

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, AUGUST 17, 2021
9:00 A.M.**

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

Advance public notice of the Board of Commissioners meeting was posted on the County-City Building bulletin board, the Lancaster County, Nebraska, web site, emailed to the media to the media on August 13, 2021, and published in the Lincoln Journal Star print edition and website on August 13, 2021.

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

Others present: David Derbin, Chief Administrative Officer; Jen Holloway and Candace Berens, Deputy County Attorneys; Dan Nolte, County Clerk; Cori Beattie, Deputy County Clerk; and Leslie Brestel, County Clerk's Office

The meeting was called to order at 9:03 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 10, 2021.

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

- B.** Approval of the minutes of the Board of Commissioners attendance at the 12th Annual Federal Legislative Summit on Thursday, August 12, 2021.

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

2) CLAIMS:

- A.** Approval of all claims processed through August 17, 2021.

Nolte noted there needs to be an amendment to include payroll ending August 11, 2021 (Exhibit 1).

Kevin Nelson, Accounting Operations Manager, called out the claim to Navia (the administrator of the County's Flexible Benefits Spending Plan). He said a portion of the claim, \$1,606.60, is beyond the 90-day time period (see claims report, page 101). Nelson noted that some months back he was removed from the invoice distribution list. Last Friday it was brought to his attention that some past invoices did not get timely paid. Since there was not time for this claim to go through the regular claim for review process, he wanted to apprise the Board of the issue. He said a request was made to add him back to the invoice distribution list so this oversight should not happen again.

MOTION: Amundson moved and Yoakum seconded approval of the claims as amended. Yoakum, Flowerday, Schorr, Amundson and Vest 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. Right-of-way contracts with the following:
 - 1. Marlan and Mary E. Johnson, North 176th Street and Bluff Road, in the amount of \$2,500.50. (C-21-0637)
 - 2. Brian H. and Teresa F. Chaffin, North 176th Street and Bluff Road, in the amount of \$3,007. (C-21-0638)

- B. Right of entry and installation agreement to provide ALLO Communications with necessary permissions to install fiber and associated equipment in certain County buildings. (C-21-0639)

- C. Amendments to the following contracts:
 - 1. C-17-0812 with Ron Turley Associates Inc for RTA Fleet Management Software (Sole Source SS-61. The amendment renews the contract from August 31, 2021, through August 31, 2022. The cost to the County shall not exceed \$6,930.) (C-21-0620)
 - 2. C-19-0717 with Gana Trucking & Excavating for Annual Service - Motor Grader Snow Removal Services for Lancaster County. (Bid 19-207. The amendment renews the contract for an additional one-year term from September 24, 2021, through September 23, 2022. The cost for products/services to the County shall not exceed \$45,000.) (C-21-0623)
 - 3. C-19-0718 with K2 Construction for Annual Service - Motor Grader Snow Removal Services for Lancaster County. (Bid 19-207. The amendment renews the contract for an additional one-year term from September 24, 2021, through September 23, 2022. The cost for products/services to the County shall not exceed \$45,000.) (C-21-0624)
 - 4. C-18-0510 with Acker Diesel Repair LLC for Annual Repair Services for Construction and Purpose-Built Equipment. (Bid 18-167. The amendment renews the contract from September 6, 2021, through September 5, 2022. The cost to the County shall not exceed \$250,000.) (C-21-0625)
 - 5. C-18-0511 with Brown's Heavy Equipment Inc for Annual Repair Services for Construction and Purpose-Built Equipment. (Bid 18-167. The amendment renews the contract from September 6, 2021, through September 5, 2022. The cost to the County shall not exceed \$250,000.) (C-21-0626)
 - 6. C-18-0495 with Hamilton Equipment Co for Annual Repair Services for Construction and Purpose-Built Equipment. (Bid 18-167. The amendment renews the contract from September 6, 2021, through September 5, 2022. The cost to the County shall not exceed \$250,000.) (C-21-0627)
 - 7. C-18-0549 with Johnson Diesel Repair for Annual Repair Services for Construction and Purpose-Built Equipment. (Bid 18-167. The amendment renews the contract with a price increase from September 6, 2021, through September 5, 2022. The cost to the County shall not exceed \$250,000.) (C-21-0628)
 - 8. C-18-0582 with Murphy Tractor & Equipment Co Inc for Annual Repair Services for Construction and Purpose-Built Equipment. (Bid 18-167. The amendment renews the contract from September 6, 2021, through September 5, 2022. The cost to the County is not to exceed \$250,000.00 for Contracts.) (C-21-0629)

9. C-18-0536 with NMC Inc for Annual Repair Services for Construction and Purpose-Built Equipment. (Bid No. 18-167. The amendment renews the contract from September 6, 2021, through September 5, 2022. The cost to the County shall not exceed \$250,000.) (C-21-0630)
 10. C-18-0537 with RDO Truck Center LLC for Annual Repair Services for Construction and Purpose-Built Equipment. (Bid 18-167. The amendment renews the contract from September 6, 2021, through September 5, 2022. The cost to the County shall not exceed \$250,000.) (C-21-0631)
 11. C-18-0512 with Rose Equipment Inc for Annual Repair Services for Construction and Purpose-Built Equipment. (Bid 18-167. The amendment renews the contract from September 6, 2021, through September 5, 2022. The cost to the County shall not exceed \$250,000.) (C-21-0632)
 12. C-18-0496 with Titan Machinery Inc for Annual Repair Services for Construction and Purpose-Built Equipment. (Bid 18-167. The amendment renews the contract from September 6, 2021, through September 5, 2022. The cost to the County shall not exceed \$250,000.) (C-21-0633)
 13. C-18-0497 with Truck Center Companies Lincoln for Annual Repair Services for Construction and Purpose-Built Equipment. (Bid 18-167. The amendment renews the contract with a price increase from September 6, 2021, through September 5, 2022. The cost to the County shall not exceed \$250,000.) (C-21-0634)
 14. C-18-0498 with Vermeer High Plains for Annual Repair Services for Construction and Purpose-Built Equipment. (Bid 18-167. The amendment renews the contract with a price increase from September 6, 2021, through September 5, 2022. The cost to the County shall not exceed \$250,000.) (C-21-0635)
- D. Change Order 1 to County Contract C-21-0298 with Straight-Line Striping Inc for an additional ten miles of pavement marking at NW 126th Street from West O Street to West Alvo Road and on Panama Road from South 82nd Street to Panama City Limits. (Bid 21-032, Project 21-83, Pavement Marking 2021. The cost to the County shall not exceed \$11,350.) (C-21-0636)
 - E. Grant subaward with YWCA Lincoln for programming (The term of the subaward is July 1, 2021, through June 30, 2022, and is funded by the Nebraska Commission on Law Enforcement and Criminal Justice Community-based Aid Grant in the amount of \$47,866). (C-21-0618)
 - F. Grant contract with Community Action Partnership of Lancaster and Saunders Counties to assist with the purchase of necessary property to allow for the continuation and operation of the Head Start program. (The contract is funded by ARPA federal funds from the U.S. Department of the Treasury in the amount of \$300,000.) (C-21-0608)
 - G. Amendment to Grant Contract C-21-0393 with Council of Juvenile Justice Administrators for a staffing and culture assessment of the Lancaster County Youth Services Center for a decrease of \$2,546.88. (C-21-0613)
 - H. Acceptance of an additional \$63,000 from the Nebraska Crime Commission grant award for the Coronavirus Emergency Supplemental Funding related to County Contract No. C-20-0270.
 - I. Received and placed on file the Records and Information Management report for July 2021.
 - J. Setting a public hearing on Tuesday, August 24, 2021, at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln, NE) regarding Lancaster County's Proposed Budget for Fiscal Year 2021-2022.

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

4) NEW BUSINESS:

- A.** Resolution to provide road maintenance of certain County roads located within Native Grass Addition. (Native Grass Addition is located approximately 0.17 miles east of N. 176th Street and Havelock Avenue.) (R-21-0048)

John Berry, County Surveyor, said the Native Grass Addition has fulfilled all requirements for the County to maintain the subdivision. Pam Dingman, County Engineer, reminded the Board there is no funding source for taking over the maintenance of subdivisions, which creates a strain on the budget.

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

- B.** Recommendation from the Purchasing Agent and County Engineer to award and execute a purchase order for four (4) 2022 3/4 ton extended cab pickups using the State of Nebraska Contract 15527 OC to Husker Auto Group in the amount of \$162,104. (C-21-0615)

Ron Bohaty, Road Maintenance Superintendent, and Ed Lahmann, Facilities Manager, were available for discussion.

Lahmann stated the pickups will be added to the fleet and will be multi-use vehicles, as they will be fit for snowplows and can also have bridge use. There are an estimated 80 pickups in the fleet. Bohaty added six current pickups will be removed from service and put up for auction.

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

- C.** Recommendation from the Purchasing Agent and County Engineer to award and execute a purchase order for two (2) Western Star dump trucks using the State of Minnesota Contract 194867 to Truck Center Companies in the amount of \$401,718. (C-21-0616)

Lahmann reported the trucks are similar to those in service and also can have multi-purpose uses.

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

- D.** Recommendation from the Purchasing Agent and County Engineer to award and execute a purchase order for two (2) 2021 or newer Cat motor graders using the Sourcewell Contract 1032119-CAT to NMC – Lincoln in the amount of \$534,922. (Cost includes the trade-in of two (2) County motor graders.) (C-21-0617)

Lahmann said while these machines have a designated function, they can also remove snow in the winter and are the hardest worked equipment that the department maintains. Bohaty stated the County has 26 motor graders, some of which are nearing the end of their lifecycle.

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

- E. Recommendation from the Purchasing Agent and County Engineer to award and execute a purchase order for a 2020 Hamm padfoot roller using the Sourcewell Contract 032119-JDC to Murphy Tractor & Equipment Co in the amount of \$167,300. (C-21-0619)

Lahmann discussed the current pull-behind padfoot roller (Exhibit 2) versus the new pad foot roller (Exhibit 3), which gets the compaction needed to keep the roads strong. It could be used in the future for dust control.

MOTION: Amundson moved and Yoakum seconded approval of the recommendation.

Schorr noted for the record that the County has expended \$1,266,000 on new equipment for the County Engineer's Office.

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

- F. Recommendation from the Purchasing Agent and County Engineer to award a purchase order for supplying and hauling of gravel surface coarse material (Bid 21-158) to Gana Trucking & Excavating in the amount of \$775,285. (C-21-0621)

Bohaty displayed a map detailing the locations the material will be placed (Exhibit 4).

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

- G. Recommendation from the Purchasing Agent and County Engineer to award a purchase order for supplying and hauling crushed rock surface coarse material (Bid 21-258) to R. L. Tiemann Construction in the amount of \$785,800 (bid lines 1-5, 7, 8 and 10) and to Westover Rock & Sand Inc in the amount of \$151,700 (bid lines 6 and 9). The total bid award amount is \$937,500. (C-21-0622)

MOTION: Flowerday moved and Yoakum seconded approval of the recommendation.

Vest asked if there is a reason why both crushed rock and gravel are used on roads. Bohaty stated crushed rock provides roads with stability which then allows the gravel to remain more evenly disbursed.

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

- H. Quitclaim deed from the County of Lancaster to the City of Lincoln, quitclaiming the County's interest, if any, in all that portion of the Chicago, Rock Island and Pacific Railway Company right-of-way located in the Northwest Quarter (NW¼) of Section Twenty-Three (23), Township Nine (9) North, Range Six (6) East of the 6th P.M., Lancaster County, Nebraska, (except that portion thereof which is now described as Lot Forty-Eight (48), Irregular Tract, Lancaster County, Nebraska, more particularly described in the deed.)

Derbin stated the quitclaim deed is related to the Rails to Trails program that is a part of the City of Lincoln's project to improve Wilderness Park with a bridge replacement for pedestrians.

MOTION: Schorr moved and Yoakum seconded approval of the quitclaim deed. Amundson, Yoakum, Flowerday, Schorr and Vest 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.

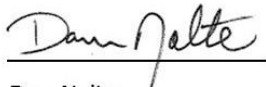
No one appeared for public comment.

6) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will conduct interviews for the Deputy Chief Administrative Officer position on Tuesday, August 17, 2021, at 3:00 p.m. in Room 113 (Bill Luxford Studio) of the County-City Building (555 S. 10th Street, Lincoln, NE).
- B. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, August 19, 2021, 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 will hold its next regular meeting on Tuesday, August 24, 2021, immediately following the budget meeting, beginning at 9:00 a.m. in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).
- D. A public hearing will be held on Tuesday, August 31, 2021, at 9:00 a.m. in Room 112 of the County-City Building (555 S. 10th Street, Lincoln, Nebraska), regarding County Text Amendment No. 21005, to amend Article 14 Community Unit Plan and Article 15 Additional Use Regulations of the Lancaster County Zoning Regulations and amend Chapter 2 Definitions of the Lancaster County Subdivision Resolution to allow for Solar Energy Conversion Systems and all necessary appurtenances within an outlot.
- E. County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.
- F. 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).

7) **ADJOURNMENT**

MOTION: Schorr moved and Yoakum seconded to adjourn the meeting at 9:33 a.m. Schorr, Amundson, Yoakum, Flowerday and Vest voted yes. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

