

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, JUNE 18, 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 14, 2019.

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

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 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, June 11, 2019.**

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

2) CLAIMS:

- A. Approval of all claims processed through June 18, 2019.**

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

- 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 Permits with no cost to the County for the following:**

- 1. No. 1816 allowing Windstream Nebraska, LLC, to install 2,500 linear feet of new fiber optic service to the Buel Heights Subdivision, Hickman. (C-19-0474)**

2. No. 1812 allowing Unite Private Network to install new underground fiber optic cables adjacent to the westerly right-of-way line of Southwest 42nd Street from south of West Hallam Road northerly to the Monolith South Development. (C-19-0475)
 3. No. 1814 allowing Windstream Nebraska, Inc., to install fiber optic cables under the northerly right-of-way line of Roca Road and South 64th Street easterly to the Preserve at Cross Creek Subdivision. (C-19-0476)
 4. No. 1815 allowing Windstream to install underground fiber optic cables under the northerly right-of-way line of Martell Road from South 68th Street to South 75th Street. (C-19-0477)
- B. Amendments to the following County contracts for Business Card and Letterhead Printing (Business cards only, Bid No. 18-082. The amendment renews the contract from June 12, 2019 through June 11, 2020.)**
1. C-18-0272 with Firespring (The estimated cost to the County is not to exceed \$15,000.) (C-19-0478)
 2. C-18-0271 with Cornhusker State Industries (The estimated cost to the County is not to exceed \$2,500.) (C-19-0479)
- C. Change Order #3 to County Contract C-18-0471 with H.R. Bookstrom Inc. (Project 18-12, Bid 18-138) to include additional services for repair of the southwest channel bank due to failure from saturation and for drain tile extension. The additional cost to the County is \$5,980.99. (C-19-0480)**
- D. Grant contract with OMNI Inventive Care for the Parent Management Training program funded by Juvenile Justice Prevention Funds for the period of July 1, 2019 through June 30, 2020 in the amount of \$25,000. (C-19-0481)**
- E. Amendment to Grant Contract C-18-0555 with Lighthouse Inc., for the Restorative Justice program to increase funding by \$1,888.41. (C-19-0482)**

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

4) SPECIAL PRESENTATION:

- A. Lancaster County Visitors Improvement Fund Grant to the Lincoln Arts Council for promotion of the Lincoln Arts Festival – Troy Gagner, Lincoln Arts Council Development Director; and Jeff Maul, Lincoln Convention & Visitors Bureau Executive Director and Vice President. (See correlating item 6A)**

Jeff Maul, Lincoln Convention Visitors Bureau Executive Director and Vice President, said there has been extensive discussion about the growth of the Lincoln Arts Council and the Arts Festival. There is a growing need in the community to merge events to create one powerful destination for tourism.

Troy Gagner, Lincoln Arts Council Development Director, said there will about 10,000 individuals expected to attend the Arts Festival. The grant request is to assist with marketing outside of the City of Lincoln.

The Board voted on correlating item 6A.

B. Commissioners' Award of Excellence for May, 2019, awarded to Joslynn McSwine, Corrections, in the category of Safety.

The Clerk read the nomination into the record.

Brad Johnson, Lancaster County Corrections Director, thanked and congratulated McSwine.

Flowerday presented McSwine with an award and thanked her for keeping inmates safe and for her life saving efforts.

McSwine thanked the department, her peers and her family.

C. Recognition of County Engineering employees for their performance at the 2019 Winter Maintenance Workshop – Pam Dingman, County Engineer.

Pam Dingman, Lancaster County Engineer, appeared with Ron Bohaty, Road Maintenance Superintendent and LeRoy "Bud" Geistlinger, Assistant Road Maintenance Superintendent, and said this is the fourth year the County has participated in the Winter Maintenance Workshop, in addition to a lot of training on how to handle winter situations on the road. Dingman presented awards from the 2019 skills test (Exhibit A).

Schorr stated she was impressed with the workshop's comprehensive process. She expressed her appreciation to all participants and noted how well Lancaster County was represented.

5) PUBLIC HEARINGS:

A. Public hearing regarding an amusement license application from Prairie Pines Partners to hold Run Four the Pines at 3100 North 112th Street, Lincoln, Nebraska on August 10, 2019. (See correlating item 6B)

The Chair opened the public hearing.

Aaron Clare, Nebraska Forest Service Properties Manager, was administered the oath and said he is aware of the issues with the City's Zoning Ordinance related to the number of amusement licenses allowed per property per year. They are currently working with the Planning Department and have applied for a special recreation facility permit.

Sue Kohles, Prairie Pines Partners Coordinator, was administered the oath and said they began having events on the second Saturday of every month to make Prairie Pines more available to the public and to provide nature-based education. Run Four the Pines is a four-mile trail run and fundraiser to help connect the Murdock Trail to Prairie Pines.

Kohles also discussed the amusement license application for the Meadowlark Music Festival (Item 5B).

Amundson stated since the Medowlark Festival was also discussed, the public hearing would cover both items (5A and 5B).

Hans Stareman, Medowlark Music Festival Executive Director, was administered the oath. He expressed support for the event (Item 5B) and discussed the music lineup for the festival.

Clay Bradley, Medowlark Music Festival Board President, was administered the oath and expressed support for the event (Item 5B).

Steve Henrichsen, Planning Department, said Planning initially recommended denial of both amusement licenses as under the City's Zoning Ordinance each property is only allowed one amusement license per year. He said the applicant has since applied for a special permit with the City. It was noted that another amusement license was previously approved by the County Board for a Community Crops event at Prairie Pines on August 24, 2019. Henrichsen said the Planning Department is now recommending approval of Items 6B and 6C (Exhibit B) and added the special permit application will appear before the Planning Commission on July 10, 2019.

Flowerday asked for clarification on the restriction of the amusement license. Henrichsen said the property is in the City's three-mile zoning jurisdiction which limits them to one amusement license.

The Chair closed the public hearing.

The Board voted on correlating item 6B.

B. Public hearing regarding an amusement license application from Prairie Pines Partners to hold the Medowlark Festival at 3100 North 112th Street, Lincoln, Nebraska on July 13, 2019. (See correlating item 6C)

David Derbin, Deputy County Attorney, clarified that the Chair consolidated the public hearings on Items 5A and 5B.

The Board voted on correlating item 6C.

6) NEW BUSINESS:

A. Lancaster County Visitors Improvement Fund Grant Contract with Lancaster County as the Sponsor and the Lincoln Arts Council as the Grantee in the amount of \$10,000 for promotion of the Lincoln Arts Festival. The grant term is July 1, 2019 through September 30, 2019. (C-19-0483)

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

B. Amusement license application from Prairie Pines Partners to hold Run Four the Pines at Prairie Pines Nature Preserve, 3100 North 112th Street, Lincoln, Nebraska on August 10, 2019.

MOTION: Vest moved and Schorr seconded approval of the amusement license application subject to the condition that Prairie Pines obtain approval of a special permit to comply with the zoning regulations of the City of Lincoln. Schorr, Flowerday, Vest and Amundson voted yes. Motion carried 4-0.

- C. Amusement license application from Prairie Pines Partners to hold the Medowlark Festival at Prairie Pines Nature Preserve, 3100 North 112th Street, Lincoln, Nebraska on July 13, 2019.**

MOTION: Schorr moved and Flowerday seconded approval of the amusement license application. Vest, Schorr, Flowerday and Amundson voted yes. Motion carried 4-0.

- D. Special Designated License application from Fucor, Inc., for an event at Prairie Pines Nature Preserve, 3100 North 112th Street, Lincoln, Nebraska, on July 13, 2019. (in connection with item 6C)**

MOTION: Schorr moved and Flowerday seconded approval of the special designated license application. Vest, Schorr, Flowerday and Amundson voted yes. Motion carried 4-0.

- E. Approval of the appointment of David Cary as the Director of the Lincoln City - Lancaster County Planning Department.**

David Cary said he has been the Interim Director of the Planning Department for over four years and would like to continue as the Director.

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

- F. Resolution in the matter of setting salaries of the Election Commissioner and Chief Deputy Election Commissioner for the term of office starting September 7, 2019. (R-19-0047)**

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

- G. Resolution in the matter of transferring appropriations from the General Fund Miscellaneous Budget to various General Fund Agencies. The amount to be transferred is \$954,841. (R-19-0048)**

Dennis Meyer, Lancaster County Budget & Fiscal Officer, said this transfer will be the last piece of the current budget year which ends on June 30, 2019. State Statute requires that there be enough spending authority in each department or business unit and this resolution will accomplish that without affecting the General Fund budget.

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

- H. Agreement with Prothman to provide qualified professionals to recruit candidates for the position of Chief Administrative Officer to the Lancaster County Board of Commissioners. The County will pay \$19,500 for the professional services and up to \$9,500 for expenses. The agreement shall be effective upon execution by both parties. (C-19-0490)**

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

- I. Setting the annual salary of Kerin Peterson, Lancaster County Facilities & Properties Director, at \$93,015.00, effective June 19, 2019.**

MOTION: Vest moved and Flowerday seconded approval of setting the annual salary of Kerin Peterson. Flowerday, Vest, Schorr and Amundson voted yes. Motion carried 4-0.

- J. Special Designated License applications from James Arthur Vineyards for events at 2001 West Raymond Road, Lincoln, Nebraska, on July 6, 13, 20, 27 and August 3, 10, 17, 24 and 31, 2019.**

MOTION: Schorr moved and Vest seconded approval of the special designated license applications. Schorr, Flowerday, Vest and Amundson voted yes. Motion carried 4-0.

- K. Agreement with the Administrative Office of the Courts & Probation for the operation of the Lancaster County Juvenile Drug Court. The term of the agreement is July 1, 2019, through June 30, 2022. (C-19-0484)**

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

- L. Interlocal agreements with the following Lancaster County School Districts for the provision of a school resource officer by the Lancaster County Sheriff's Office. The school agrees to pay the County the amounts as listed for the first year of the contract with a 2.5% increase each contract year thereafter. The terms of the agreements are August 1, 2019, to July 31, 2022.**

- 1. District 148 (Malcolm) in the amount of \$16,466.50. (C-19-0485)**
- 2. District 160 (Norris) in the amount of 32,933. (C-19-0486)**
- 3. District 161 (Raymond Central) in the amount of \$16,466.50. (C-19-0487)**
- 4. District 145 (Waverly) in the amount of \$32,933. (C-19-0488)**

MOTION: Schorr moved and Flowerday seconded approval of the interlocal agreements. Vest, Schorr, Flowerday and Amundson voted yes. Motion carried 4-0.

- M. **Grant contract with the Nebraska Crime Commission for the Operation Tipping Point program. The Commission will provide \$35,000 and the Lincoln Police Department will provide a match share of \$13,301 for a total project cost of \$48,301. The grant period is from July 1, 2019 through June 30, 2020. (C-19-0489)**

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

- N. **Agreement with Goncagual Cacan to provide referee services at a rate of \$90 per hour to hear valuation protests for the 2019 tax year and to transmit to the Lancaster County Board of Equalization all papers relating to such protests, together with written findings and recommendations. (C-19-0457)**

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

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

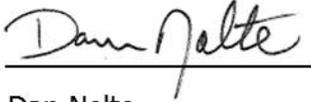
Jonathon Leo, 2321 Devonshire Drive, Lincoln, discussed his concerns regarding the Confined Animal Feeding Operation Task Force meetings and the lack of an official record being kept. He also requested one of the Commissioners attend.

8) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Commissioners will hold department budget hearings on Tuesday, June 18, 2019 immediately following the Lancaster County Board of Equalization meeting 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 a staff meeting on Thursday, June 20, 2019 at 8:30 a.m., in the Bill Luxford Studio (Room 113) of the County-City Building (555 S. 10th Street, Lincoln).**
- C. **The Lancaster County Board of Commissioners will hold its next regular meeting on Tuesday, June 25, 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.**
- 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).**

9) ADJOURNMENT

MOTION: Schorr moved and Vest seconded approval to adjourn the Lancaster County Board of Commissioners meeting at 9:47 a.m. Vest, Schorr, Flowerday and Amundson voted yes. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk



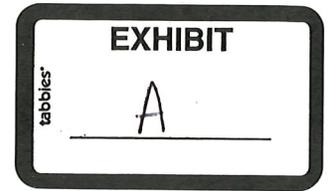
2019 Nebraska Winter Maintenance Workshop and Skills Test Awards

Backhoe

2nd place for Lancaster County – Chris Fisser

1st place for Lancaster County – Keith TenHulzen

Perfect Test Score – Ed Hall



Skid Steer

2nd place for Lancaster County – Chris Fisser

1st place for Lancaster County – Curtis Pokorny

Perfect Test Score – Terry Cadwallader

Loader

2nd place for Lancaster County – Lyndon Loschen

1st place for Lancaster County – Steve Slapnicka

Single Axle Plow Truck

2nd place for Lancaster County – Lou Gasper / John Juricek

1st place for Lancaster County – Lyndon Loschen / Terry Cadwallader

Motor Grader

2nd place for Lancaster County – Eric Hunt

- 2nd place overall in competition
- 4th consecutive year of placement in competition
 - 2018 – 1st place
 - 2017 – 2nd place
 - 2016 – 1st place

1st place for Lancaster County – Bob Larsen

- 1st place overall in competition



- B. Amusement license application from Prairie Pines Partners to hold Run Four the Pines at Prairie Pines Nature Preserve, 3100 North 112th Street, Lincoln, Nebraska on August 10, 2019, subject to the condition that they obtain approval of a special permit in order to comply with the zoning regulations of the City of Lincoln.

- C. Amusement license application from Prairie Pines Partners to hold the Meadowlark Festival at Prairie Pines Nature Preserve, 3100 North 112th Street, Lincoln, Nebraska on July 13, 2019.

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, JUNE 18, 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 14, 2019.

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

Others present: Rob Ogden, Lancaster County Assessor/Register of Deeds; Rachel Garver, County Treasurer; Scott Gaines, Assessor/Register of Deeds Office; Kerry Eagan, Chief Administrative Officer; Ann Ames, Deputy Chief Administrative Officer; Dave Derbin, Deputy County Attorney; Dan Nolte, County Clerk; Cori Beattie, Deputy County Clerk; and Monét McCullen, County Clerk's Office

The meeting was called to order at 9:47 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 4, 2019.

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

2) ADDITIONS AND DEDUCTIONS TO THE TAX ASSESSMENT ROLLS

MOTION: Schorr moved and Vest seconded approval of the additions and deductions. Vest, Schorr, Flowerday and Amundson voted yes. Motion carried 4-0.

3) PUBLIC HEARINGS:

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

Christian Heritage Children's Homes	Capital Humane Society
Second Baptist Church	Mosaic
Resources for Human Development	College View Academy
Our Saviour's Lutheran Church	Radiant Church
Christian Retirement Homes dba Eastmont Towers	Epona Horse Rescue

The Chair opened the public hearing.

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

The Chair closed the public hearing.

4) ACTION ON MOTOR VEHICLE TAX EXEMPTION APPLICATIONS

MOTION: Vest moved and Flowerday seconded approval of the motor vehicle tax exemption applications. Vest, Schorr, Flowerday and Amundson voted yes. Motion carried 4-0.

5) NOTICE OF ASSESSED VALUATION CHANGE FOR PROPERTY TAXATION PURPOSES:

- A. Jerry L. Barger**
- B. Round Table Revocable Trust**

Scott Gaines, Deputy County Assessor/Register of Deeds, said there was a land use change regarding Mr. Barger's property and the Register of Deeds Office inadvertently removed the wetlands program designation. This action will reinstate that designation and reduce the value. He noted the notice for Round Table Revocable Trust is regarding construction of a new home that was complete at the beginning of 2019. Both property owners have 30 days to appeal the change in valuation.

MOTION: Vest moved and Schorr seconded approval to send the notices of assessed valuation changes for property taxation purposes. Flowerday, Vest, Schorr and Amundson voted yes. Motion carried 4-0.

6) APPEAL OF PENALTY AND INTEREST ON PERSONAL PROPERTY FROM FREDDY'S FROZEN CUSTARD & STEAKBURGERS

Gaines said the Assessor/Register of Deeds office is recommending denial of the appeal. He noted the Board's ability to grant appeals only applies to penalties that were wrongly imposed or incorrectly calculated.

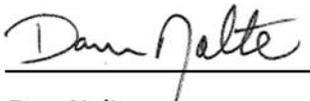
MOTION: Schorr moved and Vest seconded to deny the appeal based on the recommendation of the County Assessor/Register of Deeds. Vest, Schorr, Flowerday and Amundson voted yes. Motion carried 4-0.

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 Flowerday seconded to adjourn the Lancaster County Board of Equalization meeting at 9:51 a.m. Vest, Schorr, Flowerday and Amundson voted yes. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk

