

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 6, 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 September 2, 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; John Ward, Deputy County Attorney; Dan Nolte, County Clerk; Leslie Brestel and Meggan Reppert-Funke, County Clerk's Office

The meeting was called to order at 9:00 a.m., and the location of the Nebraska Open Meetings Act was announced.

1) MINUTES

A. Approval of the minutes of the Federal Legislative Summit meeting held August 25, 2022.

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

B. Approval of the minutes of the Board of Commissioners meeting held on August 25, 2022.

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

2) CLAIMS

A. Approval of the claims processed through August 23, 2022.

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

B. Approval of a claim to Clyde Malone Community Center in the amount of \$5,940. (Batch No. 284217, Document No.776687)

MOTION: Vest moved and Amundson seconded approval of the claim. Amundson, Flowerday, Vest and Schorr voted yes. Yoakum abstained as her spouse serves on the Malone Center board. Motion carried 4-0 with one abstention.

C. Approval of a claim to Clyde Malone Community Center in the amount of \$6,669.11. (Batch No. 284416, Document No.776944-945)

MOTION: Vest moved and Amundson seconded approval of the claim. Vest, Amundson, Flowerday and Schorr voted yes. Yoakum abstained as her spouse serves on the Malone Center board. Motion carried 4-0 with one abstention.

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

1. Matt Talbot Kitchen & Outreach dated August 23, 2022, for a total of \$12,500. (Batch No. 284214; Document No. 776682)
2. Executive Answering Services August 25, 2022, for a total of \$189.30. (Batch No. 284338; Document No. 776877-776880)

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

3) **SPECIAL PRESENTATION**

A. Commissioners' Award of Excellence for May 2022 to Agustin Vidal, Corrections, in the category of Safety.

The Clerk read the nomination into the record.

Brad Johnson, Lancaster County Corrections Director, stated Vidal was aware of the security needs of the Corrections facility and appreciative of his actions.

The Board thanked Vidal for his service, awareness and quick response. Flowerday presented Vidal with a plaque.

4) **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-18-0381 to add Washington County, Nebraska to the original Agreement that created the Lower Platte Weed Management Area to address noxious and invasive plant problems in the Lower Platte River drainage area. (C-22-0669)
2. C-18-0501 with Bob and Don's Plumbing, for annual requirements of backflow preventers (Excludes Fire BP's.) (Quote No. 5886. The amendment extends the contract through November 30, 2022. The cost to the County shall not exceed \$2,000.) (C-22-0676)
3. C-18-0548 with Garcia-Chicoine Enterprises, Inc. for on-call guardrail repair and replacement Services. (MOU033. The amendment renews for a one (1) year term beginning September 1, 2022 through August 31, 2023. The cost to the County will not exceed \$30,00.) (C-22-0668)
4. C-19-0108 with CivicPlus, LLC, for Lancaster County website design, logo design, and hosting services. (RFP No. 18-199. The amendment adds additional services. The cost to the County shall not exceed \$5,835.96 with the revised contract total of \$167,693.96.) (C-22-0677)
5. C-21-0611 with TLC Dry Cleaners for annual service for laundering uniforms (County Sheriff & County Corrections). (Quote No. 6400. The amendment renews for an additional one (1) year term beginning September 12, 2022 through September 11, 2023. The cost to the County shall not exceed \$6,300.) (C-22-0681)
6. C-21-0824 with Maxwell Products, Inc. for annual supply of asphaltic joint sealant. (Bid No. 21-207. The amendment amends the contract to reflect a price increase. The expenditures for the County will increase by \$4,542 for the remainder of this Contract term with the revised total price increase will be \$64,542.) (C-22-0680)
7. C-17-0812 with Ron Turley Associates, Inc., to renew the Contract for RTA Fleet Management Software, (SS-61, the amendment renews the contract from September 1, 2022 through August 31, 2023. The estimated cost to the County shall not to exceed \$7,667.21.) (C-22-0690)

8. C-22-0288 with JEO Consulting Group for engineering services related to Lancaster County Bridge E-38, to add additional design and plan preparation services. (The additional costs to the County shall not exceed \$42,580.) (C-22-0692)
9. C-22-0494 with Midwest Mechanical Contractors of Nebraska to extend the contract term for 30 days. (There is no additional cost to the County.) (C-22-0693)
10. C-20-0196 with subsidiaries of Enterprise Holdings, Inc., as set forth on Schedule 1 of the Master Agreement for nationwide car rental, (using the State of Oregon, NASPO ValuePoint Master Agreement No. 9408 MOU045. The amendment renews the contract from September 16, 2022 through September 15, 2023. The estimated cost to the County shall not to exceed \$15,000.) (C-22-0698)

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

1. James D. & Torie S. Oldfield, North 56th Street and Branched Oak Road, in the amount of \$703. (Project 22-23 / B-189) (C-22-0671)
2. Triple K. Plautz Agribusiness LLC, Northwest 112th Street and West Holdrege Street, in the amount of \$1,043. (Project 22-23 / M-256) (C-22-0672)
3. Michael D. & Michelle L. Gerdes, Northwest 40th Street and West Little Salt Road, in the amount of \$771. (Project 22-23 / C-114) (C-22-0674)
4. Arva M. Umland, Trustee of the Hulda K.M. Trautner Trust, South 176th Street and Wittstruck Road, in the amount of \$272. (Project 22-21 / R-24) (C-22-0684)
5. Mary M. Hasselbalch, Northwest 140th Street and West Mill Road, in the amount of \$2,147. (Project 23-20 / E-222) (C-22-0694)

C. Change Order No. 2 to County Contract C-22-0228 with JJK Construction, LLC for a project overrun. (Project No. 21-52; Bid No. 22-067 in an amount not to exceed \$4,366.43.) (C-22-0673)

D. Change Order No. 3 to County Contract C-22-0216 with Constructors Inc., for project overruns and underruns. (Bid No. 22-047; Project No. 21-09. The increased amount shall not exceed \$33,908.64.) (C-22-0688)

E. Official bond of Mark Lakamp, County Veterans Service Officer.

F. Received and placed on file the following reports:

1. Clerk of the District Court (August 2022)
2. Assessor/Register of Deeds (August 2022)

G. Setting a public hearing on Tuesday, September 20, 2022 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) regarding amendments to the following: Article 1, Section 6 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards (LLCAPCPRS), Section XI of Resolution No. R-20-0055, Lancaster County Air Pollution Control Resolution No. R-20-0056, Section XIII of Resolution No. R-20-0057, and Sections VI, XV, and XXIX of Resolution No. R-20-0053.

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

5) PUBLIC HEARING

A. Adoption of the Lancaster County zoning and subdivision fee schedules. (See correlating item 6A)

The Chair opened the public hearing.

David Cary, Lincoln-Lancaster County Planning Department Director, was administered the oath. He stated there was a clerical error and the City's fee schedule was attached as Exhibit A of the resolution. Cary

provided the County's fee schedule as an amended Exhibit A (Exhibit 1). He said the proposed 5% increase for each fiscal year the City and the County. Cary added the Lincoln City Council adopted the new increase on August 22, 2022.

John Ward, Deputy County Attorney, was administered the oath. He stated the substituted exhibit does not change the meaning of the resolution or violate of the Open Meetings Act. Ward recommended approval the of County zoning and subdivision fee schedules with the amended Exhibit A presented by Cary.

No one appeared to testify in opposition or in a neutral position.

The Chair closed the public hearing.

The Board moved to Item 6A.

B. Amendment of the Lancaster County General Assistance Guidelines. (See correlating item 6B)

The Chair opened the public hearing.

Sara Hoyle, Human Services Administrator, was administered the oath. She stated every two years there is a requirement to update the General Assistance Guidelines. The updates include the poverty guidelines established by Health and Human Services and the fair market value on rent established by Department of Housing and Urban Development (HUD).

No one appeared to testify in opposition or in a neutral position.

The Chair closed the public hearing.

6) NEW BUSINESS:

A. Resolution regarding the adoption of the Lancaster County zoning and subdivision fee schedules attached as Exhibit A. (R-22-0070)

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

B. Amendment of the Lancaster County General Assistance Guidelines.

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

C. Special Designated License application from Foundation For Knowledge, District OR-1 for an event at Prairie Creek Inn, 2400 South 148th Street Walton, Nebraska, on October 1, 2022.

Melanie Cheney, Secretary-Treasurer of the Foundation For Knowledge, provided information about the event.

When Schorr inquired what licensed liquor provider was Foundation For Knowledge using, Cheney stated Doorstep Diner Catering in Lincoln Nebraska.

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

D. Recommendation from the Southeast Nebraska Development District (SENDD) to award a contract through the Lancaster County Owner Occupied Rehabilitation Housing Program (20-HO-001-LCRF) for Project #005 to Groundworks in the amount of \$3,351.36 to lift, level and poly concrete pad and driveway.

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

- E. Agreement with Dentons Davis Brown PC to provide professional legal services to Lancaster County. (C-22-0696)

Dan Zieg, Chief Deputy County Attorney, stated this agreement is to provide legal services for the broadband project.

Schorr inquired if legal fees were included with the American Rescue Plan Act (ARPA) funds. Zieg answered the County Attorney's Office is looking into this matter. Dave Derbin, Chief Administrative Officer, stated outside legal counsel has been budgeted for in the broadband project.

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

- F. 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, 2022. (C-22-0670)

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

- G. Recommendation from the Purchasing Agent and County Sheriff Department to award and execute a purchase order to Sid Dillon Ford for six (6) each Ford Police Interceptor Utility Vehicles in the amount of \$258,180. (Bid No. 22-188) (C-22-0679)

Captain Jon Vik, Sheriff's Office, stated the contract is for the annual purchase of cruisers for the County Sheriff's Office.

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

NOTE: Schorr exited the meeting at 9:27 a.m.

- H. Recommendation from the Purchasing Agent and Lancaster County Youth Service Center to award and execute a purchase order to Safeware for a full body scanner in the amount of \$165,867.37. (Quote No. 1893329 and Omnia Contract No. 4400008468.) (C-22-0685)

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

- I. Agreement with the State of Nebraska, Department of Education for the National School Lunch Program and related programs at the Lancaster County Youth Services Center. (C-22-0691)

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

- J. Cooperative agreement with the U.S. Department of the Interior U.S. Geological Survey for joint funding of water resources investigations. The agreement is for the operation and computation of records for four stream flow gaging stations, which are Salt Creek, Little Salt Creek near Lincoln, Stevens Creek near Lincoln, and Rock Creek near Ceresco. The County will pay \$13,730 for the services. (The term of the agreement is October 1, 2022, through September 30, 2023.) (C-22-0700)

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

- K. Lease Agreement between Lancaster County as lessee and the City of Lincoln Transportation and Utilities as lessor for office space and facilities for Adult Probation located at 901 West Bond Street in Lincoln, Nebraska. The cost to the County is \$80,150. (The lease term is September 1, 2022, through August 31, 2023.) (C-22-0675)

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

- L. Licensure renewal application with the Nebraska Department of Health and Human Services for operation of the Lancaster County Mental Health Crisis Center. (The County will pay \$250 for the renewal licensure.)

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

- M. Agreement with Tamara Jo Dirks, MS, LMHP, CPC, LADC to provide drug and alcohol abuse and mental health counseling services at the Lancaster County Mental Health Crisis Center. Compensation will be \$90.00 per evaluation completed and \$35 per hour for services other than evaluations. (C-22-0667)

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

- N. Network Provider Contract with the Regional Behavioral Mental Health Services at the Mental Health Crisis Center. The County shall be reimbursed up to \$1,241,397 for the services. (The term of the agreement is July 1, 2022 through June 30, 2023.) (C-22-0689)

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

- O. Agreement with National Safety Council, Nebraska (“NSCN”) for use of NSCN’s computer-based learning course for its online defensive driving course. The cost to the County shall not exceed \$63,700. (C-22-0687)

Kim Etherton, Community Corrections Director, stated the agreement for 3,500 courses more can be purchased at cost if needed.

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

- P. Agreement with Elizabeth Kester for the provision of psycho-educational class instruction to participants in the Lancaster County Community Corrections Program. The cost to the County shall not exceed \$13,000. (C-22-0686)

Etherton stated the contract provides psycho-educational classes for the Pretrial Diversion Program.

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

- Q. Grant award #23-EB-0623 with the Nebraska Crime Commission for funding in the amount of \$191,035. (C-22-0678)

Sara Hoyle, Human Services Administrator, stated the grant is purpose is to fund two crisis therapists at CEDARS, the After School Program at Lincoln High School and a statewide Juvenile Justice Conference.

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

- R. Road Maintenance Agreement with Gana Trucking & Excavating, Inc. in the matter of soil excavation at North 112th Street and Havelock Avenue. (Soil excavation Special Permit No. 19032A.) (C-22-0682)

John Berry, County Engineering Chief Deputy Surveyor, stated Items R and S are requirements for Gana Trucking & Excavating to renew their special permits.

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

- S. Road Maintenance Agreement with Gana Trucking & Excavation, Inc. in the matter of soil excavation at South 68th Street and Saltillo Road. (Soil excavation Special Permit No. 16004B.) (C-22-0683)

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

- T. Agreement with JEO Consulting Group, Inc. for on-call wetland delineation, permitting, and related services at County construction sites. The cost to the County shall not exceed \$30,000. (C-22-0699)

Pam Dingman, County Engineer, stated this is the annual agreement for wetland permitting.

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

- U. Agreement with Alfred Benesch & Company for professional engineering services related to the replacement of County Bridge F-181. Cost to the County shall not exceed \$183,194.50. (C-22-0697)

Dingman presented a map to show the location of bridges F-181 (Item U) and S-59 (Item V). Both bridges are rated poor (Exhibit 2).

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

- V. Agreement with The Schemmer Associates, Inc. for professional engineering services related to the replacement of County Bridge S-59. The cost to the County shall not to exceed \$107,128. (C-22-0695)

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

- W. Recommendation from the Personnel Policy Board to do the following:

- 1. Create County Rules:

- a. Rule 17.26 – Referral Pilot Program
- b. Rule 17.24 – Education Loan Forgiveness

Barb McIntyre, Human Resources Director, provided information on the referral pilot program. McIntyre added the Education Loan Forgiveness program will include the Mental Health Crisis Center (MHCC) psychologist.

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

- X. Recommendation from the Personnel Policy Board to amend the Workplace Response to Covid-19 Human Resource Policy Bulletin

McIntyre stated the recommendation addresses the workplace response as it pertains to corrections and Juvenile Detention settings the CDC guidelines in response to covid-19 to make masks optional.

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

- 7) **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.

8) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Tuesday, September 6, 2022 immediately following the Board of Equalization meeting in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).
- B. The Lancaster County Board of Commissioners will not hold a staff meeting on Thursday, September 8, 2022, due to the NACO Southeast District meeting.
- C. The following meetings will be held on Tuesday, September 13, 2022, at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).
 - 1. Lancaster County Board of Commissioners regular meeting at 9:00 a.m.
 - 2. Lancaster County Board of Commissioners staff meeting immediately following the Board of Commissioners regular meeting.
- D. The Lancaster County Board of Commissioners will hold a public hearing on Tuesday, September 13, 2022, at 9:00 a.m., in Room 112 of the County-City Building (55 S. 10th Street, Lincoln) regarding amending the one & Six-Year Road and Bridge Construction Program.
- E. The Lancaster County Board of Commissioners will attend the Broadband meeting Wednesday, September 14, 2022, at 4:30 p.m., at the Firth Community Center (311 Nemaha, Firth, Nebraska).
- F. County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.
- G. The Lancaster County Board of Commissioners meeting is broadcast live on LNKTv, the City government access channel. LNKTv is available on Allo channel 2, and Spectrum channel 1300. For the rebroadcast schedule visit lincoln.ne.gov (keyword: LNKTv). Meetings are also streamed live on LNKTv.lincoln.ne.gov, [YouTube.com/LNKTvcity](https://www.youtube.com/LNKTvcity) and [Facebook.com/lincolnnebraska](https://www.facebook.com/lincolnnebraska). In addition, LNKTv apps are available on Roku, Apple TV and Amazon Fire TV.

9) **ADJOURNMENT**

MOTION: Vest moved and Amundson seconded to adjourn at 9:42 a.m. Amundson, Flowerday, Vest and Yoakum voted yes. Schorr was absent. Motion carried 4-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk

