

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, MAY 30, 2002
8:15 A.M.**

Commissioners Present: Bob Workman, Chair
Bernie Heier, Vice Chair
Kathy Campbell
Larry Hudkins
Ray Stevens

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

The Staff Meeting was called to order at 8:18 a.m.

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, MAY 23, 2002

MOTION: Hudkins moved and Campbell seconded approval of the Staff Meeting minutes of May, 23, 2002. Hudkins, Stevens, Heier, Workman and Campbell voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

A. Correspondence to the City Council Regarding the Old Federal Building

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

ADDITIONS TO THE AGENDA

A. Correspondence to the City Council Regarding the Old Federal Building

Campbell said the Board has not received a response from the City regarding the Board's May 14, 2002 letter to the Public Building Commission which expressed interest in having the Old Federal Building remain a government building (Exhibit A). She said a new, unsolicited proposal has come forward for the Old Federal Building, stipulating governmental use, and suggested that the Board send a follow-up letter to the Mayor and City Council indicating that, in light of the new proposal, the Board would like an opportunity to define its concerns and interest in the building. Campbell noted that action by the City Council on the original redevelopment proposal by Nu Style is anticipated on June 3, 2002.

Stevens proposed that the letter include the following statement:

If the City is to consider an unsolicited purchase offer on Old Fed as an alternative to the Nu Style redevelopment proposal, the County Board would be interested in pursuing our options and also submitting a proposal.

Board consensus was to draft a follow-up letter, for signature by the Board.

3 COMMISSIONER MEETING REPORTS

A. Lancaster Manor Advisory Committee - Hudkins

Hudkins reported a decrease in interest and earning income for the Lancaster Manor Foundation.

B. Lincoln Independent Business Association (LIBA) Monthly Meeting - Hudkins, Heier

Heier reported that the Lancaster County Agricultural Society's Event Center, Old Federal Building and acreages were discussed.

4 JUVENILE JUSTICE COORDINATOR CONTRACT - Kit Boesch, Human Services Administrator; Ann Hobbs, Juvenile Justice Coordinator

Kit Boesch, Human Services Administrator, proposed renewal of a \$30,000 independent contract for Ann Hobbs, Juvenile Justice Coordinator, for the period of October 1, 2002 to June 30, 2003 (Exhibit B). Funding would be as follows: \$20,000 from LB 640 funds and \$10,000 from the County (Special Grants Fund).

Boesch said job responsibilities will include: 1) Coordinate all action teams under the Comprehensive Juvenile Services Plan and move them towards implementation; 2) Upgrade and update the Graduated Sanctions Manual for use by the judiciary and the Lancaster County Probation Office; 3) Coordinate gender specific program efforts; and 4) Evaluation and data analysis.

Heier asked whether Hobbs could perform an analysis of the Youth Assessment Center, including the assessment tool.

Ann Hobbs, Juvenile Justice Coordinator, explained that it would require running a parallel assessment to see whether recommendations would be the same. She suggested that a process evaluation might be more feasible.

Heier said it may be beneficial to have follow-up with youth that have been released and asked for an assessment of that cost.

Campbell asked Boesch and Hobbs to prepare an outline of what should be included in an evaluation and bring it back to the Board. She also recommended that they consult with Dr. Michael Epstein, evaluator of the Families First & Foremost (F³) Grant Program from the University of Nebraska, to avoid duplication of effort.

5 A) GRANT PROPOSAL FOR CONTINUED FUNDING OF THE HARVEST PROJECT; B) INSURANCE REQUIREMENTS FOR CONTRACTS - Dean Settle, Community Mental Health Center (CMHC) Director; Dave Johnson, Deputy County Attorney

Grant Proposal for Continued Funding of the Harvest Project

Dean Settle, Community Mental Health Center (CMHC) Director, reported a recommendation from staff not to pursue a federal grant for continued funding of the Harvest Project (collaborative effort with the Lincoln Area Agency on Aging and CenterPointe, Inc. to address the needs of elderly with mental health and substance abuse issues).

Insurance Requirements for Contracts

Settle said he believes the County's insurance requirements for contracts are onerous and will halt or curtail small contractor involvement. He added that he is unsure how to resolve an agreement with the University of Nebraska, Psychological Consultation Center, Department of Psychology, relating to services Dr. Mario Scalora, Ph.D., provided at a recent CMHC Staff Development Day, as both Dr. Scalora and the University have rejected the insurance requirements.

Dave Johnson, Deputy County Attorney, said the Board approved the contract, subject to receipt of a fully executed original (Exhibit C).

In response to a question from Stevens, Johnson said Dr. Scalora apparently believed that the County would remove the insurance requirements. He said the contract can be amended to reflect that the University is self-insured to the required level.

Johnson distributed copies of a contract between the University of Nebraska Medical Center (UNMC) College of Nursing and CMHC for student clinical experience (Exhibit D) and said the contract lacks the standard insurance requirements and indemnification clause. He expressed concern that the contract did not have County Attorney review and was signed by Settle, rather than the Board.

Settle explained that CMHC has historically had affiliations of this type, without review by the Board.

Johnson stressed that all contracts need to go through the Board. He said he will identify the areas of the contract that need to be corrected in a letter to Settle and will bring the contract back to the Board.

Settle said he will review CMHC's other affiliations to insure that requirements have been met.

6 WATER PUMPING STATION AT CODDINGTON AVENUE AND VAN DORN STREET - Terry Genrich, Parks & Recreation Natural Resources Manager; John Miriovsky, Superintendent of Water Production for City Public Works/Utilities; Clint Thomas, Real Estate and Relocation Assistance Agent for Urban Development; John Olsson, Olsson & Associates

John Miriovsky, Superintendent of Water Production for City Public Works/Utilities, gave an overview of the water pumping station construction project.

Terry Genrich, Parks & Recreation Natural Resources Manager, explained that two waterline options were explored, one of which goes through Wilderness Park (the old Van Dorn right-of-way).

John Olsson, Olsson & Associates, pointed out the route on a map of *Lincoln Water System (LWS) - Pioneers Park Pump Station & Transmission Main* (Exhibit E).

Clint Thomas, Real Estate and Relocation Assistance Agent for Urban Development, said Van Dorn Street has not been vacated west of 1st Street and said the intent is to use this public right-of-way. He said Nebraska Revised Statute § 18-413 provides for this use (Exhibit F).

Hudkins suggested consultation with Don Killeen, County Property Manager, as it appears that part of the route transverses a piece of property that is currently in negotiation.

Thomas said he believes the waterline will be west of that piece of property.

The Board scheduled a presentation on the water pumping station and a County resolution supporting the project on the June 11, 2002 County Board of Commissioners Meeting agenda.

Genrich agreed to provide a briefing to the Lincoln-Lancaster County Ecological Advisory Committee and the Friends of Wilderness Park, prior to that date.

7 RECONSIDERATION OF SPECIAL DESIGNATED LICENSE FOR CHASE ENTERPRISES INC. d/b/a SILVER SPOKE SALOON (JUNE 1, 2002 AT 1400 SALTILLO ROAD)

MOTION: Hudkins moved and Stevens seconded to reconsider denial of a Special Designated License for Chase Enterprises Inc., d/b/a Silver Spoke Saloon, for June 1, 2002 and to allow the applicant to bring forth new information, if requested. Workman, Stevens and Hudkins voted aye. Campbell and Heier voted no. Motion carried.

Hudkins said it is his understanding that fencing, sewer, and parking concerns have been addressed. He asked Terry Ernisse, applicant, to come forward and speak to concerns regarding control of the dissemination of alcoholic beverages and disruption to the neighborhood.

Terry Ernisse, applicant, appeared and said he controls the dissemination of alcoholic beverages on a daily basis at his current facility. He said the facility at 1400 Saltillo Road is adequate to handle the event and said he has tried to cover every aspect, including insurance coverage. Ernisse said the current owners have \$1 million liability coverage on the property, but said it is shown as storage and office space. He said the owners are in the process of updating that coverage to cover the event.

Ernisse noted correspondence received from Gene Vannice, 11205 South 14th Street, expressing concerns regarding the application (Exhibit G). He said he would like to clarify that this is a motor sports, not a "biker", bar and said music is not planned.

Hudkins noted receipt of a letter from Bueth & Associates Insurance Agency which states that the insurance policy does not cover a special event of any kind (Exhibit H).

Teri Ernisse, co-applicant, appeared and said she has called the insurance company and Rex Hoy, one of the owners, regarding the coverage and is awaiting their response.

Hudkins asked whether the Ernisse's have a reciprocal agreement with the owners for insurance coverage.

Terry Ernisse said he was just made aware of the insurance problem last night. He explained that they are closing on the property in five days and said the insurance coverage will "just need to be moved up".

Workman asked whether the Ernisse's had received a call from Bob O'Gara, the seller's attorney.

Teri Ernisse, said yes and said O'Gara had explained that there was a question regarding the insurance coverage.

Workman asked whether O'Gara told them it was his preference that the event not be held, because of the liability issues.

Teri Ernisse, said "No, he never said that".

Hudkins asked whether the insurance company had agreed to provide the Ernisse's with the necessary insurance.

Teri Ernisse reiterated that they are waiting on an answer.

Stevens said the Ernisse's have not satisfied the insurance requirement and have "run out of time", as the Board will not have further opportunity to act on the application.

Workman asked whether anyone else would like to testify on the application.

Gene Vannice, 11205 South 14th Street, appeared and expressed concerns regarding the size of the event, alcohol in a neighborhood setting, noise and littering.

Workman reported on conversations that he had with representatives of Union Insurance and the Buethe & Associates Insurance Agency and said he was informed that there are a limited number of underwriters in the Midwest that write policies for special events. He also reported on a conversation that he had with Rex Hoy, one of the owners of the property.

MOTION: Campbell moved and Heier seconded to deny a Special Designated License for Chase Enterprises Inc., d/b/a Silver Spoke Saloon, for June 1, 2002.

Stevens asked for procedural clarification.

Dave Johnson, Deputy County Attorney, explained that one members of the prevailing side of the original motion to deny the application was presented with sufficient information to believe that there might be a change in circumstance that merited additional consideration of the matter.

Hudkins questioned whether any action is needed.

Johnson said it would clarify the Board's position for the Nebraska Liquor Control Commission.

Campbell said special designated permits allow special types of events to take place in locations that the public does not routinely expect and said the County Board must take care in granting them. She said "we are tough, and we are going to remain tough" on their issuance.

Workman suggested that the Ernisse's consider having an alcohol free event.

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

RETURNING TO ITEM 2A

The Board reviewed a letter draft and suggested revisions.

8 LABOR NEGOTIATIONS FOR FRATERNAL ORDER OF POLICE (FOP) 32 -
Georgia Glass, Personnel Director; John Cripe, Classification and Pay Manager;
Diane Staab, Deputy County Attorney

MOTION: Hudkins moved and Campbell seconded to enter Executive Session at 10:05 a.m. for discussion of labor negotiations. Hudkins, Stevens, Heier, Workman and Campbell voted aye. Motion carried.

MOTION: Hudkins moved and Stevens seconded to exit Executive Session at 10:26 a.m. Hudkins, Stevens, Heier, Workman and Campbell voted aye. Motion carried.

9 ACTION ITEMS

A. Voting Credentials for National Association of County Officials (NACo) 2002 Annual Conference to be held July 12-16, 2002 in New Orleans, Louisiana

MOTION: Heier moved and Stevens to approve voting credentials for Commissioner Hudkins. Hudkins, Stevens, Heier, Workman and Campbell voted aye. Motion carried.

B. Purchase of Federal Grants Management Handbook (\$298)

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

10 ADMINISTRATIVE OFFICER REPORT

A. Lobbyist Request for Proposals (RFP)

MOTION: Stevens moved and Campbell seconded to reconsider the motion to go out for an Request for Proposals (RFP) for legislative services. Hudkins, Stevens, Heier, Workman and Campbell voted aye. Motion carried.

Stevens said, after further consideration, he believes the County should renew its contract with Gordon Kissel, Legislative Consultant, rather than putting the contract out for bid. He cited Kissel's knowledge of County matters as the reason he supports renewing the contract.

Hudkins said Kissel is doing a good job, but said "you never know what's out there until you take a look". He added that it has been a number of years since the County sought an RFP for legislative services and said he believes it should do so.

Campbell suggested that the Board evaluate Kissel's performance, with input from the Lancaster County Senators.

The Board asked Campbell to contact members of the Lancaster County Senate Delegation and Kerry Eagan, Chief Administrative Officer, to contact the chief administrative officers and lobbyists for Douglas and Sarpy County.

B. Rural Addressing Committee Report

Eagan said County Engineering has completed geo-coding of all the lots in the county and said there are 9,000 inhabited lots in the county, 880 without addresses. He said the next step will be to match the geo-coded database with addresses. Information Services is developing a database of streets and addresses and will "sanitize" the data and establish one set of abbreviations. Eagan said expansion of the interlocal agreements with the villages to include their city limits is recommended to address emergency responder concerns. He also noted the need for amendment of legislation that changed provisions relating to zoning by county boards and nonfarm buildings. Amendment of the County Zoning Resolution is also needed to require posted addresses on all residences.

Heier suggested use of inmate labor for address sign placement.

Eagan said Doug Ahlberg, Emergency Management Director, has suggested utilization of the rural fire departments.

Board consensus was to direct the County Attorney to prepare a resolution, in conjunction with the Planning Department, to require address signage.

C. Seeding Estimate for Radcliffe Road

Gwen Thorpe, Deputy Chief Administrative Officer, reported an estimate from Metro Lawn Company to mow, grade, prepare and seed the property on both sides of Radcliffe Road from 14th Street to the Lancaster County Youth Services Center, 1200 Radcliffe Street, for \$2,450.

The Board asked Thorpe to: 1) Check whether three informal bids were received, 2) Determine whether it is a Public Building Commission or County matter; and 3) Investigate whether County Engineering can perform the work.

D. County Vehicle Storage Facility

Item held.

E. New Fax Machine for Records and Information Management

Item will be discussed at Records and Information Management's budget hearing, scheduled for 3:30 p.m.

RETURNING TO ITEM 2A

The Board approved and signed a letter to be sent to Mayor Don Wesely and the Lincoln City Council (Exhibit I).

11 ADJOURNMENT

MOTION: Heier moved and Stevens seconded to adjourn the meeting at 11:07 a.m. Hudkins, Stevens, Heier, Workman and Campbell voted aye. Motion carried.

Bruce Medcalf
County Clerk