

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, APRIL 7, 2005
8:30 A.M.**

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

Commissioners Absent: Bernie Heier

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

The Chair opened the meeting at 8:32 a.m.

AGENDA ITEM

1 APPROVAL OF THE STAFF MEETING MINUTES OF THURSDAY, MARCH 29, 2005

MOTION: Stevens moved and Schorr seconded approval of the Staff Meeting minutes of March 29, 2005. Workman, Stevens, Schorr and Hudkins voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

A. Management Team Meeting

MOTION: Stevens moved and Workman seconded approval of the addition to the agenda. Workman, Schorr, 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, gave a legislative update (Exhibit A).

Amy Prenda, Director of Legal Research and Analysis for Kissel/E&S Associates, reported on LB 538 (Change provisions relating to drug offenses, probation, parole and work camps). Concerns were noted regarding a provision for appointment of counsel in indigency cases.

Brief discussion took place regarding LB 645 (Prohibit an agency or political subdivision of the state from providing certain telecommunications services). Kissel said Senator Brashear has offered an amendment calling for a joint study to determine the economic and policy implications of agencies or political subdivisions of the state or public power suppliers providing to a telecommunications common carrier, telecommunications contract carrier, or any other person, on a wholesale basis, advanced telecommunications services, information services, telecommunications services or video services.

MOTION: Workman moved and Hudkins seconded to support the study and oppose any outright prohibition to the use of public facilities for broadband internet access. Workman, Schorr and Hudkins voted aye. Stevens voted no. Motion carried.

ADMINISTRATIVE OFFICER REPORT

F. Building Permit Requirements

Kerry Eagan, Chief Administrative Officer, said the City does not require building permits in its three-mile zoning jurisdiction for residences on farmsteads over twenty acres in size.

Board consensus was to work with the City to try to resurrect legislation next year to address requiring building permits for residences located on farmsteads 20 acres or more and producing at least \$1,000 of farm income.

The Chair asked Kissel to watch for an opportunity to attach the language to a bill this legislative session.

4 NATIONAL ASSOCIATION OF COUNTIES(NACo) PRESCRIPTION CARD AGREEMENT - Kristy Mundt, Deputy County Attorney

Kristy Mundt, Deputy County Attorney, expressed concern as to whether an exclusivity provision that waives the ability to contract with any other drug manufacturer for the purpose of obtaining rebates or discounts and requires cancellation of any other existing contracts for drug rebates would apply to the National Drug Discount Program for General Assistance (GA).

Eagan said he contacted the director of membership marketing and was assured that it was not the intent to exclude those types of programs.

The Board asked Mundt to draft an addendum to the signature page indicating that signature is subject to an understanding that the County will continue to operate the National Drug Assistance Program for GA.

5 CHECK SCANNING EQUIPMENT - Terry Adams, Deputy County Treasurer

Terry Adams, Deputy County Treasurer, said his department's microfilm equipment is worn out and would like to purchase three check scanners and use TRIM (electronic record keeping system) instead. He estimated the cost of equipment, software, set-up, training and one year of maintenance at \$23,000 and said there are sufficient funds in his budget to pay the expense.

Board consensus was to proceed with development of a contract.

Adams said the department would also like to purchase a software package for investments and tracking. He said the City uses Evare and said the County can "piggyback" on their pricing (\$3,000 per year). There are sufficient funds in the department's budget to pay this expense.

The Board directed Adams to work with the County Attorney's Office in development of a contract.

Adams said his department also needs to replace 10 to 12 printers for the new Orion software system in 2006 (estimated cost is \$5,000). He requested authorization to purchase the printers this year if there are sufficient funds in the department's budget and if the printers can be used with OASIS (computer assisted mass appraisal database).

The Board asked Adams to work with Dave Kroeker, Budget and Fiscal Officer.

ADDITIONS TO THE AGENDA

A. Management Team Meeting

Board consensus was to reschedule the meeting from April 14th to April 21st.

6 HORSESHOE DRIVES - Don Thomas, County Engineer; Larry Worrell, County Surveyor; Kristy Mundt, Deputy County Attorney

There was general discussion regarding whether to allow horseshoe drives in the County. Concerns were expressed regarding frontage (see examples in Exhibit B); lot size; and maintaining the integrity of the drain system.

The Board requested additional information on the cost of maintaining a culvert.

Kristy Mundt, Deputy County Attorney, gave an overview of a legal opinion, dated March 29, 2005, regarding designating maintenance responsibilities of a driveway structure within public right-of-way (see agenda packet).

Don Thomas, County Engineer, said he wants a new resolution on driveway policy if the Board decides to allow horseshoe drives.

Stevens suggested that second driveways be made part of the building permit process and that the County charge a fee to off-set future maintenance costs. He said \$10,000 may be an appropriate amount.

Jerry Young, 1700 North 129th Court, appeared and suggested a culvert tax or access fee instead.

Mundt said the Board lacks statutory authority to impose a tax for additional driveways or a special assessment for maintenance, but said imposing a flat fee through the building permit process may be feasible.

MOTION: Schorr moved and Workman seconded to establish a committee comprised of the following members to work on a proposal: Don Thomas, County Engineer; Larry Worrell, County Surveyor; a representative of the County Attorney's Office; Commissioners Workman and Stevens; and Jerry Young, interested citizen. Workman, Schorr, Stevens and Hudkins voted aye. Motion carried.

7 NEBRASKA ENVIRONMENTAL TRUST (NET) GRANT - Terry Genrich, Parks & Recreation Natural Resources Manager; Tom Malmstrom, Parks & Recreation Department Natural Resources Coordinator, Saline Wetlands

Terry Genrich, Parks and Recreation Natural Resources Manager, said the application for an additional three year Nebraska Environmental Trust (NET) Grant for the Saline Wetlands Project will be formally approved later in the day. He said the request was for \$1,050,000 and \$800,000 was approved, over a three year period (equal to 76 percent of the request). The County's match amount of \$75,000 may be reduced accordingly to \$57,000.

MOTION: Stevens moved and Workman seconded acceptance of the plan, as outlined, with the County providing up to \$57,000 in matching funds over the next three years. Schorr, Workman, Stevens and Hudkins voted aye. Motion carried.

8 FAMILIES FIRST & FOREMOST (F³) COMPUTER PURCHASES; F³ GRANT EXTENSION OF NINETY (90) DAYS - Renee' Dozier, Families First & Foremost (F³) Director; Kit Boesch, Human Services Administrator; C. J. Johnson, Program Administrator for the Region V Mental Health, Alcoholism & Drug Abuse Program

Families First & Foremost (F³) Computer Purchases

Renee' Dozier, Families First & Foremost (F³) Director, asked that furnishings and equipment move with the F³ Grant Program as it transitions to Region V.

Schorr noted that the equipment was purchased with grant funds.

The Board asked Eagan to research the procedure to transfer those assets.

Dozier renewed her request for authorization to purchase the computer equipment (Microcomputer Request C32005-010) outside of the Information Services (IS) contract, estimating \$7,000 in savings. She said the computers will be purchased with F³ funds and will not be connected to the County's network.

MOTION: Schorr moved and Workman seconded to authorize Renee' Dozier, Families First & Foremost (F³) Director, to purchase the computer equipment outside the Information Services (IS) contract. Workman, Schorr, Stevens and Hudkins voted aye. Motion carried.

Dozier presented quotes from BCS and Kidwell for computer server equipment necessary for the transition (Exhibit C) and recommended acceptance of the quote from BCS. She said she is providing this information to the Board, but said it is the State that must authorize use of cost savings for the purchase.

Eagan said sealed bids are required if the purchase is run through the County budget.

It was noted that the State could request the cost savings back and then purchase the equipment.

Dozier said Integrated Care Coordination Unit (ICCU) funds will be used to purchase furniture and equipment for staff moving from the Cedars Northbridge Community Center to Trabert Hall (Exhibit D). She estimated the cost at \$9,000 to \$10,000 and said she is working with Kathy Smith, Assistant Purchasing Agent in this regard.

The Chair asked her to also coordinate the purchase with Don Killeen, County Property Manager.

MOTION: Schorr moved and Stevens seconded to authorize the equipment purchase, in the estimated range of \$9,000 to \$10,000. Stevens, Schorr and Hudkins voted aye. Workman abstained from voting, noting a potential conflict of interest. Motion carried.

F³ Grant Extension of Ninety (90) Days

Dozier proposed that the County send a letter to Nancy Montanez, Nebraska Department of Health & Human Services (HHS) Director, requesting extension of F³ Grant funds for a period of 90-120 days in order to closeout grant functions and transition families. She said the federal project officer has advised her that grant funds cannot be utilized for transition of the ICCU to Region V.

Mundt expressed concern that the F³ Grant Program would still be administered at the county level, but there would be no county employees remaining.

Schorr reported on a meeting held to discuss administration options. Options include asking Kit Boesch, as a county employee, to oversee the grant funds for the extension period or having Sheryl Schrepf assume that responsibility under terms of a proposed contract. She said Schrepf has agreed to extend her contract for the extension period, at no additional cost.

Schrepf appeared and indicated that she is no longer interested in contracting with the County. She said she expects payment for services to date.

C. J. Johnson, Program Administrator for the Region V Mental Health, Alcoholism & Drug Abuse Program, said the cost savings proposal changes the target population and said he believes the State would be willing to let the cost savings continue to fund the care coordinators and work with the existing population. He said he is not ruling out the possibility of addressing a different target population in the future.

Boesch said she is not opposed to "housing" the funds but suggested that it would be more appropriate to have Johnson manage the project.

Johnson said he believes that Boesch would be the best choice to administer the grant and said the County could then sub-contract with Region V for the service piece. Region V would subsequently sub-contract with the agencies that are providing care coordinators for the program.

Board consensus was to appoint a committee comprised of Stevens, Schorr, Dozier, Boesch, Mundt, Johnson and either Eagan or Thorpe to develop a proposal.

9 UPDATE ON COUNTY ATTORNEY BUDGET - Gary Lacey, County Attorney

Gary Lacey, County Attorney, gave an overview of a proposed agreement with Dr. Matthias Okoye, for forensic autopsy services as the coroner's physician. Services shall include forensic autopsies, provision of a morgue facility and staff, coroner's call, testimony, additional tests and other services. The County shall pay \$270,000 per year for the services and an additional fee of \$1,700 per autopsy for any autopsy over 135 for the contract year.

10 ACTION ITEMS

- A. Letter of Authorization for Grant to Expand the Harvest Project (A Program Designed Specifically to Work with Individuals Who are Over the Age of 55 and Suffer the Combined Effects of Advanced Age, Impaired Health, Mental Illness and/or Substance Abuse)

The Board indicated that Dean Settle, Community Mental Health Center Director, will need to comply with the Grant Submittal Policy.

- B. Payroll Insert for April 21, 2005 (Safety Flyer on Lifting)

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

11 ADMINISTRATIVE OFFICER REPORT

- A. Clean Your Files Week (April 18-22, 2005)

MOTION: Stevens moved and Workman seconded to: 1) Authorize a memorandum to be sent to county departments regarding Clean Your Files Week; and 2) Invite Gene Hanlon, Recycling Coordinator, to give a presentation at the Tuesday, April 12, 2005 Board of Commissioners Meeting. Schorr, Workman, Stevens and Hudkins voted aye. Motion carried.

- B. Report on Randall Funding and Development, Inc. Grant Writing

Gwen Thorpe, Deputy Chief Administrative Officer, recommended that the County end its contract with Randall Funding and Development, Inc. for grant writing services, as it has not produced any funding. She noted that four grants are in process and that the Village of Malcolm has consulted Randall Funding regarding grants for a water and sewer system.

MOTION: Workman moved and Schorr seconded to: 1) Send a letter to Randall Funding and Development, Inc. indicating that the County is cancelling the contract, due to non-performance; and 2) Direct the County Attorney to pursue retrieval of \$100,000 in retainer funds.

Mundt said she will review the contract and will draft a letter for the Board's review.

The maker of the motion and the seconder agreed to allow the County Attorney's Office to prepare the letter of termination after perusal of the contract.

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

C. Planning for Intersection of 162nd Street and Highway 2

Eagan said the applicant for a change of zone from Agricultural (AG) to Industrial (I) on 28.56 acres on the northeast corner of Highway 2 and Highway 43 (South 162nd Street) for construction and operation of a redi-mix concrete plant is seeking Board action by the end of April, as an option on the land is running out. He also noted receipt of a legal opinion on the issue of conditional and contract re-zoning.

The Board scheduled discussion on the Thursday, April 21, 2005 Staff Meeting agenda and action on the Tuesday, April 26, 2005 Board of Commissioners Meeting agenda.

- D. Request from Tier One Bank to be Designated as a County Depository
- E. Lancaster County Vehicle Storage Facility Allowance Modification #02

The Board scheduled Items D and E on the Tuesday, April 12, 2005 Board of Commissioners Meeting agenda.

F. Building Permit Requirements

Item moved forward on the agenda.

12 DISCUSSION OF BOARD MEMBER MEETINGS

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

Hudkins said no action was taken, as legislation was passed to disband AHLVB Boards. The County will receive a rebate after expenses are paid.

- B. Lincoln-Lancaster County Ecological Advisory Committee (EAC) - Heier

No report was given.

C. Lincoln Partnership for Economic Development (LPED) Investors -
Hudkins

Hudkins said there was a presentation from the Joslyn Castle Institute for Sustainable Communities on the corridor between Lincoln and Omaha.

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

Stevens, Schorr and Eagan reported discussion of the following: 1) Budget; 2) Tightening of guidelines; 3) Public Healthcare Clinic Pilot Project; 4) National Drug Program; and 5) Residency versus legal settlement.

13 ADJOURNMENT

MOTION: Schorr moved and Stevens seconded to adjourn the meeting at 11:45 a.m. Workman, Stevens, Schorr and Hudkins voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk