

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 2, 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 April 28, 2023.

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

Others present: David Derbin, Chief Administrative Officer; Kristy Bauer, Deputy Chief Administrative Officer; John Ward, Deputy County Attorney; Matt Hansen, 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 April 25, 2023.

MOTION: Vest moved and Amundson 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 May 2, 2023.

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

3) SPECIAL PRESENTATION

A. Commissioners' Award of Excellence for March 2023 to Amy Zinsmaster, County Treasurer, in the category of customer relations.

The Clerk read the nomination into the record.

Rachel Garver, County Treasurer, stated she is thankful to have Zinsmaster as part of the County Treasurer Team, and it is an honor to have such wonderful staff members.

Selvin Mendez Lopez, Motor Vehicle Manager, stated Zinsmaster is an exemplary employee. He thanked Eliza Perez-Senic for nominating Zinsmaster.

The Board thanked Zinsmaster for her excellent customer service and for making the County Treasurer's Office a warm and welcoming place. Flowerday presented Zinsmaster with a plaque.

Zinsmaster thanked Perez-Senic for the nomination, and stated she is blessed to work with amazing co-workers.

4) **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. Amendment to County contract C-20-0470 with National Everything Wholesale, a NETWORK Distributor, for janitorial and sanitation supplies, equipment and related services. (City of Tucson/OMNIA RFP 202329-01, MOU083. The amendment renews the contract from June 1, 2023, through May 31, 2024. The estimated cost for products/services to the County is not to exceed \$260,000.) (C-23-0362)
- B. Right-of-way contracts with the following:
 - 1. Roger A Hornung, Northwest 12th Street and West Rock Creek Road, in the total amount of \$1,963. (Project No. 22-29 / C-023) (C-23-0354) (C-23-0355)
 - 2. Golden Link Inc, South 120th Street and Pella Road, in the amount of \$136. (Project No. 22-28 / Y-189) (C-23-0358)
 - 3. JJD Farms LLC, Northwest 70th Street and West Rock Creek Road, in the amount of \$298. (Project No. 22-29 / D-179) (C-23-0360)
 - 4. Steven Harms and Laurie J McPherrin, North 98th Street (Holdrege Street to Adams Street), in the total amount of \$10,415. (Project 23-01) (C-23-0364) (C-23-0365)
- C. Notice from Lutheran Family Services, Inc. regarding a change of address for legal notices to be sent related to County Contract C-22-0567.
- D. Setting a public hearing on Tuesday, May 23, 2023, regarding the Waverly Rural Fire Protection District conversion to a suburban fire protection district.

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

5) **PUBLIC HEARING**

- A. Comprehensive Plan Amendment No. 23001 to amend the 2050 Lincoln-Lancaster County Comprehensive Plan to add the major streets and right-of-way map and associated text. (See correlating Item 6A).

The Chair opened the public hearing.

Paul Barnes, Principal Planner Lincoln-Lancaster County Planning Department, was administered the oath. Barnes stated Comprehensive Plan Amendment 23001 to add right-of-way maps to major roads was left out of the 2050 Comprehensive Plan. He added the amendment mostly adheres to the City of Lincoln jurisdiction, which is the three-mile area from the city limits. The subdivision code for the City of Lincoln references this information. Barnes stated the area extends out into the County's jurisdiction and noted in those areas it is a recommendation during the subdivision process and not a requirement. Barnes stated the Planning Commission did recommend approval of the amendment and also noted that the City Council has approved this amendment.

No one appeared to testify in opposition or in a neutral position.

The Chair closed the public hearing.

6) NEW BUSINESS

- A. Resolution in the matter of Comprehensive Plan Amendment No. 23001 to amend the 2050 Lincoln-Lancaster County Comprehensive Plan to add the major streets and right-of-way map and associated text. (R-23-0026)

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

- B. Resolution in the matter of installing a 55 MPH traffic sign (R2-1) southbound on South 68th Street, approximately 400 feet south of the eastbound offramp on the Lincoln South Beltway (N-2). 55 MPH is the statutory speed limit at that location. (R-23-0027)

Nam Nguyen, County Engineer's Office Civil Engineer, presented a map of the area (Exhibit 1) and stated there is no speed limit posted in the area and the Engineer's Office has received many requests to install a traffic sign in this area.

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

- C. Resolution directing the County Engineer to conduct a study and the Planning Department to write a report regarding vacating right of way near the intersection of South 91st Street and Nebraska Parkway, more particularly described in Exhibit "A," and located in Lancaster County, Nebraska. (R-23-0028)

Ann Post, of Rembolt Ludtke LLP, stated she represents the petitioner William and Kathleen Rentschler asking for the right-of-way. She noted the request to conduct a study is step two in a very long process but is a step closer to the goal of obtaining the parcel.

Schulte asked if the resolution vacates the right-of-way or is only a study. Post stated yes, the resolution directs the Engineer to create a report then must go through the City of Lincoln's process to get approved. Post noted the petitioner wanted the study to be conducted to detect any issues with obtaining the property before moving forward.

John Berry, County Engineer's Office Chief Deputy Surveyor, presented a map of the area (Exhibit 2) currently owned by the Nebraska Department of Roads and Transportation that the petitioners are working with to purchase the property. He added the resolution would have County Engineering perform a study to investigate the County's interest in the property. Berry stated the property has a concrete turnaround area that the Engineering Department uses while maintaining the community of Cheney.

John Ward, Deputy County Attorney, stated the resolution is to perform a study only. The public hearing to vacate the right-of-way would come before the Board later as the County is waiting on approval from the City of Lincoln first and that would be ordered after the Engineer's report.

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

- D. Contract with Kubert Appraisal Group for on-call appraisal services related to right-of-way acquisitions, as requested by the County Engineer. The cost to the County is not to exceed \$28,000. (C-23-0368)

Pam Dingman, County Engineer, stated the contract is for an on-call appraisal service and would be used on an as-needed basis.

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

- E. Interlocal Agreement with Norris Public Power District of Roca, Nebraska, for the relocation of the district's facilities on Roca Road. The cost to the County is not to exceed \$16,385.94. (Project No. S-180.) (C-23-0356)

Dingman stated the agreement is for relocation of utility work. She added when a right-of-way is purchased and there is relocation work, there is a charge.

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

- F. Recommendation from County Engineering to award and execute a purchase order to Ace Eaton Metals for County Culverts in the amount of \$107,632.80. (Bid No. 23-104) (C-23-0357)

Dingman stated the contract is for the annual supply of culverts that the County Engineering installs. She added the cost does not include labor and other materials but is significantly less than projects contracted out.

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

- G. Recommendation from County Engineering to award a bid to BlackStrap, Inc. for road salt in the amount of \$558,000. (Bid No. 23-074, Bid Lines 3-10.) (B-23-074)

Dingman stated the County Engineering fills their annual supply of salt in domes in the summer as the cost is cheaper.

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

- H. Recommendation from County Engineering to award a bid to Van Dorn Valley Construction, LLC for ARPA (American Rescue Plan Act) Culvert Maintenance (Phase I) at an estimated total cost of \$606,437.25. (Bid No. 23-083; Project No. 22-28) (B-23-083)

Dingman presented a map of the locations of the culvert maintenance (Exhibit 3). She added Van Dorn Valley Construction LLC is a new contractor to the County. County Engineering has checked references and verified they have a satisfactory performance history for completing a project like this.

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

- I. Special designated license application from Meier's Wine Inc dba Meier's Cork 'N Bottle, for an event at Spring Creek Prairie Audubon Center (11700 Southwest 100th Street, Denton) on June 10, 2023.

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

- J. Agreement with David Alмеры for care and maintenance of Asplund Cemetery. Lancaster County will pay \$50 per mowing, not to exceed \$200 per year. (The term of the agreement is one year upon execution and will automatically renew for successive one-year terms unless terminated.) (C-23-0359)

Brent Meyer, Weed Control Superintendent, stated the County acquired the Asplund Cemetery this past year that the Alмеры family had been mowing and are willing to continue caring for the property.

The Board expressed appreciation to the Almerly family for taking care of the Asplund Cemetery.

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

- K. Agreement with Data Axle to provide a list of mailing addresses for homeowners in Lancaster County who are veterans or 65 years of age or older that may qualify for the Nebraska Homestead Exemption. The cost to the County is \$1,686. (C-23-0367)

Dan Nolte, Assessor/Register of Deeds, stated his office would like to do a mailing for people that may potentially qualify for Nebraska Homestead Exemption and the agreement would help acquire the list.

Yoakum inquired if the project has been done before. Nolte stated not to his knowledge. The project is a proactive step to help the Lancaster Community be aware of potential help with tax relief.

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

- L. Contract with Accurate Controls, Inc. to provide video monitoring system upgrade for the Mental Health Crisis Center. The cost to the County is not to exceed \$48,540.91. (Sole Source No. SS-205. This contract shall be effective for one (1) year upon execution.) (C-23-0363)

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

- M. Grant contract with The Lincoln Haymarket Development Corporation to promote its Historic Walking Tour mobile phone app in an amount not to exceed \$5,000 from the Visitors Promotion Fund. (C-23-0366)

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

- N. Recommendations from the Joint Budget Committee (JBC) for 2023-2024 Juvenile Justice Prevention Fund.

John Ward, Deputy County Attorney, stated that three of the Commissioners would be abstaining from the recommendations vote. He added the abstention does not count as a vote but the total of votes cast so if two Commissioners vote the vote would be 2-0 with three abstentions and still pass.

Ryan Dvork, Human Services Pre Adjudication Specialist provided a summary of the recommendations that the Joint Budget Committee plans to award to the nonprofit organizations in Lancaster County.

MOTION: Vest moved and Amundson seconded approval of the recommendation. Vest and Amundson voted yes. Schulte, Flowerday and Yoakum abstained. Motion carried 2-0 with three abstentions.

- O. Declaration in the matter of terminating the local emergency for the COVID-19 pandemic pursuant to Neb. Rev. Stat. § 81-829.50. (D-23-0002)

PatLopez, Lincoln-Lancaster County Health Department Director, provided an update on how the Health Department plans to help the Lancaster Community after the termination of the local emergency. She noted the Health Department will continue to look to the Federal Government for guidance. The Federal Government will continue providing vaccines and health plans will pay for it. Lopez noted the Health Department will provide access to vaccines and free test kits for the Lancaster Community. She also noted the link for the website and phone lines for questions would continue to be available.

The Board thanked Lopez for the proactive steps and for her leadership during the pandemic.

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

7) LEGISLATIVE UPDATE

No update was given.

8) 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.

9) ANNOUNCEMENTS

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, May 4, 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, May 9, 2023, at 9:00 a.m., 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.

10) ADJOURNMENT

MOTION: Vest moved and Schulte seconded to adjourn at 9:42 a.m. Schulte, Flowerday, Vest, Amundson and Yoakum voted yes. Motion carried 5-0.



Matt Hansen
Lancaster County Clerk

