

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
THURSDAY, NOVEMBER 16, 2000  
8:15 A.M.**

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

Others Present: Kerry Eagan, Chief Administrative 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 THURSDAY,  
NOVEMBER 9, 2000**

**MOTION:** Heier moved and Steinman seconded approval of the Staff Meeting minutes of November 9, 2000. Heier, Steinman, Hudkins, Workman and Campbell voted aye. Motion carried.

**2 ADDITIONS TO THE AGENDA**

- A. Update on Election Commissioner Building
- B. Report on Stevens Creek Basin Initiative Task Force
- C. Report on Lower Platte South Natural Resources District (NRD) Meeting

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

**3 BOARD OF CORRECTIONS - Mike Thurber, Corrections Director**

Separate minutes.

## ADDITIONS TO THE AGENDA

### B. Report on Stevens Creek Basin Initiative Task Force

Workman said a presentation was given on the history of the beltway.

Campbell said the Stevens Creek Basin Initiative Task Force has requested a formula for different services and land uses for the Stevens Creek Basin.

### C. Report on Lower Platte South Natural Resources District (NRD) Meeting

Heier reported that the Lower Platte South Natural Resources District (NRD) approved \$46 million towards the Antelope Valley Study.

## **4 GREENBELT REGULATIONS & PROPOSED TAX EQUALIZATION AND REVIEW COMMISSION (TERC) REVISIONS** - Norm Agena, County Assessor; Robin Hendricksen, Chief Administrative Deputy Assessor; Mike Thew, Chief Deputy County Attorney; Gordon Kissel, Legislative Consultant

Robin Hendricksen, Chief Administrative Deputy Assessor, distributed a handout of materials related to "Greenbelting", valuing property as to its use, not on the price it would bring on the open market (Exhibit A):

- < An article titled *The Methodology and Ramifications of Greenbelting All Agricultural and Horticultural Land in Lancaster County*
- < A copy of written testimony submitted at the April 5, 2000 meeting of the Area 5 Agricultural and Horticultural Land Valuation Board
- < *Report to the Legislature and Property Tax Administrator from the Nebraska Greenbelt Advisory Committee*
- < *Title 350 - Nebraska Department of Property Assessment and Taxation, Chapter 15 - Property Owned by the State and Governmental Subdivisions Regulations* (New regulations proposed by Catherine Lang, Property Tax Administrator)

Hendricksen said he plans to testify at the November 29<sup>th</sup> hearing on the proposed regulations. He said a particular area of concern is Lang's interpretation of "subdividing" which would require a farmer to pay a recapture rate when subdividing a small section for a house. Hendricksen said he did not believe this was the intent of the Legislature.

In response to a question from Workman, Hendricksen said this interpretation would also have an impact on Community Unit Plans. Any outlots held for agricultural use would now be lost.

Mike Thew, Chief Deputy County Attorney, said there also needs to be clarification of whether the County could recapture in a situation in which a section just over 10 acres is deeded off for commercial use.

Hendricksen said Lang does not agree with Lancaster County's methodology of income valuation of agricultural property and wants sales used instead.

Thew said a number of people from Dawes County testified on this issue yesterday at a hearing before the Nebraska Legislature's Revenue Committee. He said Ted Turner paid \$3,000 an acre for agricultural land in that county on which to graze his buffalo herd and this sales data changed the value of other agricultural land in Dawes County.

Hudkins asked whether the State Statutes support Lang's interpretation.

Thew said a number of arguments could be made to challenge Lang's interpretation but said it would be better to have the Nebraska Legislature make a clear statement that "this is what we mean".

Hudkins suggested drafting of legislation.

Campbell said this is a statewide issue and suggested that the Nebraska Association of County Officials (NACO) lead legislative efforts.

Gordon Kissel, Legislative Consultant, agreed to contact Scott Sidwell, NACO Executive Director, regarding the issue.

Thew said Lang will probably introduce legislation and suggested that efforts focus on amending that legislation.

## **5 FOLLOW-UP ON ONE AND SIX YEAR ROAD AND BRIDGE IMPROVEMENT PROGRAM - Don Thomas, County Engineer**

Don Thomas, County Engineer, distributed a map of *Lancaster County Road Grading Needs* (Exhibit B). He also reviewed requests to add the following to the Fiscal 2001 One and Six Year Road and Bridge Improvement Program (See Commissioners' Information Packet for details):

- < Northwest 70<sup>th</sup> Street and West Superior Street
- < Wildrose Lane
- < North 98<sup>th</sup> Street
- < North 162<sup>nd</sup> Street
- < East Van Dorn Street
- < South 98<sup>th</sup> Street
- < West Rock Creek Road
- < Firth Viaduct
- < Northwest 126<sup>th</sup> and Little Salt Road

Discussion took place on the Nebraska Cattleman's Association's plans to hold the 2002 Cattleman's Ball at a site one-half mile west of the Northwest 126<sup>th</sup> & Little Salt Road intersection that is only accessible by old narrow gravel roads. Campbell said this should be treated as a special event and suggested that Thomas meet with Mark Essman, Lincoln Convention & Visitors Bureau Director, and Terry Wagner, Lancaster County Sheriff, to discuss the logistics. It was also suggested that attendees be bused to the site and that the Lancaster County Agricultural Society's Event Center be given consideration as an alternative site in case there is inclement weather.

The University of Nebraska's request that Northwest 70<sup>th</sup> Street from Superior to Adams Street be rocked/graveled to coincide with its plans to construct an adventure challenge ropes course at that location was also discussed. The Board asked Thomas to request a copy of the University's timetable for construction and to suggest a sharing of costs. It was suggested that he also discuss cost sharing with the City of Lincoln, as road improvements would improve accessibility to the City's water tower.

The Board also asked Thomas to provide a projection of costs for upcoming projects and the need for any infusion of funds at the Midyear Budget Review.

**6 COUNTY DUMP-SITE CLEANUP PROGRAM** - Harry Heafer, Clean Community System Coordinator; Joyce Jensen, Environmental Health Division of the Lincoln-Lancaster County Health Department; Don Thomas, County Engineer

Harry Heafer, Clean Community System Coordinator, explained that the Lincoln-Lancaster County Health Department contracts with Palmer & Son's Refuse Inc. for cleanup of illegal dumpings that occur in the County. He said their costs, typically an hourly rate, are paid for by City Public Works/Utilities from the landfill gate fees. Heafer said the State offers reimbursement of these costs through the Department of Environmental Quality and said reimbursement has averaged 85-95 percent.

In response to a question from Heier, Don Thomas, County Engineer, said his department notifies the Health Department of any illegal dumping sites the motor grader operators observe.

Heafer said illegal dumping sites are also reported by law enforcement and members of the public. He added that the County Court has established a Public Health and Safety Docket for hearing these types of cases.

**7      REQUEST FOR ADDITIONAL SHERIFF'S DEPUTY** - Terry Wagner, Lancaster County Sheriff; Bill Jarrett, Chief Deputy Sheriff

Terry Wagner, Lancaster County Sheriff, explained that his department will be losing the services of two deputies in the near future (Exhibit C). Wagner requested authorization to hire one additional deputy in January, 2001, to allow for enrollment in the Nebraska Law Enforcement Training Center's January class and to have the deputy trained and on duty by April, when one of the one of the deputies plans to retire. He estimated a salary and benefits savings to the County of \$22,269.

**MOTION:**     Hudkins moved and Steinman seconded to authorize the County Sheriff to proceed with hiring one additional deputy. Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

**ADDITIONS TO THE AGENDA**

- A. Update on Election Commissioner Building - Chris Beardslee and Eric Maxwell, Sinclair Hille & Associates Inc.; Dave Shively, Election Commissioner; Don Killeen, County Property Manager

Eric Maxwell, Sinclair Hille & Associates Inc., reviewed plans for the remodel of a building at 46<sup>th</sup> & "R" Street for the relocation of the Election Commissioners' Office (Exhibits D & E).

Brief discussion took place on whether to include a separate employee entrance with a suggestion from Steinman that keypad access be utilized.

**MOTION:**     Hudkins moved and Steinman seconded to authorize the architect to proceed with the plans. Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

**8      YOUTH DETENTION FACILITY REPLAT (LANCASTER ADDITION)**  
- Don Killeen, County Property Manager; Ray Hill, Planning Department

Don Killeen, County Property Manager, explained that the plan to vacate Dairy Drive and replat the three major lots along Radcliffe Drive triggered questions as to whether plantings and sidewalks would need to be located along the service road to 14<sup>th</sup> Street. He said an alternative solution has been suggested which will allow the same objectives to be accomplished, but will not require a replat. This option will require the State and Lancaster County, owners of Lots 1, 2, 3 and 4 and Lots 5 and 6 respectively, to give a deed restriction that will require the lots to be sold as a group. There could be an exception should Lancaster County decide to purchase Lots 3 and 4 as a group from the State and combine them with Lots 5 and 6. Killeen said there could also be an exchange of land with Lincoln Mattress, owner of Lot 7, for the vacation of Dairy Drive.

Ray Hill, Planning Department, said this option would also eliminate the problem of one of the back lots being sold without street frontage and the need for ornamental lighting on Radcliffe Drive and the service road along U.S. Highway 77.

**9 YOUTH DETENTION FACILITY UPDATE** - Chris Beardslee and Eric Maxwell, Sinclair Hille & Associates Inc.

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

- < Progress Summary as of November 16, 2000
- < Allowance Modification Numbers 005 and 006
- < Proposal Requests Numbers 012, 013, 014, 015, 016, 017, 018, 019, and 021

**NOTE:** The Board will take action on the allowance modifications at the November 21<sup>st</sup> County Board of Commissioners Meeting.

Beardslee reported that discussions are also taking place with the contractor on the issue of water service.

The Board also received copies of the following (See Exhibit F):

- < Field Observation Reports from R.O. Youker Dated September 6 and 28, 2000
- < Architects Field Observation Dated September 25, 2000
- < Architects Field Observation Dated September 29, 2000
- < Architects Field Observation Dated October 18, 2000
- < Architects Field Observation Dated November 3, 2000

**10 PENDING LITIGATION** - Doug Cyr, Deputy County Attorney

**MOTION:** Steinman moved and Heier seconded to enter Executive Session at 11:34 a.m. for discussion of pending litigation. Steinman, Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

**MOTION:** Steinman, moved and Hudkins seconded to exit Executive Session at 11:52 a.m. Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

**11 CONSENT ITEMS**

A. Vacation Request from Mike Thurber, Corrections Director, for November 29 through December 1, 2000

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

## **12 ADMINISTRATIVE OFFICER REPORT**

- A. Request from James R. Smice, County/City Property Management, for Permanent Disability Status to Continue Health Insurance (Employee's Expense)

Eagan said he is researching the matter.

The Board requested that a presentation on the Combined Omnibus Budget Reconciliation Act (COBRA) be scheduled.

- B. Juvenile Justice Meeting at Nebraska Department of Health and Human Services on Monday, November 27, 2000

Steinman and Eagan will attend.

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

- A. Monthly Meeting with Mayor Wesely - Campbell, Hudkins

Campbell reported that the following topics were discussed:

- < Joint maintenance
- < Legislative priorities
- < Representation on the Greater Lincoln Workforce Investment Board
- < Letter the City Ombudsman sent out regarding paving of 98<sup>th</sup> Street

Campbell also reported that the Chair and Vice Chair of the County Board and City Council will meet with Mayor Wesely to discuss issues related to Keno.

Board consensus to reappoint Commissioner Heier to the Greater Lincoln Workforce Investment Board on an attendance only basis.

The Board also decided to send out a follow-up letter, in conjunction with the Mayor's Office, to the City Ombudsman's letter that addressed paving on 98<sup>th</sup> Street.

- B. Joint Budget Committee - Campbell, Steinman

Steinman said the Child Care Advisory Committee was discussed and it was suggested that the City/County Common review a list of all of the advisory committees and their members.

Steinman also reported that the Joint Budget Committee will be meeting with the University of Nebraska at Lincoln (UNL) Public Policy Center on Friday to discuss implementation of the Human Services Plan.

#### C. Board of Health - Hudkins

Hudkins said sewer and well driller permits were discussed. He noted that the permeability tests for sewers that the Lincoln-Lancaster County Health Department is proposing are double the State's standards.

#### D. Information Services Policy Committee - Workman

Workman reported a total of 2,000,000 website hits during the month of September.

#### E. Officials Committee - Campbell, Hudkins

Campbell briefly explained the functions of the committee. She said this committee has typically met on an annual basis, but plans to meet more frequently in the future to discuss potential projects.

#### F. Joint Public Agency - Heier, Workman

Workman reported that Randy Johnson, Lincoln-Lancaster County Health Department, was appointed Chair. Workman will serve as Vice Chair. He noted that expenditure of funds will be approved at the December 12<sup>th</sup> meeting.

#### G. Parks & Recreation Advisory Board - Workman

Workman reported a 7 percent increase in user fees. He added that golf fees have increased and said the Parks & Recreation Department now receives the revenue from golf cart rental.

Workman exited the meeting.

#### H. Public Building Commission - Campbell, Hudkins

Hudkins said the Public Building Commission was informed that its lease of the east parking lot will only be renewed on a monthly basis after December, due to plans for further development along Lincoln Mall. A report was also received from Sinclair Hille & Associates Inc. on the Parking Study. He said it may be more economical to construct a four story parking structure in the west parking lot, rather than a two deck parking lot. A structure of this type will also better serve parking needs if Corrections is expanded across "H" Street, if "H" Street is closed or if the east parking is eliminated. There is also a possibility that the owners of the east parking lot will expand that surface or construct a parking garage on that site.

Campbell said the Parking Committee has discussed building a parking garage on a portion of the south parking lot, if Corrections were expanded. She said the cost per stall would be less, but the public may not want to walk that distance.



Hudkins said Don Killeen, County Property Manager, and Jim Hille, Sinclair Hille & Associates Inc., were authorized to seek further advice from parking experts.

The Board asked Eagan to submit a formal request to the County Property Manager for additional office space across the hall from the County Commissioners Office.

I. Community Mental Health Center Advisory Committee - Steinman

Steinman reported that the Lincoln Housing Authority has received 85 new vouchers that will stay with a specific location, rather than the individuals, which could benefit chronic mentally ill clients.

Steinman also reported that the Community Mental Health Center received a pilot project from the Community Health Endowment Plan which involves hiring a psychiatric nurse practitioner to provide outreach services.

**14 ADJOURNMENT**

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

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Bruce Medcalf  
Lancaster County Clerk