

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, JUNE 14, 2022 AT 9:00 AM**  
**COUNTY-CITY BUILDING, ROOM 112**

**COMMISSIONERS: Deb Schorr, Chair; Christa Yoakum, Vice Chair;  
Roma Amundson, Sean Flowerday; 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 10, 2022.*

Commissioners present: Christa Yoakum, Vice Chair; Sean Flowerday and Rick Vest

Commissioners absent: Deb Schorr, Chair and Roma Amundson

Others present: Kristy Bauer, Deputy Chief Administrative Officer; Candace Berens and John Ward, Deputy County Attorneys; Dan Nolte, County Clerk; 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 June 7, 2022

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

**2) CLAIMS**

A. Approval of all claims processed through June 14, 2022

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

**3) SPECIAL PRESENTATIONS**

A. Commissioners' Award of Excellence for April 2022 to Danniell McGown, Account Clerk III, Weed Authority Office, in the category of Productivity.

The Clerk read the nomination into the record.

The Board thanked McGown for her efforts and for helping Lancaster County be successful. Commissioner Vest presented McGown with a plaque.

Brent Meyer, Weed Control Superintendent, stated he appreciated all McGown does for the office.

**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 approved of:

A. Amendments to the following County contracts:

1. C-18-0424 with Fastenal Company for facilities maintenance and repair & operations (MRO) and industrial supplies (using the NASPO ValuePoint Contract 8497, State of Nebraska Participating Addendum No. 15002 (MOU026.) The amendment renews the contract from July 1, 2022 through June 30, 2023. The estimated cost to the County is not to exceed \$7,500.) (C-22-0440)
2. C-18-0443 with Sid Tool Co., Inc. dba MSC Industrial Supply Co for facilities maintenance and repair & operations (MRO) and industrial supplies (using the NASPO ValuePoint Contract 8499, State of Nebraska Participating Addendum No. 15003 (MOU027). The amendment renews the contract from July 1, 2022 through June 30, 2023. The estimated cost to the County is not to exceed \$3,00.) (C-22-0441)
3. C-18-0642 with Striv AV LLC for the annual supply of household miscellaneous batteries. (Quote No. 5909. The amendment increases the County's maximum expenditure by \$500 for the remainder of the current term with the revised the cost to County not to exceed \$3,500.) (C-22-0439)
4. C-21-0380 with Keefe Commissary Network for a price increase on the County Corrections Commissary Services (Bid No. 21-079). (C-22-0443)

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

1. Darlis K. Porter, South 134th and Pine Lake Road, in the amount of \$1,675. (Project 21-42 / Q-110 (C-22-0446)
2. Nathaniel L. Grant Irrevocable Trust, Northwest 48th Street and West Branched Oak Road, in the amount of \$775. (Project 21-22 -C300) (C-22-0447)

**C. Change Order #1 to County Contract C-22-0216 with Constructors Inc., to extend the project completion date. (C-22-0445)**

**D. Setting the following public hearings at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln, NE) as follows:**

1. Tuesday, June 21, 2022 to amend the appropriations for the County/City Property Management Fund.
2. Tuesday, June 28, 2022 on Text Amendment 22002, Enforcement Revocation and Cancellation of Special Permits of the Lancaster County Zoning Regulations.
3. Tuesday, June 28, 2022 on Miscellaneous 22007, request to vacate Eden Acres Addition final plat, on 4770 Agnew Road.

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

**5) PUBLIC HEARING**

- A.** Request a request from the Director of Building and Safety to revoke Special Permit No. 17027 by rescinding County Resolution No. R-17-0068, Tallgrass Hills Community Unit Plan on property generally located at Southwest 98th Street and West Yankee Hill Road. (See correlating Item 6A)

The Chair opened the public hearing.

Tom Cajka, Lincoln-Lancaster County Planning Department, was administered the oath. He stated this item is to rescind Special Permit No. 17027 that was approved in September, 2017. The owner/developer no longer would like to proceed with the five lot Community Unit Plan (CUP) and has submitted a Final Ag Preservation Plat for four lots. Cajka added since a final plat needs to be in conformance with any approved preliminary special permits, the final plat cannot be approved until this special permit has been rescinded.

In response to Vest's inquiry, Cajka stated the Lincoln-Lancaster County Planning Department recommends rescinding Special Permit No. 17027.

Mike Eckert, owner of Civil Design Group, Inc., was administered the oath. He stated the 2017 project was done by another engineering firm. Due to Covid, the CUP project slowed down and the Tallgrass Hills Community would now like to submit an Agricultural Preservation Plat plan.

It was noted that there is a legal civil matter between the applicant and a neighbor which will be addressed in District Court. Eckert clarified that rescinding the Special Permit would have no effect on the civil matter.

Jim Luers, owner of Tallgrass Hills LLC, was administered the oath. He stated as the original applicant he supported the revocation of Special Permit No. 17027. He added a final plat would be submitted later.

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

Cajka clarified that final plats are approved by the County Planning Director.

The Chair closed the public hearing.

## 6) **NEW BUSINESS**

- A. Resolution in the matter of rescinding County Resolution No. R-17-0068, which granted Special Permit No. 17027, Community Unit Plan on property generally located at Southwest 98th Street and West Yankee Hill Road. (R-22-0040)

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

- B. Resolution certifying proper completion of county structures C005545810 and C005516825 to the State of Nebraska, Department of Transportation pursuant to the County Bridge Match Program Agreement, County Contract C-20-0184. (R-22-0041)

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

- C. Designation of Jeff Kimble as County Purchasing Agent, effective May 31, 2022.

Jeff Kimble, County Purchasing Agent, provided a brief statement regarding his qualifications and background.

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

- D. Interlocal Agreement between Lancaster County, City of Lincoln, and Lincoln Airport Authority to allow Lincoln Airport Authority to offer financial incentives to airlines in the form of Minimum Revenue Guarantees. Lancaster County grants \$1,500,000 in American Rescue Plan Act (ARPA) funds to Lincoln Airport Authority. (C-22-0434)

Candace Berens, Deputy County Attorney, stated this agreement protects the County's interest on how the money could be used. The money will be used as an incentive to benefit the community by attracting new routes, airlines and carriers to the Lincoln Airport.

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

- E. Agreement with the Nebraska Administrative Office of the Courts & Probation for two probation officers to provide presentence investigation report services. The County will pay up to \$66,623 for the services. (The term of the agreement is July 1, 2022 through June 30, 2023.) (C-22-0442)

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

- F. Agreement with the Nebraska Commission for the Blind and Visually Impaired for the Lancaster County Records Management Department to serve as a training site. Term of the agreement is June 20, 2022 through July 29, 2022. (C-22-0433)

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

- G. Grant contracts using ARPA (American Rescue Plan Act) funds with the following (for the term of March 1, 2022, through June 30, 2026):

1. Community Catholic Social Services in the amount of \$226,000 (C-22-0429)
2. Cultural Center of Lincoln in the amount of \$3,500,000 (C-22-0430)
3. HopeSpoke in the amount of \$70,000 (C-22-0431)

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

- H. Grant awards and sub-awards (using the Nebraska Commission on Law Enforcement and Criminal Justice Community-based Juvenile Services Aid Grant for the term of July 1, 2022, through June 30, 2023) with the following:

1. Donald P Belau PhD for the Crisis Response program in the amount of \$6,000 (C-22-0435)
2. HopeSpoke for the Diversion Evaluation program in the amount of \$5,605 (C-22-0436)

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

- I. Designate Array Environmental, Inc. to receive reimbursement from the Nebraska Department of Environmental Quality for remedial action taken concerning underground storage tanks and petroleum release at the Lancaster Patrol Station located at 14775 5th Street in Raymond, NE. The reimbursement amount is \$26,101.69.

John Berry, County Engineering Chief Deputy Surveyor, stated the reimbursement to Array Environmental, Inc., is related to testing underground storage tanks for the Engineering Department.

**MOTION:** Vest moved and Flowerday seconded approval of the designation. Flowerday, Vest and Yokum voted yes. Amundson and Schorr were absent. Motion carried 3-0.

- J. Recommendation from the Purchasing Agent and County Engineer to award a contract to Dynamic Dirtworks & Demolition LLC for channel repair of Concrete Box Culvert M-73 in the amount of \$65,424. (Project 21-56, Bid 22-137) (B-22-137)

Berry stated the contract is for riverbank stabilization and erosion control for Box Culvert M-73 that is on the County border.

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

- K. Recommendation from the Purchasing Agent and County Engineer to award and execute a purchase order to Ace Eaton Metals for three (3) culverts in the amount of \$89,417.20. (Bid 22-111) (C-22-0437)

Berry stated items 6 K and L are recommendations to purchase culvert pipes.

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

- L. Recommendation from the Purchasing Agent and County Engineer to award and execute a purchase order for two (2) culverts to Lincoln Winwater Works Company in the amount of \$17,410. (Bid 22-111) (C-22-0438)

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

- M. An easement with the City of Lincoln to allow public access over land generally located South of the intersection of Southwest 40th Street and West O Street. There is no cost to the County. (C-22-0432)

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

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

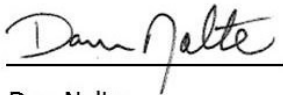
Teri Pope Gonzalez, citizen, appeared and spoke about various concerns in the community.

## 8) **ANNOUNCEMENTS**

- A. The Lancaster County Board of Commissioners will hold a staff meeting, including budget hearings, on Thursday, June 16, 2022, 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 21, 2022, 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 LNKTv City. For the rebroadcast schedule visit [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: LNKTv). Meetings are also streamed live on LNKTv, YouTube, Roku and Apple TV.

## 9) **ADJOURNMENT**

**MOTION:** Vest moved and Flowerday seconded to adjourn at 9:34 a.m. Vest, Flowerday and Yoakum voted yes. Amundson and Schorr were absent. Motion carried 3-0.



Dan Nolte  
Lancaster County Clerk

