

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, MAY 10, 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 May 6, 2016.

Commissioners present: Roma Amundson, Chair; Todd Wiltgen, Vice-Chair; Bill Avery, Larry Hudkins and 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, May 3, 2016.

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

2) CLAIMS: Approval of all claims process through May 10, 2016.

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

3) SPECIAL PRESENTATION:

A. Declaration of May 15-21, 2016 as Police Week in Lancaster County – Sheriff Terry T. Wagner (See correlating item 6A)

Terry Wagner, County Sheriff, stated in 1962 President John F. Kennedy proclaimed May 15th each year to be Law Enforcement Memorial Day. He said in 1994 President Bill Clinton directed that flags be displayed at half-staff on this date. Wagner noted that three Lancaster County deputy sheriffs, Deputy William Johnson, Deputy Craig Dodge and Sergeant Franklin Furrer, have died in the line of duty. He said four deputies will attend the national service in Washington, D.C. on Sunday, May 15, 2016.

The Clerk read the proclamation for the record.

The Board took action on the correlating new business item. (See 6A)

4) PUBLIC HEARING:

A. Amendment of the Lancaster County General Assistance Guidelines.

Sara Hoyle, Human Services Director, was administered the oath. She stated the guidelines set the criteria and requirements in determining qualification for General Assistance. Hoyle added the program aids individuals in the community with medical needs, non-food vouchers such as rent assistance and durable medical goods. She said a subcommittee of the General Assistance Monitoring Committee reviews the guidelines every two years. Hoyle noted the section dealing with behavioral health has been omitted as the service is no longer provided by General Assistance.

The Chair opened the public hearing.

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

Kerry Eagan, Chief Administrative Officer, said the public hearing should remain open for one week so a fully corrected version of the guidelines can be submitted for the Board's approval.

5) OLD BUSINESS:

A. Reconsideration of an agreement with Great Plains Appraisal Company to provide referee coordinator services for the 2016 tax year.

MOTION: Hudkins moved and Schorr seconded to reconsider the agreement with Great Plains Appraisal Company. Wiltgen, Avery, Hudkins, Schorr and Amundson voted aye. Motion carried 5-0.

B. Agreement with Great Plains Appraisal Company, on behalf off Wayne Kubert and Tom Kubert, to provide the services of a referee coordinator to coordinate referees who will hear all property tax protests for the 2016 tax year before the Lancaster County Board of Equalization. The referee coordinator shall be reimbursed at a rate of \$95 per hour, with the total compensation not to exceed \$180,000. (C-16-0198)

Wiltgen noted there was discussion on the item last week and the motion to approve failed by a 2-2 vote. He said Tom Kubert was invited to the staff meeting on Thursday, May 5, 2016 to address questions the Board had regarding the referee coordination process. Wiltgen felt those questions and concerns were addressed at that time.

Tom Kubert, Great Plains Appraisal, said following last Tuesday's meeting the contract was removed from further consideration to ensure that Great Plains addressed the Board's issues. In addition to appearing at the staff meeting, Kubert said he met with Kerry Eagan and Commissioner Wiltgen to confirm that there were no other concerns. The contract was then resubmitted for the Board's consideration today.

Avery stated his vote against the contract last week was not a reflection on content but rather on the process since a public bid on these services has not be done for twenty-two years. He added that he voiced his concerns with the process last year and has now been assured that a public bid process will be in place for 2017.

Wiltgen felt the contract should not be further delayed since the start of the property valuation protest process is less than one month away.

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

6) NEW BUSINESS:

(Items J and K were moved forward on the agenda)

- J. Contract with Great Plains Appraisal, Inc., in the amount of \$2,700 for appraisal services on a project on North 27th Street (Arbor Lake to Waverly Road); Project No. C55-G-407(2), Tract 1. (C-16-0202)**

Pam Dingman, County Engineer, stated the property listed will most likely come before the Board for condemnation. She said in order to assure that a fair market value is being offered to the citizens of Lancaster County a new appraisal was necessary. Dingman confirmed that Great Plains Appraisal was the lone bidder.

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

- K. Space rental agreement between the Lancaster Event Center and Lancaster County, on behalf of the Lancaster County Clerk, for meeting space within the Event Center to be used for hearings between July 6 and July 15, 2016. (C-16-0205)**

Kubert indicated that the Lancaster Event Center requested that protest hearings span fewer days this year so they can lease their space more efficiently and help reduce the cost to the County. He noted the facility is an ideal location for these hearings.

Cori Beattie, Deputy County Clerk, verified that the rental rate did not change from last year.

In response to Schorr's inquiry regarding whether a meeting with a referee is required in order to file a protest, Kubert explained that statutorily everyone must have the opportunity to meet face-to-face, although, a property owner can opt to submit their information in writing only which is then reviewed under the process.

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

- A. Resolution in the matter of declaring May 15-21, 2016 as Police Week in Lancaster County. (R-16-0027)**

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

B. Set the annual salary for Chief Deputy Sheriff Todd Duncan at \$112,323 effective May 12, 2016.

Sheriff Terry Wagner introduced Todd Duncan as his newly appointed Chief Deputy Sheriff. Wagner said Duncan was with the Lancaster County Sheriff's Office from 1995 to 2012 before accepting the position of Assistant Chief of Police at the University of Nebraska.

Duncan said he was excited for the opportunity to return to the Sheriff's Office and added that he fully recognizes the responsibility of this position and is committed to preserving the excellent reputation of the Lancaster County Sheriff's Office.

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

On behalf of the Board, Amundson expressed gratitude to all those in law enforcement for providing security and safety to the citizens of Lancaster County.

C. Special designated license application from Broken Arrow Cellars, LLC for the Cattlemen's Ball of Nebraska on June 4, 2016 at 26969 Homestead Expressway, Princeton, Nebraska.

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

D. Special designated license application from Deer Springs Winery, LLC for a reception on June 13, 2016 at 16255 Adams Street, Lincoln, Nebraska.

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

E. Recommendation from the Purchasing Department and the County Sheriff to award and execute a purchase order for sheriff uniform clothing and accessories. We recommend Alamar Uniforms be awarded as the lowest, responsive, responsible vendor meeting the specifications. The total amount of the order is \$25,770.50. (B-16-0015)

Sheriff Terry Wagner confirmed that this purchase will be paid for with forfeited asset funds.

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

F. Recommendation from the Purchasing Department and the Emergency Management to award a contract to Schmader Electric Construction, Inc. to provide and install an outdoor warning siren in the amount of \$26,575.00. (B-16-0016)

Jim Davidsaver, Emergency Management Director, said at least one new additional siren is budgeted for each year to add to the current inventory. He stated this siren will be placed in the area of North 56th Street and Interstate 80.

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

- G. Recommendation from the Purchasing Department and County Sheriff to award and execute a purchase order for telecommunications analysis software, maintenance and support. We recommend Pen-Link, LTD as a sole source vendor. Total amount of the order is \$26,400.00. (B-16-0017)**

Wagner said the equipment will be purchased with forfeited asset funds and not general tax dollars.

MOTION: Wiltgen moved and Avery seconded approval of the recommendation. Schorr, Avery, Wiltgen, Hudkins and Amundson voted aye.

- H. Grant contract with Volunteer Partners to provide funding of \$68,400 for resource coordination of local partners and volunteers who will provide parenting and relationship instruction to current Adult Drug Court participants. Term of the grant contract is April 1, 2016, through September 30, 2017. (C-16-0203)**

Kim Etherton, Community Corrections Director, stated this is the only treatment intervention program in Adult Drug Court involving the entire family.

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

- I. Cooperative purchasing contract between JVCKenwood USA Corporation and Lancaster County to supply and deliver Public Safety Communications Equipment (Radios) for Lancaster County Engineering. Term of the contract is from execution through June 30, 2016. Cost to County not to exceed \$3,000. (C-16-0204)**

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

- J. Contract with Great Plains Appraisal, Inc., in the amount of \$2,700 for appraisal services on a project on North 27th Street (Arbor Lake to Waverly Road); Project No. C55-G-407(2), Tract 1. (C-16-0202)**

This item was moved forward on the agenda.

- K. Space rental agreement between the Lancaster Event Center and Lancaster County, on behalf of the Lancaster County Clerk, for meeting space within the Event Center to be used for hearings between July 6 and July 15, 2016. (C-16-0205)**

This item was moved forward on the agenda.

- L. Amendment to Contract No. C-13-0542 between Nebraska Printing Center, Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for envelope supply and printing. The amendment increases the County's maximum expenditures by \$14,000 for the remainder of the current term to a total estimated expenditure of \$30,000. (C-16-0206)**

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

Schorr questioned the specific reason for the amendment. Bob Walla, Purchasing Agent, stated it was necessary due to a significant purchase of license plate envelopes by the County Treasurer's Office which is needed every five years.

- M. Amendment to Contract No. C-14-0255 between Vulcan Aluminum, Lancaster County and the City of Lincoln, for the annual supply of traffic signs and sign faces. The amendment renews the agreement from May 20, 2016 through May 19, 2017, and reflects a price increase as described in Attachment A. Cost to the County is not to exceed \$4,500. (C-16-0207)**

Pam Dingman, County Engineer, said inventorying signs and purchasing only what is anticipated to be needed has resulted in a cost savings to the County. There has also been a reduction to inventory due to reusing signs.

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

- N. Amendment to Contract No. C-15-0215 between Beatrice Lawn Care, Inc. and Lancaster County for the annual requirements of noxious weed control including spraying and mowing. The amendment renews the contract for an additional one (1) year term beginning May 19, 2016 through May 18, 2017. Cost to County not to exceed \$10,000. (C-16-0208)**

Brent Meyer, Weed Control Superintendent, said the next four items are renewal contracts for work related to the enforcement of weed abatement mowing and/or noxious weed spraying. He added that a lien, including an administrative fee, is eventually attached to the property in order to recover the cost of contracting these services.

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

- O. Amendment to Contract No. C-15-0218 between DeAngelo Brothers and Lancaster County for the annual requirements of noxious weed control including spraying and mowing. The amendment renews the contract for an additional one (1) year term beginning May 19, 2016 through May 18, 2017. Cost to County not to exceed \$5,000. (C-16-0209)**

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

- P. Amendment to Contract No. C-15-0217 between Gary's Lawn & Landscape and Lancaster County for the annual requirements of noxious weed control including spraying and mowing. The amendment renews the contract for an additional one (1) year term beginning May 19, 2016 through May 18, 2017. Cost to County not to exceed \$10,000. (C-16-0210)**

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

- Q. Amendment to Contract No. C-15-0216 between Mr. Yards and More, LLC, and Lancaster County for the annual requirements of noxious weed control including spraying and mowing. The amendment renews the contract for an additional one (1) year term beginning May 19, 2016 through May 18, 2017. Cost to County not to exceed \$10,000. (C-16-0211)**

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

- R. Assignment of rights under Contract No. C-15-0520 for Electronic Monitoring Equipment and Services from Alcohol Monitoring Systems, Inc., to Vigilnet America LLC, effective March 21, 2016. (C-16-0212)**

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

- S. Request to create the classification of Facilities and Properties Assistant Director (C23) at the proposed pay grade of \$67,258.88 to \$86,147.36.**

Doug McDaniel, Human Resources Director, said this is a new position that will provide backup for the Facilities and Properties Management Director.

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

- T. Reappointment of Valdeen Nelsen to the Keno Human Services Prevention Fund to a three-year term commencing July 1, 2016 and ending June 30, 2019.**

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

- U. Determination of employment status of Lancaster County Corrections Director Mike Thurber.**

It was recommended that discussion on this item be held in Executive Session after the conclusion of the Board of Equalization meeting.

7) **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 report for April, 2016:**

1. Clerk of the District Court
2. County Clerk
3. Records & Information Management

B. **Right-of-way contracts between Lancaster County and the following:**

1. **Gery Benes, Luke Benes, Leo Benes, Chris Benes and John C. Barry, Co-Trustees of the Leonard E. and Marlene Benes Charitable Trust, Northwest 126th Street and West Agnew Road, in the amount of \$395.20. (C-16-0213)**
2. **Michael A. and Jenny G. Minchow, North 162nd Street and Raymond Road, in the amount of \$472.50. (C-16-0214)**
3. **Robert E. J. Retzlaff, South 190th Street and Olive Creek Road, in the amount of \$748.00. (C-16-0215)**
4. **Margaret E. Smail, Northwest 126th Street and West Mill Road, in the amount of \$373.60. (C-16-0216)**
5. **David J. and Manana N. Weiler, Northwest 126th Street and West Agnew Road, in the amount of \$546.40. (C-16-0217)**

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

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

Pam Dingman, County Engineer, appeared and commented on the need for additional funding for the County's infrastructures.

In response to Hudkins inquiry regarding additional damage from Monday's storm, Dingman responded that evaluation was still ongoing.

Avery questioned the difference between structurally deficient and functionally deficient. Dingman said structurally deficient means it is not the most sound structure while functionally obsolete means the structure does not meet modern standards.

Wiltgen praised the level of professionalism he observed in the Emergency Operations Center during yesterday's weather emergency.

Gary Aldridge, 7112 South 45th Street, Lincoln, NE, appeared and commented on his observations with regard to past and present Deputy County Attorneys assisting during County Board meetings.

9) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Tuesday, May 10, 2016 at 7:30 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 a staff meeting on Thursday, May 12, 2016 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, May 17, 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.
- 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 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.

The Chair recessed the Board of Commissioners meeting at 10:06 a.m.

The Chair reconvened the Board of Commissioners meeting at 10:09 a.m.

RETURNING TO NEW BUSINESS ITEM U:

MOTION: Schorr moved and Wiltgen seconded to enter into Executive Session at 10:09 a.m. for purposes of evaluation of the job performance of a person to the extent it is necessary to prevent needless injury to the reputation of that person unless that person requests a public meeting. Avery, Hudkins, Schorr, Wiltgen and Amundson voted aye. Motion carried 5-0.

The Chair stated the purpose for the Board entering Executive Session is evaluation of the job performance of a person to the extent it is necessary to prevent needless injury to the reputation of that person unless that person requests a public meeting.

MOTION: Wiltgen moved and Schorr seconded to exit Executive Session at 10:49 a.m. Hudkins, Schorr, Wiltgen, Avery and Amundson voted aye. Motion carried 5-0.

Doug Cyr, Chief Deputy County Attorney, stated the recommended language for action would be, "To accept the resignation and retirement of Michael Thurber verbally tendered May 10, 2016 subject to written resignation and retirement by close of business today. Vacation to be paid out as in a normal retirement and sick leave to be paid into PEHP (post employment health plan) that would be 55% per County benefits resolution."

MOTION: Wiltgen moved and Hudkins seconded to accept Mr. Thurber's retirement based on the advice of the Deputy County Attorney. Wiltgen, Avery, Hudkins, Schorr and Amundson voted aye. Motion carried 5-0.

MOTION: Schorr moved and Wiltgen seconded to extend Gwen Thorpe's interim director status for three weeks until May 31, 2016. Wiltgen, Avery, Hudkins, Schorr and Amundson voted aye. Motion carried 5-0.

10) ADJOURNMENT

MOTION: Schorr moved and Hudkins seconded to adjourn the Board of Commissioners meeting at 10:51 a.m. Schorr, Avery, Wiltgen, Hudkins and Amundson voted aye. Motion carried 5-0.



Dan Nolte, County Clerk



**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, MAY 10, 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 May 6 2016.

Commissioners present: Roma Amundson, Chair; Todd Wiltgen Vice-Chair; Bill Avery, Larry Hudkins and 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 10:06 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, May 3, 2016.

MOTION: Wiltgen moved and Schorr 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 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

**Catholic Bishop of Lincoln d/b/a Calvary Catholic Cemetery & Mausoleum
Fellowship Baptist Church**

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:

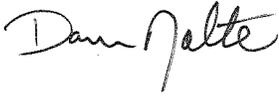
MOTION: Wiltgen moved and Hudkins seconded approval of the motor vehicle exemptions. Schorr, Wiltgen, Avery, Hudkins and Amundson voted aye. Motion carried 5-0.

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 Board of Equalization meeting at 10:09 a.m. Wiltgen, Avery, Hudkins, Schorr and Amundson voted aye. Motion carried 5-0.



Dan Nolte, County Clerk

