

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, MARCH 15, 2007
8:30 A.M.**

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

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

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

AGENDA ITEM

1 APPROVAL OF MINUTES OF THE STAFF MEETING MINUTES OF THURSDAY, MARCH 1, 2007 AND TUESDAY, MARCH 6, 2007

MOTION: Steven moved and Hudkins seconded approval of the Staff Meeting minutes dated March 1, 2007. Hudkins, Workman and Stevens voted aye. Schorr and Heier abstained from voting. Motion carried.

MOTION: Steven moved and Hudkins seconded approval of the Staff Meeting minutes dated March 6, 2007. Hudkins, Workman, Stevens and Heier voted aye. Schorr abstained from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Affidavit of Salvage Retention
- B. Meeting to Discuss Graduated Sanctions

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

3 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant; Kristin Crawford, Vice President of Legislative Services for Kissel/E&S Associates

Gordon Kissel, Legislative Consultant, gave a legislative update (Exhibit A).

MOTION: Hudkins moved and Heier seconded to direct Gordon Kissel, Legislative Consultant, to work towards defeat of LB 502 (Change inheritance tax rates). Hudkins, Schorr, Workman, Stevens and Heier voted aye. Motion carried.

Travis Parker, Mental Health Jail Diversion Program Director, appeared and discussed LB 669 (Adopt the Nebraska Behavioral Health Jail Diversion Planning and Coordination Advisory Council Act). He asked that he and Jim Addy, Evaluator for the Lancaster County Behavioral Health Jail Diversion Program, be allowed to testify before the Judiciary Committee in support of the bill. Parker said his staff would also like to submit written testimony in support of the bill (Exhibit B).

MOTION: Stevens moved and Schorr seconded to authorize Travis Parker, Mental Health Jail Diversion Program Director, and Jim Addy, Evaluator for the Lancaster County Behavioral Health Jail Diversion Program, to testify on behalf of the County in support of LB 669 and to indicate that the County Board supports the written testimony submitted by Parker's staff. Heier, Stevens, Workman, Schorr and Hudkins voted aye. Motion carried.

Kissel also reported that LB 248 (Provide for road improvement district elections to be conducted by mail) has passed and LB 255 (Change the Nebraska Wage Payment and Collection Act) is on Final Reading.

Kerry Eagan, Chief Administrative Officer, reported that LB 597 (Change provisions relating to zoning and jurisdiction designations for cities of the first class) has been amended to include any county with a population over 100,000.

Kissel said he will check on why the bill was amended and report back.

In response to questions from the Board, Kissel said jail reimbursement and LB 33 (Appropriate funds to fund the County Property Tax Relief Program) are part of the Appropriations Committee's budget discussions.

4 COUNTY CHANGE OF ZONE NO. 07005 (AGRICULTURAL TO AGRICULTURAL RESIDENTIAL), SOUTHWEST 84TH STREET AND WEST PIONEERS BOULEVARD - Mike DeKalb, Planner

Mike DeKalb, Planner, gave an overview of County Change of Zone No. 07005, a request for a change of zone from Agricultural (AG) to Agricultural Residential (AGR) on property at the northwest corner of Southwest 84th Street and West Pioneers Boulevard (Exhibit C). He said the applicant intends to split the 6-acre parcel into two, 3-acre parcels and to build a house on the west portion of the parcel. Planning staff and the Planning Commission have recommended approval.

ADDITIONS TO THE AGENDA

- B. Meeting to Discuss Graduated Sanctions

Schorr said she and Stevens plan to meet with Kit Boesch, Human Services Administrator, and Kim Etherton, Community Corrections Director, to discuss options.

Heier asked them to check how many individuals are currently enrolled with Community Corrections.

ACTION ITEMS

- A. Proposal from Air & Fluid Management (\$3,000) to Record Existing Air Conditions in the Eight (8) Air-Handling Units at the Lancaster County Youth Services Center

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

- B. Microcomputer Requests:
 - 1. C#2007-0975, \$948.62 from Microcomputer Fund for PC, Software (Clerk)
 - 2. C#2007-086, \$643.58 from Emergency Management Budget for Memory Upgrade and Software
 - 3. C#2007-088, \$1,492.48 from County Attorney's Budget for Computer, 17" LCD Monitor, Software, Etc.

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

DISCUSSION OF BOARD MEMBER MEETINGS

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

Report was given at the March 6, 2007 Staff Meeting.

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

Hudkins said the Justice and Law Enforcement Center roofing project was discussed.

- C. Chamber City/County Coffee - Stevens

Stevens reported discussion of the Jail, Yankee Hill Road and the City's stormwater bond issue.

- D. Nebraska Association of County Officials (NACO) District Conference - Hudkins, Workman

Workman said legislative issues were discussed.

- E. Juvenile Justice Review Committee - Heier

Meeting was cancelled.

The Chair recessed the meeting at 9:08 a.m. and the meeting was moved into the City Council/County Commissioners Hearing Room for televised coverage of Item 5.

5 FINAL REPORT AND RECOMMENDATIONS FROM THE MOTORSPORTS TASK FORCE - Russ Bayer, Motorsports Task Force Chair, and Members of the Task Force

The Chair reconvened the meeting at 9:17 a.m.

The Board recognized members of the Motorsports Task Force: Russ Bayer, Motorsports Task Force Chair; Carol Brown; Dave Dykmann; Randy Harre; Gary Juilfs; Chris Kingery; Karen Kurbis; Larry Lewis; Greg Osborn; Stan Patzel; Mike Tavlin; Mike DeKalb, Planning Department (Ex-officio); Kerry Eagan, Chief Administrative Officer (Ex-officio); Scott Holmes, Lincoln-Lancaster County Health Department (Ex-officio); Jeff Maul, Lincoln Convention and Visitors Bureau (CVB) Executive Director (Ex-officio); Darl Naumann, Administrative Assistant to the Mayor/Economic Development (Ex-officio).

Russ Bayer, Motorsports Task Force Chair, presented Motorsports Task Force Report and Recommendations (Exhibit D), giving an overview of the charge, process and findings and reporting the following recommendations:

1. LOCATION
Potential locations of opportunity for motorsports exist in Lancaster County. Additional study is required to determine the feasibility of developing a motorsports facility at a specific location.

2. ENVIRONMENTAL IMPACTS

- A. Although noise is a significant issue, a well-designed facility in the right location can help mitigate the impact on surrounding land uses. Regulations should be developed which help mitigate the impact of noise, while at the same time allowing enough flexibility to attract regional and national events.
- B. Additional study is needed to help determine the potential of other environmental and social impacts, including the potential impact on surrounding property values.
- C. Noise testing of simulated race noise should be done for any proposed location under atmospheric conditions most favorable for sound propagation (temperature inversion, humidity, etc.)

3. ECONOMIC POTENTIAL

The Motorsports Task Force believes motorsports presents a unique economic development opportunity for Lancaster County and the City of Lincoln, and strongly recommends the Lancaster County Board take the following actions in the next thirty (30) days to encourage the development of motorsports:

- Begin working closely with the City of Lincoln to maximize the possibility of developing a motorsports facility.
- Declare by resolution the County Board's support for motorsports, and pledging its intent to assist the private sector with the appropriate use of County resources in locating and developing a motorsports facility.
- Complete the proposed amendment of the Lancaster County Zoning Resolution to allow motorsports facilities by special permit.

Heier noted there was a statement in the Location Subcommittee Report (see Exhibit D) that location near the City landfill on Bluff Road could impact City growth and asked whether there was specific discussion about that area.

Bayer said it was identified as an area of opportunity, but said there wasn't detailed discussion of that particular location.

Schorr asked Bayer what the maps that were included in the report were intended to illustrate.

Bayer said the following maps were included for historical reference: 1) Motorsports Task Force: Location Analysis (work product of the original task force); 2) City Zoning Racetrack Analysis: Composite (reflects existing criteria in the City's Special Permit Section); 3) Proposed County Race Track Zoning Analysis: Composite (reflects the current proposed County criteria).

Mike DeKalb, Planning Department (Ex-officio member), said the map titled Motorsports Task Force Locations Committee: Location Opportunities identifies the areas where members of the subcommittee felt there were opportunities.

Scott Holmes, Lincoln-Lancaster County Health Department (Ex-officio member), discussed use of a noise "bank" or a "points" system that would allow noise louder than the standard, up to a certain amount each year. He said there needs to be some sort of variance for the larger events because there is no way they would be able to meet the typical sound restrictions.

Holmes also explained ways to reduce and direct noise.

Stevens noted the recommendation that the Board pledge its intent to assist the private sector with the appropriate use of County resources in locating and developing a motorsports facility and said the Board needs to develop criteria for presumption of approval. He asked Bayer whether he, or members of the task force, would be willing to assist with development of that criteria.

Bayer suggested it would be more appropriate to consult subject matter experts. He also recommended taking a field trip to the Topeka, Kansas track.

MOTION: Schorr moved and Hudkins seconded to: 1) Ask Russ Bayer, Motorsports Task Force Chair, to present the recommendations at the next City-County Common Meeting and invite the mayoral candidates to attend; and 2) Draft a resolution to show the County Board's support for motorsports in general; and 3) Schedule a review of the proposed amendment of the Lancaster County Zoning Resolution at a Staff Meeting when all five County Commissioners are present.

FRIENDLY AMENDMENT: Hudkins offered a friendly amendment to request a economic development report from Darl Naumann, Administrative Assistant to the Mayor/Economic Development.

The maker of the motion accepted the friendly amendment.

Heier suggested that Don Thomas, County Engineer; Karl Fredrickson, City Public Works/Utilities Director; and the City Council candidates also be invited to attend the presentation at the City-County Common Meeting.

The maker of the motion and the seconder concurred.

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

The Chair recessed the meeting at 10:18 a.m.

The Vice Chair reconvened the meeting at 10:24 a.m. in Room 113.

ADDITIONS TO THE AGENDA

A. Affidavit of Salvage Retention

Sue Eckley, County Risk Manager, presented an affidavit of salvage retention for settlement of a total loss claim on a county vehicle that was involved in an accident (Exhibit E). The County will retain the vehicle for the salvage and will receive \$1,693.

The Board will take action on this matter at the Tuesday, March 20, 2007 Board of Commissioners Meeting.

- 6 A) BLOOD CHEMISTRY PROFILES FOR COUNTY EMPLOYEES; AND B) LETTER TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) REGARDING FLOOD INSURANCE** - Sue Eckley, County Risk Manager; Sara Ondracek, Risk Management Office; Deb Selix, Nebraska Occupational Health Clinic

Letter to the Federal Emergency Management Agency (FEMA) Regarding Flood Insurance

Sue Eckley, County Risk Manager, said the Federal Emergency Management Agency (FEMA) has requested signature on an acknowledgment of receipt form for county properties that have flood insurance: 1) Lancaster Correctional Facility (LCF) in Airpark (contents only); 2) 500 West "O" Street; 3) 443 Cherrycreek Road; and 4) 444 Cherrycreek Road.

MOTION: Hudkins moved and Stevens seconded to authorize the Chair or Vice Chair to sign the form.

Heier asked Eckley to check whether the LCF geo thermal wells are covered by FEMA.

ROLL CALL: Hudkins, Schorr, Stevens and Heier voted aye. Workman was absent from voting. Motion carried.

Blood Chemistry Profiles for County Employees

Eckley and Deb Selix, Nebraska Occupational Health Clinic, discussed blood chemistry profiles for county employees and pricing (Exhibits F, G and H). Eckley noted there is \$7,500 remaining in the Wellness Budget that could be used to pay for the tests.

The Chair returned at 10:31 a.m. and assumed direction of the meeting.

MOTION: Schorr moved and Hudkins seconded to: 1) Authorize payment of the \$25 blood chemistry profile cost for county employees, to be paid for with health and wellness funds; 2) Offer the tests to family members, at their cost; and 3) Make the thyroid test (screening for abnormal thyroid function) and PSA test (screening for prostate cancer) available, for an additional fee.

Schorr noted that the Nebraska Heart Institute (NHI) has offered blood pressure screening for employees and suggested that it be done in conjunction with the blood chemistry profiles.

AMENDMENT: Hudkins moved and Heier seconded to amend the motion to pay half the cost of the thyroid test (screening for abnormal thyroid function) and PSA test (screening for prostate cancer) out of health and wellness funds.

ROLL CALL ON THE AMENDMENT: Heier, Workman and Hudkins voted aye. Stevens and Schorr voted no. Motion carried.

ROLL CALL ON THE MOTION AS AMENDED: Hudkins, Schorr, Workman, Stevens and Heier voted aye. Motion carried.

MOTION: Schorr moved and Hudkins seconded to authorize a payroll insert on the blood chemistry profiles for county employees. Hudkins, Schorr, Workman, Heier and Stevens voted aye. Motion carried.

7 CORRECTIONS STAFFING - Mike Thurber, Corrections Director

MOTION: Heier moved and Hudkins seconded to enter Executive Session at 10:47 a.m. for discussion of deployment of security personnel. Hudkins, Schorr, Workman and Heier voted aye. Stevens voted no. Motion carried.

MOTION: Stevens moved and Hudkins seconded to exit Executive Session at 11:18 a.m. Hudkins, Schorr, Workman, Heier and Stevens voted aye. Motion carried.

MOTION: Heier moved and Hudkins seconded to: 1) Hire one (1) correctional officer a month, over the next four (4) months, for the jail, in the interest of safety; and 2) Send a letter of notification to the Fraternal Order of Police (FOP) 32. Hudkins, Schorr, Workman, Stevens and Heier voted aye. Motion carried.

8 YANKEE HILL ROAD (40TH STREET TO 56TH STREET) - Don Thomas, County Engineer; Karl Fredrickson, City Public Works/Utilities Director

Don Thomas, County Engineer, said the County Attorney's office has drafted an interlocal agreement with the City for paving of Yankee Hill Road from South 40th Street to South 56th Street in a modified Rural to Urban Roadway Transition Streets Program (RUTS) design. The County will contribute \$300,000 for the project and the City will be responsible for all project costs over \$300,000, up to a maximum of \$200,000.

MOTION: Heier moved and Hudkins seconded to write a letter of appreciation to County Engineering employees for snow removal efforts during the recent winter storm. Heier, Stevens, Workman, Schorr and Hudkins voted aye. Motion carried.

9 JOINT CRIME COMMISSION GRANT APPLICATION (SARPY, DOUGLAS AND LANCASTER COUNTIES) - Corey Steele, Juvenile Justice Coordinator

Corey Steele, Juvenile Justice Coordinator, requested authorization to submit a grant application to the Nebraska Crime Commission for a one year grant in the amount of \$56,250. The grant will be a collaborative effort between Lancaster, Douglas and Sarpy Counties and will provide each county's Disproportionate Minority Contact (DMC) Team with a consultant to evaluate DMC issues. Lancaster County will provide oversight for the grant.

MOTION: Stevens moved and Hudkins seconded to authorize submittal of the grant application. Workman, Stevens, Heier, Schorr and Hudkins voted aye. Motion carried.

10 ACTION ITEMS

- A. Proposal from Air & Fluid Management (\$3,000) to Record Existing Air Conditions in the Eight (8) Air-Handling Units at the Lancaster County Youth Services Center

- B. Microcomputer Requests:
 - 1. C#2007-0975, \$948.62 from Microcomputer Fund for PC, Software (Clerk)
 - 2. C#2007-086, \$643.58 from Emergency Management Budget for Memory Upgrade and Software
 - 3. C#2007-088, \$1,492.48 from County Attorney's Budget for Computer, 17" LCD Monitor, Software, Etc.

Items A and B were moved forward on the agenda.

11 ADMINISTRATIVE OFFICER REPORT

A. Staff Meeting Time

Discussion took place regarding a suggestion to move the Staff Meetings to Tuesdays, with general consensus to not make a change at this time.

B. Nebraska Public Power District (NPPD) Water Discharge Project

Stevens gave a brief overview of the project.

Heier exited the meeting at 11:45 a.m.

C. County Representatives for the City/County Benefits Consultant Request for Proposals (RFP)

MOTION: Hudkins moved and Stevens seconded to appoint Sue Eckley, County Risk Manager, and Tom Fox, Deputy County Attorney, to the City/County Benefits Consultant Request for Proposals (RFP) Committee. Hudkins, Schorr, Workman and Stevens voted aye. Heier was absent from voting. Motion carried.

D. Records Management Vehicle

It was noted that Brian Pillard, Records & Information Manager, is seeking authorization to purchase a used mini-van, with Bid Specifications 07-099, to replace an existing van that has mechanical problems (see letter in agenda packet).

MOTION: Hudkins moved and Schorr seconded to direct Brian Pillard, Records & Information Manager, to work with the Purchasing Department on alternatives. Workman, Stevens, Schorr and Hudkins voted aye. Heier was absent from voting. Motion carried.

- E. Correspondence from Nebraska Department of Health and Human Services (HHS) Regarding Medicaid Intergovernmental Transfer

The Board reviewed a draft letter of response (see agenda packet).

MOTION: Hudkins moved and Schorr seconded to authorize signature by the Chair.

Workman asked that the signature line be reworded to add "for the Board" after "Bob Workman, Chairman".

There was no objection to the change.

ROLL CALL: Hudkins, Schorr, Stevens and Workman voted aye. Heier was absent from voting. Motion carried.

- F. Grants Coordinator Position

Dennis Meyer, Budget and Fiscal Officer, appeared and said a committee comprised of Gwen Thorpe, Deputy Chief Administrative Officer; Kit Boesch, Human Services Administrator; Doug Ahlberg, Emergency Management Director; and himself conducted phone interviews with the top nine candidates for the position. He said the field has been narrowed to three, with one standout candidate.

MOTION: Hudkins moved and Stevens seconded to place the position under Dennis Meyer, Budget and Fiscal Officer. Hudkins, Schorr, Workman and Stevens voted aye. Heier was absent from voting. Motion carried.

The Board authorized Meyer to proceed with the hiring process.

- G. Correspondence from Bryan LGH Health System Regarding Emergency Protective Custody (EPC)

Item held.

- H. County Audit

Hudkins proposed having key employees from the County Treasurer and County Clerk's Office prepare the financials, with oversight by Dennis Meyer, Budget and Fiscal Officer. The County would then hire an auditor to audit the financials.

Meyer said that is how it is done in Sarpy County.

MOTION: Hudkins moved and Stevens seconded to authorize Dennis Meyer, Budget and Fiscal Officer, to prepare a proposal along those lines for Board consideration.

Eagan recommended that the Board involve the Audit Committee.

The maker of the motion and the seconder concurred with the suggestion.

ROLL CALL: Schorr, Hudkins, Workman and Stevens voted aye. Heier was absent from voting. Motion carried.

- I. Lincoln-Lancaster County Board of Health Appointments (Dr. Lisa Peterson, Debra Humphrey, and Dr. Catherine Alley)

MOTION: Stevens moved and Hudkins seconded to move the appointments to the Tuesday, March 20, 2007 Board of Commissioners Meeting agenda. Schorr, Workman, Hudkins and Stevens voted aye. Heier was absent from voting. Motion carried.

Schorr exited the meeting at 12:02 p.m.

12 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Lincoln-Lancaster County Ecological Advisory Committee (EAC) - Heier
- B. Public Building Commission (PBC) - Hudkins, Workman
- C. Chamber City/County Coffee - Stevens
- D. Nebraska Association of County Officials (NACO) District Conference - Hudkins, Workman
- E. Juvenile Justice Review Committee - Heier

Items A, B, C, D and E were moved forward on the agenda.

- F. Information Services Policy Committee (ISPC) - Stevens

Stevens indicated plans to implement redundant firewalls on the computer systems.

- G. Region V Governing Board - Schorr

Item held.

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

Stevens reported review of the preliminary budget.

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

Hudkins said the Mayor wanted to discuss finishing the third floor of the County-City Building.

- J. Board of Health - Schorr

No report.

13 ADJOURNMENT

By direction of the Chair, the meeting was adjourned at 12:14 p.m.

Dan Nolte
Lancaster County Clerk