

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY JUNE 27, 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 23, 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

Yoakum called the meeting to order at 9:01 a.m. and announced the location of the Nebraska Open Meetings Act.

**1) MINUTES**

**A.** Approval of the minutes of the Board of Commissioners meeting held on June 20, 2023.

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

**2) CLAIMS**

**A.** Amendment to the payroll claims reported approved on June 20, 2023.

**MOTION:** Vest moved and Amundson seconded approval of the amendment to the payroll claims. Flowerday, Vest, Amundson, Schulte and Yoakum voted yes. Motion carried 5-0.

**B.** Approval of the claims processed through June 27, 2023.

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

**C.** Approval of a claim to The Mediation Center in the amount of \$3,592.50. (Batch No. 295619, Document No. 809114)

**MOTION:** Flowerday moved and Amundson seconded approval of the claim. Amundson, Schulte, Flowerday and Yoakum voted yes. Vest 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. Amendment to the following County Contract C-14-0614 with Executive Answering Service to provide telephone answering services. (Bid No. 14-236, the amendment extends the contract from July 1, 2023 through December 31, 2023. The cost to the County is not to exceed \$1,000.) (C-23-0541)
- B. Change Order No. 2 to County Contract C-23-0044 with Vogtscapes, Inc. to extend the project completion date to August 1, 2023. (Bid No. 22-241; Project No. 23-20; Culvert Maintenance 2023, Phase I) (C-23-0533)
- C. Change Order No. 1 to County Contract C-23-0451 with Pavers Inc for a project overrun needing additional patching due to unforeseen poor shoulder conditions. (Bid No. 23-109; Project No. 23-06 S. 56th, in an amount not to exceed \$126,000.) (C-23-0539)
- D. Grant contracts with the following (funded by the Juvenile Justice Prevention Funds for the period of July 1, 2023, through June 30, 2024):
  - 1. Asian Community & Cultural Center for the Yezidi Youth Club program in the amount of \$20,000. (C-23-0537)
  - 2. Asian Community & Cultural Center for the Afghan & Ukrainian Youth program in the amount of \$20,000 (C-23-0538)
  - 3. YMCA of Lincoln for the Teen Night/Teen Time at Northeast YMCA program in the amount of \$10,000. (C-23-0536)

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

**4) PUBLIC HEARING**

- A. Amending the appropriations for the Bridge and Special Road Fund (See correlating item 5A).

The Chair opened the public hearing.

Dennis Meyer, Budget and Fiscal Director, was administered the oath. He stated the public hearing is needed to amend the spending authority of the Fund, which is required due to the end of the fiscal year.

Pam Dingman, County Engineer, was administered the oath. She stated the need for amending the Fund and clarified it was not a request for additional funding but to rebalance the Highway Fund and this Fund.

The Chair closed the public hearing.

**5) NEW BUSINESS**

- A. Resolution in the matter of supplementing appropriations for the previously adopted budget for the Bridge and Special Road Fund in the amount of \$1,500,000. (R-23-0044)

Meyer noted the resolution is to act on Item 4A.

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

- B. Resolution in the matter of transferring appropriations from the General Fund Miscellaneous Budget to various General Fund Agencies. The amount to be transferred is \$387,000. (R-23-0045)

Meyer explained the resolution is needed due to the end of the fiscal year and to make sure Departments are within their spending authority.

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

- C. Resolution in the matter of authorizing the County Clerk to issue payments while the County Board is adjourned. (R-23-0041)

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

- D. Resolution in the matter of setting salaries of the Election Commissioner and Chief Deputy Election Commissioner for the term of office starting September 7, 2023. (R-23-0040)

Schulte asked how the salary was set. Vest explained the process, which included Human Resources conducting a salary study and making a recommendation to the Board.

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

- E. Resolution in the matter of adopting benefits for Lancaster County employees in the unclassified service. This resolution incorporates paid parental leave and rescinds and replaces County Resolution No. R-22-0099. (R-23-0042)

**MOTION:** Amundson moved and Flowerday seconded approval of the resolution.

Schulte asked how short-term disability interacts with the proposed paid parental leave policy. Barb McIntyre, Human Resources Director, responded the short-term disability program is voluntary and employees must pay for it. McIntyre said she would provide the number of employees who pay for short-term disability. Schulte asked if employees could use both short-term disability and the new policy at the same time. McIntyre answered short-term disability would be offset by any other income or paid leave. Board members discussed the difference between the two.

Schulte asked how long-term disability works, and McIntyre answered that type of leave is managed by Risk Management. Schulte stated it would be rare for a pregnancy to lead to a disability claim. Yoakum stated those employees should also be able to use paid parental leave.

Vest asked if adopting the item implements paid parental leave for unclassified and unrepresented employees, and Board members answered yes. Schulte and Vest stated they were confused that the Board would vote on paid parental leave before approving the policy.

Board members discussed how to move forward.

**MOTION:** Schulte moved and Vest seconded to table the item until after item 5T. Schulte, Flowerday, Vest, Amundson and Yoakum voted yes. Motion carried 5-0.

- F. Resolution in the matter of adopting benefits for the Deputy Sheriff Captains. The resolution incorporates paid parental leave and replaces and rescinds Resolution No. R-22-0077. (R-23-0043)

**MOTION:** Schulte moved and Vest seconded to table the item until after item 5T. Amundson, Schulte, Flowerday, Vest and Yoakum voted yes. Motion carried 5-0.

- G. Recommendations from the Personnel Policy Board:

1. Create the classification of Youth Services Program Coordinator (C14: \$58,864. - \$75,397.92)

McIntyre said HR conducted a study based on a change of duties.

**MOTION:** Flowerday moved and Vest seconded approval of 5G1.

Schulte expressed concern with directors allowing employees to work outside of their job descriptions. Flowerday agreed.

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

**2. Amend County Rule 1 – Definitions**

McIntyre explained the definition of “spouse” was updated to be consistent with federal law.

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

**3. Amend County Rule 19.8 – Pregnancy and Parental Leave to be effective August 1, 2023**

McIntyre stated the item is to create a new paid parental leave policy and said it was the policy that had been discussed previously. Flowerday asked the difference between this item and the item that was tabled. McIntyre answered they represent different groups of employees.

Schulte stated concerns with the policy that would create problems for County departments. Flowerday stated it would be a hurdle but that it would help with recruitment. Yoakum stated she was supportive of the policy because it would help recruitment and support employees. Amundson pointed out the policy fits within the County’s strategic plan. Vest stated the benefits do not outweigh the costs and recommended a shorter provisional policy. Board members discussed the proposed policy.

**MOTION:** Flowerday moved approval of item 5G3.

Amundson proposed examining the policy more in-depth before approval. Flowerday and Yoakum disagreed. Vest stated the Board should wait to approve the policy. Amundson said she would vote to approve the policy because it fits with the strategic plan.

**MOTION AND ROLL CALL:** Amundson seconded the motion to approve item 5G3. Flowerday, Amundson and Yoakum voted yes. Schulte and Vest voted no. Motion carried 3-2.

**4. Amend County Rule 19.12 – Requirement as to Continuous Service**

McIntyre stated the policy change is to update the policy to match federal regulation. The change would also update the policy to reflect current practice so that seniority dates are not adjusted when employees take protected leave.

**MOTION:** Vest moved and Amundson seconded approval of item 5G4. Amundson, Schulte, Flowerday, Vest and Yoakum voted yes. Motion carried 5-0.

**5. Create the Protected Family Leave Human Resources Policy Bulletin to be effective August 1, 2023**

McIntyre stated the policy would allow employees who are spouses and both work for the County to take the full leave available under the Family and Medical Leave Act (FMLA). Vest asked if the leave would be unpaid, and McIntyre answered yes.

**MOTION:** Vest moved and Flowerday seconded approval of item 5G5. Vest, Amundson, Schulte, Flowerday and Yoakum voted yes. Motion carried 5-0.

6. Revise the classification of Community Corrections Drug Screening Technician (A12)

McIntyre stated the change removes the requirement for drug screening technicians to have a driver's license. Schulte asked if other documentation would still be required for employment eligibility, and McIntyre answered yes.

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

H. Special events permit application from Dave Mlnarik, Nebraska Sports Council, for the 2023 Cornhusker State Games Cycle Tour to be held July 29, 2023, from 6:00 a.m. to 6:00 p.m.

Linus Hagedorn, Nebraska Sports Council Director of Communications and Development, and Luke Mieska, Nebraska Sports Council Director of Events, described the upcoming Cornhusker State Games and cycle tour. Hagedorn stated safety is a priority, and they will work closely with the City and County to ensure safety. Schulte asked for clarification on the planned route and Linus answered. John Berry, Chief Deputy County Surveyor, further explained the map and route and noted that required documents were provided.

Board members and Berry commended Nebraska Sports Council staff and the work toward the event.

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

I. Interlocal Agreement with the Regional Behavioral Health Authority (Region V Systems) for the Lancaster County Mental Health Crisis Center to provide crisis stabilization services for individuals in Emergency Protective Custody from other counties in the Region V service area. Region V will pay the County \$208 per day for each individual. (C-23-0534)

Scott Etherton, Mental Health Crisis Center Director, stated the agreement is unchanged from the previous year.

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

J. Memorandum of Understanding with Region V Systems allowing Lancaster County to receive a one-time behavioral health workforce stabilization grant in the amount of \$303,162.44. The funds will be used to support activities with the purposes of hiring and retaining staff at the Mental Health Crisis Center. (C-23-0535)

Etherton explained the item is a grant from the Nebraska Department of Health and Human Services (DHHS) and provided details on the grant. Candace Berens, Deputy County Attorney, stated there will be additional requirements for Etherton to submit to receive the grant. She clarified that approval of the item would allow Etherton to continue to pursue the grant. Flowerday and Yoakum asked for clarification and Berens restated her comments on the process and motion.

Etherton stated there was a provider meeting where grant requirements were discussed, including that there was not currently a mechanism for funds to be returned if goals are not met. He noted he would work with the County Attorney's Office to submit the grant application.

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

- K. Agreement with the Administrative Office of the Courts & Probation (AOCP) for administration of the Lancaster County Adult Drug Court. AOCP will pay the County \$493,678 for the services. (The term of the agreement is July 1, 2023, through June 30, 2025.) (C-23-0532)

Landon Parks, Assistant Director of Community Corrections, stated the contract is the standard biennial contract for reimbursements to administer the drug court. Yoakum asked if the amount changed, and Parks answered no.

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

- L. Agreement with the Nebraska Department of Correctional Services (NDCS) to allow NDCS to purchase a medical device from the Lancaster County Department of Corrections. NDCS will pay the County's full purchase price of \$4,687.13. (C-23-0540)

Berens explained the agreement and that the sale price is the same as the price when purchased. She noted the draft in the agenda packet was unsigned but that the agreement has now been signed with no material changes. She provided the finalized agreement to the Clerk (Exhibit #1).

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

- M. Subscription agreement with CoStar Reality Information, Inc. for national property market data for the County Assessor/Register of Deeds. The County shall pay \$430 per month. (The term of the agreement is one year upon execution and will automatically renew for successive one-year terms.) (C-23-0531)

Briam Grimm, Assessor/Register of Deeds Chief Administrative Deputy, explained the subscription agreement and the need to access the data. After one year, he said the Department would reassess the subscription. Amundson asked if the data includes comparable counties and Grimm said yes and further explained how the program would be used.

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

- N. Grant contract with The Great Plains Gaming Project to promote its Great Plains Game Festival in an amount not to exceed \$5,000 from the Visitors Promotion Fund. (C-23-0530)

Vest stated how the Visitors Promotion Fund is used and noted its importance.

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

- O. Submission of documents to the Lincoln/Lancaster County Planning Commission related to a City of Lincoln right-of-way vacation near the intersection of West Pioneers Blvd and South 1st Street.

Amundson said the Planning Commission had previously briefed the Board on the vacation.

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

- P. Agreement with JEO Consulting Group, Inc. for structural engineering services related to bridges in Lancaster County at the request of the County Engineer. The cost to the County is not to exceed \$40,000. (The term of the agreement is two years.) (C-23-0529)

Pam Dingman, County Engineer, explained the need for the services, including the need for structural engineers with the required professional licenses for certain bridge projects.

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

- Q.** Recommendation from the County Engineer to award and execute a sole source purchase order to Master Tech Truck & Equipment for a 2022 Dodge Ram Truck in the amount of \$224,942. (C-23-0526)

Ron Bohaty, Road Maintenance Superintendent, and Ed Lahmann, Facilities Manager, explained the need for the purchase and provided photos (Exhibit #2). The current truck is out for repairs regularly, and they are currently using an older truck in its place. Other trucks would take much longer to receive than the two weeks projected for the proposed truck. Vest stated the truck is needed for safety reasons.

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

- R.** Recommendation from the County Engineer to award and execute a purchase order to Rose Equipment for a Cimline Mastic Machine in the amount of \$73,163. (Sourcewell Contract No. 080521-CME) (C-23-0527)

Bohaty described how the County uses the machine and provided a photo (Exhibit #3). The County Engineer's Office currently rents the machine and the money towards rent can go towards the purchase price. Vest asked if the funding was in the County Engineer's budget, and Bohaty said yes.

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

- S.** Recommendation from the County Engineer to award and execute a purchase order to Murphy Tractor & Equipment for a Felling Triple Axle Trailer in the amount of \$103,079.88. (Sourcewell Contract No. 092922-FTS) (C-23-0528)

Bohaty clarified the purchase order is for two trailers and summarized the need for the purchase. He provided photos of the trailers (Exhibit #4). Amundson asked if the purchase amount was in the budget, and Bohaty answered yes.

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

- T.** Contracts with the following to provide the annual supply of traffic and custom signs. The cost to the County is not to exceed \$50,000 for all for Contracts. (Bid No. 23-136, the contracts shall be effective for one (1) year upon execution.)

1. Cornhusker State Industries / Department of Corrections (C-23-0542)
2. Lightle Enterprises of Ohio (C-23-0543)
3. Vulcan Inc., Vulcan Signs / Vulcan Aluminum (C-23-0544)

**MOTION:** Schulte moved and Vest seconded approval of the contracts.

Dingman summarized the need for the contracts and stated the County has over 14,000 traffic signs they purchase and maintain. Amundson asked where the signs are stored, and Dingman stated most are installed on roads, but some are kept in storage to replace stolen or damaged signs throughout the year.

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

Board members returned to item 5E and the Clerk restated the previous motion to approve the resolution.

**MOTION:** Amundson moved and Flowerday seconded 5E. Vest restated his opposition to the policy but that he would vote for this item so there is consistency in who is eligible for the benefit.

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

Board members returned to item 5F. The Clerk noted no motion was made before the Board tabled the item.

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

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

Brad Reinke, County resident, provided a handout (Exhibit #5) and shared concerns about voting by mail and potential instances of voter fraud.

Ken Anderson, Silver City, Iowa resident, provided a graph on Nebraska voter turnout (Exhibit #6) and read from a document titled "Manual Count Voting Guide for Nebraska" (Exhibit #7).

Wayne Smith, Lancaster resident, shared concerns about election accuracy and continued to read from the document titled "Manual Count Voting Guide for Nebraska".

Roger Preszler, Lancaster resident, shared concerns about election accuracy and continued to read from the document titled "Manual Count Voting Guide for Nebraska".

Tera Thoms, Lancaster resident, shared concerns about election accuracy and continued to read from the document titled "Manual Count Voting Guide for Nebraska".

George Olmer, Lancaster resident, shared concerns about election accuracy and continued to read from the document titled "Manual Count Voting Guide for Nebraska".

Jeannine Preszler, Lancaster resident, shared concerns about election accuracy and continued to read from the document titled "Manual Count Voting Guide for Nebraska".

Dwane Rauscher, Lancaster resident, shared concerns about election accuracy and continued to read from the document titled "Manual Count Voting Guide for Nebraska".

Laura Rauscher, Lancaster resident, shared concerns about election accuracy and continued to read from the document titled "Manual Count Voting Guide for Nebraska".

Victoria Riis, Lancaster resident, shared concerns about election accuracy and continued to read from the document titled "Manual Count Voting Guide for Nebraska".

Peggy Smanic shared concerns about election accuracy and continued to read from the document titled "Manual Count Voting Guide for Nebraska".

Connie Reinke, Lancaster resident, asked Board members to delay funding and hold a public hearing on election accuracy. She read a resolution on election accuracy (Exhibit #8) and provided a graph on the 2020 election (Exhibit #9).

Yoakum asked the Clerk if public comments had reached one hour, and the Clerk answered yes. Yoakum instructed the Clerk to move to the next item. Schulte asked if there was an allotted time for public comment and John Ward, Deputy County Attorney, stated yes and referenced the agenda language.



## 7) ANNOUNCEMENTS

- A. The Lancaster County Board of Commissioners will hold a special staff meeting on Tuesday, June 27, 2023, immediately following the regular Board of Commissioners meeting and department budget hearing, in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).
- B. The Lancaster County Board of Commissioners will hold staff meetings on Thursday, June 29 and Thursday, July 6, 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 and the Board of Equalization will not hold a meeting on Tuesday, July 4, 2023, due to the holiday.
- D. The Lancaster County Board of Commissioners will hold its next regular meeting on Tuesday July 11, 2023, at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).
- E. The Lancaster County Board of Commissioners will hold a public hearing Tuesday July 11, 2023 at 9:00 a.m. regarding applications for a Class C liquor licensed for The Shed Wedding Venue LLC (22500 S. 176th Street, Adams) and a corporate manager's liquor license for Cortney Dissmeyer.
- F. County Commissioners can be reached at 402-441-7447 or [commish@lancaster.ne.gov](mailto:commish@lancaster.ne.gov).
- G. 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.

## 8) ADJOURNMENT

**MOTION:** Amundson moved and Flowerday seconded to adjourn at 11:04 a.m. Vest, Amundson, Schulte, Flowerday and Yoakum voted yes. Motion carried 5-0.



Matt Hansen  
Lancaster County Clerk

