

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, AUGUST 11, 2011
8:30 A.M.**

Commissioners Present: Deb Schorr, Chair
Jane Raybould
Brent Smoyer

Commissioners Absent: Bernie Heier, Vice Chair
Larry Hudkins

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:31 a.m.

AGENDA ITEM

1 APPROVAL OF THE MINUTES OF THE THURSDAY, AUGUST 4, 2011 STAFF MEETING

MOTION: Smoyer moved and Raybould seconded approval of the minutes of the August 4, 2011 Staff Meeting. Smoyer and Schorr voted aye. Raybould abstained from voting. Hudkins and Heier were absent from voting. Motion carried 2-0, with one abstention.

2 ADDITIONS TO THE AGENDA

- A. Preliminary Floodplain Map for Lancaster County
- B. Personnel Policy Board Meeting

MOTION: Smoyer moved and Raybould seconded approval of the additions to the agenda. Smoyer, Raybould and Schorr voted aye. Hudkins and Heier were absent from voting. Motion carried 3-0.

3 FEDERAL FUNDS PURCHASE PROGRAM AGREEMENT - Brittany Behrens, Deputy County Attorney; Doug Pillard, Design Division Head, County Engineering; Virgil Dearmont, Bridge Division Head, County Engineering

Doug Pillard, Design Division Head, County Engineering, said the federal aid program has been modified and the Nebraska Department of Roads (NDOR) has offered a federal buyout program to counties. The buyout will be at a reduced rate (80%) and NDOR will have the ability to use any federal aid funds it has purchased for its own purposes (see June 16, 2011 Staff Meeting minutes). He estimated the annual buyout amount for Lancaster County at \$370,000 and said the first payment will occur in March, 2014. Federal aid will still be available for off-system bridges.

Brittany Behrens, Deputy County Attorney, said her office had concerns regarding the proposed agreement and suggested changes. Those included clarification of the effective date, indemnification and hold harmless provisions, and input into any determination by NDOR that there has been a misuse of funds or a project hasn't been completed in a timely manner. NDOR refused to make any changes to the agreement.

Raybould asked how the change would impact projects that are in-the-works, such as Southwest 40th Street.

Virgil Dearmont, Bridge Division Head, County Engineering, said there shouldn't be a problem provided the City secures the necessary right-of-way and the project is let by September 30, 2012. He noted the County also has two bridge projects in-the-works and a road project called Denton East.

4 WATERFORD ESTATES TRAFFIC AND SIGNS - DaNay Kalkowski, Seacrest & Kalkowski Law Firm; Don Thomas, County Engineer; Brittany Behrens, Deputy County Attorney; Tammy Ingwerson, Sunrise Estates Neighborhood Association

Discussion took place regarding the impact of construction traffic from Waterford Estates on Sunrise Estates, the adjacent subdivision (see March 31, 2011 and August 4, 2011 Staff Meeting minutes for previous discussion).

Tammy Ingwerson, Sunrise Estates Neighborhood Association, relayed concerns regarding safety issues and property damage in Sunrise Estates.

Smoyer said he recently visited the subdivision and shares her concerns.

DaNay Kalkowski, attorney for the Waterford Estates developer, noted the Sunrise Estates Neighborhood Association had asked the developer to rock 98th Street and/or erect barricades on the connection between Sunrise Estates and Waterford Estates. She said both measures would require governmental approval. Kalkowski said the developer has agreed to move forward with the next phase of development which includes a connection to Holdrege Street (see Exhibits A & B). She said the connecting road (95th Street) is anticipated to be opened within the next month, adding the developer believes this is the best way to address the problem.

Ingwerson said that route involves several turns and may not deter the construction traffic from going through Sunrise Estates.

Kalkowski said the developer will change the sign to direct construction traffic to use the new route and will provide written notification to the lot owners, builders and contractors working in that area.

Raybould suggested the developer have flyers placed on the on-site construction vehicles and the structures that are under construction. She also suggested the developer pay for signage to be placed in Sunrise Estates subdivision indicating children are at play.

Smoyer asked Don Thomas, County Engineer, whether speed bumps or traffic cones are options.

Thomas said he is not sure whether it would be legal.

Brittany Behrens, Deputy County Attorney, said she will look into it, adding the Board has authority to temporarily close the road.

Thomas said development of Waterford Estates will take years. He also pointed out that use of the route through the development is not illegal unless the traffic is exceeding the speed limit.

The Chair asked the County Sheriff's Office to monitor speed through Sunrise Estates. She also requested an update in six weeks on whether traffic patterns have changed as a result of the new signage.

ADDITIONS TO THE AGENDA

B. Personnel Policy Board Meeting

Schorr said questions have been raised regarding the Personnel Policy Board meeting scheduled for later in the day, including the statement that it is a special meeting.

John Cripe, Classification and Compensation Manager, appeared and explained that the regular meeting was rescheduled in consideration of a scheduled vote by the American Federation of State, County & Municipal Employees (AFSCME) on the labor contract.

Schorr noted the first item on the agenda relates to eliminating longevity pay for status employees not covered by a labor agreement and asked Cripe how many employees will be impacted, when employees qualify for longevity pay and the financial impact to the County.

Cripe said the proposed change will impact approximately 270 unrepresented employees. He said longevity pay varies based on completion of specified years of continuous service:

- 5 years - \$245.44 annual pay (\$.118 hourly pay)
- 10 years - \$386.88 annual pay (\$.186 hourly pay)
- 15 years - \$640.64 annual pay (\$.308 hourly pay)
- 20 years - \$900.64 annual pay (\$.433 hourly pay)
- 25 years - \$1,000.48 annual pay (\$.481 hourly pay)

NOTE: Part-time status employees received longevity pay based upon total hours worked in each pay cycle.

Cripe estimated the annual cost at \$180,000. He said the rationale to eliminate the benefit was based on a market analysis. Cripe said it is no longer a prevalent practice in the counties used in the County's array, noting some counties have incorporated the longevity system in their pay plan steps.

Schorr noted City employees are receiving an increase in longevity pay.

Cripe said the City has a different array. He added that the City's longevity increase was the result of a Commission on Industrial Relations (CIR) case.

Raybould suggested it would be beneficial to provide employees with a wage and benefit analysis.

Schorr requested additional information regarding the number of unrepresented and AFSCME represented employees receiving longevity pay, by category, and the financial impacts.

5 LABOR NEGOTIATIONS - Mark Koller, Personnel Director; John Cripe, Classification and Compensation Manager; Nicole Gross, Compensation Technician; Tom Fox, Deputy County Attorney

MOTION: Smoyer moved and Raybould seconded to enter Executive Session at 9:36 a.m. for the purpose of protecting the public interest with regards to labor negotiations.

The Chair restated the motion for the record.

ROLL CALL: Raybould, Smoyer and Schorr voted aye. Hudkins and Heier were absent from voting. Motion carried 3-0.

MOTION: Raybould moved and Smoyer seconded to exit Executive Session at 10:08 a.m. Smoyer, Raybould and Schorr voted aye. Hudkins and Heier were absent from voting. Motion carried 3-0.

6 BUDGET UPDATE - Dennis Meyer, Budget & Fiscal Officer

Dennis Meyer, Budget & Fiscal Officer, said he will calculate allocation of the 15 cent levy authorized for certain political subdivisions once he receives the final valuation numbers. He said he anticipates that information will be available by August 20th.

7 AGREEMENT WITH STATE FOR ACCEPTANCE OF CREDIT PAYMENTS BY COUNTY CLERK - Dan Nolte, County Clerk; Brittany Behrens, Deputy County Attorney

Dan Nolte, County Clerk, discussed an agreement with Nebraska Interactive, LLC for credit card processing service for the Clerk's fees. He said individuals using the service will pay a portal fee of \$1.75. Nebraska Interactive also charges a partner fee of 2.49% which will also be paid by those using the service.

Brittany Behrens, Deputy County Attorney, said these fees are similar to the fees an individual would pay to use an automated teller machine (ATM).

ADDITIONS TO THE AGENDA

A. Preliminary Floodplain Map for Lancaster County

Ben Higgins, Senior Engineer, Public Works & Utilities Watershed Management Division, appeared and said the Federal Emergency Management Agency (FEMA) has provided preliminary flood maps to the City, County and the various other communities in Lancaster County for review (Exhibit C). The maps show a significant reduction in floodplain area in the County. He said there is an appeal process in place, noting the City of Lincoln plans to file an appeal to correct errors in the previous floodplain

mapping. Higgins agreed to work with the Building and Safety Department to notify property owners who are affected by the changes. Letters will also be sent to other communities in Lancaster County explaining the process and information will be posted on the County's website.

8 CHILD SUPPORT CONTRACT - Brittany Behrens, Deputy County Attorney

Brittany Behrens, Deputy County Attorney, discussed a membership agreement with the TALX Corporation to allow the County Attorney's Child Support Division automated access to certain employment and income data through The Work Number. She said the County Attorney's Office has used this service for a number of years but the company has changed its certification process and will no longer provide access without an agreement. There will be no cost to the County for the service.

9 ACTION ITEMS

There were no action items.

10 CONSENT ITEMS

There were no consent items.

11 ADMINISTRATIVE OFFICER REPORT

A. County Government Day (November 17, 2011)

It was clarified that the event will be held on November 16th.

B. Agenda Items for September City-County Common Meeting

The Board recommended the meeting be cancelled since there are no agenda items scheduled.

C. Legislative Retreat (Thursday, August 18, 2011)

Informational only.

12 PENDING

There were no pending items.

13 DISCUSSION OF BOARD MEMBER MEETINGS

A. Meeting with the Mayor - Schorr, Heier

Schorr said they discussed possible consolidation of City and County departments. The Mayor said he is interested in consolidation but does not feel this is the appropriate time to consolidate large departments such as the County Sheriff and Lincoln Police Department (LPD) or County Engineering and City Public Works/Utilities. She said the Mayor indicated he would be willing to consider consolidation of smaller departments, such as the County Clerk and City Clerk.

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

No report.

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

Raybould said they approved the budget and discussed art in the Justice and Law Enforcement Center. She said the PBC also tentatively agreed to assume oversight of the Retired and Senior Volunteer Program (RSVP), which provides volunteers to staff the Information Desk in the County-City Building.

D. Board of Health - Schorr

Schorr said they discussed plans for a consultant (Health Management Associates (HMA) of Chicago, Illinois) to study a broad integration of physical and mental health services. Concerns regarding use of the tobacco settlement funds were also discussed.

14 EMERGENCY ITEMS AND OTHER BUSINESS

There were no emergency items or other business.

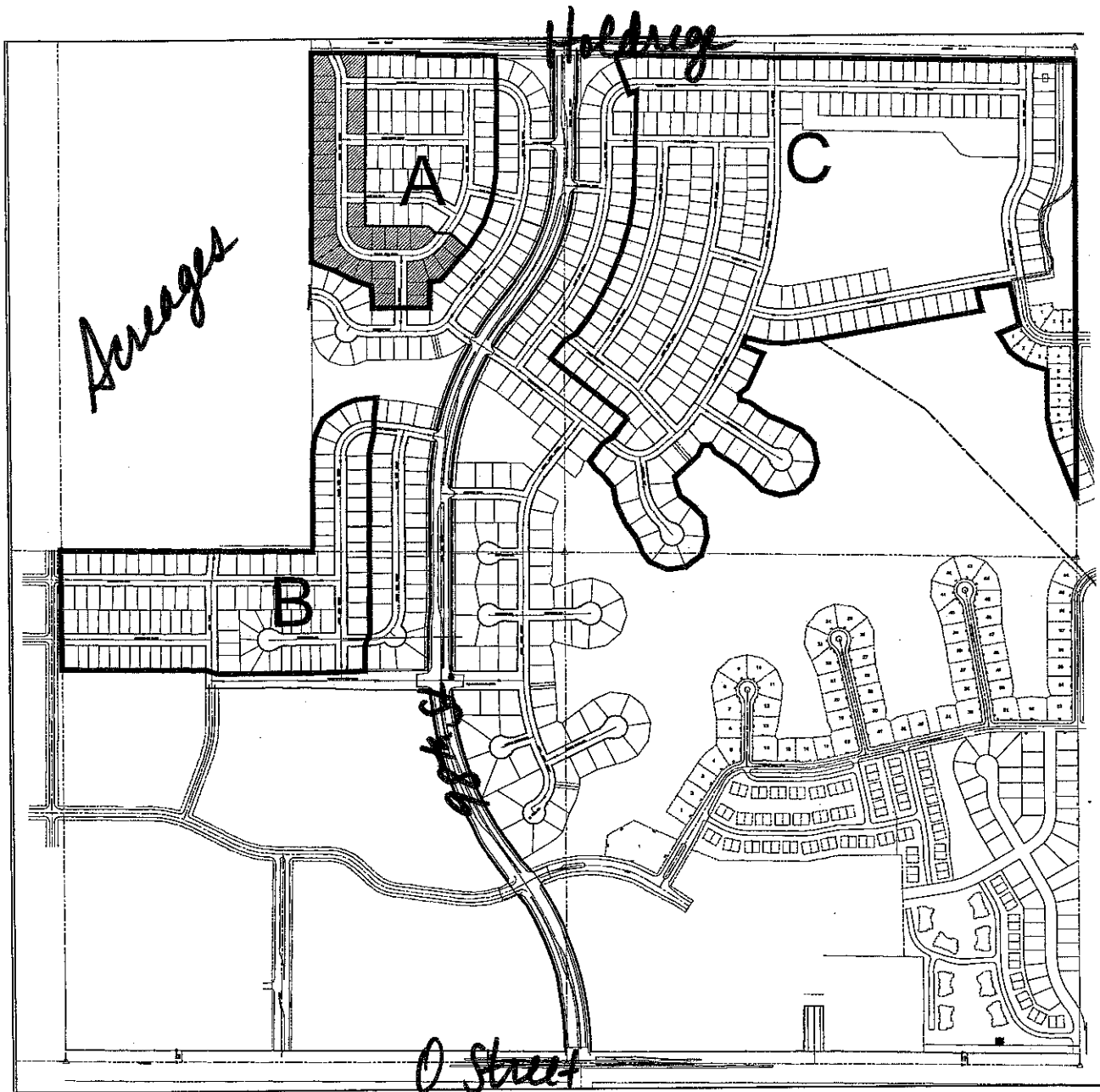
15 ADJOURNMENT

MOTION: Smoyer moved and Raybould seconded to adjourn the meeting at 10:47 a.m. Smoyer, Raybould and Schorr voted aye. Hudkins and Heier were absent from voting. Motion carried 3-0.

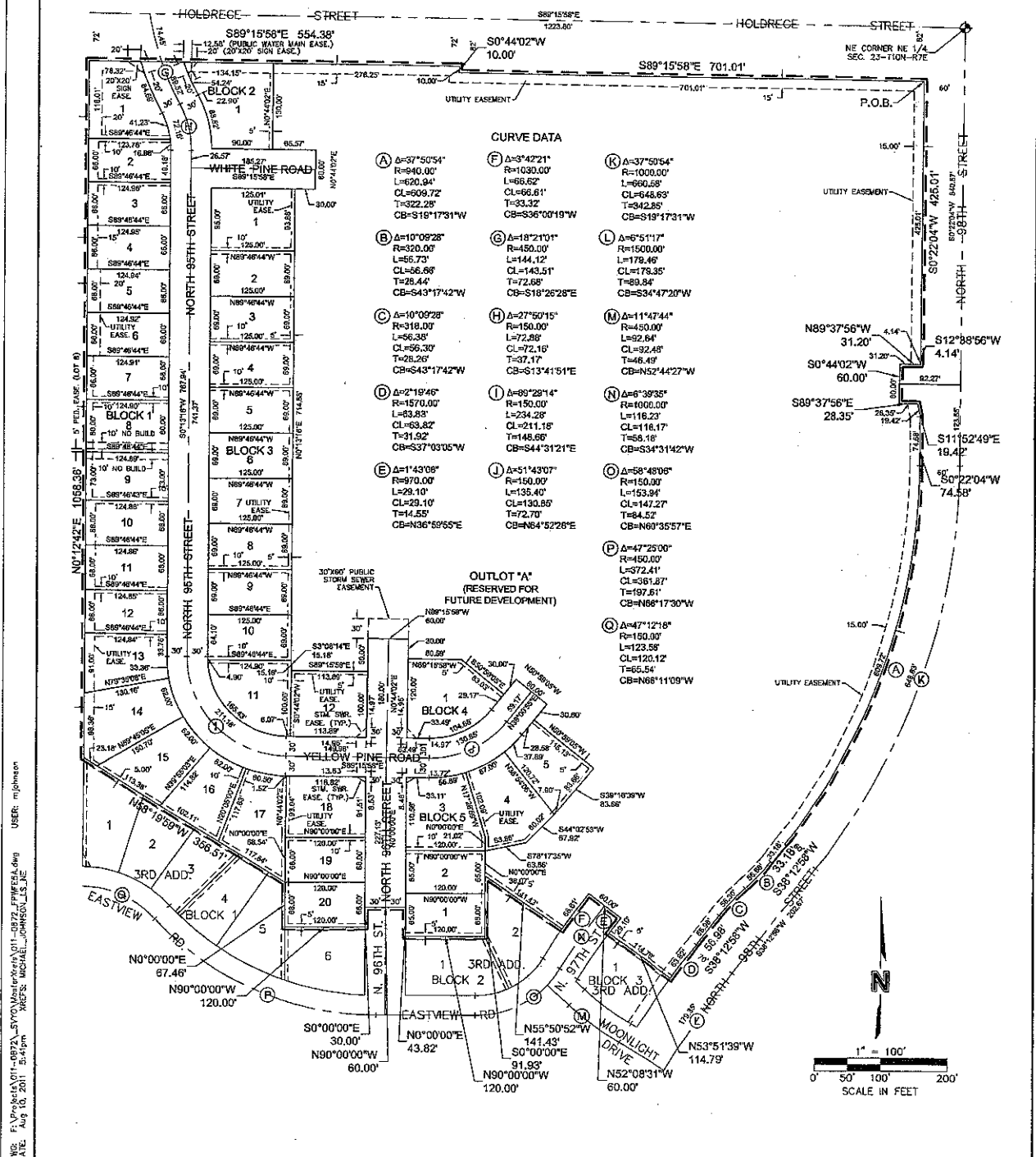


Dan Nolte, Lancaster County Clerk

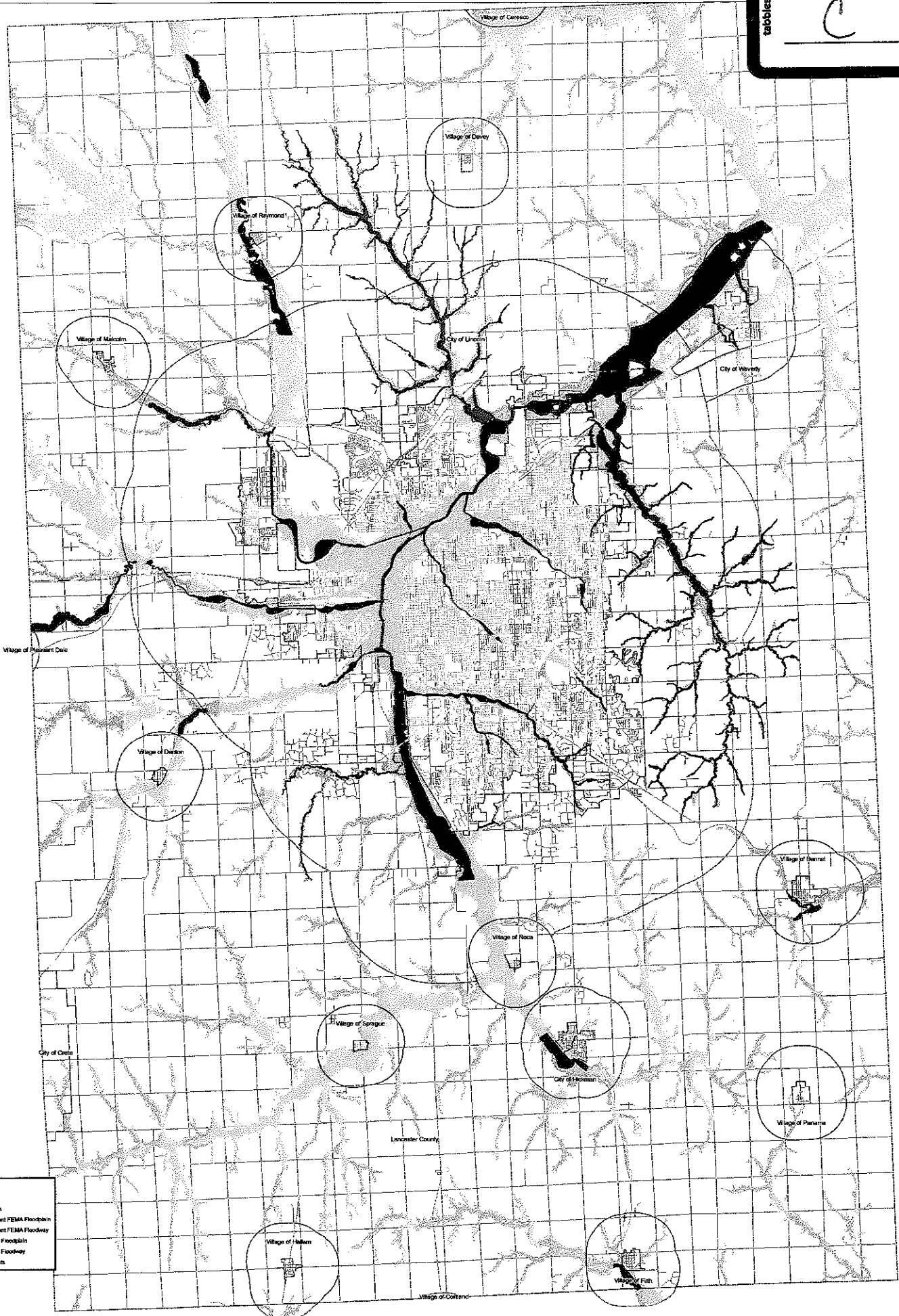




**WATERFORD ESTATES 5TH ADDITION
FINAL PLAT**
(THIS PLAT BASED UPON WATERFORD ESTATES
PRELIMINARY PLAT NO. 07001 FOR WATERFORD
ESTATES 1ST ADDITION)



USER: mjohnson
 DATE: 04/10/2010
 FILE: 07001.dwg
 PLOT: 07001.dwg



Legend

- Limits
- Current FEMA Floodplain
- Current FEMA Floodway
- 2012 Floodplain
- 2012 Floodway
- Streets

Kerry P. Eagan

From: Ben J. Higgins
Sent: Wednesday, August 10, 2011 4:47 PM
To: Miki Esposito; Roger A. Figard; Greg S. MacLean; Randy W. Hoskins; Kerry P. Eagan; Douglas A. Pillard; Nicole Fleck-Tooze; Logan B. Christy; Terry A. Kathe; Rick D. Hoppe; Glenn Johnson; 'Paul Zillig'; 'Ed Ubben'; Edwin X. Kouma; Jared L. Nelson
Subject: Preliminary Flood maps for Lancaster County
Attachments: SKMBT_C25311081015420.pdf; New Floodplain Map 8-9-2011.pdf

All

FEMA has sent the Lancaster County preliminary flood maps (profiles, and Flood Insurance Study) out for review to the City of Lincoln, Lancaster County and the various other communities in Lancaster County.

Almost all the mapping revisions are to Zone A floodplains (floodplains without floodways and detailed information) that were accomplished by the Nebraska Department of Natural Resources. The vast majority of these changes are outside Lincoln's ETJ and there are no changes within the city limits (other than a mapping error in the Salt Creek backwater to Antelope Creek that needs to be corrected).

The remaining mapping revisions were to Little Salt Creek which was coordinated with the City of Lincoln, Public Works due to the detailed drainage study in this area through a drainage master plan. It does not make changes to those stream systems (i.e. Beal Slough, SEUSC, Cardwell, Stevens, Deadmans Run, Salt Creek within the City of Lincoln) that were revised with the February 18, 2011 floodplain update.

Attached is a pdf of the revised floodmap that also includes the current floodplain.

Both the City of Lincoln and Lancaster County (and the various communities in Lancaster County) received a letter (attached) from FEMA dated August 5, 2011 stating upon receipt of the letter that communities and the County had 30 days to review the non-technical information (corporate limits, road names, stream labels, etc).

At some point in the future there will be a 90 day appeal period for when communities or other interested parties can use to appeal new or modified base flood elevations. Also at some point in the future there will be a FEMA sponsored county/community coordination meeting.

I have digital copies of the information that FEMA sent that includes FEMA panel maps, Flood Insurance Study, profiles and GIS shape files. I can be contacted via email or phone (402-441-7589) if anyone wishes to have this information for review. I sent copies yesterday to the County Engineering Department (review of county roads, bridges, etc) and to Planning (review of corporate limits and ETJ line).

If all goes as planned by FEMA these new maps will be effective late Spring 2012.

Call or email with any questions or comments.

Thanks
Ben Higgins
Public Works



Federal Emergency Management Agency

Region VII
9221 Ward Parkway, Suite 300
Kansas City, Missouri 64114-3372

August 05, 2011

The Honorable Bernie Heier
Chairman, Board of Commissioners, Lancaster County
555 South 10th Street
Room 110
Lincoln, Nebraska 68508

RE: Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) Report
for Lancaster County, Nebraska and Incorporated Areas

Dear Chairman Heier,

The Department of Homeland Security's Federal Emergency Management Agency (FEMA) has produced the FIRM and FIS report in Countywide Format, showing the flood hazard information for the entire geographic area of the county, including both incorporated and unincorporated areas. FEMA is providing two copies of the above-referenced FIRM and FIS report for your review and comment. Your community has 30 days from the receipt of this letter to review the enclosed copies. The review period provides your community with an opportunity to identify changes or corrections to non-technical information presented on the FIRM or in the FIS report, such as corporate limits, road names (within or adjacent to the SFHAs), bridges, and stream labels. Comments or changes received during this 30-day review period will be assessed and incorporated, as appropriate, before the FIRM and FIS report become effective. Comments should be sent to Mr. William Zung, STARR, 6800 College Boulevard, Suite 380, Overland Park, Kansas 66211.

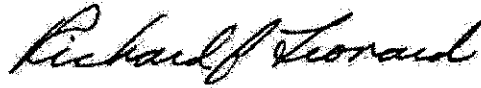
In preparing the countywide FIRM and FIS report, Base Flood Elevations (BFEs) were created or modified. Following the 30-day review period, FEMA will initiate a statutory 90-day appeal period for the new or modified BFEs. You will receive a letter approximately two (2) weeks before the start of the 90-day appeal period detailing the appeal process. The letter will include a list of the BFEs to be published in your local newspaper in a "Notice of Proposed Flood Elevation Determinations" and will provide the first and second publication dates. The 90-day appeal period will start on the second publication date. During the appeal period, community officials and/or other interested parties may submit technical information that would serve to refute the new or modified BFEs.

FEMA will contact you shortly to discuss the maps and schedule a county/community coordination meeting. The purpose of this meeting is to present the results of the study, discuss the information presented on the FIRM and FIS report, discuss the impact of the FIRM and FIS report on your community's participation in the National Flood Insurance Program (NFIP), and give your community a chance to comment or ask questions regarding the FIRM and FIS report and the NFIP in general. We encourage you to circulate the enclosed copies among elected officials, staff, and other individuals or organizations in your community who have an interest in the FIRM and FIS report.

After the appeal period has ended and all appeals have been addressed, final preparation of the FIRM and FIS report will be initiated. The new Countywide FIRM and FIS report for your community will become effective approximately six (6) months later. Prior to the effective date, FEMA will contact your community regarding the adoption of new floodplain ordinances or modification of existing ordinances as necessary to reflect any changes in the FIRM or FIS report. If you have any questions regarding floodplain ordinances for your community, you may discuss those issues with your State NFIP Coordinator, Bill Jones, or you may raise them at the county/community coordination meeting.

Your community's comments on the Preliminary FIRM panels and FIS report are an important part of the review process, and will be considered carefully before final publication of the FIRM and FIS report. If you have additional questions or comments regarding the enclosed documents, please contact Georgia Wright, the Consultation Coordination Officer designated for your community at (816) 283-7539.

Sincerely,



Richard Leonard, Chief
Risk Analysis Branch

List of Enclosures:

- FIRM Index and panels
- FIS report
- Summary of Map Actions
- Lancaster County Brochure
- Community Comments – Supporting Data and Documentation
- State Coordinators List

cc: Bill Jones, State NFIP Coordinator
Terry Kathe, Community Floodplain Administrator