

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY JUNE 6, 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 June 2, 2023.*

Commissioners present: Christa Yoakum, Chair; Roma Amundson and Matt Schulte

Commissioners absent: Sean Flowerday, Vice Chair 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 30, 2023.

**MOTION:** Amundson moved and Schulte seconded approval of the minutes. Amundson, Schulte and Yoakum voted yes. Flowerday and Vest were absent. Motion carried 3-0.

**2) CLAIMS**

**A.** Approval of the claims processed through June 6, 2023.

The Clerk noted there was amendment to the claims for payroll ending May 31, 2023 (Exhibit 1).

**MOTION:** Schulte moved and Amundson seconded approval of the claims as amended. Amundson, Schulte and Yoakum voted yes. Flowerday and Vest were absent. Motion carried 3-0.

**B.** Approval of a claim to Indian Center in the amount of \$8,107.43. (Batch No. 294845, Document No. 806729)

**MOTION:** Schulte moved and Amundson seconded approval of the claim. Schulte and Amundson voted yes. Yoakum abstained. Flowerday and Vest were absent. Motion carried 2-0 with one abstention.

**C.** Claims including billing for goods and services beyond the 90-day time period provided in Neb. Rev. Stat. § 23-135:

1. City of Lincoln Information Services, dated May 24, 2023, for a total of \$59,843.01. (Batch No. 294688; Document No. 806542-565)
2. City of Lincoln Personnel/Human Resources, dated May 24, 2023, for a total of \$67.50. (Batch No. 294677; Document No. 806517-518)

**MOTION:** Schulte moved and Amundson seconded approval of the claims. Amundson, Schulte and Yoakum voted yes. Flowerday and Vest were absent. Motion carried 3-0.

**NOTE:** John Ward, Deputy County Attorney requested that Consent item 3C-1 be held for special discussion.

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 to the following County Contracts:

1. C-22-0928 with HD Supply Facilities Maintenance, Ltd. (HDS) for janitorial supplies and equipment. (OMNIA/University of California PA 2020002299, MOU140. The amendment renews the contract from June 1, 2023, through May 31, 2024. The estimated cost for products to the County is not to exceed \$10,000.) (C-23-0469)
2. C-23-0204 with SiteOne Landscape Supply for the annual supply of turf fertilizer and chemicals. (Bid No. 23-010. The amendment awards additional line items to the vendor. The cost to the County shall not change.) (C-23-0470)
3. C-23-0295 with Aramark Correctional Services, LLC for food service to the County's correctional facilities. (The amendment adjusts certain provisions to accurately reflect the agreement between the parties. There is no change to the price of the contract.) (C-23-0494)
4. C-21-0714 with JEO Consulting Group for on-call structural consultation services related to bridges in Lancaster County. (The amendment extends the term by six months at no additional cost to the County.) (C-23-0473)
5. C-21-0717 with Felsburg Holt & Ullevig for on-call structural consultation services related to bridges in Lancaster County. (The amendment extends the term by six months at no additional cost to the County.) (C-23-0475)

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

1. Matthew Murray Trust, South 120th Street and Pioneers Boulevard, in the amount of \$4,275. (Project No. 22-55 / Q-005 & Q-076) (C-23-0472)
2. Matthew Murray Trust, South 120<sup>th</sup> Street (Old Cheney Road to Pioneers Boulevard), in the amount of \$19,960. (Project No. 23-23) (C-23-0474)
3. Andrew and Rochelle Essay, North 98th Street (Holdrege Street to Adams Street), in the amounts of \$935 and \$40. (Project No. 23-01) (C-23-0489) (C-23-0490)
4. Warren L and Cathy A Reiter, North 98th Street (Holdrege Street to Adams Street), in the amounts of \$1,435 and \$40. (Project No. 23-01) (C-23-0491) (C-23-0-0492)

**C.** Change orders to the following County contracts:

1. C-23-0089 with Bauer Underground, Inc. (Change Order No. 1 extends the substantial completion date to August 9, 2023, for the Lancaster County Broadband Southwest Quadrant. There is no additional cost to the County.) (C-23-0480)
2. C-23-0048 with Constructors, Inc. (Change Order No. 2 is for a project overrun of asphalt concrete in an amount not to exceed \$48,100.50.) (C-23-0481)
3. C-23-0044 with Vogtsapes, Inc. (Change Order No. 1 is for a plan revision on Structures E-257 and J-029 in an amount not to exceed \$2,131.) (C-23-0482)

**D.** Utility Permit No. 2380 allowing Lincoln Traffic and Utility (LTU) to install a new water line on the north side of Van Dorn Street at the intersection of South 98th Street and Van Dorn Street. (Lancaster County will allow the open cut of Van Dorn Street but will require a record of all compaction tests.) (C-23-0466)

- E. Agreement for speaking services at the 2023 Nebraska Community Aid & Juvenile Justice Conference with the following (funded by the Nebraska Commission on Law Enforcement and Criminal Justice Community-based Juvenile Services Aid Enhancement Grant):
  - 1. Richard Mendel in an amount not to exceed \$500. (C-23-0467)
  - 2. Amber Ruffin in an amount not to exceed \$650. (C-23-0483)
  - 3. Lacey Lamar in an amount not to exceed \$650. (C-23-0484)
  
- F. Grant contracts with The Salvation Army for the following (funded by the Juvenile Justice Prevention Funds for the period of July 1, 2023, through June 30, 2024):
  - 1. The Teen Night program in the amount of \$9,000. (C-23-0485)
  - 2. The Shield program in the amount of \$10,000. (C-23-0486)
  
- G. Received and placed on file the following:
  - 1. Clerk of the District Court
  - 2. Assessor/Register of Deeds
  - 3. County Clerk

**MOTION:** Amundson moved and Schulte seconded approval of the consent items except for item 3C-1. Amundson, Schulte and Yoakum voted yes. Flowerday and Vest were absent. Motion carried 3-0.

Ward clarified that consent item 3C-1 should be removed from the consent items for further discussion.

**MOTION:** Amundson moved and Schulte second for item 3C-1 to be removed from the consent items.

Abby Eccher, Chief Information Officer, stated the change order is an extension of the contract period. She added the contract should have started with the permit issue date.

Candace Berens, Deputy County Attorney, stated item 3C-1 was removed from consent items because the original dates on contract C-23-0480 that were provided to the agenda were wrong and presented the Board with an updated contract with a final completion date of June 9, 2023 for the southwest quadrant (Exhibit 2).

Schulte inquired about the final completion date. Berens stated the original change order completion date that was linked to the agenda stated May 26, 2023 and needed to be corrected to June 9, 2023 with the request for a new completion date of August.

**MOTION:** Amundson moved and Schulte seconded approval of item 3C-1 with the amended dates. Amundson, Schulte and Yoakum voted yes. Flowerday and Vest were absent. Motion carried 3-0.

#### 4) **NEW BUSINESS**

- A. Special event permit application from Susan Cronin, Grounded Nebraska, LLC for the Grounded Nebraska gravel cycling rides and 5K run on June 24, 2023.

John Berry, County Engineering Chief Deputy Surveyor, stated Grounded Nebraska LLC is a new organization to Lancaster County. He added the Engineering Department has worked with Grounded Nebraska to reroute some of the rides due to current construction projects.

Susan Cronin from Grounded Nebraska LLC was available for questions.

**MOTION:** Amundson moved and Schulte seconded approval of the special event permit. Schulte, Amundson and Yoakum voted yes. Flowerday and Vest were absent. Motion carried 3-0.

- B. Special designated license application from Farmside Weddings & Events, LLC for an event at Roca Berry Farms (16531 South 38<sup>th</sup> Street, Roca) on June 24, 2023.

Berry stated the application was for events after the Grounded Nebraska event on June 24, 2023 at Roca Berry Farms.

Jordan Schaefer from Roca Berry Farms was available for questions.

**MOTION:** Amundson moved and Schulte seconded approval of the special designated license. Amundson, Schulte and Yoakum voted yes. Flowerday and Vest were absent. Motion carried 3-0.

- C. Agreement with Concordia University, Nebraska to establish an internship program through Human Services. (The term of the agreement is from May 1, 2023, through April 30, 2028.) (C-23-0468)

Sara Hoyle, Human Services Administrator, stated the agreement provides a new partnership with Concordia University for an internship program.

**MOTION:** Amundson moved and Schulte seconded approval of the agreement. Amundson, Schulte and Yoakum voted yes. Flowerday and Vest were absent. Motion carried 3-0.

- D. Agreement with NRG Media LLC for podcast hosting for the Lancaster County Sheriff's Office. There is no cost to the County. (C-23-0476)

Captain Jon Vik, Sheriff's Office, stated in March the Sheriff's Office started a podcast to provide public safety information and updates. He added that NRG Media LLC has started a website to feature local podcast content to help reach a broader audience.

**MOTION:** Amundson moved and Schulte seconded approval of the agreement. Amundson, Schulte and Yoakum voted yes. Flowerday and Vest were absent. Motion carried 3-0.

- E. Agreement with Lancaster Rural Water District No. 1 for relocation of underground utility facilities necessitated by the County's construction work on Van Dorn Street. The estimated cost to the County is \$30,788.45. (Project No. 23-20 – Culvert Maintenance (Phase I) / J-029) (C-23-0493)

Larry Legg, Assistant County Engineer, stated the agreement is to relocate utilities in the right-of-way that the County has acquired due to a preplacement culvert project.

**MOTION:** Amundson moved and Schulte seconded approval of the agreement. Schulte, Amundson and Yoakum voted yes. Flowerday and Vest were absent. Motion carried 3-0.

- F. License agreements with BNSF Railway Company, allowing the County to construct, maintain and use fiber optic line across or along the BNSF rail corridor. The cost to the County for each license is \$956. (American Rescue Plan Act (ARPA) funds will be utilized.)

1. 23W-16889 in Firth, Line Segment 3000, Mile Post 187.32 (C-23-0477)
2. 23W-16890 in Firth, Line Segment 3000, Mile Post 189.43 (C-23-0478)
3. 23-16891 in Bennet, Line Segment 0141, Mile Post 45.81 (C-23-0479)

Amundson noted the agreements will be funded using American Rescue Plan Act funds.

**MOTION:** Amundson moved and Schulte seconded approval of the agreements. Amundson, Schulte and Yoakum voted yes. Flowerday and Vest were absent. Motion carried 3-0.

- G. Work Experience Worksite Agreement with Greater Lincoln Workforce Development Board for the temporary placement of American Job Center participants in several County agencies. (The term of the agreement is June 12, 2023, through August 31, 2023. There is no cost to the County.) (C-23-0471)

Kristy Bauer, Deputy Chief Administrative Officer stated the agreement was for a summer internship program. She added eight youth have been placed with eight County agencies.

**MOTION:** Amundson moved and Schulte seconded approval of the agreement. Amundson, Schulte and Yoakum voted yes. Flowerday and Vest were absent. Motion carried 3-0.

- H. Grant contracts with Youth for Christ Lincoln Area for the following (funded by the Juvenile Justice Prevention Funds for the period of July 1, 2023, through June 30, 2024):

1. The Parent Life program in the amount of \$10,000. (C-23-0488)
2. The Campus Life program in the amount of \$2,500. (C-23-0487)

**MOTION:** Amundson moved and Yoakum seconded approval of the grant contracts.

Hoyle stated the contracts have gone through the approval process.

**ROLL CALL:** Amundson and Yoakum voted yes. Schulte abstained. Flowerday and Vest were absent. Motion carried 2-0 with one abstention.

- I. Recommendations from the Joint Budget Committee (JBC) for 2022-2023 Childcare Assistance funding.

**MOTION:** Amundson moved and Schulte seconded approval of the recommendations.

Hoyle stated the recommendations have gone through the approval process.

**ROLL CALL:** Schulte, Amundson and Yoakum voted yes. Flowerday and Vest were absent. Motion carried 3-0.

- J. Recommendations from the Joint Budget Committee (JBC) for 2023-2024 funding.

Hoyle stated the recommendations match the 3% increase that the City of Lincoln has provided.

**MOTION:** Amundson moved and Schulte seconded approval of the recommendations except for El Centro de las Americas. Amundson, Schulte and Yoakum voted yes. Flowerday and Vest were absent. Motion carried 3-0.

**MOTION:** Amundson moved and Schulte seconded the recommendation for El Centro de las Americas. Amundson and Schulte voted yes. Yoakum abstained. Flowerday and Vest were absent. Motion carried 2-0 with one abstention.

**5) PUBLIC COMMENT** - Those wishing to speak on items relating to County business not on the agenda may do so at this time.

Kenneth Anderson, Iowa resident, expressed concerns about the executive session at the Board of Commissioners meeting on May 30, 2023 and the wording used to enter the executive session

Robert Borer, Lancaster resident, expressed concerns about constitutional rights and election influence.

Connie Reinke, Lancaster resident, expressed concerns about election results and mail-in ballots.

Amber Parker, Lancaster resident, expressed concerns about local government.

Susan Kess, Lancaster resident, expressed concerns about election machines and the Lancaster County elections.

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

## 6) **ANNOUNCEMENTS**

- A. The Lancaster County Board of Commissioners will not hold a staff meeting on Thursday, June 8, 2023, due to lack of a quorum. The next regularly scheduled staff meeting will be held on Thursday, June 15, 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, June 13, 2023, at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10<sup>th</sup> 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 LNKTv ([LNKTv.lincoln.ne.gov](http://LNKTv.lincoln.ne.gov)). LNKTv is available on Allo channel 2 and Spectrum channel 1300. For the rebroadcast schedule visit [lincoln.ne.gov](http://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.

## 7) **ADJOURNMENT**

**MOTION:** Amundson moved and Schulte seconded to adjourn at 9:54 a.m. Amundson, Schulte and Yoakum voted yes. Flowerday and Vest were absent. Motion carried 3-0.