

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, AUGUST 11, 2020
9:00 A.M.

Advance public notice of the Board of Commissioners meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and emailed to the media on August 7, 2020.

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

Others present: David Derbin, Chief Administrative Officer; Ann Ames, Deputy Chief Administrative Officer; Jenifer Holloway, Deputy County Attorney; Dan Nolte, County Clerk, and Monét McCullen, County Clerk's Office

The meeting was called to order at 9:01 a.m., the Pledge of Allegiance was recited 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 Tuesday, August 4, 2020.**

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

2) CLAIMS:

- A. Approval of all claims processed through August 11, 2020.**

MOTION: Amundson moved and Vest seconded approval of the claims. Vest, Schorr, Amundson, Yoakum and Flowerday 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-19-0387 with A Street Automotive, dba NAPA Auto Parts – A Street Auto Parts Inc., (using the Sourcewell Contract No. 062916-GPC, State of NE Contract No. 14778 OC) for Automotive & Truck Replacement Parts and Tires with Related Equipment, Accessories and Services (MOU048. The amendment renews the contract from September 7, 2020 through September 6, 2021. The estimated cost to the County is not to exceed \$25,000.) (C-20-0481)**

2. C-18-0470 with Stericycle (Stericycle, Inc.) for Annual Service – Infectious Waste Pick-Up and Disposal. (Bid No. 18-170. The amendment renews the contract from August 7, 2020 through August 6, 2021. The cost to the County is not to exceed \$5,000.) (C-20-0482)
- B. Right-of-way contracts at South 148th Street and Saltillo Road with the following:
1. Carl D. and Nancy M. Brown; Mark A. and Nichole S. Bogen the amount of \$1,531. (C-20-0483)
 2. Charles L. and Barbara J. Scheibe in the amount of \$283. (C-20-0495)
- C. Right-of-way contracts with Frances Ann Sieck, Life Estate et al., Southwest 100th Street and West Wittstruck Road, in the total amount of \$543. (3 contracts) (C-20-0484, C-20-0496, C-20-0497)
- D. Right-of-way contracts with Doris Jean Paulsen, South 120th street and Martell Road, in the total amount of \$2,787. (2 contracts) (C-20-0485, C-20-0486)
- E. Right-of-way contracts at Northwest 112th Street and West Holdrege Street with the following:
1. Joyce L. Urbanovsky in the amount of \$757. (C-20-0487)
 2. David C. Miller, Trustee; David C. Miller Revocable Trust in the amount of \$757. (C-20-0488)
- F. Right-of-way contracts at South 176th Street and Martell Road with the following:
1. Michael A. and Mark D. Leavitt in the amount of \$163. (C-20-0489)
 2. Jeffery P. Hartman in the amount of \$1,287. (C-20-0490)
- G. Right-of-way contracts at South 176th Street and Olive Creek Road with the following:
1. Robert E. J. Retzlaff in the amount of \$163. (C-20-0491)
 2. Robert G. Barney in the amount of \$379. (C-20-0492)
- H. Right-of-way contracts at South 134th Street and Olive Creek Road.
1. Ronald G. and Karen J. Essink, Co-Trustees; Essink Family Trust in the amount of \$487. (C-20-0493)
 2. Janet L. Huenink in the amount of \$217. (C-20-0494)
- I. Received and placed on file July, 2020 reports for the following:
1. Assessor/Register of Deeds.
 2. Clerk of the District Court.

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

4) NEW BUSINESS:

A. Resolution in the matter of authorizing the County Board Chair to sign the 2019-2020 County Annual Certification of Use of Cash Payment Form. (R-20-0041)

Pam Dingman, Lancaster County Engineer, said the County Engineer budget has many funding sources. This is an annual form that needs to be filed with NDOT (Nebraska Department of Transportation) to specify where the bridge and highway buyback dollars were spent.

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

B. Resolution in the matter of County Maintenance of Roads in Poe Estates and Poe Estates First Addition. (R-20-0042)

Dingman said the County Engineering Department is not raising enough funds to continue to maintain the subdivision roads at the levels that are required. However, Poe Estates has met the requirements for the roads to be maintained by the County. (Exhibit 1)

MOTION: Schorr moved and Vest seconded approval of the resolution.

Flowerday asked what it would take to adjust these regulations. Dingman said she is not prepared to discuss that but does feel there should be a committee that reviews subdivisions in Lancaster County.

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

C. Agreement with National Tactical Officers Association to conduct Law Enforcement Response to Suicidal Subjects-Legal Realities and Options training being hosted by the Lancaster County Sheriff's Office. The cost to the County is \$4,495. (C-20-0498)

MOTION: Amundson moved and Schorr seconded approval of the agreement.

Todd Duncan, Chief Deputy County Sheriff, said this is an outside agency that will provide training to Sheriff deputies. This will be at no cost to taxpayers as this will be paid for using forfeited asset funds.

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

5) UPDATE ON COVID-19 AND LANCASTER COUNTY RESPONSE:

Schorr said the Justice Council acknowledged Brad Johnson, Lancaster County Jail Director, and his staff for the great work they have done to prevent the spread of COVID-19 within the jail.

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

No one appeared for public comment.

7) ANNOUNCEMENTS:

A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, August 13, 2020 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, August 18, 2020 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) with the Board of Equalization immediately following.
- C. County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.
- D. The Lancaster County Board of Commissioners meeting is broadcast live on LNKTVCity. For the rebroadcast schedule visit lincoln.ne.gov (keyword: LNKTVCity). Meetings are also streamed live on LNKTVCity and can be viewed on YouTube (LNKTVCity).

8) **EXECUTIVE SESSION:**

- A. Pending and potential litigation and legal advice.

MOTION: Schorr moved and Amundson seconded to enter executive session for the purposes of pending and potential litigation and legal advice and to protect the public interest at 9:14 a.m.

The Chair indicated that it has been moved and seconded that the Board enter Executive Session.

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

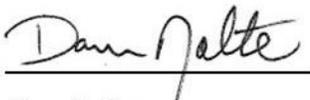
The Chair restated the motion.

MOTION: Schorr moved and Amundson seconded to exit Executive Session at 9:46 a.m. Amundson, Yoakum, Vest, Schorr and Flowerday voted yes. Motion carried 5-0.

9) **ADJOURNMENT**

MOTION: Schorr moved and Vest seconded to adjourn the Lancaster County Board of Commissioners meeting at 9:47 a.m. Schorr, Amundson, Yoakum, Vest and Flowerday voted yes. Motion carried 5-0.

NOTE: Following adjournment a letter from the County Attorney's Office regarding quo warranto action was provided that will be kept on file in the County Clerk's office.



Dan Nolte
Lancaster County Clerk



EXHIBIT "A"

POE ESTATES & 1ST ADDITION

SEC. 4, T.7N., R.7E.

EXHIBIT
1

