

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 15, 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 11, 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; Cori Beattie, Deputy 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 8, 2022

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

2) CLAIMS:

A. Approval of all claims processed through February 15, 2022

The Clerk noted there was an amendment to the claims for the payroll ending on February 9, 2022 (Exhibit 1).

MOTION: Vest moved and Flowerday seconded approval of the claims as amended. Flowerday, Vest, Amundson, Yoakum 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 approved of:

A. Amendments to the following County contracts:

1. C-21-0179 with Sunset Law Enforcement for the annual supply of ammunition (County). (Quote No. 6351. The amendment renews the contract for an additional one (1) year term beginning March 7, 2022 through March 6, 2023. The cost to the County shall not exceed \$35,000.) (C-22-0108)
2. C-20-0083 with Community Action Partnership of Lancaster and Sanders Counties for interpretation and translation services, (Interp-4). (The amendment renews the contract from February 8, 2022 through February 7, 2023. The estimated cost to the County shall not exceed \$50,000.) (C-22-0096)

3. C-19-0228 with K2 Construction (K2 Real Estate Development) for annual snow removal and truck mounted plow services. (Bid No. 19-032. The amendment renews the contract from March 19, 2022 through March 18, 2023. The cost to the County shall not exceed \$15,000.) (C-22-0105)
4. C-19-0229 with Vasa Construction for annual snow removal and truck-mounted plow services. (Bid No. 19-032. The amendment renews the contract from March 19, 2022 through March 18, 2023. The cost to the County shall not exceed \$60,000.) (C-22-0106)
5. Contract C-21-0117 with Bauer Underground, Inc. for the annual supply of pavement and concrete services. (Bid No. 21-003. The amendment reassigns contracts from Bauer Underground, Inc. to Bauer Infrastructure, LLC.) (C-22-0109)
6. C-21-0194 with Culligan of Lincoln for the annual supply and delivery of water softener salt. (Quote No. 6353. The amendment renews the contract from March 14, 2022 through March 13, 2023. The cost to the County shall not exceed \$9,000.) (C-22-0116)
7. C-18-0167 with Inteconnect for unit price commercial-grade door security access control system and service. (Bid No. 18-044. The amendment renews the contract from March 1, 2022 through February 28, 2023. The cost to the County shall not exceed \$20,000.) (C-22-0110)
8. C-21-0216 with the Board of Regents of the University of Nebraska on behalf of the University of Nebraska – Lincoln’s Center on Children, Families and the Law (CCFL) to operate the Department of Treasury Emergency Rental Assistance - Lancaster County Program (The amendment adds additional funding in the amount of \$50,000 through ERA2 funds and extends the term through September 30, 2025.) (C-22-0093)

B. Change Orders to the following contracts:

1. C-21-0378 with Pavers, Inc to add three additional patching locations in Lancaster County (for an estimated increase of \$33,664.75). (C-22-0094)
2. C-21-0524 with BIC Construction, LLC for the Election Commission Expansion to relocate HVAC ductwork to avoid beam in North addition. The change order is an increase of \$742. (Bid No. 21-137. (C-22-0099)

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

1. James N. & Becky S. Simpson, North 40th Street and Branched Oak Road, in the amount of \$798. (Project 22-20; B-354) (C-22-0102)
2. Luhrs Hallam Investments LLC, Southwest 42nd Street and West Pella Road, in the total amount of \$1125. (Project 21-09) (two contracts) (C-22-0103) (C-22-0104)
3. Constance M. Hansmeyer, Southwest 42nd Street and West Pella Road, in the total amount of \$607. (Project 21-09) (two contracts) (C-22-0117) (C-22-0118)

D. Utility permit #2203 allowing Windstream Nebraska, LLC to replace communication lines due to the removal and replacement of Lancaster County Culvert B-13 at no cost to the County. (Installation location approximately 350' South of Davey Road on North 40th Street). (C-22-0092)

E. Received and placed on file the monthly report from Records and Information Management for January, 2022.

F. Setting public hearings on Tuesday, March 1, 2022 at 9:00 a.m. regarding the following:

1. Amending the appropriations for the Bridge and Special Road Fund
2. Amusement license application from Anthony Hillhouse to hold a memorial service and music performance on April 16-17, 2022 at 6600 South 148th Street, Walton, NE

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

4) SPECIAL PRESENTATIONS:

A. Recognition of Carl Siefert, Senior Equipment Operator for County Engineering, for 44 years of service

Pam Dingman, County Engineer, acknowledged and thanked Siefert for his knowledge and service to Lancaster County. Roger Heusinkvelt, County Engineer Maintenance Supervisor, stated that Carl Siefert was an asset that will be missed.

Carl Siefert stated he has gotten to know his communities and thanked everyone for the acknowledgment.

The Commissioners expressed their appreciation to Carl Siefert for his years of service.

B. Lancaster County Sheriff's Office 2021 Annual Service Awards

1. Honorable Discharge Award: Investigator Curtis Reha; Record System Specialist Julie Diller; Deputy Joe Gehr; Deputy Michael Scofield; and Deputy David Blythe
2. Citizens Certificate of Merit: Chantelle Johnson and Life Saving Award: Deputy Michael Hansen
3. Citizens Certificate of Merit: Matthew Verkamp and Joseph Cockerill and Life Saving Award: Deputy Jonathan Kingswood
4. Life Saving Award: Deputy Zachary Meyer and Agency Partner Certificate of Merit: Game and Parks Officer Trevor Stahlecker
5. Civilian Employee of the Year: Christopher Laird
6. Exceptional Duty Award: Deputy John Brady
7. Exceptional Duty Award: Investigator Nick Heitman
8. Exceptional Duty-Deputy Sheriff of the Year – Sergeant Michael Scriven

Terry Wagner, County Sheriff, read the award nominations.

Wagner noted that Captain Joe Lefler recently passed away. Lefler retired in 2017 after serving the County for many years. Wagner added the Sheriff's Office is keeping the Lefler family in its thoughts and prayers.

Schorr asked for a moment of silence in memory of Captain Joe Lefler.

5) PUBLIC HEARINGS:

A. Health Department amendments regarding the following:

1. 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). (See correlating item 6A)
2. Regulation of on-site wastewater treatment systems (Section II and Section III of County Resolution No. R-15-0004). (See correlating item 6B)

The Chair opened the public hearing.

Chris Schroeder, Environmental Health Supervisor, was administered the oath and stated the Nebraska Department of Environment and Energy Services (NDEE) is currently revising Title 124 rules and regulations for the design, operation and maintenance of onsite wastewater treatment systems by moving them out of regulation and moving them into general permits. The County Health Department is removing language that

references amended Title 124 regulations and then adding wording of when the current regulations became effective. This will give the County Health Department time to review the revisions. After NDEE makes its final changes, the County Health Department will bring them before the County Board for consideration.

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

The Chair closed the public hearing.

6) NEW BUSINESS:

- A.** Resolution in the matter of updating and implementing 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 in Lancaster County, Nebraska. (R-22-0013)

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

- B.** Resolution in the matter of updating and implementing procedures for the regulation of on-site wastewater treatment systems in Lancaster County, Nebraska. (R-22-0014)

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

- C.** Agreement with Jose Gary B. Nadala, MD for psychiatry services on an as-needed, on-call basis, to provide coverage for the Lancaster County Mental Health Crisis Center. (County pays \$1,000 per 24-hour period of coverage). (C-22-0101)

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

- D.** Interlocal Agreement with the City of Lincoln to establish the operation and maintenance of the CJIS System and the costs and revenues associated with such. The initial term of the agreement is for five years. (C-22-0111)

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

- E.** Agreement with Connecting Links to provide substance use evaluation services on an as-needed basis. (The price per evaluation shall not exceed \$208 per participant, or \$218 per participant if the participant is in custody.) (C-22-0114)

Kim Etherton, Community Corrections Director, said the agreement is only used as a last resort to access needed funds for pre-trial release substance abuse evaluations. Community Corrections only do substance abuse evaluations 12-15 times a year.

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

- F.** Student Teacher Program Agreement with the University of Nebraska-Lincoln College of Education and Human Sciences to provide practical education experience for students pursuing a degree at the University of Nebraska-Lincoln by teaching youth at the Lancaster County Youth Services Center. (There is no cost to the County.) (C-22-0119)

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

- G. Interlocal Agreement with the Village of Roca to coordinate routine winter road and street maintenance responsibilities. (The Village will pay the County \$40 per lane mile for each application of any materials, as established in Attachment "B".) (C-22-0095)

Pam Dingman, County Engineer, presented a map of the Village of Roca and informed the Board the agreement would be a good working partnership as many smaller communities do not have maintenance equipment. (Exhibit 2).

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

- H. Road Maintenance Agreement with Bentzinger Tire and Equipment, Inc. to maintain county roads disturbed by equipment-crossing for soil transfer over Southwest 42nd Street as approved in County Special Permit No. 21020. (There is no cost to the County.) (C-22-0112)

John Berry, County Engineering Chief Deputy Surveyor, said the agreement will help protect the road from soil transfer at the new subdivision at Blue Ridge Crossing over Southwest 42nd Street and West Lady May Lane. (A map of the referenced area was provided to the Clerk's Office. (Exhibit 3)

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

- I. Agreement with Alfred Benesch & Company for professional engineering services for the replacement of County Bridges R-184 and S-180. The cost to the County is not to exceed \$196,564.60. (C-22-0115)

Dingman presented a map that shows where Bridges C-284, (item J), S-180 and R-184 are located along with pictures of the needed repair to S-180 and R-184 (Exhibit 4)

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

- J. Agreement with Schemmer Associates, Inc. to render professional engineering services for the replacement of County Bridge C-284. The cost to the County is not to exceed \$92,606. (C-22-0113)

Dingman presented pictures of the damage on Bridge C-284 (Exhibit 5).

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

- K. Recommendation from the Purchasing Agent and County Engineer to award a bid to General Excavating for the Waverly maintenance shop sanitary sewer upgrade. The estimated total cost to the County is \$85,597. (Bid No. 22-028; Project 21-88) (B-22-028)

Ed Lahmann, County Engineer Facility Manager, said an oil-water separator that removes contaminants inside the pits inside the Waverly station is needed to bring the shop up to code.

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

- L. Recommendation from the Purchasing Agent and County Engineer to award a bid to JJK Construction LLC for replacement of County Bridge D-88. The estimated total cost to the County is \$2,262,069.86. (Bid No. 22-026; Project No. 21-40) (B-22-026)

Dingman presented pictures showing water erosion on Bridge D-88 (Exhibit 6). She stated the bridge drainage basin has repeating high waters that damage the structure (Exhibit 7).

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

- M.** Recommendation from the Purchasing Agent and Lancaster County Sheriff to award and execute a Purchase Order for two (2) Ford 2021 or current production year Police All Wheel Drive Interceptor Utility Vehicles (using the State of Nebraska, Contract 15418 OC to AFL, DBA Anderson Ford. The total amount of the order is \$72,062). (C-22-0120)

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

- N.** An interlocal agreement with the County of Platte, Nebraska on behalf of the Platte County Attorney's Office to accommodate and provide assistance to the Lancaster County Attorney's Office for work space, equipment, and evidence storage for the preparation and duration of a case that has been transferred to Platte County. There is no cost to the County. (C-22-0097)

John Ward, Deputy County Attorney, stated items N, O and P are interlocal agreements with Platte County for the duration of a trial set for March 7, 2022. The trial case was moved from Lancaster County to Platte County.

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

Schorr asked if it would be easier to move Platte County jurors to Lancaster County. Ward said to have a fair and impartial jury, the procedure is to move the entire courtroom proceeding to the other county.

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

- O.** An interlocal agreement between the County of Platte, Nebraska, and the County of Lancaster, Nebraska, pursuant to the provisions of Neb. Rev. Stat. §§ 25-412.03 and 29-215. (C-22-0098)

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

- P.** An interlocal agreement with the County of Platte, Nebraska on behalf of the Platte County Detention Facility to assume the custody of a detainee for the duration of a case that has been transferred to Platte County. The cost to the County is \$50 per day. (C-22-0100)

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

- Q.** Authorize Eric Synowicki, Deputy County Attorney, to execute and sign all necessary documents regarding the settlement agreement and release of liability between Iveta Kaizere and Lancaster County

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

NOTE: A copy of the agreement is on file in the County Clerk's Office.

- R.** Joint Budget Committee's recommendations for 2022 ARPA grant awards to nonprofit organizations

MOTION: Flowerday moved and Vest seconded approval of the recommendations.

Sara Hoyle, Human Services Director, stated the funding will provide growth infrastructure and update community-based resources to guarantee vital resources are available for years to come. Hoyle thanked the Board for its support of this process. She noted there were \$88,000,000 in requests but only \$15,000,000 to allocate.

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

7) LEGISLATIVE UPDATE:

No update was given.

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

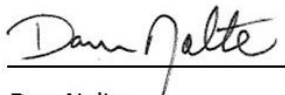
No one appeared for public comment.

9) ANNOUNCEMENTS:

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, February 17, 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 22, 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 22, 2022 at 9:00 a.m., in Room 112 of the County-City Building, (555 S. 10th Street, Lincoln) 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. 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.
- 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) ADJOURNMENT

MOTION: Vest moved and Amundson seconded to adjourn at 9:58 a.m. Flowerday, Vest, Amundson, Yoakum and Schorr voted yes. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

