

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**COUNTY-CITY BUILDING, ROOM 112**  
**TUESDAY, OCTOBER 22, 2019**  
**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 October 18, 2019.*

Commissioners present: Roma Amundson, Chair; Sean Flowerday, Vice Chair; Deb Schorr; and Rick Vest

Commissioner absent: Christa Yoakum

Others present: Kerry Eagan, 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 9:00 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, October 15, 2019.

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

**2) CLAIMS:**

- A.** Approval of all claims processed through October 22, 2019.

**MOTION:** Vest moved and Flowerday seconded approval of the claims. Vest, Schorr, Flowerday and Amundson voted yes. Yoakum 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.** Utility Permits with no cost to the County for the following:

- 1.** No. 1882 allowing Unite Private Networks to install new underground fiber cable under Highway 2 and South 141<sup>st</sup> Street right-of-way to South 148<sup>th</sup> Street and Rokeby Road. (C-19-0767)

2. No. 1883 allowing Windstream Nebraska, LLC to remove and relocate underground cables in conjunction with County Culvert Replacement Project 19-13 (Culvert R-25). (C-19-0768)
- B.** Amendment to grant contract C-19-0706 with Lighthouse Inc., for the Men with Dreams program (funded by the Nebraska Commission on Law Enforcement and Criminal Justice Juvenile Services Grant. The term of the contract is July 1, 2019 through June 30, 2020 for an increase of \$1,271.43) (C-19-0769)
- C.** Amendments to the following County contracts for Annual Supply – Power and Hand Tools. (Bid No. 17-245. The amendments renew the contracts from November 2, 2019 through November 1, 2020. The cost to the County is not to exceed \$25,000 for all contracts.)
1. C-17-0829 with Total Tool Supply, Inc. (C-19-0772)
  2. C-17-0826 with Fastenal (C-19-0773)
  3. C-17-0828 with TooFast Supply Company (C-19-0774)
- D.** Amendments to the following County contracts for Annual Service – Weed Abatement-Mowing for the County Weed Authority. (Bid No. 19-123. The amendments increase the expenditure and amend the contracts to combine the total expenditures with other contracts. The combined total expenditure to be spent by the County among contracted vendors shall not exceed \$30,000 in total for the remainder of the contract term.)
1. C-19-0441 with Beatrice Lawn Care, Inc. (C-19-0779)
  2. C-19-0442 with Lee's Lawn Maintenance (Hauser Inc.) (C-19-0780)
  3. C-19-0443 with Mr. Yards and More, LLC (C-19-0781)
- E.** Amendment to the following County contracts:
1. C-18-0695 with Graybar Electric for Annual Supply – Personal Alarm Transmitter. (Quote No. 5936. The amendment renews the contract from November 13, 2019 through November 12, 2020. The cost to the County is not to exceed \$11,100.) (C-19-0775)
  2. C-19-0709 with JEO Consulting Group, Inc., (Project 20-09) for additional 2020 countywide wetland delineation services. (The cost to the County shall not exceed \$6,136.25.) (C-19-0778)
  3. C-17-0860 with PageFreezer Software Inc., for Lancaster County – Social Media Archive Services. (Quote No. 5734. The amendment renews the contract from November 7, 2019 through November 6, 2020. The cost to the County is not to exceed \$6,000.) (C-19-0782)
  4. C-19-0548 with Office Interiors & Design, Inc., for the Supply & Installation of Office Furniture – Sheriff's Office. (Bid No. 19-167. The amendment extends the contract for an additional ten-week period with the final completion date for Phase 3 of December 31, 2019.) (C-19-0786)
  5. C-15-0380 with National Everything Wholesale (using the City of Tucson, AZ Contract No. 151148) for Janitorial and Sanitation Supplies, Equipment and Related Services. (The amendment renews the contract from August 2, 2019

through August 1, 2020. The estimated cost to the County is not to exceed \$80,000.) (C-19-0789)

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

1. John W. Spader and Deborah K. Spader, Co-Trustees, North 84th Street and Little Salt Road, in the total amount of \$1,082. (2 contracts) (C-19-0790, C-19-0791)
2. John W. Spader and Deborah K. Spader, Co-Trustees, North 70<sup>th</sup> Street and Mill Road, in the amount of \$541. (C-19-0792)
3. Jon C. and Patricia L. Lane, Southwest 56<sup>th</sup> Street and West Old Cheney Road, in the amount of \$1,615. (C-19-0793)
4. Phyllis E. Kuster, Trustee; Phyllis E. Kuster Revocable Trust, South 54<sup>th</sup> Street and Wittstruck Road, in the amount of \$653.50. (C-19-0794)
5. Edith E. Bottsford, South 68<sup>th</sup> Street and Wittstruck Road, in the amount of \$919. (C-19-0795)
6. Ronald and Judeen Oelling, Southwest 2<sup>nd</sup> Street and West Wittstruck Road, in the amount of \$343. (C-19-0796)

**G.** Setting a public hearing on Thursday, November 7, 2019, at 9:30 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln, Nebraska), regarding County Special Permit No. 19035 (to allow for the construction of a commercial feedlot on property legally described as Lot 2, Benes Country Acres 1st Addition, and the E 1/2 of the NW 1/4 of Section 4, Township 12 North, Range 6, East of the 6th P.M., Lancaster County, Nebraska, generally located 1/4 mile east of NW 27th Street and West Ashland Road).

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

**4) PUBLIC HEARINGS:**

- A.** Proposed sale of property legally described as: the West 66 feet of the North 310 feet of Lot 10, Irregular Tract located in the Northwest Quarter of Section 30, Township 12 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska; which includes declaring that the property no longer serves a County purpose, determining its fair market value, and setting the date for its sale (See correlating item 5A)

The Chair opened the public hearing.

Ken Schroeder, County Surveyor, Lancaster County Engineering Department, was administered the oath. He said the property includes about half an acre of ground within the Village of Davey limits (Exhibit A). He noted it has never been a road and Lancaster County has no need for it.

Jim Shotkoski, Right-Of-Way Manager, Lancaster County Engineering Department, was administered the oath. He submitted his appraisal report (Exhibit B) which recommended a market value of \$10,000.

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

The Chair closed the public hearing.

**5) NEW BUSINESS:**

- A.** Resolution regarding the proposed sale of property located in Lancaster County, Nebraska, and legally described herein, including declaring that the property no longer serves a county purpose, determining the property's fair market value, and setting the date for sale of the property. (R-19-0074)

**MOTION:** Vest moved and Schorr seconded approval of the resolution and determined the fair market value as \$10,000. Flowerday, Vest, Schorr and Amundson voted yes. Yoakum was absent. Motion carried 4-0.

- B.** Resolution in the matter of terminating local emergencies declared on May 23, 2004 and May 12, 2015. (R-19-0071)

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

- C.** Resolution to certify and notify the State of the County's proper completion of the County Bridge Match Program (STWD-CBMP(2)) project pursuant to the Program Agreement previously approved under R-18-0016. (R-19-0072)

Larry Legg, Assistant County Engineer, Lancaster County Engineering Department, said a \$200,000 grant was approved from the Nebraska Department of Transportation (NDOT) to reconstruct two box culverts (B-147 and N-19). The total cost for both was close to \$500,000. This resolution certifies the projects are complete and allows the Engineering Department to collect the remainder of the funds.

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

- D.** Resolution authorizing Roma Amundson, the County Board Chairperson of Lancaster County, to sign the 2019 Year-End Certification of County Highway Superintendent form. (R-19-0073)

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

- E.** Grant Adjustment Notification (GAN) on the 2018-19 Emergency Management Performance Grant (EMPG) reallocation request. (C-19-0787)

Jim Davidsaver, Lincoln-Lancaster County Emergency Management Director, said this notice closes out the 2018-19 fiscal year. The original amount awarded was \$103,399.50. Due to available funds that were still eligible for assignment, the reallocation amount was for an additional \$36,625.74. The total of the grant is \$139,725.24.

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

- F. Grant Contract with Matt Talbot Kitchen & Outreach in the amount of \$170,001 for transitional housing for Lancaster County Sentence Conversion Reentry Program participants. Term of the Grant Contract is October 1, 2019 through September 30, 2021. (C-19-0788)

Jen Holloway, Lancaster County Deputy County Attorney, asked the Board to approve the contract contingent on receipt of insurance.

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

- G. Grant contract with Grace Johnson in the amount not to exceed \$462.64 to provide a juvenile justice seminar at the Native American Trauma Training. The seminar was held on September 27, 2019 in Lincoln, NE. (C-19-0770)

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

- H. Requests from the Human Resources Department to:

1. Revise the classification of Community Corrections Director.
2. Create the classification of Assistant Director of Community Corrections.

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

- I. Contract with Kubert Appraisal Group in the amount of \$4,500 for appraisal services for the Corridor Protection project at North 129<sup>th</sup> and Holdrege Streets, Lancaster County, Nebraska. (C-19-0797)

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

- J. Contract with Brenntag Great Lakes, LLC using the City of Lincoln contract to provide High-Purity, Bulk Sodium Chloride, (Bid No. 16-191). The term of the contract is upon execution through September 29, 2020. The cost to the County is not to exceed \$21,750. (C-19-0771)

Legg said this contract will provide clean salt to make brine if needed this upcoming winter season.

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

- K. Contracts to provide Annual Service - Noxious Weed Spraying / Mowing (Bid No. 19-229). The contracts shall be effective upon execution by both parties. The cost to the County is not to exceed \$20,000 for contracts with the following:

1. Beatrice Lawn Care, Inc. (C-19-0776)
2. Gary's Lawn & Landscape (C-19-0777)

Brent Meyer, Lancaster County Weed Control Superintendent, said these two contracts will be used as needed for forced controls on private properties. He noted these were the only two contractors who were able to submit bids due to insurance requirements.

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

- L. Contract with U.S. Bank to provide Remote Deposit Capture Services (Bid No. 19-192). The term of the contract is from November 1, 2019 through October 31, 2023. The cost to the County is not to exceed \$11,690.40. (C-19-0783)

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

- M. Contract with U.S. Bank (using the State of Nebraska Contract 60870 O4) to provide Automated Clearing House processing services. The term of the contract is from December 1, 2019 through August 31, 2020, with the option to renew for one additional one-year term. (C-19-0784)

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

- N. Cooperative agreement with the U.S. Department of the Interior U.S. Geological Survey for joint funding of water resources investigations. The agreement is for the operation and computation of records for four stream flow gaging stations, which are Salt Creek, Little Salt Creek near Lincoln, Stevens Creek near Lincoln and Rock Creek near Ceresco. The County will pay \$12,900 for the services. The term of the agreement is October 1, 2019 through September 30, 2020. (C-19-0785)

**MOTION:** Schorr moved and Flowerday seconded approval of the agreement. Schorr, Flowerday, Vest and Amundson voted yes. Yoakum 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.

Jonathon Leo, 2321 Devonshire Drive, expressed his concerns regarding the Planning Department's draft of alternative proposed amendments to the existing County animal feeding ordinance.

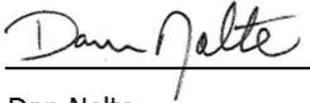
## 7) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, October 24, 2019 at 8:30 a.m., in the Bill Luxford Studio (Room 113) 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, October 29, 2019 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln).
- C. The Lancaster County Board of Commissioners will hold a public hearing on Tuesday, October 29, 2019 at 6:30 p.m., in Room 112 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln) regarding the One and Six-Year Road and Bridge Improvement Program.
- D. County Commissioners can be reached at 402-441-7447 or [commish@lancaster.ne.gov](mailto: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](http://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 Vest seconded to adjourn the Lancaster County Board of Commissioners meeting at 9:37 a.m. Vest, Schorr, Flowerday and Amundson voted yes. Yoakum was absent. Motion carried 4-0.



Dan Nolte  
Lancaster County Clerk

