

**MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY SEPTEMBER 12, 2023, AT 9:00 AM
COUNTY-CITY BUILDING, ROOM 112**

**COMMISSIONERS: Christa Yoakum, Chair; Sean Flowerday, Vice Chair;
Roma Amundson, Matt Schulte 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 8, 2023.

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

Others present: David Derbin, Chief Administrative Officer; Kristy Bauer, Deputy Chief Administrative Officer; John Ward, Deputy County Attorneys; Matt Hansen, County Clerk; and Meggan Reppert-Funke, County Clerk's Office

Yoakum called the meeting to order at 9:01 a.m. and announced the location of the Nebraska Open Meetings Act.

1) MINUTES

A. Approval of the minutes of the Board of Commissioners meeting held on September 5, 2023.

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

2) CLAIMS

A. Approval of the claims processed through September 12, 2023.

The Clerk noted there was an amendment to the payroll claim (Exhibit 1).

MOTION: Vest moved and Schulte seconded approval of the claims as amended. Flowerday, Vest, Amundson, Schulte and Yoakum 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. Amendment to the following County Contracts:

1. C-20-0232 with Uretek USA Inc for soil stabilization for County Engineering. (Expenditures will increase by \$200,000 for the remainder of the term with a revised total of \$400,000.) (C-23-0691)
2. C-20-0634 with BJ's Fleet Wash LLC and C-20-0635 with JetSplash Full Service Car Wash for the annual services of vehicle washes and related services. (Quote 6273. The amendment renews the contract from September 17, 2023, through September 16, 2024. The cost to the County is not to exceed \$2,500.) (C-23-0732) (C-23-0733)

3. C-23-0452 with Godfrey's Tactical Supply for the annual supply of sheriff uniform clothing and accessories. (Quote 6596. The amendment changes the company name from Godfrey's Tactical Supply to Godfrey's Indoor Shooting and Archery Ranges LLC. The cost to the County will not change.) (C-23-0734)
- B. Right-of-way contract with Larry Moormeier, Pella Road and South 54th Street, in the amount of \$1,942.50 (Project 23-21 / X-045) (C-23-0728)
- C. Grant contract with Asian Community & Cultural Center for the Serving Immigrant & Refugee Youth program in the amount of \$50,000. (The contract is funded by the Nebraska Commission on Law Enforcement and Criminal Justice Community-based Juvenile Services Aid Grant. The term of the contract is January 1, 2023, through June 30, 2024.) (C-23-0735)
- D. Received and placed on file the following reports:
 1. Election Commissioner's report on the all-mail special election conducted for the Firth Rural Fire Protection District on August 15, 2023
 2. Records & Information Management (August 2023)

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

4) NEW BUSINESS

- A. Proclaiming September 17-23, 2023, as Constitution Week in Lancaster County, Nebraska.

Yoakum noted the Board received the proclamation from the Daughters of the American Revolution. The Clerk read the proclamation (see agenda packet).

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

- B. Resolution setting a public hearing regarding the vacation of a portion of Branched Oak Road between North 27th Street and North 40th Street, more particularly described in Exhibit "A," and located in Lancaster County, Nebraska. (R-23-0069)

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

- C. Resolution and amendment to County Contract C-74-3162 with Apace. The amendment reflects the name change of Region V Community Human Services Program to Apace. (R-23-0071)

Michelle Scholtz, Chief of Staff at Region V Services, provided an update on the name change of Region V Services to Apace. She provided a handout with information on the name change (Exhibit 2). Yesterday, the governing board of Region V Services voted to approve the name change. She requested the Board vote to approve the name change.

Yoakum and Amundson commended the new name.

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

- D. Resolution in the matter of terminating Human Resources Policy Bulletin No. 2022-2, Workplace Response to Covid-19 Policy. (R-23-0070)

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

Barb McIntyre, Human Resources Director, stated the resolution ends the County's Covid-19 policy, and Covid-19 will be treated similarly to other communicable diseases.

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

- E. Request for an Exceptional Circumstance Award under Personnel Rule 17.9 (b) for Michael Becker, Community Corrections, for a \$500 award.

Jeff Kilpatrick, Community Corrections Director, stated he submitted the award to recognize Becker's hard work during a staff shortage.

MOTION: Flowerday moved and Amundson seconded approval of the award.

Vest noted the importance of recognizing those who step forward during a staff shortage. Amundson and Yoakum agreed.

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

- F. Request for an Exceptional Circumstance Award under Personnel Rule 17.9 (b) for Kristin Larson, Community Corrections, for a one-step pay increase.

Kilpatrick stated Community Corrections has received very few applications for the clinician position and Larson has worked to cover the staff shortage.

MOTION: Vest moved and Flowerday seconded approval of the award.

Schulte asked if the award was for the employee who currently fills one of the positions, and Kilpatrick answered yes. Vest commended Larson for her work.

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

- G. Appointment of Brad Johnson as Interim Director of the Youth Services Center and as Facility Administrator for purposes of developing and maintaining policies and procedures for the Youth Services Center, rescinding all prior appointments as Facility Administrator, effective September 12, 2023. (These appointments shall expire upon appointment of a permanent Youth Services Center Director.)

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

- H. Contract with the Administrative Office of Probation for the provision of detention services for juveniles at the Lancaster County Youth Services Center. The new per diem rate of \$334 per juvenile is effective July 1, 2023. (C-23-0729)

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

- I. Agreement with Cazares Counseling LLC to provide substance abuse evaluations and educational sessions to inmates at the Lancaster County Department of Corrections. The cost to the County shall not exceed \$27,660. (C-23-0736)

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

Vest asked if the contract was a new contract or if it was a renewal. Derbin clarified it was a new provider for the same services provided.

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

J. Recommendations from the Personnel Policy Board:

1. Revise the classification of Jail Administrator (C27)
2. Request to create the Workplace Weapons Human Resources Policy Bulletin
3. Request to amend the Workplace Violence Prevention Human Resources Policy Bulletin

McIntyre stated the class description changes to the Jail Administrator position were small and mostly clarified wording and added responsibilities to the position.

The new policy bulletins are changes due to the passage of LB77 this year. The new policy bulletins clarify County policies on weapons in the workplace, including policies when employees or volunteers are at worksites other than their designated offices. The Human Resources Department worked closely with the Public Building Commission to create the policies.

Schulte stated there seemed to be a shift in the Workplace Violence Prevention Human Resources Policy Bulletin from department personnel to Human Resources personnel for who handles investigations.

McIntyre reviewed proposed changes to the Workplace Violence Prevention Human Resources Policy Bulletin, including clarification on use of force in the course of an employee's job, removing references to weapons, broadening of reporting options, inclusion of social media and messaging threats, clarification of personnel involved in investigations and clarification of law enforcement involvement and personnel actions.

Schulte asked if department leadership would be excluded in investigations. Derbin stated the language change was not a substantive change to how investigations are currently handled.

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

- K.** Recommendation from the Southeast Nebraska Development District (SEND) to award a contract through the Lancaster County Owner Occupied Rehabilitation Housing Program (20-HO-001-LCRF) for Project 013 to Crewline Exteriors in the amount of \$21,700 to remove and replace six windows, enclose home with vinyl siding, install soffit and fascia aluminum metal wrap and install new gutters.

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

Ryan Bauman, Southeast Nebraska Development District Housing Coordinator, discussed the project and project bids. He reviewed the benefits the project will provide the homeowner. He noted material and labor costs have started to decrease. Board members commended Bauman for his work on the project.

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

- L.** Contracts with the following to provide annual services for the County snow removal and truck mounted plow services. The cost to the County is not to exceed \$65,600 for all contracts. (Bid 23-171. The contracts shall be effective August 1, 2023, through July 31, 2024.)
1. K2 Real Estate Development dba K2 Construction (C-23-0730)
 2. Jake's Odd Jobs (C-23-0731)

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

M. Adoption of the 2024 Lancaster County Legislative Priorities.

MOTION: Vest moved and Amundson seconded approval of the legislative priorities but amended to remove the provision on amusement licenses. Amundson, Schulte, Flowerday, Vest and Yoakum voted yes. Motion carried 5-0.

N. Agreement with Baylor Evnen PC to provide professional legal services to Lancaster County.
(C-23-0738)

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

Schulte noted the cost of the contract and stated he did not support extending the contract. He said the County's Human Resources Department should be handling the project.

ROLL CALL: Vest, Amundson, Flowerday and Yoakum voted yes. Schulte voted no. Motion carried 4-1.

Flowerday left the meeting at 9:33 a.m.

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

Penny Stephens, Lancaster County resident, expressed concerns with electronic voting machines and voting software.

Ken Anderson, Douglas County resident, expressed concerns with electronic voting machines and voting software.

6) ANNOUNCEMENTS

A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, September 14, 2023, 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 the following meetings on Tuesday, September 19, 2023, at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).

1. Regular meeting
2. Public Hearing regarding Comprehensive Plan Amendment 23009 to amend the 2050 Lincoln-Lancaster County Comprehensive Plan by adopting the Local Food System Plan.
3. Board of Equalization

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 (LNKTv.lincoln.ne.gov). 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 YouTube and Facebook ([YouTube.com/LNKTvcity](https://www.youtube.com/LNKTvcity) and [Facebook.com/lancasterne](https://www.facebook.com/lancasterne)). LNKTv apps are also available on Roku, Apple TV and Amazon Fire TV.

7) ADJOURNMENT

MOTION: Vest moved and Amundson seconded to adjourn at 9:44 a.m. Vest, Amundson, Schulte and Yoakum voted yes. Flowerday was absent. Motion carried 4-0 with one abstention.

Matt Hansen

Matt Hansen
Lancaster County Clerk

