

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, APRIL 13, 1999
2 P.M.**

Commissioners Present: Kathy Campbell, Chair
Bob Workman
Linda Steinman
Larry Hudkins

Commissioners Absent: Bernie Heier (Absent due to participation in the Governor's trade mission in Japan)

Others Present: Kerry Eagan, Chief Administrative Officer
Dave Kroeker, Budget & Fiscal Officer
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk
Ann Taylor, County Clerk's Office

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF TUESDAY, APRIL 6, 1999 AND THURSDAY, APRIL 8, 1999

The Board requested the following corrections to the Staff Meeting minutes of Tuesday, April 6, 1999:

- * Change Paragraph 8 on Page 3 to read as follows: Workman questioned the sizing of backup power needed with a District Energy system.
- * Further expansion of the discussion on the District Energy system in the minutes was requested.
- * Include the following statement in the Motion on Page 5 : "and will be responsible for the Assessment Center initially".

MOTION: Steinman moved and Hudkins seconded approval of the Staff Meeting minutes of Thursday, April 8, 1999. On call Steinman, Hudkins, Workman and Campbell voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

No additions were noted.

3 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant

Gordon Kissel, Legislative Consultant, presented a legislative update (Exhibit A) and *Priority Listing of Senators* (Exhibit B) noting the following:

- * The Appropriations Committee will be presenting the budget in the next few days
- * LB 112, which provides for the responsibility for payment of costs of medical services for individuals who are arrested, detained or taken into custody, and LB 271, which changes a provision relating to rights of nonprofit corporations, have moved to Select File

Hudkins reported there is an amendment to LB 271 which would assess property tax costs back to the entity leasing Airport Authority property. He questioned whether this would also apply in a situation such as the University of Nebraska Foundation's lease of property to Cook Foods. He also noted there are indications that the legislation would estimate costs for emergency services and tax collections, but would exclude the school portion.

Kissel agreed to follow-up on the bill.

- * The Governor opposes LB 652, which provides for a juvenile correctional facilities master plan and increases the cigarette tax, due to fiscal impact to the State. The Department of Corrections also opposes transfer of the secure youth confinement facility to the Office of Juvenile Services.

Campbell and Steinman will seek an appointment with the Governor to discuss the bill.

Campbell reported on a letter received from Senator Schimek thanking the County Board for correspondence supporting interim zoning.

The Board directed Eagan to respond to Schimek's letter, noting that the County Board's interest was in legislation relating to County zoning regulations, rather than interim zoning.

In response to questions, Kissel reported the following:

- * LB 770, which changes the exempt amount for inheritance tax purposes, will remain in the Revenue Committee
- * LB 179, which changes homestead exemption provisions, moved to Select File following amendment to reduce the fiscal impact
- * LB 90, which changes provisions relating to abandoned motor vehicles, has moved to Final Reading
- * LB 651, which requires the Supreme Court to pay security costs, remains in Committee

4 CHANGE OF ZONE NO. 185, AGRICULTURAL (AG) TO AGRICULTURAL RESIDENTIAL (AGR), NW 70TH AND AGNEW ROAD; SECTION 17.007 OF COUNTY ZONING REGULATIONS; BOARD OF ZONING APPEALS VACANCIES - Mike DeKalb, Planning Department

Section 17.007 of County Zoning Regulations

Mike DeKalb, Planning Department, distributed copies of excerpts from the County's and City's Zoning Regulations with regards to dwelling units for domestic employees in accessory buildings (Exhibit C).

DeKalb reported on a situation in which the owner of a 33 acre parcel in the western portion of the County is using a loophole in Section 17.007 of the County Zoning Regulations to build three houses. He explained that the first house was built using the "farmstead exception" to the 20 acre rule, which allows the split-off of a farmhouse in existence for more than five years, that passes minimum housing code and health inspection of the septic system and well. A second house was allowed by right because the parcel was more than 20 acres in size. A third house is now being constructed on the property. He stated the owner has assured Mel Goddard, Chief Building Inspector for the Building & Safety Department, that this dwelling will be used for a domestic employee, in accordance with Section 17.007.

DeKalb suggested that the Building and Safety Department be requested to keep a "tickler file" on the property, to insure that it does not become a rental property in the future.

DeKalb also recommended initiation of a text change to the County Zoning Regulations to remove the loophole language or to require a special permit.

In response to a question from Hudkins, DeKalb stated that the process to effect a text change to the County Zoning Regulations to require a special permit will take approximately 90 days. He noted this requirement will not be retroactive, but pre-existing uses that meet that criteria will be deemed to have a special permit. That special permit may be revoked, however, should their use change.

Campbell suggested that a letter be sent to the property owner notifying him of the County Board's intent to initiate a text change to Section 17.007 of the County Zoning Regulations to require a special permit and apprising him that he must meet this criteria.

Workman questioned whether the owner intends to sell the property.

Tom Stewart, neighboring property owner, appeared and stated that the owner is a land developer that owns several parcels in the County.

MOTION: Workman moved and Steinman seconded to direct the Planning Department to prepare a text change to Section 17.007 of the County Zoning Regulations to require a special permit. On call Workman, Steinman, Hudkins and Campbell voted aye. Motion carried.

MOTION: Steinman moved and Hudkins seconded to authorize Kathy Campbell, Chair, and Kerry Eagan, Chief Administrative Officer, to work with the Building and Safety Department in development of a letter to be sent to the property owner in question notifying him that the County Board has initiating a text change to Section 17.007 of the County Zoning Regulations to require a special permit and that he will be required to meet that criteria. On call Steinman, Hudkins, Workman and Campbell voted aye. Motion carried.

Change of Zone No. 185

DeKalb reported briefly on Change of Zone No. 185, a request from Eugene Benes to change the zoning on property at NW 70th and Agnew Road from Agriculture (AG) to Business (B) for the location of a heating and air conditioning business (Exhibit D). He stated the request has received a recommendation of approval from Planning staff and the Planning Commission.

Board of Zoning Appeals Vacancies

DeKalb recommended the reappointment of Steve Hollman to a five (5) year term on the Board of Zoning Appeals, noting he has indicated a willingness to serve an additional term.

The following names were suggested to fill the vacancy created by Charles Weichart's resignation:

- * Ron Tekolste, Firth
- * Wayne Nielsen, Davey
- * Lynette Nelson, Malcolm

At the Board's request, Workman and DeKalb will contact Nielsen to see if he would be willing to serve.

DeKalb also gave a brief update on the following:

- * Change of Zone No. 184
- * Wapiti Estates Final Plat and Change of Zone No. 182
- * A Change of Zone Application for property on the north side of Pawnee Lake

5 RENEWAL OF FINANCIAL CONSULTING AGREEMENT - Dave Kroeker, Budget & Fiscal Officer

Dave Kroeker, Budget & Fiscal Officer, reported that the three (3) year financial consulting agreement with Ameritas Investment Corporation will expire in July, 1999. He noted that documents for the new juvenile detention facility financing should be completed within 30 days, but an extension of the contract is probably necessary to see that project through completion. Kroeker also reported that Bill Giovanni, Ameritas Investment Corporation, has stated a preference for a three (3) year extension of the contract, with the same conditions.

In response to a question from Steinman, Kroeker stated he has not received a response from Steve Hubka, Acting Finance Director, as to whether the City of Lincoln has extended their financial consulting agreement with Ameritas Investment Corporation. He noted that the County initially piggybacked onto the City's Request for Proposals (RFP) for the financial consulting contract.

Steinman asked whether additional bond issues are anticipated in the near future.

Kroeker state there could be refunding issues, noting the Lincoln-Lancaster County Health Department building is one possibility.

The Board requested that Diane Staab, Deputy County Attorney, draft a two (2) year extension of the contract, with the same conditions.

6 ACTION ITEMS

- a. County Service Awards (\$2,130)

MOTION: Steinman moved and Workman seconded to proceed with the proposed list of County Service Awards at the recommended amount. On call Workman, Hudkins, Steinman and Campbell voted aye. Motion carried.

- b. Microcomputer Requests from the Attention Center, C#99103 for \$497.23 from the Microcomputer Fund for a Scanner

Eagan recommended that the Attention Center consult Brian Pillard, Records & Information Manager, to determine whether his department could provide this service to the Attention Center.

MOTION: Steinman moved and Workman seconded to hold the microcomputer request from the Attention Center until there is consultation with Brian Pillard, Records & Information Manager, regarding that department's services. On call Steinman, Workman, Hudkins and Campbell voted aye. Motion carried.

7 ADMINISTRATIVE OFFICER REPORT

- a. Telecommunications Consulting Agreement with River Oaks Communications Corporation

Eagan reported that River Oaks Communications Corporation has submitted a joint telecommunications consulting proposal to the City and County. The proposed cost of \$45,000, plus an additional 60-80 hours at hourly rates, would be split equally between the two entities.

Board consensus to move forward with the proposal.

b. County Board Calling Cards

Eagan suggested acquiring two calling cards to assist members of the County Board in conducting official business when they are out of town.

MOTION: Workman moved and Steinman seconded to authorize two (2) calling cards for the County Board and requested that Cori Beattie, Administrative Secretary, maintain the calling cards for County Board. On call Workman, Steinman, Hudkins and Campbell voted aye. Motion carried.

c. District Court Clerk/County Court Payment Counters in the County-City Building

Eagan provided a brief update on the plan for systems furniture workstations and a payment counter for the offices of Clerk of the District Court and Clerk of the County Court (Exhibit E). He noted that the systems furniture expense of \$9,536.21 has already received County Board authorization.

d. Griffin Grant Writing Agreement

Eagan indicated that he will be sending a memo to County departments requesting a list of grant writing projects.

8 DISCUSSION OF BOARD MEMBER MEETINGS

a. Parks & Recreation Advisory Board - Workman

Workman reported that a decision was made to close the road adjacent to Sherman Field.

b. Air Pollution Control Advisory Board - Workman

Workman commented on the duration of the Air Pollution Control Advisory Board meeting and questioned whether resources were being used wisely.

Workman and Hudkins agreed to meet with Leon Vinci, Lincoln/Lancaster County Health Department Director, to discuss the matter further.

c. General Assistance Monitoring Committee - Campbell, Steinman

Steinman reported that the quarterly report was reviewed, noting that hospitals and pharmacies have the greatest impact on general assistance costs.

d. Public Building Commission - Campbell, Hudkins

Hudkins reported that security system for the Hall of Justice and Law Enforcement Center was approved, at a cost of \$305,000.

Hudkins also reported that the County Sheriff's proposal for security was discussed. He noted that the City objects to the proposed allocation of security costs based on total usage of space in both the County-City Building and Hall of Justice and Law Enforcement Center.

Campbell reported that additional discussion focused on artwork for the Hall of Justice and Law Enforcement Center and whether to place an inscription on the building's facade.

e. Region V - Steinman

Steinman reported on a joint Regional Governing Board and Behavioral Health Advisory Committee meeting, noting recognition of the Region's 25th anniversary.

Steinman stated legislation relating to mental health parity and a managed care proposal was also discussed.

f. District Energy - Hudkins

Hudkins reported that the new YMCA and the two new City libraries will have ground coupled heat pump systems.

Hudkins also reported that additional security measures will be implemented at the ice plant, due to the presence of anhydrous ammonium.

9 EMERGENCY ITEMS AND OTHER BUSINESS

Workman reported that the Nebraska Liquor Control Commission approved two liquor licenses with the County's proposed restrictions.

10 ADJOURNMENT

By direction of the Chair, the meeting was adjourned.

Bruce Medcalf
Lancaster County Clerk