

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, MAY 25, 2000
8:15 A.M.**

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

Others Present: Kerry Eagan, Chief Administrative Officer
Dave Johnson, 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 18, 2000

Steinman requested that Item 12c be corrected to reflect that the County Board, rather than the Visitors Promotion Committee, will be meeting with Mark Essman, Lincoln Convention & Visitors Bureau Director, and Paul McCue, Chamber of Commerce President, to discuss the budget.

MOTION: Heier moved and Workman seconded approval of the Staff Meeting minutes dated May 18, 2000, with the noted correction. Heier, Workman, Steinman, Hudkins and Campbell voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

A. Growth

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

ADDITIONS TO THE AGENDA

A. Growth

Heier said several long-time businesses have recently threatened to relocate, due to the lack of growth opportunities in the community. He suggested that the County Board, City Council, Mayor and Planning Department plan for the entire City, not just Stevens Creek.

Campbell suggested that Sherry Hanneman, Lincoln Partnership for Economic Development, be asked to provide an educational session for the Board. A briefing by Kathleen Sellman, Planning Director, and Planning staff on technology parks and availability of land for this use was also suggested.

Heier requested that Al Wenstrand, Nebraska Department of Economic Development Director, be included in the discussions.

3 BUDGET REVIEW - Dave Kroeker, Budget & Fiscal Officer

Dave Kroeker, Budget & Fiscal Officer, reviewed the following documents (Exhibit A):

- *FY00 Tax & Levy Information on Lancaster County Fire District*
- *Lancaster County Allocation of Levy*

Dave Johnson, Deputy County Attorney, said his office has reviewed the issue of expenditure of county funds for paving roads within incorporated city limits and has concluded that Keno funds can be utilized for road improvements within the limits of an incorporated city, although repeated use of this fund is not recommended. He recommended that legislative change be sought on the road funds issue.

In response to a question from Workman, Don Thomas, County Engineer, said \$300,000 would be required for the three road projects in question, Amberly Road, Firth and Cannongate Road in Waverly. He said the three road projects would be counted as one project for use of the Keno funds. Thomas explained that resurfacing of Cannongate Road is not as critical as Amberly Road, although still worthy of paving. He added that the contract for paving of Cannongate Road can be rescinded, if so desired.

Kroeker noted that the General Fund transfer to the Bridge Fund could be reduced by this amount, if the Keno fund expenditure is approved.

Hudkins suggested that an additional opinion be sought from the Attorney General's Office (two opinions on the issue were issued in 1978).

Campbell agreed that it may be advantageous to seek an additional Attorney General's opinion, as the four opinions on the issue could then be used to bring awareness to the Governor's office and the Lancaster Senate delegation of the need for legislative change.

Eagan cautioned that the Attorney General may disagree with use of the Keno Fund.

Thomas noted that timing is critical, as bids were opened on the Amberly Road project May 24th.

Campbell suggested that the County include the project on the list of proposed Keno Fund allocations, clearly indicating that this is a one-time use of the funds.

Kroeker said he anticipates that the Lancaster County Agricultural Society will seek an increased allocation, adding the Ag Society can request up to 3.5 cents, per \$100 of value, for capital purposes.

In response to a question from Hudkins, Kroeker said the Rural Library could be moved from the 15 cents allocation of levy to the County's 30 cents.

Heier said two rural fire districts profited from the sale of donated land last year and questioned whether this will reduce their funding requirement.

Hudkins said it will depend on whether the donation was made to the rural fire department or rural fire board.

Eagan remarked that the rural fire districts may be required to contribute additional funds to medical oversight under terms of a new ambulance service provider. He noted that the County may levy for ambulance services independent of any other budget restrictions (Nebraska Revised Statute §13-303).

Workman questioned whether the Railroad Transportation Safety District (RTSD) needs an allocation of 2.6 cents this year and suggested that it could be applied to the Ag Society instead.

MOTION: Steinman moved and Hudkins seconded to send a letter to the rural fire districts stating that it appears the maximum allocation for the rural fire districts will be 7.5 - 8 cents, per \$100 of value, for Fiscal Year 2001 and asking them to indicate any new funding sources in their budgets. Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

Kroeker also gave a brief overview of *Historical/Projected Criminal Justice Information Services (CJIS) Rates/Costs* (Exhibit B).

4 BUILDING CODE AMENDMENTS - Chuck Zimmerman, Ron Peery and Wilma McCamley, Building & Safety Department

Chuck Zimmerman, Building & Safety Department, reported on an update of the mechanical, building and electrical building codes. He said the fee schedule format remains the same, including an out-of-city surcharge, but said there is a 2 percent increase in fees.

In response to a question from Hudkins, Zimmerman said City and County code enforcement is the same.

Ron Peery, Building & Safety Department, said there are a couple of individuals operating within the County that will be effected by the licensure requirement for well drilling.

In response to a question from Heier, Zimmerman said 30-40 houses are being constructed without building permits each year in the County, due to the exemption for farmsteads over 20 acres in size.

NOTE: A public hearing on adoption of the building code amendments is scheduled on the May 30th County Board of Commissioners meeting agenda.

5 LABOR NEGOTIATIONS - Georgia Glass, Personnel Director; John Cripe, Classification and Pay Manager; Diane Staab, Deputy County Attorney

MOTION: Hudkins moved and Steinman seconded to enter Executive Session at 9:20 a.m. for discussion of labor negotiations. Hudkins, Heier, Workman, Steinman and Campbell voted aye. Motion carried.

MOTION: Hudkins moved and Steinman seconded to exit Executive Session at 9:50 a.m. Hudkins, Steinman, Heier, Workman and Campbell voted aye. Motion carried.

6 COUNTY ZONING BOARD OF APPEALS NO. 112, LARRY AND DALE HEITBRINK, VARIANCE OF REAR YARD SETBACK FROM 50' TO 21.1' ON PROPERTY GENERALLY LOCATED ON NW 126TH, ON NORTH SIDE OF HIGHWAY 34 & WEST ALVO ROAD - Mike DeKalb, Planning Department; Larry Heidtbrink, Applicant

Mike DeKalb, Planning Department, briefly reported on County Board of Zoning Appeal No. 112, a request for a variance of rear yard from 50' to 21.1'. He explained that the applicant has applied for a County Administrative Subdivision to split off the farmhouse to a 3.017 acre parcel and the variance will allow the applicant to keep the farm buildings with the farm. DeKalb noted a recommendation of approval from the County Board of Zoning Appeals.

Larry Heidtbrink, Applicant, stated that he intends to sell the farmhouse to a family member.

The Board asked Heidtbrink to appear at the public hearing scheduled before the County Board of Commissioners on June 6th to provide an explanation for the record.

**7 JUVENILE DETENTION PROJECT, UPDATE AND PROPOSAL
REQUEST NUMBERS 001 & 002 - Chris Beardslee, Sinclair Hille &
Associates Inc.**

Chris Beardslee, Sinclair Hille & Associates Inc., reviewed the following documents (Exhibit D):

- *Architects Field Observation dated May 19, 2000*
- *Architects Field Observation dated May 24, 2000*
- *Allowance Modification No. 001*

Beardslee said the cost associated with Proposal Request No. 001 has been reduced, as it was found that approximately half of the trees that were to be removed for location of the security fence should have been removed in the subcontractor's initial demolition contract. He also reported an adjustment of costs for Proposal Request No. 002, due to a grading modification. Beardslee reported a total savings of approximately \$4,500.

Beardslee recommended that Allowance Modification No. 001, which is a combination of Proposal Request No. 001 and Proposal Request No. 002, be approved and that the \$17,634 expense be deducted from the Contingency Allowance, leaving a balance of \$82,366.

ADMINISTRATIVE OFFICER REPORT

Change of Zone No. 3241 from Agricultural (AG) to Agricultural Residential (AGR) at Southwest Corner of 84th Street and Waverly Road

Mike DeKalb, Planning Department, gave a brief summary of Change of Zone No. 3241, a request from Lyle Loth, ESP, on behalf of Pearle Finigan, owner, to change the zoning on property at the Southwest corner of 84th Street and Waverly Road from Agricultural (AG) to Agricultural Residential (AGR), to permit acreage residential development (43 lots). He noted that concerns of adequate water and changes to the character of the land were expressed at the public hearing before the Planning Commission, with that body recommending denial of the application. The item is currently before the City Council and is scheduled for action on the May 30th City Council agenda.

DeKalb reported that Pearle Finigan, owner of the subject property, has indicated a willingness to withdraw his application and seek a Community Unit Plan under AG zoning for 7-8 lots, 3 to 4 acres in size, instead.

- MOTION:** Hudkins moved and Steinman seconded to authorize Kathy Campbell, Chair, and Kerry Eagan, Chief Administrative Officer, to send a letter to the City Council indicating the following:
- A. The County Board supports Pearle Finigan's offer to withdraw his application for Change of Zone
 - B. The County Board favors "clustered" development
 - C. The County Board believes that acreage proposals that are contrary to the Comprehensive Plan should be required to seek a Comprehensive Plan amendment
 - D. The County Board appreciates the City Council's attention to water issues and their request for County Board input on the matter
 - E. The County Board affirms commitment to address acreages in the Comprehensive Plan Update

ON CALL: Hudkins, Steinman, Heier, Workman and Campbell voted aye. Motion carried.

The Board requested that Pearle Finigan, owner of the subject property; Mark Hunzeker, attorney for Pearle Finigan; and Kathleen Sellman, Planning Director, be copied on the County Board's letter to the City Council.

**8 MAINTENANCE AGREEMENTS FOR COUNTY ENGINEER
DIAGNOSTIC EQUIPMENT** - Kathy Smith, Assistant Purchasing Agent; Don Thomas, County Engineer; Don Shafer, Equipment Maintenance Supervisor in County Engineering

Don Shafer, Equipment Maintenance Supervisor in County Engineering, said maintenance agreements, which include parts and labor costs, are requested for the following equipment:

- Engine test diagnostic machine (Service calls are also charged under terms of the maintenance agreement)
- Battery volt tester
- Air conditioning test and charger station
- Air conditioning freon recovery center

Heier asked whether this equipment is crucial to function of the Sheriff's Department.

Shafer said yes, noting Sheriff vehicles are scheduled for routine maintenance when not in use, in addition to repair and maintenance of the County Engineering Department's equipment.

In response to a question from Heier, Kathy Smith, Assistant Purchasing Agent, said the estimated cost of replacement of the engine test diagnostic machine is \$26,000, adding the cost of a one year maintenance agreement is \$1,265.

Shafer said his department plans to include purchase of a replacement of this machine in the Fiscal Year 2002 budget. He added that a one-year warranty would be available for new equipment.

Heier suggested that the department consider including the replacement request in this year's budget proposal.

Campbell noted that the County Board has discussed setting aside funds for repair of equipment, rather than continuing the practice of purchasing maintenance agreements for certain types of equipment.

The Board asked Smith, Shafer and Don Thomas, County Engineer, to review the four maintenance agreements and service call records for the equipment and to poll businesses utilizing similar equipment on their maintenance policies.

9 COUNTY AMBULANCE STATEMENT - Doug Ahlberg, Emergency Management Coordinator

Eagan distributed copies of a draft County Resolution defining ambulance service needs for Lancaster County (Exhibit E).

Brief discussion took place on the document with the following requests:

- Change references to the **Mutual Aid Association** to read **Lancaster County Firefighters Association, formerly known as the Mutual Aid Association**, in the document

- Change **Lancaster County Medical Society** should provide medical direction to read **Lancaster County Medical Society's Medical Directions Board**, as an advisory committee to the medical oversight board, should set policies and protocols for provision of emergency services in Principle No. 3
- Reword the second sentence in Principle No. 3 to state that **the elected officials and entities of interest will come together to form an oversight authority**
- Prepare a report of County Board findings on the issue of ambulance service, including an opening statement indicating that although the County is not involved in the ambulance business and rural fire protection has been provided through a system of seventeen (17) rural fire districts, the County Board is addressing some of the critical issues in response to a request from the Lancaster County Medical Society and to questions raised by members of the City Council in meetings of the City/County Common

The Board asked Doug Ahlberg, Emergency Management Coordinator, to check on whether a mileage charge is included in Rural/Metro's ambulance service proposal.

10 ACTION ITEMS

- A. Microcomputer Request C#2000-170, Community Mental Health Center for \$1,512.27 from the Community Mental Health Center Budget for a Pentium III, Monitor, Etc.

MOTION: Steinman moved and Workman seconded approval. Workman, Steinman, Heier, Hudkins and Campbell voted aye. Motion carried.

Workman left the meeting.

11 CONSENT ITEMS

- A. Vacation Requests:
 1. Dave Kroeker, Budget & Fiscal Officer, for Friday, May 26, 2000
 2. Doug Ahlberg, Emergency Management Director, for June 1-2, 2000
 3. Kit Boesch, Human Services Administrator, for July 3-7, 2000
- B. Request from Kit Boesch, Human Services Administrator, and Kerry Eagan, Chief Administrative Officer, to Attend a Families First & Foremost (F³) Grant Conference in New Orleans, June 9-12, 2000

MOTION: Steinman moved and Heier seconded approval of the Consent Items. Heier, Steinman, Hudkins and Campbell voted aye. Workman was absent from voting. Motion carried.

12 ADMINISTRATIVE OFFICER REPORT

A. Use of County Road Funds within Cities and Villages

Item was continued in conjunction with the budget hearing for the County Engineering Department.

B. Request from Duane Hartman to Pave Portion of Southwest 6th Street Near West Prospector Court

Don Thomas, County Engineer, appeared and reported on a paving request from Duane Hartman, noting that Hartman is willing to pay the cost of improvements. He said his department will need to assess the road further to determine whether it is wide enough to accommodate paving.

C. Change of Zone No. 3241 from Agricultural (AG) to Agricultural Residential (AGR) at Southwest Corner of 84th Street and Waverly Road

Item moved forward on the agenda.

D. Haworth Furniture Rebate Allocation with City

Eagan said a buy out of the City's portion of the furniture rebate allocation is calculated at \$11,562.02.

MOTION: Steinman moved and Hudkins seconded to authorize Dave Kroeker, Budget & Fiscal Officer, to schedule the item on the May 30th County Board of Commissioners agenda. Steinman, Hudkins, Heier and Campbell voted aye. Workman was absent from voting. Motion carried.

E. National Association of County Officials Annual Conference, July 14-18, 2000

Item continued one week.

13 DISCUSSION OF BOARD MEMBER MEETINGS

A. Community Mental Health Center Advisory Committee - Steinman

Steinman reported the following:

- Accreditation site visit will take place June 19-20
- Centerpointe will offer a writers workshop the first and third Wednesday of each month through a grant from the Woods Charitable Fund
- Mental health counseling will be offered to parents at the Huntington, Hartley and Clinton elementary schools
- Sex offenders program is being developed
- Vocational Rehabilitation Program at the Adams Street Center will be enhanced with joint funding by the County, Region V and Vocational Rehabilitation
- Committee was formed to look at relocation options for the Adams Street Center

14 ADJOURNMENT

Bruce Medcalf
Lancaster County Clerk