

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
THURSDAY, JUNE 8, 2006  
8:30 A.M.**

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

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 STAFF MEETING MINUTES OF THURSDAY, JUNE 1, 2006; BUDGET HEARING MINUTES OF TUESDAY, MAY 30, 2006**

**MOTION:** Stevens moved and Schorr seconded approval of the Staff Meeting minutes dated June 1, 2006 and Budget Hearing minutes dated May 30, 2006. Hudkins, Stevens, Workman, Heier and Schorr voted aye. Motion carried.

**2 ADDITIONS TO THE AGENDA**

- A. Labor Negotiations
- B. Temporary Easement with the Lincoln Housing Authority (Exhibit A)
- C. Meeting with Auditors

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

**3 POTENTIAL LITIGATION** - Kristy Mundt, Deputy County Attorney

**MOTION:** Heier moved and Hudkins seconded to enter Executive Session at 8:34 a.m. for discussion of potential litigation and labor negotiations. Heier, Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

**MOTION:** Stevens moved and Heier seconded to exit Executive Session at 9:00 a.m. Workman, Stevens, Hudkins, Heier and Schorr voted aye. Motion carried.

**4 CONTRACT FOR UPDATE OF LANCASTER COUNTY EMERGENCY OPERATIONS PLAN (LEOP)** - Doug Ahlberg, Emergency Management Director; Tom Fox, Deputy County Attorney

Doug Ahlberg, Emergency Management Director, recommended that the County contract with Patti Tallamante for development of the Lancaster County Emergency Operations Plan (LEOP). He said Tallamante was recently hired as an Administrative Aide in his office and said her starting date will be delayed so that she can work as an independent contractor. Ahlberg estimated that work on the project will take 30 days and said Tallamante will be paid \$20,000 for her services.

**NOTE:** The Board will take action on the contract at the Tuesday, June 13, 2006 Board of Commissioners Meeting.

**5 KENO AND MISCELLANEOUS BUDGETS** - Dave Kroeker, Budget and Fiscal Officer

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

- Lancaster County, Keno Fund, FY06 Proposed Keno Fund Budget
- Lancaster County, Keno Fund, FY06 Proposed Keno Fund Budget
- Lancaster County Keno Collections

There was general consensus to leave \$50,000 in the budget for the South Beltway Green Space. Additional discussion of that item and the Jamaica North Trail will be scheduled with Terry Genrich, Parks & Recreation Natural Resources Manager.

There was also general consensus to earmark \$750,000 for roads.

Kroeker was asked to contact Terry Wagner, Lancaster County Sheriff, for information on retirements in that office and retirement incentive costs.

- Lancaster County, Comparison FY07 to FY06 Expense Budget
- Lancaster County, Comparison FY06 to FY05 Revenue Budget
- Lancaster County, Property Tax Funded Budgets, FY07 Requested Budget Compared to FY06 Adopted
- FY07 Budget Adjustments to Agency Budgets
- A Request from the County Attorney for an Attorney and a Legal Secretary II

In response to a question from Workman, Kroeker said it will take a little over \$2 million in reductions to get to a tax levy of 25 cents, per \$100 of value.

The Chair asked Kroeker for a comparison of the FY06 actual budget to FY07 budget requests.

- Lancaster County Building Fund Budget, Fund 051

**6 JUVENILE DETENTION CENTER UPDATE** - Michelle Schindler, Youth Services Center Director; Dr. Richard Krause, Education Coordinator at the Lancaster County Juvenile Detention Center

Michelle Schindler, Youth Services Center Director, reported the following:

- Average daily population is 60-65 youth
- Average number of care days per month is 2000
- Average length of stay is 14 days
- Evaluations are taking 21 days, on average

Dr. Richard Krause, Education Coordinator at the Lancaster County Juvenile Detention Center, presented a revised description of the Pathfinder Education Program (Exhibit E) and said the State Board of Education classified the school as an Approved Interim School for the 2006-07 school year based upon review of the Statement of Assurance and compliance with the approval requirements in Rule 18 (Interim-Program Schools in county Detention Homes, Institutions, and Juvenile Emergency Shelters) (Exhibit F).

Krause indicated plans to retire and introduced Randy Farmer, his replacement.

Farmer discussed his background and outlined his goals for the program.

**7 CONSERVATION DENSITY BONUS** - Mike DeKalb, Planning Department

Hudkins said he asked the Planning Department to look at options that will allow the Board to recognize trees and grassed areas in the County. He said he would like a mechanism to look at density and provide the ability to cluster lots if land has been committed to trees or grass for at least the last five years and said the best way might be through the special designation of a natural resources conservation section in Agricultural Residential (AGR) District.

DeKalb distributed copies of his response to Commissioner Hudkins request (Exhibit G) and said the issue is not limited to Mr. Lookabaugh's application. **NOTE:** Lookabaugh has four items scheduled for Board action on June 20, 2006:

- A. County Change of Zone No. 04074, from Agricultural (AG) District to Agricultural Residential (AGR) District, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, on property generally located at North 84<sup>th</sup> Street and Agnew Road in Lancaster County, Nebraska. (Removed from pending on May 9, 2006).
- B. County Special Permit No. 04058, Lakewood Hills Community Unit Plan, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage units, on property generally located at North 84<sup>th</sup> Street and Agnew Road in Lancaster County, Nebraska. (Removed from pending on May 9, 2006).
- C. County Preliminary Plat No. 04028, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84<sup>th</sup> Street and Agnew Road in Lancaster County, Nebraska. (Removed from pending on May 9, 2006).
- D. County Final Plat No. 04126, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84<sup>th</sup> Street and Agnew Road in Lancaster County, Nebraska. (Removed from pending on May 9, 2006).

DeKalb said a community unit plan in the Agricultural (AG) or Agricultural Residential (AGR) Districts may receive a 20% density bonus when the following design objectives are accomplished: 1) Preserve the rural character of the open fields and pastures and natural wooded areas; 2) Preserve the natural habitats; 3) Preserve natural drainage courses; and 4) Preserve the existing natural topography. He said language could be added to the community unit plan bonus package to provide an increased density bonus in situations where there is something really rare and special that the Board wants to preserve and said the Lincoln-Lancaster County Ecological Advisory Committee (EAC) could help define the criteria. Another option would be to create a new zoning district.

Workman expressed concern regarding deviation from the Comprehensive Plan and said he prefers the concept of Transfer of Development Rights (TDR).

Stevens indicated that he might be willing to "tweak" the bonus if conditions were attached, such as a permanent conservation easement assigned to a governmental entity.

Additional concerns were expressed regarding the potential for traffic counts that could trigger paving and "urban sprawl" (the unplanned, uncontrolled spreading of urban development into areas adjoining the edge of a city).

Questions were also raised regarding whether the road on Lookabaugh's property is the alignment approved in the community unit plan; whether the bridge would withstand increased traffic; whether it is still appropriate to call the road a private lane; and whether there has been a significant change to the plat. A letter from Lookabaugh and a plat map were distributed (Exhibit H).

DeKalb recommended that the Board send a copy to the County Engineer.

### **ADDITIONS TO THE AGENDA**

#### **B. Temporary Easement with the Lincoln Housing Authority (Exhibit A)**

Mundt said the Lincoln Housing Authority will not accept the changes that the County had requested to the easement agreement. She said the Housing Authority is willing to delete many of the requirements if the County is willing to pay \$20,000. The sum is intended to cover all of the costs to be incurred by the Housing Authority for temporary fences, street signs, pavement removal, sodding and sidewalk repairs; and legal and administrative costs.

**MOTION:** Hudkins moved and Heier seconded to: 1) Authorize the County Attorney to prepare a letter of response, for signature by the Chair, listing the conditions the Board might consider; and 2) Research access to West Superior Street. Stevens, Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

### **8 ACTION ITEMS**

- A. Microcomputer Requests:
  - 1. C#2006-215, \$3,218.50 from Community Mental Health Center (CMHC) Budget for 27 WordPerfect Licenses
  - 2. C#2006-220, \$14,542.06 from Corrections Budget for Nine (9) Computers and Monitors, Two (2) Printers and Associated Software

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

#### **B. Robe for New Juvenile Court Judge**

**MOTION:** Heier moved and Stevens seconded approval.

Kerry Eagan, Chief Administrative Officer, suggested further research of the matter.

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

## **9 ADMINISTRATIVE OFFICER REPORT**

A. Set Date for Pension Investment Review (August 17, 2006)

Informational only.

B. Nebraska Association of County Officials (NACO) Legislative Conference (October 5, 2006)

**MOTION:** Hudkins moved and Workman seconded to authorize the Chair to send a letter to the Nebraska Association of County Officials (NACO) asking that the General Assistance (GA) Legislative Review Committee be activated and requesting an update. Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

C. Appointment to Lincoln-Lancaster County Ecological Advisory Committee (EAC) (Gary Muckel)

The Board scheduled the item on the Tuesday, June 13, 2006 Board of Commissioners Meeting agenda.

D. Position of Office Manager to the County Board

Eagan said the Personnel Department has drafted a job description, pursuant to the County Board's request, and is prepared to take it to the Personnel Policy Board. The Personnel Department has recommended that the pay range change from E18 to E21, a difference of approximately 15%. He suggested that a more sizable increase may be appropriate. Eagan said the City Council has not yet agreed to a joint office manager position and said staff time spent on City Council business needs to be more accurately tracked.

Board consensus was to hold off taking the matter before the Personnel Policy Board and to schedule further discussion with Personnel.

E. City-County Common Budget Hearing Schedule

Board consensus was to ask that the City-County Common Budget Hearing be moved up to 2 p.m.

- F. Lakewood Hills and Related Applications

See Item 7.

- G. LB 211 Compliance (Cemetery Registry)

**MOTION:** Heier moved and Hudkins seconded to authorize Russ Shultz, Noxious Weed Control Authority Superintendent, to comply with the cemetery registry regulations. Heier, Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

### **ADDITIONS TO THE AGENDA**

- C. Meeting with Auditors

Hudkins and Stevens reported on a meeting held with representatives of Dana F. Cole & Company. They indicated that the audit firm agreed to provide additional personnel and to comply with deadlines. The audit firm also stressed the need for the following: 1) Compliance Officer in the Budget and Fiscal Department; 2) Back-up for Emergency Management Director; and 3) Assistants for Tim Genuchi, Accounting Operations Manager for the County Clerk's Office; and Liz Thanel, Accountant in the County Treasurer's Office.

## **10 DISCUSSION OF BOARD MEMBER MEETINGS**

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

Schorr said the Mayor plans to introduce a concealed carry ordinance by the end of the month. She said additional discussion focused on property tax values and funding of the Lincoln-Lancaster Women's Commission.

- B. Parks & Recreation Advisory Board - Stevens

Stevens said a proposal for a skateboard park east of Star City Shores was discussed.

- C. Joint Budget Committee (JBC) - Stevens, Schorr

Schorr said funding recommendations were discussed.

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

Heier said the Comprehensive Plan, Transfer of Development Rights (TDR), acreage developments and spring groundwater levels were discussed.

- E. Lincoln Partnership for Economic Development (LPED) - Schorr

Schorr said the meeting focused on the Interstate 80 Corridor.

- F. Chamber of Commerce City Council/County Board Coffee - Heier, Stevens

Heier said he presented information on the County Budget. Dan Marvin, City Council, a present a scenario that involved building \$30 million in roads in the City.

## 11 ADJOURNMENT

**MOTION:** Stevens moved and Heier seconded to adjourn the meeting at 12:07 p.m. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

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Bruce Medcalf  
Lancaster County Clerk