

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, OCTOBER 8, 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 4, 2019.

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

Others present: Kerry Eagan, Chief Administrative Officer; Ann Ames, Deputy 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 9:03 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 1, 2019.

MOTION: Yoakum moved and Vest seconded approval of the minutes. Flowerday, Yoakum, Vest and Amundson voted yes. Schorr abstained. Motion carried 4-0 with one abstention.

2) CLAIMS:

A. Approval of all claims processed through October 8, 2019.

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

3) SPECIAL PRESENTATION:

A. Grant Award for \$371,978 from the Bureau of Justice Assistance (BJA) for enhancement of the Lancaster County Veterans Court – The Honorable John Colborn; Dean Rowher, Veterans Court Coordinator; and Jeff Curry, Chief Adult Probation Officer (See correlating item 5A).

Dean Rowher, Veterans Court Coordinator, said the grant helps with veterans treatment and Veterans Court. The main focus was housing and stabilizing veterans in the community. Rowher discussed the number of other services provided through the grant.

Judge John Colborn, District Court - Veterans Court Judge, said this grant will allow the program to expand and provide more services.

Schorr said she attended the first graduation program and was pleased to see the mentoring from older veterans. Judge Colborn said they continue to get more mentoring volunteers and that also assists in the program's success.

Flowerday said he is also pleased to see the program is expanding to assist with DUI's.

Vest said it is nice to see the program providing transportation and a safe place for veterans to live.

Amundson thanked Judge Colborn and Mr. Rowher for their work on this project.

B. The 2019 Excellence in Education Inspire – Celebrating Women's Leadership Award – Karen Wobig, Nebraska Extension; Tracy Anderson, Lancaster County 4-H Coordinator.

Karen Wobig, Nebraska Extension Unit Leader, introduced Tracy Anderson, Lancaster County 4-H Coordinator. Anderson briefly discussed the 4-H program and provided a flyer for an upcoming event (Exhibit A).

Schorr said the Inspire Awards are sponsored by the Lincoln Journal Star and she congratulated Ms. Anderson for the work she does.

Yoakum and Amundson also thanked Ms. Anderson.

- 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. **Amendment to County Contract C-17-0858 with Vulcan Signs (Vulcan Inc.) for Annual Supply – Traffic Sign Faces (Bid No. 17-239. The amendment renews the contract from November 7, 2019 through November 6, 2020. The cost to the County is not to exceed \$18,000.) (C-19-0748)**
 - B. **Second Amendment to County Contract C-19-0346 with Zelle, LLC for additional professional services to be provided to the Department of Community Corrections. (The additional cost to the County is not to exceed \$1,500.) (C-19-0757)**
 - C. **Received and placed on file the following reports:**
 - 1. **Clerk of the District Court (September, 2019).**
 - 2. **Assessor/Register of Deeds (September, 2019).**
 - 3. **County Clerk (September, 2019).**
 - 4. **Records and Information Management (September, 2019).**
 - 5. **Lancaster County Sheriff's Office quarterly report (July through September, 2019).**

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

5) NEW BUSINESS:

- A. Acceptance of the Bureau of Justice Assistance (BJA) Grant awarded to Lancaster County for Veterans Court Enhancement in the amount of \$371,978. (C-19-0749)**

MOTION: Vest moved and Yoakum seconded to accept the grant award. Schorr, Flowerday, Yoakum, Vest and Amundson voted yes. Motion carried 5-0.

- B. Acceptance of the Bureau of Justice Assistance (BJA) Grant awarded to Lancaster County for Re-entry Initiatives: Building System Capacity and Testing Strategies to Reduce Recidivism in the amount of \$999,994. (C-19-0750)**

Kim Etherton, Community Corrections Director, said this grant is to assist with the initiative for women. The grant requires one year of planning. She noted she will be working with the Bureau of Justice Assistance to start the planning process.

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

- C. Resolution in the matter of authorizing the Chair, Vice Chair, and other Commissioners to declare a disaster or emergency pursuant to Neb. Rev. Stat. § 81-829.50. (R-19-0068)**

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

- D. Adoption of the 2020 Lancaster County Legislative Priorities.**

This item was held until the end of the meeting.

- E. Computer Matching and Privacy Protection Act Agreement with the Social Security Administration for information sharing with Lancaster County General Assistance. The term of the agreement is from January 1, 2020 through June 31, 2021. There is no cost to the County. (C-19-0751)**

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

- F. Certification of Compliance with the Information Exchange Agreement with the Social Security Administration (SSA) for electronic access to SSA information, records and data through the Nebraska Health and Human Services system (originally executed under County Contract C-09-0478). There is no cost to the County. (C-19-0752)**

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

- G. Educational Affiliation Agreement with Bryan Medical Center for students at Bryan College of Health Sciences to pursue educational experiences at the Mental Health Crisis Center. The initial term of the agreement is one year from the date of execution. There is no cost to either party. (C-19-0753)**

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

- H. Agreement with JEO Consulting Group, Inc., (Project 18-02) for engineering services for the replacement of County Bridge N-114. The agreement shall be effective upon notice to proceed and all work shall be completed on or before February 4, 2020. The total cost is \$52,415. (C-19-0754)**

Pam Dingman, Lancaster County Engineer, said a storm washed away Bridge N-114 in the 1970's. The County Engineering Department then used old bridge parts to replace it. Since then, over \$40,000 has been spent on stabilization. There are between four and eight cars that use the bridge per day, but it is the only access to the Village of Denton's wellfield. The Engineering Department purchased T-beams from Concrete Industries that were unable to be sold for \$1.00. This contract will be for the design of the bridge using the T-beams.

MOTION: Vest moved and Yoakum seconded approval of the agreement.

Dingman added she is hopeful to receive an innovation grant from the Nebraska Department of Transportation to further reduce the costs to the taxpayers.

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

- I. Agreement with Gana Trucking & Excavating, Inc., for the maintenance of certain County roads pursuant to Special Permit No. 19032. There is no cost to the County. (C-19-0755)**

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

- J. Agreement with HopeSpoke to provide for professional case management services at the Youth Services Center. The term of the agreement is from July 1, 2019 through June 30, 2020. The cost to the County is not to exceed \$76,856.34. (C-19-0756)**

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

- K. Contract with White Castle Roofing & Gutters for Lancaster County West "O" Street DMV Roof Replacement (Bid No. 19-203). The work included in this contract shall begin upon execution of contract. The final completion date shall be October 31, 2019. The cost to the County is not to exceed \$25,598. (C-19-0758)**

Kerin Peterson, Property Management, said this is the original roof and there have been repairs over the years, but it is time for a complete replacement.

Amundson asked what type of roof was on the structure. Peterson stated it is a composite shingle and it will be replaced with a similar composite shingle.

Jen Holloway, Deputy County Attorney, said when this item was linked to the agenda there were some additional blank pages and some pages that were part of the bidding process. Those pages have now been removed and the Board will approve the contract without the additional pages.

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

RETURNING TO ITEM 5D

Kerry Eagan, Chief Administrative Officer, referenced an updated list of legislative priorities (Exhibit B) noting that items one through three were as drafted and have no changes. Item four was the additional priority requested by the Board to adopt the Advance Mental Health Care Directives Act under LB247.

MOTION: Schorr moved and Flowerday seconded approval of the 2020 legislative priorities. Flowerday, Yoakum, Vest, Schorr and Amundson 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.**

Paula Peterson, 12700 Rock Creek Road, Waverly, appeared in opposition to the formation of a Joint Public Agency (JPA) for the purposes of implementing a wheel tax in Lancaster County.

7) ANNOUNCEMENTS:

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Tuesday, October 8, 2019 at 8:00 a.m., in the Bill Luxford Studio (Room 113) of the County-City Building (555 S. 10th Street, Lincoln) and will not hold a staff meeting on Thursday, October 10, 2019.**
- B. The Lancaster County Board of Commissioners will hold its next regular meeting on Tuesday, October 15, 2019 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) with the Board of Equalization immediately following.**
- C. County Commissioners can be reached at 402-441-7447 or commish@lanaster.ne.gov.**

- D. 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) **EXECUTIVE SESSION:**

A. Legal Advice and Pending Litigation.

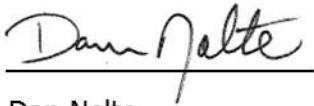
MOTION: Schorr moved and Vest seconded to enter into Executive Session for the purpose of discussing legal advice, pending litigation and to protect the public interest at 9:35 a.m. Flowerday, Yoakum, Vest, Schorr, Amundson. Motion carried 5-0.

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

MOTION: Schorr moved and Vest seconded to exit Executive Session at 10:09 a.m. Schorr, Yoakum, Vest and Amundson vote yes. Flowerday was absent. Motion carried 4-0.

9) **ADJOURNMENT**

MOTION: Schorr moved and Vest seconded to adjourn the Lancaster County Board of Commissioners meeting at 10:09 a.m. Yoakum, Vest, Schorr and Amundson voted yes. Flowerday was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk





2019 4-H Information Night

See animals such as rabbits and llamas

Free hot dogs!

Find Out How Youth Ages 5-18 Can Join 4-H! | Adults – Help Youth Grow By Volunteering!

Tuesday, Oct. 8 • 6pm
Lancaster Extension Education Center
444 Cherrycreek Rd., Lincoln

4-H is America's largest youth development organization — empowering nearly six million young people across the U.S. with the skills to lead for a lifetime. 4-H'ers are 4 times more likely to give back to their communities, 2 times more likely to make healthier choices and 2 times more likely to participate in Science, Technology, Engineering and Math (STEM) activities!¹

Adult volunteers are vital to the ongoing growth and development of youth in 4-H. Research shows the structured learning, encouragement and adult mentoring youth receive through 4-H helps them achieve future life successes.¹

¹ Read about the "4-H Study of Positive Youth Development" at <http://4-h.org/about/research>

Extension is a Division of the Institute of Agriculture and Natural Resources at the University of Nebraska-Lincoln cooperating with the Counties and the United States Department of Agriculture.

The 4-H Youth Development program abides with the nondiscrimination policies of the University of Nebraska-Lincoln and the United States Department of Agriculture.

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2020 LANCASTER COUNTY LEGISLATIVE PRIORITIES

1. Allow financing of County Bridges under Neb. Rev. Stat. §23-120(3)(b)

The number of structurally deficient county bridges in Nebraska is increasing at an alarming rate. Amending Neb. Rev. Stat. §23-120(3)(b) to include county bridges could provide a steady source of revenue to address this public safety issue.

2. Statutory Changes to Implement Statewide 24/7 Sobriety Program

The 24/7 Sobriety Program has been successfully used in other states to reduce recidivism for alcohol-related offenses such as driving under the influence. Lancaster County is in the process of establishing a 24/7 program under the supervision of the County's Community Corrections Department. Statutory changes are needed to mandatory sentencing and drivers license provisions to provide incentives for participants to actively participate and complete the program.

3. Amend the Mental Health Commitment Act to Allow Sharing of Mental Health Information Among Providers and Law Enforcement Agencies

The strict limitations on the release of mental health records under Neb. Rev. Stat. §71-961 can interfere with continuity of care and the ability of law enforcement to protect the public safety. §71-961 should be broadened to allow providers to share mental health records when it will assist in providing better continuity of care or when the safety of an individual or the public can be enhanced by allowing law enforcement agencies to have such information.

4. Adopt the Advance Mental Health Care Directives Act under LB 247

An acute mental health episode can cause a person to refuse treatment that the person would freely accept if not impaired by mental illness. If the mental health episode leads to incarceration, the person may refuse medications essential to their treatment. If that individual had signed a lawful advance mental health care directive, more timely care can be provided. Stabilizing a person in a mental health crisis can lead to shorter periods of incarceration and increased public safety.

Standing Priorities

1. Property Tax Relief

Property tax relief continues to be the top legislative priority for Lancaster County.

Pressure on the property tax can be reduced by eliminating unfunded mandates which primarily benefit the State, including the obligation of counties to pay rent for certain Health and Human Services facilities under Neb. Rev. Stat. §68-130. Another way to reduce reliance on the property tax is to diversify county revenue sources. Potential new revenue sources for counties could include:

- Tobacco tax increase
- Occupation tax on wineries
- Remove sales tax exemption on soda, energy drinks, and candy, and earmark the proceeds for property tax relief
- Increase statutory fees to keep pace with the cost of the service being provided
- Establish reasonable fees for services provided by the county engineers for issuance of driveway permits, right-of-way permits, subdivision reviews, load permits, and for petitions to vacate or abandon a county public road

2. Funding for Adult Criminal Justice System Reform

Lancaster County's jail population and probation housing costs have increased as a direct result of 2015 Neb. Laws LB 605. Funding for the County Justice Reinvestment Grant Program created under LB 605 should be maintained or increased to help offset these additional costs. Additional property tax savings could be realized through criminal justice reforms such as no cash bail, and mandating home arrest for inmates who qualify for work release and for persons convicted for nonsupport of their children.

3. Funding for Juvenile Justice Reform

Juvenile justice reform under 2013 Neb. Laws LB 561 is not being adequately funded. With the passage of 2018 Neb. Laws LB 1112, adequate funding becomes even more critical. Additional funding should be appropriated for community-based post adjudication services, and existing funding levels for the Juvenile Justice Community Based Aid Program should be maintained or increased.