

**MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY NOVEMBER 7, 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 November 3, 2023.

Commissioners present: Christa Yoakum, Chair; Sean Flowerday, Vice Chair; Roma Amundson, Matt Schulte and Rick Vest

Others present: 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 9:00 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 31, 2023.

MOTION: Amundson moved and Vest 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 November 7, 2023.

The Clerk noted there was an amendment to the payroll claim (Exhibit 1).

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

3) SPECIAL PRESENTATION

A. Commissioners' Award of Excellence for August 2023 to Drew Bolzer, Sheriff's Office, in the category of Loss Prevention.

The Clerk read a letter describing the reasons for the award (see agenda packet).

Terry Wagner, County Sheriff, reviewed the reasons for the award. Flowerday presented Bolzer with a plaque. Commissioners thanked Bolzer for his work.

4) 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 County contract C-22-0851 with United Parcel Service (UPS) to provide small package delivery service. (UPS Master Agreement MA065, Addendum 98027 O4; W-011. The renewal shall be

effective November 28, 2023, through November 27, 2026. The cost to the County is not to exceed \$15,000.) (C-23-0887)

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

1. Eldon D and Danita A Kratochvil Trust Agreement, Northwest 98th Street and West Little Salt Road, in the amount of \$1,220. (Project 24-21 / D-115) (C-23-0883)
2. Ball Vineyards and Estates LLC, South 25th Street and Wittstruck Road, in the amount of \$955. (Project 22-30 / S-051) (C-23-0884)
3. Mark and Kristina Benes, Northwest 12th Street and West Bluff Road, in the amount of \$1,967.50 (Project 24-21 / F-168) (C-23-0886)
4. Mark J and Kimberly M Blazek, Northwest 98th Street and West Rock Creek Road, in the total amount of \$4,272.50. (Project 24-21 / D-299) (C-23-0889) (Project 24-21/ D-300) (C-23-0890)
5. Francke Farms Inc, South 176th Street and A Street, in the amount of \$730. (Project 24-21 / J-222) (C-23-0891)
6. Timothy D and Christina D Miller, North 98th Street (Holdrege Street to Adams Street), in the total amount of \$20,900. (Project 23-01) (C-23-0897) (C-23-0898) (C-23-0899)
7. John H and Deanna J Swanson, Northwest 98th Street and West Little Salt Road, in the amount of \$2,510. (Project 24-21 / D-115) (C-23-0900)

C. Grant contracts with City of Lincoln (Lincoln Police Department) for the Take Pause program for the following amounts (for the period of July 1, 2023, through June 30, 2024):

1. \$12,000. (Funding is from County General Funds.) (C-23-0892)
2. \$7,016. (Funding is from the Nebraska Commission on Law Enforcement and Criminal Justice Community-based Juvenile Services Aid Grant.) (C-23-0893)

D. Received and placed on file the following reports from October 2023:

1. Clerk of the District Court
2. Assessor/Register of Deeds
3. County Clerk

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

5) NEW BUSINESS

A. Resolution in the matter of authorizing the County Clerk to issue payments while the County Board is adjourned. (R-23-0094)

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

B. Resolution in the matter of amending the County Purchasing Manual to include a conflict of interest statement. (R-23-0095)

Peter Kroll, City and County Purchasing Agent, recommended amending the County Purchasing Manual to include a conflict of interest statement.

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

Schulte asked if the change would prevent companies from bidding for County projects. Candace Behrens, Deputy County Attorney, explained the change is to let others be more aware of the policy. Schulte expressed

concerns with the policy. Behrens explained the policy is to promote disclosing conflicts and not necessarily to prevent companies from bidding.

Board members, Behrens and Kroll discussed the potential impact of the resolution. Kroll stated his intent is not to exclude those with a potential conflict from bidding projects. Schulte noted Board members are already subject to similar rules under the Nebraska Accountability and Disclosure Commission (NADC).

Schulte proposed tabling the resolution so the County Attorney could review the resolution language.

John Ward, Deputy County Attorney, and Board members discussed how to proceed. Amundson withdrew her motion and Flowerday withdrew his second to the motion.

MOTION: Schulte moved and Flowerday seconded to table the resolution for one week so the County Attorney's Office could review the resolution language.

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

- C. Appointment of Nicholas Oberle as Emergency Management Training Specialist at an annual salary of \$66,023.36 (Step 4), effective November 16, 2023.

Jim Davidsaver, Emergency Management Director, stated the reasons for the appointment and the timeline for completing the hiring process. Most of the salary will be paid using grant funding.

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

Vest commended Davidsaver for securing the grant funding for the position.

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

- D. Agreement with The Community Supports Network Inc to source and provide individuals to perform microfilm and scanning services at the Records and Information Management Department as part of a rehabilitation, treatment, care, training, and educational program. The County will pay up to \$78,000 for services. (The term of the agreement is January 1, 2024, through December 31, 2025.) (C-23-0888)

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

- E. Revised Medicare enrollment application for clinics and group practices for revalidation of the Lancaster County Mental Health Crisis Center's enrollment information. This revised application replaces the Medicare Enrollment Application under County Contract C-23-0820. (C-23-0894)

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

- F. Medicare enrollment application for reassignment of Medicare benefits of Lisa Logsdon, Psy.D. for services at the Mental Health Crisis Center. (C-23-0895)

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

- G. Interlocal agreement with the Regional Behavioral Health Authority (Region V Systems) to provide funding to employ a Coordinator to lead, facilitate, and implement policies, practices and programs designed to reduce the number of incarcerated individuals with mental illnesses. (C-23-0896)

Sara Hoyle, City and County Human Services Director, stated the goal of the agreement is to reduce the population of the County jail.

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

- H. Recommendation from the Youth and Family Crisis Response Center Request for Proposals (RFP) Review Committee and Region V System's Behavioral Health Advisory Committee (BHAC) to approve an award from Region V to CenterPointe to develop and operate SquareOne, a Youth and Family Crisis Response Center.

Hoyle introduced Renee Dozier, Director of Children & Family Behavioral Health Services at Region V Systems. Dozier and Hoyle provided an overview of the partnership. Hoyle stated other applicants were also well-qualified. Yoakum stated the grant award process went smoothly. Dozier thanked Yoakum for serving on the review team.

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

- I. Recommendation from the Purchasing Agent on behalf of County Sheriff to award and execute a Sole Source Purchase Order to Vigilant Solutions LLC for fixed license plate readers in the amount of \$85,136. (C-23-0885)

Spike Eickholt, ACLU of Nebraska, expressed opposition to the recommendation. He discussed the history of the use of license plate readers in the County and how they work. He displayed the County contract with the provider (Exhibit 2) and expressed privacy concerns. The State law on the issue only limits how law enforcement uses and stores the data, not the provider. He discussed a legal settlement between Google and the State regarding the issue (Exhibit 3). He urged Board members to vote against the item.

Wagner stated the cameras will be purchased using forfeited assets and that the Board had already approved the use of the cameras. Flowerday asked if the provider could sell collected data, and Wagner answered his understanding was they cannot. He said the license plate number is the only data collected. Ward confirmed that the provider is prohibited from selling data but is not subject to storage retention provisions in the State law.

MOTION: Schulte moved and Amundson seconded approval of the contract.

Vest stated agreement with privacy concerns but that he did not see harm in use of the license plate readers.

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

- J. Recommendation from the Purchasing Agent on behalf of County Engineering to award a bid to Midwest Infrastructure Inc for replacement of County Bridge X-129 in the amount of \$1,562,346.88. (Project 21-43) (B-23-249)

Larry Legg, Assistant County Engineer, presented a map of the area (Exhibit 4) and stated the bid was less than the estimated cost. He described the project and the area. The contractor will start work at the end of February, and the bridge will open at the end of June.

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

- K. Recommendation from the Southeast Nebraska Development District (SEND) to award a contract through the Lancaster County Owner Occupied Rehabilitation Housing Program for Project 003 to EZ Construction in the amount of \$3,800 to replace five windows (20-HO-001-LCRF).

Dennis Meyer, County Budget and Fiscal Director, stated the recommendation and the following recommendation are the next two scheduled projects for the program. Vest commended the program. Amundson asked where the projects are located, and Meyer said to reference the project documents.

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

- L. Recommendation from the Southeast Nebraska Development District (SEND) to award a contract through the Lancaster County Owner Occupied Rehabilitation Housing Program for Project 004 to T&A Plumbing in the amount of \$1,554 to remove and replace a water heater (20-HO-001-LCRF).

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

Amundson and Schulte noted the projects are located in Walton and Lincoln.

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

Sandy Smith, Lancaster resident, expressed concerns about the intersection at 134th Street and Adams Street. She recommended placing a warning of the upcoming intersection in the area. Vest stated the Board was sorry for the loss of her grandson.

7) **ANNOUNCEMENTS**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, November 9, 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 14, 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.
- 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 9:44 a.m. Vest, Amundson, Schulte, Flowerday and Yoakum voted yes. Motion carried 5-0.



Matt Hansen
Lancaster County Clerk

