

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**ZOOM MEETING**  
**VIEWING AVAILABLE VIA YOUTUBE AT <https://www.youtube.com/lnktvcity>**  
**COUNTY-CITY BUILDING, ROOM 112**  
**TUESDAY, MAY 5, 2020**  
**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 May 1, 2020.*

**Commissioners present:** Sean Flowerday, Chair; Rick Vest, Vice Chair; Roma Amundson; Deb Schorr; 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, 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, April 28, 2020.**

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

**2) CLAIMS:**

- A. Approval of all claims processed through May 5, 2020.**

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

**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 Windstream Nebraska, LLC to relocate fiber optic cables with no cost to the County for the following:**

- 1. No. 1975 and No. 1976 along South 120<sup>th</sup> Street and Rokeby Road in conjunction with the South Beltway Construction Project. (C-20-0207) (C-20-0208)**

2. No. 1977 for Box Culvert F-86 adjacent to North 14<sup>th</sup> Street right-of-way from approximately 3,400 linear feet north of Bluff Road to approximately 1,230 linear feet south of Waverly Road. (C-20-0209)
3. No. 1978 for Box Culvert F-82 adjacent to North 14<sup>th</sup> Street right-of-way from 1006 linear feet north of McKelvie Road to 3,500 linear feet south of Bluff Road. (C-20-0210)

**B. Amendments on the following contracts:**

1. C-19-0555 with Nebraska Salt & Grain Co., for Annual Supply – Road Salt. (19-152. The amendment renews the contract from June 1, 2020 through May 31, 2021. The cost to the County is not to exceed \$100,000.) (C-20-0211)
2. C-18-0157 with Wellpath for Medical Care Services for 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-20-0213)
3. C-18-0155 with Graybar Electric Company, Inc., for the Electrical, Lighting, Data Communications and Security Products and Related Products, Services and Solutions. (MOU019. The amendment renews the contract from April 6, 2020 through April 5, 2021. The estimated cost to the County is not to exceed \$28,000.) (C-20-0214)
4. C-16-0010 with Nebraska Secretary of State, Records Management Division, to provide microfilming imaging services. (The amendment renews the agreement from April 1, 2020 through March 31, 2021.) (C-20-0215)

**C. Right-of-way contracts with the following:**

1. Janet I. Wallman, 11618 North 14<sup>th</sup> Street, in the total amount of \$5,836. (2 contracts) (C-20-0216, C-20-0217)
2. Darril R. Hauser, 11505 North 14<sup>th</sup> Street, in the total amount of \$5,314.50 (3 contacts) (C-20-0218, C-20-0219, C-20-0220)
3. Roberta S. Pfister Unified Credit Trust, North 176<sup>th</sup> Street and Alvo Road, in the amount of \$1,711. (C-20-0221)
4. Charles J. and Joyce Maly, North 27<sup>th</sup> Street and Branched Oak Road, in the amount of \$1,903. (C-20-0222)
5. Thomas E and Paula G. Peterson, Trustees; The Thomas E. and Paula G. Peterson Revocable Trust, North 134<sup>th</sup> Street and Rock Creek Road, in the amount of \$1,631. (C-20-0223)
6. Rodney M. and Jeane M. Loos, 13800 North 1st Street, in the amount of \$433. (C-20-0224)
7. Charles J. and Joyce Maly, 2323 Branched Oak Road, in the amount \$509. (C-20-0225)
8. Douglas A. and Deborah L. Kuster Family Revocable Trust, South 96<sup>th</sup> Street and Roca Road, in the amount of \$1,279. (C-20-0226)

**D. Contract with Kubert Appraisal Group in the amount of \$3,200 for appraisal services at the South Ridge Acres Addition. (C-20-0227)**

**E. Replace page two of the Directive Authorization to Prudential Retirement under the Coronavirus Aid, Relief, and Economic Security Act [HR 748, "CARES ACT"] to clarify Coronavirus - Related Distributions are limited to not exceed \$25,000.**

**F. Received and placed on file the following:**

- 1. City of Hickman Annual Report on Community Redevelopment Projects.**
- 2. County Clerk report for April, 2020.**
- 3. Clerk of the District Court report for April, 2020.**

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

**4) NEW BUSINESS:**

- A. Resolution in the matter of suspending the Lancaster County Visitors Improvement Fund Grant Program through December 31, 2020. (R-20-0020)**

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

- B. Resolution authorizing the installation of traffic control devices in Lancaster County. (R-20-0021)**

Pam Dingman, Lancaster County Engineer, said the proposed traffic control devices are all associated with the detour to construct the South Beltway. She provided a map of the proposed locations (Exhibit 1).

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

- C. Reappointment of Jeff Cunningham to the Lancaster County Visitors Promotion Committee to a four-year term commencing July 1, 2020 and ending June 30, 2024.**

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

- D. Waiver of Article III, Section 2 of the Lancaster County Visitors Promotion Committee By-Laws, and extending the terms of Lancaster County Visitors Promotion Committee members Becky Perrett and Roland Morgan through December 31, 2020, due to the disruption caused by the COVID-19 crisis.**

**MOTION:** Yoakum moved and Amundson seconded approval of the waiver of Article III, Section 2 of the Visitors Promotion Committee By-laws to extend the terms of Becky Perrett and Roland Morgan. Yoakum, Vest, Schorr, Amundson and Flowerday voted yes. Motion carried 5-0.

- E. Setting the annual salary for Sarah Aksamit, Bailiff for the Honorable Elise White, at \$66,904, effective April 30, 2020.**

**MOTION:** Schorr moved and Yoakum seconded approval of the salary for Sarah Aksamit.

Schorr congratulated the Honorable Judge White and looked forward to working with her.

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

**F. Recommendation from the Personnel Policy Board to create a Community Corrections Program Supervisor (C10 - \$46,874.88 - \$60,043.36)**

Kim Etherton, Community Corrections Director, said last year there was approval to hire a position for the drug testing program and after further review they realized the Mental Health Specialist position was not a good fit. This recommended position was kept generic in the event it was needed elsewhere.

**MOTION:** Vest moved and Schorr seconded approval of the recommendation.

Schorr asked how soon the position would be filled. Etherton said the position would not be filled until after the COVID-19 crisis passes as it would be too difficult to train someone at this time and when testing has increased. She noted she does not anticipate the position being filled before the end of the summer.

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

**G. Special Events Permit application from Gary Bredehoff, Tiger Coaching & Personal Training, for an event on September 13, 2020.**

**MOTION:** Amundson moved and Yoakum seconded approval of the special events permit application.

Yoakum said this has been a long-standing event that she has attended in the past. She encouraged individuals to attend.

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

**H. Recommendations for the following funding:**

- 1. Joint Budget Committee (JBC) for 2020-2022.**
- 2. Juvenile Justice Prevention Fund for 2020-2021.**

Sara Hoyle, Human Services Director, said non-profits play a vital role in our community. She discussed the services that the JBC and the Juvenile Justice Prevention Fund provide to the community.

Schorr said these are difficult decisions to make because there are so many service needs but the dollars are limited. She noted she appreciates the members of the JBC and the work they do to review the applications and make award recommendations.

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

**I. Agreement with Summit Food Service LLC for the provision of an on-site food service and preparation skills course for inmates in the custody of the Lancaster County Corrections Department. The term of the agreement is a maximum of one-year from date of execution. The cost to the County is not to exceed \$10,003.50. (C-20-0228)**

**MOTION:** Amundson moved and Schorr seconded approval of the agreement.

Schorr said she thinks this program has been around for five or six years where the food service provider works with the inmates to teach basic food preparation skills.

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

- J. Agreement with The Schemmer Associates, Inc., for design and plan preparation services of County structure H-115 (Project 19-20). The work shall be completed on or before May 19, 2020. The cost to the County is \$2,250. (C-20-0229)**

Dingman said this structure has been closed since the 2015 flood. The Engineering Department received hazardous mitigation grant money to build the structure. This structural assistance is the last step needed to dissipate the energy coming out of the structure before going into Camp Creek. (Exhibit 2)

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

- K. Recommendation from the Purchasing Agent and County Engineer to award a Unit Price Contract to M.E. Collins Contracting Co., for Shotcrete Application Services (Bid No. 20-097) The estimated annual amount is \$300,000. (B-20-0097)**

Dingman said this is a way to maintain concrete structures. The broken concrete is cleaned and resealed with the pressurized concrete. She noted the contract amount was higher than anticipated.

Flowerday asked what contract amount was expected. Dingman said she was hoping for \$100,000. This is a unit price contract and they will likely replace one bridge and hopefully next year more bridges can be replaced.

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

- L. Directing the County Clerk to publish notice in a legal newspaper pursuant to Neb. Rev. Stat. § 23-107.01(2) of the intent of the Board of County Commissioners of Lancaster County, Nebraska, to sell to the City of Hickman, Nebraska, real estate owned by Lancaster County with the address of 6700 Hickman Road, Hickman NE, 68372, (and legally described as Lot One (1), Irregular Tract located in the Southeast Quarter of the Southeast Quarter (SE¼ SE¼) of Section Twenty-Eight (28), Township Eight (8) North, Range Seven (7) East of the 6th P.M., Lancaster County, Nebraska. The sale shall be in fee simple and in such manner and upon such terms and conditions as may be deemed in the best interest of Lancaster County.)**

**MOTION:** Yoakum moved and Vest seconded approval to publish legal notice.

Kerry Eagan, Chief Administrative Officer, confirmed that this property is the old Engineering office. He said the notice needs to be published prior to selling the property to another political subdivision and it does not need to go through the bid process.

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

- M. Approval of Disclaimer of Interest of Defendants, Rachel Garver and Lancaster County, filed in Case No. CI 19-1433 in the District Court of Lancaster County, Nebraska, Sandra K Nieveen vs. Tax 106, a Nebraska General Partnership, et al.**

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

## RETURNING TO ITEM 4A

Eagan said some amendments were sent late Friday that did not make it onto the version of the document linked to the agenda. There was language clarifying that it was a pandemic rather than a crisis (Exhibit 3). He also sought authorization for only the Chair to sign the resolution instead of all Board members.

**MOTION:** Vest moved and Schorr seconded approval of the resolution as amended and to allow only the Chair to sign the document. Amundson, Yoakum, Vest, Schorr and Flowerday votes yes. Motion carried 5-0.

### 5) UPDATE ON COVID-19 AND LANCASTER COUNTY RESPONSE:

No discussion was held regarding COVID-19.

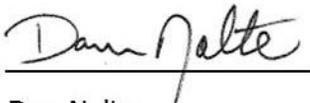
Flowerday encouraged everyone to continue to stay home as the positive numbers in Lincoln continue to increase.

### 6) ANNOUNCEMENTS:

- A. The Lancaster County Board of Commissioners will hold a staff meeting, including department budget hearings via Zoom on Thursday, May 7, 2020 at 8:30 a.m. (County-City Building, Room 113).
- B. The Lancaster County Board of Commissioners will hold its next regular meeting on Thursday, May 14, 2020 at 8:30 a.m., via Zoom (County-City Building, Room 112) with the County Board of Commissioners staff meeting including department budget hearings immediately following (County-City Building, Room 113).
- C. County Commissioners can be reached at 402-441-7447 or [commish@lancaster.ne.gov](mailto:commish@lancaster.ne.gov).
- D. The Lancaster County Board of Commissioners meeting is broadcast live on LNKTVCity. For the rebroadcast schedule visit [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: LNKTVCity). Meetings are also streamed live on LNKTVCity 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 9:30 a.m. Vest, Schorr, Amundson, Yoakum and Flowerday voted yes. Motion carried 5-0.



Dan Nolte  
Lancaster County Clerk



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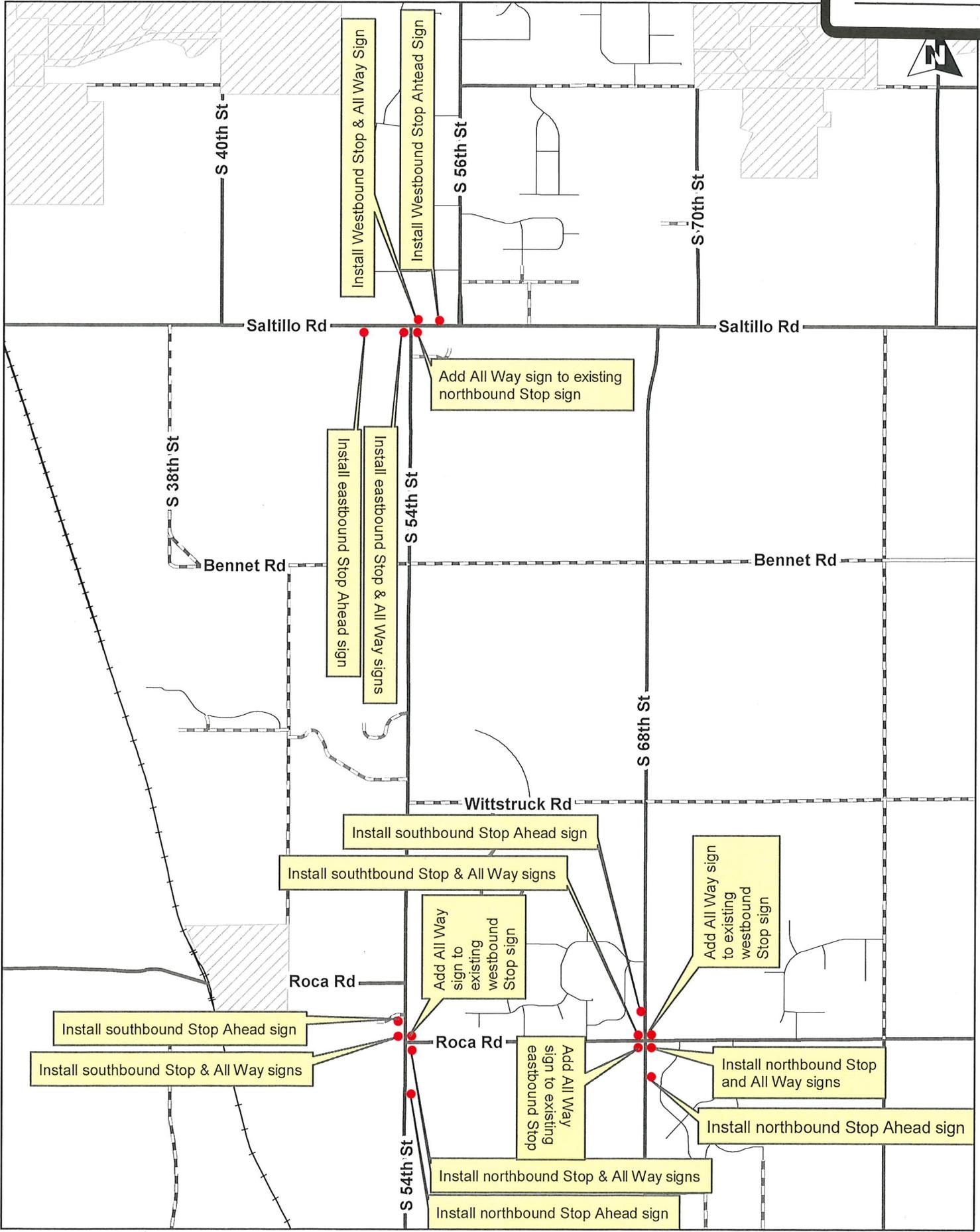
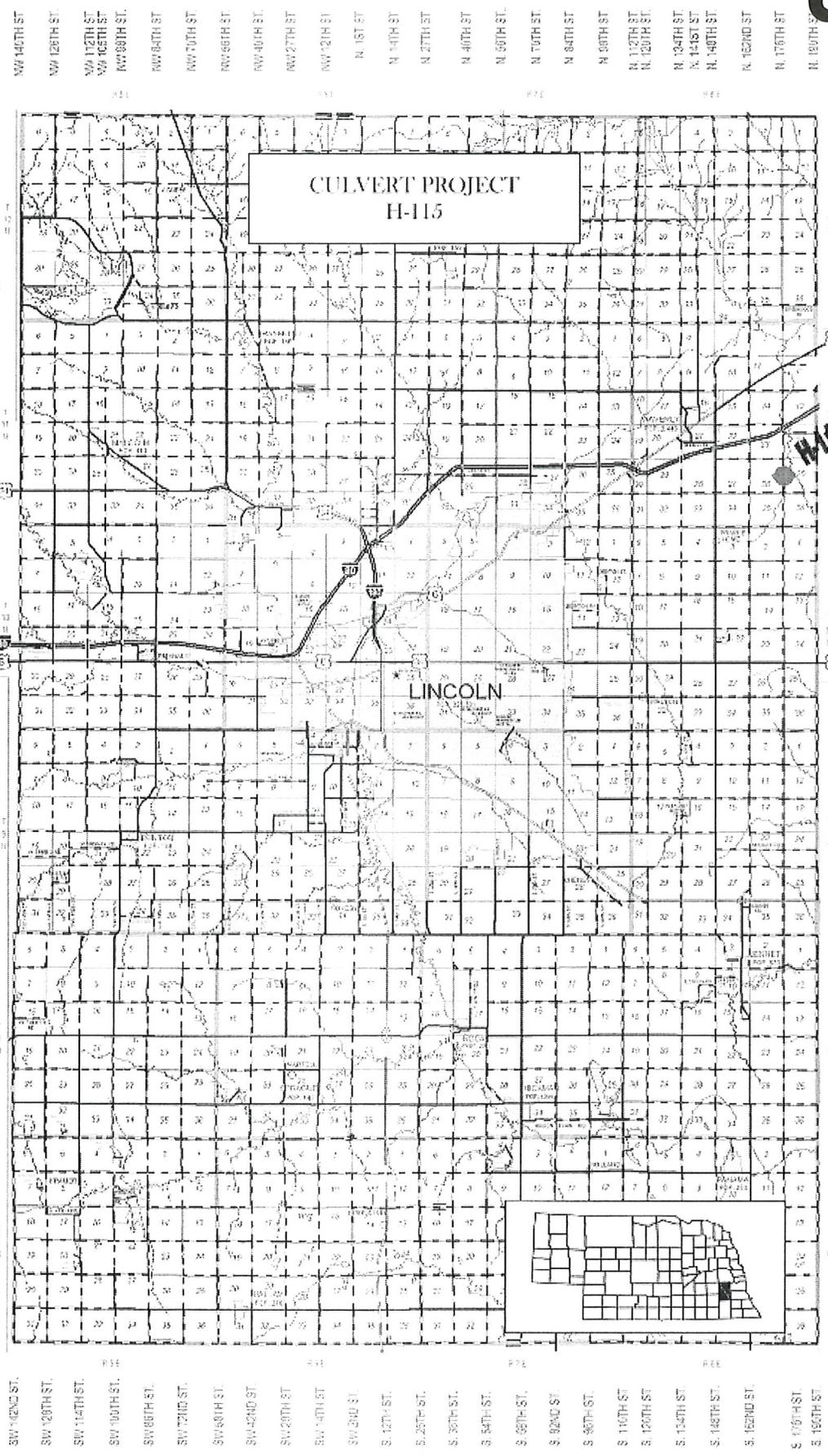


Exhibit "A" - Project Sites Location Map

**EXHIBIT**  
**2**

LANCASTER COUNTY, NEBRASKA



- 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 W ST.
- W VANDORN 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 WITTSRUCK 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.
- W ST.
- VANDORN ST.
- PIONEERS BLVD.
- OLD CHENEY RD.
- PINE LAKE RD.
- YANKEE HILL RD.
- ROKEBY RD.
- SALTILLO RD.
- BENNET RD.
- WITTSRUCK RD.
- ROCA RD.
- MARTELL RD.
- HICKMAN RD.
- STAGECOACH RD.
- PANAMA RD.
- OLIVE CREEK RD.
- PRINCETON RD.
- PELLA RD.
- FIFTH RD.
- GAGE RD.



BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF SUSPENDING THE LANCASTER )  
COUNTY VISITORS IMPROVEMENT FUND GRANT )        RESOLUTION NO. R-20-0020  
PROGRAM THROUGH DECEMBER 31, 2020        )

WHEREAS, the Lancaster County Board of Commissioners (County Board) established the Visitors Improvement Fund pursuant to the authority granted under Neb.Rev.Stat. §81-3717 (Reissue 2014); and

WHEREAS, the County Board adopted the Lancaster County Visitors Improvement Fund Grant Guidelines (Grant Guidelines), effective June 13, 2017, to govern the awarding of grants from the Visitors Improvement Fund; and

WHEREAS, the County Board declared a local emergency on March 17, 2020 under Emergency Declaration D-20-0001 due to the COVID-19 pandemic; and

WHEREAS, the proceeds of the Visitors Improvement Fund have been severely impacted by the COVID-19 pandemic; and

WHEREAS, the County Board desires to protect the Improvement Fund balance for existing grant obligations; and

WHEREAS, the County Board believes the extreme drop of revenue coming into the visitors Improvement Fund due to the COVID-19 pandemic dictates that the approval of any new grants from the Visitors Improvement Fund should be suspended for the balance of the calendar year of 2020.

NOW, THEREFORE, BE IT RESOLVED, by the Lancaster County Board of Commissioners, that the Lancaster County Visitors Improvement Fund Grant Program, as governed by the Grant Guidelines, is hereby suspended, effective from the date of this Resolution through December 31, 2020; and

BE IT FURTHER RESOLVED that any grant requests approved under the Visitors Improvement Fund Grant Guidelines by the County Board, prior to the effective date of this Resolution, shall remain in full force and effect.

APPROVED by the Lancaster County Board of County Commissioners this 5<sup>th</sup> day of May, 2020, following a roll call vote of 5-0.

BY THE BOARD OF COUNTY COMMISSIONERS  
LANCASTER COUNTY, NEBRASKA

APPROVED AS TO FORM THIS  
\_\_\_\_\_ day of \_\_\_\_\_, 2020

BY: \_\_\_\_\_  
Sean Flowerday, Chair

\_\_\_\_\_  
PATRICK CONDON  
County Attorney