

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, JANUARY 9, 2018
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 January 5, 2018.

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; Jenifer Holloway, 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) ELECTION OF OFFICERS: Election of 2018 Officers for the Lancaster County Board of Commissioners.

MOTION: Schorr moved and Brinkman seconded to nominate Todd Wiltgen as Chair. Avery, Brinkman, Schorr, Amundson and Wiltgen voted yes. Motion carried 5-0.

MOTION: Schorr moved and Avery seconded to nominate Jennifer Brinkman as Vice Chair. Brinkman, Schorr, Amundson, Avery and Wiltgen voted yes. Motion carried 5-0.

2) MINUTES:

A. Approval of the minutes of the Board of Commissioners meeting held on Tuesday, December 19, 2017.

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

3) CLAIMS:

A. Approval of all claims processed through January 9, 2018.

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

4) **PUBLIC HEARINGS:**

- A. 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). (See correlating item 5A)**

The Chair opened the public hearing.

Brian Will, Planner II, was administered the oath. He stated this is a joint effort between the City and County that will increase efficiency and accuracy. Will noted there was no opposition to the amendment at the Lincoln-Lancaster County Planning Commission's public hearing.

Pam Dingman, County Engineer, was administered the oath. She said this will be a great asset to the County Engineer's Office, Planning Department and the County Assessor's Office.

No one appeared in opposition or in a neutral position.

The Chair closed the public hearing.

The Board took action on item 5A.

- B. County Text Amendment No. 17018, amending Article 18 of the Lancaster County Zoning Resolution relating to Special Height and Use Near Airports. (See correlating item 5B)**

The Chair opened the public hearing.

Rachel Jones, Planner I, was administered the oath. She stated the amendment contains corrections and updates to the airport zoning map and regulations. Jones said the amendments should not affect development in the County.

No one appeared in opposition or in a neutral position.

The Chair closed the public hearing.

The Board took action on item 5B.

- C. 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. (See correlating item 5C)**

The Chair opened the public hearing.

Mark Smith, High Plains Enterprises, Inc., was administered the oath and appeared in support of the permit. He said the dirt excavated will be used for the Denton Spur and Emerald Loop construction projects. Smith said he discussed plans for traffic and dust control with the surrounding neighborhood.

Joe Brakenhoff, REGA Engineering Group, Inc., was administered the oath and appeared in support of the permit. He discussed the amount of land that will be excavated. Brakenhoff stated the County proposed regulations will be followed. He added a water truck will be on site to mitigate dust problems.

With regard to project's time frame, Smith clarified the permit is for three years but felt it would be completed in two years.

Craig Johnson, 10365 West Van Dorn Street, was administered the oath. He stated is not against the project but does have concerns with the speed limit, dust, increased truck traffic and trucks utilizing engine braking. Johnson requested that the County post and lower the speed limit. He expressed concern with the number of trucks that will be needed to transport the large amount of dirt. Johnson requested that dust control chemicals be utilized and speed limit and engine braking prohibited signs posted. He commented that he did not see a recent traffic count registered.

Terry Wagner, County Sheriff, was administered the oath. Wiltgen asked who is responsible for the enforcement of engine braking. Wagner stated it is not illegal unless posted by a municipal ordinance in a given location.

Dingman was administered the oath. She said the County Engineer staff would monitor the area once excavation begins and if warranted reduced speed limit signs would be posted. Dingman clarified that a water truck was used during West Denton Road construction, not dust control chemicals. She noted that a traffic count was done in 2017 and available on the County Engineer's website.

Wiltgen entered an email in opposition received from Deb and Jeff Van Lent into the record (Exhibit A).

No one appeared in opposition.

The Chair closed the public hearing.

The Board took action on item 5C.

5) NEW BUSINESS:

- A. Resolution regarding County Text Amendment No. 17014 amending the Lancaster County Zoning Resolution and the Lancaster County Subdivision Resolution to require submittal of CAD (Computer Aided Design/Drafting) files for certain subdivision and zoning applications, as provided in Attachment A. (R-18-0001)**

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

- B. Resolution regarding County Text Amendment No. 17018 amending the Airport Zoning map and making other miscellaneous changes to Article 18, as provided in Attachments A and B. (R-18-0002)**

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

C. Resolution in the matter of County Special Permit No. 17043, excavation on property generally located at Southwest 112th Street and West Van Dorn Street, Lancaster County, Nebraska. (R-18-0003)

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

Schorr expressed appreciation for the County Engineer's willingness to monitor the roads around the site with regards to additional watering or reduced speed limits.

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

D. Lancaster County Board committee assignments for 2018.

MOTION: Avery moved and Brinkman seconded approval of the committee assignments.

Wiltgen noted the following changes: Brinkman will serve on the Information Services Policy Committee and Amundson will serve on the Railroad Transportation Safety District Committee.

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

E. Resolution in the matter of Elected Official Chief Deputy salary increases for the 2018 calendar year. (R-18-0005)

Joe Kelly, County Attorney, stated that he disagrees with the 3.68% salary increase proposed for Robert Hays, Chief Deputy Public Defender. He noted the other chief deputy public defenders and county attorneys will receive 2%. Kelly said this emphasizes the larger issue that there are only two tiers for attorneys. He stated he currently has three long serving attorneys that have reached the cap at Attorney II. Kelly said he would like to see either a third tier for senior attorneys or the option to raise the second tier cap.

MOTION: Amundson moved and Avery seconded to hold this item for further discussion. Amundson, Brinkman, Avery, Schorr and Wiltgen voted yes. Motion carried 5-0.

F. Resolution recognizing Lancaster County as an Annie E. Casey Foundation Juvenile Detention Alternatives Initiative site. (R-18-0004)

MOTION: Brinkman moved and Amundson seconded approval of the resolution.

Sara Hoyle, Human Services Director, stated the resolution focuses on finding placement for high needs youth that have violated probation. She thanked Amundson and Brinkman for leading the efforts to become a Juvenile Detention Alternatives Initiative (JDAI) site. Kelly said he has been in favor of the County being a part of JDAI to ensure long term that the County is staying up to date with the best practices.

Amundson noted that the Juvenile Justice Review Committee will now be called the JDAI Collaborative.

Brinkman stated she supported becoming a JDAI site based on the fact that the County is responsible not only for Lancaster County youth but youth from other counties. She said this is becoming more critical as youth services in other areas are being eliminated.

Sheli Schindler, Youth Services Center Director, thanked the Board for their continued support of Lancaster County families and children.

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

G. Approval of Keno Human Services Prevention Fund Round 42 recommendations.

Hoyle explained that the City Council and County Board set aside 5% from Keno revenue to support local non-profit entities. She said a committee, including officials from both the County Board and the Mayor's Office, review the applications and select the programs to receive funding. Hoyle said this year twenty-five agencies will receive funding, ten of which were new applicants.

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

H. Agreement with Journal Star Printing Company for Notices of Election, Sample Ballot and other publications for the Election Commissioner. Term of the agreement is January 1, 2018 through December 31, 2018. (C-18-0016)

Dave Shively, Election Commissioner, stated this is the annual agreement with Lincoln Journal Star. He said \$15,000 has been budgeted for the upcoming year.

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

I. Quitclaim deed from Lancaster County to the Nebraska Department of Transportation conveying property generally located at Northwest 48th Street and Highway 34.

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

J. Recommendation from the Purchasing Department and County Sheriff to award a purchase order to Gene Steffy Chrysler Jeep Dodge for the purchase of a 2018 Jeep Cherokee 4x4 using the State of Nebraska Contract No. 14876 OC. The total cost is \$23,769. (C-18-0009)

Wagner explained a 4-wheel drive vehicle will benefit investigators transporting equipment to crime scenes and traveling in inclement weather. He stated this vehicle, as well as those listed in items 5K and 5L, is included in the budget and will replace vehicles taken out of service. Wagner noted that the request for the six vehicles in item 5L was delayed which may result in the vehicles not being

purchased and outfitted prior to the end of this budget year. Wagner said the vehicles being replaced will still be utilized in the civil division and other County agencies.

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

- K. Recommendation from the Purchasing Department and County Sheriff to award a purchase order to Anderson Ford for the purchase of a 2018 Ford Transit Cargo Van using the State of Nebraska Contract No. 14878 OC. The total cost is \$31,959. (C-18-0010)**

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

- L. Recommendation from the Purchasing Department and County Sheriff to award a purchase order to Anderson Ford Lincoln Mercury Mazda for the purchase of six 2018 Ford Police Midsize utility vehicles and accessories using the State of Nebraska Contract No. 14611 OC. The total cost is \$180,144. (C-18-0012)**

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

- M. Contract with Mecco-Henne Contracting, Inc., to provide Lancaster County Emergency Management renovation and relocation (Bid No. 17-282). The cost to the County is not to exceed \$1,158,000. Work is to be completed on or before 11 months after execution of the contract. (C-18-0011)**

Kerin Peterson, Facilities & Properties Director, stated this contract is for the relocation of the Emergency Management Center with a projected completion of October, 2018.

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

- N. Contract with Hood Masters, Inc., to provide the annual service of kitchen exhaust hood and equipment cleaning (Bid No. 17-312). The term of the contract is January 24, 2018 through January 23, 2019. The cost to the County is not to exceed \$5,300. (C-18-0013)**

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

- O. Amendments to the following contracts for the annual supply of tires, tubes and tire repair services (Bid No. 13-175). The amendments extend the contracts from January 1, 2018 through March 2, 2018.**

- 1. County Contract C-13-0379 with Cross-Dillon Tire, in an amount not to exceed \$14,000. (C-18-0001)**
- 2. County Contract C-13-0378 with Bauer Built Tire & Service, in an amount not to exceed \$9,000. (C-18-0002)**

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

- P. Amendment to County Contract C-14-0008 with Firespring for the annual requirements of offset printing and related services (Bid No. 13-301). The amendment renews the contract from January 14, 2018 through January 13, 2019. The cost to the County is not to exceed \$55,000. (C-18-0003)**

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

- Q. Amendment to County Contract C-17-0054 with Block & Company, Inc., for the annual supply of property bags (Quote No. 5529). The amendment renews the contract for a term beginning February 7, 2018 through February 6, 2019. The cost to the County is not to exceed \$4,500. (C-18-0005)**

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

- R. Amendment to County Contract C-17-0023 with The Boulder Company for the annual supply of snowplow nuts, bolts and washer (Quote No. 5527). The amendment renews the contract for a term beginning January 30, 2018 through January 29, 2019. The cost to the County is not to exceed \$1,700. (C-18-0006)**

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

- S. Amendment to County Contract C-14-0402 with Snap-on Industrial, a division of IDSC Holdings, LLC, using the State of Nebraska Contract No. 14033 OC for small hand and power tools and accessories. The amendment extends the contract from January 1, 2018 through June 30, 2018. The cost to the County is not to exceed \$100. (C-18-0007)**

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

- T. Amendment to County Contract C-15-0228 with Graybar Electric Company using the County of Los Angeles, California Master Agreement No. MA-IS-1540125 for telecommunications supplies and accessories. The amendment renews the contract from January 1, 2018 through December 31, 2018. The cost to the County is not to exceed \$20,000. (C-18-0008)**

David Derbin, Deputy County Attorney, said the end date noted in the document was incorrectly listed as December 31, 2019. He advised the Board to approve the contract with a revised end date of December 31, 2018.

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

- U. Amendment to County Contract C-17-0220 with 3M Company – Traffic Safety Systems using the State of Nebraska Contract No. 14698 OC for reflective sign sheeting. The amendment renews the contract from February 1, 2018 through January 31, 2019. The cost to the County is not to exceed \$8,000. (C-18-0015)**

MOTION: Schorr moved and Brinkman seconded approval of the amendment. Amundson, Brinkman, Avery, Schorr 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. Receive and place on file the following reports for December, 2017:

- 1. Assessor/Register of Deeds**
- 2. Clerk of the District Court**
- 3. County Clerk**
- 4. Records & Information Management**

B. Revocation of Utility Permit No. 1548 (County Contract No. C-17-0867).

- C. Utility Permit No. 1548-A allowing Allo Communications to install new underground fiber optic cable at various locations from approximately South 56th Street and Rebel Drive to South 66th Street and Rokeby Road. There is no cost to the County. (C-18-0014)**

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

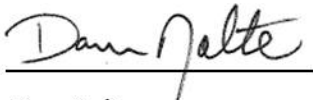
No one appeared for public comment.

8) **ANNOUNCEMENTS:**

- A. 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.
- B. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, January 11, 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 hold their next regular meeting on Tuesday, January 16, 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.
- 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 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**

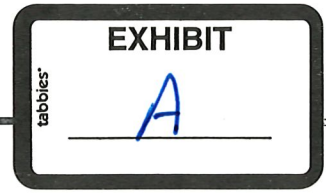
MOTION: Schorr moved and Amundson seconded to adjourn the Lancaster County Board of Commissioners meeting at 9:58 a.m. Brinkman, Amundson, Schorr, Avery and Wiltgen voted yes. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk



Tory S. Carkoski



From: dvanlent@aim.com
Sent: Tuesday, January 09, 2018 8:38 AM
To: County Clerk
Subject: Lancaster County Board of Commissioner's public hearing 1.9.18

To whom it may concern

I am contacting you to express my(our) concerns regarding the approval of Special Permit 17043, "to allow soil mining and excavation on property generally located at Southwest 112th Street and West Van Dorn Street".

The specific concerns are as follows:

The amount of truck traffic on West Van Dorn Street, resulting in increased speeds, limited visibility due to the amount of dust/dirt created by the traffic, and safety concerns due to the above mentioned issues. I have previously contacted the Lancaster County Engineering/Road Maintenance Department regarding these issues

Truck traffic has noticeably increased on West Van Dorn Street due to the bridge construction that is in place near Pleasant Dale, NE. I have previously contacted the Lancaster County Engineering/Road Maintenance Department regarding these issues as traffic has noticeably increased since May 2017. West Van Dorn Street has now become a main thoroughfare to the city of Lincoln. Please develop a plan to improve the conditions on this roadway should this special permit be approved.

Thank you for your time concerning this matter.

Deb and Jeff Van Lent