

**MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING, ROOM 112  
TUESDAY, MAY 25, 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 May 21, 2021.*

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

**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 9:03 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, May 18, 2021.**

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

**2) CLAIMS:**

- A. Approval of all claims processed through May 25, 2021.**

Dan Nolte, Lancaster County Clerk, noted there was an amendment to the claims for the payroll ending on May 19, 2021 (Exhibit 1).

**MOTION:** Schorr moved and Flowerday seconded approval of the claims as amended. Flowerday, Schorr, Amundson 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. Change Order No. 1 to County Contract C-20-0400 with Constructors Inc., (Bid No. 21-083; Project 21-10; Waverly Road Pavement Repair) to change the contract quantities due to a plan revision for a decrease in the amount of \$17,730. (C-21-0366)**
- B. Thirteenth amendment to County Contract C-08-0151 with Nebraska Department of Health and Human Services for the Disproportionate Share Hospital (DSH)**

intergovernmental transfer agreement. The amendment renews the agreement from July 1, 2021 through June 30, 2022. (C-21-0367)

**C. Amendment to the following County contracts:**

1. **C-18-0271 with Cornhusker State Industries for Business Card and Letterhead Printing (Letterhead Only). (Bid No. 18-082. The amendment renews the contract from June 12, 2021 through June 11, 2022. The cost to the County is not to exceed \$4,200.) (C-21-0360)**
2. **C-20-0470 with National Everything Wholesale, a NETWORK Distributor, to provide Janitorial and Sanitation Supplies, Equipment and Related Services (MOU083). (Using the OMNIA Partners/City of Tucson RFP No. 202329-01. The term of the renewal is from June 1, 2021 through May 31, 2022. The cost to the County is not to exceed \$180,000.) (C-21-0361)**
3. **C-20-0594 with The Home Depot Pro to provide Janitorial Supplies and Equipment (MOU084). (Using the University of California/OMNIA Partners Purchase Agreement 2020002299. The term of the renewal is from June 1, 2021 through May 31, 2022. The cost to the County is not to exceed \$100,000.) (C-21-0362)**
4. **C-19-0401 with Hamilton Equipment Co., for Annual Supply – Skid Steer Loader Rental. (Bid No. 19-088. The amendment renews the contract with a price increase from August 1, 2021 through July 31, 2022. The cost to the County is not to exceed \$6,900.) (C-21-0363)**
5. **C-20-0695 with Jones Automotive, Inc., for Annual Supply and Installation of Emergency Equipment for City and County Law Enforcement Vehicles. (Bid No. 20-206. The amendment adds additional products and services. The cost to the County is not to exceed \$62,000 for the remainder of the current term with a revised contract total of \$286,000 without approval by the Lancaster County Board.) (C-21-0364)**

**D. Right-of-way contract with the following:**

1. **Robinette Farms LLC, Southwest 14<sup>th</sup> Street and West Martell Road, in the amount of \$823. (C-21-0368)**
2. **Cynthia L. and James J Bauman, Southwest 14<sup>th</sup> Street and West Martell Road, in the amount of \$1,798. (C-21-0369)**
3. **Matt A. Bohmont, Southwest 29<sup>th</sup> Street and West Wittstruck Road, in the amount of \$2,932. (C-21-0370)**
4. **James T. Frew and Laura B. Bahr-Frew, Southwest 29<sup>th</sup> Street and West Wittstruck Road, in the amount of \$753. (C-21-0371)**
5. **Duane J. Topp, Southwest 176<sup>th</sup> Street and Pella Road, in the amount of \$613. (C-21-0372)**
6. **Malinda J. Buel Revocable Trust, South 82<sup>nd</sup> Street and Wagon Train Road, in the amount of \$124. (C-21-0373)**
7. **Roger J. Severin, Southwest 2<sup>nd</sup> Street and West Pella Road, in the amount of \$613. (C-21-0374)**
8. **Mosanic Eastern Star Home, South 134<sup>th</sup> Street and Hickman Road, in the amount of \$1,171. (C-21-0375)**

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

**4) PUBLIC HEARING:**

- A. Corporate manager application for Dillon Poppe in connection with a Class B liquor license for Branched Oak Marina, 10001 West Davey Road, Raymond, Nebraska. (See correlating item 5A)**

The Chair opened the public hearing.

Dillion Poppe, applicant, was administered the oath and said he manages the Marina at Branched Oak and asked the Board for approval.

In response to Schorr's question, Poppe said he has taken the Responsible Beverage Servers Course and the five remaining employees will also be required to take the course.

No one appeared in opposition or in the neutral position.

The Chair closed the public hearing.

The Clerk noted the Board would move to item 10, Executive Session.

**EXECUTIVE SESSION:**

- A. Union Negotiations**

**MOTION:** Schorr moved and Yoakum seconded to enter executive session for the purposes of union negotiations and to protect the public interest at 9:11 a.m. Amundson, Yoakum, Flowerday, Schorr and Vest voted yes. Motion carried 5-0.

The Chair announced the Board was now in executive session and restated the motion.

**MOTION:** Amundson moved and Schorr seconded to exit executive session at 9:17 a.m. Schorr, Amundson, Yoakum, Flowerday and Vest voted yes. Motion carried 5-0.

**5) NEW BUSINESS:**

- A. Resolution in the matter of a corporate manager liquor license application of Dillon Poppe for Branched Oak Marina. (R-21-0031)**

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

- B. Resolution in the matter of authorizing the County Board Chair/Vice Chair to sign the Program Agreement with NDOT (Nebraska Department of Transportation) for setting out the various duties and finding responsibilities for the Federal-aid project at 148<sup>th</sup> Street and Holdrege Street. (R-21-0032 See correlating item 5C)**

Pam Dingman, Lancaster County Engineer, said this is for a federal aid safety project for intersection improvements at 148<sup>th</sup> Street and Holdrege Street (Exhibit 2).

In response to Vest's question, Dingman said it is hard to determine what type of intersection this will be as that has not been determined at this time.

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

- C. Program Agreement with NDOT for HSIP funds for intersection safety improvement at 148<sup>th</sup> Street and Holdrege Street. The total cost of the project is currently estimated to be \$703,300. (C-21-0377)**

Dingman said this agreement is for the federal aid safety project located at 148<sup>th</sup> Street and Holdrege Street. The County's financial responsibility will be 10% of the total.

In response to Vest's question, Dingman said Lancaster County financial obligation is \$703,300.

**MOTION:** Schorr moved and Yoakum seconded approval of the program agreement with NDOT. Flowerday, Schorr, Amundson, Yoakum and Vest voted yes. Motion carried 5-0.

- D. Contract with Pavers, Inc., for Pavement Resurfacing 2021. (Bid No. 21-084, Project No. 21-01). The contract shall be effective upon execution by both parties. The work shall commence on or after May 17, 2021 and shall be completed on or before October 1, 2021. The cost to the County is not to exceed \$1,197,764.56. (C-21-0378)**

Dingman provided a map of the nine locations within the County where pavement resurfacing improvements will take place (Exhibit 3).

Amundson exited the meeting at 9:22 a.m.

**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 Proseal Inc., for Pavement Rejuvenation 2021 (Bid No. 21-094, Project No. 21-08). The contract shall be effective upon execution by both parties. The work included in the contract shall commence on July 5, 2021 and shall be completed on or before October 22, 2021. The cost to the County is not to exceed \$550,670.88. (C-21-0379)**

Dingman said this project is for pavement rejuvenation at various locations within the County (Exhibit 4). She noted this process is important in order to be more cost effective and extend the life of the existing pavement for an additional five to seven years before an overall resurfacing is required.

Amundson returned to the meeting at 9:24 a.m.

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

- F. Addendum to the 2019-2021 Bargaining Agreement between Lancaster County and Fraternal Order of Police, Lodge #77, under County Contract C-19-0713, to amend Article 19 and Article 30 for a temporary period of time. (C-21-0381)**

Doug McDaniel, Human Resources Director, said the Board had been previously briefed on this addendum and made himself available for questions.

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

**G. Recommendations from the Personnel Policy Board to do the following:**

1. **Create a Payroll Coordinator classification (C13; \$53,555.84 - \$68,602.56).**
2. **Revise the Payroll Specialist classification.**
3. **Change the title of Driver's License Clerk to Motor Vehicle Clerk I and revise the classification.**
4. **Change the title of Motor Vehicle Clerk to Motor Vehicle Clerk II and revise the classification.**
5. **Change the title of Motor Vehicle Coordinator to Motor Vehicle Team Supervisor, revise the classification and change the pay grade from C06 to C10 (\$41,812.16-\$53,555.84 to \$48,164.48-\$61,694.88).**
6. **Amend Rule 4.4 of the Personnel Rules – Quorum.**
7. **Amend the Personnel Rules to change the appropriate references from Personnel to Human Resources throughout the Rules.**

McDaniel said these are mostly requests from departments for reorganization and updates.

Schorr inquired about the change to the Quorum. McDaniel said this change is administrative as the County has been operating by State Statute and the County's rules had never been updated. This change will reflect the 2017 legislative changes that went into effect.

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

**H. Recommendation from the Purchasing Agent and County Sheriff to award and execute a Purchase Order to Sioux Sales Company for Handguns (Bid No. 21-110). The total estimated amount of the order is \$71,198.10. (Bid total was \$89,873.10 minus trade-ins of \$18,675 for a total of \$71,198.10.) (C-21-0365)**

Terry Wagner, Lancaster County Sheriff, said handgun replacement is on a 10-year cycle but is budgeted for annually.

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

**I. Subscription Agreement with Lexipol for use of their corrections based online training modules for employees at the Youth Services Center. The cost to the County is not to exceed \$4,760. (C-21-0382)**

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

**J. Agreement with the Nebraska Administrative Office of the Courts and Probation for two probation officers to provide additional presentence investigation report services to**

**decrease the time needed to complete presentence investigations of inmates housed by the Lancaster County Corrections Department. The term of the agreement is July 1, 2021 through June 30, 2022. The County will pay up to \$63,450 for the services. (C-21-0383)**

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

- K. Termination of County Contract C-13-0335 with Inmate Calling Solutions, LLC dba ICSolutions to provide Inmate Phone Services – Adult Detention Center (Bid No. 12-273). The reason for the termination is to replace the terms as agreed upon in RFP No. 21-079. The termination is effective on June 3, 2021. (C-21-0384)**

Brad Johnson, Lancaster County Corrections Director, said the facilities phone and commissary contracts renewal periods are not in sync and this is an attempt to get both contracts in alignment.

**MOTION:** Flowerday moved and Schorr seconded approval of the termination of contract C-13-0335. Flowerday, Schorr, Amundson, Yoakum and Vest voted yes. Motion carried 5-0.

- L. Contracts for the Adult Detention Facility to provide Phone/Visitation Services (RFP 21-079). The term of the contracts is June 4, 2021 through June 3, 2025. There is no cost to the County and the County will receive a commission on the gross revenues generated by the contracts with the following:**
  - 1. Inmate Calling Solutions, LLC, d/b/a ICSolutions (C-21-0376)**
  - 2. Keefe Commissary Network (C-21-0380)**

Johnson said these two contracts are for inmate phone services and commissary services. Within the commissary contract they were able to negotiate additional vending machines, an additional staff member and the fee to place funds on an inmates account will not increase. The phone services contract was negotiated from \$0.21 cents per minute to \$0.10 cents per minute for inmate phone calls and the video visitation system was also negotiated from \$0.50 per minute to \$0.25 cents per minute. He discussed additional details and services of both contracts.

In regard to Schorr's question, Johnson said all commissions on this account are not placed into the County's general fund rather placed into the inmate benefit fund to pay for programming and activities that benefit inmates while in the County's custody.

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

- M. Ratification of Dan Nolte to correct nunc pro tunc an error in the Special Designated License application from Fucor, Inc., (County Record No. 02-09-05-21-007) by adding "285 feet x 150 feet" into the missing outdoor area dimension.**

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

- N. Reappointment of Jasmine Kingsley to the Lincoln-Lancaster County Board of Health for a term to expire on April 15, 2024.**

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

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

**A. Discussion of updated Workplace Response to COVID-19 Human Resources Policy Bulletin.**

McDaniel said an update of the Workplace Response on COVID-19 is being brought forward for any input from the Board before taking it to the Personnel Policy Board for approval. The changes align with the new and updated CDC Guidelines. He noted some departments that are in constant contact with the public or inmates may still be required to follow any office safety guidelines.

Yoakum asked what the discussion entailed regarding departments who have more contact with the public such as the DMV. McDaniel said while masks are not required, it is encouraged that employees wear them at their discretion.

**7) LEGISLATIVE UPDATE**

No discussion was held.

**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, including budget hearings on Thursday, May 27, 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, June 1, 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 LNKTVCity. For the rebroadcast schedule visit [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: LNKTVCity). Meetings are also streamed live on LNKTVCity and can be viewed on YouTube (LNKTVCity).**

**10) ADJOURNMENT**

**MOTION:** Schorr moved and Yoakum seconded to adjourn the Lancaster County Board of Commissioners meeting at 9:48 a.m. Yoakum, Flowerday, Schorr, Amundson and Vest voted yes. Motion carried 5-0.

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Dan Nolte  
Lancaster County Clerk