

**MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
TUESDAY OCTOBER 17, 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 October 13, 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 Attorney; Matt Hansen, County Clerk; and Meggan Reppert-Funke, County Clerk's Office

Yoakum called the meeting to order at 9:04 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 October 10, 2023.

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

**B.** Approval of the minutes of the One & Six-Year Road & Bridge Improvement Program meeting held on October 10, 2023.

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

**2) CLAIMS**

**A.** Amendment to the payroll claims report approved on October 10, 2023.

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

**B.** Approval of the claims processed through October 17, 2023.

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

**C.** Approval of a claim to Lower Platte South NRD in the amount of \$3,511. (Batch 299907, Document 820666)

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

- D. Approval of a claim to The Mediation Center in the amount of \$5,700. (Batch 299938, Document 820703)

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

- E. Approval of a claim to Rabble Mill in the amount of \$14,625.58. (Batch 300119, Document 822312)

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

- F. Approval of the claims for goods and services beyond the 90-day time period provided in Neb. Rev. Stat. § 23-135:

1. Family Violence Council, dated October 11, 2023, for a total of \$5,065. (Batch 300029; Document 820786-820792)
2. Region V Systems, dated October 11, 2023, for a total of \$67,198.58. (Batch 300070; Document 820955-820956)

**MOTION:** Amundson moved and Vest seconded approval of the claims. Amundson, Schulte, Flowerday, Vest 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.** Amendments to the following County Contracts:

1. C-19-0844 with Carahsoft Technology Corporation for cloud services – LinkedIn Learning. (State of Utah and NASPO ValuePoint Master Agreement AR2472, MOU064. The amendment renews the contract from December 2, 2023 through December 1, 2024. The estimated cost to the County is not to exceed \$10,108.) (C-23-0817)
2. C-22-0791 with TruGreen LP for annual service of weed control and fertilization services for County Corrections. (Quote 6547, the amendment renews the contract from October 31, 2023, through October 30, 2024. The cost to the County is not to exceed \$8,100.) (C-23-0815)
3. C-22-0697 with Alfred Benesch & Company for professional engineering services related to the replacement of County Bridge F-181. (This amendment adds hydraulic modeling and drop structure design services and increases the total contract price by \$13,128.50.) (C-23-0819)
4. C-20-0695 with Jones Automotive for annual service of supply and installation of emergency equipment for City/County law enforcement vehicles. (Bid 20-206, the amendment renews the contract from October 27, 2023, through October 26, 2024. The cost to the County is not to exceed \$200,000.) (C-23-0827)
5. C-19-0747 with WoodRiver Energy LLC for annual supply of natural gas and related services. (Bid 19-212, the amendment renews the contract from November 1, 2023, through October 31, 2024. The cost to the County is not to exceed \$200,000.) (C-23-0828)
6. C-22-0861 with Stericycle, Inc. for annual service of hazardous medical waste pick-up and disposal services. (Bid 22-154, the amendment renews the contract from November 8, 2023, through November 7, 2024. The cost to the County is not to exceed \$1,000.) (C-23-0829)
7. C-21-0468 with the Board of Regents of the University of Nebraska on behalf of the University of Nebraska-Lincoln's Law Psychology Program for the Youth Mental Health Diversion Program. (The amendment extends the term for one year from October 1, 2023, through September 30, 2024.) (C-23-0823)

8. C-21-0469 with the Board of Regents of the University of Nebraska on behalf of the University of Nebraska-Lincoln's Law Psychology Program for the Youth Crisis Response Program. (The amendment extends the term for one year from October 1, 2023, through September 30, 2024.) (C-23-0824)

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

1. Kim A Cook and Estate of Rebecca Kuster, South 68th Street and Wittstruck Road, in the amount of \$505 (Project 22-30 S-276) (C-23-0813)
2. Kathleen A Stevens, Southwest 42nd Street and West Princeton Road, in the amount of \$1,547.50 Project 22-30 / W-160) (C-23-0814)
3. Tyler and Katelyn Ideus, Southwest 14th Street and West Bennet Road, in the amount of \$955. (Project 23-21 / T-051) (C-23-0818)
4. Cheryl Ann Nielsen, North 70th Street and Raymond Road, in the amount of \$3,295. (Project 23-50 / B-209) (C-23-0826)

**C.** Grant contract with Lincoln Public Schools for the Truancy Diversion program in the amount of \$142,807. (The grant is funded by the Nebraska Commission on Law Enforcement and Criminal Justice Community-based Juvenile Services Aid Grant. The term of the grant contract is July 1, 2023, through June 30, 2024.) (C-23-0822)

**D.** Received and placed on file the County Engineer report (July – September 2023).

**E.** Setting a public hearing for Tuesday October 31, 2023, at 9:00 a.m., in Room 112 of the County/City Building (555 S 10th Street, Lincoln) regarding application for a Class I liquor license for Starr's Raymono's Pizzeria & Bakery LLC (5580 W Mill Road Ste 4, Raymond) and a corporate manager's liquor license for Kayli Starr.

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

#### **4) PUBLIC HEARING**

- A.** Vacation of portions of right-of-way east of the intersection of Northwest 40th Street and West Vine Street, more particularly described in Exhibit "A," and located in Lancaster County, Nebraska.

Yoakum opened the public hearing.

The Clerk administered the oath to John Berry, Chief Deputy County Surveyor. He described the portion of road of the proposed vacation and described the history of its use. He provided a map of the area (Exhibit 1) and a photo of the road (Exhibit 2). The farmstead that used the road for a driveway no longer exists (Exhibit 3). The owner asked the road to be vacated, and the County has no objections. The City has already approved the vacation.

The Clerk administered the oath to Ben Swanson, attorney with Rembolt Ludtke representing the applicant. He said the applicant is planning to use the land for agricultural purposes. He provided an overview of the steps taken so far to vacate the right-of-way.

John Ward, Deputy County Attorney, told Board members a vote on the Item would take place the following week.

Yoakum closed the public hearing.

- B.** Amusement license application for Devin Ostrander to hold the No Shave Nebraska Annual Banquet event on November 30, 2023, at Champion Seed (15901 SW 42nd Street, Martell, Nebraska).

Yoakum opened the public hearing.

The Clerk administered the oath to Berry, who listed the requests the Engineering Department has made to the applicant, including posting event signs.

Ward reported the applicant still needs to obtain insurance coverage for the event. He asked the Board to adopt the recommendation of Berry but for the Clerk to hold the amusement license until the applicant obtains insurance.

The Clerk administered the oath to Brant Wichman, Vice President of No Shave Nebraska, who described the event. He is planning on posting the requested event signs and having law enforcement at the event. He stated Devin Ostrander is an insurance agent and will provide the proper insurance documents.

Yoakum closed the public hearing.

## **5) NEW BUSINESS**

- A.** Special Designated License application for the No Shave Nebraska Annual Banquet event on November 30, 2023, at Champion Seed (15901 SW 42nd Street, Martell, Nebraska).

Ward recommended a motion to approve the Special Designated License application, with direction to the Clerk to hold the license until the applicant obtains insurance coverage and the requirement that the applicant provide signage according to the recommendation of the County Engineer along with approval of the applicant's amusement license application.

**MOTION:** Vest moved and Schulte seconded approval of the Special Designated License application, with direction to the Clerk to hold the license until the applicant obtains insurance coverage and the requirement that the applicant provide signage according to the recommendation of the County Engineer along with approval of the applicant's amusement license application. Flowerday, Vest, Amundson, Schulte and Yoakum voted yes. Motion carried 5-0.

- B.** Resolution authorizing the installation of a SCHOOL BUS STOP AHEAD sign near 16976 Northwest 40th Street and West Branched Oak Road. (R-23-0086)

Pam Dingman, Lancaster County Engineer, showed a map of the area (Exhibit 4) and described the need for the sign.

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

- C.** Resolution in the matter of authorizing the County Board Chair to sign the Supplemental Agreement 3 with JEO Consulting Group for additional professional engineering duties related to a federal aid project at the 148th Street and Holdrege Street intersection (Project 21-03; LCLC-3365(8) CN 13473). (R-23-0082)

Dingman stated the resolution and the agreement in Item D relate to a Highway Safety Improvement Plan (HSIP) project. Only 20 percent of the project will be funded by the County, with 80 percent funded by the federal government.

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

- D.** Professional Services Supplemental Agreement 3 with JEO Consulting Group to add floodplain permitting services to County Contract C-21-0790. (The cost for additional services is \$9,648.49. Project 21-03; LCLC-3365(8) CN 13473). (C-23-0825)

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

- E. Agreement with Schemmer Associates Inc for professional engineering services required for the replacement of County Bridge W-104 located on South 12th Street approximately 900 feet north of Pella Road. Total cost to the County is not to exceed \$96,740. (C-23-0821)

Dingman stated the contract is for County Engineering to design a bridge in case funding becomes available to begin construction on a replacement.

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

- F. Contract with Nebraska Machinery Company dba NMC Inc to provide annual supply of Caterpillar filters. The cost to the County is not to exceed \$49,000. (Bid No. 23-281. The contract shall be effective for one (1) year upon execution.) (C-23-0830)

Dingman stated County Engineering orders an annual supply due to potential supply issues.

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

- G. Sole Source Contract with Vigilnet to provide SS-213 SCRAM Monitoring Equipment. The cost to the County is not to exceed \$30,000. (This contract shall be effective October 1, 2023 for a term of one year. The contract may be renewed annually upon written approval by both parties.) (C-23-0816)

Vest described the new model of the monitoring system.

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

- H. Recommendation from the Purchasing Agent and Lancaster County Emergency Management to award and execute a Purchase Order for Commodity to Federal Surplus. The total amount of the order is \$22,500. (C-23-0831)

Jim Davidsaver, Emergency Management Director, stated the commodity to purchase is a pick-up truck he is adding to his fleet. Peter Kroll, Purchasing Agent, recommended the Board approve the purchase.

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

- I. Recommendation from the Purchasing Agent on behalf of the County Sheriff to award a contract to Brown Brothers Construction Inc for the Sheriff's Office interior remodel project in the total amount of \$357,478. (B-23-212)

John Vik, Deputy Sheriff, reported the Item represented the final step of the Sheriff's Office remodeling project, which is being paid for using forfeited assets.

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

- J. Documents associated with the revalidation of the Lancaster County Crisis Center's Medicare enrollment information including:

1. Medicare Enrollment Application. The application also adds Christa Yoakum as an authorized official on behalf of the County. (C-23-0820)
2. Letter to accompany the Application attesting to the County's legal and financial responsibility for outstanding debt owed to CMS.

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

**K.** Setting the salaries of the following Assistant Public Defenders:

1. Douglas Kerns in the amount of \$99,070.40 (Step 8) as an Attorney I, effective October 5, 2023.
2. Emily Mathews in the amount of \$80,132.00 (Step 2) as an Attorney I, effective November 2, 2023.
3. David Tarrell in the amount of \$102,635.52 as Attorney II, effective October 19, 2023.
4. William Harris in the amount of \$99,070.40 (Step 8) as an Attorney I, effective January 29, 2024

**MOTION:** Flowerday moved and Amundson seconded to set the salaries of Douglas Kerns in the amount of \$102,635.52 as an Attorney II, effective October 5, 2023 and Emily Mathews in the amount of \$80,132.00 as an Attorney I effective November 2, 2023 and to deny the setting of salaries for David Tarrell and William Harris.

Flowerday encouraged the Public Defender to make the step increase requests during the mid-year budget discussions. He stated he wanted to set Kerns's pay at a higher level because that is the amount the County advertised. Vest agreed.

Kristi Egger, Public Defender, noted William Harris served in the National Guard.

Egger and Flowerday discussed whether to hire Kerns as an Attorney I or an Attorney II. Egger noted that \$99,070.40 falls within the advertised salary.

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

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

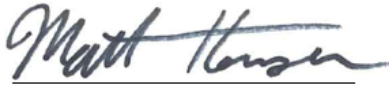
Penny Stephens, Lancaster resident, expressed concerns about election security.

## **7) ANNOUNCEMENTS**

- A.** The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, October 19, 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 its regular meeting on Tuesday, October 24, 2023, at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln).
- C.** County Commissioners can be reached at 402-441-7447 or [commish@lancaster.ne.gov](mailto:commish@lancaster.ne.gov).
- D.** The Lancaster County Board of Commissioners meeting is broadcast live on LNKTV ([LNKTV.lincoln.ne.gov](http://LNKTV.lincoln.ne.gov)). LNKTV is available on Allo channel 2 and Spectrum channel 1300. For the rebroadcast schedule, visit [lincoln.ne.gov](http://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.

8) ADJOURNMENT

**MOTION:** Vest moved and Flowerday seconded to adjourn at 9:51 a.m. Vest, Amundson, Schulte, Flowerday and Yoakum voted yes. Motion carried 5-0



Matt Hansen  
Lancaster County Clerk

