motion was not necessary.

- E. Memorandum of understanding between the Fraternal Order of Police, Lodge #32 and the County of Lancaster, Nebraska to clarify the application of "eligibility date" under the Lancaster County Personnel Rules, and clarify the implementation and application of pay increases under Appendix A of the collective bargaining agreement. (C-16-0087)**

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

- F. Appointment of Ruth Lavin to the Lancaster County Mental Health Crisis Center Advisory Committee for a three-year term from January 1, 2016 through December 31, 2018.**

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

NEW BUSINESS CONTINUED:

- G. Contract with Election Systems & Software, LLC, for election related services and ballot printing. The term of the contract is four years. Cost of the services is pursuant to Exhibits A, B and C of the contract. (C-16-0088)**

Dave Shively, Election Commissioner, stated this is a renewal of a long-standing contract. It will extend services to 2019 at which time there could be changes in equipment per new legislation.

In response to Avery's question regarding whether the contract has been bid recently, Shively said Election Systems & Software is the only vendor that provides this type of software. He added they do go out for bid on printing services.

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

- H. Contract with Election Systems & Software, LLC, for use of their Ballot Online service. Term of the contract is from February 1, 2016 through December 31, 2016 with the option to renew for three additional one-year terms. The cost of the service is pursuant to Exhibits A, B, C and D of the contract. (C-16-0089)**

Shively said this contract allows ballots to be emailed to overseas voters and military personnel.

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. Contract between Jones Automotive, Inc. and Lancaster County for supply and installation of emergency equipment for law enforcement vehicles (Bid No. 16-021). Term of the contract is one year from the date of execution. Cost to the County is not to exceed \$80,000. (C-16-0090)**

Terry Wagner, County Sheriff, confirmed that the contract is for the supply and installation of emergency equipment for new vehicles.

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

- J. Interlocal agreement between the City of Waverly and Lancaster County for those portions of the pavement construction project on Bluff Road from North 148th Street to the Interstate 80 bridge that lie within the City's corporate limits. (C-16-0091)**

Dingman stated this project is a partnership between Lancaster County and the City of Waverly and it will be important for future economic development. She said it is included in this year's road program and construction is scheduled to begin this summer.

In response to Avery's inquiry, Dingman noted the City of Waverly and the County will each pay 100% of the cost pertaining to their jurisdiction.

NEW BUSINESS CONTINUED:

Wiltgen thanked Dingman for working with the City of Waverly to accomplish this project and added that the Interlocal Agreement will save taxpayer money.

Hudkins said this project has been a priority for several years and much needed due to the high traffic volume.

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

K. Contract between Christensen Bros., Inc. and Lancaster County for replacement of County Bridge X-205 per specification 16-004. Cost to the County is \$1,186,311.40. (C-16-0092)

Dingman clarified that the location of the bridge is just outside of Firth. It is a major corridor into Firth and has an approximate traffic count of 1,900 cars per day. Dingman said a detour route is still being determined and any tree removal will be done prior to April 1st due to environmental issues.

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

L. Approval of a letter to the Nebraska Emergency Management Agency (NEMA) pledging 25% of the bridge replacement cost for Y-181 and H-115.

Dingman stated this is the first time the County has received grant funds from NEMA, which will result in a major cost savings to Lancaster County taxpayers. She said while NEMA will cover 75% of the cost to replace one box culvert and one small bridge, they do require a letter of support stating that the County will pledge the remaining 25%. Dingman confirmed that construction costs will come out of next year's budget.

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

M. Agreement with Advanced Chiropractic Services to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with Social Security Administration and may be eligible for retroactive Medicaid benefits. (C-16-0093)

Kerry Eagan, Chief Administrative Officer, said these routine contracts include a pledge from the provider that in the event the general assistance client becomes Medicaid eligible, the provider will reimburse the County.

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

NEW BUSINESS CONTINUED:

- N. Contract between Lancaster County and Hewlett Packard Enterprise for support of Hewlett Packard Enterprise Records Management software. Term of the contract is for a one-year period beginning April 1, 2016 to March 31, 2017. The cost to the County is \$9,228. (C-16-0094)**

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

- O. Amendment to County Contract C-15-0095 between NECO Security, Lancaster County, the City of Lincoln, and the Lincoln-Lancaster County Public Building Commission for fire alarm and security system monitoring services at various City and County locations. The amendment renews the contract from March 10, 2016 through March 9, 2017. Cost to the County is not to exceed \$3,300. (C-16-0095)**

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

- P. Addendum to County Contract C-14-0224 between Milliman, Inc. and Lancaster County extending the agreement for professional actuarial services for one additional year from February 1, 2016 through January 31, 2017. (C-16-0096)**

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

- Q. Amendment to County Contract C-14-0399 with Truck Center Companies for the annual requirements for construction and landfill equipment repair. The amendment reflects a price increase per Attachment A for the remainder of the contract term. (C-16-0097)**

MOTION: Wiltgen moved and Hudkins seconded approval of the amendment. Wiltgen, Avery, Hudkins 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.**

Gary Aldridge, 7112 South 45th Street, Lincoln, NE, appeared and commented on the recent Lincoln Journal Star article noting the County is considering hiring a public relation firm. He also referred to a recent American Civil Liberties Union (ACLU) report regarding juvenile confinement. Aldridge questioned if a public relation firm has been hired without other consideration.

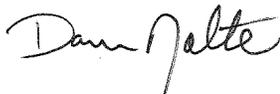
Amundson commented that Bloom Boost Media has not been hired and a request for proposal (RFP) will be sent out. She offered Aldridge a tour of the Youth Services Center and verified that the facility does not allow youth to be segregated for more than four hours.

6) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, February 25, 2016 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, March 1, 2016 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 Tuesdays (1:30 p.m. and 7:00 p.m.), Wednesdays (12:00 a.m.-midnight) and Saturdays (3:30 p.m.) 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 9:50 a.m. Wiltgen, Avery, Hudkins and Amundson voted aye. Schorr was absent. Motion carried 4-0.



Dan Nolte, County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, FEBRUARY 23, 2016
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 February 19, 2016.

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

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 9:50 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, February 16, 2016.

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.)

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

3) PUBLIC HEARING:

A. Motor Vehicle Tax Exemption Applications

AdventSource, Inc.
Catholic Social Services
First Evangelical Free Church
First Lutheran Church

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

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 9:53 a.m. Wiltgen, Avery, Hudkins and Amundson voted aye. Schorr was absent. Motion carried 4-0.

Dan Nolte

Dan Nolte, County Clerk

