

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, SEPTEMBER 8, 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 September 4, 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, Cori Beattie, Deputy County Clerk; and Monét McCullen, County Clerk's Office

The meeting was called to order at 9:03 a.m.,

Flowerday said Investigator Mario Herrera served our community with dignity, honor and leadership. He will be remembered as a father, friend and a veteran officer and his passing is a tragedy to the community. A moment of silence was held in his honor.

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, September 1, 2020.**

MOTION: Vest moved and Schorr 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 September 8, 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. **Utility Permits with no cost to the County for the following:**
 - 1. **No. 2027 allowing Windstream Nebraska to install a new communication line for the replacement of County Structure M-164. (C-20-0558)**
 - 2. **No. 2015 allowing Northern Natural Gas to expose and fix a gas line under Princeton Road (half mile west of Highway 43). (C-20-0559)**

- B. **Right-of-way contract with Ava Lynne Cherry O'Rourke (1/2 interest); John Ivins and Judith E. Cherry (1/2 interest), South 120th Street and Martell Road, in the amount of \$5,055. (C-20-0566)**

- C. **Right-of-way contracts at North 14th Street and Bluff Road with the following:**
 - 1. **Kevin A. Christensen in the amount of \$195. (C-20-0560)**
 - 2. **Oak Bluff, LLC; Larry D. Pope in the amount of \$2,778. (C-20-0561)**
 - 3. **Tyler and Lisa Jamison in the amount of \$1,735. (C-20-0562)**
 - 4. **Lyman Merrill Cook Revocable Trust in the total amount of \$2,832. (2 contracts) (C-20-0563, C-20-0564)**
 - 5. **Ruth L. Clark in the amount of \$2,911. (C-20-0565)**

- D. **Received and placed on file the following reports for August, 2020.**
 - 1. **Clerk of the District Court.**
 - 2. **Assessor/Register of Deeds.**
 - 3. **Records and Information Management.**
 - 4. **County Clerk.**

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

4) PUBLIC HEARINGS:

- A. **Health Department amendments regarding the following:**
 - 1. **Sections VI, XV and XXIX of County Resolution R-18-0060. (See correlating item 5A)**
 - 2. **Article 1, Section 6 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards (LLCAPCPRS) (See correlating item 5B)**
 - 3. **Section XI of County Resolution R-18-0062. (See correlating item 5C)**
 - 4. **Lancaster County Air Pollution Control Resolution R-18-0061. (See correlating item 5D)**
 - 5. **Section XIII of County Resolution R-18-0059. (See correlating item 5E)**

No one appeared in support, opposition or in the neutral position.

The Chair closed the public hearing.

5) NEW BUSINESS:

- A. **Resolution in the matter of amending Sections VI, XV and XXIX of County Resolution R-18-0060, Regulations for the Operation of Body Art and Piercing Establishments in Lancaster County, Nebraska, as provided in Attachment A. (R-20-0053)**

MOTION: Schorr 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 amending Article 1, Section 6, of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards. (R-20-0054)

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

C. Resolution in the matter of amending Section XI of County Resolution R-18-0062, Procedures for the Inspection of On-Site Water Supply Systems and On-Site Wastewater Treatment Systems Prior to Sale, Transfer or Conveyance of Property in Lancaster County, Nebraska, as provided in Attachment A. (R-20-0055)

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

D. Resolution in the matter of amending the Lancaster County Air Pollution Control Resolution R-18-0061, to increase the fee for open burning permits, as provided in Attachment A. (R-20-0056)

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

E. Resolution in the matter of amending Section XIII of County Resolution R-18-0059, Procedures for the Regulation of On-Site Wastewater Treatment Systems in Lancaster County, Nebraska, as provided in Attachment A. (R-20-0057)

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

F. Resolution authorizing the installation of traffic control devices in Lancaster County. (R-20-0058)

Pam Dingman, Lancaster County Engineer, said South 82nd Street opened with a portion of the road paved. The South Beltway construction begins at the north end of South 82nd Street. There is an issue with excessive speeding and controlling the transition from the paved road entering onto the gravel road. This request is to lower the speed limit in the area. Dingman referenced Attachment A within the resolution.

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

G. Contract with Van Kirk Brothers Contracting for the replacement of County Bridges R-210, R-248 and Y-181 (Project 20-01; Bid 20-131). The work shall be completed on or before October 15, 2021. The cost to the County is \$763,571.65. (C-20-0556)

Dingman said Bridges R-210, R-248 and Y-181 are currently closed and are all located in the southeast quadrant of the County. This contract is in conjunction with Saline County using a grant under the Bridge Match Program. The plan is to get these constructed during the winter of 2020.

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

- H. **Professional Services Supplemental Agreement to County Contract C-18-0721 with Felsburg Holt & Ullevig for roadway lighting tasks to be added (Project 16-17 Saltillo Road - South 27th Street to South 68th Street). The total cost is not to exceed \$13,000 without prior written approval. (C-20-0567)**

Dingman said this supplemental agreement is to add lighting to some of the intersections on Saltillo Road after all improvements are complete. It is difficult to scope where lights will be needed prior to paving.

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

- I. **Special Designated License application from Seven Diamonds LLC (Talon Room) for an event on September 26, 2020 at Hillside Event Center, 12400 West Denton Road, Denton.**

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

- J. **Nebraska Crime Commission Signature Authorization Form for the Lancaster County Coronavirus Emergency Supplemental Funding.**

MOTION: Yoakum moved and Vest seconded approval of the Nebraska Crime Commission signature authorization form. Schorr, Amundson, Yoakum, Vest and Flowerday voted yes. Motion carried 5-0.

- K. **Interlocal agreements for the safekeeping, care and sustenance of pre-adjudicated juveniles at the Youth Services Center. Lancaster County will be reimbursed by the following counties at the rate of \$300 per juvenile per day:**

1. **Scotts Bluff (C-20-0568)**
2. **Pawnee (C-20-0569)**
3. **Merrick (C-20-0570)**
4. **Kearney (C-20-0571)**
5. **Jefferson (C-20-0572)**
6. **Howard (C-20-0573)**
7. **Valley (C-20-0574)**
8. **Dawson (C-20-0575)**
9. **Frontier (C-20-0576)**

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

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

Flowerday expressed his concern with the rise in the positive COVID-19 cases with the jails and the community.

- 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 Thursday, September 10, 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, September 15, 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 LNKTV City. For the rebroadcast schedule visit lincoln.ne.gov (keyword: LNKTV). Meetings are also streamed live on LNKTV and can be viewed on YouTube (LNKTVcity).

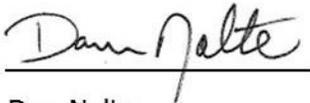
9) **ADJOURNMENT**

MOTION: Schorr moved and Amundson seconded to adjourn the Lancaster County Board of Commissioners meeting at 9:22 a.m.

Flowerday offered the Commissioners a moment to make a statement on the record regarding Investigator Herrera.

Amundson said Investigator Herrera displayed leadership, dedication and public service within his career. His passing is tragic and expressed her sympathy to his family.

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



Dan Nolte
Lancaster County Clerk

