

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, MAY 27, 1999
8:15 A.M.**

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

Others Present: Kerry Eagan, Chief Administrative Officer
Diane Staab, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk
Ann Taylor, County Clerk's Office

AGENDA ITEM

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, MAY 20, 1999
AND DEPARTMENTAL BUDGET HEARINGS OF THURSDAY, MAY 20, 1999**

Heier referred to Page 7 of the May 20th County Board Staff Meeting Minutes and suggested that the Board send a letter of encouragement to members of the judiciary with regards to the issue of determining indigency in court matters.

The Board requested that Dennis Keefe, Public Defender, draft a letter, for signature by the County Board and the Public Defender, to the Nebraska Supreme Court Chief Justice John Hendry suggesting development of state guidelines for indigency determination.

MOTION: Hudkins moved and Steinman seconded approval of the Staff Meeting Minutes of Thursday, May 20, 1999 and Departmental Budget Hearings of Thursday, May 20, 1999. On call Hudkins, Steinman, Heier, Workman and Campbell voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- a. Request from Lincoln Public Schools (LPS) for a Letter Supporting Their Safe Schools/Healthy Students Initiative Grant Application

MOTION: Heier moved and Hudkins seconded approval of the addition to the agenda. On call Heier, Hudkins, Steinman, Workman and Campbell voted aye. Motion carried.

MOTION: Heier moved and Hudkins seconded to send a letter from the County Board supporting the Lincoln Public Schools' grant application, with signature by the Chair. On call Steinman, Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

3 COMMISSIONERS MEETING REPORTS

- a. Community Mental Health Center Advisory Committee - Steinman

Steinman reported that the Committee has requested representation on the search committee for a new director for the Community Mental Health Center. She stated Bill Bonacker, Interim Director of the Community Mental Health Center, has indicated interest in serving in this capacity, noting he does not intend to seek the director position.

Steinman reported that the Committee has stressed the importance of filling this position as soon as possible so that the new director can oversee the extensive preparation necessary for a Joint Commission on Accreditation of Health Care Organizations (JACHO) inspection scheduled for the spring of 2000.

ADDITIONS TO THE AGENDA

MOTION: Hudkins moved and Workman seconded to add discussion of the search for a new Community Mental Health Center Director to the agenda. On call Hudkins, Workman, Heier, Steinman and Campbell voted aye. Motion carried.

CONTINUATION OF COMMISSIONERS MEETING REPORTS

- b. Ecological Advisory Committee

Campbell noted that the Ecological Advisory Committee has submitted a copy of their Strategic Plan to the Board for review. She requested that this item be scheduled on a future County Board Staff Meeting agenda.

- c. Wilderness Park Mediation - Heier

Heier reported that a report was given on possible location of a sanitary sewer trunk line through Wilderness Park.

- d. Master Plan Steering Committee - Hudkins

Hudkins reported that structural damage to pylons in the Justice and Law Enforcement Center is not as extensive as originally projected and additional appropriations will not be necessary.

Hudkins also reported that Don Killeen, County Property Manager, has been seeking additional parking areas in the vicinity of the government complex. Possibilities include underneath the "K" and "L" Street extensions and at 13th & "F" Street. Killeen has also suggested that an unused parking bay at 2200 St. Mary's Avenue be utilized for parking of County fleet vehicles.

4 LEGISLATIVE REPORT - Gordon Kissel, Legislative Consultant

Gordon Kissel, Legislative Consultant, asked whether the County Board wishes to support an override of the Governor's veto of LB 556, which authorizes the Department of Motor Vehicles to determine license plate fees and establishes an alphanumeric license plating system for counties with populations in excess of 100,000.

In response to a question from Campbell, Terry Adams, Deputy County Treasurer, stated that he disagrees with the cost savings estimates, indicating that he anticipates them to be much lower. He noted, however, that an alphanumeric license plating system would be beneficial should the County decide to open multiple vehicle licensing stations.

Board consensus to allow the Legislature to decide the issue.

Adams also described how property tax rebates will be calculated, noting changes will be made to property tax statements.

Kissel presented a brief legislative update (Exhibit A), noting that although LB 652, which provides for a juvenile correctional facilities master plan, was not passed this session, the issue was elevated to the legislative leadership. Additional support of the legislation will be sought over the interim.

Kissel reported that the net impact of this session's legislation to Lancaster County will result in an increase in revenue in excess of two million dollars.

Board consensus to schedule legislative working sessions on the issues of inheritance tax and junked cars in late August or early September of 1999.

Campbell reported on a meeting that she, Commissioner Hudkins; Kerry Eagan, Chief Administrative Officer; Jim Hille, architect for the new Juvenile Detention Facility, held with Harold Clarke, Department of Correctional Services Director, and members of his staff; representatives of the State Property Division; and Lori McClurg from the Governor's Office, to discuss setting up a system for the County to purchase energy from the Department of Correctional Services to serve as an energy source for the new Juvenile Detention Facility. This will require enabling legislation. Another option would be the creation of a district energy corporation to serve the energy needs of the prison, juvenile detention facility and other governmental entities in the area.

Kissel was requested to contact Senator Schimek, apprising her of the need for enabling legislation and indicating that Campbell or Hudkins will be contacting her at the end of the legislative session to discuss the matter in further detail.

ADDITIONS TO THE AGENDA

- b. Community Mental Health Center Director Search

Kerry Eagan, Chief Administrative Officer, reviewed a proposed advertisement for the position of Administrator for the Community Mental Health Center that will be placed in the National Association of Counties County Newspaper, regional newspapers and several national professional journal publications (Exhibit B).

The following changes were requested:

- * Replace commas with semicolons following the words "administration", "consumers" and "budget" in the first sentence of the second paragraph.
- * Add the word "or" after "public" and change "service" to "services", adding the word "administration" in the second sentence of the second paragraph
- * Delete mention of salary in the second paragraph

Board consensus to structure the search for a new director to include the input and involvement of the Community Mental Health Center Advisory Board, but retain final decision making authority with regards to the appointment.

5 COUNTY CHANGE OF ZONE NO. 184, AGRICULTURAL (AG) TO AGRICULTURAL RESIDENTIAL (AGR), STAGECOACH ROAD AND HIGHWAY 77 - Mike DeKalb, Planning Department; Mike Rierden, Attorney Representing Todd Lewis, Applicant

Campbell asked whether applicants and their attorneys are notified when briefings on change of zone applications are scheduled on County Board Staff Meeting agendas, noting that has been the County Board's intent.

Mike DeKalb, Planning Department, indicated that his department provides them with notification.

DeKalb presented a brief history, including litigation, with regards to County Change of Zone No. 184, Agriculture (AG) to Agriculture Residential (AGR), a request to develop three acre lots on five pre-existing parcels at Highway 77 and Stagecoach Road (Exhibit C). He noted a Planning staff recommendation of denial, as the request is not in conformance with the Comprehensive Plan. Neighboring property owners have also indicated opposition to the request.

DeKalb suggested the applicant consider leaving Lots 16 and 24, which are considered buildable lots, as is; divide Lot 27 using "farmstead split-off" provisions; and reconfigure the remainder of Lot 27 with Lots 25 and 26 into two buildable lots, which will not require a change of zone.

In response to a question from Hudkins, DeKalb stated that approximately 1/3 of the land is located in the floodplain, but buildable areas exist.

Mike Rierden, Attorney, agreed to discuss this proposal with his client, but requested that the change of zone application remain scheduled for hearing on June 8th for the time being. He will notify DeKalb of any decision by his client on whether or not to proceed with the request for zoning change.

Campbell suggested inclusion of the issue of Agriculture Residential (AGR) zoning along highways in the County Board's work sessions on rural land use issues.

6 POTENTIAL LITIGATION - Doug Cyr, Deputy County Attorney; Don Thomas, County Engineer; Larry Worrell, County Surveyor

MOTION: Hudkins moved and Steinman seconded to enter Executive Session at 9:50 a.m. for discussion of potential litigation. On call Hudkins, Steinman, Heier, Workman and Campbell voted aye. Motion carried.

MOTION: Heier moved and Hudkins seconded to exit Executive Session at 10:19 a.m. On call Hudkins, Steinman, Heier, Workman and Campbell voted aye. Motion carried.

7 ACTION ITEMS

- a. Request from the Raymond Rural Fire Department to Use County Engineer Snow Fence and Barricades for Fund Raiser in Raymond from 1 p.m. on Saturday, July 17, 1999 to 2 a.m. on Sunday, July 18, 1999

Eagan noted that the County Engineering Department has indicated that it does not oppose the request.

MOTION: Hudkins moved and Steinman seconded approval of the request. On call Hudkins, Heier, Steinman, Workman and Campbell voted aye. Motion carried.

- b. Security for County Assessor's Office, June 3-4 and June 7-11, 1999, at a cost of \$22 per hour

Norm Agena, County Assessor, appeared to request the presence of an off-duty Deputy Sheriff in the County Assessor's Office in anticipation of irate responses to the mailing of property valuation notices to taxpayers. He requested that the security be made available on June 3-4 and the following week, on an as needed basis. Agena noted security detail may also be necessary at the property valuation protest hearings at Southeast Community College.

Agena also requested that County Board members refer telephone messages regarding errors in property description and the property valuation protest process to his office for response.

MOTION: Heier moved and Hudkins seconded to approve the request for security in the County Assessor's office, on an as needed basis. On call Heier, Hudkins, Workman, Steinman and Campbell voted aye. Motion carried.

8 ADMINISTRATIVE OFFICER REPORT

- a. Reappointment of Mark Schorr to the County Personnel Policy Board

Eagan stated the reappointment of Mark Schorr to a five year on the County Personnel Policy Board is scheduled on the agenda for the Tuesday, June 1st County Board of Commissioners Meeting.

- b. Resolution Recognizing June 12, 1999 at Trails Day

Workman agreed to represent the County Board at the ribbon cutting ceremony and dedication of the Murdock Trail Bridge.

The Board will take formal action on the resolution at the Tuesday, June 1st County Board of Commissioners Meeting.

- c. Letter from Mayor Don Wesely Requesting the County Board to Concur in Termination of Ron Todd as the Lincoln-Lancaster County Personnel Director

Campbell reported on her conversations with Mayor Don Wesely regarding the matter and the interlocal agreement which created a joint City-County Personnel Department, noting that the request is without precedence. She stated that if the County Board elects not to concur with the Mayor's decision to terminate the employment of Ron Todd, Personnel Director, it would send a clear message to the City that the County is prepared to terminate the interlocal agreement.

Eagan distributed copies of excerpts from the Nebraska Revised Statutes defining the County Personnel Officer's appointment, qualifications and duties and the interlocal agreement which created a joint City-County Personnel Department (Exhibits D & E).

Diane Staab, Deputy County Attorney, stated the interlocal agreement may be terminated by either party with ninety (90) days advance written notice.

Board consensus to respond in writing to Mayor Wesely, following County Board action on the matter at the Tuesday, June 1st County Board of Commissioners Meeting, indicating that the County Board appreciates the opportunity to provide input with regards to the appointment process and wishes to retain the services of Pat Kant as the County Desk Officer.

14 EMERGENCY ITEMS AND OTHER BUSINESS

Campbell indicated that both she and Commissioner Hudkins will be absent from the County Board Staff Meeting scheduled for Thursday, June 10, 1999.

Board consensus to authorize Commissioner Steinman to chair the meeting in their absence.

15 ADJOURNMENT

By direction of the Chair, the meeting was adjourned.

Bruce Medcalf
Lancaster County Clerk