

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 30, 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 26, 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; Courtney Lyons, Deputy County Clerk; Meggan Reppert-Funke and Leslie Brestel, County Clerk's Office

The meeting was called to order at 9:02 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 23, 2023.

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

B. Approval of the minutes of the Board of Commissioners budget meeting on May 23, 2023.

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

2) CLAIMS

A. Approval of the claims processed through May 30, 2023.

MOTION: Amundson moved and Flowerday seconded approval of the claims. 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 \$8,545.64. (Batch No. 294530, Document No. 806260)

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

C. Approval of a claim to Rabble Mill in the amount of \$37,088.76. (Batch No. 294692, Document No. 806540-541)

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

3) **SPECIAL PRESENTATIONS**

- A. Region V Systems Annual Report, Lancaster County Match Update and other information relating to Region V - Patrick Kreifels, Region V Systems Administrator.

Patrick Kreifels introduced himself and distributed handouts of County Matching Funds FY 23-24, Number of Encounters Served in FY 21-22, and Annual Report FY 21-22 (Exhibit 1). He provided an overview of funding, explaining that the initial State budget did not include the \$10.3 million requested to cover a 15% provider rate increase. Instead, a 5% provider rate increase was included over a period of two years. Kreifels reviewed the County Matching Funds, showing numbers with and without reinstatement of State funds. In response to Yoakum's question on the effects of the financial decrease, Kreifels said it would decrease the number of units that could be served. In response to Vest's question on funding going to another mental health source, Kreifels said he was not aware of these funds going elsewhere. Kreifels discussed the number of encounters served in various services and noted a few items in the Annual Report. He explained that since Medicaid expansion occurred in Nebraska, more people became eligible and not as many have used Region V services. This is the State's reasoning for not appropriating the additional funds; however, Region V is obligating that money to other services and trying to fill the gaps.

- 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. Amendments to the following County Contracts:

1. C-17-0240 for BMI Imaging Systems, Inc. to update the term and price for online hosting services. (The cost to the County is \$2,400 per year.) (C-23-0450)
2. C-22-0145 with Speece Lewis Engineers for on-call structural engineering consultation related to bridges in Lancaster County. (The amendment renews the contract for one year, from July 1, 2023, through June 30, 2024. The cost to the County is not to exceed \$10,000.) (C-23-0463)

- B. Right-of-way contracts with the following:

1. Heart of the Prairie Farms LLC, North 162nd Street and Davey Road, in the amount of \$1,041. (Project No. 22-28 / A-231) (C-23-0446)
2. Bradley L and Mary B Moser, Southwest 42nd Street and West Olive Creek Road, in the total amount of \$21,139. (Project No. 23-22) (C-23-0447) (Project 23-21) (C-23-0448)
3. Jared L and Kristi D Moser, Southwest 72nd Street and West Princeton Road, in the amount of \$469. (Project No. 23-21 / V-134 & V-244) (C-23-0449)
4. Andre J Herman, Northwest 105th Street and West Bluff Road, in the amount of \$217. (Project No. 22-29 / E-127) (C-23-0465)

- C. Utility Permit No. 2381 allowing Northern Natural Gas to close West Pella Road approximately 250 feet east of Southwest 58th Street to through traffic for the duration of a pipe maintenance project. (The closure is for parking and placement of supplies and is scheduled to last about two weeks. No construction will be done within the right-of-way without prior written approval.) (C-23-0443)

- D. Grant Contract authorizing the Family Violence Council to reimburse Lancaster County for \$10,000 paid to the State of Nebraska Office of Probation Administration. (The funds will be used to support one full-time Problem Solving Court Coordinator position for Lancaster County.) (C-23-0444)

- E. Grant contracts with the following: (Funding is from the Juvenile Justice Prevention Funds for the period of July 1, 2023, through June 30, 2024.)

1. Girl Scouts Spirit of Nebraska for the Juvenile Justice Outreach program in the amount of \$19,966. (C-23-0441)
 2. CASA for Lancaster County for the Court Advocacy for High Risk & Crossover Youth program in the amount of \$10,000. (C-23-0440)
 3. The HUB Central Access Point for Young Adults for the Volunteer Coordination program in the amount of \$7,268. (C-23-0458)
 4. Friendship Home of Lincoln for the Emergency Shelter: Children's Advocacy program in the amount of \$20,401. (C-23-0459)
 5. Clyde Malone Community Center for the Leadership Academy program in the amount of \$33,000. (C-23-0460)
 6. Clyde Malone Community Center for the Therapy program in the amount of \$38,000. (C-23-0461)
- F. Setting a public hearing on Tuesday, June 20, 2023, at 9:00 a.m. regarding amusement license application from Susan Cronin to hold a Grounded Nebraska Gravel Festival on June 23-25, 2023, at 16531 South 38th Street, Roca NE.

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

5) NEW BUSINESS

- A. Resolution in the matter of transferring appropriations from the General Fund Miscellaneous Budget to various General Fund Agencies. The amount to be transferred is \$136,830. (R-23-0037)

Dennis Meyer, Budget & Fiscal Director, explained the resolution would transfer \$21,830 to the Register of Deeds technology fund and \$115,000 to the Election Commissioner. It will not affect the overall General Fund budget but will move business units within the fund. He will continue to watch through June to see if any others need to be transferred by the end of the fiscal year.

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

- B. Amusement license application from Sue Kohles, Prairies Pines Partners, for the Meadowlark Music Festival on July 8, 2023, at 3100 North 112th Street, Lincoln.

Sue Kohles discussed the upcoming events (Items 5B and 5C).

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

- C. Amusement license renewal application from Sue Kohles, Prairies Pines Partners, to hold the Run Four the Pines event on August 5, 2023, at 3100 North 112th Street, Lincoln.

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

- D. Agreement with the Nebraska Administrative Office of the Courts & Probation for two probation officers to provide presentence investigation report services. The cost to the County is \$71,623. (The term is July 1, 2023, through June 30, 2024.) (C-23-0445)

Jeff Curry, Chief Adult Probation Officer, described the services and the effectiveness of the program. He noted that presentence investigations outside the jail average 60 days, whereas this program averages 30 days. Last year's cost was \$49,272, and this year's cost will be \$52,000.

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

E. Contracts with the following to provide the annual supply of Sheriff uniform clothing and accessories. (Quote No. 6596. The contract shall be effective for one year upon execution.)

1. Godfrey's Tactical Supply in an amount not to exceed \$17,000. (C-23-0452)
2. Municipal Emergency Services, Inc., dba MES Mid America, in an amount not to exceed \$10,000. (C-23-0453)

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

F. Contract with Qualifacts Systems, LLC to Credible Platform Software License SS-204. The cost to the County is not to exceed \$380,000. (The contract shall be effective May 1, 2023, through April 30, 2028.) (C-23-0454)

Scott Etherton, Mental Health Crisis Center Director, explained this was a five-year renewal of a previous five-year contract. The cost is close to the previous price.

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

G. Recommendation from the Voluntary Crisis Response Center Request for Proposals (RFP) Review Committee to approve an award up to \$2.3 million in Lancaster County American Rescue Plan Act (ARPA) funds to The Bridge Behavioral Health for capital improvements for the program.

MOTION: Flowerday moved and Amundson seconded to deny the recommendation.

Flowerday said, based off the last major contract, he did not think Lancaster County should start rebuilding with federal dollars. He felt it put the County in too much jeopardy.

Tammy Stevenson, The Bridge Behavioral Health Director, explained that she fulfilled all the contractual obligations with Lancaster County. In October 2021 during the pandemic, there was a staffing crisis with a shortage of nurses, and she proposed a temporary closure of civil protective custody to obtain the necessary staffing. Due to the flexibility that Region V gave for the voluntary program, she never had to close civil protective custody and was never in breach of contract.

Schulte noted his visit to The Bridge and expressed support.

VOTE: Vest, Amundson, Flowerday and Yoakum voted yes. Schulte voted no. Motion to deny the recommendation carried 4-1.

H. Agreement with Felsburg Holt & Ullevig for on-call general engineering services as requested by the County Engineer. The term is approximately one year. The cost to the County is not to exceed \$5,000. (C-23-0464)

Pam Dingman, County Engineer, explained that more detailed technical services were needed.

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

I. Contract with Midwest Infrastructure, Inc. for ARPA Culvert Maintenance (Phase II). The cost to the County is not to exceed \$694,371.33. (Project 22-29, Bid No. 23-126. American Rescue Plan Act

(ARPA) funds will be used. The contract shall be effective upon execution. Work shall commence on or after June 15, 2023, and will be considered a 105 working day project.) (C-23-0455)

Pam Dingman showed a map of Phase II of the ARPA Culvert Maintenance (Exhibit 2).

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

- J. Contract with Pavers, Inc. for South 56th Street and countywide asphalt resurfacing and patching. The cost to the County is not to exceed \$1,087,775.55. (Project 23-06, Bid No. 23-109. The contract shall be effective upon execution. Work shall commence on or after March 1, 2023, and will be considered a 55 working day project.) (C-23-0451)

Pam Dingman showed a map of the overlay and large-scale patching (Exhibit 3). The patching is large enough that the Engineering Department is not able to do this efficiently.

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

- K. Contract with BlackStrap, Inc. for the annual supply of road salt. The cost to the County is not to exceed \$558,000. (Bid No. 23-074. The contract shall be effective June 1, 2023, through May 31, 2024.) (C-23-0456)

Pam Dingman explained that salt is purchased in the summer when it is cheapest. She noted that due to modernization of the overall operation, 20% less salt is used.

MOTION: Schulte moved and Vest seconded approval of the contract.

The salt and gravel shortage of 2020 was discussed and the significant salt cost at the time.

VOTE: Vest, Amundson, Schulte, Flowerday and Yoakum voted yes. Motion carried 5-0.

- L. Grant contract with El Centro de las Americas for the Youth Program in the amount of \$25,000. (Funding is from the Juvenile Justice Prevention Funds for the period of July 1, 2023, through June 30, 2024.) (C-23-0457)

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

- M. Grant contract with Rabble Mill for the After School Clubs at The Bay program in the amount of \$33,000. (Funding is from the Juvenile Justice Prevention Funds for the period of July 1, 2023, through June 30, 2024.) (C-23-0462)

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

- N. Grant contract with The Mediation Center for the Restorative Justice Practices program in the amount of \$14,370. (Funding is from the Juvenile Justice Prevention Funds for the period of July 1, 2023, through June 30, 2024.) (C-23-0442)

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

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.

Robert Borer, Lancaster County resident, discussed concerns about constitutional rights.

Connie Reinke, Lancaster County resident, discussed concerns about the election system and presented a press release on the Nebraska Voter Accuracy Project Requests Investigation of Extensive Voter Fraud (Exhibit 4).

Brad Reinke, Lancaster County resident, discussed concerns about the election system and public record requests submitted (Exhibit 5).

Peggy Cicmanec, Lancaster County resident, discussed concerns about the election system.

Dwane Rauscher, Lancaster County resident, discussed concerns about the election system.

Laura Rauscher, Lancaster County resident, discussed concerns about the election system.

George Olmers, Lancaster County resident, discussed concerns about the election system.

Jeanne Greisen, Lancaster County resident, expressed concern over the Board members' conflicts of interest with grant contracts.

8) **ANNOUNCEMENTS**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Tuesday May 30, 2023, immediately following the regular meeting in Room 112 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, June 1, 2023, at 8:30 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, June 6, 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](https://www.youtube.com/LNKTvcity) and [Facebook.com/lancasterne](https://www.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 10:13 a.m. for the purposes of pending and potential litigation, receiving legal advice, and to protect the public interest.

The Chair restated the purpose for the Board to enter Executive Session.

ROLL CALL: Vest, Amundson, Schulte, Flowerday 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 10:38 a.m. Flowerday, Vest, Amundson, Schulte and Yoakum voted yes. Motion carried 5-0.

10) ADJOURNMENT

MOTION: Flowerday moved and Vest seconded to adjourn at 10:38 a.m. Schulte, Flowerday, Vest, Amundson and Yoakum voted yes. Motion carried 5-0.



Matt Hansen
Lancaster County Clerk

