

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, AUGUST 29, 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 August 25, 2017.

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

Commissioner absent: Todd Wiltgen, Chair

Others present: Kerry Eagan, Chief Administrative Officer; Ann Ames, 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 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, August 22, 2017.

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

2) CLAIMS:

A. Approval of all claims processed through August 29, 2017.

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

3) SPECIAL PRESENTATION:

A. Lancaster County Visitors Improvement Fund Grant in the amount of \$1,795,000 to the City of Lincoln for improvement of Pinewood Bowl in Pioneers Park – J. J. Yost, Planning and Construction Manager, Lincoln Parks and Recreation. (See correlating item 5A)

J.J. Yost, Planning and Construction Manager, Lincoln Parks and Recreation, stated in 2015, a master plan for improvements was developed. He noted a primary element of the plan was to upgrade the backup stage facilities to make them more functional. Yost said the number of outdoor concerts continues to increase as Pinewood Bowl becomes more popular.

Schorr stated the Visitors Improvement Fund Grant dollars are from lodging tax and not property tax.

4) PUBLIC HEARINGS:

A. Keno Fund Projects

The Vice Chair opened the public hearing.

Dennis Meyer, Budget and Fiscal Officer, was administered the oath. He explained that no action would be taken today on the Keno Fund as it is part of the County budget which will be adopted at a special County Board meeting on September 7, 2017.

Meyer said the main Keno Fund project planned for this year is the East Beltway and because of this there will not be dollars transferred to the General Fund for property tax relief. He added that 5% of Keno funds are always set aside for prevention grants and these funds are not spent until received.

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

B. Lancaster County's Proposed Budget for Fiscal Year 2017-2018. (See correlating items 5B and 5C)

Meyer said the information covered today, as well as the budget summary and adopted budget, is available on the County's website. The proposed budget was filed on July 31, 2017 using a property tax rate of 26.63 cents with an estimated 8% valuation increase. On August 10, 2017 the County Board took action to include a tax request that would support a 26.83 cent levy. Meyer explained that an additional \$509,000 would be generated by that increase and could be placed into the Contingency Fund.

Meyer noted that in 2012-13 the County Board voted to utilize 1.6 cents of the Rural Transportation Safety District (RTSD) levy for property tax relief. The Board gradually returned that levy amount to the RTSD, thus, moving forward it will no longer be included in the County's levy. Meyer said the County's valuation increase came in at 8.7% whereby leaving the levy at 26.83 cents would generate an additional \$438,576.

Meyer said the County's percentage of the levy is 13.52%. The City of Lincoln receives 16.38% and Lincoln Public Schools (LPS) receives 60.87%. It was noted the County relies on property tax to fund its budget as it receives no income or sales tax revenue. Meyer added that the General Fund also receives a substantial amount of inheritance tax which decreases the property tax requirement.

Meyer said the total budget of expenditures for fiscal year 2017-2018 is \$184,700,000 which equals a 3% decrease from last year. The amount of property tax needed is approximately \$67,800,000 which is a 5.5% increase. Meyer pointed out that the largest expenditure in the County's budget is for public safety and law enforcement followed by public works and noted an additional \$1,000,000 will be allocated to the County Engineer's Office for road and bridge projects.

No one appeared in support.

Coby Mach, President and Chief Executive Officer, Lincoln Independent Business Association (LIBA), was administered the oath and appeared in opposition. He thanked the Board for increasing the funds for road and bridge projects, noting the extra money will be coming from property tax payers and urged the Board to return the money to them.

Edward Watts, 1801 North 112th Street, Lincoln, was administered the oath and appeared in opposition. He also indicated support of the extra funds being transferred to road and bridge projects. Watts noted several County bridges and roads are still closed and stressed the importance of infrastructure for the growth of Lincoln and Lancaster County. He also expressed concern regarding increased traffic on Holdrege and North 112th Street and provided a traffic count to the Board (Exhibit A).

Silas Clarke, City of Hickman Administrator, was administered the oath and appeared in a neutral capacity. He also indicated support of road and bridge projects. Clarke said another access is needed into the City of Hickman (Exhibit B) and said, with the South 68th Street and 82nd Street closure, the only access to town is via South 54th Street. **NOTE:** South 54th Street is not paved between Raymond Road and Hickman Road. He said the City of Hickman, which is the fastest growing community in the State, would like to partner with the County on a project to widen South 68th Street through Hickman. It was noted that South 68th Street currently has a traffic count of 7,300 a day.

Brian Maschmann, Assistant Superintendent Norris Public School District, was administered the oath and appeared in a neutral capacity. He said Norris Public School gains approximately fifty to one hundred students per year and the enrollment is currently 2,400 students. Staffing numbers have increased to three hundred. He said, with the completion of the South Beltway, paving of 54th Street or 84th Street is needed for safety purposes.

Gaylen DeVries, Transportation Director, Norris Public School District, was administered the oath and appeared in a neutral capacity. He stated fourteen buses travel on gravel roads in the north part of the school district and said paving of 82nd Street from Saltillo Road to Roca Road and 54th Street would greatly improve safe travel to and from school.

The Vice Chair closed the public hearings.

5) NEW BUSINESS:

- A. Lancaster County Visitors Improvement Fund Grant in the amount of \$1,795,000 to the City of Lincoln for improvement of Pinewood Bowl. The grant will be paid in four phases commencing June 1, 2017 and ending June 30, 2021. (C-17-0709)**

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

- B. Resolution in the matter of exceeding the budgeted restricted funds limit for the 2016-2017 fiscal year by an additional one percent. (R-17-0063)**

Meyer stated state statutes allow the lid on restricted funds to grow at a 2.5% increase each year and by an additional 1% with a super majority vote of the Board.

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

C. Resolution in the matter of final allocation of levy authority to all political subdivisions subject to Lancaster County levy authority. (R-17-0064)

Meyer said all the political subdivisions make a request to the County Board. The request is then reviewed to ensure it falls within the allowable 15 cent allocation. Meyer stated there are no issues at this time and said this would allow the districts to move forward with their own budgets.

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

D. Resolution in the matter of recognizing September 2017 as National Preparedness Month. (R-17-0065)

Jim Davidsaver, Emergency Management Director, said the campaign raises awareness of citizens to increase preparedness. He stated there are weekly themes that target being prepared in the case of emergencies.

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

E. Special designated license application from Meier's Wine, Inc., for a reception at Prairie Creek Inn, 2400 South 148th Street, Walton, on September 23, 2017.

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

F. Request from Brian Glover for refund of real property tax.

Rob Ogden, Chief Deputy Assessor/Register of Deeds, said an error was discovered in the property measurement. He recommended approval of a refund for the last three years.

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

G. Amendment to County Contract C-16-0446, subgrant agreement with the State of Nebraska Department of Health and Human Services for child support enforcement services provided by the Lancaster County Child Support Referee. The amendment extends the agreement from October 1, 2017 through September 30, 2018. The County shall be reimbursed an estimated amount of \$290,757.07 for the services. (C-17-0710)

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

H. Agreement between the Nebraska Department of Motor Vehicles – Fraud Investigation Unit and Lancaster County, on behalf of the Lancaster County Sheriff, for use of the County Firearms Range for training and qualification testing. Term of the agreement is for five years. (C-17-0694)

Terry Wagner, County Sheriff, stated the Sheriff's Office has agreements with several smaller agencies for use of the County's Firearms Range.

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

- I. Recommendation from the Purchasing Department and County Sheriff to issue a purchase order (Sole Source) to Heuresis Corporation for a handheld x-ray imager for a total cost of \$42,400. (C-17-0691)**

Wagner said the device is used in situations where there is probable cause to search and it provides the ability to view images inside fender panels or hidden compartments in vehicles.

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

- J. Agreement with the State of Nebraska Department of Education for Nebraska VR to provide a vocational rehabilitation employment program to eligible persons with disability housed at the Lancaster County Youth Services Center. The term of the agreement is July 1, 2017 through June 30, 2018. There is no cost to the County. (C-17-0711)**

Michelle Schindler, Youth Services Center Director, stated that vocational rehabilitation is moving towards juveniles with substance abuse and certain mental health disabilities. The program assists in developing employment skills, job searching, and completing job applications. She said there is no cost to the County.

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

- K. Contract with Midwest Pump and Equipment Co., to provide and install a vehicle hoist. The cost to the County is not to exceed \$18,718 and work is to be completed in 45 days upon notice to proceed. (C-17-0692)**

Pam Dingman, County Engineer, explained that this is a replacement hoist for the larger and heavier vehicles.

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

- L. Amendments to the following contracts for the annual supply of lubricants (Bid No. 15-133). The amendments renew the contracts from September 1, 2017 through August 31, 2018.**
 - 1. County Contract C-15-0464 with Sapp Bros., Inc., in an amount not to exceed \$50,000. (C-17-0703)**
 - 2. County Contract C-15-0465 with TCA Outdoor Power, in an amount not to exceed \$1,000. (C-17-0704)**

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

M. Amendments to the following contracts for the annual requirements of pumping, hauling and disposal services for liquid waste products (Bid No. 13-173). The amendments extend the contracts from September 3, 2017 through November 2, 2017.

- 1. County Contract C-13-0448 with A 1st Rate Pumping Service, Inc., in an amount not to exceed \$1,500. (C-17-0705)**
- 2. County Contract C-13-0449 with TanAire, Inc., in an amount not to exceed \$200. (C-17-0706)**

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

N. Amendment to County Contract C-14-0453 with Dr. Fuel Good for the annual service of fuel tank maintenance and service (Bid No. 14-164). The amendment renews the contract from September 1, 2017 through August 31, 2018. The cost to the County is not to exceed \$25,000. (C-17-0707)

Dingman stated Dr. Fuel Good provides testing on all the fuel tanks for contaminants.

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

O. Amendment to County Contract C-15-0426 with Pavers, Inc., for the annual supply of cold mix asphalt (Bid No. 15-168). The amendment renews the contract from September 17, 2017 through September 16, 2018. The cost to the County is not to exceed \$2,000. (C-17-0708)

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

P. Recommendation from Purchasing to rescind the award for RFP 17-199 cost-per-copy services based on the vendor requesting their proposal be withdrawn.

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

Q. Recommendation from Purchasing and County Engineer to award a contract to Westover Rock & Sand, Inc., for the supplying and hauling of sand and gravel for ice control (Bid No. 17-225). The total amount is \$17,205. (B-17-0225)

Dingman stated this contract provides for hauling of sand and gravel to the four salt domes located in the County.

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

- R. Amendment to County Contract C-16-0711 with Mainelli Wagner & Associates to include additional engineering services relating to Bridge Replacement Project No. C-55-C-91. Work is to be completed on or before October 23, 2017. The cost to the County is \$8,172.50. (C-17-0712)**

Dingman explained plans were completed several years ago and have become outdated. The Army Corps of Engineers has changed some of the permit requirements and a new matrix has to be created.

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

- S. Utility Permit No. 1536 allowing the City of Lincoln to install a waterline under Rokeby Road from South 84th Street to approximately South 98th Street. There is no cost to the County. (C-17-0689)**

Dingman said the utility permit is the result of providing city water to the new Lincoln Electric Systems (LES) facility. She stated the road will be closed for approximately thirty days.

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

- T. Grant contract with the Lincoln-Lancaster County Child Guidance Center in the amount of \$50,000 for the Outpatient Service program. The contract is funded by the Joint Budget Committee for the period of July 1, 2017 through June 30, 2018. (C-17-0701)**

Sara Hoyle, Human Services Director, provided an overview of the services provided by the grant.

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

- U. Grant contract with Girl Scouts of Nebraska Spirit in the amount of \$12,000 for the Juvenile Outreach program. The contract is funded by Juvenile Justice Prevention Funds for the period of July 1, 2017 through June 30, 2018. (C-17-0702)**

Hoyle provided an overview of the services provided by the grant.

Brinkman inquired about the \$3,000 in financial assistance included in the budget. Hoyle said the funds provide supplies for cooking and craft supplies.

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

V. **Contracts with the following medical providers for specialized medical care of General Assistance clients. Providers will be reimbursed at the Medicaid rate.**

1. **University of Nebraska Board of Regents Barkley Speech (C-17-0690)**
2. **Allergy, Asthma & Immunology Associates, PC (C-17-0693)**
3. **Gastroenterology Specialties (C-17-0695)**
4. **Inpatient Physician Associates (C-17-0696)**
5. **Lincoln Endoscopy Center (C-17-0697)**
6. **Nebraska Oral and Facial Surgery d/b/a Rallis Oral & Facial Surgery (C-17-0698)**
7. **Nebraska Surgical Specialists, Paul Kampfe, M.D. (C-17-0699)**
8. **Physical Therapy Solutions, PC d/b/a Fyzical Therapy & Balance Center (C-17-0700)**

Hoyle introduced General Assistance staff members Melanie Ihde and Lisa Moehlenhoff. She thanked them for their assistance in securing these contracts with the medical specialty providers.

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

6) **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 Annual Report of County Real Property**

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

1. **Village of Denton, Southwest 91st Street and West Denton Road, in the amount of \$2,887. (C-17-0713)**
2. **Peggy L, King, Trustee, North 148th Street and Alvo Road, in the total amount of \$3,429.10. (2 contracts) (C-17-0714) (C-17-0715)**

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

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

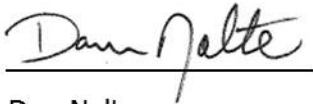
No one appeared for public comment.

8) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, August 31, 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, September 5, 2017 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).
- 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 on LNKTV City. For the rebroadcast schedule visit lincoln.ne.gov (keyword: LNKTV). Meetings are also streamed live on LNKTV and can be viewed on YouTube (LNKTVcity).

9) **ADJOURNMENT**

MOTION: Schorr moved and Amundson seconded to adjourn the Lancaster County Board of Commissioners meeting at 10:32 a.m. Brinkman, Amundson, Schorr and Avery voted yes. Wiltgen was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk





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Lincoln, NE 68508
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P 402-479-2200

Mr. Edward Watts
13351 Dovers Street
Waverly, NE 68462

May 30, 2017

RE: Traffic Counts at N. 112th & Holdrege Streets

Dear Mr. Watts:

Benesch completed traffic counts along both Holdrege Street and N. 112th Street in March 2017. We performed daily traffic counts along Holdrege Street just east of N. 112th Street and along N. 112th Street just north of Holdrege Street. We did advise Lancaster County that we would be taking these counts prior to placing traffic counting equipment on the roadways. Based on the traffic counts completed during the week, Holdrege Street had a daily traffic count of 3,440 vehicles per day (vpd).

The N. 112th Street traffic count resulted in a daily traffic volume of 440 vpd. Beyond the current traffic on N. 112th Street, we anticipate that traffic volume will grow due to planned future development. One piece of that development includes the Bethany Animal Clinic. Bethany Animal Clinic is planning to relocate to 112th Street north of Holdrege Street. Based on the Institute of Traffic Engineers (ITE) Trip Generation Manual, a 5,000 square-foot animal clinic would be expected to generate about 220 vehicle trips per day.

Currently N. 112th Street is a gravel road. With traffic volumes increasing due to the animal clinic and traffic expected to increase with further subdivision development, it would be wise to discuss with the County the time frame for which Lancaster County plans to pave N. 112th Street.

Sincerely:

Alfred Benesch & Company

Frank Doland, P.E.

LANCASTER COUNTY ROAD AND BRIDGE CONSTRUCTION PROGRAM FISCAL YEARS 2017-2022

PAMELA L DINGMAN
COUNTY ENGINEER

LANCASTER COUNTY, NEBRASKA

KENNETH
COUNTY

Proposed Highway Improvement Program - Fiscal Year 2018 - 2022

EXHIBIT

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