

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, AUGUST 20, 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 16, 2019.

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

Commissioner absent: Rick Vest

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 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 13, 2019.**

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

2) CLAIMS:

- A. Approval of all claims processed through August 20, 2019.**

MOTION: Schorr moved and Yoakum seconded approval of the claims. Schorr, Flowerday, Yoakum and Amundson voted yes. Vest was absent. 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. Amendments to the following contracts for Unit Price – Carpet Cleaning (Bid No. 16-140. The amendment renews the contract from August 9, 2019 through August 8, 2020. The cost to the County is not to exceed \$10,000 for contracts.):**

1. C-16-0406 with FBG Service Corporation. (C-19-0628)
2. C-16-0405 with CleanMax. (C-19-0629)

B. Amendments to the following County contracts:

1. C-18-0504 with Tab Products Co. LLC dba GBS for Annual Supply – County Court File Folders. (Quote No. 5888. The amendment renews the contract with a price increase from September 24, 2019 through September 23, 2020. The cost to the County is not to exceed \$10,300.) (C-19-0630)
2. C-19-0246 with O'Reilly Auto Enterprises, LLC., dba O'Reilly Auto Parts for Fleet Services Parts and Equipment. (Using the NJPA Contract 062916-ORA, State of NE Participating Contract No. 14690 OC, MOU046. The amendment renews the contract from September 7, 2019 through September 6, 2020. The estimated cost to the County is not to exceed \$1,200.) (C-19-0631)
3. C-17-0737 with TLC Dry Cleaners for Annual Service – Uniform Cleaning. (Quote No. 5681. The amendment renews the contract from September 12, 2019 through September 11, 2020. The cost to the County is not to exceed \$16,000.) (C-19-0632)
4. C-18-0548 with Garcia-Chicoine Enterprises, Inc., for On-Call Guardrail Repair and Replacement Services. (MOU033- Using the NDOT Contract No. QH1804. The amendment renews the contract from September 1, 2019 through August 31, 2020. The estimated cost to the County is not to exceed \$35,000.) (C-19-0633)
5. C-15-0111 with W.W. Grainger, Inc. for Facilities Maintenance, Repair and Operating Supplies. (NJPA RFP No. 091214. The amendment increases the County's maximum expenditures by \$15,000 for a revised total of \$37,000.) (C-19-0634)

- C. Utility Permit No. 1854 allowing Unite Private Networks to install new fiber cable under the northerly portion of Stagecoach Road from South 54th to South 68th Streets in the right-of-way. There is no cost to the County. (C-19-0635)**
- D. First Amendment to County Contract C-18-0366 with Bluestem Health to terminate the Patient Support Specialist (\$17,000) and cover administrative costs associated with the 340B Drug Pricing Program (\$7,500). The term of the contract is extended through June 30, 2021. (C-19-0636)**
- E. Grant contract with Lincoln Public Schools for the Truancy Diversion program (funded by Community-Based Juvenile Services Aid for the period of July 1, 2019 through June 30, 2020 in the amount of \$174,272). (C-19-0637)**
- F. Grant contract with Clyde Malone Community Center for the Shields Unite program (funded by Juvenile Justice Prevention funds for the period of July 1, 2019 through June 30, 2020 in the amount of \$20,000). (C-19-0638)**

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

4) NEW BUSINESS:

A. Resolution authorizing the installation of traffic control devices in Lancaster County. (R-19-0059)

Pam Dingman, Lancaster County Engineer, said this would be for a "school bus stop ahead" sign.

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

B. Resolution in the matter of vacating portions of West Saltillo Road, located in Lancaster County, Nebraska. (R-19-0060) (Note: Action on this item will follow the public hearing.)

The Clerk announced this item would be held until after the public hearing.

C. Special Designated License application from Denton Daily Double for an event at Hillside Event Center, 12400 West Denton Road, Denton, Nebraska on September 7, 2019.

Scott Zeilinger, Denton Daily Double, provided a brief description of the event.

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

D. Special Designated License application from Beauvent Travel LLC for an event at Hillside Event Center, 12400 West Denton Road, Denton, Nebraska on September 21, 2019.

Eric Post, Beauvent Travel LLC, provided a brief description of the event.

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

E. Special Designated License application from Nebraska Craft Brewers Guild for an event at Spring Creek Prairie Audubon Society, 11700 Southwest 100th Street, Denton, Nebraska on September 29, 2019.

Gabby Ayala, Nebraska Craft Brewers Guild Executive Director, provided a brief description of the event.

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

- F. Agreement with Blue Valley Behavioral Health Crisis Response Counselors for after-hours screening and assessment on an on-call, as-needed basis at the Youth Services Center. The County Will pay \$100 per hour for the services. The cost to the County is not to exceed \$9,000. The term of the agreement is July 1, 2019 through June 30, 2020. (C-19-0639)**

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

- G. Agreements with the State of Nebraska to establish the terms upon which the State will assist the County in obtaining Federal approval and funds with the agreements being effective upon execution by the State for the following:**
- 1. Paving project on South 98th Street from Old Cheney Road to A Street. The County's share of the total project cost is estimated to be \$576,100. (Project No. 19-04, NDOT Project No. LCLC-5275(1), NDOT Control No. 13417) (C-19-0640)**
 - 2. Road construction project on South 98th Street from A Street to O Street. The County's share of the total project cost is estimated to be \$408,800. (Project No. 19-28, NDOT Project No. LCLC-5275(2), NDOT Control No. 13418) (C-19-0641)**

Dingman said these contracts are for 98th Street using Metropolitan Planning Organization (MPO) funding shared with the City of Lincoln. The County will pay for 20% of the project. There are about 650 cars per day travelling the gravel sections of the road so it is critical to the County and City to get 98th Street paved. There is already drainage structure and grading on 98th Street from Old Cheney Road to A Street. Dingman noted the second agreement from A Street to O Street is for grading and paving projects. She explained when the right-of-way was purchased for that road the sale was contingent on the road being paved by 2030. If it is not, the right-of-way will revert to the adjacent land owner. This portion of 98th Street will also need an environmental study that will take an additional one to two years.

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

- H. Executive Session for legal advice – David Derbin, Deputy County Attorney.**

The Clerk announced that this item would be held until the end of the meeting.

5) PUBLIC HEARINGS:

- A. Vacating portions of West Saltillo Road, located in Lancaster County, Nebraska. (See correlating item 4B)**

The Chair opened the public hearing.

Ken Schroeder, Lancaster County Engineering Department, was administered the oath and said this is a small section of County Road #1205 between Southwest 84th Street and Southwest 86th Street on Saltillo Road (Exhibit A). The vacation of the dirt road was brought forth by the County Engineering Department due to illegal dumping and other illegal activity.

Pam Dingman, Lancaster County Engineer, was administered the oath and provided a colored map of the road (Exhibit B). The portion in blue has been closed but not technically vacated, which means Lancaster County still maintains ownership of the road. This area has not been maintained and has farm access on the far south end. The green portion would be left open to through traffic. The yellow portion is the proposed vacation. She added Lancaster County and the Spring Creek Prairie Audubon Center are spending a lot of time continuously cleaning up the area.

Schorr asked if gates would be used. Dingman said there are currently gates between Southwest 86th Street and West Saltillo Road. However, they are often vandalized and illegal access is being gained to the Prairie. Another concern with a road closure versus a road vacation is corridor liability.

Flowerday asked if today's action would vacate Southwest 86th Street as well as Saltillo Road. Dingman confirmed the action today would just vacate Saltillo Road.

Amundson inquired about the current condition of Southwest 86th Street. Dingman said it is a dirt road. In previous years soil was taken from that road and used for Denton Road. It has not been maintained or seeded properly, therefore, certain points are no longer passable with vehicles.

In response to questions about access, Dingman confirmed there is no access on the north end of Southwest 86th Street, but there is access on the far south side for the one farm entrance. There are no accesses to Saltillo Road.

Amundson asked how emergency vehicles would access these roads. Dingman said there are no residences along this section of Southwest 86th Street.

Kim (Boman) Gates, 977 Harris Road, Grayslate, Illinois, was administered the oath and came forward in opposition on behalf of her mother, Jeanne Boman, who is the property owner affected by the proposed vacation. She noted the Boman family has owned their property for close to 100 years. She expressed concerns regarding continued illegal dumping even if the road was vacated, accessibility for surrounding residents and emergency vehicles and how closing the road would limit access to their land. Gates also noted that they have applied for Environmental Quality Incentives Program (EQIP) funds through the National Resources Conservation Service (NRCS) for pasture improvements. She referenced a letter that she sent to the Commissioners dated August 19, 2019 (Exhibit C).

Schorr asked what year the road conditions were put into place. Schroeder said action took place in December, 2008. Gates referenced a County Engineering report dated August 20, 2008 (Exhibit D) and comments from the County Sheriff dated December 2, 2008 (Exhibit E).

Yoakum asked Ms. Gates about their current access. Gates said they currently have no access to Saltillo Road or Southwest 84th Street but plan to install fencing with the EQIP funds.

Schroeder clarified from the report referenced in Exhibit D that the vacation was brought forward by the Audubon Society to foster the Prairie Creek Habitat and were looking at the adjacent property. At the time, Saltillo Road was adjacent to the Audubon Society and had no bearing on their property to the east or west.

Schroeder noted that ownership today still goes to the section line (Exhibit F). The intent is to vacate any interest the County may have as a public road.

No one appeared in the neutral position.

The Clerk announced a letter of opposition was received from Kim Gates (referenced as Exhibit C).

The Chair closed the public hearing.

Jen Holloway, Deputy County Clerk, noted this item will need to be held over for a week. Kerry Eagan, Chief Administrative Officer, referenced Neb. Rev. Stat. §39-1725 that states action must take place at the next meeting or as soon thereafter as practicable (Exhibit G).

Item 4B was held one week for action only.

Following the hearing a letter was received in the Clerks office from Kim Gates (Exhibit H).

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, August 22, 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, August 27, 2019 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, August 27, 2019 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) regarding Keno Fund Projects and Lancaster County's Proposed Budget for Fiscal Year 2019-20.**
- 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).**

The Chair recessed the Board of Commissioners meeting at 9:37 a.m.

The Chair reconvened the Board of Commissioners meeting at 9:42 a.m.

RETURNING TO ITEM 4H

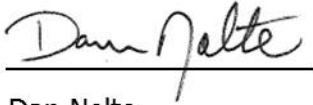
MOTION: Schorr moved and Yoakum seconded to enter into Executive Session for the purpose of discussing legal advice and to protect the public interest at 9:42 a.m. Yoakum, Schorr, Flowerday and Amundson voted yes. Vest was absent. Motion carried 4-0.

The Chair restated the purpose for the Board entering Executive Session.

MOTION: Schorr moved and Flowerday seconded to exit Executive Session at 9:54 a.m. Flowerday, Yoakum, Schorr and Amundson voted yes. Vest was absent. Motion carried 4-0.

8) ADJOURNMENT

MOTION: Schorr moved and Flowerday seconded to adjourn the Board of Commissioners meeting at 9:54 a.m. Schorr, Flowerday, Yoakum and Amundson voted yes. Vest was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk



**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, AUGUST 20, 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 August 16, 2019.

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

Commissioner absent: Rick Vest

Others present: Scott Gaines, Assessor/Register of Deeds Office; Rachel Garner, County Treasurer; 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 meeting was called to order at 9:37 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, August 6, 2019.

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

B. Approval of the minutes of the Board of Equalization meeting held on Thursday, August 8, 2019.

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

2) ADDITIONS AND DEDUCTIONS TO THE TAX ASSESSMENT ROLLS

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

3) 2019 LATE FILING HOMESTEAD EXEMPTIONS:

Charles & Rea Jean Ziegelbein	Vitality & Alla Osiychuk
Todd C. Kosta	Trudy L. Martin
Elizabeth A. Morgan	Jim & Sandra Hershberger

Amanda Kaufman	Judith L. Swenson
Jim & Cheryl Petrig	Marilyn M. Christensen
John E. & Arlene J. Delisi	Harold J. & Priscilla P. Gooseen
Joseph D. & Delores J. Robbins	

Scott Gaines, Assessor/Register of Deeds Office, said Statute allows late filings up to July 20th so long as the applicant did not have a late filing the previous year. He recommended approval of the late filings.

MOTION: Schorr moved and Yoakum seconded approval of the 2019 late filing homestead exemptions. Flowerday, Yoakum, Schorr and Amundson voted yes. Vest was absent. Motion carried 4-0

4) PUBLIC HEARINGS:

A. Motor Vehicle Tax Exemption Applications (See correlating item 5)

Madonna Rehabilitation Hospital	Christ Lutheran Church
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The Chair opened the public hearing.

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

The Chair closed the public hearing.

5) ACTION ON MOTOR VEHICLE TAX EXEMPTION APPLICATIONS

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

6) 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.

7) ADJOURNMENT

MOTION: Schorr moved and Yoakum seconded to adjourn the Lancaster County Board of Equalization meeting at 9:41 a.m. Yoakum Schorr, Flowerday and Amundson voted yes. Vest was absent. Motion carried 4-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk

