

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MARCH 28, 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 24, 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; John Ward, Deputy County Attorney; 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 9:01 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 March 21, 2023.

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

2) CLAIMS

A. Approval to the claims processed through March 28, 2023.

The Clerk noted there was an amendment to the claims for the payroll ending March 22, 2023 (Exhibit 1).

MOTION: Vest moved and Amundson seconded approval of the claims as amended. Flowerday, Vest, Amundson, Schulte 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-18-0155 with Graybar Electric Company, Inc. for electrical, lighting, data communications and security products and related products, services and solutions. (Kansas City MO/OMNIA/US Communities Contract No. EV2370, MOU019. The amendment renews the contract from April 6, 2023, through April 5, 2024. The estimated cost to the County is not to exceed \$20,000.) (C-23-0249)
2. C-20-0142 with Orkin, LLC for pest control. (Bid No. 20-022. The amendment renews the Contract for an additional term beginning April 12, 2023, through April 11, 2024. The cost to County is not to exceed \$14,000.) (C-23-0267)

3. C-22-0434 an Interlocal Agreement with the City of Lincoln and the Lincoln Airport Authority to utilize American Rescue Plan Act (ARPA) funds for financial incentives to expand regularly-schedule commercial passenger air service at the Lincoln Airport. (The Amendment clarifies that "Airline" or "airline" refers to either a direct air carrier or an indirect air carrier and increases the not-to-exceed thresholds for minimum revenue guarantees.) (C-23-0265)

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

1. James M and Anita M Jambor, Northwest 70th Street and West Agnew Road, in the amount of \$344. (Project No. 22-29 / D-017) (C-23-0244)
2. Roy E and Berdean Swanson, North 98th Street Holdrege Street to Adams Street, in the amount of \$7,655. (Project No. 23-01) (C-23-0245)
3. Lois M Schmidt, North 98th Street Holdrege Street to Adams Street, in the total amount of \$19,235. (Project No. 23-01) (two contracts) (C-23-0246) (C-23-0247)
4. Jeffrey M and Theresa L Martin Joint Revocable Trust, South 54th Street and Martell Road, in the amount of \$2,665. (Project No. 22-30 / S-163) (C-23-0248)
5. Lyle D Stolte Life Estate, South 162nd Street and Roca Road, in the amount of \$230. (Project No. 22-40 / R-184) (C-23-0252)

- C. Change Order No. 4 to County Contract C-22-0842 authorizing Kingery Construction to fill in a sloped floor with a new concrete level floor with expansion joints. (Veteran Services Hospital Renovations Bid No. 22-199. The increased cost to the County for the Change Order is \$1,911.80, bringing the total contract amount to \$408,130.10.) (C-23-0255)**

- D. Setting a public hearing on Tuesday, April 11, 2023, regarding Text Amendment No. 23003, to amend Articles 2, 6, 13, and 17 of the Lancaster County Zoning Resolution.**

MOTION: Vest moved and Amundson seconded approval of the consent items.

Schulte noted the expansion schedule to the Lincoln Airport should benefit the Lancaster community. Vest wanted to thank the people who worked hard to move this project forward.

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

4) NEW BUSINESS

- A. Resolution in the matter of authorizing the County Board Chair or Vice Chair to sign Professional Services Agreement Supplement No. 3 with Felsburg Holt & Ullevig for additional environmental services. (Project No. 19-04; LCLC-5275(1), CN 13417; 98th Street from Old Cheney Road to A Street.) (R-23-0019)**

Larry Legg, Assistant County Engineer, stated the resolution allows the signing of item 4B.

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

- B. Professional Services Agreement Supplement No. 3 with Felsburg Holt & Ullevig for environmental services. (Project No. 19-04; LCLC-5275(1), CN 13417; 98th Street from Old Cheney Road to A Street. The total cost for Supplement No. 3 is not to exceed \$7,556.98. The total agreement amount is \$102,229.82 of which \$81,783.86 is the Federal share and \$20,445.96 is the County share.) (C-23-0251)**

Legg stated there was a public information meeting in November of 2021 for the project. The agreement allows for public outreach to inform the public the project is progressing as part of the federal process to answer questions from the public.

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

- C. Agreement with Cedar Woods Estates, LLC to meet the County Engineer's minimum specifications for density and thickness of asphalt pavement on Walters Ridge Road, Ridgecrest Road, Long View Lane, and South 54th Street in the Walters Ridge subdivision. (C-23-0181)

Legg stated the agreement allows the developer to correct deficiencies in the asphalt pavement that occurred when the subdivision was created. He stated the County Engineering Department has reviewed and approves the agreement.

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

- D. Right of entry and maintenance agreement with Nebraska Game and Parks Commission. There is no cost to the County. (Project No. 22-41; Bridge S-180 at South 96th Street and Roca Road) (C-23-0253)

Legg stated the agreement is for a closed bridge project on Roca Road and presented a map of the area (Exhibit 2).

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

- E. Recommendation from the Purchasing Agent and County Engineer to award a contract to JJK Construction, LLC for replacement of County Bridge E-38. The Cost to the County is \$1,002,680.25. (Project No. 22-48, Bid No. 23-081) (B-23-081)

Legg noted the bid from JJK Construction was lower than what County Engineering had expected. He presented a map of the area where the bridge is located (Exhibit 3).

Amundson inquired about funding for the project. Legg stated he was not aware of any grant funding for this project.

Schulte noted the bid for the project was lower than expected and inquired about the amount of the difference. Legg stated approximately 20 percent less.

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

- F. Special events permit application from Gary Bredehoff with Tiger Coaching & Personal Training, for a Last Blast Lincoln Triathlon event to be held September 10, 2023.

Gary Bredehoff, owner of Tiger Coaching and Training, gave a brief overview of the event. He stated donations would help bring awareness and support the paratriathlon movement.

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

- G. Agreement with the Nebraska Administrative Office of the Courts & Probation for administration of the Family Treatment Court and Safe and Healthy Families Court programs. The total cost is \$99,266 for a term through September 30, 2025. (Funding is from the U.S. Department of Justice, Office of Juvenile

Justice and Delinquency Prevention in the amount of \$89,226 (see correlating item 4H) and from the Woods Charitable Fund in the amount of \$10,000.) (C-23-0263)

Sara Hoyle, Human Services Administrator, stated the agreement would be to hire a Problem-Solving Court Coordinator for both the Judge Heideman Family Treatment Court and the Judge White Safe and Healthy Families Court. She stated the agreement would be funded through the US Department of Juvenile Justice and Delinquency Prevention Grant (OJJDP) in the amount of \$89,226 for three (3) years and from the Woods Charitable Fund in the amount of \$10,000. Hoyle stated the person hired would be an employee with Probation Administration.

Amundson noted the programs are beneficial to the youth in Lancaster County.

Schulte inquired if the program was new, how the money was to be used and if the position was part-time or full-time. Hoyle stated yes, the Family Violence Council and the Domestic Violence Network put together Safe and Healthy Families Court that has youth that are in the system for abuse and neglect cases because of domestic violence. She added Family Treatment Court has been around for a few years and is funded by OJJDP grants and the Department of Health and Human Services and focuses on substance abuse issues. Hoyle stated the position was for a full-time employee and Nebraska Administrative Office of the Courts & Probation would be funding most of the agreement and the remainder would be grant funded.

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

- H. Subaward contract with Nebraska Administrative Office of the Courts & Probation for the Family Treatment Court and Safe and Healthy Families Court programs in the amount of \$89,226. (Funding is from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, for a term through September 30, 2025.) (C-23-0264)

Hoyle stated because item 4G involves federal funding, there is a requirement the County completes a subaward contract to the agency to which the funds are allocated.

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

- I. Contract with Nebraska Department of Health and Human Services to reimburse Lancaster County for the personal service costs of deputy county attorneys associated with termination of parental rights actions. The County will receive \$262,444. (The term of the contract is from July 1, 2023, through June 30, 2025.) (C-23-0250)

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

Vest inquired about the cost to terminate parental rights and if it was common in Lancaster County. John Ward, Deputy County Attorney, stated yes it was common practice and the amount is over the entire Juvenile Division for the two year term of the contract. He added deputy county attorneys receive a referral from the Nebraska Department of Health and Human Services (DHHS) to terminate parental rights then the attorneys' time is reimbursed by DHHS.

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

- J. Contract with Production Creek, LLC, d/b/a Production Creek Specialty Advertising, to provide annual supply of work clothing. The cost to the County is not to exceed \$25,000. (Bid No. 22-276. This contract shall be effective upon execution by all parties.) (C-23-0266)

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

K. Contracts with the following to provide electrical and large-scale electrical services. The cost to the County for all contracts is not to exceed \$110,000. (Bid No. 23-055. This contract shall be effective upon execution through February 29, 2024.)

1. Capitol City Electric, Inc. (C-23-0256)
2. Commonwealth Electric Company of the Midwest (C-23-0257)
3. IES Electric Inc. (C-23-0258)
4. Progressive Holdings Inc. d/b/a Progressive Electric (C-23-0259)
5. Wired Inc (C-23-0261)
6. Willmar Electric Service Corp (C-23-0260)

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

L. Settlement agreement and release between Sheila Grummert and Lancaster County. (C-23-0254)

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

5) LEGISLATIVE UPDATE

No update was given.

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 30, 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, April 4, 2023, at 9:00 a.m., with the Board of Equalization immediately following 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 and Facebook.com/lancasterne). LNKTv apps are also available on Roku, Apple TV and Amazon Fire TV.

8) ADJOURNMENT

MOTION: Vest moved and Flowerday seconded to adjourn at 9:26 a.m. Amundson, Schulte, Flowerday, Vest and Yoakum voted yes. Motion carried 5-0.

Matt Hansen

Matt Hansen
Lancaster County Clerk

