

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, JUNE 6, 2017
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 June 2, 2017.

Commissioners present: Todd Wiltgen, Chair; Bill Avery, Vice Chair; Roma Amundson, Jennifer Brinkman and Deb Schorr

Others present: Kerry Eagan, 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 Vice Chair called the meeting to order at 9:02 a.m., the Pledge of Allegiance was recited and the location of the Nebraska Open Meeting Act was announced.

1) MINUTES:

- A. Approval of the minutes of the Board of Commissioners meeting held on Tuesday, May 30, 2017.**

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

- B. Approval of the minutes of the Board of Commissioners department budget hearings held on Tuesday, May 30, 2017.**

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

2) CLAIMS:

- A. Approval of all claims processed through June 6, 2017.**

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

Wiltgen entered the meeting at 9:05 a.m.

3) SPECIAL PRESENTATION:

- A. Recognition of Baylee Goff and Luke Witte for receiving a 2017 Nebraska Association of County Officials (NACO) college scholarship – Larry Dix, NACO Executive Director**

Larry Dix, Nebraska Association of County Officials (NACO) Executive Director, said since 1999 NACO has offered twelve \$1000 scholarships each year to children of elected county officials and county employees. Dix introduced the Lancaster County 2017 recipients, Baylee Goff and Luke Witte.

Baylee Goff, daughter of Jody Goff a motor vehicle clerk, said she will be attending the University of Nebraska at Lincoln majoring in mechanical engineering.

Luke Witte, son of Jerry Witte a Captain with the Sheriff's Office, stated that he will attend the University of Nebraska at Omaha majoring in Computer Science.

Baylee and Luke both expressed their appreciation for the scholarships.

4) PUBLIC HEARING:

- A. County Text Amendment No. 16002 to amend Article 18 of the Lancaster County Zoning Resolution related to airport zoning. (See correlating item 6A)**

The Chair opened the public hearing.

Rachel Jones, Planning Department, was administered the oath. She stated Text Amendment No. 16002 and 16016 require reapproval as the public notice did not meet the ten day notification requirement.

No one appeared in opposition or in a neutral position.

The Chair closed the public hearing.

The Board took action on item 6A.

- B. County Text Amendment No. 16016 to amend Article 18 of the Lancaster County Zoning Resolution related to special height and use near airports to modify requirements for height permits. (See correlating item 6B)**

The Chair opened the public hearing.

Jones noted there will be a motion to amend introduced by Commissioner Brinkman (Exhibit A).

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

The Chair closed the public hearing.

The Board took action on item 6B.

5) UNFINISHED BUSINESS:

- A. Special designated license application from Kramer Bar & Grill for an event to be held on July 8, 2017 at Kramer Bar & Grill, 11365 W. Kramer Street, Kramer, Nebraska.**

Mike Roth, Kramer Bar & Grill, addressed the concerns of the County Engineer's Office regarding Southwest 114th Street. He stated he was not planning on closing Southwest 114th Street and signage will be in place. The only street closure would be directly in front of Kramer Bar & Grill.

Schorr questioned where people would enter for parking. Roth stated parking would enter off of Prucha Street and parking on Southwest 114th Street would not be permitted. He said he has contacted a barricade company.

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

6) NEW BUSINESS:

- A. Resolution regarding County Text Amendment No. 16002 to amend Article 18 of the Lancaster County Zoning Resolution relating to Special Height and Use Near Airports. (R-17-0043)**

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

- B. Resolution regarding County Text Amendment No. 16016 to amend Article 18 of the Lancaster County Zoning Resolution relating to Special Height and Use Near Airports. (R-17-0044)**

MOTION: Brinkman moved and Amundson seconded to amend page 3 of Attachment A correcting the word "seen" to "seven". Schorr, Brinkman, Avery, Amundson and Wiltgen voted yes. Motion carried 5-0.

MOTION: Brinkman moved and Avery seconded approval of the resolution as amended. Amundson, Avery, Brinkman, Schorr and Wiltgen voted yes. Motion carried 5-0.

- C. Special designated license application from Sesostris Temple Holding Corporation for an event to be held on August 19, 2017 at 1050 Saltillo Road, Roca, Nebraska.**

Bob Nootz, Sesostris Shrine Center Office Manager, provided an overview of the event.

Doug Koozer stated the event will be outside and fenced. The event is a fundraiser and they are expecting 100 to 200 people.

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

- D. Contract with LexisNexis VitalCheck Network, Inc., to provide Lancaster County online payments/point of sale (Bid No. 17-079). The term of the contract is the date of execution through December 31, 2019. There is no cost to the County for this service. (C-17-0390)**

Andy Stebbing, County Treasurer, stated currently there is a 2.45% fee charged when customers use a debit or credit card. He added with the new contract it will be a flat rate of \$2 per transaction. Stebbing said this will hopefully decrease the number of cash transactions and provide better efficiency.

Candace Meredith, Deputy County Treasurer, said other County agencies that currently only accept cash or checks could take advantage of the system as well.

Bob Walla, Purchasing Agent, said a clause included in the contract also allows other Counties within the state to also participate in this contract.

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

- E. Amendment to the County Contract No. C-16-0579 between Blue Valley Behavioral Health Crisis Response Counselors and Lancaster County. The amendment increases the expenditures under the contract to \$12,000. (C-17-0391)**

Melissa Hood, Youth Services Center Administrative Services Officer, stated the amendment increases the limit for the remainder of the contract.

MOTION: Amundson moved and Avery seconded approval of the amendment.

Brinkman inquired if the increase of utilization is reflected in the upcoming budget. Hood said a different amount has been requested for next year's budget.

Michelle Schindler, Youth Services Center Director, stated the contract is for after hour services. She added it is difficult to predicted the amount of services that will be needed thus an average of the utilization is used for budget purposes.

ROLL CALL: Amundson, Brinkman, Avery, Schorr and Wiltgen voted yes. Motion carried 5-0.

- F. Acceptance of State Grant Award 17-CB-0529 from the Nebraska Commission on Law Enforcement and Criminal Justice in the amount of \$852,152 for Lancaster County Community Aid. (C-17-0363)**

Sara Hoyle, Human Services Director, said this is the predetermined amount of money provided by the State that is based on the juvenile population ages 12 to 17.

MOTION: Amundson moved and Avery seconded approval of the grant award. Avery, Schorr, Brinkman, Amundson and Wiltgen voted yes. Motion carried 5-0.

- G. Grant contract with El Centro de Las Americas in the amount of \$29,036 for the Latina Leaders program through the Nebraska Commission on Law Enforcement and Criminal Justice Juvenile Services Aid State Grant (#17-CB-529). Term of the grant contract is July 1, 2017 through June 30, 2018. (C-17-0290)**

Hoyle introduced Steve Solorio, Program Coordinator.

Solorio provided an overview of the program. He stated 36 girls participated in the program which demonstrated improved grades, attendance and graduation rates. Solorio said the program will expand from two schools to five schools.

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

Hoyle provided a brief overview of items 6H-6K.

- H. Grant contract with the City of Lincoln Police Department in the amount of \$8,000 for the Shields Unite program through the Nebraska Commission on Law Enforcement and Criminal Justice Juvenile Services Aid State Grant (#17-CB-529). Term of the grant contract is July 1, 2017 through June 30, 2018. (C-17-0291)**

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

- I. Grant contract with Berniklau Educational Solutions Team in the amount of \$5,012 for the BEST Alternative School program through the Nebraska Commission on Law Enforcement and Criminal Justice Juvenile Services Aid State Grant (#17-CB-529). Term of the grant contract is July 1, 2017 through June 30, 2018. (C-17-0300)**

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

- J. Grant contract with The HUB in the amount of \$5,000 for the Project HIRE program through the Nebraska Commission on Law Enforcement and Criminal Justice Juvenile Services Aid State Grant (#17-CB-529). Term of the grant contract is July 1, 2017 through June 30, 2018. (C-17-0387)**

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

- K. Grant contract amendment with Donald P. Belau, Ph.D., to modify the source of funding for contract C-16-0636 to include Nebraska Commission on Law Enforcement and Criminal Justice Community-based Juvenile Services Aid State Grants #15-EB-0602 and #16-CB-0523. The contract is for the enhancement of youth crisis response services. Term of the grant contract is July 1, 2016 through June 30, 2017. (C-17-0370)**

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

- L. **Amendment to County Contract C-14-0244 with PharMerica for pharmacy services for Lancaster County (Bid No. 14-020). The amendment renews the contract from May 20, 2017 through May 19, 2020. The estimated cost for the services shall not exceed \$10,000 each year for a total of \$30,000 without approval by the Lancaster County Board. (C-17-0388)**

Schindler said that PharMerica provides the necessary prescription medications and billing services for the Youth Services Center.

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

- 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 reports:**

- 1. **Clerk of the District Court (May)**
- 2. **County Clerk (May)**
- 3. **County Sheriff (April)**
- 4. **County Engineer (January-March)**

- B. **Utility Permit No. 1545 allowing Black Hills Gas Distribution LLC., to install underground natural gas line under Northwest 27th Street and West Alvo Road easterly to connect with the Fallbrook Addition. There is no cost to the County. (C-17-0389)**

- C. **Setting a public hearing on Tuesday, June 13, 2017 at 9:00 a.m. in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) regarding County Text Amendment No. 17009 to amend various sections of the Lancaster County Zoning Resolution relating to the movement of various permitted uses to permitted special uses.**

MOTION: Amundson moved and Avery seconded approval of the consent items. Avery, Brinkman, Schorr, Amundson and Wiltgen voted yes. 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.

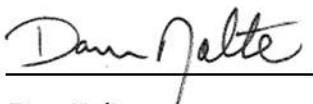
No one appeared for public comment.

9) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting, including department budget hearings, on Thursday, June 8, 2017 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, June 13, 2017 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) with the Board of Equalization meeting immediately following.
- C. The Lancaster County Board of Commissions will hold department budget hearings on Tuesday, June 13, 2017 at 10:00 a.m. or immediately following the Board of Commissioners meeting, in the Bill Luxford Studio (Room 113) of the County-City Building (555 S 10th Street, Lincoln).
- 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.

10) **ADJOURNMENT**

MOTION: Schorr moved and Amundson seconded to adjourn the Lancaster County Board of Commissioners meeting at 9:45 a.m. Brinkman, Schorr, Amundson, Avery and Wiltgen voted yes. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk



ATTACHMENT A

replace with "seven"

(i) Within the turning zoning, or that part of the approach zones located more than seven thousand seven hundred feet from the end of the runway, except for construction in the Shaded Area; or

(ii) Within any portion of the Shaded Area for which:

(1) a grading plan has been filed with the Building Official or Planning Department, and a copy sent to the Airport Engineer, certified as to elevation by a registered professional surveyor, establishing that all of such area presently has or will have, upon completion of the grading, an elevation that is lower than 75 feet above the nearest existing or proposed runway end; and

(2) a certification from a registered professional surveyor has been received, certifying that the grading has been completed and that the area has an elevation that is lower than 75 feet above the nearest existing or proposed runway end. Upon receipt of said certification, following completion of the grading, a notation shall be included by the Planning Director upon the plat, community unit plan, or other appropriate document of approval, reflecting the fact that the subject area meets the requirements of this subsection.

(b) The Planning Director shall amend the Lincoln Airport Zoning Map to remove from the Shaded Area any portion thereof that has met all the requirements of subsection (a)(ii) above. Notice of the Planning Director's administrative amendment to the Lincoln Airport Zoning Map shall be posted on the Planning Department's webpage and included in a written report to the County Clerk.

(c) No height permit shall be required for any proposed accessory structure when the proposed accessory structure or any attachment thereto does not exceed the elevation of the main structure.