

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, SEPTEMBER 22, 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 18, 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 9:01 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, September 15, 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 September 22, 2020.**

MOTION: Amundson moved and Vest 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. Grant award with the Nebraska Crime Commission for Community-based Supplemental Enhancement Aid grant funding for the period of July 1, 2020 through June 30, 2021 in the amount of \$246,094. (C-20-0588)**
- B. Subawards with the following (funded by the Nebraska Commission on Law Enforcement and Criminal Justice Community-based Supplemental Enhancement Aid Grant. The term of the subaward is July 1, 2020 through June 30, 2021):**

1. YWCA of Lincoln for the Life Skills program (in the amount of \$56,600). (C-20-0589)
 2. Clyde Malone Community Center for the Take Pause 2.0 and Therapy programs (in the amount of \$97,743). (C-20-0590)
 3. Cedars Youth Services for the Crisis Stabilization program (in the amount of \$74,228). (C-20-0591)
- C. Grant contracts with the following (funded by the Nebraska Commission on Law Enforcement and Criminal Justice Community-based Supplemental Enhancement Aid Grant. The term of the grant contract is July 1, 2020 through June 30, 2021.)
1. Clyde Malone Community Center for the Take Pause 2.0 program (in the amount of \$25,996). (C-20-0592)
 2. Clyde Malone Community Center for the Therapist program (in the amount of \$71,747). (C-20-0593)
- D. Amendments to the following County contracts:
1. C-17-0755 with Total Fire & Security for Annual Service - Fire Alarm Panel Inspection, Testing and Repair. (Quote No. 5682. The amendment renews the contract with an additional City location from September 19, 2020 through September 18, 2021. The cost to the County is not to exceed \$6,800.) (C-20-0595)
 2. C-13-0232 with Keefe Commissary Network L.L.C., for Inmate Commissary Services. (The amendment is for a price increase of 1% on non-food items and 2% increase on food items for the remainder of this term.) (C-20-0596)
 3. C-17-0768 with Midwest Service and Sales Co., for Annual Supply - Grader Blades. (Bid No. 17-212. The amendment renews the contract from October 4, 2020 through October 3, 2021. The cost to the County is not to exceed \$50,000.) (C-20-0597)
 4. C-20-0284 with M.E. Collins Contracting Co., Inc., for Unit Price – Shotcrete Application for Lancaster County. (Bid No. 20-097. The amendment increases the County's maximum expenditures by \$150,000 for the remainder of the current term. The revised contract total shall not exceed \$450,000.) (C-20-0598)
- E. Right-of-way contracts with the following:
1. David and Linda Potter, North 14th Street and Bluff Road, in the amount of \$474. (C-20-0599)
 2. Randal L. Braunsroth, Southwest 100th Street and Wittstruck Road, in the amount of \$109. (C-20-0600)
 3. Constance M. Hansmeyer, Southwest 100th Street and West Hallam Road, in the amount of \$380. (C-20-0601)
 4. Mark C. and Judith L. Sullivan, Trustees, North 14th Street and West McKelvie Road, in the amount of \$474. (C-20-0602)
 5. Warren and Melanie Cheney, Mary E. Ranking and Barbara J. Scheibe, South 148th Street and Saltillo Road, in the amount of \$1,713. (C-20-0603)
- F. Twelfth amendment to County Contract C-08-0151 with the Nebraska Department of Health and Human Services (DHHS) for a Disproportionate Share Hospital (DSH) intergovernmental transfer agreement. The amendment renews the agreement from July 1, 2020 through June 30, 2021. (C-20-0604)

MOTION: Amundson 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. Setting the final tax request at a different amount than the prior year tax request for Lancaster County and the Rural Library for Lancaster County. (See correlating item 5A)

Dennis Meyer, County Budget and Fiscal Director, was administered the oath and said this public hearing and resolution is the final step for the 2020-21 budget. If the property tax dollar changes from one year to the next, statutorily it is required to approve a resolution to submit to the County Clerk's office for levies to be set. Meyer noted the resolution will finalize the property tax rate that was adopted on August 25th. The resolution specifies a County tax rate of 0.281576 cents (\$82,516,751 property tax request), a rural library tax rate of 0.017486 cents (\$927,722 property tax request), a valuation increase of 2.79% for Lancaster County, a valuation increase of 1.20% for the Rural Library and a total Lancaster County operating budget decrease of 1.33% from last year.

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

The Chair closed the public hearing.

B. Section 147(f) of the Internal Revenue Code of 1986, as amended, regarding the issuance of bonds by the County for the benefit of Christian Retirement Homes, Inc. d/b/a Eastmont Living. (See correlating item 5B)

Colleen Duncan, Gilmore and Bell Law Firm, appeared with Andrew Fisher, Eastmont Executive Director, who both were administered the oath. Duncan said this hearing and the related resolution relate to the issuance of tax-exempt bonds by the County for the benefit of Eastmont Living. The proceeds of the bond issuance will be loaned to Eastmont and used to refinance much of their outstanding obligations for savings and finance and some capital expenditures at their Lincoln campus. As noted in the resolution, the County has no financial responsibilities for the bonds.

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 setting the 2020-2021 property tax request for Lancaster County and the Rural Library for Lancaster County at a different amount than that of the prior year. (R-20-0059)

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

B. Resolution authorizing the issuance of Revenue Bonds (Eastmont Living Project), Series 2020, in a principal amount not to exceed \$15,500,000 for the purpose of making a loan to Christian Retirement Homes, Inc., d/b/a Eastmont Living, authorizing the execution and delivery of certain documents in connection with the issuance of such bonds, and approving related matters. (R-20-0060)

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

C. Resolution in the matter of authorizing the County Board Chair to sign the on-call professional services task order agreement with Alfred Benesch and Company. (R-20-0061)

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

Pam Dingman, Lancaster County Engineer, said this is associated with the agreement for the on-call wetlands delineation and reporting. She noted this is for projects that need Army Corps of Engineers permitting.

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

D. Resolution in the matter of authorizing the County Board Chair to sign the on-call professional services task order agreement with Felsburg, Holt & Ullevig. (R-20-0062)

Dingman said this resolution is regarding the contract for on-call traffic studies. There are times when studies are needed to provide clarification regarding an intersection.

Schorr asked if there are financial limits on these task order agreements. Dingman confirmed the limit is \$25,000 each.

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

E. Agreement with Alfred Benesch and Company for On-Call Professional Services Task Order Agreement for Preliminary NEPA services, (Project 19-28; South 98th St. - A St. to O St.) Consultant shall complete all services by October 31, 2020. The total estimated cost is \$11,860.67. (C-20-0605)

Dingman clarified this item is not for NEPA services but is for preliminary engineering.

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

F. Agreement with Felsburg Holt & Ullevig for On-Call Professional Services Task Order Agreement for Preliminary NEPA services, (Project 19-28; South 98th St. A St. to O St.) Consultant shall complete all services by October 31, 2020. The total estimated cost is \$10,801.52. (C-20-0606)

Dingman said the intent of this agreement is for environmental services associated with preliminary environmental services.

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

G. Adoption of the 2021 Lancaster County Legislative Priorities.

Schorr clarified that the six items are not listed in order by priority and they are all of equal priority.

Joe Kohout, Kissel, Kohout and Associates, confirmed they are not in priority order.

MOTION: Amundson moved and Vest seconded approval of the 2021 Lancaster County legislative priorities.

In regards to Flowerday's inquiry, Kohout explained this upcoming year will be dependent on what will happen with building access, how hearings are conducted and what type of accommodations will be made due to mask and health requirements. The priority list is aggressive and recognizes the priorities which the County Board has worked on historically along with including new priorities.

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

H. Special Designated License application from James Arthur Vineyards for an event at 2001 West Raymond Road, Raymond, Nebraska on October 7, 2020.

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

I. Lancaster County Visitors Improvement Grant contract in the amount of up to \$25,000 with Lancaster County as the Sponsor and Lincoln Calling as the Grantee for promotion and advertising as provided in the contract. The term of the grant period is April 1, 2020 through October 31, 2020. (C-20-0607)

Jeff Maul, Convention and Visitors Bureau Executive Director, said the approval of the grant for Lincoln Calling was prior to the pandemic. Drastic changes had to be made and the Visitors Promotion Committee met and decided to honor the grant amount.

Spencer Munson, Lincoln Calling Executive Director, gave a brief overview of the event, noting the biggest change is the event will now be held digitally.

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

J. Notice of Termination of County Contract C-20-0557 with the Commercial Investment Properties Co., d/b/a Staybridge Suites – Lincoln, I-80.

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

K. Agreement with Aspen Properties, Inc., d/b/a/ New Victorian Suites, for alternative housing for essential employees of the Lancaster County Sheriff's Office, the Lancaster County Department of Corrections, and the Lancaster County Youth Services Center. The cost to the County will be \$57 per night, per employee utilizing the housing. (C-20-0608)

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

L. Memorandum of Understanding (MOU) with Home Depot Pro to provide Janitorial Supplies and Equipment (using the OMNIA Partners/University of California Purchase Agreement 202000229. MOU84.) The MOU will be effective upon execution through May 31, 2021 with the option of renewing nine additional one-year terms. The cost to the County is not to exceed \$100,000. (C-20-0594)

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

- M. Recommendation from the Purchasing Agent and the Crisis Center Director to award a contract to Pharmerica for Annual Supply - Pharmacy Services (Bid 20-200). The estimated amount of expenditures for the four-year contract term is \$100,000. (B-20-0220)**

The Clerk noted this item will be held. (Note: this item was approved at the September 24, 2020 staff meeting.)

- N. Lease Agreement between Lancaster County as lessee and Lincoln Transportation and Utilities as lessor for office space and facilities for adult probation located at 901 West Bond Street, Lincoln, Nebraska. The lease term is September 1, 2020 through August 31, 2021. (C-20-0609)**

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

- O. Documents related to the renewal of Lancaster County insurance policies:**

- 1. Policyholder disclosure of notice of terrorism coverage.**
- 2. Client authorization to bind coverage.**
- 3. Privacy disclosure statement.**
- 4. Nebraska selection of higher uninsured / underinsured motorists coverage limits.**
- 5. Lancaster County Statement of Values.**

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

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

Dingman said the Engineering shop in Sprague, Nebraska had a positive COVID test and a number of employees are now quarantining. She asked for the public's understanding as the Engineering Department is doing the best they can to maintain the County roads in south Lancaster County under the circumstances.

In response to Schorr's question about the possibility of utilizing temporary employees, Dingman said the machinery and work is highly specialized, therefore, by the time any contract is put in place for temporary employees the quarantine period would be over.

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

Eric Synowicki, Deputy Lancaster County Attorney, introduced himself and provided a brief overview of his background and professional experience.

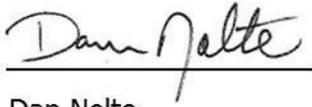
8) ANNOUNCEMENTS:

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, September 24, 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 tour The Lincoln Sports Foundation Sports Complex (1600 North 70th Street, Lincoln) on Thursday, September 24, 2020 at 1:00 p.m.**

- C. The Lancaster County Board of Commissioners will hold its next regular meeting on Tuesday, September 29, 2020 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).
- D. County Commissioners can be reached at 402-441-7447 o.
- E. 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 9:39 a.m. Yoakum, Vest, Schorr, Amundson and Flowerday voted yes. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk

