

Nebraska Capitol Commission
Meeting Minutes
June 12, 2025

1. Call to Order

Lt. Governor Kelly, in the absence of Governor Pillen, called to order the meeting of the Nebraska Capitol Commission at 10:00 a.m. on June 12, 2025, in Hearing Room 1507, First Floor in the Nebraska State Capitol, Lincoln, Nebraska. Lt. Governor Kelly announced the meeting was operating under the Open Meetings Act and a copy of the Act is posted at the west entrance of the Hearing Room.

2. Roll Call

Members in attendance:

Lt. Governor Kelly

Kevin Van Den Wymelenberg

Daryl Bohac

Doug Carey

Katie Spohn

Jack Wightman Jr.

Ex-Officio Comm. Secretary: Brett Daugherty

Members Absent:

Speaker Arch

Chief Justice Funke

Lt. Governor Kelly welcomed Jack Wightman Jr, as the newest member to the Nebraska Capitol Commission.

Let the record show that Speaker Arch arrived at the meeting before Agenda item number 3.

3. Review and Approval of the September 17, 2024 Meeting Minutes

Lt. Governor Kelly asked if there was any discussion on the minutes. There being none, Lt. Governor Kelly asked for a motion to approve the November 12, 2024, meeting minutes. Mr. Carey MOVED to approve the minutes. Mr. Van Den Wymelenberg SECONDED the motion.

The motion PASSED (7 Ayes, 1 Absent).

4. Current Work & Project Status Reports

Mr. Daugherty also welcomed Mr. Wightman to the commission. Mr. Daugherty reported that in addition to the OCC shops' daily work they have been heavily involved with the HVAC project and the

restructuring of two (2) rooms for the legislature. Mr. Daugherty added the last courtyard(northeast) has been landscaped by the contractor and all that remains is the final punch list of that courtyard. There were no questions from the commission.

5. Public Comment for Items not Listed on the Agenda

Lt. Governor Kelly recognized Bob Wickersham. Mr. Wickersham announced his name and came before the Commission on behalf of the Nebraska Association of Former Legislators(Formers) to give an update on the courtyard gardens.

Mr. Wickersham gave an overview of the \$1,000,000.00 fundraising project, of which the planning began in 2017. The fundraising began in 2018, and \$1,419,000.00 was raised. The fundraising dollars are to be used for the reconstruction of the gardens and to establish an endowment for future maintenance. In 2019 the Formers contracted with Campbells Nursery and when the work is completed the total costs will be 4% over the \$300,000 contract amount. In addition to the contract there have been purchases totaling \$38,000.00 for courtyard equipment (power buggy, rototiller, benches) and \$57,000 for maintenance needed in the gardens while waiting for the endowment to kick in.

Mr. Wickersham said these additional expenditures went over the excess of \$419,000.00, however, because they invested all fundraising dollars, they were able to use the money earned to pay for these expenses.

Mr. Wickersham summarized the process of the Formers having an MOU (Memorandum of Understanding) with the State so the State was responsible to design, supervise, and approve the work within the courtyards. The Formers sole responsibility was to fund the project with an endowment.

Mr. Wickersham finished by saying the Formers are interested in other projects, such as the 5th Floor project and the restoration of the law library reading room.

Lt. Governor Kelly asked if there were any questions for Mr. Wickersham. Mr. Van Den Wymelenberg thanked the Formers for their leadership, updates, and making this a community-engaged project.

Mr. Wickersham added the Formers believe that people do enjoy the gardens and the courtyards have become an asset for the building.

There was some additional discussion on the Formers organization and structure. Mr. Wickersham thanked the Commission for their time. Lt. Governor Kelly thanked Mr. Wickersham for his update.

At Lt. Governor Kelly's request, Mr. Bohac announced the Historical Society had re-opened the Capitol Gift shop in the Capitol. Mr. Bohac said traffic in the shop is slow right now, but they are receiving positive responses from people and will eventually be adding more merchandise. There will also be a display case brought in to showcase objects from the Historical Society's collection, of which different displays will be rotated through the case. Mr. Bohac expressed that they were excited to be back in the Capitol.

6. Previous Business

A. H.V.A.C. Project Update

Mr. Daugherty gave a brief update on what has happened on the HVAC project since the last meeting, as they are shown on the HVAC Project Status Report in bold type at the end of that report. With the additional HVAC funding being appropriated this Legislative session, LB 261, contracts have been signed and demolition started. Two (2) elevators, SW and NE, will be closed off for public access to allow the HVAC contractors to move freely between the basement and tower floors.

Mr. Daugherty also informed the Commission that in the original HVAC funding statute provided for a project manager which was filled by Clark deVries. The statute also spelled out that the salary would be capped at a specific dollar amount and all those dollars have been expended. Clark's last day was the end of March 2025.

Mr. Daugherty provided the following additional updates

- AC has been shut off to tower and the Capitol will no longer be using University chilled water.
- Windows in the library that were postponed in phase 2 are getting finished.
- June 23rd 14th floor closing and no longer accessible to the public due to a fire safety issue since there won't be a second egress due to the tower stairs being in a construction area.

Speaker Arch asked if phase 5 was going to be done in June 2027. Mr. Daugherty replied yes and once the tower is done there is work that has to be done in the basement to finish the full project, which is expected to take one (1) more year. The Speaker offered this is helpful information for space planning of the Legislative offices that will be returning from leased space.

Mr. Bohac asked if there is a plan to clean the murals while 14th floor is closed. Mr. Daugherty replied it has been 20 plus year since the murals were taken down and cleaned and he acknowledged this is something that needs to be taken into consideration before 14th floor reopens. Mr. Bohac offered the Historical Society may be able to provide some information for painting conservators.

Lt. Governor Kelly inquired about the unique challenges for the tower that didn't exist in the other phases. Mr. Daugherty replied the tower is a steel structure and there are areas that cannot be worked in or accessed other than through small chases. The ceiling height for the tower floors is 20 ft, which is the floor above. New piping and equipment will now be exposed because it cannot be relocated inside exterior walls and there are no compatible interior walls without additional construction. Once the piping is installed trays will be built to conceal as much of the pipe as possible. Mr. Daugherty added there are also challenges with transporting equipment in the small elevators.

There were no further questions from the Commission.

B. 5th Floor Renovation Project Update by Matt Hansen

Matt Hansen, Preservation Architect, provided some additional information on the courtyard gardens. The landscaping project took so long to complete because the courtyard perimeter(outside wall) plantings could not be installed until the scaffolding for HVAC window repairs was removed when that Phase of the HVAC project was completed.

Mr. Hansen gave an update on the 5th floor Renovation project since the last meeting, of which updates are shown on the project status report. The project was on hold until the budget bill passed and OCC was able to move forward with Phase 5 of the HVAC project. The consultants are finishing up designing a bid package. It is anticipated that the bid package could be released in two (2) months.

Speaker Arch asked if the bid process was competitive or time and material. Mr. Daugherty answered in regard to the HVAC project was a competitive bid with the understanding the contractor that was awarded the initial bid would be the contractor for each Phase unless there were issues, at which point a bid package would be released to all the initial bidders.

Speaker Arch verified that the 5th Floor construction project would be an open bid for contractors and not just the HVAC contractor currently working in the Capitol. Mr. Daugherty replied that is correct.

Ms. Spohn inquired if the plant replacements in the courtyard are the responsibility of Campbell's. Mr. Hansen replied there is a one (1) year warranty on Campbell's initial plantings and beyond that it would be considered maintenance by OCC using the courtyard endowment funds. There were no further questions from the Commission.

C. Previous Business from the Commission

There was no previous business from the commission.

7. New Business

A. Program 901 Update

Mr. Daugherty gave an update on the 901 Executive summary report. Mr. Daugherty said nothing has changed except a few expenditures to the 5th floor Rotunda Gallery before the project was put on hold.

Mr. Daugherty let the Commission know that the Office Renovation of Rooms 2309-2315 in Part C Future Proposed Work will be eliminated from the summary document for the next meeting. These rooms were renovated in Phase 4 of the HVAC project.

Mr. Daugherty informed the Commission that this Legislative session LB 261 appropriated \$1,000,000.00 a year for 10 years. The first appropriation of \$1,000,000.00 will not be appropriated until July 1, 2026, and those funds will not be shown on the report until they become available.

OCC will be reviewing the projects on the report to update costs and determine if there are other priority work or projects. At the appropriate meeting OCC will make recommendations to the Commission on projects/work for review and approval.

Speaker Arch asked when the walls in the Legislative Chamber were last cleaned. Mr. Daugherty replied sometime between 2005 and 2010. Mr. Hansen added part of the issue in the Chamber is the staining on the walls which first requires outside work to stop the water filtrating in through the limestone before this cleaning can be done inside. Mr. Hansen said the outside work is listed in Part C on the 901 Executive Summary document, West Chamber North & South Wall Tuck Pointing. Speaker Arch agreed this is the staining they are noticing.

Speaker Arch also inquired when the last time new carpet was installed in the Chamber. Mr. Daugherty said it would have been before 1998, and he added that this is something that can be added to the 901 list of projects.

There were no further questions from the Commission.

B. Capitol Sower Newsletter

Mr. Daugherty advised that Roxanne Smith was unable to attend the meeting as he passed out the June 2025 Capitol Sower Newsletter to the Commissioners. Mr. Daugherty gave an overview of the articles in the newsletter on the HVAC project and office restoration work. Mr. Daugherty also mentioned Ms. Smith received an award, which is well deserved (page 2, OCC staff changes).

C. Other Business from the Commission

There was no other business from the Commission

8. Adjourn

There being no further business Lt. Governor Kelly asked for a motion to adjourn the meeting. Mr. Bohac MOVED to adjourn the meeting. Ms. Spohn SECONDED the motion.

Lt. Governor Kelly called for a voice vote to adjourn the meeting. The motion PASSED with a unanimous vote of the members present (7 Ayes).

The meeting was adjourned at 10:55 a.m.

NEXT MEETING: Two meetings scheduled for Thursday November 13, 2025

**10:00 a.m. Joint Meeting with the Nebraska Capitol Environs Commission
Immediately following is a Nebraska Capitol Commission Meeting**

APPROVAL OF MINUTES

Minutes prepared: June 23, 2025

Sarah Lacey, Capitol Commission Clerk

Office of the Capitol Commission

Minutes approved _____