

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, MAY 13, 2004
8:30 A.M.**

Commissioners Present: Ray Stevens, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Bob Workman
Deb Schorr

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

The Chair opened the meeting at 8:40 a.m.

AGENDA ITEM

**1 APPROVAL OF THE STAFF MEETING MINUTES OF THURSDAY,
MAY 6, 2004**

MOTION: Workman moved and Hudkins seconded approval of the Staff Meeting minutes of May 6, 2004. Workman, Heier, Hudkins, Stevens and Schorr voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Report on 98th Street
- B. Letter to Mayor Regarding Jail Reimbursement
- C. Correspondence from Jessica Nelson (Exhibit A)

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

3 COMMISSIONER MEETING REPORTS

A. Monthly Meeting of County Board Chair/ Vice Chair and Mayor - Stevens, Hudkins

Stevens and Hudkins reported discussion of the following: 1) Shift of the Juvenile Detention Expediter to the Human Services Budget; 2) City's \$50,000 funding for the Youth Assessment Center (YAC); 3) Request for dedication of staff to the Community Learning Centers (CLC's); 4) Request for County to enter into a Joint Public Agency (JPA) with the City so that the 911 surcharge can be extended into rural areas; 5) Report from the Sidewalk, Roads and Trails Committee; 6) Salvation Army's application for funds to create a multi-service community center; 7) Jail interlocal agreement; 8) Technical Committee's meeting time; and 9) Motocross Track.

The Board requested an economic development update from Darl Naumann, Administrative Assistant to the Mayor/Economic Development.

B. Parks & Recreation Advisory Committee - Schorr

Schorr noted tentative plans to purchase 71 acres at 134th and "A" Streets with funds from the Woods Park acquisition.

C. Region V Governing Board - Schorr

Schorr said there was an evaluation of the performance of the Program Administrator for the Region V Mental Health, Alcoholism & Drug Abuse Program.

D. General Assistance (GA) Monitoring Committee - Stevens, Schorr

Stevens said General Assistance (GA) is \$258,000 over budget, primarily due to pharmacy costs. A revision of the guidelines was suggested.

E. Public Building Commission - Hudkins, Workman

Hudkins reported on insurance claims related to water damage at the "K" Street Building.

F. District Energy Corporation - Hudkins, Heier

Hudkins said the District Energy Corporation is in good financial shape.

G. Board of Health - Hudkins

Hudkins said the Lincoln-Lancaster County Health Department plans to spray for mosquitos.

ADDITIONS TO THE AGENDA

- D. Remodel of Trabert Hall for General Assistance (GA)
- E. Roof Repair for Community Blood Bank Building (2966 "O" Street)

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

4 BUDGET OVERVIEW - Dave Kroeker, Budget and Fiscal Officer

Dave Kroeker, Budget and Fiscal Officer, gave an overview of the following documents (Exhibits B & C):

- FY05 Valuations & Tax Rates
- Lancaster County, LC-3 Supporting Schedule, Calculation of Restricted Funds
- Lancaster County, Change in Taxable Assessed Valuation, Last Ten Years
- Lancaster County, Historical Taxable Assessed Valuation
- Lancaster County, Historical Valuations and Levies
- Lancaster County, Comparison FY05 to FY04 Expense Budget
- Lancaster County, Comparison FY05 to FY04 Revenue Budget
- Lancaster County, Property Tax Funded Budgets, FY05 Requested Budget Compared to FY04 Adopted
- Personal Service Costs
- Major Changes Property Tax Impact - FY05 Budget Request
- General Fund Miscellaneous 05, Justice System 626, 4/16/04
- General Fund Miscellaneous 05, Health & Human Services, 5/7/04
- General Fund Miscellaneous 05, General Government, 3/30/04
- Lancaster County, FY04 Projected Additional Appropriations, Mid-Year FY04 Budget Review
- Keno Fund, FY05 Proposed Budget and FY04 Expenditures
- Public Building Commission FY04, Revised 5-9-03
- Lancaster County Building Fund Budget
- Department Budget Hearing Schedule
- Budget Calendar for Fiscal Year 2005

The Board reviewed the July, 2004 meeting calendar (Exhibit D) and requested the following changes: 1) Move Board of Equalization (BOE) hearings from the afternoon of July 15, 2004 to July 16, 2004; and 2) Schedule a budget worksession in the afternoon of July 15, 2004. The Board also requested that: 1) The Budget Monitoring Committee be convened; and 2) Only emergency items be scheduled on the July 15, 2004 Staff Meeting agenda.

The Board also discussed whether to allow departments to continue to subsidize the cost of preferred parking for department heads, deputies and certain members of their staff.

- 5 A) COUNTY SPECIAL PERMIT NO. 04012, U.S. CELLULAR WIRELESS FACILITY, 148TH STREET AND HIGHWAY 2; AND B) COUNTY SPECIAL PERMIT NO. 206 AND COUNTY PRELIMINARY PLAT NO. 03009, FOUR WINDS ESTATES, SOUTHWEST 8TH STREET AND OLD CHENEY ROAD - Brian Will and Mike DeKalb, Planning Department**

A) County Special Permit No. 04012

Brian Will, Planning Department, gave an overview of County Special Permit No. 04012, a request from LCC International, on behalf of U.S. Cellular Wireless Communications, for authority to construct a 255 foot tower capable of accommodating a least five carriers, with a request to waive the fall zone, on property generally located northeast of the intersection of South 148th Street and Highway 2 (Exhibit E). Opposition is related to a monopole type support versus the lattice type tower proposed, waiver of the fall zone, obstruction of view and interference from signal emission. He said there are no other facilities in the area capable of accommodating the carrier's facilities while still providing an acceptable level of coverage.

In response to a question from Hudkins, Will said staff supports the request for a waiver of the fall zone to allow the agricultural use to continue and because there is a low likelihood of development of the area.

Stevens asked whether free access for law enforcement and Emergency Management could be negotiated.

Bill Jarrett, Chief Deputy Sheriff, appeared and said he would like to see free access required on all future cellular towers.

The Board asked Will to: 1) Get cost estimates for monopole type support versus lattice type tower; and 2) Send copies of the application to the Lancaster County Sheriff and Emergency Management for review.

B) County Special Permit No. 206 and County Preliminary Plat No. 03009

DeKalb gave an overview of County Special Permit No. 206 and County Preliminary Plat No. 03009, a request from Brian D. Carstens and Associates, on behalf of Harlan and Judith Stiefel, for a Community Unit Plan (CUP) and preliminary plat for seven (7) residential acreage lots and associated waivers on property generally located northeast of the intersection of Southwest 84th Street and West Old Cheney Road (Exhibits F & G). He said opposition relates to character of the land.

6 SCHOOL RESOURCE OFFICER GRANT - Terry Wagner, Lancaster County Sheriff; Bill Jarrett, Chief Deputy Sheriff

Terry Wagner, Lancaster County Sheriff, gave an overview of the proposed Cops in School Grant Program (Exhibit H) and said all of the rural school districts, with the exception of the Norris School District, have elected to participate in the program.

MOTION: Hudkins moved and Workman seconded to authorize the Chair to sign the grant application. Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

7 PENDING LITIGATION - Kristy Mundt, Deputy County Attorney

MOTION: Hudkins moved and Heier seconded to enter Executive Session at 10:30 a.m. for discussion of pending litigation. Workman, Heier, Schorr, Stevens and Hudkins voted aye. Motion carried.

Hudkins and Schorr exited the meeting.

MOTION: Heier moved and Workman seconded to exit Executive Session at 10:40 a.m. Workman, Heier and Stevens voted aye. Hudkins and Schorr were absent from voting. Motion carried.

Schorr returned to the meeting at 10:43 a.m.

8 TELEPHONE EMERGENCY WARNING SYSTEM - Doug Ahlberg, Emergency Management Director

Doug Ahlberg, Emergency Management Director, requested a \$19,000 addition to his budget request for a 911 Citizen Alert Telephone Call-Back System. He said the system will provide the capability to contact 100,000 homes, at a rate of 2,000 to 6,000 calls per minute, in a life-threatening situation.

Hudkins returned to the meeting at 10:45 a.m.

The Board asked Ahlberg to: 1) Notify Dave Kroeker, Budget and Fiscal Officer, of the addendum to the budget request; and 2) Provide education through the local media, including the rural newspapers and the Lancaster County Cooperative Extension's NEBLINE newsletter.

9 A) NEBRASKA ENVIRONMENTAL TRUST GRANT; AND B) KENO FUNDS FOR BELTWAY BUFFER - Terry Genrich, Parks & Recreation Natural Resources Manager; Tom Malmstrom, Saline Wetlands Project Coordinator

A) Nebraska Environmental Trust Grant

Terry Genrich, Parks & Recreation Natural Resources Manager, indicated plans to submit an application for an additional three years of funding to the Nebraska Environmental Trust (NET). He said the original grant partners are being asked for a financial commitment of \$75,000 for the three year period (the same level of financial commitment agreed to in the 2002 grant). The funds will be used to support wetland management and restoration activities and acquisition of land.

Tom Malmstrom, Saline Wetlands Project Coordinator, presented a report of previous and anticipated future expenditures for the conservation and restoration of the eastern saline wetlands (Exhibit I).

MOTION: Hudkins moved and Workman seconded to indicate an intent to fund the program in the future and to discuss the funding request further during budget discussions. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

B) Keno Funds for Beltway Buffer

Genrich said it has been suggested that a certain percentage of Keno funds be applied to open space acquisition along the South Beltway corridor.

Heier said he would want to see density rights returned to the abutting property owners.

Stevens said development rights have a value and should be subtracted from the purchase price.

The Board asked Genrich to submit a formal request for funding.

10 RE-APPROPRIATION OF FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) GRANT LOCAL MATCH - Nicole Fleck-Tooze, Public Works/Utilities Special Projects Administrator

Nicole Fleck-Tooze, Public Works/Utilities Special Projects Administrator, presented a packet of information regarding the Federal Emergency Management Agency (FEMA) Mitigation Grant Program (Exhibit J). She said the City and County received a \$1.1 million FEMA grant for conservation easements in the floodplain adjacent to and south of Wilderness Park in June, 2002 and said the remaining balance of \$916,763.94 was directed back to FEMA upon expiration of the grant. The City and County provided match for the grant and each have a balance of \$153,003.09 remaining. Fleck-Tooze said she would like the City and County to provide flexibility to spend those dollars on the purchase of easements in floodplain in Southeast Upper Salt Creek (see Exhibit J).

Schorr inquired about other sources of funding.

Fleck-Tooze said the Lower Platte South Natural Resources District (NRD) has budgeted \$400,000 towards the purchase of conservation easements in Upper Salt Creek and the City has dedicated a similar amount in general obligation bonds. Grant opportunities are also being explored.

Hudkins said he would like to see efforts concentrated in the corridor along the railroad tracks from Saltillo to Roca or transferred to the beltway buffer project.

Fleck-Tooze said one of the areas targeted in Southeast Upper Salt Creek includes floodplain along the beltway corridor.

MOTION: Workman moved and Hudkins seconded to: 1) Direct the City of Lincoln to transfer \$153,000 back to the County's Keno Fund; and 2) Continue to consider land acquisitions on an individual basis. Workman, Heier, Schorr, Stevens and Hudkins voted aye. Motion carried.

11 ACTION ITEMS

- A. Microcomputer Request, C#2004-182, \$64,069.79 from Drug Forfeiture Funds for 21 Pentium IV's, 7 Laptop Computers and 24 17" Flat Panel Monitors for County Attorney

MOTION: Workman moved and Hudkins seconded to deny the request for flat panel monitors.

MOTION: Heier moved and Schorr seconded to table the request for one week. Heier, Schorr, Stevens and Hudkins voted aye. Workman voted no. Motion carried.

- B. Authorize Letter to Bryan/LGH Health System Regarding Medical Expense Reimbursement

See Item 2B.

ADDITIONS TO THE AGENDA

- B. Letter to Mayor Regarding Jail Reimbursement

MOTION: Heier moved and Hudkins seconded to direct the County Attorney's Office to send a letter to the Mayor indicating the County intent to follow state statutes in this matter.

Stevens said he would like to give the City another opportunity to discuss the issue of payment of medical expenses for inmates injured during apprehension by the Lincoln Police Department, noting the Mayor has agreed to call a meeting.

Kerry Eagan, Chief Administrative Officer, said the County needs to give notice that it is terminating the interlocal agreement.

The maker of the motion and the seconder withdrew their motion.

MOTION: Heier moved and Hudkins seconded to direct Kerry Eagan, Chief Administrative Officer, in consultation with Mike Thew, Chief Deputy County Attorney, to draft a letter to the Mayor giving notice that the County is terminating the jail interlocal agreement, for the Board's review at the May 20, 2004 Staff Meeting. Workman, Heier, Schorr and Hudkins voted aye. Stevens voted no. Motion carried.

12 ADMINISTRATIVE OFFICER REPORT

- A. Behavioral Health Oversight Committee

MOTION: Hudkins moved and Workman seconded to ask Kathy Campbell to submit her name for appointment to the Behavioral Health Oversight Committee and to write a letter of recommendation. Workman, Heier, Schorr, Stevens and Hudkins voted aye. Motion carried.

Stevens suggested appointment of Topher Hansen, CenterPointe Director. It was noted that Dean Settle, Community Mental Health Center Director, has also submitted his name for appointment.

B. Lancaster County Board of Zoning Appeals Appointment

The Board scheduled appointment of Ed Woepfel on the May 18, 2004 Board of Commissioners Meeting agenda.

C. United Way Pacesetter Campaign

MOTION: Heier moved and Schorr seconded to participate in the United Way Pacesetter Campaign. Hudkins, Stevens, Schorr, Heier and Workman voted aye. Motion carried.

D. Inclusion of County in Publication Listing Lincoln Partnership for Economic Development (LPED) Sponsors

MOTION: Schorr moved and Heier seconded to request that the listing be worded Lancaster County, Nebraska.

Heier withdrew his second.

Stevens seconded the motion.

AMENDMENT: Hudkins moved and Heier seconded to amend the wording to Board of Commissioners for Lancaster County, Nebraska. Workman, Heier and Hudkins voted aye. Schorr and Stevens voted no. Motion carried.

ROLL CALL ON THE ORIGINAL MOTION: Hudkins, Workman and Heier voted aye. Schorr and Stevens voted no. Motion carried.

E. County Board News Articles

The Board asked Gwen Thorpe, Deputy Chief Administrative Officer, to continue to clip and copy news articles relating to the Board, including campaign related articles.

ADDITIONS TO THE AGENDA

A. Report on 98th Street

Heier said 98th Street is in poor condition between Van Dorn Street and Highway 2.

C. Correspondence from Jessica Nelson (Exhibit A)

The Board will provide an opportunity for Ms. Nelson to express her concerns regarding Active Community Treatment (ACT) at the May 20, 2004 Staff Meeting.

D. Remodel of Trabert Hall for General Assistance (GA)

Eagan reported \$17,205.51 in systems furniture costs (Exhibit K).

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

E. Roof Repair for Community Blood Bank Building (2966 "O" Street)

Eagan reported a bid of \$3,945 from Weathercraft.

The Board scheduled the item on the May 18, 2004 Board of Commissioners Meeting agenda.

13 ADJOURNMENT

MOTION: Schorr moved and Workman seconded to adjourn the meeting at 12:54 p.m. Hudkins, Stevens, Schorr and Workman voted aye. Heier voted no. Motion carried.

Bruce Medcalf
Lancaster County Clerk