

MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY OCTOBER 31, 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 27, 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; Candace Berens and John Ward, Deputy County Attorneys; Matt Hansen, County Clerk; and Meggan Reppert-Funke, County Clerk's Office

Yoakum called the meeting to order at 9:03 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 24, 2023.

MOTION: Vest moved and Amundson 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 October 31, 2023.

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

1. C-21-0684 with Herman Miller Inc, to allow all purchases from the Lead Contract for furniture, installation and related products and services. (MOU103, the estimated expenditures for this contract will be increased by \$15,000 for the remainder of the contract term with a revised total amount of \$25,000.) (C-23-0857)
2. C-21-0666 with U.S. Bank for Automatic Clearing House (ACH) Processing Service. (State of NE Contract 94018-O4; Agreement - 002. The amendment renews the contract from November 1, 2023 through October 31, 2024. There is no cost to the County for this service.) (C-23-0880)
3. C-23-0414 with W.W. Grainger for Facility MRO, Industrial, and Building-Related Supplies and Equipment. (Sourcewell RFP #091422-WWG, MOU152. The amendment renews the contract from November 9, 2023 through November 8, 2024. The estimated cost to the County is not to exceed \$25,000.) (C-23-0876)

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

1. Elton C and Norma J Long, South 68th Street and Wittstruck Road, in the amount of \$392.50 (Project 22-30 / S-276) (C-23-0854)
2. Estate of Olga Kattau, Southwest 86th Street and West Panama Road, in the amount of \$1,855. (Project 22-30 / V-239) (C-23-0858)
3. Lynne Wiedman Revocable Trust, Southwest 29th Street and West Panama Road, in the amount of \$1,180. (Project 22-30 / W-117) (C-23-0859)
4. Kiley L and Kashoan E Ward, Northwest 12th Street and West Bluff Road, in the amount of \$1,180. (Project 24-21 / F-168) (C-23-0860)
5. Jeffrey S Earl, South 176th Street and A Street, in the amount of \$392.50 (Project 24-21 / J-222) (C-23-0875)

C. Change Order No 1 to County Contract C-23-0573 with Vogtsapes Inc, for a plan revision of County Bridge S-180 (Bid 23-082; Project 22-40/22-41 at an amount not to exceed \$70,547.50) (C-23-0853)

D. Utility Permits allowing Bauer Underground Inc, under project management of JEO Consulting Group Inc, to install underground duct work for future installation of communication cable for ARPA Broadband Phase III,

1. 2445 Run 4. (Installation starts at the intersection of Havelock Ave and North 162nd Street, continuing north about 9 miles to North 162nd Street to the intersection of Davey Road.) (C-23-0861)
2. 2446 Run 5. (Installation starts at the Lincoln City limits and US Highway 6, continuing northeasterly about 10 miles with US Highway 6 to the intersection of North 162nd Street continuing at the intersection of US Highway 6 and North 141st Street in Waverly to the intersection of North 141st Street and Oldfield Street.) (C-23-0862)
3. 2447 Run 6. (Installation starts at the intersection of US Highway 77 and Davey Road, continues south with US Highway 77 for about 5 and 1/2 miles.) (C-23-0863)
4. 2448 Run 7. (Installation starts at the intersection of US Highway 77 and Davey Road, continues east with Davey Road for about 9 miles to the intersection with North 162nd Street.) (C-23-0864)

E. Received and placed on file the County Treasurer Report of 2022 Distress Warrants as of October 24, 2023.

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

4) PUBLIC HEARING

- A. Applications 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.**

Yoakum opened the public hearing.

The Clerk administered the oath to Kayli Starr. She took over management of the restaurant August 1st and plans to continue the operations of the former managers. Flowerday asked if she planned to expand services, and she answered no. Yoakum asked if she had a liquor license before, and she answered no.

Yoakum closed the public hearing.

5) NEW BUSINESS

- A. Resolution in the matter of applications 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. (R-23-0092)

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

- B. Lease Agreement with ALLO Infrastructure Holdco, LLC ("ALLO") granting ALLO a 25-year non-exclusive right of entry and lease of space in the County Broadband Conduit System for purposes of deploying fiber-based services to residents and businesses throughout Lancaster County. (C-23-0881)

Abby Eccher, Lancaster County and City of Lincoln Chief Information Officer, was also available for the discussion.

Candace Berens, Deputy County Attorney, provided an overview of the lease agreement. Flowerday thanked the staff who worked on the agreement and ALLO. Board members expressed thanks and support for the project.

Schulte asked how credits are calculated under the lease agreement. Berens stated they are based on ALLO's rates. Eccher noted Information Services needs to assess what building upgrades may be needed to provide broadband service. Schulte asked if certain County locations already have internet service and how credits would work. Eccher stated the locations listed do not have internet service. Schulte asked how the credits will work for locations that already have internet service. Berens stated the lease agreement addresses use of the conduit system. Eccher stated she would get back to the Board on the question.

Vest asked what other benefits the project will bring. Eccher explained it will benefit law enforcement and the data systems they use. Amundson said it will also benefit the fire departments.

Schulte asked if the lease agreement covers the County-City Building. Eccher said she would get back to him with an answer. Schulte asked about the timeline of the project. Berens said once the agreement is signed and the conduit completed, the provider has 120 days to start service. Schulte asked for a status update on the southwest quadrant. Eccher said the completion date was in September. She said the last quadrant will be completed in December. Board members continued to discuss the timeline of the project.

Eccher thanked the Board for their support of the project.

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

- C. Resolution to strike from the tax list certain distress warrants listed as uncollectable by the County Treasurer submitted to the Board. (R-23-0091)

Rachel Garver, County Treasurer, described the resolution and noted that several of the warrants are mobile homes. She asked Board members to approve the resolution. Flowerday discussed the cause of the distress warrants from mobile homes. Vest stated that Nebraska Association of County Officials (NACO) is planning to address the issue.

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

- D. Resolution authorizing Christa Yoakum, the County Board Chairperson of Lancaster County, to sign the 2023 Year-End Certification of County Highway Superintendent form. (R-23-0090)

Pam Dingman, County Engineer, said the resolution addresses an annual certification that she has a Highway Superintendent License that makes the County eligible for additional State funding.

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

- E. Recommendation to award a contract to Constructors Inc, for a paving project on South 98th Street from Old Cheney Road to "A" Street. (County Project 19-04, NDOT Project LCLC-5275(1), NDOT Control No. 13417) (R-23-0093)

Dingman described the development of the contract and asked Board members to approve it. Amundson expressed support for the project. Dingman noted Lincoln Transportation and Utilities would be reimbursing the County for a portion of the project and that a local developer will pay for two of the intersections. Flowerday thanked Dingman and her staff for their work on the project.

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

- F. Requisition request from the County Engineer to piggy-back off the City of Lincoln's contract with Hofeling Enterprises Inc, for routine and storm related wood waste processing services in the total amount of \$100,000. (Bid 21-144) (C-23-0856)

Dingman stated the request allows the County to be more environmentally conscious.

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

- G. Contract with JJK Construction LLC for replacement of County Bridge C-284. The cost to the County is not to exceed \$762,087.41. (Project 22-43; Bid 23-209, the contract shall be effective upon execution.) (C-23-0867)

Dingman displayed a map of the area (Exhibit 1). The bid is about \$300,000 under the budgeted cost. Schulte asked when the completion date will be, and Dingman answered the plan is to open the bridge on September 1st but that incentives might cause the project to be finished earlier. She noted projects involving concrete cannot be completed in cold weather.

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

- H. Recommendation from the Purchasing Agent on behalf of County Engineering to award a bid to JMN Construction LLC for the replacement of County Bridge N-114. The total cost to the County is \$607,209.99. (Project 18-02) (B-23-247)

Dingman described and displayed a map of the location of the bridge (Exhibit 2). The bid is about \$300,000 under the estimated cost.

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

Schulte asked when the bridge will be completed, and Dingman responded the timeline is similar to the bridge in the previous item.

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

- I. Contracts with the following to provide snow and ice removal for miscellaneous locations within the City of Lincoln. The cost to the County is not to exceed \$12,000 for all contracts. (Bid 23-215, the contract shall be effective upon execution through May 31, 2024.)
 - 1. Jake's Odd Jobs Inc (C-23-0870)
 - 2. K2 Real Estate Development dba K2 Construction (C-23-0871)
 - 3. Mr. Yards and More LLC (C-23-0872)
 - 4. Silver Ridge Construction Inc (C-23-0873)
 - 5. Vasa Construction (C-23-0874)

Kerin Peterson, Facilities and Properties Director, stated the items are annual snow removal contracts. Some of the vendors have changed due to companies no longer providing snow removal services.

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

- J. Contracts with the following to provide the annual supply of John Deere filters. The cost to the County is not to exceed \$49,000 for both contracts. (Bid 23-182, the contracts shall be effective for one (1) year upon execution.):
 - 1. AKRS Equipment Solutions (C-23-0868)
 - 2. Murphy Tractor & Equipment Co (C-23-0869)

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

- K. Interlocal Agreement between Lancaster County and Washington County regarding the housing of inmates. (C-23-0882)

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

Brad Johnson, Corrections Director stated the contract addresses inmates already housed in Washington County. Schulte asked if the costs have changed, and Johnson answered the cost will increase from \$65 per day to \$69 per day but that it will include some transportation costs. Schulte asked how many inmates Lancaster County is housing in Washington County, and Johnson responded there are about twenty women there and 107 in Lancaster County. He anticipates that number will decrease.

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

- L. Mini-grant contract application with Nebraska Department of Transportation for the County Sheriff's Office to participate in the statewide "Buckle Up, Every Trip, Every Time" mobilization in the amount of \$8,040. (The period of the grant is November 22, 2023 through November 26, 2023.) (C-23-0855)

John Vik, Deputy Sheriff Captain, stated the application is for a seasonal proactive enforcement initiative through the State. The grant money will be used to reimbursement officers for overtime pay.

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

- M. Contract with Brown Brothers Construction Inc, to provide Lancaster County Sheriff's Office interior remodel. The cost to the County is not to exceed \$357,478. (Bid 23-212, the contract shall be effective upon execution with the completion date to be within ninety (90) days from the date of execution.) (C-23-0865)

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

- N. Contract with American Fence Company of Lincoln to remove and replace parking lot gate arms and operators. The cost to the County is not to exceed \$28,537. (Bid 23-224, the contract shall be effective upon execution with a final completion date of December 1, 2023.) (C-23-0866)

Johnson stated the gate arms are in the staff parking area and that the County is unable to get replacement parts for them because of their age.

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

- O. Memorandum of Understandings with the following for the unit price of tree pruning and removal services. The estimated cost for collective Memorandums of Understanding to the County is not to exceed \$100,000. (City of Lincoln Contract 23-114, MOU176. The MOU shall be effective upon execution through June 21, 2024 then the County has the option of renewing for three additional one year terms under the same terms and conditions):

1. Capital Arborist Tree (C-23-0877)
2. CTC Disaster Response Inc (C-23-0878)
3. Klugs Tree Service (C-23-0879)

MOTION: Amundson moved and Vest seconded approval of the memorandum of understanding. Flowerday, Vest, Amundson, Schulte 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.

Ken Anderson, Douglas County resident, expressed concerns about election security and presented a related video. (A copy of the video is on file with the County Clerk's Office).

7) ANNOUNCEMENTS

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, November 2, 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, November 7, 2023, at 9:00 a.m., with the Board of Equalization immediately following 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.
- 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.

8) ADJOURNMENT

MOTION: Vest moved and Amundson seconded to adjourn at 9:55 a.m. Schulte, Flowerday, Vest, Amundson and Yoakum voted yes. Motion carried 5-0.

Matt Hansen

Matt Hansen
Lancaster County Clerk

