

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MARCH 21, 2023 AT 9:00 AM
COUNTY-CITY BUILDING, ROOM 112

COMMISSIONERS: Christa Yoakum, Chair; Sean Flowerday, Vice Chair;
Roma Amundson, Matt Schulte 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 March 17, 2023.

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

Others present: Dave Derbin, Chief Administrative Officer; Kristy Bauer, Deputy Chief Administrative Officer; Candace Berens and John Ward, Deputy County Attorneys; Matt Hansen, County Clerk; Courtney Lyons, Deputy County Clerk; and 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 Director of Community Corrections Interviews held on March 10, 2023.

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

B. Approval of the minutes of the Board of Commissioners meeting held on March 14, 2023.

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

C. Approval of the minutes of the Board of Commissioners special staff meeting held on March 14, 2023.

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

2) CLAIMS

A. Approval to the claims processed through March 21, 2023.

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

B. Approval of a claim to The Mediation Center in the amount of \$13,300. (Batch No. 291779, Document No. 798311)

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

- C. Approval of a claim to El Centro de las Americas in the amount of \$ 8,111.86. (Batch No. 291780, Document No. 798312)

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

- D. Approval of a claim to Rabble Mill in the amount of \$ 3,230.14. (Batch No. 291766, Document No. 798269)

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

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

1. City of Lincoln-Fleet Services dated March 10, 2023, for a total of \$27,124.98. (Batch No. 291640; Document No. 797965-797970)
2. Schemmer Associates dated March 10, 2023, for a total of \$35,295.88. (Batch No. 291641; Document No. 797971-797972)

MOTION: Flowerday moved and Amundson seconded approval of the claims. Amundson, Schulte, Flowerday, Vest and Yoakum 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-19-0276 with Blue Valley Public Safety Inc. for maintenance and repair of Emergency Management sirens. (Bid No. 19-043. The amendment renews the contract from April 14, 2023, through April 13, 2025. The cost to the County is not to exceed \$80,000.) (C-23-0214)
2. C-19-0229 with Vasa Construction for annual services of county snow removal and truck mounted plow services. (Bid No. 19-032. The amendment extends the contract from March 19, 2023, through May 18, 2023. The cost to the County is not to exceed \$2,500.) (C-23-0216)
3. C-19-0228 with K2 Real Estate Development, dba K2 Construction, for annual services of county snow removal and truck mounted plow services. (Bid No. 19-032. The amendment extends the contract from March 19, 2023, through May 18, 2023. The cost to the County is not to exceed \$2,500.) (C-23-0217)
4. C-22-0225 with Fastenal Company for the annual supply of personal protective equipment (PPE) and first aid supplies. (Bid No. 22-024. The amendment renews the contract from April 12, 2023, through April 11, 2023. The cost to the County is not to exceed \$5,000.) (C-23-0218)
5. C-22-0210 with A-TEC Recycling for annual services of ballast, lamp, and battery recycling services. (Quote No. 6486. The amendment renews the contract from March 29, 2023, through March 28, 2024. The cost to the County is not to exceed \$2,000.) (C-23-0231)

- B. Amendments to the following County contracts for the annual service of tires, tubes, and tire repairs. (Bid No. 22-027. The amendments renew the contracts from March 8, 2023, through March 7, 2024. The cost to the County for all contracts is not to exceed \$125,000.)

1. C-22-0164 with Bauer Built Tire & Services (C-23-0235)
2. C-22-0165 with Graham Tire Company of Lincoln, LLC (C-23-0236)

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

1. Marilyn J Giles, Southwest 126th Street and West Denton Road, in the amount of \$703. (Project No. 22-30 / N-024) (C-23-0197)
2. Samuel Westcott McAlpine Agricultural Trust, South 190th Street and A Street, in the amount of \$1,217. (Project No. 22-28 / J-131) (C-23-0207)
3. John D Petsche, Southwest 126th Street and West Pioneers Blvd, in the amount of \$3,961. (Project No. 23-21 / N-052) (C-23-0208)
4. Mark D and Patricia A Hansen, North 98th Street Holdrege Street to Adams Street, in the total amount of \$21,670. (Project No. 23-01) (three contracts) (C-23-0211) (C-23-0212) (C-23-0213)
5. Michael D and Kathleen A Nieman, North 98th Street Holdrege Street to Adams Street, in the amount of \$8,065. (Project No. 23-01) (C-23-0215)
6. Thomas L and Linda D Lannin, North 98th Street Holdrege Street to Adams Street, in the amount of \$935. (Project No. 23-01) (C-23-0226)
7. Benes Service Company, Northwest 84th Street and West Middle Road, in the amount of \$379. (Project No. 23-26 / D-282) (C-23-0229)
8. Rodney R Tekolste Trust, South 54th Street and Gage Road, in the amount of \$622. (Project No. 22-30 / X-006) (C-23-0230)
9. Robert E Black Revocable Trust, Northwest 27th Street and West Bluff Road, in the amount of \$622. (Project No. 23-29 / F-116 & F-172) (C-23-0232)
10. Austin V and Tiffany T Young, North 98th Street Holdrege Street to Adams Street, in the amount of \$1,135. (Project 23-01) (C-23-0243)

- D.** Change Order No. 1 to County Contract C-22-0551 with JJK Construction to add an additional 314 pounds of epoxy coated reinforcing steel in an amount not to exceed \$706.50. (Project No. 21-45, Bid No. 22-121) (C-23-0228)

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

4) NEW BUSINESS

- A.** Amusement License Renewal application from Jerry McCabe for events at Sleepy Bees Lavender Farms LLC (25700 South 38th Street, Firth, Nebraska) on June 17, 24, 30 2023 and July 1, 7, 8, 14,15 2023.

Jerry McCabe, Sleepy Bees Lavender Farms LLC, provided event information and stated the event has grown to include more Fridays and you-pick-it events during harvest times.

MOTION: Vest moved and Schulte seconded approval of the amusement license renewal application. Flowerday, Vest, Amundson, Schulte and Yoakum yes. Motion carried 5-0.

- B.** Amusement License Renewal application from Anthony Hillhouse to hold a music performance on April 22-23, 2023, at 6600 South 148th Street, Walton, Nebraska.

Anthony Hillhouse, Lancaster resident, provided information about the music event. He inquired about having another music event in September of 2023, but the law states only one event per calendar year is allowed. He asked if he needs to have an amusement license to invite 30 friends to an event if the event is not advertised on Facebook.

John Ward, Deputy County Attorney, stated he would confirm the process and would be willing to discuss Hillhouse hosting another event.

Hillhouse inquired if his next step would be to reach out to the County Attorney's Office. Ward stated yes.

MOTION: Vest moved and Flowerday seconded approval of the amusement license renewal application. Schulte, Flowerday, Vest, Amundson and Yoakum voted yes. Motion carried 5-0.

- C. Appointment of Nicole Ringler to the Commissioners' Award of Excellence Committee for a term commencing March 21, 2023, and ending January 31, 2024.

Kristy Bauer, Deputy Chief Administrative Officer, stated there was a need for a Lancaster County Board representative on the Commissioners' Award of Excellence Committee. Bauer recommended Ringler, who is the Operations Manager at the County Attorney's Office.

Ringler stated she was humbled to be considered and thankful for the opportunity to serve on the committee.

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

- D. Request for Exceptional Circumstance Award under Personnel Rule 17.9 (b) for Saige Walker, Administrative Secretary to the County Board, for a one-step pay increase.

Dave Derbin, Chief Administrative Officer, stated Walker has done an outstanding job with the Lancaster County social media accounts and keeping staff organized.

Bauer noted Walker's initiative and creativity to showcase Lancaster County.

The Board thanked Walker for her service and her efforts in reaching out to the Lancaster community.

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

- E. Legal engagement agreement with Cline Williams Wright Johnson & Oldfather LLP to provide professional legal services to Lancaster County. (C-23-0206)

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

- F. Agreement with Dr. Moises Rodriguez, Clinical Psychologist, to conduct "Attachment, Self-Regulation and Competency" training for employees at the Lancaster County Youth Services Center (YSC), and to provide an evaluation with recommendations for the behavior management system at YSC. The cost to the County is not to exceed \$15,000. (The training is 5 days.) (C-23-0209)

Melissa Hood, Youth Services Center Administrator, stated the psychologist creates an immersive program that works directly with the youth while training staff to identify and support youth with complex trauma.

Steve Wesley, Youth Services Center Director, stated Dr. Moises Rodriguez is an expert in training, consultation, mental health programming and trauma informed care systemic practices and positive youth development.

Yoakum inquired how to help youth that are not in the facility during training. Wesley stated that after staff are trained on what they have learned, staff will be able to apply the information to future youth. Hood added the contract includes an evaluation to help Youth Services find what is still needed.

Amundson inquired on when the training would take place and how training would take place over the different shifts. Wesley stated the plan was to start next week and added staff will slow down some projects and arrive early for their shifts to complete the training. He stated per the agreement, the proposed schedule of training is similar for both 1st and 2nd shifts and the staff that is trained will be able to train staff that were unable to attend the training.

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

Schulte inquired if the exercise therapy in the proposed schedule would continue after training. Wesley stated the Youth Services Center is already doing this but after training they hope to engage with the youth in other areas.

ROLL CALL: Yoakum called for a vote on the pending motion to approve the agreement. Schulte, Flowerday, Vest, Amundson and Yoakum voted yes. Motion carried 5-0.

- G. Agreement with Marcus Hall to provide STOP Class instruction to participants eligible to participate in the Lancaster County Traffic Diversion Program. The County shall pay \$100 per STOP class instructed. (The term of the agreement is July 1, 2022, through June 30, 2024.) (C-23-0233)

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

Flowerday noted STOP Classes financing needs to be discussed at a later meeting.

- H. Mini-grant contract application with the Nebraska Department of Transportation in the amount of \$5,120 for the Lancaster County Sheriff's Office to participate in the nationwide "Drug Impaired Driving Enforcement" mobilization. (To help reduce the number of drunk and drugged drivers and other alcohol-related violations. The period of the grant is April 19, 2023 through April 23, 2023.) (C-23-0199)

Jon Vik, Sheriff's Office, stated the grant works with Nebraska Department of Transportation to help cover the cost of overtime to reduce traffic accidents.

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

- I. Professional services agreement with Innerspace Studios Ltd, on behalf of the Lancaster County Sheriff's Office for services related to renovation of space on the first floor of property located at 575 South 10th Street. The cost to the County is not to exceed \$53,100. (C-23-0210)

Vik stated the agreement is part of the administrative office design in the renovation project.

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

- J. Real Estate Transfer Statement with Fire Ridge, LLC related to the transfer to Lancaster County of a part of Lot 65 Irregular Tracts. (Located in the northwest 1/4 and southwest 1/4 of Section 36, Township 10 North, Range 7 East of the 6th Principal Meridian, Lancaster County, Nebraska.)

Pam Dingman, County Engineer, presented a map of the transfer area (Exhibit 1). She stated the area is the future connection between South Street and 98th Street.

MOTION: Schulte moved and Vest seconded approval of the real estate transfer statement. Schulte, Flowerday, Vest, Amundson and Yoakum voted yes. Motion carried 5-0.

- K. Memorandum of Understanding with Lawson Products Inc for maintenance, repair and operations (MRO) supplies. The estimated cost to the County is not to exceed \$10,000. (The use of OMNIA/Region 4 Education Service Center (ESC) Contract No. R192005, MOU157. The MOU will be effective upon execution through March 31, 2024.) (C-23-0227)

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

- L. Contracts with the following to provide annual supply of turf fertilizer and chemicals. (Bid No. 23-010. This contract shall be effective March 5, 2023, through March 4, 2024.)
1. SiteOne Landscape Supply, in the amount not to exceed \$20,000. (C-23-0204)
 2. Van Diest Supply Company, in the amount not to exceed \$45,000. (C-23-0205)

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

- M. Contracts with the following to provide plumbing services. The cost to the County is not to exceed \$80,000 for all contracts. (Bid No. 23-056. This contract shall be effective upon execution by all parties.)
1. Bob and Don's Plumbing (C-23-0238)
 2. Hayes Mechanical (C-23-0239)
 3. JT&K Services Inc (C-23-0240)
 4. MMC Mechanical Contractors Inc (C-23-0241)
 5. Prairie Mechanical Corporation (C-23-0242)

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

- N. Contracts with the following to provide concrete/pavement services. The cost to the County for all contracts is not to exceed \$50,000.) (Bid No. 23-046. This contract shall be effective upon execution through February 29, 2024.)
1. MTZ Construction LLC (C-23-0219)
 2. Pavers, Inc (C-23-0220)
 3. Dax Construction Inc (C-23-0221)
 4. Silver Ridge Construction (C-23-0222)
 5. Strong Ties LLC (C-23-0223)
 6. Vasa Construction (C-23-0224)
 7. Walton Construction Co (C-23-0225)

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

- O. Contract with Straight-Line Striping Inc. to provide pavement markings 2023. The cost to the County is not to exceed \$149,925.73. (Bid No. 23-040. This contract shall be effective July 17, 2023, through July 30, 2023.) (C-23-0234)

Dingman presented a map of the area to receive new pavement markings (Exhibit 2).

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

- P. Contract with Tim Sisco Construction LLC to provide a replacement of Box Culvert F-72 and concrete box culverts. The cost to the County is not to exceed \$595,693.50. (Project No. 22-24 and 22-25, Phase 1, Bid No. 23-030. This contract shall be effective upon execution.) (C-23-0237)

Dingman presented a map of the box culverts that are scheduled to be replaced (Exhibit 3).

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

- Q. Recommendation from the County Engineer to award and execute a purchase order to Vogtscapes, Inc for supplying and hauling crushed rock surface coarse material in the amount of \$124,200. (Bid No. 23-063.) (C-23-0200)

Dingman noted the recommendation was for crushed gravel and not crushed rock.

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

- R. Recommendation from the County Engineer to award and execute a purchase order to R L Tiemann Construction for supplying and hauling crushed rock surface coarse material in the amount of \$122,200. (Bid No. 23-063.) (C-23-0201)

Dingman noted the recommendation was for crushed gravel and not crushed rock.

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

- S. Renewal of an agreement with Ameritas Group for the administration of the Lancaster County self-insured dental plan from January 1, 2022, to December 31, 2023. (The monthly fee of \$4.47 per enrolled employee will be applicable for the stated term.) (C-23-0202)

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

- T. Renewal of agreement with Ameritas Group for employee vision insurance coverage for the term of January 1, 2023, to December 31, 2024. (The renewal rates are the same as the last contract term.) (C-23-0203)

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

5) LEGISLATIVE UPDATE

Flowerday noted during the next Board of Commissioners staff meeting he would ask for a motion to support LB734 to enhance the penalty for damage to certain infrastructure facilities resulting in serious bodily injury or death.

- 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.

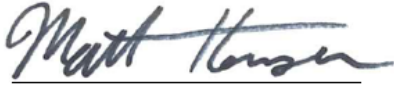
7) ANNOUNCEMENTS

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, March 23, 2023, 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, March 28, 2023, 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.
- D. The Lancaster County Board of Commissioners meeting is broadcast live on LNKTv (LNKTv.lincoln.ne.gov). 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 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.

8) **ADJOURNMENT**

MOTION: Vest moved and Amundson seconded to adjourn at 9:46 a.m. Flowerday, Vest, Amundson, Schulte and Yoakum voted yes. Motion carried 5-0.



Matt Hansen
Lancaster County Clerk

