

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**COUNTY-CITY BUILDING, ROOM 112**  
**TUESDAY, AUGUST 25, 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 21, 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 9:02 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 18, 2020.**

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

**2) CLAIMS:**

- A. Approval of all claims processed through August 25, 2020.**

**MOTION:** Amundson moved and Yoakum 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. Authorizing and directing Sara Hoyle to correct nunc pro tunc a clerical error in County Contract C-20-0502 by interlineating "C-19-0409" in place of "C-19-0406". (C-20-0502)**
- B. Amendments on the following County contracts:**
- 1. C-16-0078 with Language Line Services, Inc., for Language Interpretation Services – Phone and Video. (Using the State of Nebraska Contract No. 48860 O4. The amendment extends the contract from August 1, 2020 through January 31, 2021. The estimated cost to the County is not to exceed \$1,000.) (C-20-0513)**

2. C-17-0737 with TLC Dry Cleaners for Annual Service – Uniform Cleaning (Quote 5681. The amendment renews the contract from September 12, 2020 through September 11, 2021. The cost to the County is not to exceed \$5,000.) (C-20-0516)
  3. C-14-0422 with Fish Window Company for Annual Requirements - Window Cleaning Services. (Bid No. 14-155. The amendment renews the contract from August 28, 2020 through August 27, 2021. The cost to the County is not to exceed \$3,000.) (C-20-0517)
  4. C-16-0249 with Midwest Medical Transport Company for Medical Transportation Services - Lancaster County Community Mental Health Crisis Center (Sole Source SS-35. The amendment renews the contract from May 31, 2020 through May 30, 2024. The cost to the County is not to exceed \$20,000 for the four-year renewal term.) (C-20-0518)
  5. C-18-0516 with Tyler Technologies, Inc., for Licensed Software – Softcode (Using the County of Imperial, California contract, MOU028. The amendment renews the contract from September 4, 2020 through September 3, 2021. The estimated cost to the County is not to exceed \$15,777.54.) (C-20-0530)
- C. Amendments to the following County contracts for Annual Repair Services for Construction and Purpose-Built Equipment. (Bid No. 18-167. The amendments renew the contracts from September 6, 2020 through September 5, 2021. The cost to the County is not to exceed \$500,000 for contracts.)
1. C-18-0510 with Acker Diesel Repair LLC. (C-20-0519)
  2. C-18-0511 with Brown Heavy Equipment, Inc. (C-20-0520)
  3. C-18-0549 with Johnson Diesel Repair. (C-20-0521)
  4. C-18-0495 with Hamilton Equipment Co. (C-20-0522)
  5. C-18-0582 with Murphy Tractor & Equipment Co. Inc. (C-20-0523)
  6. C-18-0536 with NMC, Inc. (C-20-0524)
  7. C-18-0537 with RDO Truck Center. (C-20-0525)
  8. C-18-0512 with Rose Equipment LLC. (C-20-0526)
  9. C-18-0497 with Truck Center Companies Lincoln. (C-20-0527)
  10. C-18-0496 with Titan Machinery Inc. (C-20-0528)
  11. C-18-0498 with Vermeer High Plains. (C-20-0529)
- D. Right-of-way contracts with the following:
1. Ronald and Myra Morrison, Southwest 100<sup>th</sup> Street and West Hallam Road, in the amount of \$1,243. (C-20-0531)
  2. Michael A. Wenzl, North 14<sup>th</sup> Street and West Waverly Road, in the total amount of \$6,759. (2 contracts) (C-20-0532) (C-20-0533)
- E. Change Order No. 1 to County Contract C-20-0398 with Straight-Line Striping, Inc., for an additional 3 miles of Pavement Markings at various locations (Project 20-17; Pavement Striping 2020 for a net increase of \$3,413.82). (C-20-0539)
- F. Change Order No. 2 to County Contract C-20-0282 with Pavers, Inc., for an overrun of Asphalt “SLX” (Project 20-11; Asphalt Paving and Resurfacing 2020 for a net increase of \$34,674.39). (C-20-0540)

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

**4) UNFINISHED BUSINESS:**

**A. Request for an exceptional circumstance award under Personnel Rule 17.14(d) for a \$500 award to Matt Anthony, Department of Corrections 2019 employee of the year.**

Brad Johnson, Lancaster County Department of Corrections Director, expressed his appreciation for Mr. Anthony. He noted Mr. Anthony is a training coach, which is an important position and the success of the Corrections Department is due to well trained employees.

Dan Nolte, Lancaster County Clerk, read the nomination into the record (Exhibit 1).

Schorr presented Officer Anthony with a plaque for his services. She noted the most important asset the County has is dedicated employees. Schorr said well trained officers keep the employees and inmates safe and that is the County's highest priority.

Flowerday said a good employee can make or break an entire shift and set the tone for a whole generation of officers. He noted this is an invaluable position. He thanked Mr. Anthony and the rest of the corrections staff for their service to the community.

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

**5) PUBLIC HEARING:**

**A. Lancaster County's Proposed Budget for Fiscal Year 2020-21. (See correlating item 6C) (To access budget documents please use the link provided -**

[https://lancaster.opengov.com/transparency#/36140/accountType=revenuesVersusExpenses&embed=n&breakdown=types&currentYearAmount=cumulative&currentYearPeriod=years&graph=bar&legendSort=desc&proration=true&saved\\_view=114405&selection=1B8A338809572F1EC28C636C8DCAE791&projections=null&projectionType=null&highlighting=null&highlightingVariance=null&year=2021&selectedDataSetIndex=null&fiscal\\_start=earliest&fiscal\\_end=latest](https://lancaster.opengov.com/transparency#/36140/accountType=revenuesVersusExpenses&embed=n&breakdown=types&currentYearAmount=cumulative&currentYearPeriod=years&graph=bar&legendSort=desc&proration=true&saved_view=114405&selection=1B8A338809572F1EC28C636C8DCAE791&projections=null&projectionType=null&highlighting=null&highlightingVariance=null&year=2021&selectedDataSetIndex=null&fiscal_start=earliest&fiscal_end=latest) )

Dennis Meyer, Budget and Fiscal Director, was administered the oath and gave an overview of budget documents presented (Exhibit 2). He noted the proposed budget was submitted in July, 2020 and there have been very few changes since that time. Expenditures were \$11,000,000 more than revenues. To help offset that amount, Meyer discussed the increase in expenditures, adjustments of the cash reserve, decreases in revenue and the fund balance. He noted the Board denied 12 new position requests, the amount transferred to the County Engineering Department was reduced from the previous year and each department was asked to give back approximately 1% of their initial request. Due to these changes, expenditures are being reduced by over \$6,000,000 and revenues were increased by \$3,000,000. There will be an additional \$32,000 due to an increase in property valuations.

Christopher Prosch, LIBA (Lincoln Independent Business Association) Public Policy Director, was administered the oath and provided comments regarding the budget (Exhibit 3).

Larry Hudkins, Lancaster County Farm Bureau, was administered the oath and discussed the Lancaster Event Center levy (Exhibit 4).

Pam Dingman, Lancaster County Engineer, was administered the oath and discussed her concern for the lack of funding the Engineering Department is receiving (Exhibit 4).

The Chair closed the public hearing.

**6) NEW BUSINESS:**

**A. Resolution in the matter of final allocation of levy authority to all political subdivisions subject to Lancaster County levy authority. (R-20-0046)**

Meyer said with the adoption of this resolution, Lancaster County is within the allowable .15 cents. The dollar amounts will then be sent out to the political subdivisions so they have the ability to finalize their own budgets.

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

**B. Resolution in the matter of exceeding the budgeted restricted funds limit for the 2019-20 fiscal year by an additional one percent. (R-20-0047)**

Meyer said this resolution is regarding the addition 1% for the lid calculation. This will not drive the property tax amount as that has already been determined but will allow the County to increase the base amount if needed in the future.

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

**C. Resolution in the matter of approving the Lancaster County budget for fiscal year 2020-21. (R-20-0048)**

Meyer said Attachment A within the resolution is setup to increase property taxes by \$32,000 and reduce COVID-19 reimbursements. Expenditures will remain the same.

**MOTION:** Vest moved and Yoakum seconded approval of the resolution.

Schorr said Mr. Meyer has made the budget process transparent for the residents of Lancaster County and thanked him for his efforts.

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

**D. Resolution accepting Brent Meyers' bid in the amount of \$106,000 for the property generally located at 300 Tyler Street, Bennet, Lancaster County. (R-20-0049)**

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

Dingman said Mr. Meyers was the highest bidder at the auction. This also came in higher than the appraisal amount.

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

**E. Resolution in the matter of instituting eminent domain proceedings against Phillip R. Pfeifer, Tract No. 2 (County Project CP-B-187, on North 70th and Branched Oak Road). (R-20-0050)**

Dingman appeared with Alex Olson, County Engineering Right-of-way Manager and said this pipe has been built however, the erosion control on both sides has not been complete as the Engineering Department is having a difficult time coming to an agreement with the landowner. An appraisal of the property was entered into the record (Exhibit 6)

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

**F. Agreement with JEO for Survey Environmental, H&H Analysis, Design, Plan Preparation and Permitting Services of Lancaster County Bridge X-129. The Engineer shall**

**commence said work upon notice to proceed and complete all work on or before February 11, 2021. The cost to the County shall not exceed \$128,030. (C-20-0534)**

Dingman said this bridge is located on Stagecoach Road (Exhibit 7) near a recreation area and part of the structure is failing. This agreement will allow the engineering process to begin with hopes of building the bridge next year. Bridge X-129 is also located on a paved road which meets the criteria to make this a priority.

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

Schorr asked if funds were allocated in the budget for this project. Dingman said construction for this bridge was cut from the budget, but this agreement is only for the engineering process and hopefully there will be funds in the future to construct the bridge.

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

**G. Federal Equitable Sharing Agreement and Annual Certification Report for the Lancaster County Sheriff's Office regarding equitable sharing activity of drug forfeiture funds for the fiscal year ending June 30, 2020. (C-20-0535)**

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

**H. 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, 2020. (C-20-0536)**

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

**I. Ratification of the Interlocal Agreement with the City of Lincoln on the 2020 Byrne Justice Assistance Grant (JAG) Program Award. (C-20-0537)**

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

**J. Nebraska Crime Commission Sub-Recipient Audit Acknowledgement for fiscal year 2019-2020.**

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

**K. Special Conditions for the 2020 Justice Assistance Grant – Lancaster County Diverting the School to Prison Pipeline in the amount of \$160,813 for the time period of July 1, 2020 to June 30, 2021. (C-20-0538)**

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

**7) UPDATE ON COVID-19 AND LANCASTER COUNTY RESPONSE:**

Flowerday said Lancaster County has moved back into the yellow. There has been a drop in Lancaster County cases and he encouraged others to continue all precautions.

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

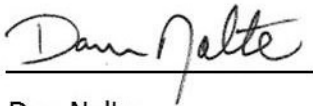
No one appeared for public comment.

9) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a special staff meeting on Tuesday, August 25, 2020 immediately following the regular meeting in Room 112 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln).
- B. The Lancaster County Board of Commissioners will hold a Legislative Retreat on Thursday, August 27, 2020 at 8:30 a.m., in Sheriff Training Rooms B and C of the Hall of Justice (575 S. 10th Street, Lincoln).
- C. The Lancaster County Board of Commissioners will hold its next regular meeting on Tuesday, September 1, 2020 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln) with the Board of Equalization immediately following.
- 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 City. For the rebroadcast schedule visit [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: LNKTV). Meetings are also streamed live on LNKTV and can be viewed on YouTube (LNKTVcity).

10) **ADJOURNMENT**

**MOTION:** Schorr moved and Amundson seconded to adjourn the Lancaster County Board of Commissioners meeting at 9:52 a.m. Amundson, Yoakum, Vest, Schorr and Flowerday voted yes. Motion carried 5-0.



Dan Nolte  
Lancaster County Clerk

