

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
THURSDAY DECEMBER 16, 2021
COUNTY CITY BUILDING, 555 S. 10TH STREET
ROOM 112 – CHAMBERS
IMMEDIATELY FOLLOWING THE BOARD OF COMMISSIONERS MEETING**

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

Others Present: David Derbin, Chief Administrative Officer; Kristy Bauer, Deputy Chief Administrative Officer; and Leslie Brestel, County Clerk's Office

Advanced public notice of the meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, website and emailed to the media on December 15, 2021. Notice was also published in the Lincoln Journal Star print and digital editions on December 13, 2021.

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:53 a.m.

AGENDA ITEM

1. APPROVAL OF STAFF MEETING MINUTES FOR DECEMBER 2, 2021

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

2. LEGISLATIVE UPDATE – Joe Kohout and Brennen Miller, Kissel, Kohout, ES Associates LLC

Kohout and Miller said they anticipate nine large issues during the upcoming Legislative session, including American Rescue Plan Act (ARPA) fund discussions and decisions, building a new prison at an estimated cost of \$300,000,000, various tax updates and reductions, a vaccine mandate, content regulation mandates, abortion law similar to the State of Texas', broadband, and gaming and racing legislation.

Regarding \$1,457,000,000 in the cash reserve, Kohout stated there will be additional spending proposals that may not fit the qualifications for ARPA funds that could use funds from the cash reserves.

Kohout discussed the Board's legislative priorities, noting the legislation for "priority for placement at state hospitals for the mentally ill and recovery of costs for lodging mentally incompetent criminal defendants in county jails pending transfer to DHHS for restoration of competency to stand trial" has been drafted and may be introduced by Senator Matt Hanson. The Supreme Court will be updating court technology using ARPA funds. Additionally, Kohout felt the length of the legislative session would be the biggest factor for LB242 (Provide for county bridges under the Political Subdivisions Construction Alternatives Act).

Concerning Medication Assisted Treatment (MAT) in problem-solving courts, Schorr added there are

settlement funds available (70% federal funds, 15% were distributed to both the State and counties and municipalities). Last year the Legislature created an Opioid Recovery Fund Board which will meet in January 2022. There will be a public hearing for entities to present proposals for use of these funds.

It was the consensus of the Board to send a letter to the Attorney General's Office for notification of the date and time of the public hearing and express the Board's interest in presenting a proposal.

Amundson noted that the Board made LB73 (Direct a portion of the proceeds from the Nebraska Racetrack Gaming Act to county agricultural societies) a priority. Schorr said she believes the best use of funds is to not involve the State in legislating fund allocations. She felt local control to allocate funds are in the best interest of the counties. Amundson added there are many agricultural societies that could benefit from the legislation.

Kohout reported LB271 (Adopt the 24/7 Sobriety Program Act) will need clean up language introduced in the next legislative session.

The Board expressed their thanks to Kohout and Miller for all of their hard work.

3. LETTER FROM LINCOLN AIRPORT AUTHORITY REQUESTING ARPA FUNDING

Nick Cusick, Lincoln Airport Authority (LAA) Board member, reviewed the request (see agenda packet) stating Minimum Revenue Guarantees (MRG) are used to share the risk of the startup of air service. MRG can range from \$500,000-\$2,000,000 depending on the airline and the route. He noted the flights from the City of Lincoln to the City of Atlanta were based on MRG with Delta Airlines in 2014. He reported a federal Small Community Air Service Development grant is being worked on. The airport has no ability to raise funds, nor can it use its own funds due to both the State Constitution and the Federal Aviation Administration (FAA) Revenue Diversion restrictions. The Lincoln Airport has received ARPA funds that are subject to same FFA requirements.

David Haring, Lincoln Airport Authority Executive Director, discussed his background. He said airports are able to waive fees and there has been discussion about starting a Ground Servicing Division. He felt the Lincoln airport may trend toward more leisure services, as opposed to business services, in the future which have a great economic opportunity for the community.

Todd Wiltgen, Lincoln Chamber of Commerce Public Policy Specialist, said this is one of the Chamber's highest priorities as the lack of air service options has become a barrier to economic development. He stressed ARPA funds are designed for economic recovery and requested the Board support the MRG.

Schorr added air service is a top request when trying to recruit business development to Lincoln.

MOTION: Schorr moved to direct the County Attorney's Office to draft a resolution allocating \$1,500,000 of the County's ARPA funds to the Lincoln Airport for MRGs. Motion failed for lack of a second.

Candace Berens, Deputy County Attorney, requested the Board delay the request to permit her time to finish research.

MOTION: Schorr moved and Amundson seconded that it is the intent of the Board to allocate \$1,500,000 of the County's ARPA funds to the Lincoln Airport for MRGs. Flowerday, Schorr, Amundson, Yoakum and Vest voted yes. Motion carried 5-0.

4. MIDYEAR BUDGET MEMORANDUM – Dennis Meyer, Budget and Fiscal Officer

Meyer reviewed the memo (see agenda packet) and stated the upcoming budget year should be approached as a growth year, which has been a 2%-2.5% increase. Flowerday added he felt departments should not expect an increase in their full-time equivalent (FTE) positions.

Vest asked if a growth year budget model will cover wage increases. Meyer answered it is questionable at this time.

It was the consensus of the Board for Vest to sign the memo.

5. EXECUTIVE SESSION (UNION NEGOTIATIONS, PENDING AND POTENTIAL LITIGATION, AND LEGAL ADVICE) – Jen Holloway, Eric Synowicki, and Candace Berens, Deputies County Attorney; Sue Eckley, Risk Manager, and Kari Wiegert, Risk Management Specialist, Risk Management; and Doug McDaniel, Director, Nicole Gross, Compensation and Classification Manager, and Amy Sadler, Human Resource Specialist, Lincoln-Lancaster County Human Resources

MOTION: Schorr moved and Amundson seconded to enter Executive Session at 9:39 a.m. for the purposes of union negotiations, potential and pending litigation, receiving legal advice and to protect the public interest.

The Chair said it has been moved and seconded that the Board enter Executive Session.

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

The Chair restated the purpose for the Board entering Executive Session.

MOTION: Amundson moved and Yoakum seconded to exit Executive Session at 10:12 a.m. Amundson, Yoakum, Flowerday, Schorr and Vest voted yes. Motion carried 5-0.

6. COVID-19 UPDATE AND RESPONSE

Flowerday stated the hospitals have few available beds.

7. ACTION ITEMS

A. Litigation Consulting Agreement between Lancaster County and Merit Medical Evaluations effective December 1, 2021

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

B. Submit the Following Grant Applications:

- 1. Community Based Aid in the amount of \$1,025,855**
- 2. Community Aid Enhancement in the amount of \$123,654**

Hoyle reviewed the grant applications and requested approval for Bauer to sign both applications (see agenda packet)

MOTION: Schorr moved and Flowerday seconded approval for Bauer to sign the grant applications. Flowerday, Schorr, Amundson, Yoakum and Vest vote yes. Motion carried 5-0.

Hoyle said there is rental assistance available for both City and County residents.

C. Reappointment of Gwen Thorpe to the Keno Human Services Advisory Board to a three-year term commencing January 1, 2022, and ending December 31, 2024.

Hoyle stated Thorpe's input is vital to the committee.

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

8. CHIEF ADMINISTRATIVE OFFICER REPORT

A. Appreciation Award(s)

Vest noted he had discussed the item with each Commissioner individually. Derbin requested a motion to approve the expenditure.

MOTION: Schorr moved and Yoakum seconded approval of a \$200 Appreciation Award to Melissa Hood, youth Services Center Administrator. Amundson, Yoakum, Flowerday, Schorr and Vest voted yes. Motion carried 5-0.

B. 2022 Lobbyist Memorandum

Derbin reviewed the memo (see agenda packet).

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

9. DEPUTY CHIEF ADMINISTRATIVE OFFICER REPORT

A. Strategic Plan Services, RFP22-002

Bauer discussed the Request for Proposal (RFP) which will open next week for a total of three weeks. She noted changes to the RFP are as follows: (1) a draft plan will be made available to the Board after 10 months; (2) implementation will be complete by the third year; (3) there will be ongoing support and maintenance during those three years; and (4) there will be an option to renew for a

year (see agenda packet).

The Selection Committee will consist of Kristy Bauer, Deputy Chief Administrative Officer; Dave Derbin, Chief Administrative Officer; Dennis Meyer, Budget & Fiscal Officer; Sara Hoyle, Human Services Administrator; Jon Vik, Deputy Sheriff Captain; and Derrick Niederklein, Chief Field Deputy, Assessor/Register of Deeds. The final contract is estimated to be determined by March.

10. DISCUSSION OF BOARD MEMBER MEETINGS ATTENDED

A. Lancaster County Mental Health Crisis Center Advisory Committee – Yoakum

Yoakum reported she did not attend the meeting.

B. LIBA Elected Officials Forum – Vest/Schorr

Schorr stated the meeting was canceled.

C. Lincoln - Lancaster County Board of Health – Flowerday

Flowerday said the staff policy regarding food safety inspectors was updated and there was discussion on COVID.

D. MPO Officials Committee – Vest/Schorr

Vest reported the 2050 Long Range Transportation Plan (LRTP) and three modifications to the Transportation Improvement Program (TIP) were approved.

E. NACO Annual Conference – All

Schorr stated there were 918 conference participants and 103 vendor booths. NACO will have an updated website soon. There will be education requirements for county clerks, county treasurers and county commissioners. Also, NACO is organizing a group for medium size counties similar to the Tri-County group consisting of Lancaster, Douglas and Sarpy Counties.

F. Parks and Recreation Advisory Board – Vest

Vest indicated he was not able to attend.

G. Public Building Commission – Amundson/Flowerday

Amundson and Flowerday were unable to attend the meeting.

H. Railroad Transportation Safety District (RTSD) Meeting – Vest/Schorr/Amundson

Schorr noted tonight is the open house at the Center for People in Need regarding the 33rd and Cornhusker project. She added this project will improve safety around this area.

I. Realtors Association Government Affairs Committee – Amundson

Amundson reported it was the holiday lunch.

J. Reducing Racial & Ethnic Disparities Committee – Yoakum

Yoakum stated she did not attend the meeting.

K. Youth Crisis Response Committee – Amundson

Amundson indicated she did not attend the meeting.

OTHER MEETINGS

Flowerday said he is taking a tour of both Trabert Hall and Educare.

LPS Superintendent Search

Schorr and Yoakum felt the meeting was very informative.

11. SCHEDULE OF BOARD MEMBER MEETINGS

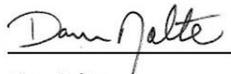
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12. EMERGENCY ITEMS

There were no emergency items.

13. ADJOURNMENT

MOTION: Schorr moved and Amundson seconded to adjourn at 10:37 a.m. Flowerday, Schorr, Amundson, Yoakum and Vest voted yes. Motion carried 5-0.


Dan Nolte
Lancaster County Clerk

