

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 8, 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 February 4, 2022.

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

Others present: Dave Derbin, Chief Administrative Officer; Kristy Bauer, Deputy Chief Administrative Officer; Candace Berens and John Ward, Deputy County Attorneys; 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 Tuesday, February 1, 2022

MOTION: Amundson moved and Yoakum seconded approval of the minutes. Amundson, Yoakum, Flowerday and Schorr voted yes. Vest abstained. Motion carried 4-0 with one abstention.

2) CLAIMS:

A. Approval of all claims processed through February 8, 2022

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

3) SPECIAL RECOGNITION:

A. Commissioners' Award of Excellence annual award winner for 2021 to Kipp Spier, County Engineering in the category of valor.

The Clerk read the nomination statement.

Pam Dingman, County Engineer, acknowledged that Spier's actions in assisting a stranded motorist and his dedication to his job have made a difference to Lancaster County residents. Spier thanked the Board for the acknowledgment and said he was proud to serve the County. Commissioner Yoakum presented a plaque to Spier in appreciation of his years of service and actions.

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 approved of:

A. Amendments to the following contracts:

1. C-13-0602 with Uribe Refuse Services, Inc. for waste & recyclable collection services (waste only) (Bid No. 13-304. The amendment extends the contract for an additional two (2) month term beginning April 1, 2022 through May 31, 2022. The cost to the County shall not exceed \$4,500.) (C-22-0090)
2. C-18-0157 with Wellpath for medical care services for inmates at the Lancaster County Department of Corrections to include medical staff salary increases, shift differentials and increased management fees effective February 1, 2022. (Increases in annual operating costs are not to exceed \$210,580.20. Increases in annual management fees are not to exceed \$17,630.97 as specified in Attachment "A.") (C-22-0091)

B. Right-of-way contracts with the Nebraska Public Power District, Southwest 42nd Street and West Pella Road in the total amount of \$542. (two contracts) (Project 21-09-Tract 3, Project 21-09-Tract 4) (C-22-0087) (C-22-0088)

C. Receive and place on file the following reports for January 2022:

1. Clerk of the District Court
2. Assessor/Register of Deeds
3. County Clerk
4. Lancaster County Election Commissioner's report on the all-mail special election conducted for Waverly School District 145 on Tuesday, January 11, 2022.

D. Setting public hearings on Tuesday, February 22, 2022 regarding the proposed sale of property, generally described as 33 feet of right of way on the southeast portion of Southwest 86th Street between West Bennet Road and West Saltillo Road, Lancaster County, Nebraska (and more particularly described as the west 33.00 feet of the Southwest ¼ except the south 40.00 thereof, containing 1.97 acres, more or less located in the Southwest ¼ of Section 2, Township 8 North, Range 5 East, of the 6th Principal Meridian, Lancaster County, Nebraska). The public hearing will include declaring that the property no longer serves a County purpose, determining fair market value and setting the date for sale of the property.

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

5) UNFINISHED BUSINESS:

- A. Agreement with the Council of Juvenile Justice Administrators for professional facility management and operational consulting services for the Lancaster County Youth Services Center. The cost to the County shall not to exceed \$61,818.75. (C-22-0083)**

Melissa Hood, Youth Services Center Administrator, informed the Board the Youth Services Center will continue to monitor the budget on this project.

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

6) NEW BUSINESS:

- A. Setting the salary for Gregory Ariza, Deputy County Attorney, in the amount of \$82,576.00 (Step 5) as Attorney I, effective February 14, 2022.**

John Ward, Deputy County Attorney, noted Ariza has many years of service with the Attorney General's Office.

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

- B. Resolution in the matter of authorizing the Board Chair or Vice Chair to sign an agreement with the State of Nebraska Department of Transportation for Project No. STP-33-6(110). (R-22-0012)

John Berry, County Engineering Chief Deputy Surveyor, stated this is an agreement and resolution with the Nebraska Department of Transportation for maintenance for the 23 corners on Nebraska Highway 33 from Crete to Highway 77.

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

- C. Agreement with the State of Nebraska Department of Transportation for the State to reimburse the County for re-establishing and re-positioning land monuments in the event they are disturbed during construction on NE-33 (from Highway Reference Post 12.18 to Highway Reference Post 25.37, under Project No. STP-33-6(110)). (C-22-0086)

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

- D. Interlocal agreement with the City of Lincoln to grant authority to the joint Information Services Division to construct and manage the Lancaster County Broadband Program. ARPA funds will be used to support the bid, design and construction of the Program. (C-22-0089)

MOTION: Amundson moved and Vest seconded approval of the interlocal agreement.

David Young, Information Services Manager, said the City of Lincoln will vote on the agreement on February 15, 2022.

Vest added he has had a lot of contact with providers and constituents and there appears to be great excitement for this opportunity.

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

- E. Contract with Embassy Suites to host the annual delinquent real property tax sale conducted by the County Treasurer. (C-22-0085)

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

Schorr inquired if the use of Embassy Suites was due to social distancing requirements. Rachel Garver, County Treasurer, said 400 individuals are expected to attend this event and the Embassy Suites was available and able to provide adequate accommodations.

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

- F. FEMA (Federal Emergency Management Agency) Acknowledgement of receipt of flood insurance policies for the following properties:

1. 500 West O Street

2. 443 Cherrycreek Road, Building C
3. 444 Cherrycreek Road

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

7) LEGISLATIVE UPDATE:

Dave Derbin, Chief Administrative Officer, said there is a hearing on February 9, 2022 on LB1277 (Appropriate federal funds to the Department of Economic Development to provide funds to a county agricultural society with facilities within a city of the primary class).

Schorr asked if areas outside of the city of Lincoln would be impacted. Derbin stated LB1277 was written for cities of a primary class.

Vest stated he was asked to testify on LB1277.

MOTION: Vest moved and Amundson seconded to support LB1277 and authorize Vest to testify. Amundson, Yoakum, Flowerday, Vest and Schorr voted yes. Motion carried 5-0.

8) 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.

9) ANNOUNCEMENTS:

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, February 10, 2022 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 15, 2022 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, February 15, 2022, at 9:00 a.m. in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) on Health Department amendments regarding procedures for the inspection of on-site water supply systems and on-site wastewater treatment systems prior to the sale, transfer, or conveyance of property (Section II of County Resolution No. R-13-0064) and regulation of on-site wastewater treatment systems (Section II and Section III of County Resolution No. R-15-0004).
- 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, YouTube, Roku and Apple TV.

10) EXECUTIVE SESSION

- A. Legal advice from Eric Synowicki, Deputy County Attorney.

MOTION: Amundson moved and Yoakum seconded to enter Executive Session at 9:23 a.m. for the purpose of legal advice and to protect the public interest.

The Chair said it has been moved and seconded that the Board enter Executive Session.

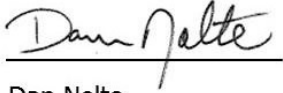
ROLL CALL: Amundson, Yoakum, Flowerday, Vest and Schorr voted yes. Motion carried 5-0.

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

MOTION: Vest moved and Yoakum seconded to exit Executive Session at 9:35 a.m. Vest, Amundson, Yoakum, Flowerday and Schorr voted yes. Motion carried 5-0.

11) ADJOURNMENT

MOTION: Vest moved and Flowerday seconded to adjourn at 9:35 a.m. Flowerday, Vest, Amundson, Yoakum and Schorr voted yes. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

