

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, SEPTEMBER 18, 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 September 14, 2018.

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

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 Monét McCullen, 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, September 11, 2018.**

MOTION: Brinkman moved and Schorr 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 September 18, 2018.**

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

3) SPECIAL PRESENTATION:

- A. Recognition of the County-City Building art exhibit – Keith D. Buswell**

Keith D. Buswell gave a brief description of his exhibit and background.

4) PUBLIC HEARINGS:

- A. Amending Article 1, Section 6 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards to modify emission fees for regulated air pollutants. (See correlating item 5B)**

The Chair opened the public hearing.

Shavonna Lausterer, Lincoln/Lancaster County Health Department (LLCHD) Director, was administered the oath and said this amendment will ensure they can continue to provide required services. This will assist with reviewing, writing and issuing permits, conducting inspections and investigations, monitoring omissions, providing technical consultations and enforcing the regulations. Most fees would increase 5%. This fee proposal was provided to the Air Control Advisory Board and over 70 representatives of businesses and industries were sent a letter and an email notifying and inviting them to attend one of two stakeholders meetings held in April, 2018.

Avery asked if these fees will cover the cost of administration. Lausterer confirmed they will as this program is all fee based.

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

The Chair closed the public hearing.

The Board voted on correlating item 5B.

B. Amending Section XIII of County Resolution R-16-0046, Procedures for the Regulation of On-Site Wastewater Treatment Systems in Lancaster County, Nebraska, as provided in Attachment A. (See correlating item 5C)

The Chair opened the public hearing.

Lausterer said this resolution will update the fees for the regulation of on-site wastewater treatment systems. The increase results in an additional cost of \$5 and \$15 depending on the type of permit.

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

The Chair closed the public hearing.

The Board voted on correlating item 5C.

C. Amending Sections VI, XV and XXIX of County Resolution R-16-0047, Regulations for the Operation of Body Art and Piercing Establishments in Lancaster County, Nebraska, as provided in Attachment A. (See correlating item 5D)

The Chair opened the public hearing.

Lausterer said this will update the fees associated with body art and piercing establishments. The increase will address the operational costs. These fee increases range between \$5 and \$15 depending on the type of permit.

Schorr stated that there are currently no body art establishments in the County's jurisdiction, but the regulations are in place should there be an application. Lausterer confirmed that to be true.

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

The Chair closed the public hearing.

The Board voted on correlating item 5D.

- D. Amending the Lancaster County Air Pollution Control Resolution R-16-0048, to increase the fee for open burning permits, as provided in Attachment A. (See correlating item 5E)**

The Chair opened the public hearing.

Lausterer said this resolution will update the fees for operational costs which will allow LLCHD to provide services to achieve and maintain reasonable levels of air quality. The proposed fee increase is \$5.

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

The Chair closed the public hearing.

The Board voted on correlating item 5E.

- E. Amending Section XI of County Resolution R-16-0049, Procedures for the Inspection of On-Site Water Supply Systems and On-Site Wastewater Treatment Systems Prior to Sale, Transfer or Conveyance of Property in Lancaster County, Nebraska, as provided in Attachment A. (See correlating item 5F)**

The Chair opened the public hearing.

Lausterer said the fee increase will help address the operational costs needed to allow LLCHD to inspect the on-site water and wastewater systems. for a \$10 increase.

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

The Chair closed the public hearing.

The Board voted on correlating item 5F.

5) NEW BUSINESS:

- A. Special designated license application from Deer Springs Winery for a reception at 16255 Adams Street, Lincoln, on Sunday, October 7, 2018.**

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

- B. Resolution regarding amendment to Article 1, Section 6 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards to modify emission fees for regulated air pollutants. (R-18-0058)**

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

Jenifer Holloway, Deputy County Attorney, advised the Board that there were a few minor changes to each resolution and they will be signing the corrected versions.

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

- C. Resolution in the matter of amending Section XIII of County Resolution R-16-0046, Procedures for the Regulation of On-Site Wastewater Treatment Systems in Lancaster County, Nebraska, as provided in Attachment A. (R-18-0059)**

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

- D. Resolution in the matter of amending Sections VI, XV and XXIX of County Resolution R-16-0047, Regulations for the Operation of Body Art and Piercing Establishments in Lancaster County, Nebraska, as provided in Attachment A. (R-18-0060)**

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

- E. Resolution in the matter of amending the Lancaster County Air Pollution Control Resolution R-16-0048, to increase the fee for open burning permits, as provided in Attachment A. (R-18-0061)**

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

- F. Resolution in the matter of amending Section XI of County Resolution R-16-0049, Procedures for the Inspection of On-Site Water Supply Systems and On-Site Wastewater Treatment Systems Prior to Sale, Transfer or Conveyance of Property in Lancaster County, Nebraska, as provided in Attachment A. (R-18-0062)**

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

- G. Resolution authorizing the installation of traffic control devices in Lancaster County. (R-18-0063)**

Pam Dingman, County Engineer, said this is regarding a stop sign located on the Lancaster-Seward County line (SW 140th Street and W. Rokeby Road). She explained that Seward County agreed to remove an existing eastbound stop sign on their side if Lancaster County would place a southbound stop sign on their side (northbound stop sign is already in place). Dingman said her office inspected the location and decided that north and south stop signs made sense to allow through traffic between the two counties (Exhibit A).

Wiltgen asked if there have been any accidents at this location. Dingman said she was not aware of any.

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

H. Resolution authorizing the City of Lincoln-Lancaster County Purchasing Agent the ability to issue the Nebraska Department of Revenue's Forms 13 and 17 on behalf of the County. (R-18-0064)

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

I. Business Associate Agreement with Aetna Life Insurance Company to ensure compliance with the Health Insurance Portability & Accountability Act (HIPAA). The agreement is made part of the master services agreement (C-17-0953) between Aetna and Lancaster County. (C-18-0550)

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

J. Recommendation from the Purchasing Agent and Human Resources to award a contract for a Flexible Benefit Spending program to Navia Benefit Solutions. The estimated cost of the four-year term is \$35,640. (B-18-0217)

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

Brinkman stated there will be questions and forthcoming information from the Human Resources Department related to this item that will be discussed at the next scheduled staff meeting. She recommended that next week this not be placed on the Consent Agenda. Wiltgen agreed.

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

K. Recommendation from the Purchasing Agent and Lancaster County Sheriff's Office to award and execute a sole source contract for PowerPlus Software to LeadsOnline. The total amount of the order is \$6,683. (C-18-0546)

Terry Wagner, Lancaster County Sheriff, said this software allows the department to access LeadsOnline and that software is currently being used by Lincoln Police Department for their pawn shop registration information. This information is also critical for the Sheriff's Office regarding certain cases.

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

- L. Contract with Dr. Zakaria Siddiqui to provide psychiatrist services at the Mental Health Crisis Center from September 1, 2018 through August 31, 2019. The cost to the County is \$725 per 24-hour coverage period. (C-18-0551)**

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

- M. Contract with Dr. Jose Gary B. Nadala to provide psychiatrist services at the Mental Health Crisis Center from August 1, 2018 through July 31, 2019. The cost to the County is \$725 per 24-hour coverage period. (C-18-0552)**

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

- N. Authorizing Pam Dingman, Lancaster County Engineer, to sign the Annual Certification Form for Lancaster County for the period of July 1, 2017 to June 30, 2018, in accordance with Sections 5 and 6 of the Federal-Aid Transportation Fund Purchase-Sale Agreement between the State of Nebraska Department of Roads and Lancaster County.**

Dingman said these highway and bridge buy back funds are included annually in the budget. She noted highway funds can be used for bridges, but not vice versa. Some of the money will hopefully be used this year for Saltillo Road and in the next budget year to build Bridge F-88 on North 14th Street.

MOTION: Schorr moved and Brinkman seconded to authorize Pam Dingman to sign the annual certification form.

Avery asked why this is approved in arrears. Dingman explained the form is completed following the end of the fiscal year indicating whether or not the funds were spent.

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

- O. Contract with Johnson Diesel Repair to provide Annual Repair Services - For Construction and Purpose-Built Equipment (Bid No. 18-167). This Contract shall be effective upon execution by all parties. The cost to the County is not to exceed \$100,000 for all related contracts (including nine that were approved previously and one other that will be coming at a later date). (C-18-0549)**

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

- P. Memorandum of Understanding (MOU033) between Garcia-Chicoine Enterprises, Inc., and Lancaster County, using the Nebraska Department of Roads (NDOR) Contract No. QH1804, to provide On-Call Guardrail Repair and Replacement Services. The term of the contract is from September 1, 2018 through August 31, 2019. The pricing will be pursuant to the NDOR contract. The cost to the County is not to exceed \$11,000. (C-18-0548)**

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

- Q. Grant contract with HUB-Central Access Point for Young Adults in the amount of \$18,100 for the Back on Track program through the Nebraska Commission on Law Enforcement and Criminal Justice Juvenile Services Aid Grant. The term of the grant contract is July 1, 2018 through June 30, 2019. (C-18-0553)**

Sara Hoyle, Lincoln/Lancaster County Human Services Director, said this is State competitive funding that is awarded to the County then to the HUB. This will help students ages 16 through 18 who are struggling in school with credit deficiencies and truancies at Southeast, Northeast, East and Lincoln High Schools.

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

- R. Grant contract with United Way of Lincoln & Lancaster County in the amount of \$6,802 for the Service Point – Food Distribution and Grants Management Software programs. The contract is funded by the Joint Budget Committee for the period of July 1, 2018 through June 30, 2019. (C-18-0554)**

Hoyle said that Service Point is a web access system where individuals in need are given cards that they may take to their non-profit entities to get food.

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

- S. Grant contracts funded by the Nebraska Commission on Law Enforcement and Criminal Justice's Community-based Juvenile Services Aid Grant for the period of July 1, 2018 through June 30, 2019 with the following:**
- 1. Lighthouse, Inc., in the amount of \$35,543 for the Restorative Practices program. (C-18-0555)**
 - 2. VolunteerLinc in the amount of \$46,165 for the Youth Community Service program. (C-18-0556)**
 - 3. Cedars Youth Services, Inc., in the amount of \$20,700 for the Community Policing 5-0 Fun Club program. (C-18-0557)**
 - 4. Cedars Youth Services, Inc., in the amount of \$5,000 for the Reporting Center program. (C-18-0558)**

5. Family Service Lincoln in the amount of \$25,000 for the School Based Therapeutic Services program. (C-18-0559)
6. Child Guidance Center in the amount of \$10,432 for the Diversion Evaluations program. (C-18-0560)
7. Child Guidance Center in the amount of \$50,236 for the School-Based Therapy program. (C-18-0561)

Bill Michener, Lighthouse Executive Director, discussed the Restorative Practices program and the positive impact it has had on the youth.

Sergeant Tommy Trotter, Lincoln Sheriff's Office, gave a brief overview of the 5-0 Fun Club program.

MOTION: Schorr moved and Amundson seconded approval of the grant contracts. Amundson, Schorr, Brinkman, Avery 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. Right-of-way contracts with the following:

1. Allen L. and Bonnie Brandt, Southwest 2nd Street and West Princeton Road, in the amount of \$271. (C-18-0562)
2. Craig Family, LLC, South 1st Street and West Rokeby Road, in the amount of \$271. (C-18-0563)

B. Amendments to the following County contracts:

1. C-17-0767 with Nebraska Printing Center for Annual Supply - Envelope Supply and Printing (Bid No. 17-247). The amendment renews the contract from November 1, 2018 through October 31, 2019. The cost to the County shall not exceed \$25,000. (C-18-0460)
2. C-15-0426 with Pavers, Inc. for Annual Supply - Cold Mix Asphalt (Bid No. 15-168). The amendment renews the contract from September 17, 2018 through September 16, 2019. The cost to the County shall not exceed \$3,000. (C-18-0547)
3. C-17-0768 with Midwest Service and Sales Co. for Annual Supply – Grader Blades (Bid No. 17-212). The amendment renews the contract from October 4, 2018 through October 3, 2019. The cost to the County shall not exceed \$35,000. (C-18-0564)
4. C-17-0769 with Wear Parts & Equipment Co., Inc. for Annual Supply – Grader Blades (Bid No. 17-212). The amendment renews the contract from September 26, 2018 through September 25, 2019. The cost to the County shall not exceed \$20,000. (C-18-0565)

- C. Change Order #3 to County Contract C-18-0199 with Tim Sisco Construction, LLC for an extension in the completion date from September 28, 2018 to October 28, 2018 due to circumstances beyond the control of the contractor. (C-18-0566)
- D. Setting a public hearing on Tuesday, September 25, 2018 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) regarding setting the final tax request for Lancaster County and the Rural Library for Lancaster County.

Clerk noted that there was a typographical error in the amount on item 6-B2. Per the contract the amount should read \$3,000 and not \$17,000.

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

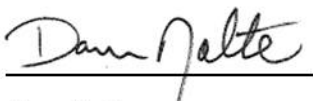
No one appeared for public comment.

8) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, September 20, 2018 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 its next regular meeting on Tuesday, September 25, 2018 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).
- C. 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 9:46 a.m. Brinkman, Avery, Amundson, Schorr and Wiltgen voted yes. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

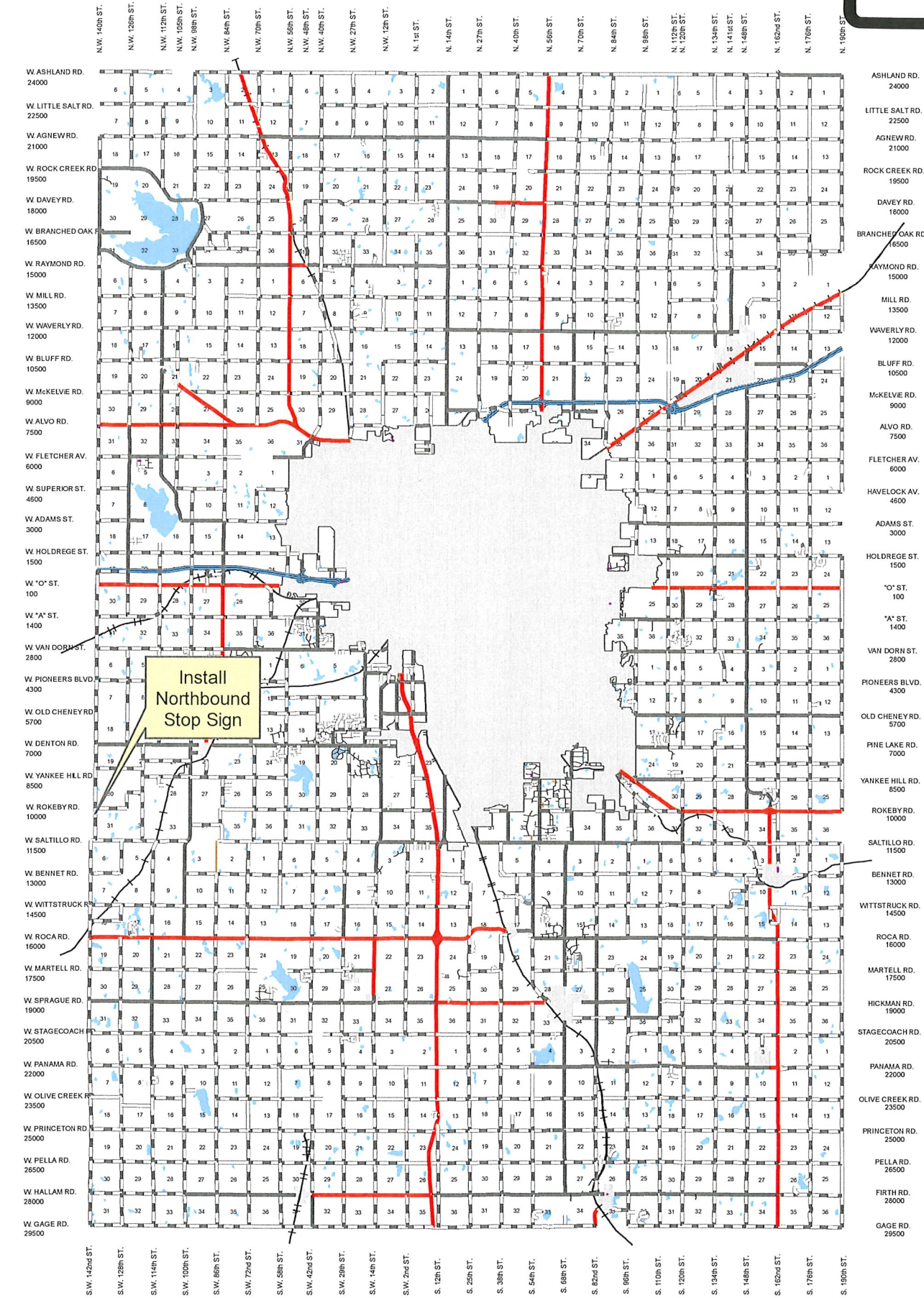


PAMELA L DINGMAN
COUNTY ENGINEER

LANCASTER COUNTY

KENNETH
DEPUTY COUNTY ENGINEER

EXHIBIT
A



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, SEPTEMBER 18, 2018
9:00 A.M.
IMMEDIATELY FOLLOWING THE LANCASTER COUNTY
BOARD OF COMMISSIONERS MEETING

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 September 14, 2018.

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

Others present: Scott Gaines, Assessor/Register of Deeds Office; 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 Monét McCullen, County Clerk's Office

The Chair called the meeting to order at 9:46 a.m., the location of the Nebraska Open Meetings Act was announced.

1) MINUTES:

A. Approval of the minutes of the Board of Equalization meeting held on Tuesday, September 4, 2018.

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

2) ADDITIONS AND DEDUCTIONS TO THE TAX ASSESSMENT ROLLS

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

3) PUBLIC HEARING:

A. Motor Vehicle Tax Exemption Applications (See correlating item 4)

Sisters of Mary, Queen of Mercy	Sacred Winds Native United Methodist Church
Gentle Shepherd Baptist Church	Great Plains Annual Conference of the United Methodist Church
Lincoln Lutheran School Association	Goodwill Industries Serving Southeast Nebraska Inc.
VITAL Services, Inc.	Lincoln/Lancaster County Habitat for Humanity, Inc.
Lighthouse	Evangelical United Lutheran Church (ELCA)
Middlecross Church	Women in Community Service Inc.
The Bridge Behavioral Health, Inc.	Bryan Medical Center
Northern Lighthouse	

The Chair opened the public hearing.

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

The Chair closed the public hearing.

4) ACTION ON MOTOR VEHICLE TAX EXEMPTION APPLICATIONS

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

5) NOTICE OF ASSESSED VALUATION CHANGE FOR PROPERTY TAX PURPOSES FOR KENNETH HUNTER

Scott Gaines, Deputy Assessor/ Register of Deeds, said there was a building permit issued for new construction in the Village of Denton and the permit was never forwarded to the Assessor's Office to be placed on the assessment roll.

MOTION: Schorr moved and Brinkman seconded to send the notice of assessed valuation change for property tax purposes. Amundson, Avery, Brinkman, Schorr and Wiltgen voted yes. Motion carried 5-0.

6) APPEAL OF PERSONAL PROPERTY TAX PENALTY FROM WHITEHEAD OIL COMPANY

Stacy Nordmeyer, Whitehead Oil Company Controller, said they had a personnel change at the end of March and this was overlooked. Going forward, she has taken the proper steps to get the paperwork and forms submitted in a timely manner.

Gaines said they do encounter situations like this frequently and even with good cause, the statute is very specific and does not allow the Board to waive or reduce penalties as long as the penalties were correctly calculated.

Jenifer Holloway, Deputy County Attorney, confirmed that the Board does not have authority to waive any penalties unless they were imposed incorrectly or calculated incorrectly.

MOTION: Schorr moved and Brinkman seconded denial of the appeal of personal property tax penalty. Amundson, Schorr, Brinkman, Avery and Wiltgen voted yes. Motion carried 5-0.

7) APPEAL OF ASSESSED VALUATION CHANGE FROM ZACHARY PETERSON

Gaines said this was a property where the taxpayer owned a house and an adjoining lot with a the garage. The taxpayer requested those be joined into one tax parcel. In doing so, they neglected to put the improvements on the newly combined parcel.

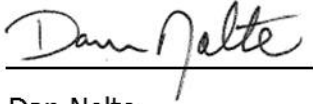
MOTION: Schorr moved and Avery seconded denial of the appeal of assessed valuation change. Schorr, Brinkman, Avery, Amundson and Wiltgen voted yes. Motion carried 5-0.

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

No one appeared for public comment.

9) **ADJOURNMENT**

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



Dan Nolte
Lancaster County Clerk

