

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MARCH 29, 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 March 25, 2022.

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

Others present: Dave Derbin, Chief Administrative Officer; Kristy Bauer, Deputy Chief Administrative Officer; John Ward, Deputy County Attorney; Dan Nolte, County Clerk; 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 Tuesday, March 22, 2022

MOTION: Vest moved and Flowerday 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 March 29, 2022

The Clerk noted there was an amendment to the claims for the payroll ending March 23, 2022. (Exhibit 1)

MOTION: Yoakum moved and Vest 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-18-0157 with Wellpath for medical care services for the Adult Detention Facility. (Bid No. 17-235. The amendment renews the contract from April 1, 2022, through March 31, 2026. The estimated cost to the County is not to exceed \$15,054,628.) (C-22-0212)
2. C-21-0672 with encompass for the annual service of sit to stand workstations and accessories. (Quote No. 6404. The amendment is for price increases and item replacements. The total cost to the County will not increase.) (C-22-0208)

3. C-20-0204 with Pioneer Overhead Door 3G, LLC for unit price of residential and commercial overhead door repair and replacement. (Bid No. 20-030. The amendment renews the contract with price increases from April 1, 2022 through February 28, 2023. The cost to the County is not to exceed \$3,000.) (C-22-0207)
4. C-21-0230 with Your Next Tire for the annual service of inspection and repair of vehicle lifts. (Quote No. 6352. The amendment renews the contract for an additional one (1) year term beginning March 28, 2022 through March 27, 2023. The cost to the County is not to exceed \$1,000.) (C-22-0211)
5. C-19-0225 with Production Creek Specialty Advertising (Production Creek, LLC) for the annual supply of clothing, screen printed and/or embroidered apparel. (Bid No. 19-067. The amendment renews the contract for an additional one-year term beginning March 27, 2022 through March 26, 2023. The cost to the County is not to exceed \$3,500.) (C-22-0217)
6. C-19-0274 with Sapp Bros. Inc. for the annual supply of anti-freeze/coolants/windshield washer fluid. (Bid No. 19-069. The amendment renews the contract with a price increase for an additional one-year term beginning April 10, 2022 through April 9, 2023. The cost to County is not to exceed \$5,500.) (C-22-0214)
7. C-19-0275 with Thermo King Christensen Inc. for the annual supply of antifreeze, coolants and windshield washer fluid. (Bid No. 19-069. The amendment renews the contract with a price increase for an additional one-year term beginning April 10, 2022 through April 9, 2023. The cost to County is not to exceed \$1,210.) (C-22-0215)
8. C-20-0142 with Orkin LLC for the annual service of pest control. (Bid No. 20-022. The amendment renews the contract for an additional one-year term beginning April 12, 2022 through April 11, 2023. The cost to County is not to exceed \$13,000.) (C-22-0213)

B. Change Order #1 to Contract C-22-0169 with JJK Construction to remove two additional trees. (The total increase is estimated at \$1,726.) (C-22-0209)

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

1. Krause Family Trust, Northwest 140th Street and West Holdrege Street. The cost to the County is a \$1,405 in-kind exchange. (Project 22-20 / M-119) (C-22-0200)
2. G & B Farms Inc., South 134th Street and A Street, in the amount of \$1,017. (Project 22-20 / J-44) (C-22-0201)
3. Douglas E. Janak Living Trust, South 162nd Street and Saltillo Road, in the amount of \$2,691. (Project 22-23 / Q-29) (C-22-0204)

D. Amendments to the following right-of-way contracts with Mark D. Leavitt and Michael A. Leavitt. The amendments add Michael A. Leavitt as owner. (North 98th Street and Bluff Road; Project 21-41 / G-222 Tract 1):

1. C-22-0136 (Fee Simple; in the amount of \$4,444) (C-22-0203)
2. C-22-0137 (Permanent Easement; in the amount of \$1,296) (C-22-0202)

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

4) NEW BUSINESS:

A. Appointment of Lori Carnahan as interim County Personnel Officer effective February 22, 2022 through April 11, 2022.

The Board thanked Lori Carnahan for her service during the transition.

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

- B.** Appointment of Barb McIntyre as City-County Personnel Administrator and County Personnel Officer effective April 11, 2022.

Leirion Gaylor Baird, Mayor of Lincoln, introduced Barb McIntyre and provided a brief statement regarding her qualifications and background. She asked for the Board's support of the appointment.

McIntyre thanked the Board and stated she is excited about the opportunity to serve the Lancaster County workforce.

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

- C.** Resolution in the matter of adopting benefits for Lancaster County employees in the unclassified service. This resolution rescinds and replaces County Resolution No. R-21-0009. (R-22-0023)

John Ward, Deputy County Attorney, stated there were some minor changes to the resolution to include juvenile court bailiffs only. (The updated resolution was provided to the County Clerk's Office prior to the meeting.) (Exhibit 2)

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

- D.** Resolution in the matter of adopting benefits for County Elected Officials. This resolution rescinds and replaces County Resolution No. R-15-0015. (R-22-0024)

Schorr stated the resolution change includes the Juneteenth holiday.

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

- E.** Contract with A-TEC Recycling to provide the annual service of ballast, lamp and battery recycling services. (Quote No. 6486. The contract shall be effective from March 29, 2022 through March 28, 2023. The cost to the County is not to exceed \$2,000.) (C-22-0210)

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

- F.** Contract with Constructors Inc. to provide Southwest 42nd Street Paving. The cost to the County is not to exceed \$1,329,398.81. (West Hallam Road to West Pella Road; Project No. 21-09; Bid No. 22-047. The contract shall be effective upon execution by both parties.) (C-22-0216)

Pam Dingman, County Engineer, stated this is the economic development grant project that was part of the Transportation Infrastructure and Innovation Act where the Nebraska Department of Transportation reimburses the County \$500,000 for expenses. The County has an agreement with Monolith Nebraska LLC to split the remaining cost. She displayed a map of the area (Exhibit 3) and stated County Engineering plans to start the project on May 24, 2022.

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

- G. Recommendation from the Purchasing Agent and County Engineer to award a bid to Midwest Infrastructure Inc. for Culvert Maintenance 2022, Phase I. The estimated total cost to the County is \$896,835.92. (Bid 22-039; Project 22-20) (B-22-039)

Chris Connolly, Chief Assistant City Attorney and Acting Purchasing Agent, stated the lowest bid was submitted by Dynamic Dirtworks and Demolition, LLC, in the amount of \$809,871. After consultation with the County Engineering Department, the bid from Dynamic Dirtworks was denied due to a lack of experience. Dynamic Dirtworks filed a protest which Connolly denied as the Purchasing Agent. Dynamic Dirtworks then had five days to file a protest of the denial with the County Clerk. A protest was not filed.

Connolly said the second-lowest bid was provided by Midwest Infrastructure, Inc. The acting Purchasing Agent and County Engineer recommended moving forward with that bid.

Dingman added Phase I is the north section of culvert maintenance. She provided a map of the area (Exhibit 4) and stated that County Engineering plans to start the project next week.

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

- H. Contract with Midwest Infrastructure to provide Culvert Maintenance 2022, Phase I. (Bid No. 22-039; Project 22-20. The contract shall be effective upon execution by both parties. The cost to the County is not to exceed \$896,835.92.) (C-22-0206)

Connelly noted this contract is related to Item G. He added the protest process discussed above did follow statutory requirements.

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

- I. Contract with Pavers, Inc. to provide South 68th Street Paving. The cost to the County is not to exceed \$568,892.90. (Roca Road to Bennet Road; Bid No. 22-052; Project No. 22-07. The contract shall be effective upon execution by both parties.) (C-22-0205)

Dingman provided a map of the area (Exhibit 5) and stated the contract provides maintenance work to protect and extend the life of the pavement.

Schorr asked if a road closure is needed. Dingman stated the plan is to reduce South 68th Street to one lane. She said if there is a danger to the workforce or the public, County Engineering will close the road. It was also noted that South 54th Street will open soon which will give the public another travel option.

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

5) LEGISLATIVE UPDATE:

Flowerday stated the Legislative plan for the American Rescue Plan Act (ARPA) funds passed by one vote (LB1014-Change provisions of the Multiple Employer Welfare Arrangement Act). The advice that Joe Kohout and Brennen Miller, ES Associates LLC provided was beneficial to the proposal. The Board expressed their appreciation for the lobbyists' efforts.

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

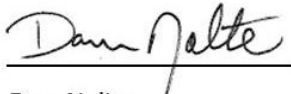
No one appeared for public comment.

7) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, March 31, 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, April 5, 2022, 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 LNKTU City. For the rebroadcast schedule visit lincoln.ne.gov (keyword: LNKTU). Meetings are also streamed live on LNKTU, YouTube, Roku and Apple TV.

8) **ADJOURNMENT**

MOTION: Vest moved and Amundson seconded to adjourn at 9:22 a.m. Vest, Amundson, Yoakum, Flowerday and Schorr voted yes. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

