

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, NOVEMBER 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 November 2, 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; David Derbin, 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, October 30, 2018.

MOTION: Avery moved and Brinkman seconded approval of the minutes. Avery, Brinkman, Schorr and Wiltgen voted yes. Amundson abstained. Motion carried 4-0 with one abstention.

2) CLAIMS:

- A.** Approval of all claims processed through November 6, 2018.

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

3) NEW BUSINESS:

- A.** Reappointment of Tara Paulson to the Lancaster County Personnel Policy Board for a five-year term commencing January 1, 2019 and ending December 31, 2023.

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

- B.** Contract with General Reporting Service for transcription services related to a Notice of Appeal and Request for a Bill of Exceptions filed with the Lancaster County Clerk's Office. This agreement is effective from the date of execution through October 23, 2019. There is no cost to the County. (C-18-0687)

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

- C. Statement of Acceptance of Possession and Future Responsibility by Lancaster County for equipment, supplies and furnishings purchased by the Nebraska Supreme Court for the District 3A Probation/County Reporting Center. (C-18-0686)

MOTION: Amundson moved and Avery seconded approval of the Statement of Acceptance of Possession and Future Responsibility. Amundson, Schorr, Brinkman, Avery and Wiltgen voted yes. Motion carried 5-0.

- D. Documents concerning property generally located at 1800 Adams Street, Lincoln, Lancaster County, Nebraska, and legally described in the documents, related to the County of Lancaster's \$480,000 Principal Amount Series 1978 Industrial Development Revenue Bonds for the following:
 - 1. Termination and Release of Lease between the County of Lancaster and B.J.K. Industries, Inc., d/b/a Lincoln Electric Supply.
 - 2. Quitclaim Deed from the County of Lancaster to B.J.K. Industries, Inc.

Paul Peter, Keating O'Gara Law Firm, appeared on behalf of B.J.K. Industries and said that in 1978 there was industrial developmental revenue (IDR) bond financing on a building that was owned by B.J.K. Industries. To protect the IDR bond process the property had to be conveyed to the County, who then leased the property back for a 20-year term. Peter said it was recently discovered that the property is still in the County's name. Wells Fargo confirmed that the IDR bond obligation has been fully satisfied, therefore, in order for B.J.K. Industries to sell the property it will require the County to deed the property back to the owner.

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

- E. Real Estate Purchase Agreement with CenterPointe for real estate generally located at 2202 South 11th Street, Lincoln, Lancaster County, Nebraska, and legally described in the Agreement. (C-18-0663)

MOTION: Amundson moved and Brinkman seconded approval of the purchase agreement.

Schorr explained why she would be voting against the agreement. She said a \$1,000,000 asset was being given to a nonprofit for \$400,000 which she felt resulted in a taxpayer gift of \$600,000 with no consideration given to the County and no guarantee of services. Schorr added a more competitive process should have been used as there are other nonprofits serving the community. She mentioned there was also a willing buyer who would have paid over \$900,000 for the building and the County is only receiving \$400,000 with no additional services.

Avery said he would support the agreement as CenterPointe provides an important service to an underserved population. He also pointed out that an additional \$100,000 will be transferred to the County after closing.

Amundson felt CenterPointe greatly assists the mental health, housing and substance abuse population.

Brinkman said she would also support the agreement and looked forward to the expansion of physical and mental health services. She viewed this agreement not a gift but as a continuation of a partnership between the County and CenterPointe.

Wiltgen said he will be voting against the agreement since it is an indirect subsidy going to a nonprofit. He noted during the negotiation process there were attempts to try and put guarantees in place. There are also unmet needs in the County and he felt this agreement would not meet those needs.

Avery said CenterPointe's proposal will make a public contribution to the good of the community and they will continue to do more with the agreement.

Topher Hansen, CenterPointe President and Chief Executive Officer, said this is an investment by the County and CenterPointe which will allow for growth and expansion of services for individuals in need. He added CenterPointe is pursuing financing which will put the facility on the tax rolls for seven years. The facility at 13th and E will go into private ownership and will also be taxed.

ROLL CALL: Brinkman, Avery and Amundson voted yes. Schorr and Wiltgen voted no. Motion carried 3-2.

- F. Amendment to County Contract C-18-0315 with Felsburg, Holt and Ullievig for additional services related to the replacement of County Bridge F-88. The cost to the County for the additional services in \$5,500. (C-18-0688)

Pam Dingman, Lancaster County Engineer, said this bridge, located on North 14th Street, is one of the larger structures and is in need of a major environmental assessment because it is over area wetlands. She noted there have been issues with the environmental permitting which required the amendment.

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

- G. Grant contracts funded by the Nebraska Commission on Law Enforcement and Criminal Justice's Community-based Juvenile Services Aid State Grant (#18-CB-0525) from July 1, 2018 through June 30, 2019 with the following:
 - 1. El Centro de Las Américas for the Latina Leaders program in the amount of \$29,036. (C-18-0689)
 - 2. El Centro de Las Américas for the Joven Noble program in the amount of \$51,260. (C-18-0690)

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

- 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. Amendments to the following contracts for Annual Requirements – Asphaltic Concrete (Bid No. 15-186). The amendments renew the contracts from November 2, 2018 through November 1, 2019. The cost to the County for all contracts shall not exceed \$27,750.

1. County Contract C-15-0545 with Cather & Son's Construction, Inc. (C-18-0678)
2. County Contract C-15-0546 with Constructors, Inc. (C-18-0679)
3. County Contract C-15-0544 with Pavers, Inc. (C-18-0680)

B. Right-of-way contracts with the following:

1. Corey and Annette Poulosky, South 112th Street and Old Cheney Road, in the amount of \$1,270. (C-18-0683)
2. Logan M. Otto Jr., North 1st Street and Bluff Road, in the total amount of \$741.20. (2 contracts) (C-18-0684) (C-18-0685)

C. Received and placed on file the following reports:

1. County Treasurer 2017 distress warrants
2. County Sheriff's from July through September, 2018
3. District Court for October, 2018
4. County Assessor/Register of Deeds for October, 2018
5. County Clerk for October, 2018

D. Setting a public hearing on Tuesday November 13, 2018 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) regarding Text Amendment 18012 and Text Amendment 18013.

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

- 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.

Wiltgen reminded the public of election day and encouraged everyone to exercise their right to vote.

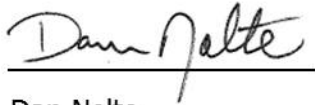
6) **ANNOUNCEMENTS:**

- A.** The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, November 8, 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, November 13, 2018 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).
- C.** The Lancaster County Board of Commissioners will hold a public hearing on Tuesday, November 20, 2018 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) regarding a request to vacate a portion of West McKelvie Road.
- D.** 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).

7) **ADJOURNMENT**

MOTION: Schorr moved and Amundson seconded to adjourn the Lancaster Board of Commissioners meeting at 9:30 a.m. Brinkman, Amundson, Schorr, Avery and Wiltgen voted yes. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk



MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, NOVEMBER 6, 2018
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 November 2, 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; David Derbin, 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 9:30 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 Equalization meeting held on Tuesday, October 23, 2018.

MOTION: Schorr moved and Amundson 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: Schorr moved and Brinkman 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)

St. Paul United Methodist Church	Madonna Rehabilitation Hospital
School Sisters of Christ the King	Trinity Lutheran Church and School
Nebraska Crop Improvement Association	

The Chair opened the public hearing.

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

The Chair closed the public hearing.

The Board voted on correlating item 4.

B. Notice of Proposed Change in Exemption Status (See correlating item 5)

1. Community Development Agency

Scott Gaines, Deputy Assessor/Register of Deeds, took the oath and said this property was sold from one nonprofit to another. This will notify the previous owner that the exemption will be removed. An application from the new owner has been received for their exemption.

The Chair opened the public hearing.

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

The Chair closed the public hearing.

The Board voted on correlating item 5.

4) ACTION ON MOTOR VEHICLE TAX EXEMPTION APPLICATIONS

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

5) ACTION ON PROPOSED CHANGE IN EXEMPTION STATUS

MOTION: Schorr moved and Amundson seconded to approve the proposed change in exemption status. Amundson, Avery, Brinkman, Schorr and Wiltgen voted yes. Motion carried 5-0.

6) APPEAL OF PENALTY AND INTEREST ON PERSONAL PROPERTY FROM BOLTS & NUTS CORP

Gaines said the Assessor/Register of Deeds Office is recommending denial as there is no provision to waive or reduce penalties on a late filing due to administrative oversight.

MOTION: Schorr moved and Amundson seconded to deny the appeal based on the recommendation of the Assessor/Register of Deeds.

Kerry Eagan, Chief Administrative Officer, said Douglas County recently waived a penalty on a personal property appeal and the decision was reversed by the Tax Equalization and Review Commission (TERC) since Douglas County had no authority to waive the penalties other than what is allowable by law.

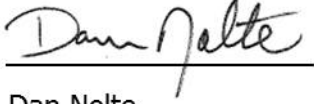
ROLL CALL: Amundson, Schorr, Brinkman, Avery and Wiltgen voted yes. Motion carried 5-0.

7) 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.

8) ADJOURNMENT

MOTION: Schorr moved and Brinkman seconded to adjourn the Lancaster Board of Equalization meeting at 9:36 a.m. Schorr, Brinkman, Avery, Amundson and Wiltgen voted yes. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

