

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, JULY 19, 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 July 15, 2022.*

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

Others present: Dave Derbin, Chief Administrative Officer; Kristy Bauer, Deputy Chief Administrative Officer; Candace Berens and John Ward, Deputy County Attorneys; Dan Nolte, County Clerk; Cori Beattie, Deputy County Clerk and Meggan Reppert-Funke, County Clerk's Office

The meeting was called to order at 9:03 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 July 12, 2022.

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

**2) CLAIMS**

**A.** Approval of all claims processed through July 19, 2022.

The Clerk noted there was an amendment to the claims for payroll ending July 13, 2022 (Exhibit 1).

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

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

1. Voucher 772879 on Batch 282739 to City of Lincoln-Information Services, dated July 14, 2022, for a total of \$239.96. This claim includes billing for services performed October 2021.
2. Voucher 772883 on Batch 282741 to City of Lincoln-Information Services, dated July 14, 2022, for a total of \$11,775.50. This claim includes billing for services performed December 2021.

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

**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-19-0352 with General Fire & Safety Equipment Company, Inc. for annual service of fire extinguisher inspection, testing, and maintenance. (Bid No. 19-120. The amendment will be for a corporate name change from General Fire & Safety Equipment Company, Inc. to Summit Fire Protection Co. DBA General Fire & Safety Equipment Co. of Lincoln.) (C-22-0535)
2. C-21-0717 with Felsburg Holt & Ullevig to add additional environmental services at the request of the County Engineer. (The expenditure for these additional services shall not exceed \$25,000.) (C-22-0544)
3. C-21-0684 with Herman Miller, Inc. for furniture, installation and related products and services. (MOU103 is to be used exclusively for the purchase of Aeron Chairs. The amendment amends the contract to reflect a price increase. The cost to County will remain the same.) (C-22-0550)
4. C-20-0695 with Jones Automotive, Inc. for supply and installation of emergency equipment for City and County Law Enforcement Vehicles. (Bid No. 20-206. The amendment amends the contract to increase the County's maximum expenditures by \$100,000 for the remainder of the current term with a revised expenditure to be \$315,000.) (C-22-0552)
5. C-20-0421 with Murphy Tractor & Equipment Co., Inc. for the annual supply of compact track loader rental. (Bid No. 20-136. The amendment reflects a price increase of \$37,200 for the remaining contract term for a total cost of \$246,240.) (C-22-0542)
6. C-14-0422 with Fish Window Cleaning for annual requirements of window cleaning services. (Bid No. 14-155, the amendment extends the contract from August 28, 2022, through January 17, 2023. The cost to the County in not to exceed \$2,500.) (C-22-0543)

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

1. Richard J. and Sandra K. Hosek, South 134th Street and Hickman Road, in the amount of \$2,020. (Project 22-27 / R-307 and R-331) (C-22-0545)
2. Gary and Kathleen Reese Living Trust, South 110th Street and Princeton Road, in the amount of \$199. (Project 22-23 Y-353) (C-22-0546)
3. Charles and Mary Lisa Redding Living Trust, Southwest 70th Street and West Saltillo Road, in the amount of \$343. (Project 22-23 / N-160) (C-22-0547)
4. David Wendelin, Southwest 72nd Street and West Sprague Road, in the amount of \$1,143. (Project 23-MISC (ROW) / U-201) (C-22-0548)

**C. Received and placed on file the following reports:**

1. Records & Information Management (June 2022)
2. County Attorney (April to June 2022)

**D. Utility Permit 2267 allowing LES to install new electrical lines along North 112th Street. (Installation will be between Fletcher Avenue and Alvo Road. North 112th Street will be closed from roughly 7:00 or 8:00 am to 9:00 or 10:00 pm on July 10, 2022.) (C-22-0530)**

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

**4) NEW BUSINESS:**

- A. Resolution in the matter of the 2022-2023 cost of living increase for unrepresented, classified employees. (R-22-0061)**

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

Flowerday stated the 3.25% increase aligns with the average union increase.

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

- B. Resolution in the matter of a request to vacate a portion of Northwest 25th Street, Raymond, Nebraska, more particularly described in Exhibit "A", and located in Lancaster County, Nebraska. (R-22-0059)

John Berry, Chief Deputy Surveyor, County Engineering, was available to answer questions on Items B and C.

John Ward, Deputy County Attorney, noted the Lincoln-Lancaster County Planning Department and County Engineering recommended denial of the road vacation request.

A copy of the resolution is attached as Exhibit 2.

Yoakum and Vest stated they did not attend the public hearing but have reviewed the material and are prepared to vote on Items B and C.

**MOTION:** Flowerday moved and Amundson seconded approval of the denial of the road vacation as recommended by County staff.

In response to Schorr's inquiry, Ward stated voting in the affirmative to the motion would be appropriate.

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

- C. Resolution in the matter of a request to vacate a 50-foot right-of-way located in Raymond, Nebraska, more particularly described in Exhibit "A", and located in Lancaster County, Nebraska. (R-22-0060)

A copy of the resolution is attached as Exhibit 3.

Ward noted staff recommended approval of the road vacation request. He also stated per Resolution R-19-0040, a two-thirds vote of the Board will be necessary to proceed with the vacation.

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

- D. Resolution in the matter of authorizing the County Board Chair or Vice Chair to sign the Task Order Agreement with Felsburg Holt & Ullevig, Inc for NEPA (National Environmental Policy Act) services. (Project 21-11, Control No. 13518, LCLC-3265(11) on South 68th Street from Firth Road to Stagecoach Road) (R-22-0057)

The Clerk noted the item is to be held.

- E. Contract On-Call Professional Services Task Order Agreement with Felsburg Holt & Ullevig, Inc. for NEPA (National Environmental Policy Act) services. The total cost of the agreement is \$12,178.11. (Project 21-11, Control No. 13518, LCLC-3265(11) on South 68th Street from Firth Road to Stagecoach Road) (C-22-0537)

The Clerk noted the item is to be held.

- F. Resolution in the matter of authorizing the County Board Chair or Vice Chair to sign the Professional Services Agreement with the Nebraska Department of Transportation to provide preliminary engineering services. (Project 21-11, Control No. 13518, LCLC-3265(11) on South 68th Street from Firth Road to Stagecoach Road) (R-22-0058)

Larry Legg, Assistant County Engineer, stated the resolution if for preliminary engineering services for South 68<sup>th</sup> Street.

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

- G. Professional Services Agreement with the Nebraska Department of Transportation for Lancaster County to perform preliminary engineering services. The total cost of the agreement is \$4,133.18, of which \$3,306.54 is the Federal share and \$826.64 is the County share. (Project 21-11, Control No. 13518, LCLC-3265(11) on South 68th Street from Firth Road to Stagecoach Road) (C-22-0538)

Legg stated the agreement is to scope out the project for the work effort related to preliminary engineering and environmental challenges.

**MOTION:** Vest moved and Amundson seconded approval of the agreement.

Schorr asked if people can expect to see surveyors on the road soon. Legg provided a brief overview of the ongoing process and estimated a public information meeting will be held within the next year or so as this is a significant project for the area.

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

- H. Amusement license amendment from Anthony Hillhouse to hold a music performance on September 10-11, 2022, at 6600 South 148th Street, Walton, NE.

Anthony Hillhouse stated the original amusement license was approved in April but due to inclement weather the music performance was cancelled. He would now like to amend the amusement license so the music performance can be held in September.

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

- I. Special Designated License applications from Fucor, Inc. for events at Prairie Pines Nature Preserve 3100 North 112th Street, Lincoln, Nebraska on August 6, and August 20, 2022.

Eric Pomajzl, Venue Restaurant & Lounge, said Fucor/The Venue has catered events at Prairie Pines Nature Preserve in the past and he provided a brief overview of the two events.

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

- J. Setting the salary for Shawn Elliott, Chief Deputy Public Defender, in the amount of \$161,372.61, effective June 30, 2022.

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

- K. Request for an Exceptional Circumstance Award under Personnel Rule 17.9 (b) for Ron Rohde, Accountant III, Budget & Fiscal Department, for a \$500 award.

Dennis Meyer, Budget and Fiscal Officer, stated Ron Rohde served as the Lancaster County Leadership Academy facilitator during a staff transition and, in doing so, took on additional monthly duties over the course of the 2021-2022 session.

Ron Rohde, Accountant III, thanked the Board, Meyer and other support staff for the recognition.

The Board thanked Rohde for demonstrating leadership by filling in as the interim program facilitator.

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

- L. Application with Resilience for County-specific cyber insurance.

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

- M.** Interlocal Agreement with the City of Lincoln for the purpose of developing a civil protective custody unit. The cost to the County shall not exceed \$2,000,000 in ARPA (American Rescue Plan Act) funds. (C-22-0540)

Sara Hoyle, Human Services Administrator, provided information on the contingency plan to start developing a civil protective custody (CPC) unit to assist people suffering from addiction. The need came about due to the termination of services provided for decades by The Bridge Behavioral Health effective July 1, 2022 for the County and October 1, 2022 for the City. ARPA funds will be used to renovate a current City-owned location. Hoyle said a group of stakeholders met several times over the last few months to discuss how to proceed and the interlocal agreement is the first step in the process.

Assistant Police Chief Brian Jackson emphasized the importance of having a place for law enforcement agencies to take CPC cases not only for their safety and wellbeing but to keep these individuals out of jail.

Schorr inquired about a timeline for the project. Hoyle stated the City Council will be voting on the agreement on July 25, 2022. A working committee will be formed to oversee the project and a Request for Proposal will be drafted for architectural services. Hoyle said the bid process will delay construction but plans for two temporary spaces will hopefully be finalized by the end of this week so service can begin on October 1, 2022.

Chief Deputy Sheriff Ben Houchin thanked Hoyle and the Lincoln Police Department for their efforts during this process.

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

- N.** Agreement with the University of Nebraska on behalf of the University of Nebraska-Lincoln Police Department for the Lancaster County Sheriff's Office to provide public safety employees for University events on an as needed basis. (The University will reimburse the County at the average overtime rate based on the hourly rate of the employee, plus benefits calculated at 20.45% of gross pay. The term of the agreement is July 15, 2022, through July 14, 2025.) (C-22-0533)

Houchin provided information about the agreement and stated the payment method has worked in the past.

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

- O.** Mini-grant contract with The Nebraska Department of Transportation application for the Lancaster County Sheriff's Office to participate in the National Drive Sober or Get Pulled Over High-Visibility Enforcement Mobilization for August 19, 2022, through September 5, 2022, in the amount of \$8,190. (C-22-0531)

Houchin stated the grant provides reimbursed funds for officers working overtime and provides safety for the Lancaster County community.

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

- P.** Agreement with Blue Valley Behavioral Health to provide after-hours screening and assessments as requested at the Lancaster County Youth Services Center and the Lancaster County Department of Corrections. Total cost to the County shall not exceed \$40,000. (C-22-0549)

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

Candace Berens, Deputy County Attorney, stated that proper insurance certification is still needed and she recommended approval of the contract contingent on its receipt.

Flowerday amended his motion to include approval of the agreement pending the receipt of proper insurance documentation as recommended by the County Attorney's Office. Amundson seconded the amended motion.

**ROLL CALL ON MOTION AS AMENDED:** Amundson, Yoakum, Flowerday, Vest and Schorr voted yes. Motion carried 5-0.

- Q.** Grant contract to reimburse Great Plains Gaming Project for promotional costs from the Visitors Promotion Fund in an amount not to exceed \$5,000. (C-22-0532)

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

- R.** Grant contract with Good Neighbor Community Center in the amount of \$355,000. (Funding is from the American Rescue Plan (ARPA) funds for the period of March 1, 2022, through June 30, 2026.) (C-22-0517)

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

- S.** Grant contracts (from County General Funds for the period of July 1, 2022, through June 30, 2023) with the following:
1. United Way of Lincoln for the Clarity - Food Distribution program in the amount of \$8,000. (C-22-0534)
  2. City of Lincoln (Lincoln Police Department) for the Take Pause program in the amount of \$12,000. (C-22-0539)

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

- T.** Grant contracts (from the Joint Budget Committee for the period of July 1, 2022, through June 30, 2023) with the following:
1. CASA for Lancaster County for the Court Advocacy for the At-Risk Children program in the amount of \$15,000. (C-22-0521)
  2. Houses of Hope for the Transitional Residential Substance Use Halfway House program in the amount of \$47,000. (C-22-0522)
  3. Clyde Malone Community Center for the Yes2Health program in the amount of \$30,000. (C-22-0523)
  4. Legal Aid of Nebraska for the Legal Aid Responds program in the amount of \$20,000. (C-22-0524)
  5. Matt Talbot Kitchen & Outreach for the Child Advocate program in the amount of \$14,060. (C-22-0525)
  6. Asian Community & Cultural Center for the Yezidi Youth Club program in the amount of \$20,000. (C-22-0526)
  7. The Salvation Army for the Sudanese Advocate program in the amount of \$40,692. (C-22-0527)

**MOTION:** Yoakum moved and Flowerday seconded to conduct a separate vote on the grant contract with the Clyde Malone Community Center (Item T3). Amundson, Yoakum Flowerday, Vest and Schorr voted yes. Motion carried 5-0.

**MOTION:** Vest moved and Flowerday seconded approval of Items T1-7 except for Item T3. Flowerday, Vest, Amundson, Yoakum and Schorr voted yes. Motion carried 5-0.

**MOTION:** Vest moved and Flowerday seconded approval of Item T3. Flowerday, Vest, Amundson and Schorr voted yes. Yoakum abstained. Motion carried 4-0 with one abstention.

**U.** Grant contracts with The Salvation Army (from the Juvenile Justice Prevention Funds for the period of July 1, 2022, through June 30, 2023) for the following:

1. The Teen Night program in the amount of \$16,000. (C-22-0528)
2. The Shield program in the amount of \$17,434. (C-22-0529)

Schorr asked Hoyle if she would like to highlight one of the grant programs included on today's agenda. Hoyle provided a brief overview of the Yezidi Youth Club program (see Item T6).

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

**V.** Lease agreement with Victory Park, LLC for the Lancaster County Veterans Service Office's use of space located at 600 South 70th Street, more particularly described in Exhibits A and B. (The term of the agreement is 20 years, and the tenant may extend the lease for two additional periods of 10 years each.) (C-22-0541)

Kerin Peterson, Facilities & Properties Director, was available for questions.

Flowerday noted he was recently contacted by a citizen about the need to find a better location for the County Veterans Service Office and was happy to share with them that plans to do so were underway.

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

**W.** Contract with Proseal, Inc. to provide pavement rejuvenation. The cost to the County is not to exceed \$359,081.76. (Bid No. 22-146 Project 22-10. The contract shall be effective upon execution and completed on or before October 31, 2022.) (C-220536)

Legg stated the rejuvenation project was created to help extend the life pavement.

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

**X.** Contract with JJK Construction, LLC to replace County Bridge W-50. The cost to the County is not to exceed \$728,223.12. (Bid No. 22-121, Project 21-45. The contract shall be effective upon execution by both parties with period of performance per contract.) (C-22-0551)

Legg stated Bridge W-50 is located southwest of Sprague, Nebraska on SW 29<sup>th</sup> Street. He explained a new process is being used which should assist with the ease and speed of construction and durability.

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

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

Nadine Link, Village of Malcolm Clerk, stated Bridge E-38 is very important to the accessibility of the Village's sewer plant and ballfields and she inquired about the project's progress.

Dave Derbin, Chief Administrative Officer, advised the Board that this item would need to be discussed off the record since it was not on the agenda.

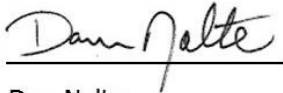
Jack Tarr, Village of Malcolm, stated the bridge closing also diverts traffic away from Malcolm businesses which causes an additional financial hardship.

**6) ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, July 21, 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, July 26, 2022, at 9:00 a.m., 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.

**7) ADJOURNMENT**

**MOTION:** Vest moved and Flowerday seconded to adjourn at 9:51 a.m. Vest, Amundson, Yoakum, Flowerday and Schorr voted yes. Motion carried 5-0.



Dan Nolte  
Lancaster County Clerk

