

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 9, 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 May 5, 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; Candace Berens and John Ward, Deputy County Attorneys; Matt Hansen, County Clerk; Courtney Lyons, Deputy County Clerk; 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 May 2, 2023.

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

B. Approval of the minutes of the Centerpointe Tour on April 28, 2023.

Vest noted the minutes need to be amended to include Commissioner Schulte and update the current Chair and Vice Chair.

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

2) CLAIMS

A. Approval to the claims processed through May 9, 2023.

The Clerk noted there was an amendment to the claims for the payroll ending May 3, 2023 (Exhibit 1).

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

B. Approval of a claim to El Centro de las Americas in the amount of \$6,893.71. (Batch No. 293735, Document No. 802973).

MOTION: Vest moved and Amundson seconded approval of the claim. Amundson, Schulte, Flowerday and Vest voted yes. Yoakum abstained. Motion carried 4-0 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. Right-of-way contracts with the following:

1. Bison AG LLC, South 176th Street and Firth Road, in the amount of \$136. (Project No. 22-28 / Y-215) (C-23-0370)
2. Darrell and Lynette D TeSelle, South 134th and Stagecoach Road, in the amount of \$1,622. (Project No. 22-28 / Y-063) (C-23-0371)
3. Danny and Kendra Schafer, North 98th Street (Holdrege Street to Adams Street), in the total amount of \$975. (Project No. 23-01) (C-23-0372) (C-23-0374)
4. Kent D & Dianne S Heidbrink, North 98th Street (Holdrege Street to Adams Street), in the amount of \$13,355. (Project No. 23-01) (C-23-0373)
5. Marvin L and Tameria L Lambie, North 98th Street (Holdrege Street to Adams Street), in the amount of \$935. (Project No. 23-01) (C-23-0376)

B. Received and placed on file Annual Reports on Community Redevelopment Projects from the following:

1. City of Hickman
2. Village of Hallam

C. Received and place on file the following reports for April 2023:

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

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

4) **PUBLIC HEARING**

A. Lancaster County Public Rural Transit application for funds to provide public transportation for FY 2023-24 and FY 2024-25 (See correlating item 5A).

The Chair opened the public hearing.

Mitch Sump, Aging Program Coordinator / Lancaster County Public Rural Transit, was administered the oath. Sump stated the public rural transportation numbers are increasing. The primary source of transports are senior citizens, who make up 96%, 3% are special needs and 1% are other riders. He noted the current fund request is higher than in past years due to an increase to the cost of fuel. He plans to apply fuel projection costs for the next two years and estimate the cost at \$3.23 a gallon. Sump stated he was requesting permission to apply for \$270,000 from the Nebraska Department of Transportation in federal and state funds. The local funds from Lancaster County would be almost \$60,000.

Yoakum inquired about ways the Board could help increase or promote public transportation. Sump stated just continue to promote and support it. He added any citizen can ride if they are either living inside the city of Lincoln going outside the city limit for one of their boardings or vice versa.

Schulte inquired about the cost and the cost to use the service. Sump stated the funds are not to exceed \$60,000 over the full two-year period and the fee is \$2 per stop.

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

The Chair closed the public hearing.

5) NEW BUSINESS

- A. Resolution instructing Lancaster County Public Rural Transit to apply for federal funds available under Section 5311 of the Federal Transit Act to provide public transportation in Lancaster County and the bordering communities of Adams, Cortland, Ceresco, Eagle, and Greenwood for FY 2023-24 and FY 2024-25. (The estimated costs of the project by source of funds are \$210,813 in federal funds, \$59,876 in state funds, and \$59,879 in local funds from Lancaster County.) (R-23-0029)

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

- B. Resolution in the matter of authorizing the County Board Chair or Vice Chair to sign the Professional Services Agreement Supplement No. 1 amending County Contract C-22-0282 with JEO Consulting Group, Inc. for additional preliminary engineering services. (Project 22-44; LCLC-5272(1) CN 13492, Arbor Road Bridge.) (R-23-0030)

Pam Dingman, County Engineer, stated items 5B and C are for the bridge located on Arbor Road.

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

- C. Professional Services Agreement Supplement No. 1 amending County Contract C-22-0282 with JEO Consulting Group Inc. for preliminary engineering services. (Project 22-44; LCLC-5272(1), CN 13492, Arbor Road Bridge. The total cost for this Supplement No. 1 is not to exceed \$239,336.78 of which \$191,469.42 is the Federal share and \$47,867.36 is the County share.) (C-23-0377)

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

- D. Proclaiming May 14-20, 2023 as National Police Week, and May 15, 2023 as Peace Officers Memorial Day, in the County of Lancaster, Nebraska.

Terry Wagner, County Sheriff provided a history about some of the events happening during National Police Week and Peace Officers Memorial Day.

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

- E. Recommendation from County Engineering to award a bid to Pavers, Inc. for South 56th Street and Countywide Asphalt Resurfacing and Patching at an estimated total cost of \$1,087,775.55. (Bid No. 23-109; Project No. 23-06) (B-23-109)

Dingman presented a map showing the areas where repairs are needed (Exhibit 2).

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

- F. Special Event Permit application from Ben Cohoon, Off the Clock Events LLC dba Pink Gorilla Events, for the Market to Market Relay on 10/7/2023.

Ben Cohoon, Pink Gorilla Events representative, provided information about the event.

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

NOTE: The Board requested to return to item 5D to have the Clerk read the proclamation into the record. The Clerk read the proclamation.

- G.** Contract with Advanced Door and Dock Systems LLC to provide a unit price on overhead door and replacement services. The cost to the County is not to exceed \$25,000. (Bid No. 23-029. This contract shall be effective upon execution through February 29, 2024.) (C-23-0369)

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

- H.** Recommendation from the City of Lincoln Transportation and Utilities, Solid Waste Department to award a Contract for Waste and Recyclables Collection Service. (For Lincoln/County/Public Building Commission, Bid No. 23-118 to Uribe Refuse Services, Inc. The estimated amount is \$161,055.83 for a two (2) year term.) (B-23-118)

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

6) LEGISLATIVE UPDATE

No update was given.

- 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 and representatives from the County villages and cities will hold a meeting on Thursday, May 11, 2023, at 8:30 a.m., in Room 113 of the County-City Building (555 S. 10th Street, Lincoln).
- B.** The Lancaster County Board of Commissioners will hold a staff meeting, including budget hearings, on Thursday, May 11, 2023, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).
- C.** The Lancaster County Board of Commissioners will hold its next regular meeting on Tuesday, May 16, 2023, 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).
- D.** County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.
- E.** 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.

9) EXECUTIVE SESSION – (Pending and Potential Litigation and Legal Advice)

MOTION: Vest moved and Flowerday seconded to enter Executive Session at 9:25 a.m. for the purposes of pending and potential litigation, receiving legal advice, and to protect the public interest.

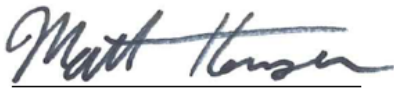
The Chair said it has been moved and seconded that the Board enter Executive Session.

ROLL CALL: Flowerday, Vest, Amundson, Schulte and Yoakum voted yes. Motion carried 5-0.
The Chair restated the purpose for the Board entering Executive Session.

MOTION: Vest moved and Flowerday seconded to exit Executive Session at 9:48 a.m. Schulte, Flowerday, Vest, Amundson and Yoakum voted yes. Motion carried 5-0.

10) ADJOURNMENT

MOTION: Flowerday moved and Vest seconded to adjourn at 9:48 a.m. Amundson, Schulte, Flowerday, Vest and Yoakum voted yes. Motion carried 5-0.



Matt Hansen
Lancaster County Clerk

