



**MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
TUESDAY FEBRUARY 6, 2024, AT 9:00 AM  
COUNTY-CITY BUILDING, ROOM 112**

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

*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 February 2, 2024.*

Commissioners present: Roma Amundson  
Sean Flowerday, Chair  
Matt Schulte  
Rick Vest, Vice Chair  
Christa Yoakum

Others present: David Derbin, Chief Administrative Officer  
Kristy Bauer, Deputy Chief Administrative Officer  
John Ward, Deputy County Attorney  
Courtney Lyons, Deputy County Clerk  
Meggan Reppert-Funke, County Clerk's Office

Flowerday called the meeting to order at 9:02 a.m. and led the Pledge of Allegiance. The Deputy Clerk announced the location of the Nebraska Open Meetings Act.

1) **MINUTES**: Approval of the minutes of the Board of Commissioners meeting held on January 30, 2024.

**MOTION**: Amundson moved and Schulte seconded approval of the minutes. Amundson, Schulte, and Flowerday voted yes. Vest abstained. Yoakum was absent. Motion carried 3-0 with one abstention.

2) **CLAIMS**

A. Approval of the claims processed through February 6, 2024.

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

Yoakum entered the meeting at 9:04 a.m.

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

1. Aramark Services Inc dated February 5, 2024, for a total of \$7,100.30. (Batch 303962; Document 835298-835302)

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

- 3) **SPECIAL PRESENTATION:** Commissioners' Award of Excellence for December 2023 to Jessica Seymore, County Attorney, in the category of productivity.

The Deputy Clerk read the nomination letter (see agenda packet).

Pat Condon, County Attorney, commended Seymore's work ethic and described the projects she has directed. She led an upgrade in the office's case management system.

Schulte presented Seymore with a certificate recognizing the award.

Seymore thanked the Board and said she loves her job and working for the County Attorney's Office.

- 4) **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-23-0018 with CivicPlus for County website design, logo design, and hosting services. (Bid 18-199, the amendment renews the contract from February 28, 2024 through February 27, 2025. The cost to the County is not to exceed \$24,617.63.) (C-24-0090)
2. C-24-0045 with Office Interiors & Design for systems furniture for the County Sheriff's Office. (Bid 23-207, the amendment is for an expenditure increase and contract extension through May 31, 2024. The revised Contract total with expenditure increase shall not exceed \$162,000.) (C-24-0094)

**B.** Right-of-way contract with Larry R Hartman, South 120th Street and Stagecoach Road, in the amount of \$2,080. (Project 22-50 / R-116) (C-24-0089)

**C.** Utility Permit 2497 allowing Unite Private Networks to install a new fiber optic line. (North and South side of West Panama Road from Southwest 100th Street to Southwest 86th Street.) (C-24-0084)

**D.** Change Order 1 to County contract C-23-0552 with Pavers Inc. for a plan revision and additional working days. (Bid 23-150; Project 23-01, in an amount not to exceed \$78,225.50.) (C-24-0087)

**E.** Setting a public hearing on Tuesday, February 27, 2024, at 9:00 a.m. in Room 112 of the County-City Building (555 S.10th Street, Lincoln) regarding an appeal on Resolution PC-018976 Special Permit 23042 for an approximately 239' -tall lattice tower for wireless facilities to address inadequate coverage in this area for Verizon Wireless.

**F.** Received and placed on file the following reports for January 2024:

1. Clerk of the District Court
2. Assessor/Register of Deeds

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

## 5) PUBLIC HEARING

- A. Appeal on Resolution PC-01896 for Special Permit 23048 for the West Pioneers Cedar View Community Unit Plan.

Flowerday opened the public hearing.

The Deputy Clerk administered the oath to Mike Eckert of Civil Design Group Inc. He was present on behalf of Hometown Handyman Inc, the permit applicant. He described the reasons for the resolution and how it fits in with the Community Unit Plan. He stated the appeal seems to be a miscommunication related to the use of the consent calendar in the Planning Commission meeting.

The Deputy Clerk administered the oath to Rick Hill, the appellant. He reviewed the reasons for filing the appeal. Reasons included concerns about the water supply, overdevelopment of the area, and impact on the roads. He displayed a map of the 2050 County Future Land Use Plan, a map showing the platted land in the area, and a part of a report from the Planning Commission (not provided to the Clerk). He provided a petition related to the appeal to Board Members (Exhibit 1).

No one appeared in support or in a neutral capacity for the application.

The Deputy Clerk administered the oath to Susan (no last name provided), a resident of the affected area. She testified in opposition to the application and displayed a map of the area (not provided to the Clerk). She expressed concerns for the water supply, increased traffic, and effects on wildlife in the area.

Steve Henrichsen, Lincoln-Lancaster Planning Department Principal Planner, addressed alleged inaccuracies in the Planning Department report. He noted that staff did not have concerns about the water supply. He clarified the zoning of the area and the impact of a Community Unit Plan. He stated the appeal was the result of a miscommunication of the consent item process.

Vest asked Henrichsen to confirm the number of properties that will be developed, and he answered five. Vest and Henrichsen discussed the density of the area. Schulte asked Henrichsen about the location of a road, and Henrichsen answered. Henrichsen clarified other questions about the Planning Commission report.

Eckert addressed the claims of inaccuracies described by Hill and addressed the concerns around the water supply. He displayed additional maps of the area (not provided to the Clerk).

Flowerday closed the public hearing.

## 6) NEW BUSINESS

- A. Resolution in the matter of Special Permit 23048 for the West Pioneers Cedar View Community Plan. (R-24-0005)

Vest noted the importance of growth within the County and that the Planning Commission approved the resolution unanimously.

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

- B. Appointment of Dan Nolte, Assessor/Register of Deeds, to the Lancaster County Sheriff's Office Merit Commission for a term to conclude on January 1, 2025.

Ben Houchin, Chief Deputy Sheriff, stated Nolte would be replacing the vacancy created when Troy Hawk resigned. He noted Nolte has served on the commission previously.

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

- C. Purchase and Sale agreement with Realty Gift Fund Inc for real estate generally located at 220 South 17th Street and 1700 M Street, Lincoln, NE 68508, Lancaster County, Nebraska, and legally described in the Agreement. (C-24-0091)

Kerin Peterson, Facilities and Properties Director, described details of the purchase and sale agreement.

Sara Hoyle, Human Services Director, discussed how the facility will be utilized, including addressing behavioral health issues families are facing.

Board members commended Peterson and Hoyle for finding the building. Schulte asked what funding would be used. Peterson answered it will use funding from the American Rescue Plan Act (ARPA). Hoyle added programming will be utilizing Medicaid reinvestment funds. Hoyle thanked the staff involved in the purchase of the facility.

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

- D. Professional Services Agreements with the following entities to gather and examine criminal justice data affecting county jail population increases, and to identify potential solutions designed to reduce the number of incarcerated individuals in the Lancaster County Jail.
  1. HDR Architecture Inc The cost to the County is \$160,000. (C-24-0092)
  2. The Board of Regents of the University of Nebraska on behalf of the University of Nebraska at Omaha's Nebraska Center for Justice Research. The cost to the County is \$124,945. (C-24-0093)

Vest stated the jail is over capacity and that the agreements are to study the causes of the rising jail population and the options available.

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

- E. Agreement with Nebraska Wesleyan University (NWU) for Lancaster County Community Corrections to provide unpaid internship opportunities to NWU students. (C-24-0086)

Jeff Kilpatrick, Community Corrections Director, described the benefits of the internship program.

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

- F. Lease agreements with Sober Houses of Nebraska LLC to secure temporary housing for adults transitioning from correctional settings. Each lease is for a two-year term for the following:
  1. 1327 B Street, Lincoln, Nebraska (housing for at least seven individuals, with combined annual rent not exceeding \$42,000). (C-24-0082)
  2. 2026 Washington Street, Lincoln, Nebraska (housing for at least four individuals with combined annual rent not exceeding \$21,600). (C-24-0083)
  3. 2028 Washington Street, Lincoln, Nebraska (housing for at least four individuals with combined annual rent not exceeding \$21,600). (C-24-0085)

Kilpatrick stated the purpose of the lease agreements is to transition adults to the community from the corrections system.

Amundson noted the importance of the housing and the impact to the community.

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

- G.** Contract with Van Dorn Valley Construction LLC to provide Culvert Maintenance 2024 (Phase I). The cost to the County is not to exceed \$846,897.16. (Project 24-21; Bid 23-298. The contract shall be effective upon execution of Contract.) (C-24-0088)

Pam Dingman, County Engineer, displayed a map of the area (Exhibit 2) and described the project.

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

## **7) LEGISLATIVE UPDATE**

Flowerday stated the County's lobbyist had recommended the Board take positions on certain legislative bills, one of which was LB1375 (Change powers and duties of county planning commissions and county boards related to conditional use permits and special exceptions). Dave Derbin, Chief Administrative Officer, provided details on the bill. Board members discussed the bill.

**MOTION:** Amundson moved and Yoakum seconded to oppose LB1375. Amundson, Yoakum, Vest, and Flowerday voted yes. Schulte abstained. Motion carried 4-0 with one abstention.

Flowerday stated the lobbyist recommended the Board oppose LB1097 (Change provisions relating to commitment of mentally incompetent defendants). Board members and Derbin discussed the provisions of the bill.

**MOTION:** Vest moved and Yoakum seconded to oppose LB1097. Vest, Amundson, Schulte, Yoakum, and Flowerday voted yes. Motion carried 5-0.

Flowerday stated the lobbyist recommended the Board oppose LB1067 (Eliminate the inheritance tax, adopt the State Prisoner Reimbursement Act, and change the authorized uses of certain county funds). Board members discussed the impact of a repeal of the inheritance tax.

**MOTION:** Vest moved and Yoakum seconded to oppose LB1067 and that the Board's messaging focus on revenue replacement.

Schulte stated he would be opposing the motion because he is in favor of repealing the inheritance tax.

**ROLL CALL:** Yoakum, Vest, Amundson, and Flowerday voted yes. Schulte voted no. Motion carried 4-1.

Board members discussed who would testify at the bill hearings.

Vest left the meeting at 10:20 a.m.

Board members determined that Yoakum would testify on LB1097 and Vest would testify on LB1067.

Flowerday displayed a letter that cities and counties are being asked to sign that urges the Revenue Committee of the legislature and the Governor to support public safety and community growth (Exhibit 3). He read the letter and recommended the Board add its name.

**MOTION:** Amundson moved and Yoakum seconded to sign the sign-on letter.

Vest returned to the meeting at 10:26 a.m.

Flowerday listed the government entities that have signed the letter. Board members discussed the issues in the letter, and that provisions that would limit growth and public safety services may be advanced in the legislature.

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

Vest informed the Board he testified the previous day on LB1090 (Appropriate funds to the Department of Administrative Services for the Nebraska Public Safety Communication System), and he updated the Board on the hearing.

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

Penny Stephens, Lancaster resident, expressed concerns about election security. She displayed various documents (not provided to the Clerk).

Rick Hill, Lancaster resident, expressed concerns about election security. He read from a Christian text.

## **9) ANNOUNCEMENTS**

- A. The Lancaster County Board of Commissioners will hold a mid-year budget meeting on Thursday, February 8, 2024, at 8:30 a.m., in Room 112 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, February 13, 2024, at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).
- 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 LNKTv ([LNKTv.lincoln.ne.gov](http://LNKTv.lincoln.ne.gov)). LNKTv is available on Allo channel 2 and Spectrum channel 1300. For the rebroadcast schedule visit [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: LNKTv). Meetings are also streamed live on YouTube and Facebook ([YouTube.com/LNKTvcity](https://www.youtube.com/LNKTvcity) and [Facebook.com/lancasterne](https://www.facebook.com/lancasterne)). LNKTv apps are also available on Roku, Apple TV, and Amazon Fire TV.

## **10) ADJOURNMENT**

**MOTION:** Vest moved and Amundson seconded to adjourn at 10:43 a.m. Amundson, Schulte, Yoakum, Vest, and Flowerday voted yes. Motion carried 5-0.

  
Matt Hansen  
Lancaster County Clerk

