

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
THURSDAY, JUNE 29, 2000  
8:15 A.M.**

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

Commissioners Absent: Kathy Campbell, Chair

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

Steinman opened the Staff Meeting.

**AGENDA ITEM**

- 1 APPROVAL OF STAFF MEETING MINUTES OF TUESDAY, JUNE 20, 2000 AND AGENCY BUDGET HEARING MINUTES OF THURSDAY, JUNE 6, 2000**

**MOTION:** Heier moved and Workman seconded approval of the Staff Meeting minutes dated June 20, 2000 and Agency Budget Hearing minutes dated June 6, 2000. Heier, Workman and Steinman voted aye. Hudkins was absent from voting. Motion carried.

## 2 ADDITIONS TO THE AGENDA

- A. Letter of Approval from Lancaster County Regarding of Issuance Nebraska Industrial Development Revenue Bonds for Garner Industries, Inc. Project
- B. Escape at the Attention Center

**MOTION:** Heier moved and Workman seconded approval of the additions to the agenda. Heier, Workman and Steinman voted aye. Hudkins was absent from voting. Motion carried.

## 3 TRACTOR SAFETY - Rollin Schnieder

Rollin Schnieder, a retired professor from University of Nebraska Cooperative Extension, appeared to discuss tractor safety.

Hudkins arrived at the meeting.

Schnieder circulated a copy of *Standards, 1992, American Society of Agricultural Engineers*. He gave a brief overview of his experience in the testing of Rollover Protection Structures (ROPS) and Falling Object Protections Structures (FOPS), noting the following:

- Roll bars/rollover protection structures prevent fatalities in overturns, collisions and ricochets
- Cabs with filtered systems reduce problems with dust and pollen
- Cabs or Rollover Protection Structures (ROPS) with overhead covers can prevent or reduce skin cancer
- Cabs reduce the decibel range
- Cabs lessen fatigue and provide a controlled atmosphere for air conditioning and heating during summer and winter months
- Cabs provide protection from marginal weather and lightening
- Cabs provide falling object protection
- Cabs provide a quieter environment for two-way radio contact

In response to a question from Hudkins, Schneider said most cabs have laminated glass.

Eagan said Dave Morgan, extension safety engineer at the University of Nebraska, had indicated to the Board that most cabs contain tempered glass.

Schneider said that is correct, a cab may feature both types of glass but laminated glass, which provides protection from projectiles, is used in windshields. He said both types are considered safety glass.

Hudkins asked whether the State of Nebraska and other counties utilize cabs on their mower tractors.

Schneider said the State has worked to provide cabs and rollbars on all its tractor equipment.

Hudkins asked Schneider whether he feels cabs are justifiable expense.

Schneider said yes, noting this feature may increase the re-sale value of the equipment.

**4 INCREASE IN WATER PROGRAM FEES** - Scott Holmes, Environmental Health Division Chief; John Miner, South Team Supervisor for Board of Health

Scott Holmes, Environmental Health Division Chief, briefly reviewed a proposal to increase fees for several permits to provide funding for one additional staff person in the Water Quality Program (Exhibit B). He said these fees apply within Lincoln's 3-mile jurisdiction and the only fees addressed in County Resolution are related to sewage systems, which will increase from \$150/\$50 to \$200/\$100 under the proposal. Holmes said notices were sent to water well owners and members of the industry and two public meetings were held. Public comment led to a compromise suggestion of a two-year well permit.

Dave Johnson, Deputy County Attorney, stated that the entire sewage code will be revised within the year.

Brief discussion also took place on the need for a code dealing with junked cars.

**ACTION ITEMS**

- A. Request from Dan Nolte, Register of Deeds, to Correct Minutes of March 2, 2000

Item withdrawn, per letter from Dan Nolte, Register of Deeds (Exhibit B).

## B. Appointments to Stevens Creek Basin Initiative Task Force

The Board appointed Richard Meginnis, Dick Campbell, Kip Hulvershorn and Estel Schroeder to serve as the County's representatives on the Stevens Creek Basin Initiative Task Force. The names of Alan Hersch, Al Wellman, Bill Siefert and Don Edwards were forwarded to the Mayor for consideration as mayoral appointments to that task force.

The Board also appointed Bill Giovanni to the citizen task force that will assist with the Infrastructure Financing Study.

## C. Recommendation from Visitors Promotion Advisory Committee to Grant \$500 to Huskerland Wrestling

**MOTION:** Steinman moved and Workman seconded to recommend that the Visitors Promotion Advisory Committee grant \$500 to Huskerland Wrestling in the event that they come to Lincoln and that they need the money because of a loss. Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

## ADMINISTRATIVE OFFICER REPORT

### D. Reappointment of Jerry Barnes and Nona West to Visitors Promotion Advisory Committee

The Board scheduled the item on the July 11<sup>th</sup> County Board of Commissioners Meeting agenda.

## 5 BUDGET REVIEW - Dave Kroeker, Budget & Fiscal Officer

Dave Kroeker, Budget & Fiscal Officer, distributed a letter from the County Assessor noting revisions that reduce that agency's budget request by \$14,000 (Exhibit C). These changes are as follows:

- Promote a senior residential appraiser to the Residential Appraiser Supervisor position
- Contract for statistical analyses rather than hire a Statistical/Modeling Analyst
- Add a Commercial Appraiser Apprentice position

**MOTION:** Workman moved and Heier seconded to authorize Dave Kroeker, Budget & Fiscal Officer, to make the budget reduction and to allow the staffing change. Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

Kroeker presented a letter from Don Thomas, County Engineer, noting a potential shortfall in funding for the 2001 program (Exhibit D). He said this will be addressed in further detail at the Budget Working Session on July 18<sup>th</sup>.

Kroeker reviewed *Lancaster County Indigent Defense Screener Proposed Budget* (Exhibit E).

Heier questioned whether a part-time assistant is needed at this time.

Board consensus to include the Indigent Defense Screener costs in the budget, with the exception of the part-time assistant. The Board will reconsider this position when a need is demonstrated or at mid-year.

Kroeker presented correspondence from Gwen Thorpe, Deputy County Clerk, estimating the cost of a consultant and records management software application at \$150,000 (Exhibit F).

Board consensus to include the expense in the Keno Fund.

**6 BEAL SLOUGH BASIN STORMWATER MASTER PLAN** - Steve Masters, Public Utilities & Maintenance Administrator; Nicole Fleck-Tooze, Planning Department; Glenn Johnson, Lower Platte South Natural Resources District General Manager; John Cambridge; Olsson Associates; Art Zygielbaum, Beal Slough Committee

Steve Masters, Public Utilities & Maintenance Administrator; Art Zygielbaum, Beal Slough Committee; John Cambridge; Olsson Associates; and Glenn Johnson, Lower Platte South Natural Resources District General Manager, gave a presentation on the Beal Slough Stormwater Master Plan (Exhibit G), noting the following:

- **History**
- **Issues identified by the public**
  - Possible negative property value impact due to preliminary project depictions in Master Plan
  - Need to store larger total storm water flow due to urbanization (despite new regulations to constrain peak flows)
  - Need to evaluate alternative project sites and storage alternatives
  - Use of traditional versus stewardship flood treatment methods
  - Better definition of flood limits could impact residential insurance costs
  - Reconstruction of roads near Yankee Hill and 70<sup>th</sup> Street

- Real need to reduce flooding potential in the lower slough
- Inadequate maintenance of the channel and watershed
- **Elements of the proposal**
  - Accept all planned projects in the lower and middle slough (downstream of 56<sup>th</sup> Street)
  - Revise the Beal Slough Master Plan to remove all references to suggested specific projects in the upper slough
  - Modify the Master Plan to increase the priority of improvements near 40<sup>th</sup> Street
  - Recommend that the City Council approve an amendment to the Comprehensive Plan adopting the Beal Slough Master Plan by reference
- **Findings**
  - Floor models and overall engineering used in the development of the Master Plan are essentially sound
  - Specific projects were indicated in the upper slough without a thorough study of alternatives

Cambridge said two basic problems were identified in the study - flooding and channel stability. He said the existing level of development in Beal Slough does not provide opportunities for additional detention that would reduce the flows significantly from 27<sup>th</sup> Street down to the mouth of Salt Creek. Cambridge stated grade checks will be used to prevent the channel from degrading further. A levee system will be utilized on the north side of the stream in the lower portion of the slough to reduce the flood hazard to the State Penitentiary and the commercial area at 14<sup>th</sup> & Highway 2. He added that the need for eventual replacement of bridges on 14<sup>th</sup> Street Bridge and Southwood Drive has been identified and improvements will be made downstream from 27<sup>th</sup> Street to stabilize the channel and increase the capacity of the existing culverts.

Heier asked whether a ring dike would be more cost effective than a levee system.

Cambridge said it is easier to contain the flood in the channel.

Cambridge noted that there have been significant changes in stream surface elevations between 27<sup>th</sup> and 40<sup>th</sup> Streets. He said an off-channel detention pond facility has been identified in the Tierra Park area and a new channel has been identified between 27<sup>th</sup> and 40<sup>th</sup> Streets to take the flood flows that go through that area. A supplemental culvert at 40<sup>th</sup> Street will help to reduce the flood hazard to homes in that area. He said water quality improvements will be incorporated into projects taking place in those areas. Areas developing will be allowed to use multiple detention ponds to meet the target flow rate from sub-basins.

Brief discussion took place on peak flow rates (See Exhibit G, Page 9). Cambridge explained that the area upstream of 27<sup>th</sup> Street should be able to reach a level close to the 1978 100-year peak flow rate if all the components in the master plan are implemented. The 2-year event will also be reduced. He noted that a 10 percent reduction in flow in the area below 27<sup>th</sup> Street is anticipated.

In response to a question from Heier, Johnson said he does not anticipate the Flood Insurance Program or State Floodplain Regulations to extend beyond the 100-year event.

Cambridge said the target is the 100-year event but facilities will continue to operate and reduce damage during a larger event.

Steinman asked whether new developments within a floodplain will have mitigation requirements.

Fleck-Tooze said that issue will be looked at in the near future

The Board will hold a public hearing on the request by the Planning Director, at the request of the Director of Public Works and Utilities and the Lower Platte South Natural Resources District, for an amendment to the 1994 Lincoln/Lancaster County Comprehensive Plan to incorporate the Beal Slough Basin Stormwater Master Plan by reference as an approved component of the Comprehensive Plan at the July 11<sup>th</sup> County Board of Commissioners Meeting.

**NOTE:** Information on the Beal Slough Stormwater Master Plan is available on the Internet website - [www.ctwsoft.com/beal](http://www.ctwsoft.com/beal).

**7 CONSERVATION EASEMENTS SOUTH OF WILDERNESS PARK -**  
Nicole Fleck-Tooze, Planning Department; Steve Hubka, City Budget Officer

Nicole Fleck-Tooze, Planning Department, explained that the City's application for a Federal Emergency Management Agency (FEMA) Mitigation Grant to purchase five conservation easements over properties totaling 242 acres that are located within the 100-year floodplain of Salt Creek was denied (Exhibits H & I). She said the City has been encouraged to appeal that decision, as it is believed FEMA may have misunderstood the proposal, but the deadline for filing an appeal is approaching.

Fleck-Tooze reported that the total project is estimated to cost \$1.5 million. FEMA would be responsible for 75 percent of the cost and a local match of 25 percent would be required. The City has identified \$190,000 in the October 1997 Disaster Recovery Fund that may be used for the local match, but has asked that the County and Lower Platte South Natural Resources District (NRD) share in this expense. She added that the NRD has not been formally asked to participate in this expense.

Steve Hubka, City Budget Officer, added that the City would like some indication of whether the County is willing to share in the local match before filing an appeal.

Hudkins asked how much is being offered per acre.

Fleck-Tooze said the application to FEMA reflected speculation costs that ranged from \$10,000 - \$18,000 per acre. She said an appraisal for the Kopp property (\$123,000 for 70 acres) was also submitted to reflect more accurate costs. Fleck-Tooze noted there has been a great deal of interest in the project since submission of the application. She said the project could include additional properties, if appraisal values are determined to be significantly lower than estimated, or there could be a lower total project cost.

In response to a question from Heier, Fleck-Tooze said use of the property will remain the same under the conservation easements, adding there will be potential to purchase the remaining value of the property in the future.

Eagan said the conservation easements keep the value at farmland for assessment purposes, which is a benefit to the property owners.

Heier expressed support for the proposal and exited the meeting.

In response to concerns expressed by Hudkins, Fleck-Tooze said it will be difficult to obtain additional appraisals before the appeal deadline.

**MOTION:** Steinman moved and Workman seconded to proceed with the grant application and to agree to pay up to one half of the local match amount. Steinman, Workman and Hudkins voted aye. Heier was absent from voting. Motion carried.

## **8 PURCHASE OF REAL ESTATE - Don Killeen, County Property Manager**

**MOTION:** Steinman moved and Workman seconded to enter Executive Session at 10:37 a.m. to discuss the purchase of real estate. Steinman, Workman and Hudkins voted aye. Heier was absent from voting. Motion carried.

**MOTION:** Workman moved and Steinman seconded to exit Executive Session at 10:52 a.m. Workman, Steinman and Hudkins voted aye. Heier was absent from voting. Motion carried.

**9 CONTINUATION OF BUDGET REVIEW** - Dave Kroeker, Budget & Fiscal Officer

Kroeker distributed copies of *Lancaster County, Comparison FY01 to FY00 Expense Budget* (Exhibit J). He said it appears that approximately \$1 million in reductions will be necessary to fit the budget within the lid.

Brief discussion took place on whether to classify Administrative Services as a separate department and make Eagan a department head. It was noted that this will allow him to hire a deputy in the unclassified service and would provide greater flexibility for the future.

**MOTION:** Steinman moved and Workman seconded to create a separate Administrative Services Department; to name Kerry Eagan, Chief Administrative Officer, the head of that department and to authorize Dave Kroeker, Budget & Fiscal Officer, to process the necessary personnel action forms. Steinman, Workman and Hudkins voted aye. Heier was absent from voting. Motion carried.

Kroeker presented a five year history of the travel budget for the Clerk of the District Court (Exhibit K).

Kroeker suggested that the County's portion of local match for the Federal Emergency Management Agency (FEMA) Mitigation Grant be budgeted in the Keno Fund.

The Board concurred and authorized Kroeker to encumber commitments from that fund.

Dean Settle, Community Mental Health Center Director, appeared and reported on discussions held with the owners of the former Jacob North Printing Building at 26<sup>th</sup> & "O" Street regarding lease of the building for relocation of the Adams Street Clubhouse. He also indicated plans to meet with the leadership of the Woods Neighborhood Association and the principal of Elliott Elementary School.

In response to a question from Steinman, Settle said the former Police Department Building seems unlikely option at this point. He added that this property seems to be a better fit, due to parking and the potential for single room occupancy housing in close proximity to the building.

Steinman suggested that the housing could also benefit single General Assistance clients.

Settle said remodeling costs for the building are estimated at \$250,000 and may be amortized over a period of time. Lease terms are problematic and the owners have not been receptive to the idea of selling the building to the County or a future take-out with bonds.

Hudkins asked about plans to recapture costs.

Settle said \$110,000 in new revenues could be realized each year from a small expansion of the day rehabilitation center, although the County will have to compete for those dollars. Title XX funds are available for a drop-in center and a transition employment program may be developed for clients of the Regional Center's phased-out Wagon Wheel Program. In addition, the Community Mental Health Center may partner with the Lincoln/Lancaster County Health Department for the provision of health and psychiatric services in the Mobile Health Clinic van.

The Board asked Settle to develop a five year business plan and a realistic draw down of funds.

The Board requested that Don Killeen, County Property Manager, participate in negotiations and that a property trade be suggested to the owners. Killeen was also asked to provide an appraisal of the current facility at 3830 Adams Street and the County Attorney's Office was asked to research the property trade issue.

#### **ADDITIONS TO THE AGENDA**

- A. Letter of Approval from Lancaster County Regarding Issuance of Nebraska Industrial Development Revenue Bonds for Garner Industries, Inc. Project

**MOTION:** Steinman moved and Workman seconded to authorize Larry Hudkins, Vice Chair, to sign the letter of intent. Steinman, Workman and Hudkins voted aye. Heier was absent from voting. Motion carried.

- B. Escape at the Attention Center

Item dropped from the agenda.

## **10 ACTION ITEMS**

- A. Request from Dan Nolte, Register of Deeds, to Correct Minutes of March 2, 2000
- B. Appointments to Stevens Creek Basin Initiative Task Force
- C. Recommendation from Visitors Promotion Advisory Committee to Grant \$500 to Huskerland Wrestling

Items A - C were moved forward on the agenda.

- D. Approval of Referee Agreements for the 2000 Lancaster County Board of Equalization Real Estate Valuation Protests (See Commissioners' Information Packet)

**MOTION:** Steinman moved and Workman seconded approval of the list of referee agreements. Workman, Steinman and Hudkins voted aye. Heier was absent from voting. Motion carried.

## **11 CONSENT ITEMS**

- A. Authorize Kerry Eagan, Chief Administrative Officer, to Sign Proxy for Nationwide Small Company Fund
- B. Vacation Request from Russ Shultz, Noxious Weed Control Authority Superintendent, for June 29-30, 2000

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

## **12 ADMINISTRATIVE OFFICER REPORT**

- A. Letter from Firth Village Board Regarding Viaduct

Eagan said the letter has been referred to Don Thomas, County Engineer.

- B. Report on Local Law Enforcement Block Grant

The Board will not seek disparate jurisdiction under the Local Law Enforcement Block Grant Program, based on information from Tom Casady, Chief of Police.

- C. Request from Kit Boesch, Human Services Administrator, to pay for Health Insurance Premiums for Juvenile Detention Expediter Upon Conversion to County Employee

Eagan said Corey Steele, Juvenile Detention Expediter, will be ineligible for health insurance benefits for a six month period if he continues in that position as a County employee upon expiration of the grant. Kit Boesch, Human Services Administrator, has asked the Board to consider waiver of that policy for new employees or assistance with the expense of obtaining coverage through the Combined Omnibus Budget Reconciliation Act (COBRA). Denise Bulling, Special Grants Administrator, has requested that the same consideration be given to Renee' Dozier, Training and Technical Assistance Coordinator. He said Diane Staab, Deputy County Attorney, has suggested that consideration be given to hiring the Expediter at a higher pay step, which will provide the individual additional funds to pay that expense.

- D. Reappointment of Jerry Barnes and Nona West to Visitors Promotion Advisory Committee

Item moved forward on the agenda.

### **13 DISCUSSION OF BOARD MEMBER MEETINGS**

- A. Board of Health - Hudkins

Hudkins reported that animal control was the focus of discussion. It was noted that additional officers will be needed if response time is to be shortened.

- B. General Assistance Monitoring Committee - Steinman

Steinman said the General Assistance Monitoring Committee has wanted to raise the percentage of poverty level for rent assistance to accommodate the needy to greater extent while remaining within the \$75,000 budget. It was proposed that families with two or less members that are at 50 percent of the poverty level would continue to qualify for this assistance and families with three or more members would be increased to 70 percent. She said it was also proposed that car equity be increased to \$5,000.

## 14 ADJOURNMENT

**MOTION:** Workman moved and Steinman seconded to adjourn the meeting. Workman, Steinman and Hudkins voted aye. Heier was absent from voting. Motion carried.

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Bruce Medcalf  
Lancaster County Clerk