

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 5, 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 April 1, 2022.

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

Commissioners absent: Roma Amundson

Others present: Dave Derbin, Chief Administrative Officer; Kristy Bauer, Deputy Chief Administrative Officer; John Ward, Deputy County Attorney; Cori Beattie, Deputy County Clerk; Leslie Brestel and Meggan Reppert-Funke, County Clerk's Office

The meeting was called to order at 9:02 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 29, 2022

MOTION: Vest moved and Flowerday seconded approval of the minutes. Vest, Yoakum, Flowerday and Schorr voted yes. Amundson was absent. Motion carried 4-0.

2) CLAIMS:

A. Approval of all claims processed through April 5, 2022

MOTION: Yoakum moved and Vest seconded approval of the claims. Flowerday, Vest, Yoakum, and Schorr voted yes. Amundson was absent. Motion carried 4-0.

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-21-0261 with the Nebraska Department of Health and Human Services for personal service costs of deputy county attorneys associated with the termination of parental rights actions. (The amendment renews the agreement for an additional year from July 1, 2022, through June 30, 2023, for an amount to be reimbursed of \$118,432.) (C-22-0223)
2. C-17-0882 with St. Monica's for continued professional services for the provision of substance abuse evaluations and substance abuse education classes for female inmates at the Lancaster County Department of Corrections. (The cost to the County is not to exceed \$26,880.) (C-22-0224)

3. C-21-0668 with EnviroTech Services, Inc., for magnesium chloride and calcium chloride. (MOU112. Sarpy County, Nebraska Event No. 2021-66. The amendment renews the contract from April 1, 2022, through March 31, 2023. The estimated cost to the County is not to exceed \$45,000.) (C-22-0226)
 4. C-19-0091 with Inteconnect, Inc. dba Inteconnex for unit price security, surveillance, installation, maintenance, service and repair. (Bid No. 19-022. The amendment increases prices with no additional costs to the County for the remainder of the contract term.) (C-22-0227)
 5. C-21-0285 with Felsburg Holt & Ullevig to add additional engineering services related to County Bridge W-50. (The additional cost to the County is not to exceed \$10,750.) (C-22-0243)
- B.** Change Order #1 to County Contract C-22-0160 with General Excavating to provide additional services to the water line at the Waverly Maintenance Shop. (The increased cost to the County is not to exceed \$610.) (C-22-0219)
- C.** Change Order #2 to County Contract C-22-0169 with JJK Construction to revise the project start date. (There is no cost to the County.) (C-22-0220)
- D.** Right-of-way contracts with the following:
1. Paul and Sharon Gana, Southwest 29th Street and West Panama Road, in the total amount of \$1,223. (Project 21-45 / W-50) (two contracts) (C-22-0221) (C-22-0222)
 2. Dennis and Roberta Steinhauser, North 40th Street and Branched Oak Road, in the amount of \$352. (Project 22-20 / B-354) (C-22-0231)
 3. Galen R. Spath Revocable Trust, Northwest 84th Street and West Bluff Road, in the total amount of \$1,496. (Project 21-46 / E-171) (two contracts) (C-22-0232) (C-22-0233)
 4. Joan Buhmann, Southwest 29th Street and West Stagecoach Road, in the amount of \$631. (Project 22-21 / T-291) (C-22-0234)
 5. Harold R. Kelley Family Trust, South 120th Street and Saltillo Road, in the amount of \$271. (Project 22-21 / Q-19) (C-22-0235)
 6. Dorothy A. Davis, South 134th Street and Saltillo Road, in the amount of \$127. (Project 22-21 / Q-22) (C-22-0240)
 7. Pamela S. Flock, Ann Schmitt and Stephen Ira Rockenbach, North 98th Street and Bluff Road, in the total amount of \$3,996. (Project 22-41 / G-222) (two contracts) (C-22-0241) (C-22-0242)

MOTION: Yoakum moved and Vest seconded approval of the consent items. Yoakum, Flowerday, Vest and Schorr voted yes. Amundson was absent. Motion carried 4-0.

4) SPECIAL PRESENTATIONS:

- A.** Lancaster County Community Corrections Adult Drug Court Award of Distinction – Kim Etherton, Community Corrections Director

The Deputy Clerk read a statement about the award into the record.

Kim Etherton, Community Corrections Director, introduced Dr. Daryl Jackson, Project Director, National Drug Court Institute, who remotely attended the meeting. She also introduced the Lancaster County Community Corrections Adult Drug Court team and guests.

Dr. Jackson congratulated the Lancaster County Adult Drug Court on being named a national mentor treatment court for 2022-2024 by the National Association of Drug Court Professionals (NADCP) and U.S. Department of Justice.

Hon. Judge Andrew Jacobsen provided remarks on his experience as a Drug Court Judge.

- B.** District 3 Adult Probation Veterans Treatment Court Award of Distinction – Jeff Curry, Chief Probation Officer, District 3A

Jeff Curry, Chief Probation Officer, District 3A, introduced Marla Newby, Project Director, National Association of Drug Court Professionals. He also introduced the Veterans Treatment Court team, Probation team and mentors.

Newby thanked the team for their hard work and presented awards to representatives of the Veterans Court and Adult Drug Court.

Hon. Judge Robert Otte and Hon. Judge John Colborn thanked both teams for their efforts. Judge Otte presented a Veterans Court coin to Newby, as well as his bailiff, Sheri Lampe and court reporter, Naomi Alderson, for their support and assistance.

The Board congratulated the Adult Drug Court and Veterans Treatment Court teams and thanked them for their hard work and dedication.

- C. Commissioners' Award of Excellence for February 2022 to Destiny Czaplewski, Veterans Service Office, in the category of customer relations

The Deputy Clerk read the nomination into the record.

Lisa Helms, County Veterans Service Officer, stated Czaplewski sets a wonderful example as a County employee.

The Board thanked Czaplewski for her efforts and presented her with a plaque.

Czaplewski said providing service to veterans is very rewarding and it is an honor to be recognized.

5) **NEW BUSINESS:**

- A. Resolution in the matter of adopting benefits for the Deputy Sheriff Captains. The resolution replaces and rescinds Resolution R-15-0029. (R-22-0021)

MOTION: Vest moved and Flowerday seconded approval of the resolution. Vest, Yoakum, Flowerday and Schorr voted yes. Amundson was absent. Motion carried 4-0.

- B. Resolution in the matter of adopting a salary schedule for the Deputy Sheriff Captains. The resolution replaces and rescinds Resolution R-13-0066. (R-22-0020)

MOTION: Flowerday moved and Yoakum seconded approval of the resolution. Flowerday, Vest, Yoakum and Schorr voted yes. Amundson was absent. Motion carried 4-0.

- C. Resolution in the matter of witness fees paid by Lancaster County which have remained unclaimed for six months or more. (R-22-0025)

MOTION: Vest moved and Yoakum seconded approval of the resolution. Yoakum, Flowerday, Vest and Schorr voted yes. Amundson was absent. Motion carried 4-0.

- D. Special event permit application from Gary Bredehoff, Tiger Coaching & Personal Training, for the Last Blast Lincoln Triathlon to be held September 11, 2022.

Gary Bredehoff, Tiger Coaching and Training, gave a brief overview of the event.

MOTION: Vest moved and Yoakum seconded approval of the special event permit application. Yoakum, Flowerday, Vest and Schorr voted yes. Amundson was absent. Motion carried 4-0.

- E. Special designated license application from the National Audubon Society Holding Corporation to hold an event at the Spring Creek Prairie Audubon Center (11700 Southwest 100th Street, Denton) on May 22, 2022.

Sara Hartzell, Parks and Recreation Planning Assistant, gave a brief overview of the event.

Kevin Poague, Operations Manager Spring Creek Prairie Audubon Center, stated the community has asked for an organized run and the Spring Creek Prairie Audubon Center is excited for the opportunity to host this event.

MOTION: Yoakum moved and Flowerday seconded approval of the special designated license application. Vest, Yoakum, Flowerday and Schorr voted yes. Amundson was absent. Motion carried 4-0.

- F. Setting the salary for James Morris, Deputy County Attorney, in the amount of \$76,935.04 (Step 3) as Attorney I, effective April 11, 2022.

Patrick Condon, County Attorney, provided a brief overview of James Morris' experience.

MOTION: Vest moved and Yoakum seconded approval of the salary. Flowerday, Vest, Yoakum and Schorr voted yes. Amundson was absent. Motion carried 4-0.

- G. Labor agreement with Local 1536 of the International Brotherhood of Electrical Workers (IBEW General) for a two-year period beginning August 12, 2021. (C-22-0230)

MOTION: Flowerday moved and Yoakum seconded approval of the agreement. Yoakum, Flowerday, Vest and Schorr voted yes. Amundson was absent. Motion carried 4-0.

- H. Legal engagement agreement with Cline Williams Wright Johnson & Oldfather LLP to provide professional legal services to Lancaster County. (C-22-0218)

MOTION: Flowerday moved and Yoakum seconded approval of the agreement. Yoakum, Flowerday, Vest and Schorr voted yes. Amundson was absent. Motion carried 4-0.

- I. Grant Contracts to reimburse the following grantees for promotional costs from the Visitors Promotion Fund:

1. Nebraska State Historical Society—History Nebraska for the BISON exhibit in an amount not to exceed \$5,000. (C-22-0238)
2. Lincoln Arts Council for Lincoln Arts Festival 2022 in an amount not to exceed \$5,000. (C-22-0239)

MOTION: Yoakum moved and Vest seconded approval of the grant contracts. Vest, Yoakum and Schorr voted yes. Flowerday abstained. Amundson was absent. Motion carried 3-0 with one abstention.

- J. Contract with Fastenal Company to provide the annual supply of personal protective equipment (PPE) and first aid supplies. (Bid No. 22-024. This contract shall be effective upon execution by all parties. The cost to the County is not to exceed \$5,000.) (C-22-0225)

MOTION: Flowerday moved and Yoakum seconded approval of the contract. Flowerday, Vest, Yoakum and Schorr voted yes. Amundson was absent. Motion carried 4-0.

- K. Professional services agreement with Erickson Sullivan Architects to provide architectural and engineering services related to the renovation of property located at 600 S. 70th Street. The cost to the County is \$48,350. (C-22-0237)

Lisa Helms, County Veterans Service Officer, stated this agreement is for architectural design services related to the relocation of the County Veterans Service Office to Victory Park.

In response to Schorr's inquiry, Helms stated the Veterans Service Committee supports the move and the veterans are very excited since the County office would be near the Lincoln VA clinic.

Kerin Peterson, Facilities and Properties Director, estimated the design work to take six months or less and the construction period to be nine to ten months.

MOTION: Vest moved and Yoakum seconded approval of the agreement. Yoakum, Flowerday, Vest and Schorr voted yes. Amundson was absent. Motion carried 4-0.

- L. Contract with Highway Improvement, Inc to provide crack sealing. The cost to County is not to exceed \$84,703. (Project 22-06; Bid 22-065. The work is to be completed within 30 calendar days from notice to proceed with a completion date on or before June 3, 2022.) (C-22-0229)

Pam Dingman, County Engineer, stated the contract is for the annual supply of crack sealant.

MOTION: Vest moved and Yoakum seconded approval of the contract. Yoakum, Flowerday, Vest and Schorr voted yes. Amundson was absent. Motion carried 4-0.

- M. Contract with JJK Construction, LLC to repair County Bridge M-147. The cost to the County is not to exceed \$159,590.62. (Project 21-52, Bid 22-067. The work is to be completed within 60 calendar days from notice to proceed with a completion date on or before October 1, 2022.) (C-22-0228)

Dingman stated the bridge is located on Northwest 84th Street north of O Street. The repairs for the bridge are mainly on the deck and the deck edges.

MOTION: Yoakum moved and Vest seconded approval of the contract. Vest, Yoakum, Flowerday and Schorr voted yes. Amundson was absent. Motion carried 4-0.

- N. Recommendation from the Purchasing Agent and the County Engineer to award and execute a purchase order to Murphy Tractor & Equipment Company for a John Deere 345G excavator (using Sourcewell Contract # 32119-JDC). The total amount of the order is \$400,539. (C-22-0236)

Leroy (Bud) Geistlinger, Road Maintenance Superintendent, County Engineering Department, stated this purchase would add a second excavator to the Department. Vest asked if a second excavator is a wise investment for the County. Geistlinger said having the additional equipment will help cut costs as larger projects and repairs can be done by the Engineering Department as opposed to contracted vendors.

MOTION: Vest moved and Flowerday seconded approval of the recommendation. Flowerday, Vest, Yoakum and Schorr voted yes. Amundson was absent. Motion carried 4-0.

- O. Recommendation from the Purchasing Agent and the Request for Proposal Selection Committee to award a contract to BerryDunn for strategic planning services in an amount not to exceed \$89,290. (BerryDunn was the highest scoring firm.) (RFP 22-002)

Kristy Bauer, Deputy Chief Administrative Officer, stated the Selection Committee met with BerryDunn two weeks ago and is excited to move forward with the strategic planning process.

MOTION: Flowerday moved and Yoakum seconded approval of the recommendation. Yoakum, Flowerday, Vest and Schorr voted yes. Amundson was absent. Motion carried 4-0.

- P. Recommendation from the Purchasing Agent, County Sheriff and County Engineer to award a contract for towing services and storage of towed vehicles and other property to Midwest Towing and Recovery, Midwest Towing and Repair LLC in the estimated amount of \$20,000. (Bid 22-078) (B-22-078)

MOTION: Vest moved and Yoakum seconded approval of the recommendation. Yoakum, Flowerday, Vest and Schorr voted yes. Amundson was absent. Motion carried 4-0.

6) LEGISLATIVE UPDATE:

Dave Derbin, Chief Administrative Officer, stated the County received notification from Joe Kohout, Kissel, Kohout, ES Associates LLC, that there is a line-item veto in the State's budget that would reduce the proposed behavioral health provider rate increase. Kohout asked for authorization from the Board to support restoring the rate back to 15%.

MOTION: Flowerday moved and Yoakum seconded to authorize Kohout to lobby for the restoration of the original 15% rate increase. Flowerday, Vest, Yoakum and Schorr voted yes. Amundson was absent. Motion carried 4-0.

- 7) 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.

8) 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.

9) ADJOURNMENT

MOTION: Vest moved and Yoakum seconded to adjourn at 10:06 a.m. Vest, Yoakum, Flowerday and Schorr voted yes. Amundson was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk

