

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, SEPTEMBER 21, 2021
9:00 AM

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

Location Announcement of Nebraska Open Meetings Act: A copy of the Nebraska Open Meetings Act is located on the wall at the rear of the Hearing Room. Additionally, all written material to be discussed at today's open meeting is available for electronic viewing from the County Clerk's staff. Printing options are available upon request. These materials can also be viewed on the County's website at lancaster.ne.gov.

Those wishing to speak on an item set for a public hearing, protest or appeal are asked to do so in Room 112 when the item is called by the County Clerk. Each speaker is limited to five (5) minutes. Time limits may be extended or reasonably decreased at the discretion of the County Board Chair.

Those wishing to testify by video must register with the County Clerk's Office by calling 402-441-7484 or emailing coclerk@lancaster.ne.gov by 3:00 p.m. on the day before the meeting. You will be required to provide your name, phone number, email and the agenda item(s) you wish to address. Prior to the meeting, you will receive a link via email which will allow you to join the meeting.

1) MINUTES:

- A. Approval of the [minutes](#) of the Board of Commissioners meeting held on Tuesday, September 14, 2021

2) CLAIMS:

- A. Approval of all [claims](#) processed through September 21, 2021.

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. Right-of-Way contracts with the following:

- 1. Matthew Burgess, North 70th Street and Little Salt Road, in the amount of \$1,459 ([C-21-0702](#))
- 2. Eugene J. & Betty J. Tvrdy Living Trust, North 27th Street and Ashland Road, in the amount of \$1,241 ([C-21-0703](#))

B. Amendments to the following contracts:

- 1. C-20-0749 with Envirotech Services, Inc., (using the State of NE Contract No. 15366 OC) for Corrosion Inhibited Liquid Magnesium Chloride, (MOU090. The amendment renews the contract from September 22, 2021, through September 21, 2022. The estimated cost for products to the County is not to exceed \$25,000) ([C-21-0707](#))
- 2. C-19-0760 with Pavers, Inc. for Cold Mix Asphalt. (Bid No. 19-214. The amendment renews the contract with a price increase from September 17, 2021, through September 16, 2022. The cost to the County is not to exceed \$3,000.) ([C-21-0710](#))

3. C-20-0341 with Whitehead Oil Company for Annual Supply - Motor Fuel. (Bid No. 20-137. The amendment will amend the contract to hedge the supply of Motor Fuel at costs and amounts listed on Attachments from January 1, 2022, through June 20, 2022.) ([C-21-0712](#))
 4. C-18-0536 with NMC, Inc. for Annual Repair Services for Construction and Purpose-Built Equipment. (Bid No. 18-167. The amendment reflects a price increase with no additional cost to the County. The cost to the County shall not exceed \$500,000 for Contracts for the remainder of the current term without County Board approval) ([C-21-0713](#))
- C. Change Order #1 to County Contract C-21-0388 with Topkote Inc. (Bid 21-103; Project 21-13; Subdivision Chip Seal) for change in dilution and application rates for Fog Seal for a net increase of \$0.14. ([C-21-0706](#))
 - D. Change Order #2 to County Contract C-21-0314 with Midwest Coating Company, Inc. (Bid 21-019; Project 21-07; Crack Sealing Bituminous Surfacing 2021) for end of project reconciliation of an overrun in the amount of \$32,983.16 due to increase of cracks needing to be sealed. ([C-21-0708](#))
 - E. Change Order #1 to County Contract C-21-0342 with Tim Sisco Construction LLC (Bid 21-025; Project 21-20; Culvert Maintenance 2021 (Phase I)) for plan revision #2 for a net increase of \$26,796. ([C-21-0709](#))
 - F. Contract with Genuine Parts Company dba NAPA Auto Parts for Aftermarket Vehicle Parts and Supplies (Product Only), (using the State of Minnesota/Sourcewell RFP 032521-GPC (Lead Contract), MOU114. This MOU will be effective upon execution through May 19, 2022, with the option to renew for four (4) additional one (1) year terms under the same terms and conditions according to the renewals allowed by the Lead Contract. The cost to the County is not to exceed \$22,000.) ([C-21-0711](#))

4) **PUBLIC HEARINGS:**

- A. [Appeal](#) of Special Permit 17043A to allow soil mining and excavation on property generally located at SW 112th Street and W Van Dorn Street (See correlating item 5A)
- B. Adoption of the Lancaster County zoning and subdivision [fee schedules](#) (See correlating item 5B)
- C. Setting the final tax request at a different amount than the prior year tax request for Lancaster County and the Rural Library for Lancaster County. (See correlating item 5C)

5) **NEW BUSINESS:**

- A. Resolution in the matter of an Appeal of Special Permit 17043 allowing soil mining and excavation on property generally located at SW 112th Street and W Van Dorn Street.
- B. Resolution regarding the adoption of the Lancaster County Zoning and Subdivision fee schedules attached as Exhibit A.
- C. Resolution in the matter of setting the 2021-22 property tax request for Lancaster County and the Rural Library for Lancaster County at a different amount than that of the prior year ([R-21-0064](#))

- D. Resolution to direct the County Treasurer to issue tax sale certificates to the County of Lancaster upon all parcels of real estate upon which there are delinquent taxes and which were not sold for want of bidders at the last annual tax sale. ([R-21-0061](#))
- E. Resolution authorizing the installation of traffic control devices in Lancaster County. ([R-21-0062](#))
- F. Resolution authorizing the Deputy Chief Administrative Officer to function as the Authorized Organization Representative for purposes of securing and administering grant funding through the U.S. Department of Justice, Office of Justice Programs, and the State of Nebraska Commission on Law Enforcement and Criminal Justice. ([R-21-0063](#))
- G. Special designated license application from [Seven Diamonds LLC](#) for an event on October 9, 2021
- H. Special designated license application from [Seven Diamonds LLC](#) for an event on October 16, 2021
- I. Grant Contract with LUX Center for the Arts to promote its EMERGE LNK Mural and Street Arts Festival. The County will reimburse promotional costs in an amount not to exceed \$5,000 from the Visitors Promotion Fund. ([C-21-0701](#))
- J. Grant Contract with Lincoln Children’s Museum to promote Game Day Play Dates. The County will reimburse promotional costs in an amount not to exceed \$5,000 from the Visitors Promotion Fund. ([C-21-0705](#))
- K. [Recommendation](#) from the Pension Review Committee to place the following funds on the watch list for purposes of the Lancaster County Employees Retirement and 457 Deferred Compensation Plan Statement of Overall Investment Objectives and Policy:
 - 1. American Funds Fundamental Investors Class R-5E; and
 - 2. Eaton Vance Atlanta Capital SMID-Cap Fund Class R6
- L. Settlement agreement with Brenda Peters for \$143.04 regarding an incident that occurred on April 26, 2021, at 625 North 46th Street, Lincoln, Nebraska. (C-21-0704)
- M. An agreement with JEO Consulting Group, Inc. for structural consultation services related to bridges in Lancaster County, Nebraska. The expenditure for these services shall not exceed \$40,000. ([C-21-0714](#))
- N. Approval and submission of an [Equal Employment Opportunity Plan \(EEOP\) Certification Form](#) declaring that Lancaster County has submitted an EEOP Utilization Report to the Office for Civil Rights. This includes authorizing the Deputy Chief Administrative Officer to electronically sign the Certification Form on behalf of the Chair. The Certification Form is required for receipt of certain grants.

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

Per the Lancaster County Board of Commissioners’ Guidelines for Public Participation each speaker is limited to five (5) minutes. Time limits may be extended or reasonably decreased at the discretion of the County Board Chair. The public comment period is limited to one (1) hour in duration.

7) ANNOUNCEMENTS:

- A.** The Lancaster County Board of Commissioners will hold its next staff meeting on Thursday, September 23, 2021, at 8:30 a.m. in Room 113 of the County-City Building (555 S. 10th Street, Lincoln).
- B.** The Lancaster County Board of Commissioners will conduct interviews for the Youth Services Director position on Friday, September 24, 2021, at 8:30 a.m. in Room 113 (Bill Luxford Studio) 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, September 28, 2021, at 9:00 a.m. in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).
- 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).

8) ADJOURNMENT

This agenda, which is kept continually current, is available for inspection during regular business hours in the office of the Lancaster County Clerk, located at 555 S. 10th Street, Room 108, Lincoln, Nebraska. Meeting agendas and minutes are also available on the County's web site at lancaster.ne.gov.

Interpreters for the hearing impaired are available upon request. Please contact the County Clerk's Office at 402-441-7481 at least 48 hours prior to the meeting if this accommodation is required, or if you have any other special communication needs requiring assistance.

Si necesita ayuda con el idioma español, por favor haga arreglos con el secretario del condado de Lancaster en un plazo de dos días antes de la reunión pública. El número de teléfono del secretario del condado de Lancaster es 402-441-7481. (If you need Spanish language assistance, please make arrangements with the Lancaster County Clerk within two days of the public meeting. The phone number for the Lancaster County Clerk is 402-441-7481.)