

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, JUNE 22, 2006
8:30 A.M.**

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

Commissioners Absent: Bernie Heier
Ray Stevens

Others Present: 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 8:34 a.m.

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, JUNE 8, 2006 AND BUDGET HEARING MINUTES OF THURSDAY, JUNE 8, 2006

MOTION: Workman moved and Hudkins seconded approval of the Staff Meeting and Budget Hearing minutes dated June 8, 2006. Hudkins, Workman and Schorr voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Request from the National Association of County Officials (NACo) for Bi/Multi-Lingual Communication (Exhibit A)
- B. Revision of a Request from the Southeast Rural Fire Department to Close "A" Street Between 112th and 120th Streets to Traffic on Saturday, June 24, 2006 from Approximately 8 a.m. Through Mid-Afternoon so a Live Training Exercise may be Conducted at 118th and "A" Streets (Exhibit B)

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

3 BUDGET WORK SESSION - Dave Kroeker, Budget & Fiscal Officer; Steve Rowoldt, Chief Probation Officer in Adult Probation; Dennis Keefe, Public Defender

Steve Rowoldt, Chief Probation Officer in Adult Probation, discussed his budget request and addressed questions relating to the request for funds for remodeling of space for the Intensive Supervision Probation Unit and a security door. He indicated the security door is of higher priority.

Rowoldt also reported that Lancaster County is likely to receive funding from the Community Corrections Council for the following: 1) Drug Court employees, 2) Probation employees; 3) Equipment; and 4) Services.

Dennis Keefe, Public Defender, discussed his request to increase a part-time attorney position to a full-time position in the felony division and a recommendation from the Lancaster County Indigent Defense Advisory Committee to track private assigned counsel appointments in the Juvenile Court.

Sean Brennan, Indigent Defense Advisory Committee, appeared and recommended that a tracking system be put in place beginning July 1, 2006, the beginning of the new fiscal year.

Hudkins said it is his understanding that there is a tremendous difference in the number of requests for assigned counsel between the Juvenile Court Judges and urged further review.

Dave Kroeker, Budget & Fiscal Officer, said legal fees are going up \$150,000 in Juvenile Court and said another contract could help lower that cost.

Keefe compared the costs of the systems used to provide counsel (assigned counsel, contracts and Public Defender staff) and said contracts are the County's best option at this time.

MOTION: Hudkins moved and Workman seconded to authorize the Chair to send a letter to the Juvenile Court Judges asking them to submit information on private assigned counsel appointments to the Public Defender's Office for tracking purposes, beginning July 1, 2006. Workman, Hudkins and Schorr voted aye. Motion carried.

MOTION: Hudkins moved and Workman seconded to make a preliminary decision to pursue a new contract. Workman, Hudkins and Schorr voted aye. Motion carried.

The Board indicated tentative approval of Keefe's request to increase a part-time attorney position to a full-time position and asked Keefe to wait to start the hiring process.

USED LANCASTER MANOR VANS - Vince Mejer, Purchasing Agent

Vince Mejer, Purchasing Agent, said the Community Mental Health Center (CMHC) had expressed interest in two passenger vans that were surplus by Lancaster Manor. He said CMHC also submitted a budget request for two vans and said he went out to bid for the vans. Mejer said CMHC's budget can be reduced by \$46,000 (the bid amount) if the surplus vans are transferred to CMHC instead.

MOTION: Hudkins moved and Workman seconded to transfer Lancaster Manor's surplus vans to the Community Mental Health Center (CMHC), rather than purchase new vans. Workman, Hudkins and Schorr voted aye. Motion carried.

Mejer also introduced Bob Walla, the new Assistant Purchasing Agent.

RETURNING TO ITEM 3

Kroeker presented the following documents (Exhibits C, D & E):

- ▶ Lancaster County, Comparison FY07 to FY06 Expense Budget
- ▶ Lancaster County, Comparison FY06 to FY05 Revenue Budget
- ▶ FY07 Budget, Adjustments to Agency Budgets

Hudkins asked Kroeker to verify the amount Information Services has shown for Corrections' check writing system.

The Board concurred with the changes shown, with the exception of the request from the County Attorney for a new attorney and clerk.

- ▶ General Fund Miscellaneous, Health & Human Services (Agency 805)
- ▶ 2006-07 Joint Budget Committee (JBC) Summary Recommendations
- ▶ Lancaster County, Building Fund Budget (Fund 051)
- ▶ Letter to Lancaster County Fire Districts Regarding Rural Fire District Budgets

Board consensus was to lower the allocation for the Rural Fire Districts and the Railroad Transportation Safety District (RTSD) by 11%.

- ▶ City Council-County Board Common Budget Hearings Schedule and County Portion of the Budget

Kroeker noted that exact figures for the Juvenile Accountability Incentive Block Grant (JAIBG) and LB640 funding are not known yet.

- ▶ Summary Expenditures for General Fund Agencies with Budget Increases in Excess of \$100,000

4 A) YEAR-END LEGISLATIVE REPORT; AND B) LEGISLATIVE CONSULTING CONTRACT - Gordon Kissel, Legislative Consultant; Amy Prenda, Director of Legal Research and Analysis for Kissel/E&S Associates

A) Year-End Legislative Report

Amy Prenda, Director of Legal Research and Analysis for Kissel/E&S Associates, presented Interim Study Committee Referrals (Exhibit F).

Hudkins requested further information on LR 384 (Interim study to examine use of tax-deferred exchanges, also known as Starker exchanges).

Workman indicated interest in the magistrate system concept.

B) Legislative Consulting Contract

Gordon Kissel, Legislative Consultant, said he would like to continue to serve as Lancaster County's legislative consultant and will submit a specific proposal to the Board.

5 LABOR NEGOTIATIONS - Don Taute, Personnel Director; Tom Fox, Deputy County Attorney

MOTION: Hudkins moved and Workman seconded to enter Executive Session at 10:00 a.m. for discussion of labor negotiations. Workman, Hudkins and Schorr voted aye. Motion carried.

MOTION: Hudkins moved and Workman seconded to exit Executive Session at 10:26 a.m. Workman, Hudkins and Schorr voted aye. Motion carried.

6 COUNTY BOARD OFFICE MANAGER POSITION - Don Taute, Personnel Director

Brief discussion of the position was held with Don Taute, Personnel Director, and Cori Beattie, County Board Administrative Secretary, with general consensus to hold the item one week.

7 UPDATE ON SOUTH BELTWAY PARK/TRAIL AND JAMAICA NORTH TRAIL - Terry Genrich, Parks & Recreation Natural Resources Manager; Dave Kroeker, Budget and Fiscal Officer

Terry Genrich, Parks & Recreation Natural Resources Manager, said a trail along the South Beltway will be shown in the Comprehensive Plan revision. He said the intent is to work with developers as they come through with plats and to ask them to provide a 20 foot easement for the trail to go in. The trail will be constructed as the funds become available. Genrich said attempts will be made to "piggyback" with utilities and other infrastructure along the corridor to get more than a 20 foot width.

In response to a question from Schorr, Genrich said the figure shown for the Saline Wetlands Three-Year Grant is still accurate (\$19,000 per year).

Kroeker said the County has not paid out anything yet.

Genrich said there have been expenditures and said he will see that a funding request is submitted.

Kroeker suggested that the East Beltway, Rural to Urban Transportation System (RUTS) and Greenspace for the South Beltway be shown as one line item in the budget.

Genrich indicated that the total commitment from the County for the Jamaica North Trail will be around \$66,000.

8 USED LANCASTER MANOR VANS - Vince Mejer, Purchasing Agent

Item moved forward on the agenda.

9 LONGEVITY/RETIREMENT AWARDS - Bill Jarrett, Chief Deputy Sheriff

Bill Jarrett, Chief Deputy Sheriff, requested amendment of County Resolution No. 02-0053 to read as follows:

Article B, Other Plaques and Awards:

1. Longevity or Retirement Awards. County employees, including elected officials and department heads, may be given plaques, items of value (including monetary awards) or retirement coffee (if retiree wishes one) to include a ceremonial cake with accompanying accouterments to recognize the employees' longevity with or retirement from the County service. The total cost of the longevity or retirement award is not to exceed two hundred dollars (\$200.00) per award. Such longevity or retirement awards must be approved in advance by the County Board.

Kristy Mundt, Deputy County Attorney, said a change in state statutes would be required.

The Chair will follow-up with Gordon Kissel, Legislative Consultant.

10 UPDATE ON COUNTY CHANGE OF ZONE NO. 04053, AGRICULTURAL (AG) TO AGRICULTURAL RESIDENTIAL (AGR), ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF SOUTHWEST 40TH STREET AND ROKEBY ROAD, REQUESTED BY MARK HUNZEKER ON BEHALF OF WAPITI ENTERPRISES, INC. - Mike DeKalb, Planning Department

Mike DeKalb, Planning Department, explained that the City has annexed property generally located at South Folsom Street (Highway 77) and West Denton Road for a shopping center. The annexation will take effect on June 27, 2006. He said that will "bump" the City's three-mile zoning jurisdiction out and will cut through the area of application (see in Exhibit G for a map of Lincoln's Three Mile Jurisdiction). The owner was notified of the circumstances and several messages were left for Mark Hunzeker, attorney for the applicant.

Marvin Krout, Planning Director, appeared and said he notified Hunzeker by email and agreed to provide the Board with a copy.

In response to a question from the Chair, DeKalb suggested that the Board ask the applicant how he would like to proceed. **NOTE:** The item is scheduled for action on the Tuesday, June 27, 2006 Board of Commissioners Meeting agenda.

11 ACTION ITEMS

- A. Purchase of Robes for Judges

MOTION: Hudkins moved and Workman seconded to make it a policy to purchase one (1) robe for newly appointed judges, up to a \$500 limit. Workman, Hudkins and Schorr voted aye. Motion carried.

There was general consensus to pay for the robes out of the Justice Miscellaneous Budget.

12 ADMINISTRATIVE OFFICER REPORT

- A. Letter from Real Estate Owners Management Association (REOMA) Regarding Lincoln Housing Authority (See Agenda Packet)

Board consensus was to schedule discussion with Larry Potratz, Lincoln Housing Authority Executive Director; Marc Wullschleger, Urban Development Director; Norm Agena, County Assessor/Register of Deeds; and Mike Thew, Chief Deputy County Attorney.

- B. County Board Schedule for Week of July 4th

Board consensus was to not hold a Board of Commissioners Meeting on Tuesday, July 4, 2006. A Staff Meeting will be held on Thursday, July 6, 2006.

- C. Lancaster Manor Special Meal for Residents (June 23, 2006)

Schorr indicated plans to attend.

- D. Reappointments to the Government Access and Information Committee (GAIC)

The Board scheduled the item on the Tuesday, June 27, 2006 Board of Commissioners Meeting agenda.

- E. County Policy Regulating the Use of Common Areas In and Around County-Owned Buildings for Expressive Activity (Exhibit H)

Discussion was held with Kristy Mundt, Deputy County Attorney; and Bill Jarrett, Chief Deputy Sheriff; regarding enforcement of the policy.

MOTION: Workman moved and Hudkins seconded to direct the County Attorney's Office to draft a flyer for posting and distribution at county facilities.

Mundt will provide the Board with a draft on Tuesday, June 27, 2006.

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

- F. County Attorney Opinion on Use of County Visitors Improvement Fund to Construct Road Leading to Tourist Facility (See Agenda Packet)

Informational only.

ADDITIONS TO THE AGENDA

- A. Request from the National Association of County Officials (NACo) for Bi/Multi-Lingual Communication (Exhibit A)

MOTION: Hudkins moved and Workman seconded to direct Gwen Thorpe, Deputy Chief Administrative Officer, to comply with the research request from the National Association of County Officials (NACo) and to make the information available in a reasonable amount of time. Hudkins, Workman and Schorr voted aye. Motion carried.

- B. Revision of a Request from the Southeast Rural Fire Department to Close "A" Street Between 112th and 120th Streets to Traffic on Saturday, June 24, 2006 from Approximately 8 a.m. Through Mid-Afternoon so a Live Training Exercise may be Conducted at 118th and "A" Streets (Exhibit B)

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13 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Arena Task Force Meetings (June 8 & 15, 2006) - Schorr

Schorr said there were briefings on the arena and joint exhibition space.

Hudkins said the District Energy Corporation could serve the arena if it is located in close proximity and asked Schorr to keep him updated.

- B. Railroad Transportation Safety District (RTSD) - Workman, Schorr

Workman said the main topic of discussion was the South 40th Street Bridge.

- C. Region V Governing Board - Schorr

Schorr said the need for a day rehab facility was discussed. Rates for Emergency Protective Custody (EPC) and prisoners were approved.

- D. Monthly Meeting of Public Building Commission (PBC) Representatives and Mayor - Hudkins

Hudkins said the Mayor was asked to resolve the issue of ownership of the "K" Street Building.

- E. Air Pollution Advisory Board - Hudkins

No report.

- F. Board of Health - Hudkins

Hudkins said an agreement has been reached with the Capital Humane Society to board stray cats and dogs picked up by the City.

- G. Nebraska Association of County Officials (NACO) Executive Branch Committee - Workman

Workman said the committee voted to oppose the "Stop Over Spending Nebraska" petition drive. The petition drive seeks a constitutional amendment that would tie state spending to cost of living and population changes.

- H. Nebraska Association of County Officials (NACO) Board of Directors - Workman

Workman said there was a presentation by Correctional Risk Services.

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

No report.

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

Hudkins said Mark Bowen, Mayor's Chief of Staff, stated he is fairly certain that the Mayor won't relinquish any portion of ownership of the "K" Street Building and said the Public Building Commission asked Dana Roper, City Attorney, to set up a meeting with the County Attorney's to determine equitable ownership of the equity.

14 ADJOURNMENT

MOTION: Hudkins moved and Workman seconded to adjourn the meeting at 11:50 a.m. Workman, Hudkins and Schorr voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk