

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, SEPTEMBER 3, 2019
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 August 30, 2019.

Commissioners present: Roma Amundson, Chair; Sean Flowerday, Vice Chair; Deb Schorr; Rick Vest; and Christa Yoakum

Others present: Kerry Eagan, Chief Administrative Officer; Ann Ames, Deputy Chief Administrative Officer; Jenifer Holloway, Deputy County Attorney; Dan Nolte, County Clerk; Monét McCullen, County Clerk's Office

The meeting was called 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, August 27, 2019.**

MOTION: Schorr moved and Yoakum seconded approval of the minutes. Schorr, Yoakum, Vest and Amundson voted yes. Flowerday was absent. Motion carried 4-0.

2) CLAIMS:

- A. Approval of all claims processed through September 3, 2019.**

MOTION: Vest moved and Yoakum seconded approval of the claims. Vest, Schorr, Yoakum and Amundson voted yes. Flowerday was absent. Motion carried 4-0.

Flowerday entered the meeting at 9:03 a.m.

- 3) 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. Utility Permit No. 1852 allowing Spectrum Communications to install new underground fiber optic cable under Yankee Hill Road from South 98th Street to South 134th Street and extending southerly to Highway 2. There is no cost to the County. (C-19-0657)**

- B. **Grant contracts with Lincoln Police Department (for a period of July 1, 2019 through June 30, 2020) for the following projects:**
 - 1. **Operation Tipping Point program (funded by the Nebraska Commission on Law Enforcement and Criminal Justice Office of Violence Prevention in the amount of \$35,000). (C-19-0662)**
 - 2. **Coordinated Response to Reducing Violence program (funded by the Violence Against Women Act (VAWA) in the amount of \$44,482). (C-19-0663)**

- C. **Amendment to County Contract C-19-0387 with Genuine Parts Company dba NAPA Auto Parts for Automotive & Truck Replacement Parts and Tires with Related Equipment, Accessories and Services. (Using the Sourcewell Contract No. 062916-GPC, State of NE Contract No. 14778 OC, MOU048. The amendment renews the contract from September 7, 2019 through September 6, 2020. The estimated cost to the County is not to exceed \$5,000.) (C-19-0664)**

- D. **Change Order #1 to County Contract C-19-0618 with Van Kirk Brothers Contracting (Project 19-25; Bid No. – Negotiated Contract) to extend the contract completion date to October 3, 2019 due to circumstances beyond the control of the contractor. (C-19-0673)**

- E. **Change Order #2 to County Contract C-19-0201 with Yost Excavating, Inc., (Project No. 19-07; Bid No. 19-049) to exchange line item "Clearing and Grubbing" for an hourly rate due to an increase area for a net increase of \$10,025.25. (C-19-0674)**

MOTION: Schorr moved and Vest seconded approval of the consent items. Yoakum, Vest, Schorr, Flowerday and Amundson voted yes. Motion carried 5-0.

4) NEW BUSINESS:

- A. **Resolution in the matter of County maintenance of roads in Pleasant Hill Acres First Addition. (R-19-0065)**

Ken Schroeder, Lancaster County Engineering Department, said a request was received from the developer for Lancaster County to take over maintenance of this subdivision (Exhibit A). The Engineering Department finds that it does meet the requirements of the recently revised maintenance criteria conditions (Exhibit B).

MOTION: Vest moved and Schorr seconded approval of the resolution. Flowerday, Yoakum, Vest, Schorr and Amundson voted yes. Motion carried 5-0.

- B. **Special Designated License application from Meier's Wine, Inc., dba Meier's Cork 'n Bottle for an event at Prairie Creek Inn, 2400 S. 148th Street, Walton, Nebraska on September 21, 2019.**

MOTION: Schorr moved and Yoakum seconded approval of the special designated license application. Schorr, Flowerday, Yoakum, Vest and Amundson voted yes. Motion carried 5-0.

C. Deed Restriction Agreement with Stephen Walling for property located at 14000 Northwest 27th Street, Lancaster County, Nebraska.

Jen Holloway, Deputy County Attorney, said this is a special permit that was approved at the Planning Commission for an accessory dwelling unit. This agreement and all restrictions will stay with the land in the event the land is sold at a later date.

Flowerday asked what the Planning Commission vote was. Holloway said she does not have that information but knows that it was approved.

MOTION: Schorr moved and Vest seconded approval of the Deed Restriction Agreement.

Schroeder provide a map to show the location of the site (Exhibit C).

ROLL CALL: Vest, Schorr, Flowerday, Yoakum and Amundson voted yes. Motion carried 5-0.

D. Agreement with the City of Lincoln on behalf of the Lincoln-Lancaster County Health Department for the Mental Health Crisis Center to dispense medications in the event of a catastrophic biological incident. (C-19-0675)

Scott Etherton, Mental Health Crisis Center Director, said in the event of a catastrophic event this agreement would allow the Lincoln-Lancaster Health Department to dispense medication to employees and families.

MOTION: Vest moved and Yoakum seconded approval of the agreement. Yoakum, Vest, Schorr, Flowerday and Amundson voted yes. Motion carried 5-0.

E. Contracts to provide psychiatrist services at the Mental Health Crisis Center for the period of September 1, 2019 through August 31, 2020. The cost to the County is \$770 per 24-hour coverage period with the following:

- 1. Dr. Jose Gary B. Nadala (C-19-0676)**
- 2. Dr. Zakaria Siddiqui (C-19-0677)**

Etherton said both doctors have assisted the Crisis Center for the last year and both contracts are renewals.

MOTION: Schorr moved and Yoakum seconded approval of the contracts. Flowerday, Yoakum, Vest, Schorr and Amundson voted yes. Motion carried 5-0.

F. Agreement with Child Advocacy Center to conduct interviews and medical examinations of child abuse victims to aid law enforcement and prosecutors in their investigations of child abuse. The term of the agreement is October 1, 2019 through September 30, 2020. The County will pay \$20,000 for the services. (C-19-0678)

Pat Condon, Lancaster County Attorney, said for several years this agreement has been at the same amount. Next year there might be a request from the Lancaster County Sheriff and the Lancaster County Attorney's Office to increase the amount.

MOTION: Vest moved and Schorr seconded approval of the agreement. Schorr, Flowerday, Yoakum, Vest and Amundson voted yes. Motion carried 5-0.

G. State Grant Award contracts with the Nebraska Crime Commission for the period of July 1, 2019 through June 30, 2020 with the following:

- 1. ACCC Immigrant and Refugee Youth program. The Commission will provide \$50,000 and the Asian Community and Cultural Center will provide a match share of \$15,000 for a total project cost of \$65,000. (C-19-0667)**
- 2. Men with Dreams Brick by Brick Mentoring program. The Commission will provide \$21,953 and Men with Dreams will provide a match share of \$7,000 for a total project cost of \$28,953. (C-19-0669)**
- 3. The Bay All-Access Pass program. The Commission will provide \$50,000 and The Bay will provide a match share of \$15,000 for a total project cost of \$65,000. (C-19-0670)**
- 4. Boys and Girls Club Keystone Leadership program. The Commission will provide \$8,000 and The Boys and Girls Club will provide a match share of \$2,000 for a total project cost of \$10,000. (C-19-0671)**

Yoakum stated she is familiar with the Asian Community and Cultural program and knows they provide a great service to the community.

Amundson noted the Juvenile Justice Funds and Joint Budget Committee Funds assist with these programs.

MOTION: Yoakum moved and Flowerday seconded approval of the State Grant Award contracts. Vest, Schorr, Flowerday, Yoakum and Amundson voted yes. Motion carried 5-0.

H. Grant contract with Susan Broderick to provide a juvenile justice seminar at the Nebraska County Attorney's Association Fall Conference for the amount not to exceed \$2,000. The seminar will be on October 10, 2019 in LaVista, NE. (C-19-0679)

MOTION: Vest moved and Yoakum seconded approval of the grant contract. Yoakum, Vest, Schorr, Flowerday and Amundson voted yes. Motion carried 5-0.

I. Authorization of the County Engineer to sign the annual certification form for the period of July 1, 2018 to June 30, 2019 in accordance with Sections 5 and 6 of the Federal-Aid Transportation Fund Purchase-Sale Agreement between the State of Nebraska and Lancaster County.

Pam Dingman, Lancaster County Engineer, said this is for the buyback funds that the County receives from the Nebraska Department of Transportation (NDOT), which are flow through dollars from the Federal Highway Administration. Generally, bridge funds are around \$100,000 and highway funds are between \$290,000 and \$300,000. Those funds will be placed in the Sinking Fund until there is enough to build a project.

MOTION: Vest moved and Yoakum seconded approval of the authorization. Flowerday, Yoakum Vest, Schorr and Amundson voted yes. Motion carried 5-0.

J. Recommendation from the Purchasing Agent and County Engineer to award and execute Purchase Orders to the following:

- 1. Monroe Truck Equipment, Inc., for four (4) V-Box Spreaders (Sourcewell Contract No. 080114-MTE) The total amount is \$23,976. (C-19-0665)**
- 2. Monroe Truck Equipment, Inc., for two (2) Anti-Ice Tanks (Sourcewell Contract No. 080114-MTE). The total amount is \$42,320. (C-19-0666)**
- 3. Trail King Industries for a 55 Ton Detachable Trailer (Sourcewell Contract No. 121918). The total amount is \$80,640. (C-19-0668)**
- 4. MHC Kenworth - Lincoln for a Kenworth Tractor (Sourcewell Contract No. 081716-KTC). The total amount is \$158,055. (C-19-0672)**

LeRoy "Bud" Geistlinger, Lancaster County Assistant Highway Superintendent, said the recommendations are regarding sanders that will be attached to the one-ton trucks for subdivision maintenance, a trailer for hauling equipment and a replacement for an older 1995 truck model. Dingman added on item two, the standard pick-up trucks are used for the subdivisions as those roads are not equipped for the larger trucks.

MOTION: Vest moved and Schorr seconded approval of the recommendations. Schorr, Flowerday, Yoakum, Vest and Amundson voted yes. Motion carried 5-0.

K. Recommendations from the Purchasing Agent and County Engineer to award contracts to the following:

- 1. Gana Trucking & Excavating and K2 Construction for Motor Grader Snow Removal Services (Bid No. 19-207). The total combined amount is \$45,000. (B-19-0207)**
- 2. Pavers, Inc., for Annual Supply of Cold Mix Asphalt (Bid No. 19-214). The estimated amount is \$6,350. (B-19-0214)**

Dingman said every year bids are put out to augment the system should the County Engineering Department need additional help with snow removal. Item two is the product used to patch pot holes.

MOTION: Schorr moved and Vest seconded approval of the recommendations. Vest, Schorr, Flowerday, Yoakum and Amundson voted yes. Motion carried 5-0.

- L. **Recommendations from the Lancaster County Pension Review Committee to reduce the amount of revenue collected for Lancaster County's administrative expenses related to the 401(a) Lancaster Employee Retirement Plan and 457(b) Deferred Compensation program by making the following changes to existing funds within the County's investment lineup:**
1. **American Funds Fundamental Investors Class R-4 - move to R5E share class.**
 2. **American Funds Capital World Growth and Income Fund Class R-4 - move to R5E share class.**
 3. **American Funds EuroPacific Growth Fund Class R-4 - move to R5E share class.**
 4. **Oakmark Equity and Income Fund Investor Class - move to Advisor share class.**
 5. **Eaton Vance Atlanta Capital SMID Fund Class 1 - move to R6 share class.**
 6. **Mid Growth Westfield Capital (separate account) - move from an expense ratio of 85 bps with 10 bps of revenue sharing to an expense ratio of 75 bps and 0 bps revenue sharing.**

Kerry Eagan, Chief Administrative Officer, said the intent behind the changes is to get the pension fees as low as possible.

MOTION: Schorr moved and Vest seconded approval of the recommendations. Yoakum, Vest, Schorr, Flowerday and Amundson 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.**

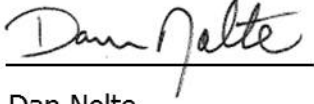
No one appeared for public comment.

6) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will hold the Annual Legislative Retreat on Thursday, September 5, 2019 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 10, 2019 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).**

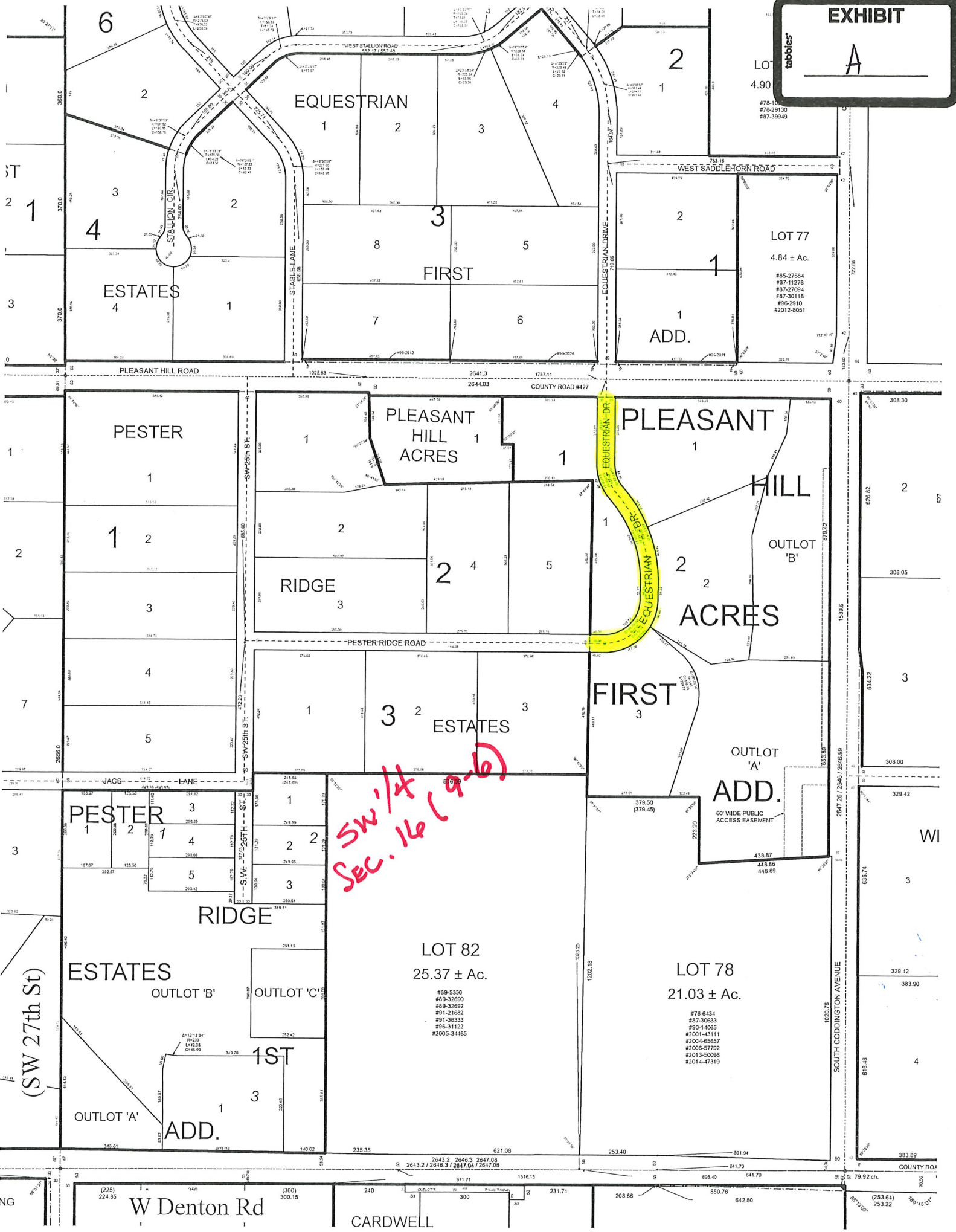
7) ADJOURNMENT

MOTION: Schorr moved and Vest seconded to adjourn the Lancaster County Board of Commissioners meeting at 9:25 a.m. Flowerday, Yoakum, Vest, Schorr and Amundson voted yes. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk





LOT 77
4.84 ± Ac.
#85-27584
#87-11278
#87-27094
#87-30118
#88-2910
#2012-6051

LOT 78
21.03 ± Ac.
#76-6434
#87-30633
#90-14065
#2001-83111
#2004-65657
#2008-57792
#2013-50088
#2014-47319

*SW 1/4 (9-16)
Sec. 16 (9-16)*

LOT 82
25.37 ± Ac.
#89-5350
#89-32690
#89-32692
#91-21682
#91-36333
#96-31122
#2005-34465

LOT 78
21.03 ± Ac.
#76-6434
#87-30633
#90-14065
#2001-83111
#2004-65657
#2008-57792
#2013-50088
#2014-47319

(SW 27th St)

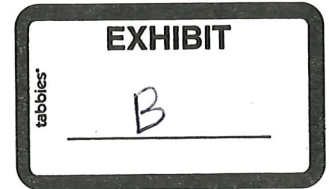
LANCASTER
COUNTY

Pamela L. Dingman, P.E.
County Engineer

ENGINEERING

Kenneth D. Schroeder, R.L.S.
Deputy County Surveyor

DEPARTMENT



DATE: August 27, 2019

TO: Lancaster County Board of Commissioners
Lancaster County, NE

FROM: Ken Schroeder
County Surveyor

A handwritten signature in blue ink that reads "Ken Schroeder". The signature is written over a horizontal line.

SUBJECT: REQUEST FOR COUNTY MAINTENANCE FOR PLEASANT HILL ACRES FIRST ADDITION
GENERALLY LOCATED AT W. PLEASANT HILL RD. AND S. CODDINGTON AVENUE
IN THE SW¼ OF SECTION 16, T9N, R6E, LANCASTER COUNTY, NE

This department has received a request from representatives of subject development for Lancaster County to accept their streets and roads for County maintenance.

This office finds they meet the requirements as outlined in Resolution #R-19-0051 and would recommend approval of their request for acceptance of County maintenance.

CC: Jenifer Holloway, Deputy County Attorney
Pam Dingman, County Engineer
Monet McCullen, County Clerk's Office
Ron Bohaty, Road Maintenance Supervisor

KDS/bml

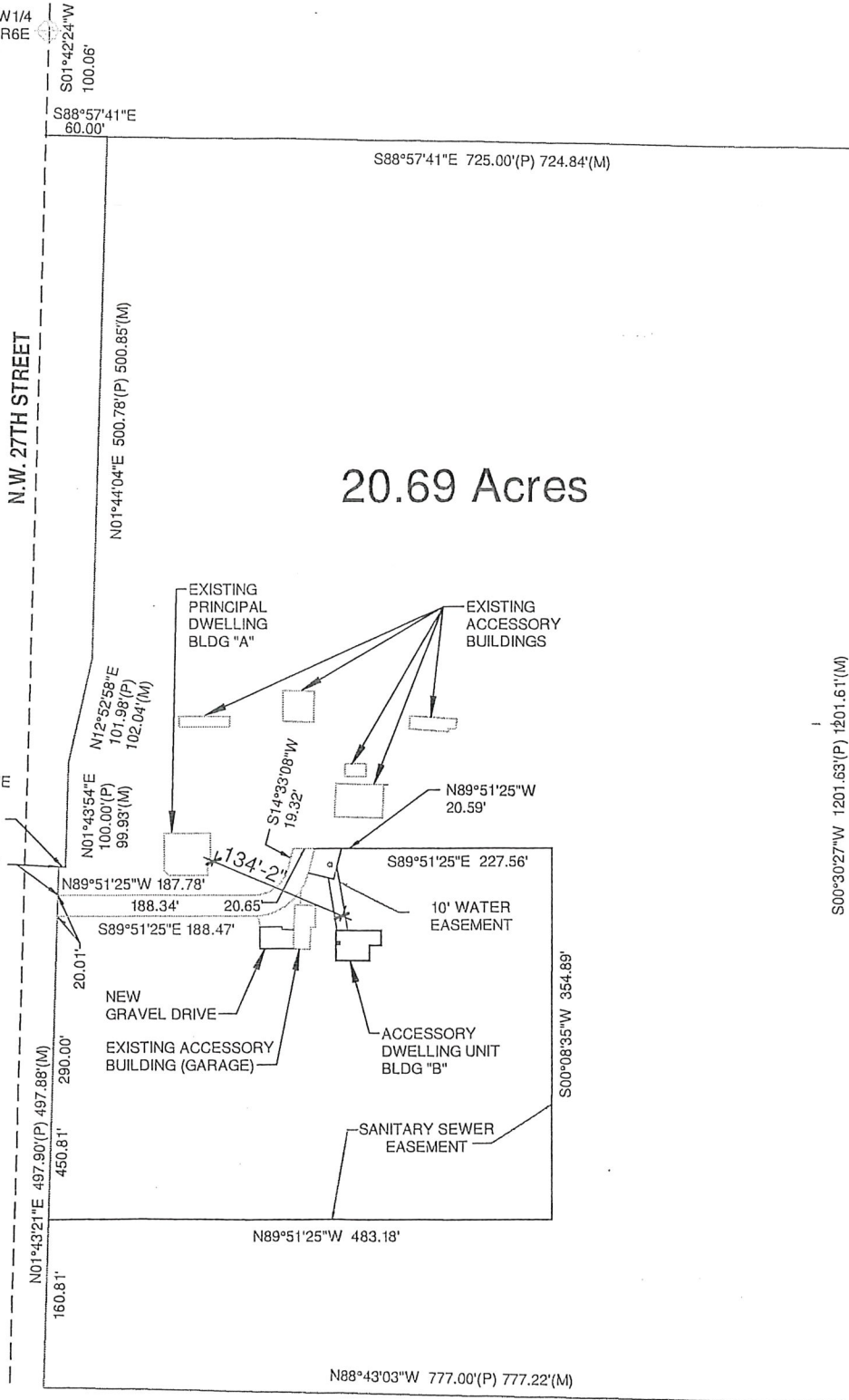
F:\Clerical\Private\Subdivisions\Pleasant Hill Acres First Addition\Maintenance Request Mem.doc

Walling ADU
14000 NW 27th St., Bldg. "B"
Raymond, NE 68428
Lot 11 I.T. Section 4-11-6

NOTES:

- A. ADU IS LIMITED TO 877 SF (NOT INCLUDING UTILITY/MECH ROOM)
- B. ADU SHALL HAVE NO MORE THAN TWO BEDROOMS
- C. PROPERTY OWNER SHALL LIVE IN EITHER ADU OR PRINCIPAL DWELLING

NW Corner, SW1/4
Sec. 4, T11N, R6E



20.69 Acres

N.W. 27TH STREET

APPROVED BY
PLANNING
COMMISSION

Res. No. PC01663
Adopted by:
July 10, 2019

1 SITE PLAN
SCALE: 1" = 160'-0"

FINAL APPROVED PLAN