

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 23, 2022 AT 9:00 AM
COUNTY-CITY BUILDING, ROOM 112

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

Advance public notice of the Board of Commissioners meeting was posted on the County-City Building bulletin board and the Lancaster County Nebraska website, emailed to the media and published in the Lincoln Journal Star print and digital editions on August 19, 2022.

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

Others present: Dave Derbin, Chief Administrative Officer; Kristy Bauer, Deputy Chief Administrative Officer; Candace Berens, Deputy County Attorney; Dan Nolte, County Clerk; Leslie Brestel and Meggan Reppert-Funke, County Clerk's Office

The meeting was called to order at 9:03 a.m., 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 August 16, 2022.

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

2) CLAIMS

A. Approval of the claims processed through August 23, 2022.

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

B. Claims including billing for goods and services beyond the 90-day time period provided in Neb. Rev. Stat. § 23-135:

1. Nebraska State Patrol dated August 10, 2022, for a total of \$1,187.93. (Batch No. 283776; Document No. 774497)

Kim Etherton, Community Corrections Director, stated the invoice was not timely received.

MOTION: Vest moved and Yoakum seconded approval of the claim. Yoakum, Flowerday, Vest, Amundson and Schorr 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. Amendments to the following County Contracts:

1. C-21-0650 with Mr. Yards and More, LLC for annual snow and ice removal (for the City, County and City of Lincoln-Lancaster County Public Building Commission. Bid No. 21-134. The amendment renews the contract with Price Increase from August 24, 2022 through August 23, 2023. The cost to the County is not to exceed \$3,000.) (C-22-0645)
2. C-21-0649 with LeGrande Excavating, Inc. for annual snow and ice removal (for the City, County and City of Lincoln-Lancaster County Public Building Commission. Bid No. 21-134. The amendment renews the contract with a price Increase from August 24, 2022, through August 23, 2023. The cost to the County is not to exceed \$35,000.) (C-22-0644)
3. C-18-0535 with Sherwin-Williams Company for paint and related products. (University of Nebraska RFP 2951-18-7215, MOU031. The amendment renews the contract from August 1, 2022, through July 31, 2023. The estimated cost for products/services to the County is not to exceed \$1,000.) (C-22-0643)
4. C-18-0051 with Rochester Armored Car for annual armored car services. (Bid No. 17-290. The cost to the County will increase by \$1,800 for the remainder of the contract term with a revised contract total to be \$61,800.) (C-22-0653)
5. C-22-0073 with Felsburg Holt & Ullevig for professional engineering services needed for the replacement of Bridge C-253 located on West Branched Oak Road. (The amendment adds design services associated with two drop pipes. The additional cost to the County shall not exceed \$7,900.) (C-22-0657)

B. Right-of-way contract with Philip R. Pfeiffer, North 56th Street and Branched Oak Road, in the amount of \$1,231. (Project 22-23 / B-189) (C-22-0652.) (C-22-0635)

C. Setting the following public hearings on Tuesday, September 6, 2022 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln):

1. Adoption of the Lancaster County Zoning and Subdivision fee Schedules.
2. Amendment of the Lancaster General Assistance Guidelines.

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

4) PUBLIC HEARING

A. Public hearing for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, for and on behalf of the County and the City of Crete, Nebraska regarding the issuance of bonds by the County for the benefit of Bryan Medical Center. (See correlating item 5A)

The Chair opened the public hearing.

Colleen Duncan, Attorney with Gilmore & Bell and Mike Dewerff, Chief Financial Officer, Bryan Medical Center, were administered the oath.

Duncan stated the County is not financially responsible for the bonds but are required under federal tax laws to act as a conduit for the bond financing so Bryan Medical Center may take part in the tax-exempt status. Duncan noted Bryan Medical Center is applying for new financing and refinancing some 2008 bonds for some new projects. Dewerff added the funds would reimburse Bryan Medical Center for upgrades to current operating rooms, the creation of additional operating rooms, private post-surgical rooms and recovery rooms and to purchase a support building.

Duncan stated part of the facilities that are being refinanced are in the City of Crete which is the reason for the joint public hearing with the County.

No one appeared to testify in opposition or in a neutral position.

The Chair closed the public hearing.

5) NEW BUSINESS:

- A.** Resolution authorizing the issuance of Revenue and Refunding Bonds (Bryan Projects), Series 2022C, in a principal amount not to exceed \$100,000,000, for the purpose of making a loan to Bryan Medical Center to finance and refinance certain capital projects, authorizing the execution and delivery of certain documents in connection with the issuance of such bonds, and approving related matters. (R-22-0067)

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

- B.** Resolution in the matter of exceeding the budgeted restricted funds limit for the 2021-22 fiscal year by an additional one percent. (R-22-0072)

Dennis Meyer, Budget and Fiscal Officer, reviewed the resolution.

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

- C.** Resolution in the matter of approving the Lancaster County budget for fiscal year 2022-23 (R-22-0073)

Meyer reviewed the resolution and stated a revised version of Attachment A shows a \$.260814 tax rate as discussed at the budget hearing (Exhibit 1).

Vest thanked the department heads and Meyer for their hard work in lowering the levy two years in a row while setting funds aside for future projects.

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

- D.** Resolution in the matter of a request to vacate Road 1208, more particularly described in Exhibits "A" and "B", and located in Lancaster County, Nebraska. (R-22-0068)

Pam Dingman, County Engineer, presented a current map with the current location of the road and the original approved but never platted road signed in 1892 (Exhibit 2). She added the vacation of the road makes way for modern roads.

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

- E.** Resolution in the matter of rescinding County Resolution No. R-22-0060 and setting a public hearing regarding the vacation of a 50-foot right-of-way of North Street, Raymond, Nebraska, more particularly described in Exhibit "A", and located in Lancaster County, Nebraska. (R-22-0069)

Dingman displayed a map of North Street located in the Village of Agnew and said the access point is no longer allowed (Exhibit 3). Due to a technicality the vacation needed to be brought to the Board again.

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

- F. Resolution in the matter of authorizing the County Clerk to issue payments while the County Board is adjourned. (R-22-0071)

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

- G. Agreement with Interview Now Inc. to provide one year of recruiting software for the Lancaster Sheriff's Office. The cost to the County is not to exceed \$10,500. (C-22-0642)

Terry Wagner, County Sheriff, stated the software would increase communication with recruits and notify applicants of different stages of the testing process.

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

- H. Federal Equitable Sharing Agreement and Annual Certification Report for the Lancaster County Sheriff's Office regarding equitable sharing activity of drug forfeiture funds for the fiscal year ending June 30, 2022. (C-22-0647)

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

- I. Grant application from Lincoln-Lancaster County Emergency Management to Nebraska Emergency Management Agency (NEMA) to add three (3) outdoor warning sirens to the existing network of sirens providing coverage to Lancaster County. (The proposed total cost is \$95,376.70. The proposed County share is \$9,537.50. This grant application replaces C-22-0064.) (C-22-0650)

The Clerk noted the item is to be held.

- J. Grant contract with the Board of Regents of the University of Nebraska in the amount of \$40,000 to pay direct administrative costs for data analysis using American Rescue Plan Act (ARPA) funds. (The term of the grant is September 1, 2022, through June 30, 2026.) (C-22-0646)

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

- K. Agreement with The Community Supports Network, Inc., to source and provide individuals to perform microfilm and scanning services at the Records and Information Management Department as part of a rehabilitation, treatment, care, training and educational program. The County will pay up to \$78,000 for these services. (The term of agreement is January 1, 2022, through December 31, 2023.) (C-22-0651)

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

- L. Agreement with The Schemmer Associates, Inc., for professional engineering services on Phase III of a project to replace 15 culvert pipes in Lancaster County. American Rescue Plan Act (ARPA) funds will be used for this water and infrastructure project. Costs shall not exceed \$211,772.50 (C-22-0655)

Dingman presented a map of the culvert replacement areas (Exhibit 4).

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

M. Agreement with Thiele Geotech, Inc. for professional engineering geotechnical services for Wagon Train Recreation Road. The cost to the County is not to exceed \$11,300.50. (C-22-0656)

MOTION: Yoakum moved and Flowerday seconded approval of the agreement.

Candace Berens, Deputy County Attorney stated the agreement should be contingent on receiving proper insurance documents.

AMENDED MOTION: Yoakum amended her motion to approve the agreement contingent upon the receipt of proper insurance documents. Flowerday seconded the motion. Vest, Amundson, Yoakum, Flowerday and Schorr voted yes. Motion carried 5-0.

N. Contract with Dr Fuel Good to provide annual fuel tank maintenance and service. The cost to the County is not to exceed \$30,000. (Bid No. 22-173. This contract shall be effective September 1, 2022, through August 31, 2023.) (C-22-0654)

Ed Lahmann, County Engineer Facility Manager, stated the contract is for cleaning the fuel tanks to ensure proper maintenance.

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

O. Recommendation from the Purchasing Agent and County Engineer to award a bid to Pavers, Inc. for the Yankee Hill (S. 98th Street) and countywide pavement maintenance and repair project at an estimated cost of \$195,959.40. (Bid No. 22-183. Project No. 23-02.) (B-22-183)

Dingman stated the recommendation is for a pavement failure at South 98th Street and Yankee Hill Road and presented a map of the area (Exhibit 5).

MOTION: Vest moved and Amundson seconded approval of the recommendation.

Dingman stated a vehicle weight limit sign was installed to help reduce further damage.

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

P. Authorizing and directing the County Clerk's Office to correct nunc pro tunc a clerical error in Resolution R-22-0049 by interlineating "Section 8" in place of "Section 9" in the legal description of the Resolution.

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

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:**

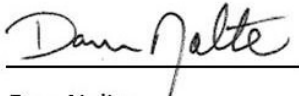
A. The Lancaster County Board of Commissioners will hold a staff meeting on Tuesday, August 23, 2022, immediately following the Board of Commissioners regular meeting in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).

B. In place of the regularly scheduled staff meeting, the Lancaster County Board of Commissioners will attend the Chamber Federal Legislative Summit on Thursday, August 25, 2022, at 8:30 a.m., at the Strategic Air Command and Aerospace Museum (28210 West Park Hwy, Ashland, Nebraska).

- C. The Lancaster County Board of Commissioners will hold its next regular meeting on Thursday, August 25, 2022, beginning at 3:00 p.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).
- D. The Lancaster County Board of Commissioners will not hold a regular meeting on Tuesday, August 30, 2022 or a staff meeting on Thursday, September 1, 2022 due to lack of a quorum.
- E. County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.
- F. The Lancaster County Board of Commissioners meeting is broadcast live on LNKTv, the City government access channel. LNKTv is available on Allo channel 2, and Spectrum channel 1300. For the rebroadcast schedule visit lincoln.ne.gov (keyword: LNKTv). Meetings are also streamed live on LNKTv.lincoln.ne.gov, YouTube.com/LNKTvcity and Facebook.com/lincolnnebraska. In addition, LNKTv apps are available on Roku, Apple TV and Amazon Fire TV.

8) ADJOURNMENT

MOTION: Vest moved and Amundson seconded to adjourn at 9:36 a.m. Vest, Amundson, Yoakum, Flowerday and Schorr voted yes. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

