

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, JUNE 25, 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 June 21, 2019.

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

Commissioners absent: Sean Flowerday, Vice Chair

Others present: Kerry Eagan, Chief Administrative Officer; Ann Ames, Deputy Chief Administrative Officer; David Derbin, Deputy County Attorney; Dan Nolte, County Clerk; and 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) OATH OF OFFICE

- A. Administration of the Oath of Office to Christa Yoakum – The Honorable John Colborn Presiding.**

The Honorable John Colborn administered the oath of office to Commissioner Christa Yoakum.

2) MINUTES:

- A. Approval of the minutes of the Board of Commissioners meeting held on Tuesday, June 18, 2019.**

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

3) CLAIMS:

- A. Approval of all claims processed through June 25, 2019.**

MOTION: Schorr moved and Vest seconded approval of the claims. Vest, Schorr, Yoakum and Amundson voted yes. Flowerday 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. Utility Permits with no cost to the County for the following:

- 1. No. 1823 allowing Windstream Nebraska to install new fiber optic cable under the west right-of-way line of South 112th Street from "A" to "O" Streets. (C-19-0494)**
- 2. No. 1821 to allow Windstream Nebraska to install new fiber optic cable in the west right-of-way adjacent to Southwest 14th Street from West Wittstruck Road to West Leoma Marie Lane. (C-19-0496)**

B. Amendments to the following County contracts:

- 1. C-17-0893 with Ray O'Herron Co., Inc., for Annual Supply - County Corrections Uniform Accessories. (Quote No. 5708. The amendment reflects a price increase, per Attachment A. The contract total with the price increase will remain the same for the remainder of this contract term. The cost to the County is not to exceed \$11,500.) (C-19-0493)**
- 2. C-18-0470 with Stericycle (Stericycle, Inc.) for Annual Service – Infectious Waste Pick-Up and Disposal. (Bid No. 18-170. The amendment renews the contract from August 7, 2019 through August 6, 2020. The cost to the County is not to exceed \$5,000.) (C-19-0495)**
- 3. C-18-0157 with Wellpath for Medical Care Services for the Adult Detention Facility (Bid No. 17-235. The amendment approves an increase of the Management Fee and cost of Medical Care Services. The total cost to the County will remain the same for the remainder of the contract term.) (C-19-0498)**
- 4. C-19-0388 with White Castle Roofing & Gutters (White Castle Roofing & Contracting Inc.) for Lancaster County DMV Roof Replacement (46th & R). (Bid No. 19-114. The amendment adds additional items/services. The additional cost to the County is not to exceed \$272.64.) (C-19-0506)**

C. Grant contracts funded by Juvenile Justice Prevention Funds for the period of July 1, 2019 through June 30, 2020 with the following:

- 1. Asian Community & Cultural Center in the amount of \$25,601 for the Yezidi Youth Club program. (C-19-0499)**
- 2. Boys & Girls Clubs of Lincoln/Lancaster County in the amount of \$25,000 for the Teen Outreach program. (C-19-0500)**
- 3. Girl Scouts Spirit of Nebraska in the amount of \$8,500 for the Juvenile Justice Outreach program. (C-19-0501)**
- 4. HopeSpoke in the amount of \$25,000 for the Pilots of Change program. (C-19-0502)**

D. Grant contracts funded by the Joint Budget Committee for the period of July 1, 2019 through June 30, 2020 with the following:

- 1. CEDARS Youth Services in the amount of \$254,463 for the Emergency Shelter program. (C-19-0503)**

2. **Community Action Partnership of Lancaster and Saunders County in the amount of \$131,540 for the Basic & Emergency Needs program. (C-19-0504)**
3. **United Way of Lincoln & Lancaster County in the amount of \$7,215 for the Service Point - Food Distribution and Grants Management Software program. (C-19-0505)**

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

5) NEW BUSINESS:

- A. **Resolution instituting eminent domain proceedings against AGINVEST, LLC (County Grading Project 19-02, Tract No. 13 on South 82nd Street from Roca Road to Saltillo Road). (R-19-0049)**

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

Danja Pegram Siders, Aginvest, LLC Owner, asked for a 30-day extension to properly review all the documents.

Pam Dingman, Lancaster County Engineer, provided a track map (Exhibit A). She said South 82nd Street has never been graded and there are some site distance issues.

Schorr asked if a 30-day delay would impact other parts of the project. Dingman said delaying this would dramatically impact the project. She noted the Engineering Department has reached out to the property owner and answered questions. Dingman stated she has told Ms. Pegram Siders that they will continue to have discussions in an effort to settle anytime prior to taking this to court.

Vest questioned the timeframe of the project. Dingman said they have started work on South 82nd Street. This is a two-mile project and they are currently not working in this location, but there is a need to get started.

Vest asked for confirmation of the location. Dingman said there have been some design standard changes and there were adjustments needed to the slopes on South 82nd Street. The work will begin adjacent to South 82nd Street as well as some work at the intersection on South 82nd Street and Bennet Road.

Schorr asked if there would still be time for settlement if the resolution was approved. Dave Derbin, Deputy Lancaster County Attorney, said the resolution would authorize action to move forward and proceedings to be filed. The proceedings would then have to be scheduled with the County Court. He noted it will also take some time to get a board of appraisers set. With these procedural delays, there should be time to resolve the issue.

ROLL CALL: Yoakum, Vest, Schorr and Amundson voted yes. Flowerday was absent. Motion carried 4-0.

- B. Resolution directing the County Engineer to conduct a study and the Planning Department to write a report regarding vacating portions of Saltillo Road, more particularly described in Exhibits "A" and "B", and located in Lancaster County, Nebraska. (R-19-0050)**

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

Dingman said this resolution will vacate a small portion of Saltillo Road adjacent to Spring Creek Prairie. This should help with illegal dumping activities and illegal access to the prairie.

ROLL CALL: Schorr, Yoakum, Vest and Amundson voted yes. Flowerday was absent. Motion carried 4-0.

- C. Memorandum of Agreement with the Nebraska Office of the Secretary of State ("State"). The State will provide certain network security services to the County at no cost to the County. (C-19-0507)**

Dave Shively, Election Commissioner, said two years ago Congress passed and provided additional funding for election security. The Secretary of State will be providing the largest counties with a monitor on the system that will indicate if there has been any hacking. This expense will be covered by Federal funds through the State.

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

- D. Contract with Innerspace Studios to provide consulting services for the County Assessor office. The cost to the County is not to exceed \$13,000. (C-19-0491)**

Rob Ogden, County Assessor/Register of Deeds, said this contract is for new office furniture related to the remodel of the County Assessor's Office. There is money in the budget for this expense.

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

- E. Designation of Benjamin D. Rogers as Entity Administrator for SAM (Federal Grants).**

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

- F. State Grant Award contract with the Nebraska Crime Commission for the Lancaster County Community Aid Enhancement program. The Commission will provide \$50,000 and CEDARS will provide a match share of \$10,000 for a total project cost of \$60,000. The grant period is from July 1, 2019 through June 30, 2020. (C-19-0511)**

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

- G. State Grant Award contract with the Nebraska Crime Commission for the Lancaster County Community Aid program. The Commission will provide \$817,655 and Lancaster County will provide a match share of \$90,851 for a total project cost of \$908,506. The grant period is from July 1, 2019 through June 30, 2020. (C-19-0512)**

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

- H. Contract with Engineer Technologies, Inc., to provide Professional Engineering Services for design of replacement of roof top HVAC units. The cost to the County is not to exceed \$20,000. (C-19-0492)**

Derbin asked that the Board approve this contract contingent on receiving insurance.

MOTION: Vest moved and Schorr seconded approval of the contract contingent upon receipt of the insurance documents. Yoakum, Vest, Schorr and Amundson voted yes. Flowerday was absent. Motion carried 4-0.

- I. Agreements with the following to provide the County Engineer structural consultation related to County bridges. The term of the agreements are two years from the date of execution. The cost to the County for each agreement shall not exceed \$20,000.**

- 1. Mainelli Wagner & Associates (C-19-0508)**
- 2. Speece Lewis Engineers (C-19-0510)**

Dingman said there is currently no bridge engineer on staff in the County Engineering Department. These two contracts have been put in place on an hourly basis in the event there is structural or bridge engineering work needed.

Derbin asked the Board to approve the contract with Speece Lewis Engineers contingent upon receipt of insurance.

MOTION ON ITEM I1: Schorr moved and Vest seconded approval of the contract. Yoakum, Vest, Schorr and Amundson voted yes. Flowerday was absent. Motion carried 4-0.

MOTION ON ITEM I2: Vest moved and Schorr seconded approval of the contract contingent on receipt of insurance documents. Yoakum, Vest, Schorr and Amundson voted yes. Flowerday was absent. Motion carried 4-0.

- J. Recommendation from the Purchasing Agent and the County Engineer to award a contract to Straight Line Striping Inc., for pavement marking (Bid No. 19-163, Project No. 19-26) The total contract amount is \$125,479.20. (B-19-0163)**

Dingman said every year the County Engineering Department tries to refresh some of the striping on the 270 miles of major arterial roads. Dingman provided a map of the proposed work areas (Exhibit C).

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

- K. Recommendation from the Purchasing Agent and County Engineer to award a contract to Highway Improvement Inc., for crack sealing bituminous surfacing (Bid No. 19-165, Project No. 19-27). The total contract amount is \$274,043.32. (B-19-0165)**

Dingman provided a map of the proposed work areas (Exhibit D).

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

- L. Contract with Pavers, Inc., for asphalt surfacing and paving (Bid No. 19-122, Project No. 19-01). The work is to be completed on or before November 1, 2019 (or within 179 calendar days). The cost to the County is up to \$3,063,765.26. (C-19-0509)**

Dingman provided a map of the proposed work areas (Exhibit E). She referenced the County's interlocal agreements with Firth and Malcolm for resurfacing projects. These agreements help the villages extend their dollars as they get a better asphalt price and pay less mobilization charges.

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

M. Lancaster County Board Committee Assignments.

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

- 6) 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.

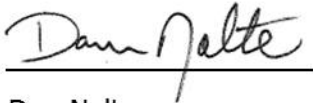
7) ANNOUNCEMENTS:

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, June 27, 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, July 2, 2019 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) with the Board of Equalization immediately following.**
- C. County Commissioners can be reached at 402-441-7447 or commish@lanaster.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).

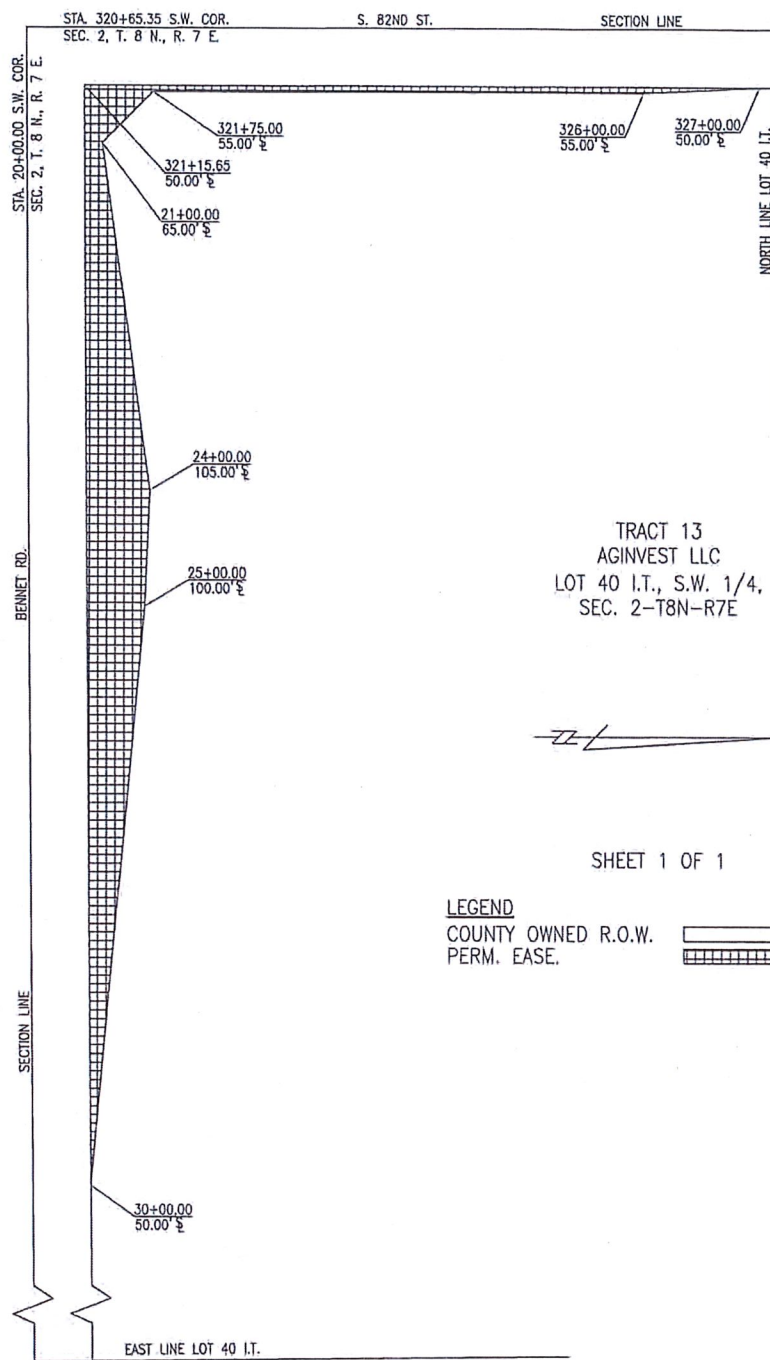
8) **ADJOURNMENT**

MOTION: Schorr moved and Vest seconded to adjourn the Lancaster County Board of Commissioners meeting at 9:29 a.m. Schorr, Yoakum, Vest and Amundson voted yes. Flowerday was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk





SKETCH SHOWING
RIGHT OF WAY
TO BE ACQUIRED FROM LAND OWNED BY:
AGINVEST LLC

EXHIBIT "A"

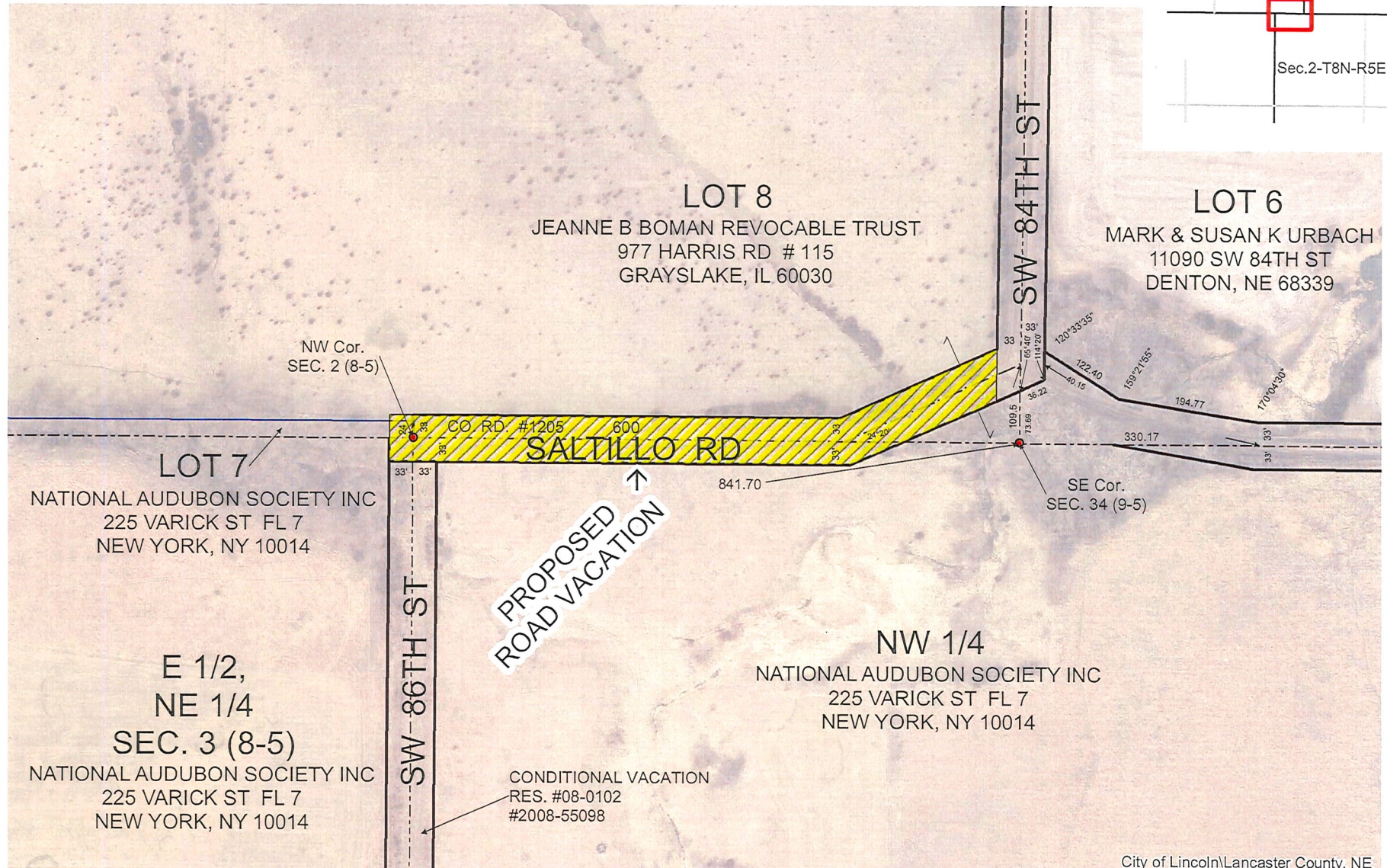
SEC. 34 (9-5)

EXHIBIT

tabbles' B

Sec.34-T9N-R5E

Sec.2-T8N-R5E



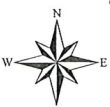
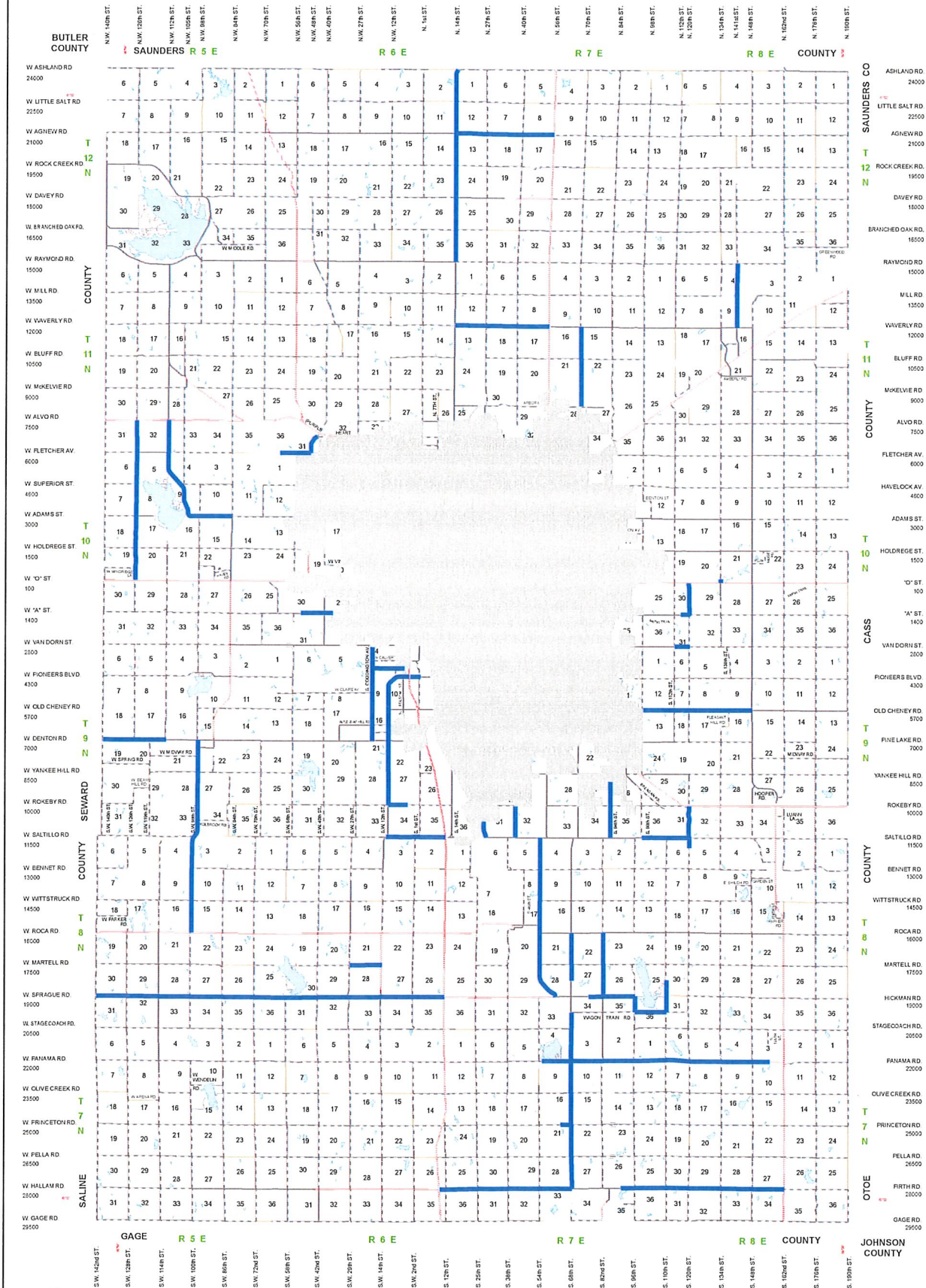
SEC. 2 (8-5)

5/24/2019

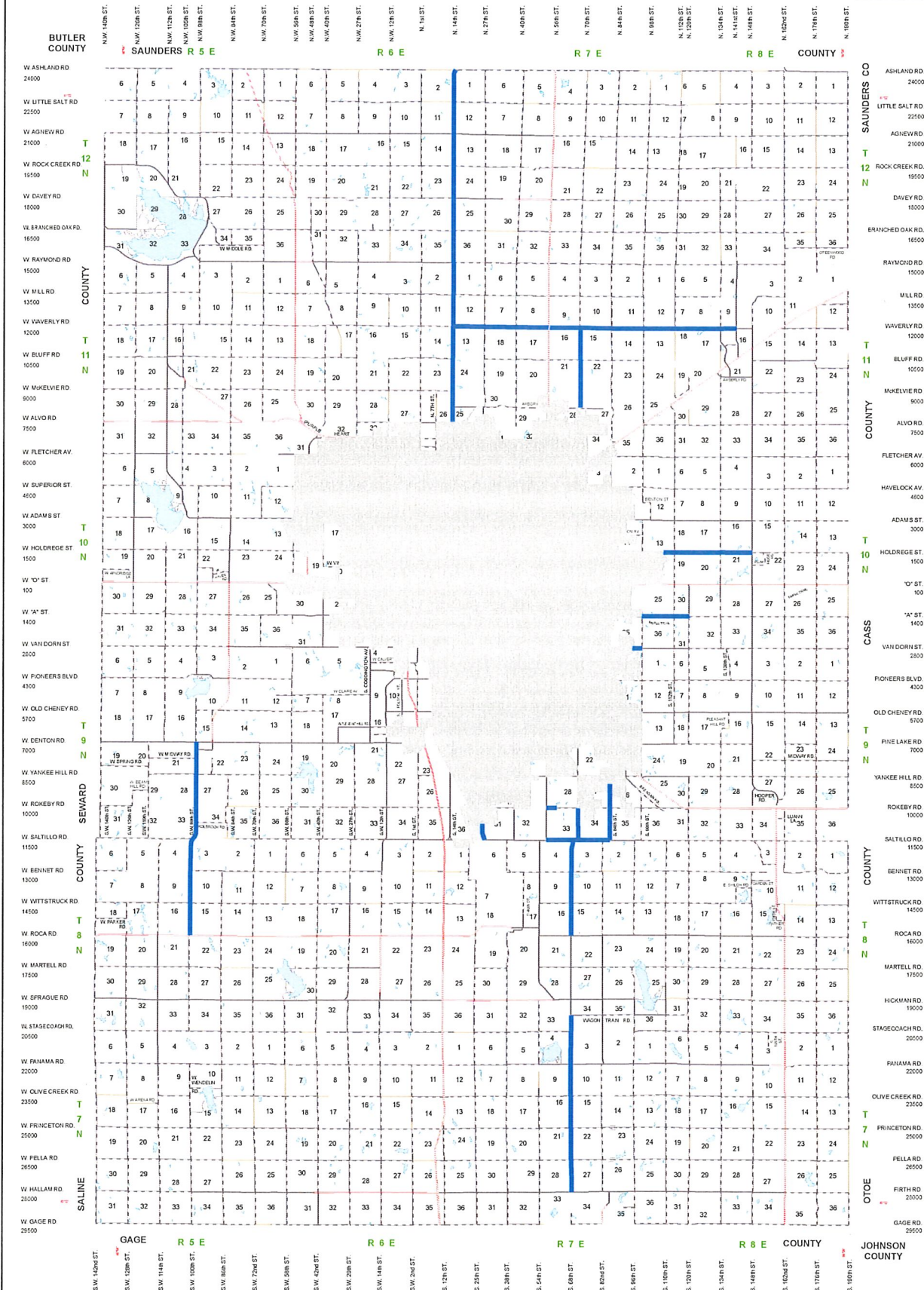
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19-26 2019 Pavement Marking



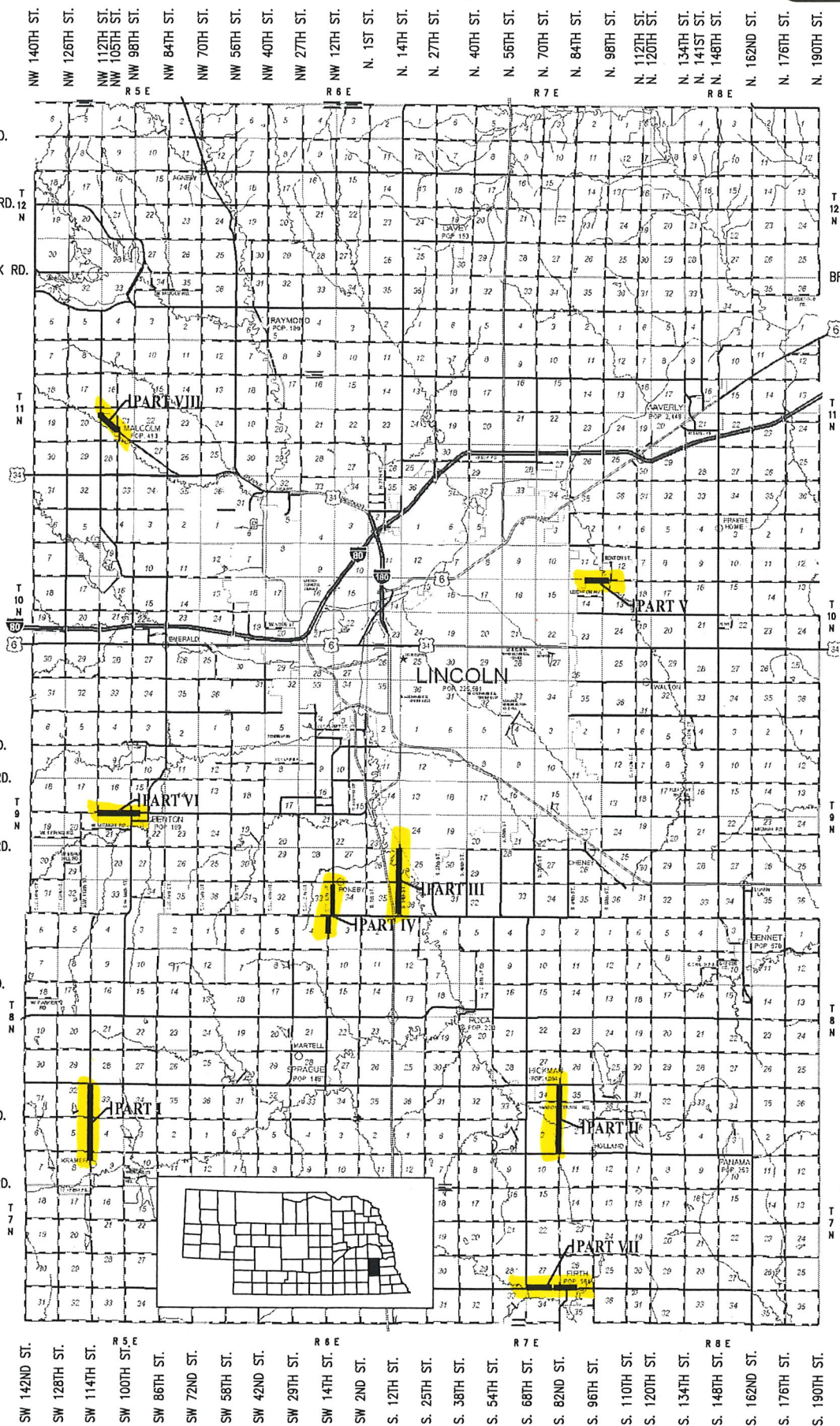
19-27 Crack Sealing



SITE LOCATION MAP PROJECT NO. 19-01 LANCASTER COUNTY, NEBRASKA

NO SCALE

W. ASHLAND RD.
W. LITTLE SALT RD.
W. AGNEW RD.
W. ROCK CREEK RD.
W. DAVEY RD.
W. BRANCHED OAK RD.
W. RAYMOND RD.
W. MILL RD.
W. WAVERLY RD.
W. BLUFF RD.
W. McKELVIE RD.
W. ALVO RD.
W. FLETCHER AV.
W. SUPERIOR ST.
W. ADAMS ST.
W. HOLDREGE ST.
W. 'O' ST.
W. 'A' ST.
W. VAN DORN ST.
W. PIONEERS BLVD.
W. OLD CHENEY RD.
W. DENTON RD.
W. YANKEE HILL RD.
W. ROKEBY RD.
W. SALTILLO RD.
W. BENNET RD.
W. WITTSTRUCK RD.
W. ROCA RD.
W. MARTELL RD.
W. SPRAGUE RD.
W. STAGECOACH RD.
W. PANAMA RD.
W. OLIVE CREEK RD.
W. PRINCETON RD.
W. PELLA RD.
W. HALLAM RD.
W. GAGE RD.



ASHLAND RD.
LITTLE SALT RD.
AGNEW RD.
ROCK CREEK RD.
DAVEY RD.
BRANCHED OAK RD.
RAYMOND RD.
MILL RD.
WAVERLY RD.
BLUFF RD.
McKELVIE RD.
ALVO RD.
FLETCHER AV.
HAVELOCK AV.
ADAMS ST.
HOLDREGE ST.
'O' ST.
'A' ST.
VAN DORN ST.
PIONEERS BLVD.
OLD CHENEY RD.
PINE LAKE RD.
YANKEE HILL RD.
ROKEBY RD.
SALTILLO RD.
BENNET RD.
WITTSTRUCK RD.
ROCA RD.
MARTELL RD.
HICKMAN RD.
STAGECOACH RD.
PANAMA RD.
OLIVE CREEK RD.
PRINCETON RD.
PELLA RD.
FIRTH RD.
GAGE RD.

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, JUNE 25, 2019
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 June 21, 2019.

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

Commissioners absent: Sean Flowerday, Vice Chair

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

The meeting was called to order at 9:29 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, June 18, 2019.

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

2) ADDITIONS AND DEDUCTIONS TO THE TAX ASSESSMENT ROLLS:

- 1. Additions and Deductions**
- 2. Tax List Corrections based on the Nebraska Department of Revenue's re-certified taxable values for Black Hills Energy for tax years 2009 through 2017.**

Scott Gaines, Deputy County Assessor/Register of Deeds, said item 2 is regarding some ongoing appeals of Black Hills Energy. There was litigation between the Department of Revenue and Black Hills that was settled recently. The redistributed value was determined and will affect tax years dating back to 2009. Black Hills will pay around \$36,000 in additional taxes.

MOTION: Schorr moved and Yoakum seconded approval of the additions and deductions to the tax assessment rolls. Vest, Schorr, Yoakum and Amundson voted yes. Flowerday was absent. Motion carried 4-0.

3) **425 FILING - REPORT OF DESTROYED REAL PROPERTY FROM CLARICE A. LOOMIS**

Gaines said recently there was legislation passed that will allow tax payers who suffer a loss due to catastrophic circumstances the opportunity to have their value reassessed from the date of the destruction. This specific property was affected by the tornado that recently hit Lincoln. The value of the improvements that were destroyed was \$4,600 and the recommendation from the Assessor/Register of Deeds is to remove that improvement value from the parcel.

Schorr asked if the Board's motion would accept the report of destroyed property or if the Board was taking action to direct the Assessor/Register of Deeds to reevaluate. Dave Derbin, Deputy Lancaster County Attorney said the Board's motion will change the value of the property from the date of the destruction. That can be done by accepting the recommendation of the County Assessor.

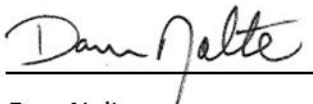
MOTION: Schorr moved and Yoakum seconded to adjust the value of the property from the date of destruction based on the recommendation of the County Assessor/Register of Deeds. Yoakum, Vest, Schorr and Amundson voted yes. Flowerday was absent. Motion carried 4-0.

4) **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.

5) **ADJOURNMENT**

MOTION: Schorr moved and Vest seconded to adjourn the Lancaster County Board of Equalization meeting at 9:36 a.m. Yoakum, Vest, Schorr and Amundson voted yes. Flowerday was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk

