

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, DECEMBER 19, 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 December 15, 2017.

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

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 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:

A. Approval of the minutes of the Board of Commissioners meeting held on Tuesday, December 12, 2017.

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

2) CLAIMS:

A. Approval of all claims processed through December 19, 2017.

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

3) SPECIAL PRESENTATION:

A. Commissioners' Award of Excellence – November Winner – Kelly Lundgren, County Clerk's Office, in the category of Productivity.

The Clerk read the nomination for the record.

Dan Nolte, County Clerk, stated that Lundgren handles many duties efficiently behind the scenes that serves Lancaster County.

Schorr thanked Lundgren for her service to the County and presented her with a plaque.

Cari Forbes, Account Clerk, noted Lundgren's dedication to the County Clerk's Office and Lancaster County.

Cori Beattie, Deputy County Clerk, also expressed appreciation to Lundgren for her continued commitment to the County Clerk's Office.

Lundgren thanked everyone for the kind words and for the award.

4) UNFINISHED BUSINESS:

- A. Resolution regarding the proposed sale of property generally located at 2201 South 11th Street in the City of Lincoln, Lancaster County, Nebraska, which includes declaring that the property no longer serves a County purpose, determining fair market value and setting the date for sale of the property. (R-17-0050) (Held on 06/27/2017)**

Beattie requested that the Board formally withdraw the resolution as it was held in June and revisions would be necessary prior to the Board's consideration in the future.

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

B. Roadside Memorial Signs Policy.

Schorr noted the County Attorney's Office and County Engineer made revisions to the policy following last week's discussion.

Pam Dingman, County Engineer, said the policy now states that the signs will be purchased with Keno funds. She stated the purpose of the program is to memorialize individuals in fatal crashes on County roads as well as draw attention to safety issues.

Brinkman inquired how it was determined to use Keno funds. Schorr said the County Attorney's Office was concerned with the Board's authority to charge a fee for the signs. She said it was clarified with the Nebraska Department of Revenue that this would be an appropriate use of the funds.

MOTION: Schorr moved and Amundson seconded approval of the policy.

Brinkman felt this was not the right policy to address road safety concerns and indicated she would be voting no. She added that this use was also not discussed at an earlier hearing regarding Keno funds.

ROLL CALL: Amundson, Avery, Schorr and Wiltgen voted yes. Brinkman voted no. Motion carried 4-1.

5) NEW BUSINESS:

- A. Promotion of Todd Molvar from Attorney I to Attorney II with an annual salary of \$84,075.68 effective August 3, 2017.**

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

- B. Reappointment of Shar Sieck and appointment of Chris Scow and Trudy Pedley for three-year terms commencing January 1, 2018 and ending December 31, 2020; and appointment of Dena Noe for a two-year term to fill a vacated position commencing January 1, 2018 and ending December 31, 2019, to the Lancaster County Extension Board.**

Karen Wobig, Extension Educator, Unit Leader/Department Head, introduced the prospective members.

Trudy Pedley said she has served on the Agricultural Society for twelve years and noted she has many years of experience with the 4-H program.

Dena Noe stated she is employed at the University of Nebraska Federal Credit Union and has experience in marketing. She said she has also participated in the County Extension's Clover College in the area of financial wellness.

Chris Scow said he is the Operations Manager at United Farm and Ranch Management. He added that he previously served on the Extension Board several years ago and comes from a 4-H family.

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

- C. Agreement with Physicians Laboratory Services for forensic pathology services as the coroner's physician. The services shall be provided for the County through the County Attorney's Office. The services shall include forensic autopsies, coordination to provide a morgue facility and staff, coroner's call, testimony, additional tests and other services. The term of the agreement is 5 years from the date of execution. The County shall pay for services as provided in Attachment A. (C-17-0947)**

Patrick Condon, Chief Deputy County Attorney, stated that Physicians Laboratory's two forensic pathologists provide invaluable service to Lancaster County.

Teri Pope-Gonzalez, 349 South 1st Street, Lincoln, Nebraska, inquired if autopsies are performed in Omaha or Lincoln. Condon said the agreement provides for services in Omaha.

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

- D. Agreement and acceptance of proposal with the Lincoln League of Women Voters to assist with voter registration sites in Lancaster County. The County shall pay \$4,000 for the services provided. Term of the agreement is September 1, 2017 through August 31, 2019. (C-17-0944)**

Dave Shively, Lancaster County Election Commissioner, said this is a two-year agreement with the Lincoln League of Women Voters to provide assistance in voter registration.

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

E. Approval of mid-year budget memo.

Dennis Meyer, Budget and Fiscal Officer, stated the memo notifies County Departments of the mid-year budget retreat scheduled for February 1, 2018. He said at that time departments can discuss their current budget as well as any possible future needs or requests.

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

F. Nebraska Department of Transportation Highway Safety Office preliminary breath tester mini-grant contract and award to provide funding of \$1,770 to the Lancaster County Sheriff's Office to purchase six preliminary breath testers. There is no cost to the County. (C-17-0948)

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

G. Resolution in the matter of setting salaries for Elected County Officials for the 2019-2022 term. (R-17-0090)

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

H. Resolution in the matter of annual salary increases for appointed directors, assistant directors, bailiffs and the child support referee. All salary increases are effective December 21, 2017. (R-17-0094)

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

I. Resolution in the matter of designating banks as depositories for Lancaster County for 2018. (R-17-0091)

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

J. Resolution in the matter of authorizing the County Clerk to issue payments while the County Board is adjourned. (R-17-0092)

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

K. Resolution authorizing action with respect to traffic control devices in Lancaster County. (R-17-0093)

Dingman said the Village of Malcolm has reduced the speed limit to 25 miles per hour and Lancaster County is required to post a sign in the County's jurisdiction alerting drivers of the speed reduction. She noted the reduced speed limit is due to an increased number of new subdivision driveways on a main arterial.

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

- L. Recommendation from the Purchasing Department and the County Engineer to award a purchase order to Husker Auto Group using the State of Nebraska Contract #14584OC for a 2018 Chevrolet 3500HD work truck in a total amount of \$38,197. (C-17-0945)**

Dingman stated the truck is included in the budget and contains tools needed for equipment repair at job site locations.

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

- M. Amendment to County Contract C-17-0457 with Gana Trucking and Excavating for erosion control at three locations in Lancaster County. The amendment adds high porosity silt fencing at one location for an increase of \$192.50. (C-17-0949)**

Dingman said the high porosity silt fencing allows for better drainage in storm events.

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

- N. Second amendment to County Contract C-17-0463 with TCW Construction, Inc., for replacement of Structures H-128, H-130 and J-143. The amendment extends the completion date for work on Structures H-128 and J-143 from December 18, 2017 to June 1, 2018. (C-17-0950)**

Dingman stated all the structures are located on 148th Street. She said work was delayed on H-128 and H-130 due to the wet weather in September and October. Dingman added that right-of-way was recently purchased to allow replacement of J-143. She noted that with uncertain winter weather the contract needed to be adjusted to finish the structures in the spring.

Wiltgen inquired as to the time frame for J-143 and if construction could be delayed until schools adjourn for the summer. Dingman said it is difficult to know because of the weather, however specifications state TCW Construction will have thirty work days from road closing to completion. Dingman stated she would like to complete the project as soon as possible due to previous emergency closings of the bridge and the continued need to fill voids for stabilization.

Pope-Gonzalez provided comments on TCW Construction, Inc.

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

- O. Designation of official Lancaster County newspapers for 2018 publication of transportation projects as follows: Lincoln Journal Star, The Voice (Hickman) and The News (Waverly).**

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

- P. Amendment to County Contract C-14-0874 with Paladin, LLC for roof replacement for the Waverly buildings and salt dome. The estimated cost for the services will be increased \$7,433 for a revised contract total amount of \$30,178. (C-17-0941)**

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

- Q. Interlocal agreement with Seward County for the safekeeping, care and sustenance of preadjudicated juveniles at the Youth Services Center. Lancaster County will be reimbursed at the rate of \$276 per juvenile per day. (C-17-0951)**

MOTION: Amundson moved and Schorr seconded approval of the agreement. Amundson, Schorr, Brinkman and Avery voted yes. Wiltgen voted no. Motion carried 4-1.

- R. Agreement with Continuum Employee Assistance to provide an employee assistance program for County employees. Term of the agreement is January 1, 2018 through December 31, 2020. The County will pay Continuum \$20,499 per contract year. (C-17-0952)**

Doug McDaniel, Human Resources Director, said the agreement provides services to the County as well as substance abuse professionals for Department of Transportation drug testing.

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

- S. Master Services Agreement with Aetna for claims administrative services for the Lancaster County Self-Funded Group Healthcare Program, effective January 1, 2018. (C-17-0953)**

McDaniel stated the agreement with Aetna is for the County's healthcare program. He noted it has been carefully reviewed by the County Attorney's Office, the Deputy Chief Administrative Officer and Human Resources.

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

- T. Amendment to the Master Services Agreement with Aetna for Claims Administrative Services for the Lancaster County Self-Funded Group Health Care Program effective January 1, 2018 to include Teladoc Program as part of the services. (C-17-0954)**

McDaniel said the amendment is due to a price change in favor of the County.

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

Wiltgen thanked Human Resources, the County Attorney's Office and the County Board Office for their work in securing a new health insurance provider.

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

- U. Amendment to County Contract C-13-0550 with Rochester Armored Car for the annual requirements of armored car services (Bid No. 13-280). The amendment extends the contract for one month from January 1, 2018 through January 31, 2018. The estimated cost to the County is not to exceed \$1,500. (C-17-0940)**

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

- V. Amendments to the following contracts for the annual supply of traffic channelizing and barricade devices (Bid No. 15-233). The amendments renew the contracts from January 5, 2018 through January 4, 2019. The cost to the County is not to exceed a combined total of \$12,000.**

- 1. County Contract C-16-0006 with All Road Barricades, Inc. (C-17-0942)**
- 2. County Contract C-16-0007 with Traffix Devices, Inc. (C-17-0943)**

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

- W. Amendment to County Contract C-13-0602 with Uribe Refuse Services, Inc., for the annual requirements of waste and recyclable collection services (Bid No. 13-304). The amendment renews the contract for a term beginning January 1, 2018 through December 31, 2021. The cost to the County is not to exceed \$127,000. (C-17-0946)**

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

- X. Documents between Lancaster County and PJC Farms Limited Partnership related to the transfer of real property near Highway 77 and Yankee Hill Road in Lancaster County:**

- 1. Agreement (C-17-0955)**
- 2. Special Warranty Deed from Lancaster County to PJC Farms Limited Partnership**

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

- Y. Contract with Joseph Camarata, M.D., for specialized care of General Assistance clients. Providers will be reimbursed at the Medicaid rate. (C-17-0956)**

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

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. **Utility Permit No. 1548 allowing ALLO Communications to install approximately 7.50 miles of new underground fiber optic cable at various locations from South 56th Street and Yankee Hill Road to South 70th Street and Rokeby Road. There is no cost to the County. (C-17-0867)**
- B. **Right-of-way contracts with the following:**
 - 1. **Michael and Lettie Evans, Breagan Road and 1st Street, Cheney, in the amount of \$8,288. (C-17-0957)**
 - 2. **Dean Jeffrey, South 56th Street and Southdale Road, in the amount of \$505. (C-17-0958)**
 - 3. **Thomas and Laurie Bellinghausen, South 56th Street and Southdale Road, in the amount of \$955. (C-17-0959)**
 - 4. **Stevens Creek K, LLC and 2 K Holdings, LLC, North 148th Street and Holdrege Street, in the amount of \$2,957.50. (C-17-0960)**
- C. **Receive and place on the file:**
 - 1. **County Sheriff's report for November, 2017**
 - 2. **Letter from Pioneer Overhead Door, Inc., terminating for convenience Unit Price Contract No. 16-289 for overhead door repair and replacement services, effective December 13, 2017.**
- D. **Setting public hearings on Tuesday, January 9, 2018 at 9:00 a.m., in Room 112 of the County-City Building (555 S 10th Street, Lincoln) for the following:**
 - 1. **County Text Amendment No. 17014, amending Section 7.02 and Section 8.05 of the Lancaster County Subdivision Regulations, and Section 14.013 of the Lancaster County Zoning Regulations for CAD (Computer Aided Design/Drafting) Standards and Text Amendment No. 17018, amending Article 18 of the Lancaster County Zoning Resolution relating to Special Height and Use Near Airports.**
 - 2. **Appeal of Planning Commission's conditional approval of Special Permit No. 17043, to allow soil mining and excavation on property generally located at Southwest 112th Street and West Van Dorn Street.**

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

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

Pope-Gonzalez appeared and provided comments on County and City issues.

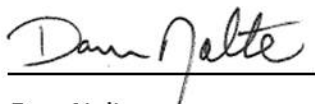
Gary Aldridge, 7112 South 45th Street, Lincoln, Nebraska, appeared and offered congratulations to Kelly Lundgren on receiving the Commissioners' Award of Excellence.

8) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will be in recess from December 20, 2017 through January 3, 2018.
- B. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, January 4, 2018 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 attend a Legislative Breakfast on Monday, January 8, 2018 at 8:00 a.m., in Room 1126 of the State Capitol.
- D. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, January 9, 2018 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.
- 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 on LNKTU City. For the rebroadcast schedule visit lincoln.ne.gov (keyword: LNKTU). Meetings are also streamed live on LNKTU and can be viewed on YouTube (LNKTUcity).

9) **ADJOURNMENT**

MOTION: Schorr moved and Amundson seconded to adjourn the Lancaster County Board of Commissioners meeting at 10:00 a.m. Schorr, Amundson, Avery, Brinkman and Wiltgen voted yes. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

