

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113 - BILL LUXFORD STUDIO
THURSDAY, AUGUST 10, 2017
8:30 A.M.**

Commissioners Present: Todd Wiltgen, Chair; Bill Avery, Vice Chair; Deb Schorr; Roma Amundson; and Jennifer Brinkman

Others Present: Kerry Eagan, Chief Administrative Officer; Ann Ames, Deputy Chief Administrative Officer; Dan Nolte, County Clerk; and Ann Taylor, County Clerk's Office

Advance public notice of the Board of Commissioners Staff Meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska web site and provided to the media on August 9, 2017.

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:30 a.m.

1. APPROVAL OF THE STAFF MEETING MINUTES FOR AUGUST 3, 2017

MOTION: Schorr moved and Amundson seconded approval of the August 3, 2017 Staff Meeting minutes.

Avery arrived at the meeting at 8:31 a.m.

ROLL CALL: Amundson, Avery, Schorr and Wiltgen voted yes. Brinkman abstained from voting. Motion carried 4-0, with one abstention.

2. POTENTIAL LITIGATION – Doug Cyr, Chief Deputy County Attorney; David Derbin and Ryan Swaroff, Deputy County Attorneys

MOTION: Schorr moved and Amundson seconded to enter Executive Session at 8:31 a.m. for the purpose of protecting the public interest with regards to potential litigation.

The Chair said it has been moved and seconded that the Board enter into Executive Session.

ROLL CALL: Avery, Schorr, Brinkman, Amundson and Wiltgen voted yes. Motion carried 5-0.

The Chair restated the purpose for the Board entering into Executive Session.

Avery exited the meeting.

MOTION: Amundson moved and Schorr seconded to exit Executive Session at 9:09 a.m. Schorr, Brinkman, Amundson and Wiltgen voted yes. Avery was absent. Motion carried 4-0.

CHIEF ADMINISTRATIVE OFFICER REPORT

A. Infrastructure Financing Task Force

Brinkman said she, Amundson and Pam Dingman, County Engineer, are interested in looking at additional financing mechanisms related to infrastructure and propose formation of an Infrastructure Financing Task Force which would have representation from the following areas/disciplines (Exhibit A):

- Agricultural Interests
- Construction/Engineering Expertise
- County Residents (including City Three-Mile Jurisdiction Residents, Acreage Owners and Town/Village Residents)
- Economic Development/Commerce
- Environmental Interests
- Financial Expertise
- Homebuilders/Realtors
- Natural Resource District (NRD) Representatives
- Rural School District Leadership

Brinkman said she believes the task force would “dovetail” with the City of Lincoln’s Citizens’ Transportation Coalition which is identifying potential funding sources to address Lincoln’s street needs.

Avery returned to the meeting at 9:11 a.m.

Amundson asked that Board members bring forward additional suggestions by August 31st. Wiltgen felt there should be representation from the Lincoln Chamber of Commerce and the Lincoln Independent Business Association (LIBA). Schorr said she believes there should be input from the rural cities and villages, rather than a resident. City or village clerks or elected officials were suggested.

There was consensus to issue a press release seeking individuals from the aforementioned areas/disciplines who are interested in serving. Ann Ames, Chief Deputy Administrative Officer, will serve as the point of contact.

Discussion also took place on how to structure the task force. Brinkman said they are proposing that she, Amundson and Dingman serve as Tri-Chairs. There was consensus to have the group self-select the leadership and to have Kerry Eagan, Chief Administrative Officer, act as the facilitator. The meetings will be held at the County Extension Building and will be open to the public.

F. Potential Date for One and Six Year Road and Bridge Improvement Program Public Hearing (November 7, 2017, 7:00 p.m.)

There was no objection to the proposed date.

C. Correspondence from Milo Mumgaard, Legal Aid of Nebraska Executive Director, Regarding Legal Aid of Nebraska's Juvenile Court Appointed Counsel Contract

The Chair said he and Dennis Meyer, Budget and Fiscal Officer, will meet with Mumgaard to discuss Legal Aid's request for an increase in its contractual payment to a level that more closely covers its costs.

D. Court Date Reminder Program with Text Messaging

Schorr said an average of 250 individuals per month miss their first court appearance and have a warrant issued and said a group who attended a National League of Cities (NLC) Conference in Chicago and are focusing on the overcrowding in the jail population and the high number of failure to appear in court and failure to pay fines (Schorr; Cyndi Lamm, Lincoln City Council; Kim Etherton, Community Corrections Director; Sara Hoyle, Human Services Director; Captain Jason Stille, Lincoln Police Department (LPD); and Kurt Elder, Geographic Information Systems (GIS) Analyst, City Urban Development) is proposing development of a text messaging court reminder system. **NOTE:** Text message reminders currently are not sent until after the first court appearance. She said Information Services (IS) has indicated it will take three to five hours to investigate how that might be done and will need an entity to bill because it is not a funded project. Schorr said Dennis Meyer, Budget and Fiscal Officer, told her they should bill the County Board and said the Justice Miscellaneous Fund might be a funding option.

MOTION: Amundson moved and Avery seconded to authorize Information Services (IS) to utilize three to five hours to investigate text messaging possibilities using Justice Miscellaneous funds. Brinkman, Amundson, Avery, Schorr and Wiltgen voted yes. Motion carried 5-0.

3. HILLSIDE EVENTS SPECIAL PERMIT REQUIREMENTS - David Derbin, Deputy County Attorney; Tom Cajka, Planner II, Lincoln/Lancaster County Planning Department; Terry Kathe, Zoning Coordinator, Building and Safety Department

David Derbin, Deputy County Attorney, reported that Hillside Events, an events facility at 12400 West Denton Road, it is moving ahead with required inspections of the facility in order to obtain an occupancy permit. **NOTE:** The County Board approved a special permit for the facility and provided that prior to occupancy, as required by Article 13.001aa(11) of the Lancaster County Zoning Resolution, the Lincoln-Lancaster Building and Safety Department must approve the final certificate of occupancy for all new construction and/or remodeling of existing buildings under the special permit (see County Resolution No. R-16-0039).

Derbin said the owners have also submitted an application to amend language in one of the site specific conditions (Owners shall provide a landscape plan that shows a 60% screen from the ground to 10 feet above the ground along the south and east property lines adjacent to any outdoor area or parking lot) to incorporate relevant provisions of the City of Lincoln's design standards. Tom Cajka, Planner II, Lincoln/Lancaster County Planning Department, said the way the condition is currently written the plantings would have to be 10 feet tall at the time of planting. He felt it should be rewritten to clarify that the plantings would have to be at least 10 feet tall at maturity. Derbin said the owners' only other option would have been to incorporate fencing and that wasn't the Board's intent. The application to amend the language will have a public hearing before the Lincoln/Lancaster County Planning Commission and County Board on August 30th and September 5th, respectively.

It was noted Hillside Events has an event scheduled on September 9th for which a special designated license (SDL) has been submitted.

CHIEF ADMINISTRATIVE OFFICER REPORT

- E. Appointments to the Air Pollution Advisory Board, Terms to Expire on September 1, 2020 - Debra McGuire and Lucas Sabalka

There was consensus to schedule the appointments on the August 15, 2017 County Board of Commissioners Meeting agenda.

- G. Communications Policy Regarding Applicants for County Boards, Committees and Commissions

Ames discussed the need for a policy or protocol for responding to individuals who have applied for appointment to a board, committee or commission.

Minette Genuchi, Administrative Assistant to the County Board, said she forwards applications for appointment to the appropriate department and notifies the applicant by email or phone that their application was received and that it has been forwarded.

Ames felt the Board should establish the period of time that applications will be kept on file. She added that individuals who only indicate one area of interest and are not selected should be notified that the vacancy has been filled and that their application will be kept on file for that established period of time.

Brinkman noted the Board recently solicited applications for a vacancy on the Lincoln/Lancaster County Planning Commission and 11 applications were received. Nine of the applications were dismissed because they did not meet the criteria. The Board interviewed two of the applicants and selected one. She said the other applicants should be notified of the selection and that their applications will be kept on file or forwarded to the Mayor's Office for future consideration. Eagan recommended the Board use a separate process when it solicits applications.

The Chair asked Ames to communicate to the other individuals who applied for the vacancy on the Lincoln/Lancaster County Planning Commission, including the other individual who was interviewed, to let them know the vacancy was filled.

H. Trabert Hall Change of Zone Neighborhood Meeting (Monday, August 14, 2017, 7:00 p.m.)

Avery will represent the County Board at the meeting.

DISCUSSION OF BOARD MEMBER MEETINGS

A. Justice Council – Wiltgen, Schorr

Wiltgen said Brad Johnson gave an update on jail population numbers, including information on the mentally ill population and information on the impact of Legislative Bill (LB) 605, which was approved by the Legislature in the 2015-2016 Legislative Session, which changed classification of penalties, punishments, probation and parole provisions, and provisions relating to criminal records and restitution. There were also briefings on the new Assessment and Triage Center in Kansas City, Missouri for individuals in mental health crisis; "Familiar Faces", an effort to identify and address a population, typically addicted, that continues to repeat; and funding issues regarding civil protective custody.

Schorr added Joe Nigro, Public Defender, brought up outpatient restoration of competency as a possible legislative issue.

Avery exited the meeting at 10:04 a.m.

4. AGREEMENT WITH SOVAL SOLUTIONS FOR EVALUATION OF 24/7 SOBRIETY PROGRAM – Kim Etherton, Community Corrections Director

Kim Etherton, Community Corrections Director, gave an overview of a proposed professional services agreement with Soval Solutions, LLC for consulting services to evaluate outcomes for Community Corrections' 24/7 Sobriety Program. She said she anticipates the cost of the program to be covered by fees.

DISCUSSION OF BOARD MEMBER MEETINGS

D. Public Building Commission (PBC) - Amundson, Brinkman

Amundson said they approved the budget, received updates on the 911 Center, 605 Building, and Public Defender projects, and discussed the energy audit.

Brinkman said Linda Wilson has submitted her resignation. She also reported that Don Killeen, Facilities and Properties Director, will be retiring the end of September.

Avery returned at 10:07 a.m.

E. Lincoln-Lancaster County Board of Health - Avery

Avery said they received briefings on homelessness in Lincoln and a new computer aided dispatch system for Animal Control.

OTHER BUSINESS

Avery also reported on the Mental Health Crisis Center Advisory Board meeting and said the issues regarding the locks and windows are still not resolved.

Schorr reported that the National League of Cities (NLC) has offered to provide technical expertise in helping to reduce the overcrowding in the jail population ages 18-25. She said she and Sara Hoyle, Human Services Director, will meet with Mayor Beutler and his chief of staff next week to discuss that issue.

5. RECORDS CENTER INTRALINC ACCESS UPGRADE - Brian Pillard, Records and Information Manager; Nick Wemhoff, Systems Software Integrator, Information Services (IS)

Brian Pillard, Records and Information Manager, said it was initially thought that funding would be needed for the upgrade but it was discovered that funding had already been allocated.

6. BREAK

No break was taken.

CHIEF ADMINISTRATIVE OFFICER REPORT

- B. Claim for Review - Payment Voucher (PV) No. 579173 from Human Services Department to Ian E. Polhemus, Internet Crimes Against Children Task Force, Seattle Police Department, Dated July 21, 2017 in the Total Amount of \$3,785.06. This Claim Exceeds the Amount Requiring a Contract

Sara Hoyle, Human Services Director, appeared and gave an explanation of the claim.

MOTION: Schorr moved and Amundson seconded to handle the claim through the regular claims process. Amundson, Avery, Schorr, Brinkman and Wiltgen voted yes. Motion carried 5-0.

7. BUDGET UPDATE AND 15 CENT ALLOCATION - Dennis Meyer, Budget and Fiscal Officer

Dennis Meyer, Budget and Fiscal Officer, discussed the 2017-2018 allocation of levy (see agenda packet), noting he is using the dollar amount the Railroad Transportation Safety District (RTSD) requested on its budget document. **NOTE:** The Board agreed to restore the RTSD's full levy this year (see July 18, 2017 Staff Meeting minutes). He did not believe the RTSD's levy would create any issues with the 15 cent levy allocation.

Discussion took place regarding the County levy. Wiltgen and Schorr said they support reducing the levy to 26.63 which is a reduction of 0.9 cents from the previous year. Amundson felt the County should levy at 26.83 and place the additional funds, estimated at \$505,000, in the Building Fund to be utilized for infrastructure issues, human services, and safety and security measures. She pointed out that 26.83 was the levy amount in 2012 before the Board utilized a portion of the RTSD's levy. Avery and Brinkman indicated they also support a levy of 26.83. Wiltgen said with the increase in valuations, property owners will see an increase in their property taxes. Amundson estimated the difference between a 26.63 and 26.83 levy at \$6.00 a year on a \$300,000 home. Wiltgen felt the Board will lose credibility at the Legislature if it doesn't give a reduction to property taxpayers in a year when there is a "windfall" increase in property valuations. Amundson pointed out that other taxing entities have not reduced their levies.

MOTION: Schorr moved and Wiltgen seconded to publish the proposed budget with a tax request amount that would support a 26.63 levy. Schorr and Wiltgen voted yes. Avery, Brinkman and Amundson voted no. Motion failed 2-3.

MOTION: Amundson moved and Avery seconded to publish the proposed budget with a tax request amount that would support a 26.83 levy.

In response to a question from Avery, Meyer said it will be a 4.46% increase tax dollar wise.

Wiltgen questioned the wisdom of placing the difference in the Building Fund. Schorr felt it would be more appropriate to place it in the Contingency Fund. Meyer said that would provide more flexibility. Amundson said she is comfortable with that change.

ROLL CALL: Brinkman, Amundson and Avery voted yes. Schorr and Wiltgen voted no. Motion carried 3-2.

NOTE: The budget will be finalized when final valuations are determined.

OTHER BUSINESS

There was consensus to cancel the September Management Team Meeting.

8. ACTION ITEMS

There were no action items.

9. CHIEF ADMINISTRATIVE OFFICER REPORT

- A. Infrastructure Financing Task Force
- B. Claim for Review - Payment Voucher (PV) No. 579173 from Human Services Department to Ian E. Polhemus, Internet Crimes Against Children Task Force, Seattle Police Department, Dated July 21, 2017 in the Total Amount of \$3,785.06. This Claim Exceeds the Amount Requiring a Contract
- C. Correspondence from Milo Mumgaard, Legal Aid of Nebraska Executive Director, Regarding Legal Aid of Nebraska's Juvenile Court Appointed Counsel Contract
- D. Court Date Reminder Program with Text Messaging
- E. Appointments to the Air Pollution Advisory Board, Terms to Expire on September 1, 2020 - Debra McGuire and Lucas Sabalka

- F. Potential Date for One and Six Year Road and Bridge Improvement Program Public Hearing (November 7, 2017, 7:00 p.m.)
- G. Communications Policy Regarding Applicants for County Boards, Committees and Commissions
- H. Trabert Hall Change of Zone Neighborhood Meeting (Monday, August 14, 2017, 7:00 p.m.)

Items A-H were moved forward on the agenda.

10. DEPUTY CHIEF ADMINISTRATIVE OFFICER REPORT

There were no reports.

11. DISCUSSION OF BOARD MEMBER MEETINGS

- A. Justice Council – Wiltgen, Schorr

Item was moved forward on the agenda.

- B. Public Building Commission (PBC) Vice Chair Meeting with Mayor - Amundson

Meeting was cancelled.

- C. County Board Chair/Vice Chair Meeting with Mayor - Wiltgen, Avery

Meeting was cancelled.

- D. Public Building Commission (PBC) - Amundson, Brinkman
- E. Lincoln-Lancaster County Board of Health - Avery

Items D and E were moved forward on the agenda.

12. SCHEDULE OF BOARD MEMBER MEETINGS

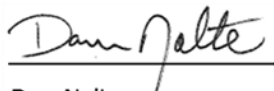
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13. EMERGENCY ITEMS

There were no emergency items.

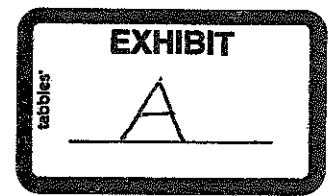
14. ADJOURNMENT

MOTION: Schorr moved and Brinkman seconded to adjourn the meeting at 10:55 a.m. Brinkman, Amundson, Avery, Schorr and Wiltgen voted yes. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk





2017 Infrastructure Financing Task Force Description

INTRODUCTION

The 2017-18 budget process conducted by the Lancaster County Board demonstrated once again that the infrastructure needs, including bridge repair, new pavement to address current traffic count safety challenges and general maintenance, continue to outstrip available funds provided by current county revenue streams.

Lancaster County, not unlike counties across the nation, has a large number of infrastructure needs, estimated by the County Engineer to total more than \$100 million. This includes road maintenance needs of \$18.4 million, new road construction estimates of \$32.9 million and an additional \$50 million to address our bridge, culvert and pipe systems throughout the county. Here is an overview of the infrastructure needs presented this year:

- Gravel Road Pavement/Grading Needs
 - 28 Miles with an Average Daily Traffic Count over 300
 - 60 Miles with an Average Daily Traffic Count over 200
- 78 bridges throughout the county are in need of repair
 - 28 have been deemed structurally deficient
 - 38 are listed as scour critical or scour susceptible
 - 7 are closed indefinitely, due to lack of funding
 - An additional 4 have been closed for over a year but are scheduled for repair or replacement this fall
- Lancaster County has over 6900 pipe culverts. Current funding allows for replacement of less than 1% annually.
- No dedicated funding source has been identified to address the Rural to Urban Transition for Streets (RUTS) Program.
- Inadequate Right-of-Way acquisition funding has been saved for the East Beltway.

The county has been able to increase investment in the County Engineering budget to address these needs by \$1 million per year over the course of the last three years, which is a start. However, additional funds to address these challenges are unlikely because the County is only able to create additional revenue through the property tax levy. Additional sources are dictated by other government funding and grant programs.

PURPOSE

The Lancaster County Infrastructure Finance Task Force will be convened to review potential revenue options for financing additional infrastructure needs and make recommendations to the Lancaster County Board regarding implementation.

TASK FORCE MAKE-UP

The Task Force will be led by Commissioners Roma Amundson, Jennifer Brinkman and County Engineer Pam Dingman. 8 to 10 additional members will be identified representing the following disciplines:

- Agricultural Interests
- Construction/Engineering Expertise
- County residents (including 3-mile residents, Acreage Owners & Town/Village residents)
- Economic Development/Commerce
- Environmental Interests
- Financial Expertise
- Homebuilders/Realtors
- Natural Resource District representatives
- Rural School District leadership

Proposed Timeline

- August 10 – Review of Task Force Purpose and solicitation of Proposed Membership at a County Board Staff meeting
- August 31 – Identification of 8 to 10 Task Force members
- September to November
 - Review potential funding mechanisms (i.e. Bonding, County Wheel Tax, Grant Funding, etc.)
 - Establish fundamentals related to implementation of potential funding mechanisms
 - Examination of the ramifications of each (public votes required? percentages allocated to individual cities/towns/villages? support and opposition likely for each potential solution?)
- December – Presentation to County Board of Task Force work and recommendations
- December/January – Potential public hearing and vote regarding recommendations