

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**COUNTY-CITY BUILDING, ROOM 112**  
**TUESDAY, FEBRUARY 20, 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 February 16, 2018.*

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

Commissioner absent: Roma Amundson

Others present: Kerry Eagan, Chief Administrative Officer; Ann Ames, Deputy Chief Administrative Officer; 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) MINUTES:**

**A. Approval of the minutes of the Board of Commissioners meeting held on Tuesday, February 13, 2018.**

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

**2) CLAIMS:**

**A. Approval of all claims processed through February 20, 2018.**

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

**3) SPECIAL PRESENTATION:**

**A. National Engineers' Week (February 18-24, 2018) – Pam Dingman, Lancaster County Engineer**

Pam Dingman, County Engineer, recognized the engineers in her office: Amanda Kingman, Karen Wilson, Chad Packard, Virgil Dearmont, Jim Plouzek and Larry Legg. She discussed their years of experience and their favorite projects. Dingman said the engineers in the County Engineer's Office had combined experience of 180 years.

Wiltgen thanked the engineers for their service to the County.

#### 4) **PUBLIC HEARING:**

- A. Public hearing regarding the Lancaster County Rural Transit project for which financial assistance is being sought from the Federal Transit Administration, pursuant to the Federal Transit ACT (FTA). (See correlating item 5A)**

The Chair opened the public hearing.

Mitch Sump, Aging Partners Coordinator, was administered the oath and appeared in support. He said he is seeking a County match of up to \$17,973. Sump noted that approximately 90% of rural public transit users are senior citizens. He added that the staff continues to look for ideas to increase the public's awareness and use of the rural public transit system.

No one appeared in opposition or in a neutral position.

The Chair closed the public hearing.

#### 5) **NEW BUSINESS:**

- A. Resolution instructing Lancaster County Public Rural Transit to apply for federal funds available under Section 5311 of the Federal Transit Act and to use said funds to provide public transportation in Lancaster County and the bordering communities of Adams, Cortland, Ceresco, Eagle and Greenwood. (R-18-0014)**

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

- B. Resolution amending County Resolution R-03-0106 making engine braking prohibited as posted. (R-18-0013)**

Dingman said there are currently seventeen signs posted in the County prohibiting engine braking. She expressed concern that she would be posting signs that she does not have the ability to approve or deny and any sign request would need to go before the Board.

Brinkman noted the resolution states, "Whereas, the Engineer has informed the Board that it is in the best interest of the traveling public to install such engine braking related traffic control devices in the County as applicable..." and questioned Dingman if this is not the case. Dingman said in this situation she does not have the ability to deny or recommend a sign. She stated once a citizen requests the County Engineer to place the sign it would be up to the Board to approve or deny the request.

Wiltgen said under the current resolution and based on the information provided by the County Attorney's Office and the County Sheriff the seventeen signs posted are not enforceable. He asked Dingman if those signs should be removed. Dingman said the signs could remain or be removed. She felt there could be a better solution than this resolution. Dingman added new trucks contain engine brake mufflers that decrease the noise which is the issue with engine braking.

Jenifer Holloway, Deputy County Attorney, said the request for signs will most likely be complaint driven because of the noise. She said under the current resolution engine braking is prohibited everywhere in County. The new resolution prohibits engine braking only where posted. Holloway said the Board would have the ability to deny placement of a sign where safety is a concern. She stated the County would not be allowed to prohibit engine braking if there is a more than five degree grade regardless if there was a noise complaint.

Brandon Gunther, Gana Trucking and Excavating Safety Director, said the majority of the trucks in their fleet contain the technology to muffle engine braking. He added for safety issues there is a time and place for engine braking.

Schorr clarified that the existing resolution prohibits engine braking everywhere in County. Holloway said the issue with the current resolution is that it is not enforceable and is too broad. She stated the proposed resolution "as posted" will be legally enforceable.

**MOTION:** Schorr moved and Avery seconded approval of the resolution.

Brinkman offered an amendment to the resolution to remove the second paragraph on page two.

The maker of the motion and seconder accepted that as a friendly amendment.

Holloway noted if the language is eliminated on this resolution it will not appear in any sign resolution going forward.

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

**C. Approval of Exhibit A to Resolution R-18-0011, Guidelines to Public Participation.**

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

**D. Agreement with Segal Marco Advisors to provide consulting services to Lancaster County regarding the annual investment and administrative review of the County's 401(a) retirement plan and 457(b) deferred compensation program. The agreement covers the period from January 1, 2018 through December 31, 2018. (C-18-0095)**

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

**E. Maintenance agreement with Microfilm Imaging Systems, Inc., in the amount of \$170 for a microfilm reader transport which is a mechanism in the microfilm reader located in the Records and Information Management Department. Term of the agreement is February 1, 2018 through January 31, 2019. (C-18-0096)**

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

- F. Contract with A 1<sup>st</sup> Rate Pumping Service, Inc., to provide the annual service of pumping, hauling and disposal services for liquid waste products (Bid No. 18-002). Term of the contract is March 3, 2018 through March 2, 2019. The cost to the County is not to exceed \$5,500. (C-18-0086)**

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

- G. Agreement between the Nebraska Commissioner of Labor and Lancaster County for training grants pursuant to the Program Guidelines of the Nebraska Worker Training Program. The total amount is \$3,000. The term of the agreement shall be from February 20, 2018 through December 31, 2018. (C-18-0097)**

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

- H. Agreement between Lancaster County and Kelly Lundgren to provide non-exempt employee in the County Records Specialist III job classification compensatory time off in lieu of the compensation for hours worked in excess of 40 hours per week. The County will pay the employee at the rate of one and one-half hours for each overtime hour which the employee works up to a maximum accrual of 40 hours of compensatory time. (C-18-0098)**

Cori Beattie, Deputy County Clerk, said the contract allows a non-exempt employee to use overtime hours worked as compensatory time off as opposed to compensation for hours worked. She added this will also help to reduce the impact on the Clerk's Office overtime budget.

**MOTION:** Schorr moved and Brinkman seconded approval of the agreement. Avery, Schorr, Brinkman and Wiltgen voted yes. Amundson 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. Amendments to the following contracts:**

- 1. C-17-0190 with Culligan of Lincoln for the annual supply of water softener salt (Quote No. 5561). The amendment renews the contract for an additional one-year term beginning March 14, 2018 through March 13, 2019. The cost to the County is not to exceed \$9,000. (C-18-0087)**
- 2. C-15-0140 with Production Creek Specialty Advertising for the annual supply of clothing, screen printed and/or embroidered apparel (Bid No.**

- 15-046). The amendment renews the contract for an additional one-year term beginning April 2, 2018 through April 1, 2019. The cost to the County is not to exceed \$500. (C-18-0089)
3. C-11-0252 with Correct Care Solutions, LLC for health care services for the Adult Detention Facility (Bid No. 10-173). The amendment extends the contract from March 1, 2018 through March 31, 2018. The cost to the County is not to exceed \$180,000. (C-18-0090)
  4. C-17-0203 with Fun Express LLC for the annual supply of craft and hobby supplies (Quote No. 5543). The amendment renews the contract for a term beginning March 14, 2018 through March 13, 2019. The cost to the County is not exceed \$500. (C-18-0091)
  5. C-17-0204 with Lakeshore Learning Materials (Lakeshore Equipment Company) for the annual supply of craft and hobby supplies (Quote No. 5543). The amendment renews the contract for a term beginning March 14, 2018 through March 13, 2019. The cost to the County is not to exceed \$3,000. (C-18-0092)
  6. C-17-0205 with Nasco for the annual supply of craft and hobby supplies (Quote No. 5543). The amendment renews the contract for a term beginning March 14, 2018 through March 13, 2019. The cost to the County is not to exceed \$3,000. (C-18-0093)
  7. C-17-0206 with School Specialty for the annual supply of craft and hobby supplies (Quote No. 5543). The amendment renews the contract for a term beginning March 14, 2018 through March 13, 2019. The cost to the County is not to exceed \$5,000. (C-18-0094)
- B. Receive and place on the file the County Sheriff's report from December, 2017.
- C. Utility permits for the following:
1. Utility Permit No. 1637 allowing Lincoln Electric System to close Northwest 40<sup>th</sup> Street from West Holdrege Street to West Vine Street during normal work hours from February 8, 2018 through February 13, 2018. There is no cost to the County. (C-18-0083)
  2. Utility Permit No. 1638 allowing Nebraska Link Holdings to install new fiber optic cable under West Holdrege Street from Northwest 126<sup>th</sup> Street to Northwest 140<sup>th</sup> Street. There is no cost to the County. (C-18-0088)
- D. Right-of-way contract with the Nebraska Department of Transportation, Northwest 27<sup>th</sup> Street and West Vine Street, in the amount of \$1,106. (C-18-0099)

Bob Walla, Purchasing Agent, requested that consent item A3 be held due to lack of a vendor's signature.

**MOTION:** Schorr moved and Brinkman seconded that consent item A3 be removed. Brinkman, Schorr, Avery and Wiltgen voted yes. Amundson was absent. Motion carried 4-0.

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

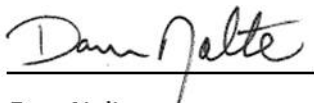
No one appeared for public comment.

8) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, February 22, 2018 at 8:30 a.m., in the Bill Luxford Studio (Room 113) of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln).
- B. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, February 27, 2018 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln).
- C. The County Commissioners can be reached at 402-441-7447 or [commish@lancaster.ne.gov](mailto:commish@lancaster.ne.gov).
- D. The Lancaster County Board of Commissioners meeting is broadcast live on LNKTU City. For the rebroadcast schedule visit [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: LNKTU). Meetings are also streamed live on LNKTU and can be viewed on YouTube (LNKTUcity).

9) **ADJOURNMENT**

**MOTON:** Schorr moved and Brinkman seconded to adjourn the Lancaster County Board of Commissioners meeting at 9:37 a.m. Schorr, Avery, Brinkman and Wiltgen voted yes. Amundson was absent. Motion carried 4-0.



Dan Nolte  
Lancaster County Clerk

