

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 19, 2021, AT 9:00 AM
COUNTY-CITY BUILDING, ROOM 112

COMMISSIONERS: Rick Vest, Chair; Deb Schorr, Vice Chair;
Roma Amundson, Sean Flowerday; and Christa Yoakum

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 15, 2021.

Commissioners present: Rick Vest, Chair; Deb Schorr, Vice Chair; Sean Flowerday and Christa Yoakum

Commissioners absent: Roma Amundson.

Others present: David Derbin, Chief Administrative Officer; Kristy Bauer, Deputy Chief Administrative Officer; Candace Berens, Jenifer Holloway and John Ward, Deputy County Attorneys; Dan Nolte, County Clerk; Cori Beattie, Deputy County Clerk; and Leslie Brestel and Meggan Reppert-Funke, County Clerk's Office

The meeting was called to order at 9:02 a.m., and the location of the Nebraska Open Meeting Act was announced.

1) MINUTES:

A. Approval of the minutes of the Board of Commissioners meeting held on Tuesday, October 12, 2021

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

2) CLAIMS:

A. Approval of all claims processed through October 19, 2021

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

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-21-0179 with Sunset Law Enforcement for annual supply - ammunition (County). (Quote No. 6351. The amendment increases the County's maximum expenditures by \$58,000 for the remainder of the current term with the revised total not to exceed \$83,000.) (C-21-0755)
2. C-19-0777 with Gary's Lawn & Landscape for annual service – noxious weed spraying/mowing. (Bid No.19-229. The amendment renews the contract from October 22, 2021, through October 21, 2022. The cost to the County is not to exceed \$6,000 for all contracts.) (C-21-0756)
3. C-19-0776 with Beatrice Lawn Care, Inc. for annual service – noxious weed spraying/mowing. (Bid No. 19-229. The amendment renews the contract from October 22, 2021, through October 21, 2022. The cost to the County is not to exceed \$6,000 for all contracts.) (C-21-0757)

B. Received and placed on file the County mileage reimbursement report for July-September 2021

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

4) UNFINISHED BUSINESS

A. Class CK liquor license application, including a manager application for Melissa Smith, for Hillside Events LLC located at 12400 West Denton Road

Jen Holloway, Deputy County Attorney, stated after last week's public hearing Hillside Events LLC was going to amend their liquor license application to remove the offsale request. To date, neither the County Clerk's Office nor the County Attorney's Office have received an amendment or a new application. She recommended denial of the license for failure to complete the proper process. Hillside Events LLC can complete another application with the updated class.

Vest asked if the application went to the Nebraska Liquor Control Commission (NLCC) with no action from the County Board, would the NLCC approve the offsale liquor license? Holloway said if the Board does not give a recommendation, the NLCC may approve the original Class CK license.

Schorr stated the Board was clear that they would not approve the application due to the offsale component of a Class CK liquor license.

MOTION: Schorr moved and Flowerday seconded to deny the Class CK liquor license application. Yoakum, Flowerday, Schorr and Vest voted yes. Amundson was absent. Motion carried 4-0.

NOTE: A copy of County Resolution R-21-0071 denying the liquor license application from Hillside Events LLC is attached as Exhibit 1.

5) NEW BUSINESS:

A. Appointment of Gloria Eddins to the Lincoln-Lancaster County Planning Commission for a term to expire on August 24, 2023

David Cary, Lincoln-Lancaster County Planning Department Director, introduced Gloria Eddins as a new Planning Commissioner.

Eddins provided brief statements regarding her background and stated she is excited about the opportunity to join the Planning Commission.

The Board thanked Eddins for her willingness to serve.

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

B. Request for an Exceptional Circumstance Award under Personnel Rule 17.9 (b) for Gregg Harre, Youth Services Center, for a \$500 award

Melissa Hood, Youth Services Center Administrator, thanked Gregg Harre, Tammy Donahoo and Veronique Claudio for their service and help during the interim.

The Board asked Hood to extend their appreciation to Harre, Donahoo and Claudio.

Hood also introduced Steve Wesely, Youth Services Center Director, who began the position on October 18, 2021.

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

- C. Request for an Exceptional Circumstance Award under Personnel Rule 17.9 (b) for Tammy Donahoo, Youth Services Center, for a \$500 award

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

- D. Request for an Exceptional Circumstance Award under Personnel Rule 17.9 (b) for Veronique Claudio, Youth Services Center, for a \$500 award

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

- E. Special designated license application from Meier's Wine, Inc to hold an event at Prairie Creek Inn (2400 S 148th Street Walton NE) on November 12, 2021

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

- F. Special designated license application from Denton Daily Double to hold an event at Hillside Events Center (12400 W Denton Road) on November 6, 2021

Alec Zeilinger, Denton Daily Double, stated this is a last-minute change to an event at Hillside Events. He stated Denton Daily Double has conducted events at Hillside Events Center before with no issues.

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

- G. Contract with Yant Equipment for fuel tank monitoring system. (Quote No. 6432. This contract shall be effective upon execution. The cost to the County is not to exceed \$20,334.56.) (C-21-0758)

Ed Lahmann, County Engineer Facility Manager, said this fuel monitoring system will ensure the County is compliant with both State and Federal regulations.

Schorr asked if the regulations have recently changed and if this is a replacement for an existing system?

Lahmann answered the regulations have not changed and this is to replace an existing system.

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

- H. Lease agreements with Sober Houses of Nebraska LLC for transitional housing units at the following locations in Lincoln for adult males transitioning from Lancaster County Community Corrections or other Lancaster County correctional settings:

1. 2026 Washington Street (four units; not to exceed \$21,600 annually) (C-21-0761)
2. 2028 Washington Street (four units; not to exceed \$21,600 annually) (C-21-0760)

3. 1327 B Street (seven units; not to exceed \$42,000 annually) (C-21-0759)

Kim Etherton, Community Corrections Director, stated that two of these contracts are renewals. There is a rate increase which is included in the current budget. The 1327 B Street location is replacing a house which was included on a previous lease agreement.

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

- I. Recommendation from the Southeast Nebraska Development District to award contracts through the Lancaster County Owner Occupied Rehabilitation Housing Program (HO 20-HO-004-LCRLF) for Project #004 to the following vendors:

1. MIT Contracting in the amount of \$10,130 to remove and replace roof and install new siding
2. Rooforia in the amount of \$11,200 to remove and replace all windows

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

- 6) **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.

7) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting in Room 112 of the County-City Building (555 S 10th Street, Lincoln) on Tuesday, October 19, 2021, immediately following the Board of Equalization meeting.
- B. The Lancaster County Board of Commissioners will attend a Tri-County meeting with Douglas and Sarpy Counties at the Lincoln Children's Zoo (1222 S 27th Street, Lincoln) on Thursday, October 21, 2021, at 8:30 a.m.
- C. The Lancaster County Board of Commissioners will hold its next regular meeting on Tuesday, October 26, 2021, 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 or commish@lancaster.ne.gov.
- 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).

8) **ADJOURNMENT**

MOTION: Schorr moved and Yoakum seconded to adjourn at 9:22 a.m. Flowerday, Schorr, Yoakum and Vest voted yes. Amundson was absent. Motion carried 4-0.


Dan Nolte
Lancaster County Clerk



BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF AN APPLICATION FOR)
A CLASS CK (ALCOHOL LIQUOR ON/OFF/)
SALE/CATERING) LIQUOR LICENSE FOR)
HILLSIDE EVENTS, LLC LOCATED AT 12400)
W. DENTON ROAD, DENTON, LANCASTER)
COUNTY, NEBRASKA.)

RESOLUTION NO. R-21-0071

WHEREAS, Neb. Rev. Stat. § 53-134, provides, in part, that:

The local governing body of any city or village with respect to licenses within its corporate limits and the local governing body of any county with respect to licenses not within the corporate limits of any city or village but within the county shall have the following powers, functions, and duties with respect to retail, craft brewery, microdistillery, and entertainment district licenses . . . (7) Upon receipt from the commission of the notice and copy of application as provided in section 53-131, to fix a time and place for a hearing at which the local governing body shall receive evidence, either orally or by affidavit from the applicant and any other person, bearing upon the propriety of the issuance of a license. Notice of the time and place of such hearing shall be published in a legal newspaper in or of general circulation in such city, village, or county one time not less than seven and not more than fourteen days before the time of the hearing. Such notice shall include, but not be limited to, a statement that all persons desiring to give evidence before the local governing body in support of or in protest against the issuance of such license may do so at the time of the hearing. Such hearing shall be held not more than forty-five days after the date of receipt of the notice from the commission, and after such hearing the local governing body shall cause to be recorded in the minute record of their proceedings a resolution recommending either issuance or refusal of such license. The clerk of such city, village, or county shall mail to the commission by first-class mail, postage prepaid, a copy of the resolution which shall state the cost of the published notice, except that failure to comply with this provision shall not void any license issued by the commission. If the commission refuses to issue such a license, the cost of publication of notice shall be paid by the commission from the security for costs.

WHEREAS, on or about September 10, 2021, the Lancaster County Clerk received from

the Nebraska Liquor Control Commission notice and a copy of the Application of Hillside Events, LLC, for a Class C K liquor license (#124488) for Hillside Events, 12400 W. Denton Road, Denton, Lancaster County, Nebraska;

WHEREAS, pursuant to the requirements of Neb. Rev. Stat. § 53-134, the Board of County Commissioners of Lancaster County set a time and place for a public hearing on said application, and published in the Lincoln Journal Star, notice of said public hearing as required by law;

WHEREAS, within forty-five days of receipt of said application from the Nebraska Liquor Control Commission, a public hearing was held on October 12, 2021; and

WHEREAS on October 19, 2021, the County Board voted to recommend DENIAL of said Application;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, Nebraska, that pursuant to the provisions of Neb. Rev. Stat. § 53-134, it should and hereby does recommend to the Nebraska Liquor Control Commission that said application be DENIED for the above stated location;

AND, BE IT FURTHER RESOLVED, that the Lancaster County Clerk is hereby directed to mail a copy of this Resolution to the Nebraska Liquor Control Commission by United States First Class Mail, postage prepaid no later than October 21, 2021.

DATED this 21 day of October, 2021.

BY THE BOARD OF COUNTY
COMMISSIONERS OF LANCASTER
COUNTY, NEBRASKA

Christa Yakum

Ge. F. ...

Rick Vest

Debi Schar

AMUNDSON ABSENT

APPROVED AS TO FORM

this 21 day of
Oct, 2021.

[Signature]

Deputy County Attorney
for PATRICK CONDON
Lancaster County Attorney