

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**COUNTY-CITY BUILDING, ROOM 112**  
**TUESDAY, NOVEMBER 15, 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 November 10, 2016.*

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

Others present: Kerry Eagan, Chief Administrative Officer; David Derbin, Deputy County Attorney; Dan Nolte, 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, November 8, 2016.**

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

**2) CLAIMS: Approval of all claims process through November 15, 2016.**

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

**3) NEW BUSINESS:**

**B. Resolution instituting eminent domain proceedings against Kuck Investment Partners, LP; Project C55-G-407(2), Tract No. 1 (North 27<sup>th</sup> Street grading project). (R-16-0075)**

Pam Dingman, County Engineer, requested that eminent domain proceedings begin for the property owned by Kuck Investments located on the west side of North 27<sup>th</sup> Street north of Arbor Road. She said the grading project for 27<sup>th</sup> Street has been on the One and Six Year Road and Bridge Program and has been approved by the Board consecutively through the years 2010 through 2016. Dingman added there are ten other pieces of ground that have already been purchased to make the right-of-way 120 feet wide for the corridor. She noted that the Long Range Transportation Plan (LRTP) requires that any roadway built within the three-mile jurisdiction of the City of Lincoln have a 120-foot right-of-way.

Avery asked if the project had been on the One and Six Year Road and Bridge Program for consecutive years, what has changed to begin eminent domain proceedings. Dingman responded that Kuck Investments has been approached many times in order to acquire the right-of-way. She stated that they are at an impasse. Dingman said the County Engineer's Office began designing the

road prior to 2007. She noted environmental permitting has taken a significant amount of time and was received in June of 2015. Dingman said that permit will expire in March of 2018. She stated Kuck agreed to sign once the environmental permits were in place and has yet to sign.

Avery stated he is opposed to eminent domain in this instance and felt there was no compelling public interest necessary to proceed.

Schorr confirmed with Dingman that many conversations had taken place with Kuck Investments and proceeding with the eminent domain process is not being taken lightly. Dingman said there has been approximately twenty-five conversations as well as face-to-face meetings.

In response to Hudkins' inquiry regarding the high priority placed on this project, Dingman responded it does meet the traffic counts with approximately 250 cars per day and has some site distance problems that need to be corrected in order for it to meet the criteria for the current traffic. She said \$185,000 has already been spent to acquire right-of-way in the corridor and over \$15,000 for environmental assessments and permitting.

Schorr commented that the Board has already approved contracts and made payments to obtain right-of-way from neighboring landowners. Wiltgen noted the Board has also approved the plan and contracts for appraisal.

Gary Kuck, 692 West Lakeshore Drive, Lincoln, Nebraska, said he does not feel the right-of-way is required at this time as there is no immediate plans for development. He noted that with the financial issues facing the County regarding bridges, it does not make sense to spend the money. Kuck added that he never said he would agree to the right-of-way once environmental permitting was in place.

Avery asked Kuck if he has ever indicated to the County Engineer that he would agree to the widening. Kuck said he is not opposed to right-of-way when it is in the best interest of the public.

**MOTION:** Wiltgen moved and Schorr seconded approval of the resolution. Wiltgen, Schorr and Amundson voted yes. Avery and Hudkins voted no. Motion carried 3-2.

**A. Comprehensive Plan Conformance No. 16008: A resolution in the matter of adopting the One and Six Year Road and Bridge Construction Program for Lancaster County, Fiscal Years 2017 and 2018-2022. (R-16-0074)**

Dingman said that she held a series of meetings with the surrounding villages prior to the November 1, 2016 public hearing for the One and Six Year Road and Bridge Program. She is requesting approval of the plan.

Hudkins stated that he appreciated Dingman meeting with the villages. He said he feels there should be some prioritizing of projects. Hudkins inquired if paving projects could be delayed and focus on repairing bridges.

Dingman said that she takes closing bridges very seriously. She noted it is her responsible to follow the criteria set forth by the Nebraska Department of Roads and Federal Highway Administration for bridge inspections and closures. Dingman stated she is currently working on getting several bridges into the Nebraska Transportation Innovation Act, which provides grant funding. She said December

1<sup>st</sup> is the deadline to submit bridges but repair work cannot begin until the grants have been approved. She noted many of the bridges due to their age require additional studies and permitting which can also delay repairs.

**MOTION:** Schorr moved and Wiltgen seconded approval of the resolution. Schorr, Wiltgen and Amundson voted yes. Avery and Hudkins voted no. Motion carried 3-2.

- B. Resolution instituting eminent domain proceedings against Kuck Investment Partners, LP; Project C55-G-407(2), Tract No. 1 (North 27<sup>th</sup> Street grading project). (R-16-0075)**

Item was moved forward on the agenda.

- C. Appointment of Tracy Edgerton and Thomas J. Beckius to the Lincoln-Lancaster County Planning Commission for terms commencing January 1, 2017 and ending August 24, 2021.**

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

- D. Agreement between Patricia Westendorf and Lancaster County, on behalf of the Lancaster County Department of Community Corrections, to provide Safety Training Option Program (STOP) instruction to participants eligible to participate in the Lancaster County Traffic Diversion program. The County shall pay \$100 per STOP class instructed. Term of the contract is December 1, 2016 through June 30, 2017. (C-16-0670)**

Kim Etherton, Community Corrections Director, said this is an addition to the pool of STOP instructors to help cover the classes.

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

- E. Contract with Rise N' Shine to provide annual cleaning services to the County Engineer Office, Shop and Weed Control Office (Bid No. 16-228). Term of the contract is November 28, 2016 through November 27, 2017. Cost to the County is not to exceed \$9,900. (C-16-0668)**

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

- F. Approval of Keno Human Services Prevention Fund Round 41 recommendations.**

**MOTION:** Schorr moved and Hudkins seconded approval of the Keno fund recommendations. Avery, Wiltgen, Schorr, Hudkins and Amundson voted yes. Motion carried 5-0.

- G. Amendment to Grant Contract No. C-16-0043 with Families Inspiring Families to provide Wraparound Training. The amendment extends the term of the contract through December 31, 2016. (C-16-0671)**

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

- H. Amendment to County Contract C-12-0703 with Cellco Partnership d/b/a Verizon Wireless using WSCA Contract No. 1907, State of Nebraska Contract No. 53233 04, for wireless voice service, wireless broadband service, accessories and equipment. The amendment extends the original contract term from August 1, 2012 through October 31, 2016 with the option to renew for one additional two-year term to August 1, 2012 through June 30, 2019 with no additional renewal options. The estimated cost to the County for the extended period of November 1, 2016 through June 30, 2019 is not to exceed \$156,800. (C-16-0664)**

Bob Walla, Purchasing Agent, stated Verizon has changed the terms to extend the contract to 2019. The estimated cost of \$156,800 is over the three-year extension. He said the County has approximately 1300 cell phones. Walla noted that all County contracts have a 30-day termination clause so this contract could be terminated if a less expensive option would be available.

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

- I. Amendment to County Contract C-14-0626 with Cardiac Science Corporation using the Purchasing Solutions Alliance (PSA) Contract No. 14-100 for Automated External Defibrillators (AED), related products and services. The amendment renews the contract from October 9, 2016 through October 8, 2017. The estimated cost to the County is not to exceed \$3,000. (C-16-0665)**

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

- J. Amendment to County Contract C-13-0578 with A Photo Identification for the annual supply of inmate ID wristbands for County Corrections (Quote No. 4668). The amendment renews the contract from December 1, 2016 through November 30, 2017. The estimated cost to the County is not to exceed \$6,500. (C-16-0666)**

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

- K. Amendment to County Contract C-13-0273 with Lawmen's & Shooters' Supply, Inc., for the annual supply of County Corrections uniform accessories. The amendment provides for price increases per Attachment A of approximately \$500 for the remainder of the contract term with a revised total amount of \$11,000. (C-16-0667)**

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

- L. Agreement with Discrete Wireless, Inc. d/b/a Nextraq for the annual supply of vehicle GPS system (Quote No. 4583) including:**
  - 1. Amendment to County Contract C-13-0547 renewing the contract from November 5, 2016 through November 4, 2019. The estimated cost to the County is not to exceed \$17,749.80 (C-16-0669)**
  - 2. Authorizing Sharon Mulder, Assistance Purchasing Agent, to accept the terms and conditions provided in the amendment through the contractor's website.**

David Derbin, Deputy County Attorney, said the vendor requires electronic authorization and the Board would need to give approval for Mulder to complete the online process.

Scott Gaines, Chief Deputy Assessor/Register of Deeds, stated this contract is for the Global Positioning Systems (GPS) for the County Assessor's Office and has been in place for two years. He said the contract has been renegotiated with a cost savings and three-year extension.

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

- 4) 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 45<sup>th</sup> Street, Lincoln, Nebraska, appeared and commented on military personnel recently killed in action and his recent election to the Lower Platte South Natural Resources District Board of Directors.

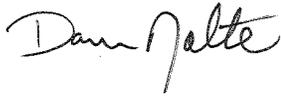
**5) ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, November 17, 2016 at 8:30 a.m., in the Bill Luxford Studio (Room 113) of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln).**
- B. The Lancaster County Board of Commissioners will meet with the Lancaster County Agricultural Society on Thursday, November 17, 2016 at 7:00 p.m., at the Lancaster Event Center in the Lancaster Room (4100 N. 84<sup>th</sup> Street, Lincoln).**
- C. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, November 22, 2016 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10<sup>th</sup> 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](mailto: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](http://lancaster.ne.gov) under 5 City-TV, Video on Demand or 5 City-TV on YouTube.

8) **ADJOURNMENT**

**MOTION:** Schorr moved and Hudkins seconded to adjourn the Lancaster County Board of Commissioners meeting at 10:07 a.m. Schorr, Wiltgen, Avery, Hudkins and Amundson voted yes. Motion carried 5-0.



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Dan Nolte, County Clerk



**MINUTES**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**COUNTY-CITY BUILDING, ROOM 112**  
**TUESDAY, NOVEMBER 15, 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 November 10, 2016.*

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

Others present: Scott Gaines, Assessor/Register of Deeds Office; Kerry Eagan, Chief Administrative Officer; David Derbin, Deputy County Attorney; Dan Nolte, County Clerk; and Kelly Lundgren, County Clerk's Office

*The Chair called the meeting to order at 10:07 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, November 8, 2016.**

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

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

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

**3) PUBLIC HEARING:**

**A.** Motor Vehicle Tax Exemption Applications (See correlating item 4)

Catholic Social Services  
Lincoln Medical Education Partnership

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.

**4) ACTION ON MOTOR VEHICLE TAX EXEMPTION APPLICATIONS**

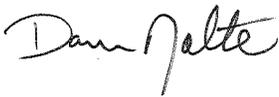
**MOTION:** Wiltgen moved and Schorr seconded approval of the motor vehicle exemptions. Schorr, Wiltgen, Avery, Hudkins and Amundson voted yes. Motion carried 5-0.

**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 10:09 a.m. Wiltgen, Avery, Hudkins, Schorr and Amundson voted yes. Motion carried 5-0.



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Dan Nolte, County Clerk

