

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**COUNTY-CITY BUILDING, ROOM 112**  
**TUESDAY, APRIL 13, 2021**  
**9:00 A.M.**

*Advance public notice of the Board of Commissioners meeting was posted on the County-City Building bulletin board, the Lancaster County, Nebraska, web site, emailed to the media and published in the Lincoln Journal Star print edition and website on April 9, 2021.*

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

**Commissioner absent:** Roma Amundson

**Others present:** David Derbin, Chief Administrative Officer; Ann Ames, Deputy Chief Administrative Officer; Jenifer Holloway, Deputy County Attorney; Dan Nolte, County Clerk, Cori Beattie, Deputy County Clerk; and Monét McCullen, County Clerk's Office

The meeting was called to order at 9:02 a.m., the Pledge of Allegiance was recited 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, April 6, 2021.**

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

**2) CLAIMS:**

- A. Approval of all claims processed through April 13, 2021.**

Dan Nolte, Lancaster County Clerk, noted there was an amendment to the claims for the payroll ending on April 7, 2021 (Exhibit 1).

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

- 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. Change orders for the following:**

- 1. No. 1 to County Contract C-21-0147 with Petersen Earth Moving Inc., to revise the start date from April 5, 2021 to April 28, 2021 (Bid 20-201; Project 20-14 - North 14<sup>th</sup> Street Culvert Replacement). (C-21-0293)**
- 2. No. 4 to County Contract C-20-0393 with Bauer Underground, Inc., to award 14 extra working days for an increase of \$10,000 (Bid 20-081; Project 20-15 - replacement of County Bridge S-179). (C-21-0294)**

**B. Amendments to the following County contracts:**

- 1. C-18-0144 with A-TEC Recycling for Annual Service – Fluorescent Bulb and Battery Recycling Services. (Quote No. 5798. The amendment adds additional services with no additional cost to the County.) (C-21-0287)**
- 2. C-18-0155 with Graybar Electric Company, Inc., to provide Electrical, Lighting, Data Communications and Security Products and Related Products, Services and Solutions. (MOU019. The term of the contract is from April 6, 2021 through April 5, 2022. The pricing will be pursuant to the US Communities’ Contract EV2370. The cost to the County is not to exceed \$10,000.) (C-21-0290)**
- 3. C-20-0334 with Family Service Lincoln for the School Based Therapeutic Services program (funded by the Nebraska Commission on Law Enforcement and Criminal Justice Community-based Aid Grant for an increase of \$2,112.39) (C-21-0291)**
- 4. C-16-0241 with Acuity Special Products, dba ZEP Inc., to provide Comprehensive Operational & Janitorial Supplies Solutions. (The term of the contract is from May 1, 2021 through April 30, 2022. The pricing will be pursuant to the Region 14 ESC/NCPA Master Agreement 02-28. The cost to the County is not to exceed \$3,000.) (C-21-0299)**

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

- 1. LC Ringland Farms LLC, South 148<sup>th</sup> Street and Roca Road, in the amount of \$753. (C-21-0295)**
- 2. Leon Jr., Rojean, Robert L. and Rebecca Bowman, South 12<sup>th</sup> Street and Pella Road, in the amount of \$613. (C-21-0296)**
- 3. John D. Petsche, Southwest 126<sup>th</sup> Street and West Pioneers Boulevard, in the amount of \$2,823. (C-21-0297)**

**D. Authorizing and directing Monét McCullen to correct nunc pro tunc a clerical error in County Contract C-21-0280 by adding “Lot 13 I.T., Lot 43 I.T.” into the legal descriptions throughout the easement. (C-21-0280)**

**E. Received and placed on file the following quarterly reports for January through March, 2021:**

- 1. County Attorney’s Office**
- 2. County Sheriff’s Office**

**F. Received and placed on file the following reports for the month of March, 2021:**

- 1. County Clerk**
- 2. Clerk of the District Court**
- 3. Assessor/Register of Deeds**
- 4. Records and Information Management**

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

**4) NEW BUSINESS:**

- A. Resolution in the matter of a corporate manager liquor license application of Todd Whipple for NuMark Golf, LLC. (R-21-0024)**

Jen Holloway, Deputy Lancaster County Attorney, said this item will have a public hearing next week and will need to be pulled from this agenda.

- B. Resolution in the matter authorizing the installation of traffic control devices in Lancaster County. (R-21-0025)**

Pam Dingman, Lancaster County Engineer, said this request is to reduce the speed limit from 55 miles per hour to 45 miles per hour on South 27<sup>th</sup> Street about a half of a mile north of Saltillo Road to be consistent with the rest of the road as it enters into the Lincoln city limits (Exhibit 2).

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

- C. Recommendation from the Purchasing Agent and County Engineering to award a contract to Constructors Inc., for Waverly Road Pavement Repair (Bid No. 21-083; Project No. 21-10) in the total amount of \$259,070.20. (B-21-0083)**

Dingman said this recommendation is regarding a section of Waverly Road, east of 112<sup>th</sup> Street (Exhibit 3) that disintegrated when the frost melted off the ground. This will require close to 800 linear feet of road that will need to be replaced. This has gone from a paved road to a gravel road with a reduced speed limit. She noted this project was not in the approved budget.

Schorr asked if this project will be funded from the contingency budget or will it be allocated in next year's budget. Dingman said this work needs to be done as this is considered an emergency project. This might require the Engineering Department to reduce funding for future needed projects. If there are contingency funds those will be used.

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

- D. Contract with Topkote Inc., for Chip Seal (Bid No. 21-017; Project No. 21-05). The work shall commence any time after July 5, 2021 (or upon notice to proceed by the County) and shall be completed on or before October 29, 2021 (the project will be considered a 117 calendar day project). The cost to the County is \$1,207,714.73. (C-21-0292)**

Dingman provided a map of the roads that will be chip sealed with this contract (Exhibit 4). Chip sealing is cheaper than milling and overlaying and is an asphalt maintenance program.

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

- E. Contract with Straight-Line Striping, Inc., for Pavement Marking 2021 (Bid No. 21-032; Project No. 21-83). The work shall commence on or after June 14, 2021 (or upon notice to proceed by the County) and shall be completed on or before August 6, 2021 (the project is considered a 54 calendar day project). The cost to the County is 60,155.01. (C-21-0298)**

Dingman providing a map of the locations that will receive pavement striping (Exhibit 5). There will also be a reflective substance added to the paint.

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

- F. Contracts for cremation/burial services as outlined in Lancaster County's General Assistance Program beginning April 1, 2021 through December 31, 2026 with the following:**
- 1. Lincoln Memorial Funeral Home (C-21-0286)**
  - 2. Metcalf Funeral Home (C-21-0288)**
  - 3. Roper and Sons Funeral Home (C-21-0289)**

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

**5) UPDATE ON COVID-19 AND LANCASTER COUNTY RESPONSE**

No discussion held.

**6) LEGISLATIVE UPDATE**

Vest noted LB271 (Adopt the 24/7 Sobriety Program Act) was passed. It allows individuals who are in the diversion program to be tested (for alcohol and/or drugs) and to be eligible for a provisional driver's license which will assist people in transitioning back into the community. He praised Pat Condon, Lancaster County Attorney; Joe Nigro, Lancaster County Public Defender; and Kim Etherton, Community Correction Director, for their support of the bill.

Pat Condon, Lancaster County Attorney, said there is still work to do, but things are moving in the right direction.

- 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, April 15, 2021 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 20, 2021 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](mailto:commish@lancaster.ne.gov).
- D. The Lancaster County Board of Commissioners meeting is broadcast live on LNKTV City. For the rebroadcast schedule visit [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: LNKTV). Meetings are also streamed live on LNKTV and can be viewed on YouTube (LNKTVcity).

9) **EXECUTIVE SESSION:**

- A. Pending and Potential Litigation and Legal Advice.

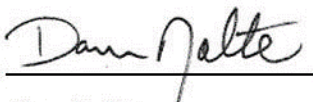
**MOTION:** Schorr moved and Yoakum seconded to enter executive session for the purposes of pending and potential litigation and legal advice and to protect the public interest at 9:21 a.m. Flowerday, Schorr, Yoakum and Vest voted yes. Amundson was absent. Motion carried 4-0.

The Chair restated the motion.

**MOTION:** Schorr moved and Yoakum seconded to exit executive session at 10:01 a.m. Yoakum, Flowerday, Schorr and Vest voted yes. Amundson was absent. Motion carried 4-0.

10) **ADJOURNMENT**

**MOTION:** Schorr moved and Flowerday seconded to adjourn the Lancaster County Board of Commissioners meeting at 10:01 a.m. Yoakum, Flowerday, Schorr and Vest voted yes. Amundson was absent. Motion carried 4-0.



Dan Nolte  
Lancaster County Clerk

