

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, MAY 28, 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 May 24, 2019.

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

Others present: Kerry Eagan, Chief Administrative Officer; Ann Ames, Deputy Chief Administrative Officer; David Derbin, Deputy County Attorney; 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, May 21, 2019.**

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

2) CLAIMS:

- A. Approval of all claims processed through May 28, 2019.**

MOTION: Flowerday moved and Schorr seconded approval of the claims. Vest, Schorr, Flowerday and Amundson voted yes. 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. Third amendment to County Contract C-18-0620 with JEO to add additional wetland permitting services. The cost of the additional services is \$1,375. (C-19-0395)**

- B. Amendments to the following County Contracts for Unit Price – Excavating, Grading and Dozing Services: (Bid No. 16-292. The amendments increase the County’s maximum expenditures by \$100,000 for all contracts. The revised contract total with the expenditure increase shall not exceed \$200,000 for all contracts.)**
- 1. C-17-0040 with Brandt Excavating Company. (C-19-0402)**
 - 2. C-17-0042 with Gana Trucking & Excavating. (C-19-0403)**
 - 3. C-17-0044 with High Plains Enterprises Inc. (C-19-0404)**
 - 4. C-17-0043 with H.R. Bookstrom Construction Inc. (C-19-0405)**
 - 5. C-17-0045 with Walton Construction Co., Inc. (C-19-0406)**
- C. Amendment to County Contract C-17-0181 with Sunset Law Enforcement for Annual Supply – Ammunition. (Bid No. 17-036. The amendment adds additional line items increasing the expenditure by \$30,000 for the remainder of the current term. The revised contract total shall not exceed \$48,000.) (C-19-0420)**
- D. Grant contracts funded by the Joint Budget Committee for the period of July 1, 2019 through June 30, 2020 with the following:**
- 1. Cause Collective in the amount of \$5,525 for the Case Management program. (C-19-0407)**
 - 2. Center for People in Need in the amount of \$20,700 for the Neighborhood Food program. (C-19-0408)**
 - 3. HopeSpoke in the amount of \$51,750 for the Outpatient Service program. (C-19-0409)**
 - 4. Houses of Hope in the amount of \$41,400 for the Halfway House program. (C-19-0410)**
 - 5. People's City Mission in the amount of \$42,625 for the Family Shelter program. (C-19-0411)**
 - 6. Good Neighbor Community Center in the amount of \$87,975 for the Food Pantry & Perishable Food and Basic Needs programs. (C-19-0421)**
- E. Grant contracts funded by Juvenile Justice Prevention Funds for the period of July 1, 2019 through June 30, 2020 with the following:**
- 1. Rabble Mill in the amount of \$45,000 for the All-Access Pass program. (C-19-0412)**
 - 2. YWCA of Lincoln in the amount of \$15,000 for the Girls Circle program. (C-19-0413)**
 - 3. YMCA of Lincoln in the amount of \$15,366 for the Teen Night program. (C-19-0414)**
 - 4. YWCA of Lincoln in the amount of \$14,520 for the Project Restore Family Support program. (C-19-0415)**

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

- 1. Penterman Farms, LLC, South 148th Street and Yankee Hill Road, in the amount of \$1,315. (C-19-0422)**
- 2. Douglas D. and Arden M. Mohrman, South 1st Street and Yankee Hill Road, in the amount of \$640. (C-19-0423)**

G. Appointment of Lori Gokie to the Commissioner's Award of Excellence Committee to complete the remainder of Minette Genuchi's term.

MOTION: Schorr moved and Flowerday seconded approval of the consent items. Vest, Schorr, Flowerday and Amundson voted yes. Motion carried 4-0.

4) PUBLIC HEARING:

- A. Change of Zone 19010 from AG Agricultural to AGR Agricultural Residential on approximately 25.53 acres in the general vicinity of W. Bluff Road and NW 126th Street in Lancaster County, Nebraska. (See correlating item 5A)**

The Chair opened the public hearing.

Nate Burnett, Rega Engineering, 601 Old Cheney Road, Suite A, was administered the oath and said the change of zone is for an existing irregular tract and will have three lots with the potential of two additional lots. There is currently an existing dwelling unit on one of the lots and each lot will have its own water and sanitary sewer system. Elk Creek flows through the property and there will be a crossing that has been approved through the U.S. Corps of Engineers.

Vest ask if the crossing over the creek would be a bridge for motor vehicles. Burnett explained this will not be a bridge, but will be two twelve foot culverts that will allow for motor vehicle traffic.

No one appeared in opposition or in the neutral position.

Tom Cajka, Planning Department, was administered the oath and said this change of zone is associated with a special permit that was approved by the Planning Commission. The Board will only need to approve the change of zone, not the special permit.

The Chair closed the Public Hearing.

5) NEW BUSINESS:

- A. Resolution in the matter of Change of Zone 19010 from AG Agricultural to AGR Agricultural Residential on approximately 25.53 acres in the general vicinity of W. Bluff Road and NW 126th Street in Lancaster County, Nebraska. (R-19-0044)**

MOTION: Schorr moved and Vest seconded approval of the resolution. Flowerday, Vest, Schorr and Amundson voted yes. Motion carried 4-0.

B. Resolution in the matter of authorizing use of County Visitors Improvement Funds for Visitor Promotion, in the amount of \$150,000 for the period of January, 2019 through April, 2019. (R-19-0045)

MOTION: Schorr moved and Flowerday seconded approval of the resolution. Schorr, Flowerday, Vest and Amundson voted yes. Motion carried 4-0.

C. Amusement license renewal application from Josh and Amanda Kadavy dba JK's Pumpkin Patch at 757 Bluff Road, Lincoln, Nebraska from September 13 to October 27, 2019.

Josh Kadavy, applicant, thanked the Board for their continued support. He explained that JK's Pumpkin Patch focuses mainly on educating kids about agriculture. They are involved in many fundraisers and give back to the community through such programs as 4-H and FFA (Future Farmers of America).

Vest asked if Mr. Kadavy was working with individuals to evaluate the safety of the remaining attractions. Kadavy said they take safety very seriously and have gone through the attractions diligently with a number of individuals to ensure everything on the farm is safe and will not pose any safety hazards or concerns.

Schorr asked how many years the pumpkin patch has been operating and how many families have visited. Kadavy said this is the ninth year and he would estimate between 10,000 to 20,000 families have visited the farm.

MOTION: Schorr moved and Vest seconded approval of the amusement license renewal application.

Flowerday asked what safety changes were made since last year. Kadavy said they are being overly cautious and have removed the inflatables. He added the hayrack rides are completely enclosed and have railings on the sides, safety chains and steps. Additional workers will also be onsite to help monitor every attraction. Mr. Kadavy noted that he was recently made aware of State Statutes that apply to agricultural attractions and specifically outline accidents and injuries and he has found this information helpful over the past year.

Amundson noted that she had been to the pumpkin patch years ago through her involvement with Girl Scouts. She said the girls really enjoyed the experience and always wanted to return and she thanked Mr. Kadavy for his efforts.

ROLL CALL: Vest, Schorr, Flowerday and Amundson voted yes. Motion carried 4-0.

D. Agreement with the Administrative Office of the Courts & Probation for administration of the Adult Drug Court for the District Court of Lancaster County. The Administrative Office of the Courts & Probation will pay the County \$493,678 for the services. The term of the agreement is July 1, 2019 through June 30, 2021. (C-19-0416)

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

- E. **Recommendation from the Purchasing Agent and District Court to award a contract to Midwest Sound and Lighting for District Court cabling and A/V switching equipment (Bid No. 19-136). The total amount is \$73,454. (B-19-0136)**

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

- F. **Setting the annual salary of Sara Hoyle, Human Services Director, at \$99,445 effective June 6, 2019.**

MOTION: Vest moved and Schorr seconded approval of the annual salary. Schorr, Flowerday, Vest and Amundson voted yes. Motion carried 4-0.

- G. **Contract with Trump Memorials and Funeral Services to provide certain cremation and burial services as outlined in the Lancaster County General Assistance Guidelines. The term of the contract is one year from execution. The cost to the County is not to exceed \$3,500. (C-19-0417)**

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

- H. **Acceptance of the following Federal Grant Awards from the Nebraska Commission on Law Enforcement and Criminal Justice for the Reducing Violence Against Women in Lancaster County project:**

1. **Grant No. 17-VW-715 in the amount of \$33,376 from June 1, 2019 through May 31, 2020. (C-19-0418)**
2. **Grant No. 18-VW-713 in the amount of \$226,990 from July 1, 2019 through June 30, 2020. (C-19-0419)**

Sara Hoyle, Human Services Director, said Grant 17-VW-715 will assist with prosecution efforts such as training on domestic violence and sexual assault along with any equipment needed. Grant 18-VW-713 will fund the prosecutors, investigators and advocates with Voices of Hope, El Centro de las Americas and the Asian Center.

MOTION: Schorr moved and Flowerday seconded to accept the Federal Grant Awards. Vest, Schorr, Flowerday and Amundson voted yes. Motion carried 4-0.

- I. **Contract with Hamilton Equipment Co., to provide Annual Supply - Skid Steer Loader Rentals (Bid No. 19-088). The contract shall be effective from July 1, 2019 through June 30, 2020. The cost to the County is not to exceed \$5,375. (C-19-0401)**

MOTION: Flowerday moved and Vest seconded approval of the contract. Flowerday, Vest, Schorr and Amundson voted yes. 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.**

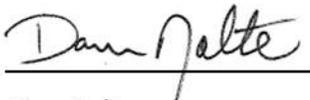
Jonathan Leo, 2321 Devonshire Drive, Lincoln, expressed various concerns regarding the Confined Animal Feeding Operation Task Force that was created following the approval in September, 2018, of a special permit (#18025, filed by Randy Essink) for the Costco/Lincoln Premium Poultry chicken feedlots near Crete. Mr. Leo disclosed that he is the policy coordinator and legal advisor to the group of western Lancaster County residents who were principally opposed to the issuance of this special permit and who have filed a lawsuit against Mr. Essink and Lancaster County to invalidate it.

7) ANNOUNCEMENTS:

- A. The Lancaster County Board of Commissioners will hold a staff meeting, including department budget hearings on Thursday, May 30, 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, June 4, 2019 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) followed by the Board of Equalization and department budget hearings.**
- 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 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) ADJOURNMENT

MOTION: Schorr moved and Vest seconded to adjourn the Lancaster County Board of Commissioners meeting at 9:29 a.m. Schorr, Flowerday, Vest and Amundson voted yes. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk

