

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, FEBRUARY 17, 2005
8:30 A.M.**

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

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

The Chair opened the meeting at 8:35 a.m.

AGENDA ITEM

**1 APPROVAL OF THE STAFF MEETING MINUTES OF TUESDAY,
FEBRUARY 8, 2005**

MOTION: Workman moved and Heier seconded approval of the Staff Meeting minutes of February 8, 2005. Heier, Workman and Hudkins voted aye. Stevens abstained from voting. Schorr was absent from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A) Discussion of Zoning on South 162nd Street and Highway 2 (County Change of Zone No. 04080)
- B) Name Badges

Schorr arrived at 8:37 a.m.

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

ADDITIONS TO THE AGENDA

MOTION: Stevens moved and Heier seconded to add discussion of an application for an amusement license from Cara Carney and Brad Bray to hold a country music festival on August 13 and August 14, 2005 at 15305 Van Dorn Street, Walton, Nebraska. Schorr, Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

3 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant; Amy Prenda, Director of Legal Research and Analysis for Kissel/E&S Associates

Gordon Kissel, Legislative Consultant, presented a legislative update (Exhibit A).

The Board asked Kissel to monitor LB 639 (Include proposed beltways on the corridor location map).

Kit Boesch, Human Services Administrator, appeared and recommended that the Board oppose LB 642 (Change and eliminate provisions relating to probation and parole) as it will impact the graduated sanctions program.

MOTION: Stevens moved and Workman seconded to go on record in opposition to LB 642 and authorize the Chair to sign a letter of opposition.

Boesch was asked to draft the letter.

The maker of the motion amended to the motion to state that the Board opposes the concept of merging Parole and Probation Administration under the Executive Branch.

The seconder agreed to the amendment.

ROLL CALL: Stevens, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

Mike Thurber, Corrections Director, appeared and expressed concern regarding LB 143 (Authorize fingerprints and DNA samples of convicted felons) and LB 726 (Change emergency protective custody provisions under the Nebraska Mental Health Commitment Act).

The Board asked Kissel and Thurber to talk to Senator Stuthman about his intent with regards to LB 726.

4 REQUIREMENTS FOR GENERAL ASSISTANCE COMPUTER TRACKING SYSTEM - Kathy Cook, Health Department Information & Fiscal Operations Manager

Kathy Cook, Health Department Information & Fiscal Operations Manager, said the work processes needed to manage the General Assistance (GA) Program have been identified and it is time to move into the requirements phase of a rewrite of the computer system. She said Information Services (IS) will write the requirements, with the assistance of her staff, and estimated the cost at \$6,500.

MOTION: Workman moved and Heier seconded approval of the \$6,500 request for computer services.

Dave Kroecker, Budget and Fiscal Officer, asked whether there is grant money available.

Cook said initial funds from a grant for local and regional behavioral health groups to develop an integrated medical data system have been allocated and said the GA process will be included in the first round of assessments that are part of the grant process.

C. J. Johnson, Program Administrator for the Region V Mental Health, Alcoholism & Drug Abuse Program, said there was \$200,000 for strategic planning and said additional grants for implementation and maintenance will be available. He suggested that it would be beneficial to look at how programs can be housed and managed so that there is constant communication.

Cook agreed that there needs to be a sharing of information across programs and platforms.

ROLL CALL: Stevens, Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

5 BOARD OF CORRECTIONS QUARTERLY MEETING - Mike Thurber, Corrections Director

Separate Minutes.

ADDITIONS TO THE AGENDA

- C) Discussion of an Application for an Amusement license from Cara Carney and Brad Bray to Hold a Country Music Festival on August 13 and August 14, 2005 at 15305 Van Dorn Street, Walton, Nebraska.

The Chair said the Board has received information that the map that the applicant presented at the public hearing may not be exact or complete and asked that the County Engineer and County Surveyor review the map and verify ownership of the lots.

Heier noted that the Board has asked the applicant for a detailed map.

Workman said the issue of portable lighting should also be addressed.

6 CLAIM FOR REVIEW FROM A TO Z PRINTING (VOUCHER NO. 7140-\$3,169) - Renee' Dozier, Families First & Foremost (F³) Associate Director

Renee' Dozier, Families First & Foremost (F³) Associate Director, said service from vendor on contract was not timely. She said her agency was in dire need of the materials and asked A to Z Printing to complete the order, without submitting a purchase order. **NOTE:** The payment exceeds the amount authorized for purchase without a purchase order.

Kerry Eagan, Chief Administrative Officer, said a similar situation involving Human Services occurred in October, 2004 (the printing was advertised as a special purchase and the Board gave notice of intent to invite informal quotes).

MOTION: Heier moved and Schorr seconded to direct Kerry Eagan, Chief Administrative Officer, to advertize the printing as a special purchase and give notice of intent to invite informal quotes. Heier, Schorr, Workman, Stevens and Hudkins voted aye. Motion carried.

ADDITIONS TO THE AGENDA

MOTION: Schorr moved and Stevens seconded to add discussion of an amendment to an agreement with Family Services d/b/a CF Star, under County Contract C-04-0274, for wraparound services to youth who are wards of the State of Nebraska Health and Human Services southeastern service area and reside in Lancaster County(Contract C-05-0088) to the agenda. Schorr, Stevens, Heier, Workman and Hudkins voted aye. Motion carried.

Heier inquired about funding and asked how many clients will be served.

Dozier said 20-22 additional families will be served. The providers will be contract employees.

The Board rescheduled the item on the February 22, 2005 Board of Commissioners Meeting agenda.

The Board also requested that a report on F³'s transition to Region V and appointment of a new director be scheduled on the February 24, 2005 Staff Meeting agenda.

7 COUNTY SPECIAL PERMIT NO. 04066 AND COUNTY PRELIMINARY PLAT NO. 04029, WEST YANKEE HILL ACRES COMMUNITY UNIT PLAN, WEST OF SOUTHWEST 98TH STREET AND WEST YANKEE HILL ROAD - Mike DeKalb, Planning Department

Mike DeKalb, Planning Department, gave an overview of County Special Permit No. 04066 and County Preliminary Plat No. 04029, West Yankee Hill Acres, a request for eight single family residential acreage lots and associated waiver requests on property west of the intersection of Southwest 98th Street and West Yankee Hill Road, noting Staff and the Planning Commission have recommended conditional approval (Exhibit B). He said lots will be accessed by be a private gravel road, with public access, on what would be the county section line (Southwest 112th). The road will be parallel to a private drive that provides access to the farmstead and an airstrip.

The Board asked DeKalb to explore opening the county road, up to the cul-de-sac, with the County Engineer and County Surveyor.

ADDITIONS TO THE AGENDA

A) Discussion of Zoning on South 162nd Street and Highway 2 (County Change of Zone No. 04080)

Heier clarified that the discussion will focus on the area surrounding 162nd Street and Highway 2. He said he anticipates there will be additional applications for commercial/industrial development on that side of the road and asked whether it would be reasonable to ask the applicant to put a service road in along the property line.

DeKalb said the County Attorney can best advise the Board in that regard. He pointed out that a stub county road that was cut off when the interchange was put in has not been vacated and said the Board could explore with the County Engineer what it would cost to open and extend it as a service road.

Schorr asked whether it would be better to address the entire intersection as an amendment to the Comprehensive Plan.

DeKalb said the general rule has been that applications comprised of ten or more acres merit a Comp Plan amendment. He said the change of zone is not shown on the 2025 Comprehensive Plan map, but is shown in the Village of Bennet Comprehensive Plan and said the Lincoln-Lancaster County Comprehensive Plan acknowledges town plans. DeKalb said it is reasonable to expect that the area will grow and to reflect it in the Lincoln-Lancaster County Comprehensive Plan.

MOTION: Schorr moved and Stevens seconded to direct Kerry Eagan, Chief Administrative Officer, to send a memorandum to the Planning Department requesting that the Bennet interchange be reviewed as part of the Lincoln-Lancaster County Comprehensive Plan Annual Review for commercial/industrial and multi-family residential development.

Heier suggested extension west to 144th Street.

Gary Lacey, County Attorney, appeared and cautioned against taking action on an item that was added to the agenda without public notice.

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

Schorr asked that discussion be scheduled on the February 24, 2005 Staff Meeting agenda.

8 FUTURE OF LINCOLN COMMUNITY CONVERSATION (FEBRUARY 24, 2005 AT ANDERSON HALL, 16TH & Q STREET) - Deanne Finnigan, Leadership Lincoln

Deanne Finnigan, Leadership Lincoln, gave an overview of the Future of Lincoln Project, a forum to discuss the future of Lincoln, and invited the Board to observe the process and listen to the group discussion. She said final poll results will be provided at a later date.

9 ACTION ITEMS

- A. Request of Lancaster County to Act as Fiscal Agent for Family Drug Court Pilot Project

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

B. City-County Common Agenda Items (March 7, 2005)

None were offered.

10 ADMINISTRATIVE OFFICER REPORT

A. State Fair Match

Workman said the Lincoln Journal-Star Newspaper erroneously reported that the Board agreed to participate in the State Fair match.

Stevens said the newspaper has offered to print a retraction.

Hudkins said he indicated to the Mayor a willingness to bring a proposal to assist in the State Fair match to the Board, but said the City has not brought forth a plan.

Board consensus was to have the Chair and Vice Chair discuss the matter further with the Mayor.

B. Nebraska Accountability and Disclosure Commission Opinion Regarding Hudkins and Heier Potential Conflict of Interest

Eagan reviewed the opinion issued by the Nebraska Accountability and Disclosure Commission's General Counsel and suggested that if the issue comes up again, that the Board request an opinion from the Commission. **NOTE:** The issue relates to County Special Permit No. 04059, requested by Trent Sidders on behalf of David Benes, for the commercial storage and sale of farm chemicals, on property generally located at the northwest corner of North 56th Street (Highway 77) and Mill Road in Lancaster County, Nebraska.

C. Contract with Nebraska Department of Health and Human Services (HHS) Regarding State Wards and Evaluations

Eagan noted the increase in the length of time it is taking to complete juvenile evaluations since the Nebraska Department of Health and Human Services (HHS) Medicaid Division and Magellan, the Medicaid managed care company, assumed coordination and completion of the clinical portion of the evaluations and said a question was raised as to why the State isn't paying for the full cost of detention during the evaluation period. He said the answer lies in the County's contract with HHS (Contract C-04-0592) and referred to the following language:

For purposes of this contract, the parties agree that an evaluation begins when the evaluation provider makes a person to person contact with the youth, family/relatives or other person (including but not limited to, court officials, probation officer, juvenile services officers, therapist, and/or school official) for purposes of obtaining information necessary for the assessment of the youth. The evaluation ends when the evaluation provider makes the final person to person contact for purposes of obtaining information necessary to finalizing the evaluation report.

Eagan said there is also a state statute that holds the County is responsible for the first ten days of detention prior to the evaluation.

MOTION: Heier moved and Workman seconded to send a letter to the State terminating the contract, giving thirty (30) days notice, and indicating a willingness to negotiate a new contract.

Schorr requested a delay, noting there are ongoing meetings with HHS representatives to discuss the Integrated Care Coordination Unit (ICCU) contract, Families First & Foremost (F³) evaluations and to work through system issues.

Extensive discussion followed.

Heier called the question.

The Chair ruled it a priority motion, which he said requires a second and a majority vote to stop debate. There being none, debate continued.

The maker of the motion and the seconder agreed to amend their motion to direct Kerry Eagan, Chief Administrative Officer, to draft a letter of termination for the Board's consideration at the February 24, 2005 Staff Meeting.

ROLL CALL: Schorr, Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

D. March Management Team Meeting

The meeting was rescheduled to March 17, 2005.

E. Staff Meeting (March 10, 2005)

The Board will not hold a Staff Meeting on March 10, 2005. A Staff Meeting will be held at 11:00 a.m. on March 8, 2005 instead.

F. Request from Troy Gagner, Economic Development Coordinator to Attend Conferences

MOTION: Workman moved and Heier seconded to deny the request for funds to attend conferences, indicating a lack of information regarding a direct benefit to the County.

The Board questioned Gagner's statement that an application for Tractor Supply in Waverly, Nebraska would require a commitment of \$200,000 in reuse funds (see letter in agenda packet) and requested a briefing at the earliest opportunity.

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

G. Keno Satellite Site (Penalty Box at State Fairgrounds)

The Board scheduled the item on the February 22, 2005 Board of Commissioners Meeting agenda and asked that either Don Herz, City Finance Director, or Mark Leikam, Keno Auditor, be available to answer questions.

H. Request from Kit Boesch, Human Services Administrator, to Attend Facilitation Training Seminar by Leadership Lincoln (\$450)

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

I. Correspondence from Kit Boesch, Human Services Administrator, Regarding Grants Manager Salary

Kit Boesch, Human Services Administrator, appeared and requested a four percent increase for Cathy Behrns, County Grants Manager.

Don Taute, Personnel Director, appeared and said Behrns is at the maximum of her pay range and said the Board cannot authorize an increase that exceeds the maximum. He explained that the only options are a job audit or an exceptional circumstance award.

MOTION: Schorr moved to authorize a job audit for Cathy Behrns, County Grants Manager.

Eagan explained that the request for a job audit should come from the employee or the department head.

Boesch said she will request an exceptional circumstance award and start the process for a job audit.

The maker of the motion withdrew her motion.

J. Correspondence from Bill Jarrett, Chief Deputy Sheriff, Regarding Computer Purchase

Eagan said Jarrett has indicated that his office can purchase a computer locally for substantially less than the price quoted by Information Services. He said he has received additional information and a policy analysis from Doug Thomas, Information Services Director, and said he does not recommend approving the less expensive computer at this time.

The Board asked Eagan to mediate further discussion between Jarrett and Thomas.

11 DISCUSSION OF BOARD MEMBER MEETINGS

A. Area 5 Agricultural and Horticultural Land Valuation Board (AHLVB) - Hudkins

Hudkins said the AHLVB Board acted to oppose LB 407 (Eliminate provisions relating to agricultural and horticultural land valuation).

B. Parks & Recreation Advisory Board - Stevens

Stevens reported adoption of a new master plan for Woods Park.

C. Public Building Commission (PBC) - Hudkins, Workman

Workman reported on chairs and monitors for the City Council/County Commissioners Hearing Room.

D. Board of Health - Hudkins

Hudkins reported discussion of how the City's "living wage" ordinance impacts Animal Control.

The Board requested additional information regarding service within, and outside of, the City's three-mile zoning jurisdiction.

E. Information Services Policy Committee (ISPC) - Stevens

No report.

F. Homeland Security Grant Committee - Workman

Workman said the committee continues to work on establishing priorities.

G. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Stevens

Stevens said he shared materials from the County Board's Mid-Year Budget Retreat.

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

Schorr said discussion focused on requirements for a computer tracking system and a pilot project to provide continuity of care between public health clinics and the GA Program.

I. Monthly Meeting of the Public Building Commission (PBC) Chair, Vice Chair and Mayor - Hudkins

Hudkins said an investors group has expressed interest in purchasing the "K" Street Building from the City and converting it to another use.

12 EMERGENCY ITEMS AND OTHER BUSINESS

Workman reported on the Nebraska Association of County Officials (NACO) County Board Workshop and said he attended seminars on General Assistance (GA) and the methamphetamine problem.

ADDITIONS TO THE AGENDA

B) Name Badges

There was brief discussion of whether to have matching name badges.

13 ADJOURNMENT

MOTION: Schorr moved and Stevens seconded to adjourn the meeting at 12:59 p.m. Schorr, Stevens, Heier, Workman and Hudkins voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk