

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**COUNTY-CITY BUILDING, ROOM 112**  
**TUESDAY, OCTOBER 1, 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 September 27, 2019.*

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

Commissioner absent: Deb Schorr

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 9:00 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, September 24, 2019.**

**MOTION:** Vest moved and Yoakum seconded approval of the minutes. Flowerday, Yoakum, and Vest voted yes. Amundson abstained. Schorr was absent. Motion carried 3-0 with one abstention.

**2) CLAIMS:**

- A. Approval of all claims processed through October 1, 2019.**

**MOTION:** Vest moved and Yoakum seconded approval of the claims. Vest, Flowerday, Yoakum and Amundson voted yes. Schorr was absent. Motion carried 4-0.

- 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. Grant contracts with the following (funded by the Nebraska Commission on Law Enforcement and Criminal Justice Juvenile Services Aid Grant. The terms of the grant contracts are July 1, 2019 through June 30, 2020):**

1. Asian Community & Cultural Center for the Serving Immigrant & Refugee Youth program (in the amount of \$50,000). (C-19-0729)
  2. Rabble Mill for the All-Access Pass program (in the amount of \$50,000). (C-19-0730)
- B. Amendment to grant contract C-18-0075 with Family Violence Council for Improved Community Response to Sexual Assault & Legal Advocacy Relating to Protection Orders & Immigrants program (for a decrease of \$1,800). (C-19-0731)
- C. Amendment to the following County contracts:
1. C-17-0645 with AOI for Annual Supply Workstations and Accessories. (Bid No. 17-140. The estimated cost will be increased by \$1,000 for the remainder of the contract term with a revised total amount of \$13,000.) (C-19-0728)
  2. C-19-0387 with Genuine Parts Company to change the ownership to A Street Automotive for Automotive and Truck Replacement Parts and Tires with Related Equipment, Accessories and Services (Sourcewell Contract No. 062916-GPC, State of NE Participating Addendum No. 14778 OC. MOU048). (C-19-0735)
  3. C-18-0486 with Envirotech Services, Inc., for Liquid Deicing Products (State of NE Contract No. 14916 OC. MOU29). (The amendment increases the County's maximum expenditures by \$19,000 for a revised total amount of \$25,000 for the remainder of the current term.) (C-19-0739)
  4. C-15-0149 with Redwood Toxicology Laboratory, Inc., for Drug and Alcohol Screening Products. (State of Minnesota MMCAP Contract No. MMS14033) (The amendment extends the contract from October 1, 2019 through September 30, 2020. The estimated cost to the County is not to exceed \$30,000.) (C-19-0740)
- D. Amendment to the following County contracts for Annual Supply – Sheriff Uniform Clothing and Accessories (Bid No. 17-233. The amendments renew the contracts from October 31, 2019 through October 30, 2020).
1. C-17-0845 with Bob Barker Company, Inc., (the amendment renews the contract with a price increase, the cost to the County is not to exceed \$350.) (C-19-0741)
  2. C-17-0844 with Don's Pioneer Uniforms (the cost to the County is not to exceed \$6,200). (C-19-0742)

The Chair announced there was a request to remove item A2 from the consent agenda.

**MOTION:** Yoakum moved and Vest seconded to remove item A2. Yoakum, Vest, Flowerday and Amundson voted yes. Schorr was absent. Motion carried 4-0.

**MOTION:** Flowerday moved and Yoakum seconded to approve the consent items. Yoakum, Vest, Flowerday and Amundson voted yes. Schorr was absent. Motion carried 4-0.

Sara Hoyle, Human Services Director, introduced Andrew Norman, Rabble Mill Executive Director. Mr. Norman gave a brief overview of the All-Access Pass program.

Yoakum asked how youth can access the program without having an all-access pass. Norman said youth can skate at any point. There is a membership that provides cheaper rates. There is also skate school every weekend.

**MOTION:** Flowerday moved and Yoakum seconded approval of item A2. Flowerday, Yoakum, Vest and Amundson voted yes. Schorr was absent. Motion carried 4-0.

#### **4) SPECIAL PRESENTATION:**

- A. Addendum to Lancaster County Visitors Improvement Grant of \$600,000 to the Lincoln Children's Zoo for the next expansion phase – John Chapo, Lincoln Children's Zoo CEO & President; and Becky Perrett, Lancaster County Visitors Promotion Committee Chair. (See correlating item 5A)**

Becky Perrett, Lancaster County Visitors Promotion Committee Chair, said the second expansion of the Children's Zoo consists of habitats for cheetahs and anteaters, event greetings, playgrounds and a zoo café. The Visitors Promotion Committee unanimously voted to approve the second phase with a 6-0 vote.

John Chapo, Lincoln Children's Zoo CEO & President, said there have been some projects that have been downsized due to cost overruns and estimates. After phase one, attendance grew by 50% from the previous year. Chapo also introduced Johnny, an African Serval (cat) to the Board.

#### **5) NEW BUSINESS:**

- A. Lancaster County Visitors Improvement Fund Grant Contract C-16-0368 with Lancaster County as the Sponsor and the Lincoln Children's Zoo as the Grantee. The addendum adds \$600,000 to the grant amount for the additional expansion of the zoo and extends the end of the grant period to December 31, 2025. (C-19-0743)**

**MOTION:** Flowerday moved and Yoakum seconded approval of the grant contract. Flowerday, Yoakum, Vest and Amundson voted yes. Schorr was absent. Motion carried 4-0.

- B. Recommendations from the Lancaster County Pension Review Committee for the following:**
  - 1. Placement of funds on the watch list under the Lancaster County Employees Retirement and Deferred Compensation Plan Statement of Overall Investment Objectives and Policy for the following:**
    - a. Fidelity Advisor ® New Insights Fund Class I.**
    - b. PGIM QMA Small – Cap Value Fund – Class R6.**
  - 2. Accepting asset reallocations to the Prudential Day One ® Income Flex Target ® Balanced Fund (no additional action required).**

**MOTION:** Flowerday moved and Yoakum seconded approval of the recommendations. Flowerday, Yoakum, Vest and Amundson voted yes. Schorr was absent. Motion carried 4-0.

- C. Agreement between Kristy Beitler and Lancaster County, on behalf of the Lancaster County Department of Community Corrections, to provide Safety Training Option Program (STOP) instructions to participants eligible to participate in the Lancaster County Traffic Diversion program. The County shall pay \$100 per STOP class instructed. The term of the contract is October 1, 2019 through September 30, 2020. (C-19-0744)**

Kim Etherton, Community Corrections Director, said a previous STOP instructor recently retired and Ms. Beitler will be her replacement.

**MOTION:** Vest moved and Yoakum seconded approval of the agreement. Vest, Flowerday, Yoakum and Amundson voted yes. Schorr was absent. Motion carried 4-0.

- D. Agreement with Executive Travel, Inc., to provide travel management services for in-custody prisoner transport. The term of the agreement is from October 1, 2019 through September 30, 2023. The total cost to the County shall not exceed \$200,000. (C-19-0745)**

Terry Wagner, Lancaster County Sheriff, said this agreement is to assist with extraditions of prisoners.

**MOTION:** Vest moved and Yoakum seconded approval of the agreement. Yoakum, Vest, Flowerday and Amundson voted yes. Schorr was absent. Motion carried 4-0.

- E. Agreement between Region V Systems and The Bridge Behavioral Health for The Bridge to assist the County and Region V by including in the services it presently provides, the detention of individuals who are in Emergency Protective Custody (EPC). The term of the agreement is July 1, 2019 through June 30, 2020. (C-19-0746)**

**MOTION:** Flowerday moved and Yoakum seconded approval of the agreement. Flowerday, Yoakum, Vest and Amundson voted yes. Schorr was absent. Motion carried 4-0.

- F. Recommendation from the Purchasing Agent and Lancaster County Sheriff to award and execute a purchase order using the State of Nebraska, Contract No. 15096 OC to AFL, LLC dba Anderson Ford for six 2019 Ford all-wheel drive police mid-size utility vehicles. The total amount of the order is \$218,658. (C-19-0734)**

Wagner said this is a little over the budgeted amount. Some increases were due to lighting and safety upgrades. The upgrades on this contract will reduce costs on similar contracts. The total net increase for all contracts will be \$900.

**MOTION:** Vest moved and Flowerday seconded approval of the recommendation. Flowerday, Yoakum, Vest and Amundson voted yes. Schorr was absent. Motion carried 4-0.

- G. Contract with WoodRiver Energy LLC to provide Annual Supply – Natural Gas and Related Services (Bid No. 19-212). The term of the contract is for a four-year term from the date of execution through October 31, 2023 with one additional four-year term renewal. The cost to the County is not to exceed \$43,000 for the four-year term. (C-19-0747)**

Bob Walla, Lincoln-Lancaster County Purchasing Agent, said the contract is for the supply of natural gas for four County owned locations.

Jen Holloway, Deputy Lancaster County Attorney, said there is still additional insurance documents needed and asked the Board to approve the contract contingent upon receipt of insurance.

**MOTION:** Vest moved and Yoakum seconded approval of the contract contingent on receipt of insurance. Vest, Flowerday, Yoakum and Amundson voted yes. Schorr was absent. Motion carried 4-0.

- H. Agreement with Speece Lewis Engineers, Inc., (Project 20-07) to obtain the services of qualified professionals to provide channel armoring repair for Bridge H-207. The agreement shall be for two years from the date of execution. The total amount shall not exceed \$13,340. (C-19-0727)**

Pam Dingman, Lancaster County Engineer, said this bridge is located a mile and a half north of Highway 6 on 162<sup>nd</sup> Street. The bridge was critically damaged in 2014 and 2015. The Federal Emergency Management Agency (FEMA) provided funds to armor one side of the bridge to repair the flood damage. However, the other side needs to be addressed.

Vest asked for clarification on how a bridge is armored. Dingman said the Engineering Department examines the water and water speed around the bridge. The engineer will then come up with a solution that will hold material around the abutment.

**MOTION:** Vest moved and Yoakum seconded approval of the agreement. Yoakum, Vest, Flowerday and Amundson voted yes. Schorr was absent. Motion carried 4-0.

- I. Recommendation from the Purchasing Agent and County Engineer to award and execute purchase orders for Supply and Hauling of Crushed Rock Surface Material (Bid No. 19-226) to the following:**

- 1. Westover Rock & Sand, Inc., in a total amount of \$732,550. (C-19-0732)**
- 2. R L Tiemann Construction, in a total amount of \$346,960. (C-19-0733)**

Dingman said this is the Fall bid for rock surface material.

Vest asked how much rock is being purchased. Dingman said it will all be dependent on the winter weather. Rock and gravel is ordered twice a year and comes in truckloads of 10 tons.

**MOTION:** Vest moved and Yoakum seconded approval of the recommendations. Flowerday, Yoakum, Vest and Amundson voted yes. Schorr was absent. Motion carried 4-0.

**J. Recommendation from the Purchasing Agent and County Engineer to award and execute purchase orders for Supply and Hauling of Gravel Surface Coarse Material (Bid No. 19-227) to the following:**

- 1. Buel Trucking, in a total amount of \$244,000. (C-19-0736)**
- 2. Lyman-Richey Corporation, in a total amount of \$692,050. (C-19-0737)**
- 3. Westover Rock & Sand, Inc., in a total amount of \$238,000. (C-19-0738)**

Dingman said these recommendations are to purchase gravel for County roads.

**MOTION:** Vest moved and Yoakum seconded approval of the recommendations. Flowerday, Yoakum, Vest and Amundson voted yes. Schorr was absent. Motion carried 4-0.

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

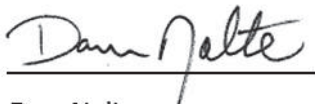
Elizabeth Jane Shanahan, 18801 N. 1<sup>st</sup> Street, Davey, Nebraska, discussed her concerns in regards to Confined Animal Feeding Operation (CAFO) tied to Special Permit 19035. (Exhibit A)

**7) ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, October 3, 2019 at 8:30 a.m., in the Bill Luxford Studio (Room 113) of the County-City Building (555 S. 10th Street, Lincoln).**
- B. The Lancaster County Board of Commissioners will hold its next regular meeting on Tuesday, October 8, 2019 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln).**
- C. County Commissioners can be reached at 402-441-7447 or [commish@lancaster.ne.gov](mailto:commish@lancaster.ne.gov).**
- D. The Lancaster County Board of Commissioners meeting is broadcast live on LNKTv City. For the rebroadcast schedule visit [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: LNKTv). Meetings are also streamed live on LNKTv and can be viewed on YouTube (LNKTvcity).**

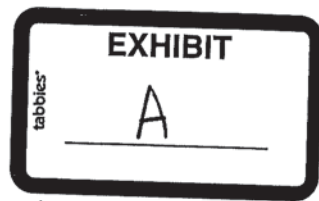
**8) ADJOURNMENT**

**MOTION:** Vest moved and Yoakum seconded to adjourn the Lancaster County Board of Commissioners meeting at 9:40 a.m. Vest, Flowerday, Yoakum and Amundson voted yes. Schorr was absent. Motion carried 4-0.



Dan Nolte  
Lancaster County Clerk





My name is Elizabeth Jane Shanahan, I live about 4 miles from the proposed confined animal feeding operation, a CAFO. I didn't even have this acronym in my vocabulary until about a month and a half ago. Why would I? I live on a little slice of heaven in northern Lancaster County. Imagine my shock and concern when my friends and neighbors started telling me about a confinement of sorts that houses chickens. Tens of thousands of chickens! In each shed! It is unimaginable in my brain to comprehend 380,000 chicken living in 8 sheds. That is more chickens then people living in Lincoln, NE!

Then I started going to meetings, and saw more neighbors and more friends, concerned and startled, uniting together because they care.

I am here to speak against the CAFO's, specifically Special Permit # SP19035 and about caring, courage, community, chickens and children. There are hundreds if not thousands of residents of Lancaster County opposed to SP19035 because they care. You, yourselves are on the commission because YOU care. You care enough about our community and our citizens to get involved in planning for others.

The citizens that are writing letters and coming to the meetings care. They have the courage to speak up. I ask that you too, have courage. That you have courage to stand up for our community. For YOUR community.

Lincoln Premium Poultry houses 47,500 chickens in one feeding confinement. Eight of them want to go up in northern Lancaster County. As I stated before 380,000 chickens every six weeks being sent to slaughter. They arrive in the darkness and they live for six weeks in the dark. Many of them do not make it to slaughter, there is a 2.5%-3.5% mortality range. This is roughly 80,000 chickens dying a year before the truck comes to get them. Does this seems humane to you?

If Lincoln Premium Poultry does not provide humane conditions for a chicken, how can they say they will be responsible stewards of our roads, our water, our environment, and our children? People will write and will come before you to discuss these conditions, as well as the odor. You will hear from my neighbors and friends about the specifics of each of these. The planning commission will make recommendations. Unfortunately, I have had to take the time to read about the damage to all of these aforementioned, when I would have liked to have been doing something else. However, I care about my neighbors, friends, roads, water, the environment and yes, the lowly chicken, and our children. I have the courage to drive here, spend hours of my time at meetings and reading up on what the damage to our roads, water, the environment and our children will be.

I ask that you have the courage, to care enough, to vote against these CAFO's coming in to our communities. That you care enough about these citizens in Lancaster County, to deny the permit if it gets to this commission.

Thank you for your time and your commitment to our county and our state! It is much appreciated!

Elizabeth Jane Shanahan