

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, MARCH 6, 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 March 2, 2018.

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

Commissioners present: Roma Amundson

Others present: Kerry Eagan, Chief Administrative Officer; Ann Ames, Deputy Chief Administrative Officer; David Derbin, Deputy County Attorney; Dan Nolte, County Clerk; and Ann Taylor, County Clerk's Office

The Chair called the meeting to order at 9:04 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 27, 2018.

MOTION: Avery moved and Schorr seconded approval of the minutes. Avery, Schorr and Wiltgen voted yes. Brinkman abstained from voting. Amundson was absent. Motion carried 3-0, with one abstention.

2) CLAIMS:

A. Approval of all claims processed through March 6, 2018.

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

3) NEW BUSINESS:

A. Request from Travis and Sally Schroer for a refund of real property tax.

Scott Gaines, Chief Administrative Deputy Assessor/Register of Deeds, appeared and explained the request relates to an error his office made in classification of Conservation Reserve Program (CRP) ground. The ground had been carried as dryland and it should have been classified as grassland. Gaines said the Assessor's Office has corrected the error for 2018, and based upon the request from the Schroers, is recommending approval of the refund request with the statutory limit of the three prior years. He said the total refund will be \$1,860.52.

Travis Schroer, 6957 West Princeton Road, Hallam, Nebraska, appeared and said the land was cropland when he purchased the property in 2003 but he changed it to grassland and enrolled it in the CRP. He said he notified the Assessor's Office of the error several times over the years and said the earliest date he can document notification is 2007. The Assessor's Office has also visited the property several times to value the property but did not update the information. Schroer estimated the overpayment of taxes at \$5,000.00.

Wiltgen noted the lack of notification by the United States Department of Agriculture's (USDA) Farm Service Agency (FSA) when properties are included in the CRP has been an issue for the County.

Gaines confirmed that, in this case, the taxpayer had provided the Assessor's Office information indicating the land was in the CRP.

Schroer suggested the Assessor's Office verify land use when doing reappraisals.

Avery questioned the justification for the law which limits refunds to three years (see Nebraska Revised Statute §77-1734.01).

MOTION: Avery moved and Schorr seconded approval of the refund request, limiting it to the three prior years. Schorr, Avery, Brinkman and Wiltgen voted yes. Amundson was absent. Motion carried 4-0.

B. Recommendation from the Personnel Policy Board to create the classification of Youth Services Administrator.

Doug McDaniel, Lincoln-Lancaster County Human Resources Director, appeared and said this is an administrative position that will replace the deputy director position.

Schorr asked that the class title be amended to reflect that the position is the Youth Services Center Administrator.

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

C. Resolution regarding a project program agreement with the Nebraska Department of Transportation for funding to repair and replace two deficient bridges on the county road system under the County Bridge Match Program (STWD-CBMP(2)). The project must be completed by December 31, 2020. The cost to the County shall be remaining eligible costs not paid by the State funds and is estimated to be \$550,000. (R-18-0016)

Pam Dingman, County Engineer, appeared and said this is a grant from the Transportation Innovation Act and involves bundling of two bridge structures (Bridge N-19-West Pioneers Boulevard west of Southwest 98th Street and Bridge B-147-east of North 98th Street on Agnew Road).

Brinkman asked whether receipt of these funds will enable County Engineering to add additional projects to the construction season. Dingman explained it takes approximately a year to secure United States Army Corps of Engineers and environmental permits for these types of structures so it is more likely the funds will allow them to do other projects next year.

In response to a question from Schorr, Dingman said funds for both structures will be encumbered in this year's budget with construction anticipated in the summer or fall.

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

- D. Contract with Mid-Continent Safety, DXP (DXP Enterprises INC) to provide the annual supply of personal protective equipment (PPE) and first aid supplies (Bid No. 18-021). The contract will be effective upon execution by all parties for a one-year term. The cost to the County is not to exceed \$1,200. (C-18-0111)**

MOTION: Schorr moved and Brinkman seconded approval of the contract.

Avery asked Pam Dingman, County Engineer, whether her employees are required to wear protective equipment on the job. Dingman said they are.

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

- E. Grant contract with Voices of Hope in the amount of \$106,425 to provide funding for the Violence Against Women Act (VAWA) program "Improved Community Response to Sexual Assault and Legal Advocacy Relating to Protection Orders and Immigrants in Lancaster County". Term of the contract is October 1, 2017 through September 30, 2019. (C-18-0109)**

David Derbin, Deputy County Attorney, explained two corrections were made to the contract after the agenda was published. Section 19 was changed to Section 18 in Paragraph 19, Subsection (a) and Section 17 was changed to Section 16 in Paragraph 19, Subsection (b) on Page 6 of the contract. He said the contract has been re-executed by the grantee.

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

- F. Contract with Lincoln Aesthetic & Reconstructive Surgery for specialized care of General Assistance clients. Providers will be reimbursed at the Medicaid rate. (C-18-0116)**

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

- 4) 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. Ratification of the Corporate Tax Rate Change Certificate for the Industrial Development Promissory Revenue Note, Series 2010 (R-10-0096) and as a supplement to the Tax Compliance Agreement (C-06-7279) between Lancaster County and the Community Action Partnership of Lancaster and Saunders Counties. (C-18-0117)**
- B. Contract with Jones Automotive, Inc., to supply and install emergency equipment for law enforcement and corrections vehicles. The term of the contract is upon date of execution through February 22, 2020. The cost to the County is not to exceed \$40,000. (C-18-0115)**
- C. Amendments to the following contracts:**
- 1. C-15-0199 with Midwest Floor Covering, Inc., using UNL RFP #2483-15-7215. The amendment renews the contract for an additional one-year term beginning March 1, 2018 through February 28, 2019. The cost to the County is not to exceed \$2,500. (C-18-0110)**
 - 2. C-11-0724 with Eletech, Inc., for elevator service, testing and maintenance. The amendment is for a change of ownership from Eletech, Inc., to Schindler Elevator Corporation, d/b/a Eletech, Inc. (C-18-0113)**
 - 3. C-17-0877 with Credible Behavioral Health, Inc., using the Rapphannock-Radidan Community RFP 2012-1 contract for Software Technology Solutions – Electronic Health Records. The estimated cost will be increased by \$45,690 for the remainder of the contract term with a revised total amount of \$375,690. (C-18-0114)**
 - 4. C-16-0526 with Information First, Inc., for professional services on an as needed basis to support the County's use of HPR RM for record keeping purposes. The amendment extends the contract term from March 6, 2018 through March 5, 2019. The cost to the County is not to exceed \$5,000. (C-18-0118)**
- D. Right-of-way contracts with the following:**
- 1. Marilyn and Jacob Dering, Trustees, Southwest 62nd Street and West Olive Creek Road, in an amount of \$865. (C-18-0119)**
 - 2. Maahs, Ltd., North 148th Street and Alvo Road, in an amount of \$500. (C-18-0120)**
- E. Receive and place on file the Clerk of the District Court report for February, 2018.**
- F. Setting a public hearing for a manager application for Beth Hladky in connection with the Whispering Vines Winery, LLC, Class Y liquor license at 3110 West Branched Oak Road, Raymond, Nebraska on Tuesday, March 13, 2018 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).**

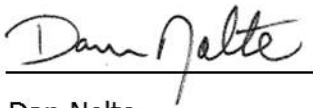
MOTION: Brinkman moved and Schorr seconded approval of the consent items. Brinkman, Avery, Schorr and Wiltgen voted yes. Amundson was absent. Motion carried 4-0.

- 5) **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.

6) **ANNOUNCEMENTS:**

MOTION: Schorr moved and Avery seconded to adjourn the meeting at 9:28 a.m. Avery, Schorr, Brinkman and Wiltgen voted yes. Amundson was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk

