

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
ZOOM MEETING
VIEWING AVAILABLE VIA YOUTUBE AT <https://www.youtube.com/lnktvcity>
COUNTY-CITY BUILDING, ROOMS 112 AND 113
TUESDAY, APRIL 21, 2020
9:00 A.M.

Advance public notice of the Board of Commissioners meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and emailed to the media on April 17, 2020.

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

Others present: Kerry Eagan, Chief Administrative Officer, Jenifer Holloway, Deputy County Attorney; Dan Nolte, County Clerk, and Leslie Brestel, County Clerk's Office

The meeting was called to order at 9:00 a.m., the Pledge of Allegiance was recited and the Chair announced the Open Meetings Act is available at Neb. Rev. Stat. § 84-1401-1414.

1) MINUTES:

- A.** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, April 14, 2020.

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

2) CLAIMS:

- A.** Approval of all claims processed through April 21, 2020.

MOTION: Schorr moved and Vest seconded approval of the claims. Amundson, Schorr, Yoakum, Vest and Flowerday 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 on the following contracts:

1. C-16-0668 to cancel cleaning services at various County locations with Rise n' Shine. (Bid No. 16-228. This is a 30-day notice to cancel for convenience, cleaning services at the County Engineering Office and the Shop and Weed Control Office, effective end of work day, May 7, 2020.) (C-20-0195)
2. C-19-0352 with General Fire & Safety Equipment Company, Inc., for Annual Service – Fire Extinguisher Inspection, Testing, and Maintenance. (Bid No. 19-120. The

amendment renews the contract from May 13, 2020 through May 12, 2021. The cost to the County is not to exceed \$2,000.) (C-20-0197)

3. C-17-0747 with WoodRiver Energy, L.L.C for Annual Supply – Natural Gas and Related Services. (Bid No. 19-212. The amendment will amend the contract to reflect a fixed hedge price for the supply of Natural Gas at three Lancaster County locations from April 1, 2020 through September 30, 2023 and a fixed hedge price from November 1, 2020 through March 31, 2021 at costs and amounts listed on Trigger Confirmations, Attachments A and B.) (C-20-0198)

B. Utility Permit for the following with no cost to the County:

1. No. 1971 allowing Windstream Nebraska to install new fiber optic cables in the County right-of-way along "A" Street from South 98th to South 112th Street. (C-20-0186)
2. No. 1974 allowing Windstream Nebraska to relocate utilities as part of Project 19-09, North 14th Street from Waverly to McKelvie Road. (C-20-0200)

C. Receive and place on file the Prudential Retirement Specimen Governmental 457(b) Plan, Revised February 2017.

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

4) PUBLIC HEARING:

A. Amendment of the Lancaster County General Assistance Guidelines. (See correlating item 5A)

The Chair opened the public hearing.

The Clerk read a statement from Sara Hoyle, Human Services Director (Exhibit 1).

No one appeared to testify in support, opposition or in the neutral capacity.

The Chair closed the public hearing.

5) NEW BUSINESS:

A. Amendment of the Lancaster County General Assistance Guidelines.

MOTION: Schorr moved and Vest seconded approval of the amendment to the Lancaster County General Assistance Guidelines. Amundson, Schorr, Yoakum, Vest and Flowerday voted yes. Motion carried 5-0.

B. Amusement License Renewal application from Jan and Darril Hauser for an event at Pine Creek Farms, 11505 North 14th Street, Raymond, Nebraska on May 30, 2020.

MOTION: Vest moved and Amundson seconded approval of the amusement license renewal.

Vest noted any social distancing measures would apply to the possible use of the license.

ROLL CALL: Amundson, Schorr, Yoakum, Vest and Flowerday voted yes. Motion carried 5-0.

- C. Authorize the payment of \$20,000 from the Inmate Benefit Fund to Good News Jail and Prison Ministries of Fairfax, Virginia for providing a full-time and two part-time chaplains for Lancaster County Corrections inmates.

MOTION: Vest moved and Yoakum seconded authorization of the payment from the Inmate Benefit Fund to Good News Jail and Prison Ministries.

Schorr stated the funds used are inmate benefit funds from phone and vending commissions. Additionally, the funds have allowed for the hiring of two additional part-time chaplains.

ROLL CALL: Amundson, Schorr, Yoakum, Vest and Flowerday voted yes. Motion carried 5-0.

- D. Contract with Enterprise Holdings, Inc., (using the State of Oregon, NASPO ValuePoint Master Agreement No. 9408) to provide National Car Rental Services. The term of the contract is upon execution through September 15, 2020. The MOU may be renewed for five additional one-year terms. The pricing will be pursuant to the State of Oregon/NASPO ValuePoint Master Agreement. The cost to County is not to exceed \$30,000. (C-20-0196)

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

- E. Recommendations from the Purchasing Agent and County Engineer to award and execute a Purchase Order for supplying and hauling crushed rock surface coarse material (Bid No. 20-078) to the following:
 - 1. Gana Trucking and Excavating in the amount of \$400,860. (C-20-0189)
 - 2. Westover Rock and Sand, Inc., in the amount of \$331,450. (C-20-0190)

Pam Dingman, County Engineer, noted the bids came in higher than previous years. She said she hoped the material would be delivered by August.

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

- F. Recommendations from the Purchasing Agent and County Engineer to award and execute a Purchase Order for supplying and hauling crushed rock surface coarse material (Bid No. 20-079) to the following:
 - 1. Buel Trucking, Inc., in the amount of \$120,000. (C-20-0191)
 - 2. Gana Trucking and Excavating in the amount of \$291,660. (C-20-0192)
 - 3. Westover Rock and Sand, Inc. The total amount of the order is \$85,350. (C-20-0193)

MOTION: Schorr moved and Yoakum seconded approval of the recommendations.

Dingman stated there is a gravel shortage and current stocks are being used sparingly (Exhibit 2). Some quarries are being run 16 hours per day to keep up with demand; however, fulfillment of orders is slow. She added gravel is paid for upon receipt of a shipment.

ROLL CALL: Amundson, Schorr, Yoakum, Vest and Flowerday voted yes. Motion carried 5-0.

- G. Recommendation from the Purchasing Agent and County Engineer to award a Unit Price Contract for to Uretex USA, Inc., for Soil Stabilization (Bid No. 20-087). The annual estimated expenditure for this unit price contract is \$200,000 per year. (B-20-0087)

Dingman said this uses foam injection to stabilize bridges.

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

Dingman noted the contract was awarded to a small business in Lancaster County.

ROLL CALL: Amundson, Schorr, Yoakum, Vest and Flowerday voted yes. Motion carried 5-0.

- H. Recommendation from the Purchasing Agent and County Engineer to award a contract to Pavers, Inc., for Asphalt Paving & Resurfacing (Bid No. 20-075). The total cost of the contract is \$3,364,576.83. (B-20-0075)

Dingman reviewed the focus areas for annual asphalt maintenance (Exhibit 3).

MOTION: Vest moved and Yoakum seconded approval of the recommendations.

Dingman added the price point was \$500,000 under the engineer estimate and will be completed by a Lancaster County construction crew.

ROLL CALL: Amundson, Schorr, Yoakum, Vest and Flowerday voted yes. Motion carried 5-0.

6) UPDATE ON COVID-19 AND LANCASTER COUNTY RESPONSE:

- A. Temporary alternative housing for Essential County Employees.

Todd Duncan, Chief Deputy Sheriff, said the City of Lincoln has finalized a contract with the Hilton Garden Inn for quarantine housing for essential employees.

Jen Holloway, Deputy County Attorney, stated the Board previously discussed housing for essential employees (based on the Essential Employee Testing Directive) who meet the criteria for housing such as displaying COVID 19 symptoms, have a COVID 19 test pending or return a positive result, or who do not want to subject their family to being exposed unnecessarily to COVID 19. The housing was to be donated by the Hilton Garden Inn. However, the hotel requested, if funding is available, to change from donated rooms to discounted rooms at a cost of \$59/day (which includes an \$8 breakfast). There have been 50 rooms allotted, with potential access to another floor of rooms. In the event all rooms are utilized, or that funding is no longer available, Board direction is needed on how to continue.

When asked about funding, Holloway answered the City-County Health Department will have funds though she cautioned room costs may not be completely covered due to the number of employees who may use this option.

Duncan reviewed the standards for first responders being able to work after having exposure to COVID 19. He also said there is a State system that could be followed for first responders with no pending COVID 19 tests or symptoms but they have a high-risk family member in their household. He preferred to follow the City's model with the Hilton Garden Inn.

Amundson asked how many of the Sheriff's staff are waiting for COVID 19 testing or are symptomatic. Duncan responded that no employees have been tested or are symptomatic to date. Flowerday added that the Lincoln Police Department and Lincoln Fire and Rescue have had 17 and 27 tests, respectively, and none of the tests have had a positive result for COVID 19.

Regarding the number of employees that could qualify for this housing option, Holloway stated because the program would be considered a benefit, it would have to be taken to the Personnel Policy Board. In addition to first responders, employees may be eligible if determined essential by their department head or elected official.

Duncan added a request that food costs be reimbursed to employees that use the program. He stated the City of Lincoln has a limit of \$30/day as the per diem rate. Holloway said more direction on meal provisions would be needed. Schorr asked if Health Department funds could cover meal reimbursements.

MOTION: Vest moved and Amundson seconded to move forward with the policy to allow employees who have met the criteria as described to reside at the Hilton Garden Inn and to include a \$30 per diem for meals.

Flowerday confirmed the employee criteria at this time as employees of the Lancaster County Sheriff's Office, Lancaster County Corrections and Youth Services Center with the possibility for other departments to be added as eligible in the future.

Holloway reminded the Board that the State uses additional criteria to determine employee eligibility for the program.

ROLL CALL: Amundson, Schorr, Yoakum, Vest and Flowerday voted yes. Motion carried 5-0.

The Chair recessed the meeting at 9:54 a.m. and reconvened at 10:24 a.m.

B. Board of Equalization hearings.

Cori Beattie, Deputy County Clerk, and Dan Nolte, County Clerk, expressed concern about conducting in person referee hearings during the upcoming Board of Equalization process. Property owners currently also have the option to waive a hearing whereby their documentation would be reviewed in absentia. Nolte reminded the Board there are many internal processes that need to happen before protest season and that any proposed procedural or record keeping changes could get very complicated.

The Board did not want to deny the public the right to protest and supported holding hearings in a different capacity, for example via telephone.

Flowerday stated the lobbyists for Lancaster, Douglas and Sarpy counties have discussed sending a letter to Governor Ricketts to waive the statutory requirements for in person hearings this year.

Holloway confirmed the authority to waive the hearing requirements must come from the Governor but the County could move forward now with planning to offer hearings by other means (telephone, video, etc.).

It was the consensus of the Board for the lobbyists to pursue sending a letter to Governor Ricketts to waive the statutory hearing requirements for in person hearings this year.

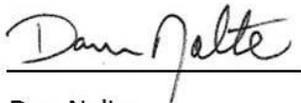
The Board will continue property protest discussions at future staff meetings.

7) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting via Zoom on Thursday, April 23, 2020 at 8:30 a.m. (County-City Building, Room 113)
- B. The Lancaster County Board of Commissioners will hold its next regular meeting on Tuesday, April 28, 2020 at 9:00 a.m., via Zoom (County-City Building, Room 112)
- 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 City. For the rebroadcast schedule visit lincoln.ne.gov (keyword: LNKTv). Meetings are also streamed live on LNKTv and can be viewed on YouTube (LNKTvcity).

8) **ADJOURNMENT**

MOTION: Schorr moved and Amundson seconded to adjourn the Lancaster County Board of Commissioners meeting at 10:37 a.m. Amundson, Yoakum, Vest, Schorr and Flowerday voted yes. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk



Leslie E. Brestel

From: Dan F. Nolte
Sent: Monday, April 20, 2020 3:04 PM
To: Leslie E. Brestel
Cc: Cori R. Beattie
Subject: FW: General Assistance Guidelines on County Board Agenda 4-21-20

Leslie:
I have printed a copy of this email to read.
Dan



Dan Nolte
Lancaster County Clerk
555 South 10th Street, Room 108
Lincoln, NE 68508
Direct: 402-441-8721
Main: 402-441-7484
dnolte@lancaster.ne.gov

From: Sara J. Hoyle
Sent: Monday, April 20, 2020 3:01 PM
To: Dan F. Nolte <dnolte@lancaster.ne.gov>
Cc: Kerry P. Eagan <KEagan@lancaster.ne.gov>; David A. Derbin <DDerbin@lancaster.ne.gov>
Subject: General Assistance Guidelines on County Board Agenda 4-21-20

Hi Dan,

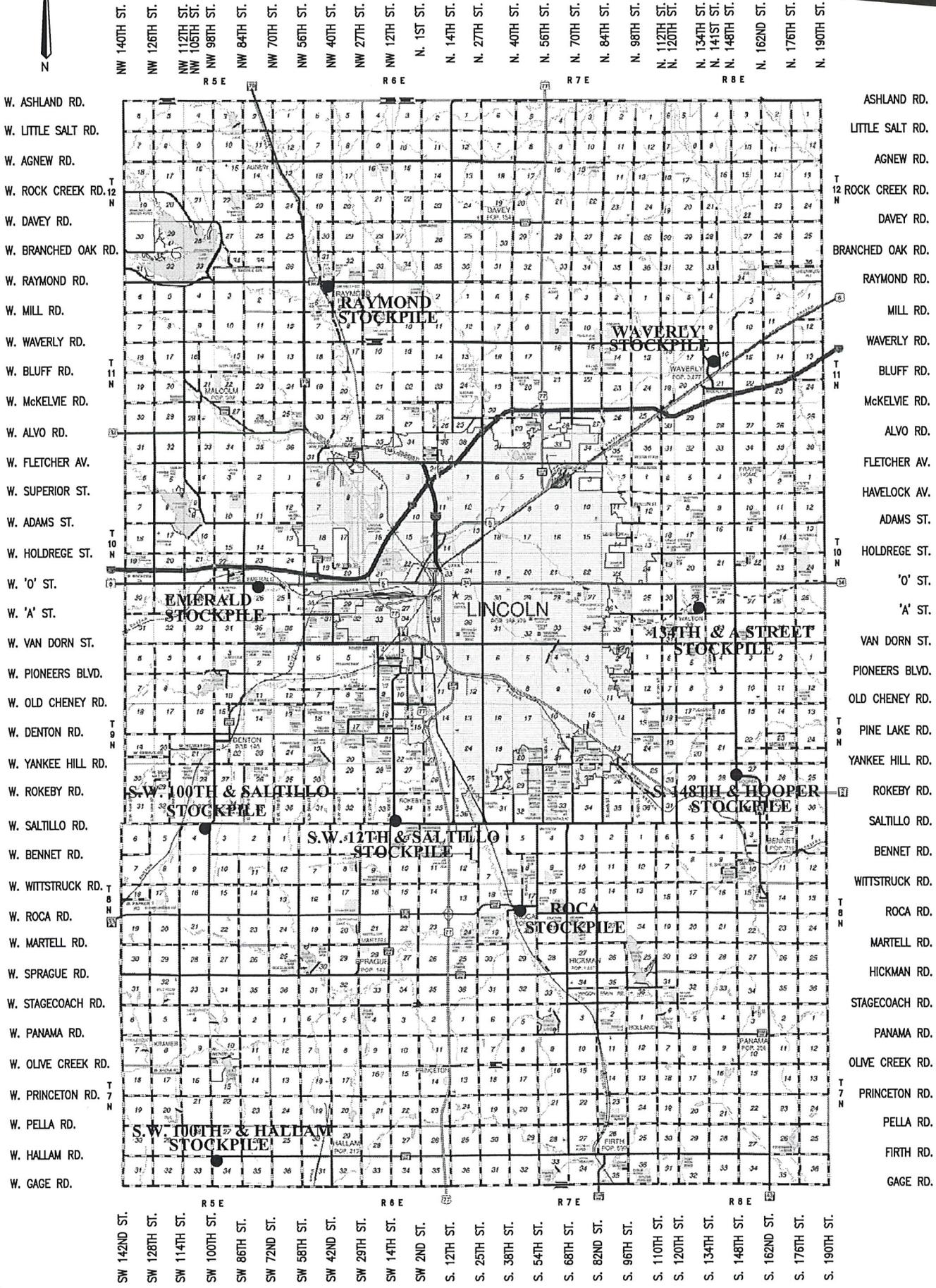
I am not able to be at the County Board meeting tomorrow. The Lancaster County General Assistance Guidelines are on the agenda for a public hearing. The following is information concerning them, if you could read it into the record. Let me know if questions. Thank you!

The proposed change in the Lancaster County General Assistance Guidelines can be found on page 3, Chapter 1, under General Provisions. The specific language proposed is, "the Director may suspend the strict application of these general provisions during the period a local emergency or disaster has been declared by the Board of County Commissioners of Lancaster County, Nebraska, if strict compliance with these general provisions would in any way prevent, hinder, or delay necessary action in coping with the declared local emergency or disaster." This was added due to the necessity of expediting the general assistance application process in certain circumstances during the Covid-19 emergency.

Sara Hoyle
Director
Human Services
Lincoln/Lancaster County
shoyle@lancaster.ne.gov
(402) 441-4944

PROJECT NO. 17-06
 SUPPLYING AND HAULING OF GRAVEL SURFACE COURSE MATERIAL
 LANCASTER COUNTY, NEBRASKA

EXHIBIT
 2



W. ASHLAND RD.
 W. LITTLE SALT RD.
 W. AGNEW RD.
 W. ROCK CREEK RD.
 W. DAVEY RD.
 W. BRANCHED OAK RD.
 W. RAYMOND RD.
 W. MILL RD.
 W. WAVERLY RD.
 W. BLUFF RD.
 W. MCKELVIE RD.
 W. ALVO RD.
 W. FLETCHER AV.
 W. SUPERIOR ST.
 W. ADAMS ST.
 W. HOLDREGE ST.
 W. 'O' ST.
 W. 'A' ST.
 W. VAN DORN ST.
 W. PIONEERS BLVD.
 W. OLD CHENEY RD.
 W. DENTON RD.
 W. YANKEE HILL RD.
 W. ROKEY RD.
 W. SALTILLO RD.
 W. BENNET RD.
 W. WITSTRUCK RD.
 W. ROCA RD.
 W. MARTELL RD.
 W. SPRAGUE RD.
 W. STAGECOACH RD.
 W. PANAMA RD.
 W. OLIVE CREEK RD.
 W. PRINCETON RD.
 W. PELLA RD.
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ASHLAND RD.
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