

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, AUGUST 7, 2003
8:15 A.M.**

Commissioners Present: Bernie Heier, Chair
Ray Stevens, Vice Chair
Deb Schorr

Commissioners Absent: Larry Hudkins
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Melissa Koci, County Clerk's Office

The Chair opened the meeting at 8:15 a.m.

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES FROM THURSDAY, JULY 31, 2003

MOTION: Stevens moved and Schorr seconded approval of the minutes of the Staff Meeting minutes of July 31, 2003 amended to read as follows:

- * On page 3, the last sentence, Stevens said the only way to cut programs like the Women's Commission is to bundle several non-mandated programs and cut the bundle. Schorr, Stevens and Heier voted aye to approve the minutes as amended. Motion carried.

2 ADDITIONS TO AGENDA

- a. Juvenile Detention Supervisor Approval
- b. Acreage Study and Cost Analysis

MOTION: Stevens moved and Schorr seconded approval of the additions to the agenda. Heier, Stevens and Schorr voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

a. Juvenile Detention Supervisor Approval

Eagan distributed an Email he received from Dennis Banks, Attention Center Director, who is requesting hiring a Juvenile Detention Supervisor (Exhibit B).

MOTION: Stevens moved and Schorr seconded approval of posting the position of Juvenile Detention Supervisor. Schorr, Heier and Stevens voted aye. Motion carried.

b. Acreage Study and Cost Analysis

Heier indicated he would like to have an updated report on the Cost Analysis that was done on the Acreage Study. He also noted there was a build through presentation that was presented to some of the builders and he believes it should come to the County Board. Heier said he would like the committee to come to a County Board staff meeting and make a report.

Stevens believes it is a good idea and said the Board should get a draft copy of the cost analysis on the acreage study so they can use it for their own analysis.

3 COMMISSIONER MEETING REPORTS

a. **Ecological Advisory Committee** - Heier

Heier noted the Ecological Advisory Committee questioned the County Board's decision to not allow them to be on the City-County website and Heier indicated it is a policy and anything that is put on the website is approved by the County Board. Also discussed were easements and expanding Wilderness Park. Heier distributed documentation regarding the Farm Bill 2002 and the USDA's Farm and Ranch Lands Protection Program (Exhibit A) and said they discussed the Conservation Reserve and the Native Grass Programs.

b. **LIBA Budget Monitoring Committee and Budget Monitoring Committee** - Stevens, Workman

Stevens reported Dave Kroeker, Budget & Fiscal Director, gave an overview of the Proposed Budget for FY2003-2004 at both meetings.

c. **Public Building Commission** - Hudkins, Workman

Hudkins and Workman were both absent.

4 ALLTEL EASEMENT ON WAVERLY ENGINEER SHOP PROPERTY - Larry Worrell, County Surveyor

Kerry Eagan, Chief Administrative Officer, reported Alltel would like to purchase a piece of property at 137th and Oldfield Road for the purpose of a permanent easement agreement, in the amount of \$117.

Larry Worrell, County Surveyor, appeared and said if the County would like to sell the property at a later date, they would want to be able to sell all of the land and not the land without that particular section. Worrell said they are choosing this particular piece of land because it is a more secured area and they are looking for something permanent.

MOTION: Schorr moved to put this item on a Tuesday's agenda. The motion died for lack of a second.

Stevens indicated he would like to look at a long-term lease at \$0, rather than have them pay \$117. He does not like the fact that Alltel will own the piece of land forever if the Board does decide to approve it.

The Board agreed it would not go on Tuesday's agenda and they would tell Alltel to accept the lease or find a new piece of land.

5 HEALTH RESOURCES & SERVICES ADMINISTRATION GRANT FOR MANAGEMENT INFORMATION SYSTEM; TECHNICAL ASSISTANCE GRANT FROM REHABILITATION ADMINISTRATION EDUCATION CENTER FROM UNIVERSITY OF MISSOURI (FOR ADAMS STREET CENTER); EMERGENCY PLACEMENT CUSTODY - Dean Settle, Community Mental Health Center Director

Dean Settle, Mental Health Center Director, appeared and distributed documentation regarding the Healthy Communities Access Program (HCAP) Grant (Exhibit C). Settle said he is participating in Healthy People 20/10, CSIP and has also been included in some planning of Health Partners Initiative. Settle indicated he has found a grant through the Healthy Community Access Program that will allow up to \$900,000 over three years for organizations, communities and consortiums who have gone through the health planning, without any kind of local match. Settle said there is a possible grant that could be submitted by August 26th that will enable communities to go forward with collaborative planning or healthy access programs.

In regard to Exhibit C, Page 12, Settle noted one of the priorities of the grant is to implement a Management Information System (MIS) and he would like all of the mental health and substance abuse providers in the community together so they can plan for a common MIS system, using federal money to access the hardware.

Settle said Dannie Elwood, who is the grant writer for Bryan, has some time and will volunteer to help write the grant, however she leaves on vacation in 10 days. He believed the grant could be written for under \$2,000. Settle also indicated the collaborative partners, the mental health providers in Region V, the substance providers in Region V, the Mental Health Center and Bryan Hospital, may have some part in the process. His recommendation would be to try to get the grant written and submitted on time and bring \$1 million to the region.

Gwen Thorpe, Chief Deputy Administrative Officer, noted there would be some great possibilities with this grant, however, there may be some concerns regarding administrative costs and costs to get the grant written. Thorpe said there are also some concerns about some of the providers not being in business anymore once the grant is in place. The grant has an evaluation component and she questioned who would pay for the evaluation.

Settle noted the evaluation and administrative component can be built into the grant. The County would not be making application, it would be Health Partners Initiative making application on behalf of all of the mental health and behavioral health providers in Region V. Settle said the total costs would be for copying and preparation and he believed it would be under \$2,000.

Settle said he could use the first year's \$300,000 to address the administration costs. After that first year, the next phases will be to get the RFP out, decide on qualified software and vendors and then make some decisions.

MOTION: Stevens moved and Schorr seconded to authorize up to \$2,000 for the County's share of the expenses of the planning of the grant. Stevens, Schorr and Heier voted aye. Motion carried.

Thorpe asked if any of the other providers were willing to donate some money to help pay the costs.

Settle said he has asked some of the other providers for some money, but has not received anything so far and cannot make any promises that he will.

Settle also said for many years he has been receiving a National Vocational Rehabilitation Training Grant from the University of Missouri, which is administered to anyone who is involved in vocational assessments and placements and the Adams Street Center, and he receives around \$1,000 to \$1,500 a year. Settle noted the grant is a Technical Assistance Project Grant with no local match and can be received only if there is a vocational rehabilitation agreement in place, which Lancaster County has. Settle said the grant is filled out on-line and provides free training to the staff at Adams Street Center.

MOTION: Stevens moved and Schorr seconded to approve the County Attorney's recommendation and allow Settle to sign and submit the National Vocational Rehabilitation Training Grant. Schorr, Stevens and Heier voted aye. Motion carried.

Settle also reported he had a meeting with several people this week and they looked at very specific ways to stop utilizing beds at BryanLGH for overflow for Emergency Protective Custody patients or stop them from being taken to Bryan in the first place for EPC. He said the Community Health Endowment would like to bring some money to the table to help find a solution for the EPC's and two of the developmental disability providers in the community came to him and said they would be interested in developing a Crisis Center specifically for the developmentally disabled.

Settle also noted that Region V notified Cornhusker Place that they are funding them for six respite beds that are not being utilized. Jim Bayard, Cornhusker Place, told Settle he would like to devote all six beds to pre EPC solutions or post commitment EPC solutions. Settle would like to ask the Board for permission to enable him to go forward with a contract with Cornhusker Place to begin to address the people who can be diverted to Cornhusker Place prior to being committed or if they are committed and waiting for a bed at one of the acute care hospitals in the state, maybe moving them there and out of the Crisis Unit as a solution.

Schorr asked about Bayard's response to the beds not being utilized.

Mike Thew, Deputy County Attorney, appeared and said there is not a contract in place right now because there is not a vehicle to take people who are in emergency protective custody and place them there. Thew said there will be substantial costs because under State Statute an evaluation must be done within 36 hours of being taken into custody. He said right now there is a large void, even at the Crisis Center, where this is not being done and someone needs to come up with the money to hire someone to be available to perform that function.

Stevens wondered if the City should be in the discussion because of the number of people that have ended up at Bryan.

Thew said Statute clearly states that it is the County's responsibility.

Settle suggested the Board proceed with having Settle and Thew draft a contract between Cornhusker Place, Region V and Lancaster County.

Settle also reported he will be meeting with a group of people regarding LB710, which is the Statute that deals with EPC's. Settle also noted the Psychiatrists are sending out individual bills for services that were rendered for the past two years which amounts to over \$600,000.

6 JAIL INTERLOCAL AGREEMENT - Mike Thurber, Corrections Director; Mike Thew, Chief Deputy County Attorney

Mike Thew, Chief Deputy County Attorney, reported the interlocal agreement calls for a per diem which includes medical costs for prisoners. He said the language was never designed correctly and the costs of immediate/follow-up care for inmates who have been severely injured in the course of apprehension have never been billed into that per diem. Thew said the City does not pay those costs because they have always been billed to the County Sheriff.

Eagan referred to a letter sent to the Lincoln Police on August 1, 2002 regarding amending the interlocal agreement and the County's intent to give notice of termination according to the terms of the agreement.

Thew said it is not sufficient notice and another letter should be sent terminating the agreement. Thew said the problem is the follow-up care and the County having to transport the inmate to and from jail to their appointments.

Eagan indicated the agreement shall commence July 1st and shall continue from year to year thereafter unless terminated by the party. He said either party may terminate the agreement by giving one years notice in writing to the other party of intent to terminate the agreement.

Thew suggested the Board inform the Mayor the City has eleven months to get the problem corrected and if things aren't fixed by May, a termination letter will be written.

7 SPECIAL PERMIT NO. 203, WIRELESS TOWER AT 1ST & ASHLAND ROAD
- Brian Will and Mike DeKalb, Planning Department

Brian Will, Planning Department, submitted documentation regarding Special Permit No. 203 (Exhibit D) and noted the permit is requested by Nextel Partners, Inc., for authority to construct a 420' broadcast tower for wireless facilities, on property generally located southeast of the intersection of North 1st Street and Ashland Road. Will said the tower will be a galvanized tower with a strobe light during the day and flashing red lights at night.

Will reported the Planning Commission approved the Special Permit and there were only two neighboring property owners that were in opposition with concerns about the impact upon their property values and property taxes. He also noted the applicant agreed to a total of five (5) carriers on the tower.

8 PRINCETON TAVERN/FOSTERS TAP STREET DANCE REPORT - Sheriff
Terry Wagner

Terry Wagner, County Sheriff, appeared and indicated Fosters Tap/Princeton Tavern was cited for not having the proper permits under the Roadhouse (Amusement License) Statute.

Wagner reminded the Board the Special Designated License was approved last Tuesday, but the amusement license was denied. He said the amusement license was denied based on the recommendation from the County Attorney because they did not meet the statutory requirements to publish the license. Wagner said when the SDL was approved, the drawing was a 60' x 90' rectangular drawing and he was under the false impression that it was the area on the north side of the tavern, which is basically the beer garden. Wagner said he had the Liquor Control Commission fax him a copy of their original license, and the beer garden that is fenced in is already licensed.

Wagner told the Board that Foster's Tap had steel portable stock fencing lined up east of the tavern and then around the dimensions they had requested in the SDL. He said it was also the same area that was requested for the amusement license, but was denied. Wagner said the Statute is pretty specific in what an amusement license allows and what a Special Designated License allows, which is just liquor.

Wagner said the Sheriff's Office shut down the facility at 11:30 p.m. and he had received one complaint from a neighboring property owner who said they were not notified of the event and was upset because of the traffic and noise.

Schorr asked what would happen if they are prosecuted.

Wagner said the establishment would probably be fined and if there is a conviction, a letter will be sent to the Liquor Control Commission because they have had some non-liquor violations in the past. With regard to Special Designated License requests, Wagner noted in the future his office is going to make sure they understand where the Special Designated License request is in conjunction with the licensed premises.

Stevens reported he received a call from a property owner that lives close to the Tavern, who indicated they were not notified about the event. The applicant said in the application for the Special Designated License that they had notified all of the neighbors.

9 ACTION ITEMS

- a. Application for Nebraska Transportation Enhancement Grant Jamaica North Trail

Eagan noted there is a grant application from Terry Genrich regarding the Jacob North Trail that needs to be signed.

MOTION: Schorr moved and Stevens seconded to approve and sign the application for the Jacob Trail North grant. Stevens, Heier and Schorr voted aye. Motion carried.

11 ADMINISTRATIVE OFFICER REPORT

- a. Meeting with Mayor Seng and Emergency Medical Services, Inc. (Thursday, August 7, 2003 at 2:00 p.m.)

Eagan said he received a phone call from Mike Miriovski who wants a member from the Board to attend the meeting regarding Emergency Medical Services and noted Heier would attend the meeting.

Schorr reported she went to the Rural Ambulance meeting with the Fire Department. She noted Mike Spadt stated at the meeting that he believes it should be a County financial responsibility anytime a Lincoln ambulance goes outside the City limits.

Eagan noted there is a Statute that says the County has legal authority to do ambulance service, which Lancaster County has not chosen to implement. Eagan said instead ambulance services are being provided by the Rural Fire Department in cooperation with the Lincoln City Fire Department.

- b. Pension Update

Eagan reported the pension meetings were held last week and about one-third to one-half of the employees attended the meetings. He said the Lifestyle Funds may need to be added because there is a lot of interest from the employees.

The Board agreed to have the Pension Review Committee look at adding the Lifestyle Funds.

- c. Randall Grant Writing Contract

Eagan noted the County will receive \$1 million worth of grant money free since the County has already paid them \$90,000 and the County will need to offer Randall Grant Writing \$3.5 million worth of opportunities.

d. NACO Annual Conference

Schorr said NACO contacted the Convention & Visitors Bureau and indicated they wanted three things from the CVB for the Annual Conference:

- * A full-page ad in the Convention Program
- * Buy booth space at the Conference
- * Host a hospitality suite

Schorr said she spoke with Witkowski of the CVB who does not believe it is an effective use of their promotional dollars for all three items.

Thorpe reported she talked to Larry Dix who indicated the County used to have hospitality suites, but now people believe that it is not a good use of taxpayer funds.

Stevens noted the CVB has had a booth in the past and he believes that would be appropriate. He also believes the full-page ad would be okay, but he is not in favor of the CVB participating in an event where they would be buying the alcohol, unless the Chamber of Commerce wants to buy it.

Eagan suggested having the CVB come to a Thursday staff meeting to discuss the NACO Annual Conference.

e. Chair for County Board Secretary

MOTION: Stevens moved and Schorr seconded to authorize up to \$700 for a new chair for the County Board Secretary. Schorr, Stevens and Heier voted aye. Motion carried.

ADJOURNMENT

MOTION: Stevens moved and Schorr seconded to adjourn the staff meeting at 10:10 a.m. Schorr, Heier and Stevens voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk