

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, NOVEMBER 29, 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 23, 2016.

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

Commissioners absent: Bill Avery

Others present: Kerry Eagan, Chief Administrative Officer; Ryan Swaroff, Deputy County Attorney; Dan Nolte, County Clerk; Cori Beattie, Deputy County Clerk; and Ann Taylor, County Clerk's Office

The Chair called the meeting to order at 9:06 a.m., the pledge of allegiance was recited and the location of the Nebraska Open Meetings Act was announced.

Commissioner Schorr arrived at the meeting at 9:07 a.m.

1) MINUTES:

A. Approval of the minutes of the joint meeting with the Lancaster County Agricultural Society held on Thursday, November 17, 2016.

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

B. Approval of the minutes of the Board of Commissioners meeting held on Tuesday, November 22, 2016.

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

2) CLAIMS: Approval of all claims process through November 29, 2016.

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

3) PUBLIC HEARING:

- A. County Text Amendment No. 16012 to the Lancaster County Zoning Resolution, to add maximum area standards to residential accessory building regulations. (See correlating item 4A)**

The Chair opened the public hearing.

Tom Cajka, Planner II, Lincoln/Lancaster County Planning Department, was administered the oath. He gave an overview of the proposed text amendment, explaining accessory building maximum area standards are not currently defined in the County's Zoning Resolution. He said the City recently amended its zoning code to include such standards, which were developed by Planning Staff, and an advisory group that had representation from a range of interests. Cajka presented an example scenario (Exhibit A), noting the standards will only apply to single family dwellings and attached single family or duplex dwellings. He also explained there would be no limit to the number of accessory buildings that would be allowed on parcels of ten acres or more in Agricultural (AG) and Agricultural Residential (AGR) Zoning Districts. It would apply to Residential (R) Districts, including those in unincorporated villages, and smaller AGR and AG lots in clustered developments.

Schorr asked whether existing buildings would be "grandfathered" (exempted from provisions). Cajka said they would.

The Chair closed the public hearing.

4) NEW BUSINESS:

- A. Resolution in the matter of County Text Amendment No. 16012 to the Lancaster County Zoning resolution to add maximum area standards to residential accessory building regulations. (R-16-0076)**

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

- B. Review of claim filed by the Lancaster County Community Corrections Department (PV #546220) to Parallels in the amount of \$175. The claim is beyond the ninety-day period under Nebraska Revised Statute §23-135(1).**

Kim Etherton, Community Corrections Director, appeared and said she invited a representative of Parallels to be present for the discussion but said it did not appear there was anyone present from that organization. She said she reviewed the 51 payments that have been made to Parallels from 2013 through 2016 and discovered five of them were beyond the ninety-day period. Etherton said she has asked Parallels to be more prompt in their invoicing.

Hudkins asked Etherton whether she was satisfied with the services provided to Community Corrections by Parallels. Etherton said she was and recommended payment of the claim.

MOTION: Wiltgen moved and Hudkins seconded approval of the claim, based on the recommendation of the Community Corrections Director.

Etherton was asked to notify Parallels that the County will not continue to pay invoices that are submitted beyond the ninety-day period indicated in state statutes.

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

C. Approval of Lancaster County Weed Control Superintendent class description, effective November 29, 2016.

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

D. Recommendation from the Purchasing Department and the Sheriff's Office to award a purchase order for six (6) 2017 Ford Police Utility midsize vehicles and accessories to Anderson Ford Lincoln Mercury Mazda using State of Nebraska Contract Number 14611 OC. The total amount is \$177,234. (C-16-0691)

Todd Duncan, Chief Deputy Sheriff, appeared and said Ford has transitioned from Crown Victoria vehicles to the Police Interceptor series, which comes in two models (sport utility vehicles (SUV's) and sedans). He said they already have several of the Ford Interceptor SUV's in their fleet and have had positive feedback from the deputies using them.

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

E. Recommendation from the Purchasing Department and the Sheriff's Office to award a purchase order for one (1) 2017 4-door sedan Chevrolet Impala and accessories to Sid Dillon Chevrolet Buick using State of Nebraska Contract Number 14632 OC. The total amount is \$21,340. (C-16-0692)

Duncan discussed how the vehicle would be used.

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

F. 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. Term of the agreement is September 1, 2016 through August 31, 2017. (C-16-0567)

Duncan said this reflects renewal of the annual contract. He noted there has been one modification to reference the current Fraternal Order of Police (FOP) contract pay scale so it will updated as the pay scales are updated.

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

G. Letter to Black Hills Energy requesting release of monthly billing and usage data for County properties to facilitate an energy audit.

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

H. Electronic Permitting Agent Agreement between the Nebraska Game and Parks Commission and Lancaster County, on behalf of the Lancaster County Treasurer's Office. The agreement allows the Treasurer's Office to issue hunting, fishing, park permits and stamps for the Commission. The Treasurer's Office will receive issuing fees as set forth in the agreement. (C-16-0693)

Andy Stebbing, County Treasurer, appeared and explained the agreement will allow the County Treasurer's Office to sell permits and stamps on behalf of the Nebraska Game and Parks Commission. He said his office will receive a fee per transaction but said it is difficult to predict how much revenue it will generate yet.

In response to a question from Schorr, Stebbing said his department is the first County Treasurer's Office in Nebraska to issue these types of permits and stamps for the Commission. County Clerk's Offices in ten counties already sell the permits.

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

I. Grant contract with Fresh Start in the amount of \$10,000 for Fresh Start's Transitional Shelter Program for homeless women. Term of the contract is July 1, 2016 through June 30, 2017. (C-16-0694)

Sara Hoyle, Human Services Director, appeared and said the contract represents funding through the Joint Budget Committee (JBC) and allows homeless women to receive shelter and community-based treatment and follow-up case management and support services as the women transition back into the community.

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

J. Amendment to Grant Contract C-15-0471 with the Indian Center, Inc., for the Indian Center Four Directions Youth Program. The amendment extends the term of the agreement through September 30, 2016. (C-16-0688)

Hoyle said the extension allows the Indian Center to spend down all of the federal Title II funding it received in the first funding cycle. She said the Indian Center has decided to work directly through the Nebraska Crime Commission, rather than the County, for the second funding cycle.

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

- K. Amendment to County Contract C-16-0031 with Audio Marketing Solutions, Inc., d/b/a Americom Communications Corporation using the Lincoln Public Schools Contract No. IPDG No. 2013 3932 for electronic video surveillance equipment and installation. The amendment renews the contract from December 1, 2016 through November 30, 2017. The estimated cost to the County is not to exceed \$5,000. (C-16-0689)**

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

- 5) **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 Clerk of the District Court report for October, 2016.**

MOTION: Wiltgen moved and Schorr seconded approval of the Consent Items. Schorr, Wiltgen, Hudkins and Amundson voted yes. Avery was absent. Motion carried.

- 6) **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.

EMERGENCY ITEM

MOTION: Wiltgen moved and Hudkins seconded to add an emergency item to the agenda. Wiltgen, Hudkins, Schorr and Amundson voted yes. Avery was absent. Motion carried 4-0.

Pam Dingman, County Engineer, appeared and discussed Bridge J-143, a circa 1938 steel structure with box culverts added onto the sides, on North 148th between "O" and Holdrege Streets (see map in Exhibit B). She noted the bridge is less than 20 feet in length so it does not meet the State's definition of a bridge and is not included in the bridge inventory. Dingman said County Engineering recently received an overload permit request for North 148th Street and upon assessing the bridge structures along the road to make sure they could hold that load, discovered that three had substantial amounts of fill placed on them. She said the department hired a consultant, JEO Consulting Group, Inc., to do an analysis of the maximum load the structures could withstand. The results of that analysis were that Bridge J-143 should theoretically fail under the dead load of the soil that was placed on top of it alone (see Exhibit C for the bridge inspection report). Dingman said she immediately contacted the Nebraska Department of Roads (NDOR) and the University of Nebraska-Lincoln's (UNL's) Civil Engineering Department and is working with them to implement a plan for these structures. She recommended that this section of North 148th Street be closed immediately while the structure is load tested and presented a detour plan for the area (Exhibit D). Dingman said

County Engineering has contacted the Waverly School District and the Rural Fire District and will issue a press release and post information about the road closure on County Engineering's website: <http://lancaster.ne.gov/engineer/street.htm>.

Schorr inquired about the other two structures. Dingman said they are concrete slab structures and felt they could act more as box culverts. She said the entire North 148th Street corridor will be weight rated once testing of Bridge J-143 is completed.

Wiltgen inquired about the timeframe for the closure. Dingman said she hopes to have the testing results by mid or late December. She said the road is a major corridor and the County will have to look at an emergency design to replace all three of the structures with something much more sound.

MOTION: Schorr moved and Hudkins seconded to temporarily close Bridge J-143, based on the County Engineer's recommendation. Hudkins, Wiltgen, Schorr and Amundson voted yes. Avery was absent. Motion carried 4-0.

7) ANNOUNCEMENTS:

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, December 1, 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 a meeting on Friday, December 2, 2016 at 1:00 p.m., at the Lincoln-Lancaster County Health Department (3140 N Street, Lincoln) Lower Level, to discuss Corrections Director finalists.**
- C. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, December 6, 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 Lancaster County Board of Commissioners will hold a joint public hearing with the Lincoln City Council regarding updates to the 2040 Comprehensive Plan on Monday, December 12, 2016 at 1:00 p.m., in Room 112 of the County-City Building (555 S 10th Street, Lincoln).**
- E. The County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.**
- F. 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 meeting at 9:45 a.m. Wiltgen, Schorr, Hudkins and Amundson voted yes. Motion carried 4-0.

Dan Nolte

Dan Nolte, County Clerk





Text Amendment Example Scenario

Lot: 139,558 sf. (3.2 acres)

Zoning District: AGR

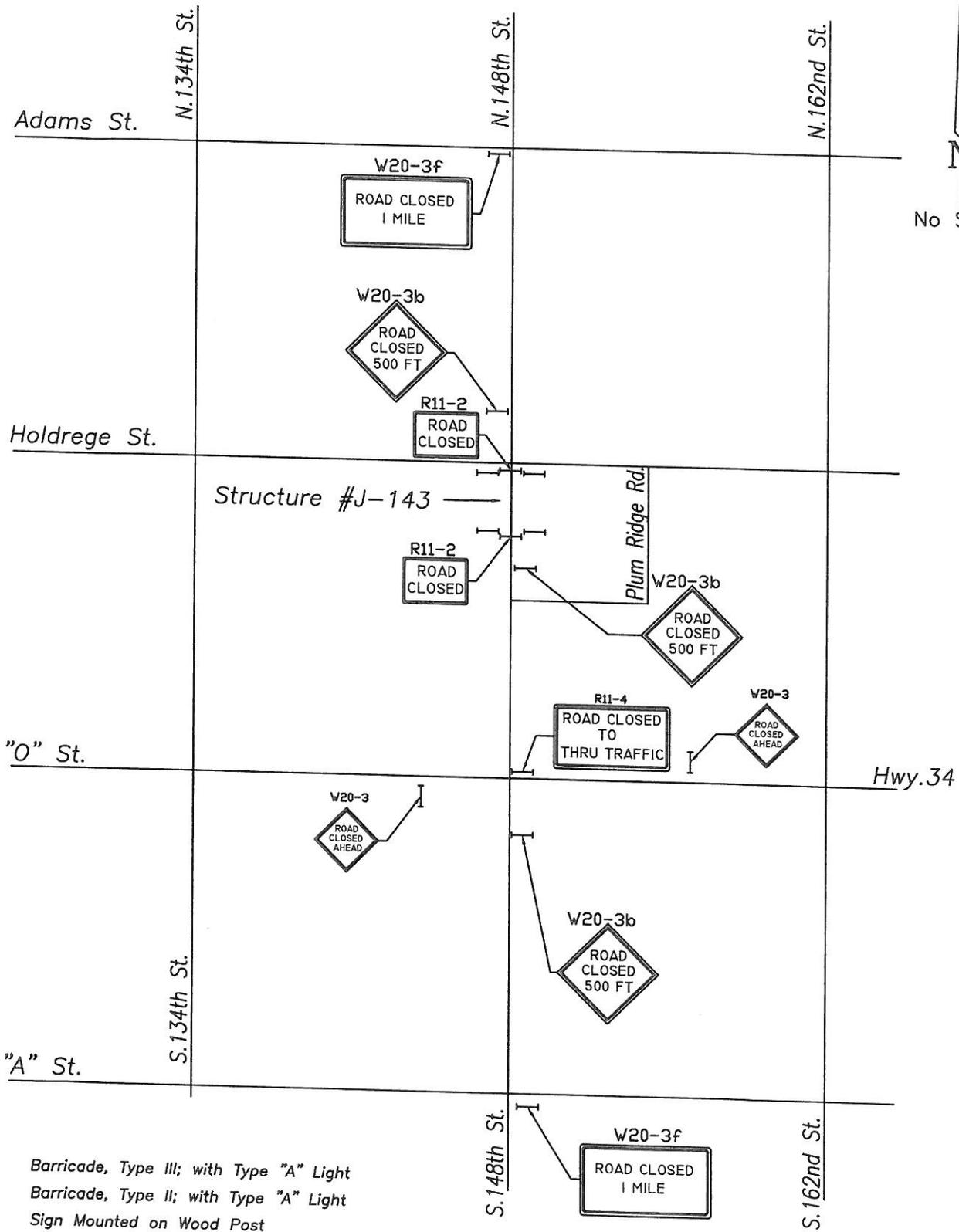
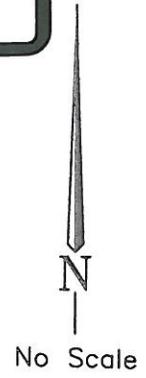
House: 2,200 sf.

Existing Accessory: 4,640 sf.

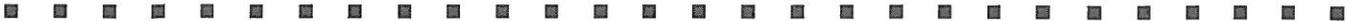
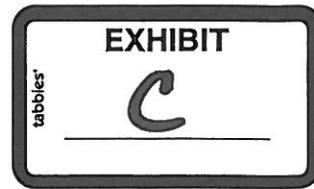
Total Potential Accessory: 8,000 sf.

The maximum accessory building area in this lot size category and zoning district is 8,000 square feet – 27.72.120(d). In order to exceed 2,000 square feet no more than 2,000 square feet of cumulative accessory buildings can be within the setbacks.

TRAFFIC CONTROL PLAN FOR J-143 CLOSURE
N.148TH St., Hwy.34 to Holdrege St.



- I Barricade, Type III; with Type "A" Light
 - II Barricade, Type II; with Type "A" Light
 - ⌋ Sign Mounted on Wood Post
- | | | |
|----------------------|----|---------------|
| Barricades, Type III | 14 | Barr.Day/Day |
| Barricades, Type II | 0 | Barr.Day/Day |
| Construction Signs | 10 | Sign Day/Day |
| Non-Standard Signs | 2 | (No Pay Item) |



Bridge Inspection Report

Project: J-143 Inspection and Load Rating
Owner: Lancaster County
Inspection Date: November 21, 2016

Inspection Summary:

STRUCTURE DESCRIPTION

The structure is a hybrid steel stringer bridge with cast-in-place concrete box culvert (CBC) extensions. The original structure is a 14 ft. long (clear span) by 24 ft. wide steel stringer superstructure with a concrete deck of unknown thickness. The superstructure is supported on 12-inch thick abutment walls with an unknown foundation. There is no concrete floor to the original bridge. The bridge was extended 15 ft. on both sides with a 14 ft. x 6 ft. CBC with inlet and outlet aprons and wing walls.

INSPECTION FINDINGS

The structure appears to be functioning as it was designed with some erosion issues present. There is a 3 ft. scour hole across the inlet end of the CBC with no undermining present. Under the bridge section between, the CBC extensions, there is a scour hole that varies from 1.5 – 2 ft. on the inlet side to 4 ft. on the outlet side. There does not appear to be any undermining of the CBC turndowns. The bridge abutment walls extend at least 4 ft. below flowline, no spread footing was encountered to this depth. It is not known what type of foundation the bridge section has. The outlet end of the CBC has a 4 ft. scour hole across the end, the Northwest wing footing has been undermined 1 -2 ft. back from the face of the turndown (Photo 7). There has been some settling (1 – 2 inches) of the CBC extensions on both the East and West sides cracking the walls and top of the box on each side (Photo 8). The Southeast wing wall is cracked and damaged (Photo 9). The North abutment wall has a horizontal crack 1.5 ft. below the stringers (Photo 10). The interior stringers have some minor surface rust throughout the entire length and some minor deterioration at the stringer ends (Photo 10). The exterior girder channels have severe corrosion/section loss to the bottom flange and should be discounted in load ratings (Photo 10).

Please contact me if you have any questions or comments:

Jesse Sire, P.E.
Senior Bridge Engineer
phone: 402.474.8790
e-mail: jsire@jeo.com



Photo 1 – Looking North



Photo 2 – Looking South



Photo 3 – Looking Upstream



Photo 4 – Looking Downstream



Photo 5 – Looking Upstream



Photo 6 – Looking Downstream



Photo 7 – Northwest wing scour



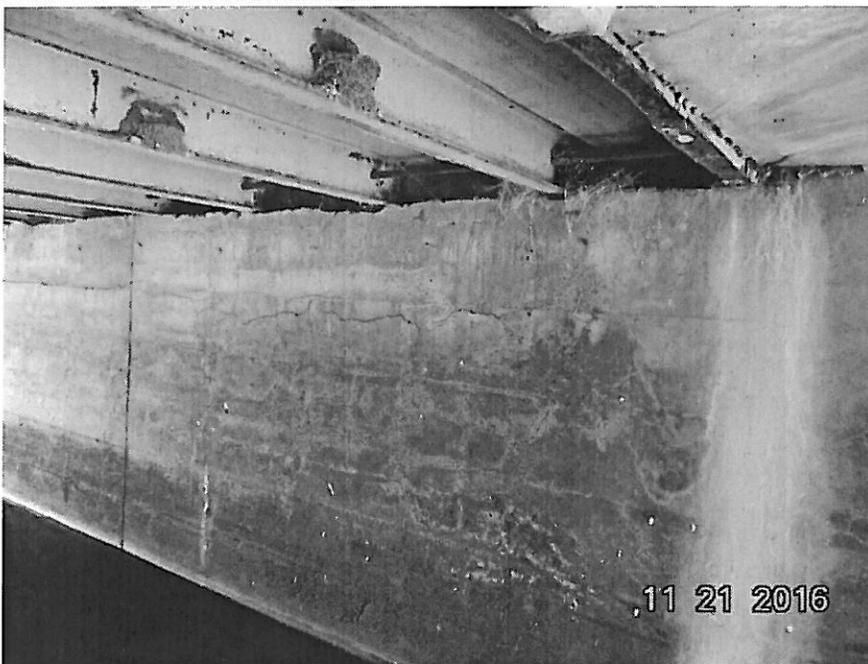
Photo 8 – Settling of box extensions



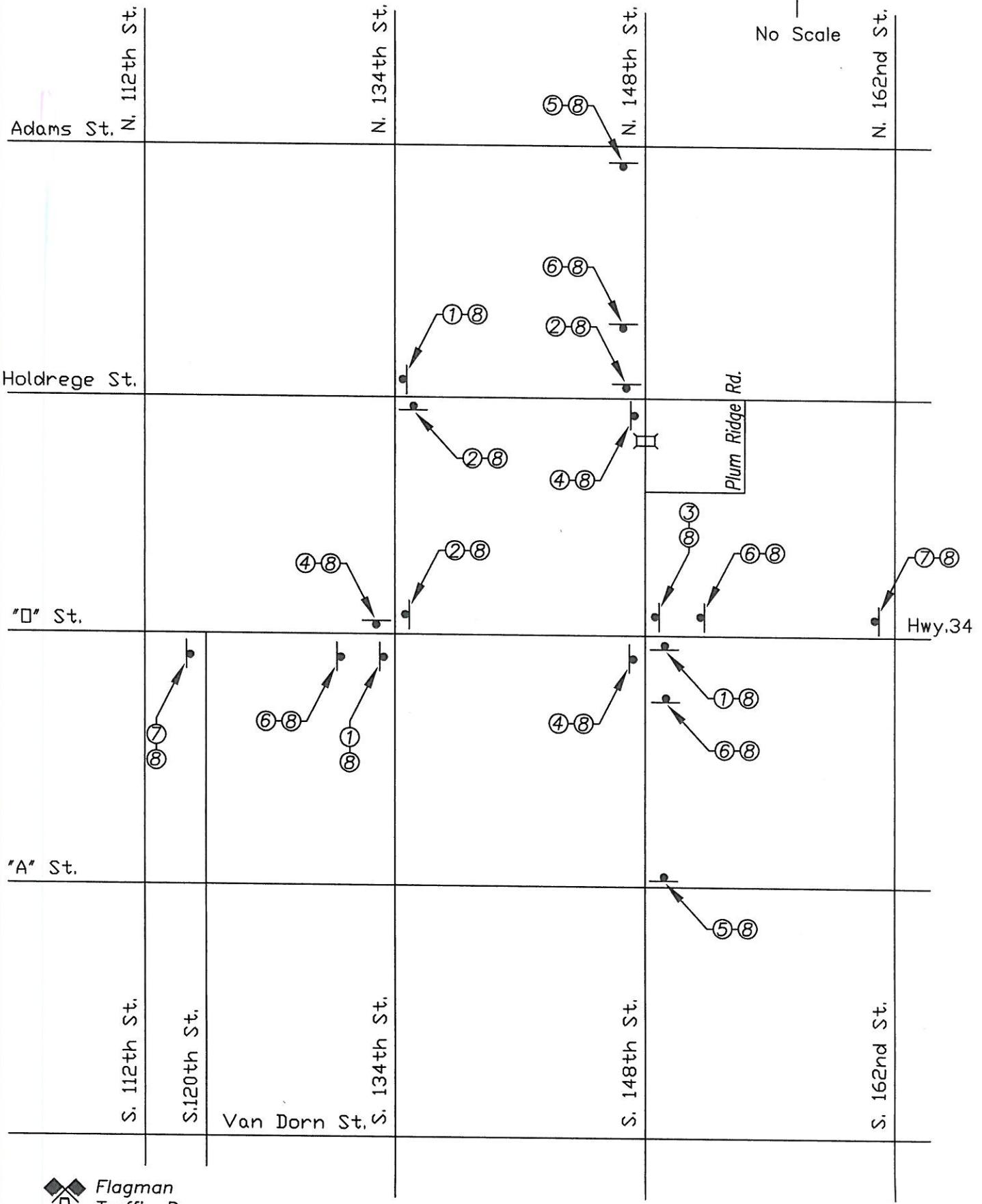
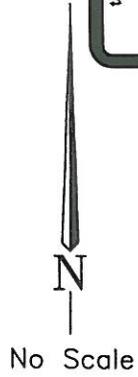
Photo 9 – Southeast wing damage



Photo 10 – North abutment wall



DETOUR PLAN FOR J-143 CLOSURE
N.148th St., Hwy.34 to Holdrege St.



- Flagman
 - Traffic Drum
 - 42" Reflectorized Cone
 - Barricade, Type III; with Type "A" Light
 - Barricade, Type II; with Type "A" Light
 - Sign Stand or Sign Mounted on Wood Post
- | | | |
|----------------------|----|---------------|
| Barricades, Type III | 0 | Barr.Day/Day |
| Barricades, Type II | 0 | Barr.Day/Day |
| Construction Signs | 18 | Sign Day/Day |
| Non-Standard Signs | 18 | (No Pay Item) |
- ** Non-Standard Signs Provided By County

- ① "Detour" (Left Arrow) - (M4-10L)
- ② "Detour" (Right Arrow) - (M4-10R)
- ③ "Detour" (Straight Arrow) - (M4-10)
- ④ "End Detour" - (M4-8A)
- ⑤ "Detour 1 Mile Ahead"- (W20-2f)
- ⑥ "Detour 1000 Ft."- (W20-2c)
- ⑦ "Detour Ahead"- (W20-2A)
- ⑧ "N. 148th St."- (**)

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, NOVEMBER 29, 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 23, 2016.

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

Commissioners absent: Bill Avery

Others present: Scott Gaines, Assessor/Register of Deeds Office; Kerry Eagan, Chief Administrative Officer; Ryan Swaroff, Deputy County Attorney; Dan Nolte, County Clerk; Cori Beattie, Deputy County Clerk; and Ann Taylor, County Clerk's Office

The Chair called the meeting to order at 9:45 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 22, 2016.

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

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 to the tax assessment rolls. Hudkins, Schorr, Wiltgen and Amundson voted yes. Avery was absent. Motion carried 4-0.

3) PUBLIC HEARING:

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

**CEDARS Youth Services
Christ Lutheran Church
Lincoln Katz Youth Group
Nebraska Crop Improvement Association
Pius X High School
Resources for Human Development
Saint Paul United Methodist 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.

4) ACTION ON MOTOR VEHICLE TAX EXEMPTION APPLICATIONS

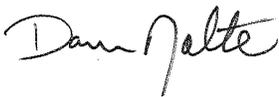
MOTION: Wiltgen moved and Schorr seconded approval of the motor vehicle tax exemptions. Schorr, Wiltgen, Hudkins and Amundson voted yes. Avery was absent. Motion carried 4-0.

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 meeting at 9:47 a.m. Wiltgen, Hudkins, Schorr and Amundson voted yes. Avery was absent. Motion carried 4-0.



Dan Nolte, County Clerk

