

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY AUGUST 1, 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 July 28, 2023.*

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

Commissioners absent: Rick Vest

Others present: Kristy Bauer, Deputy Chief Administrative Officer; John Ward, Deputy County Attorney; Matt Hansen, County Clerk; and 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 July 25, 2023.

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

**B.** Approval of the minutes of the budget meeting held on July 25, 2023.

Amundson entered the meeting at 9:03 a.m.

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

**2) CLAIMS**

**A.** Approval of the claims processed through August 1, 2023.

Hansen noted there was an amendment to the payroll claim (Exhibit 1).

**MOTION:** Schulte moved and Flowerday seconded approval of the claims with the payroll amendment.

Yoakum restated the motion and noted the payroll claim is through July 26<sup>th</sup>.

**ROLL CALL:** Schulte, Flowerday, Amundson and Yoakum voted yes. Vest was absent. Motion carried 4-0.

**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. Utility Permit No. 2400 allowing Bauer Underground, Inc., under project management of JEO Consulting Group, Inc., to install underground duct work for future installation of communication cable. (Installation route for ARPA Broadband Phase II, Run 1, is along Firth Road going east from Highway 77. The duct will be on the north side of Firth Road until just before South 68th Street where it moves to the south side until 1,000 feet +/- west of South 96th Street where it moves to the north side until it turns the corner and runs north on the west side of South 96th Street.) (C-23-0621)

**MOTION:** Amundson moved and Flowerday seconded approval of the consent items. Amundson, Schulte, Flowerday and Yoakum voted yes. Vest was absent. Motion carried 4-0.

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

- A. Appointment of Vanessa Emlich to the Community Mental Health Center Advisory Committee for a three-year term commencing August 1, 2023.

**MOTION:** Flowerday moved and Amundson seconded approval of the appointment. Amundson, Schulte, Flowerday and Yoakum voted yes. Vest was absent. Motion carried 4-0.

- B. Reappointment of Richard Campbell and Gloria Eddins to the Lincoln-Lancaster County Planning Commission for terms to expire August 24, 2029.

**MOTION:** Amundson moved and Flowerday seconded approval of the reappointment. Flowerday, Amundson, Schulte and Yoakum voted yes. Vest was absent. Motion carried 4-0.

- C. Resolution in the matter of authorizing the County Board Chair to sign a professional services agreement with Alfred Benesch & Company for preliminary engineering services on a Federal-aid project to improve South 98th Street from A Street to O Street. (R-23-0052)

Pam Dingman, County Engineer, stated items 4C and 4D relate to a project along 98<sup>th</sup> Street but are only for engineering services. She displayed a map of the area (Exhibit 2). She noted the County Engineer's Office has agreed with the landowners to complete the project by 2030.

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

Schulte asked if the area is currently a road, and Dingman replied it is an easement.

**ROLL CALL:** Schulte, Flowerday, Amundson and Yoakum voted yes. Vest was absent. Motion carried 4-0.

- D. Agreement with Alfred Benesch & Company for preliminary engineering services for a Federal-aid project to improve South 98th Street from A Street to O Street. The total costs pursuant to this agreement are not to exceed \$810,138.34 of which 80% is the Federal share and 20% is the County share. (C-23-0602)

**MOTION:** Schulte moved and Amundson seconded approval of the agreement. Amundson, Schulte, Flowerday and Yoakum voted yes. Vest was absent. Motion carried 4-0.

- E. Interlocal agreement with the City of Lincoln for paving improvements to South 98th Street from Old Cheney Road to A Street. (C-23-0600)

Dingman displayed a map of the area (Exhibit 3) and stated plans are to pave three miles of South 98<sup>th</sup> Street. The City of Lincoln will pay 20 percent of the cost because a portion of the three miles is within the City's jurisdiction. She thanked her staff and the County Attorney's Office for their work and patience on the project.

**MOTION:** Amundson moved and Schulte seconded approval of the agreement. Amundson, Schulte, Flowerday and Yoakum voted yes. Vest was absent. Motion carried 4-0.

- F. Agreement with Matodol LLC to provide for the design, grading, and paving of turn lanes on South 98th Street where it intersects with Rattlesnake Drive and Falls Branch Road. (C-23-0601)

Dingman explained the agreement is for the installation of turn lanes at two intersections contiguous with the federal aid project construction. The developer will pay all costs.

**MOTION:** Flowerday moved and Amundson seconded approval of the agreement. Flowerday, Amundson, Schulte and Yoakum voted yes. Vest was absent. Motion carried 4-0.

- G. Agreement with Rural Water District No. 1 for the County to pay preliminary engineering and design costs associated with relocating the District's water line facility adjacent to Saltillo Road. The cost to the County is not to exceed \$77,500. (Project No. 16-17) (C-23-0623)

Dingman explained the item is for payment of engineering services to relocate a water line that conflicts with the Saltillo Road project. The County will pay 100 percent of the cost.

**MOTION:** Schulte moved and Amundson seconded approval of the agreement. Schulte, Flowerday, Amundson and Yoakum voted yes. Vest was absent. Motion carried 4-0.

- H. Professional services contract with Eleanor Creative for naming and branding of the Family Resource Center. The cost to the County is \$15,000. (C-23-0622)

Sara Hoyle, Human Services Director for Lincoln and Lancaster County, stated the County will pay only \$5,000 of the cost because of reimbursements by Regional Behavior Health Authorities Region V and the City of Lincoln. She reported the steering committee continues to meet, and they have decided to work with professionals to brand the Family Resource Center to increase outreach to clients. She provided an update on the status of the Family Resource Center, including that the Request for Proposal process will be completed by November. The interlocal agreement with the Regional Behavior Health Authorities will be placed on an upcoming agenda.

Amundson stated she is pleased with the progress of the project and that there is a need in the community.

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

Yoakum stated she recognizes the need for marketing to increase public awareness of services.

**ROLL CALL:** Amundson, Schulte, Flowerday and Yoakum voted yes. Vest was absent. Motion carried 4-0.

- I. Agreement with PMA Counseling LLC to provide gambling addiction assessments and counseling services to inmates in the county jail. There is no cost to the County. (C-23-0624)

**MOTION:** Flowerday moved and Amundson seconded approval of the agreement. Amundson, Schulte, Flowerday and Yoakum voted yes. Vest was absent. Motion carried 4-0.

- J. Federal Equitable Sharing Agreement and Annual Certification Report for the Lancaster County Attorney's Office regarding equitable sharing activity of drug forfeiture funds for the fiscal year ending June 30, 2023. (C-23-0626)

**MOTION:** Amundson moved and Flowerday seconded approval of the agreement and report. Flowerday, Amundson, Schulte and Yoakum voted yes. Vest was absent. Motion carried 4-0.

- K. Memorandum of Understanding (MOU) with Diamond Vogel, Inc., dba Diamond Vogel, for paint and related products on an as-needed basis at an estimated cost not to exceed \$2,000 for a one-year term. (University of Nebraska RFP 3822-23-7215, MOU166) (C-23-0625)

**MOTION:** Amundson moved and Flowerday seconded approval of the memorandum of understanding. Schulte, Flowerday, Amundson and Yoakum voted yes. Vest was absent. Motion carried 4-0.

- L. Release of easement for utilities and new utility easement for Block 2, Lot 2 and Outlot B, The Bridges 4th Addition. (C-23-0627)

John Ward, Deputy County Attorney, stated the item is a correction to the contract.

**MOTION:** Flowerday moved and Amundson seconded approval of the release of easement. Amundson, Schulte, Flowerday and Yoakum voted yes. Vest was absent. Motion carried 4-0.

- M. Renewal application for Miscellaneous Medical Professional Liability Insurance related to renewal of certain insurance policies at the Mental Health Crisis Center with RSUI Group, Inc.

**MOTION:** Amundson moved and Flowerday seconded approval of the renewal application. Amundson, Schulte, Flowerday and Yoakum voted yes. Vest was absent. Motion carried 4-0.

- N. Lancaster County Statement of Values for purposes of Lancaster County insurance policies.

**MOTION:** Flowerday moved and Amundson seconded approval of the statement of values. Flowerday, Amundson, Schulte and Yoakum voted yes. Vest was absent. Motion carried 4-0.

**5) 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 resident, role played with Penny Stephens, Lancaster resident, to show how he believes election fraud is happening. He expressed concerns about the accuracy of election results.

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Ken Anderson, Omaha resident, displayed and read a postcard he plans to distribute to elected officials (Exhibit 4). He expressed concerns about the accuracy of election results and requested the County provide a cast vote record.

George Olmer, Lancaster resident, discussed the lack of signature verification within election commission offices and distributed a handout (Exhibit 5).

Roger Prezler, Lancaster resident, read accounts from others stating they were mailed unrequested ballots (Exhibit 6).

Connie Reinke, Lancaster resident, discussed the accounts Prezler previously read and discussed lack of signature verification. She distributed a handout (Exhibit 7).

Jeannine Prezler, Lancaster resident, read a letter to Dave Shively requesting a cast vote record (Exhibit 8).

Oscar Sinclair, minister of the Unitarian Church of Lincoln, requested the Board increase funding for diversion programs by \$500,000.

Amber Parker, Lancaster resident, argued for the use of paper ballots and manual counting of ballots for all future elections. She requested a public hearing on election integrity.

Susan Kess, Lancaster resident, expressed concerns about the 2020 election results and displayed a graph (Exhibit 9).

Richard Hergot, Lancaster resident, expressed concerns about potential election fraud and requested a public hearing on the subject.

## 6) **ANNOUNCEMENTS**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, August 3, 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 their next regular meeting on Tuesday, August 8, 2023, in Room 112 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln).
- C. The Lancaster County Board of Commissioners will hold a public hearing regarding the vacation of certain portions of right-of-way near the intersection of West Prucha Street and Southwest 112<sup>th</sup> Street, Crete, on August 15, 2023, at 9:00 a.m., 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](mailto:commish@lancaster.ne.gov).
- E. 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 Flowerday seconded to adjourn at 10:12 a.m. Schulte, Flowerday, Amundson and Yoakum voted yes. Vest was absent. Motion carried 4-0.



Matt Hansen  
Lancaster County Clerk

