

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, MARCH 29, 2007
8:30 A.M.**

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

Commissioners Absent: Larry Hudkins

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dan Nolte, County Clerk
John Glynn, Deputy 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 22, 2007

MOTION: Stevens moved and Heier seconded approval of the Staff Meeting minutes dated March 22, 2007. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Draft of a Resolution Supporting the Development of Motorsports in Lancaster County (Exhibit A)
- B. Community Mental Health Center Advisory Committee Appointment (Exhibit B)
- C. Report from Commissioner Schorr on Meeting with Dr. Roy Baker, Norris School District Superintendent; Don Thomas, County Engineer; and Doug Pillard, County Engineering Design Division Head

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

3 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant

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

ADMINISTRATIVE OFFICER REPORT

- F. Claim for Review - Payment Voucher No. 113151 from Community Mental Health Center (CMHC) in the Amount of \$200

Travis Parker, Mental Health Jail Diversion Project Director, appeared and asked the Board to approve the claim, noting reimbursement will be through the Substance Abuse and Mental Health Services Administration (SAMHSA) grant.

MOTION: Stevens moved and Heier seconded to handle the claim at the Tuesday, April 3, 2007 Board of Commissioners Meeting, following the recommendation of the County Clerk's Office which is reimbursement under terms of the County Meal Reimbursement Policy.

Kerry Eagan, Chief Administrative Officer, clarified that it will be considered as a separate item on the agenda. Two related claims from CMHC (Payment Voucher No. 11652 and Payment Voucher No. 11656) will also be considered at the meeting.

ROLL CALL: Stevens and Heier voted aye. Workman and Schorr voted no. Vote tied. Motion failed due to the lack of a majority.

MOTION: Schorr moved to handle the claim through the regular claims process at the Tuesday, April 3, 2007 Board of Commissioners Meeting and to revisit the County Meal Reimbursement Policy.

There was no second and the maker of the motion withdrew her motion.

Brief discussion followed with Board consensus to schedule the claim as a claim for review on the Tuesday, April 3, 2007 Board of Commissioners Meeting agenda.

Schorr exited the meeting at 8:58 a.m.

4 SALINE WETLAND CONSERVATION PARTNERSHIP UPDATE - Terry Genrich, Parks & Recreation Natural Resources Manager; Tom Malmstrom, Natural Resources Coordinator

Tom Malmstrom, Natural Resources Coordinator, presented Saline Wetland Conservation Partnership 2006 Progress Report (see agenda packet) and a map of saline wetland areas approximate locations (Exhibit D).

Schorr returned to the meeting at 9:01 a.m.

Malmstrom also reported preliminary approval of a Nebraska Environmental Trust (NET) grant for restoration of the Wilderness Park wetlands.

Terry Genrich, Parks & Recreation Natural Resources Manager, indicated plans to seek another three-year NET grant and said the County will be asked to assist with the grant (\$20,000 to \$25,000 over three years).

Genrich also invited the Board to tour the Frank Shoemaker Marsh, 27th Street and Bluff Road, on April 20th.

5 COUNTY CHANGE OF ZONE NO. 06065, ZONING RESOLUTION TEXT AMENDMENT TO ALLOW MOTORSPORTS RACE TRACKS AND FACILITIES BY SPECIAL PERMIT - Marvin Krout, Planning Director; Mike DeKalb, Planner; Scott Holmes, Lincoln-Lancaster County Health Department Environmental Health Division Chief

Mike DeKalb, Planner, gave an overview of County Change of Zone No. 06065, a text amendment to allow race tracks by special permit in the Agricultural (AG) District, noting the following recommendations from the Motorsports Task Force (Exhibit E):

- Establish noise standards
- Develop regulations to mitigate noise
- Complete proposed zoning amendment to allow motorsports facilities

DeKalb also presented the staff report on the proposed text amendment, which includes the proposed language with the amendments recommended by the Planning Commission; the minutes of the public hearing before the Planning Commission (the proposed text amendment was heard in conjunction with the special permit requested by Greg Sanford for a drag strip on 159 acres at North 56th Street and Highway 77/Davey Road); and additional information submitted pertaining to the proposed text amendment (Exhibit F).

General discussion was held regarding noise issues, including measurements, testing, mitigation, use of a noise "bank" that would allow noise louder than the standard, up to a certain amount each year, and a variance for larger events that would not be able to meet typical sound restrictions.

Marvin Krout, Planning Director, cautioned against adding special permit conditions because it could lead to a presumption of approval if the standards are met.

In response to a question from Workman, Krout said Wichita, Kansas has a noise ordinance, including a requirement that prohibits increasing the sound level more than five decibels above the ambient noise level.

Heier asked whether location should be looked at first.

DeKalb said stating up-front what the Board wants to look at is fair to everyone and said adopted standards should help an applicant determine whether a location will fit or not.

Scott Holmes, Lincoln-Lancaster County Health Department Environmental Health Division Chief, stated that he is not comfortable with the Planning Commission's recommendation to amend the proposed text amendment to reflect a 65 dBA (sound level) a mile away from the property line of the facility.

6 ECONOMIC DEVELOPMENT FUNDING FOR DEVELOPMENT OF ABBOTT MOTOCROSS TRACK - Troy Gagner, Economic Development Coordinator

Troy Gagner, Economic Development Coordinator, said there are two funding options available through the Nebraska Department of Economic Development for this type of a project: 1) The Job Creation Loan Program (would have to demonstrate creation of permanent job positions); and 2) Tourism Development Grant Program (up to \$200,000 is available through the grant program but there are low to moderate income benefit and matching contribution requirements). He said applications for the Tourism Development Grant Program will be accepted May 8th through 22nd.

Board consensus was to pursue a Tourism Development Grant. Gagner was asked to talk to Del Lienemann, Jr., Lincoln Sports Foundation President, and David Samani, who has worked for several years to build a motocross track in Lancaster County, about the job creation and match (donations, developer contributions and corporate sponsorship) and to get started on the grant application.

7 ACREAGE GREENBELT DISQUALIFICATION NOTICES - Norm Agena, County Assessor/Register of Deeds

Norm Agena, County Assessor/Register of Deeds, said there are approximately 2,800 acreages in Lancaster County. He said his office reviewed their use and will be sending out 980 notices of disqualification from special (Greenbelt) valuation on Friday (Exhibit G). The property owners will have 30 days to file a written protest with the County Clerk. Hearings on the protests will be held May 1st through 15th. If no protest is filed, the disqualification will be final. Beginning with tax year 2007, the parcels will be assessed at actual value. Valuation notices will be sent on, or before, June 1, 2007.

Property owners will then have an opportunity to protest the actual value that has been determined for tax year 2007.

In response to a question from Workman, Agena said his office will be sending out approximately 15,000 valuation change notices this year. He said 6,000 of those will see a decrease in valuation, primarily because of a statutory change in how agricultural land is valued.

ADDITIONS TO THE AGENDA

- B. Community Mental Health Center Advisory Committee Appointment (Exhibit B)

Board consensus was to schedule the item on the Tuesday, April 3, 2007 Board of Commissioners Meeting agenda.

ACTION ITEMS

- A. Letter of Intent to Submit Grant to Office of Minority Health (Translation of Crisis Center Materials and Related Materials for Emergency Protective Custody (EPC) Clients) (Exhibit H)

Dean Settle, Community Mental Health Center Director, appeared and gave a brief explanation of the grant. He said no match is required.

MOTION: Schorr moved and Stevens seconded to authorize signature by the Chair. Schorr, Heier, Workman and Stevens voted aye. Motion carried.

8 MINIVAN REQUEST FOR PROPOSALS (RFP) FOR COMMUNITY MENTAL HEALTH CENTER (CMHC) - Vince Mejer, Purchasing Agent; Bob Walla, Assistant Purchasing Agent; Dean Settle, Community Mental Health Center Director

Bob Walla, Assistant Purchasing Agent, noted that the Board had approved \$50,000 for three minivans for the Community Mental Health Center. He said the State contract for new minivans has expired so a bid was put out for used minivans with less than 20,000 miles. Walla said one bid was received, for one, five-passenger minivan and one, seven-passenger minivan (total cost is \$31,600). He asked the Board to approve a special purchase for the third minivan, up to \$17,000, on a quote following the County Purchasing Guidelines.

Dean Settle, Community Mental Health Center Director, said he would like to reserve the right to have the County Engineering Shop inspect the vehicles.

MOTION: Stevens moved and Heier seconded to authorize the special purchase of a minivan, with a cap of \$17,000, contingent upon approval by the Purchasing Department, Community Mental Health Center and the County Engineering Shop. Schorr, Heier, Workman and Stevens voted aye. Motion carried.

DISCUSSION OF BOARD MEMBER MEETINGS

- C. Community Mental Health Center (CMHC) Advisory Committee - Stevens

Stevens distributed copies of an editorial on sex offender legislation titled "Stay on track" published in the March 17, 2007 edition of the Omaha World-Herald Newspaper and a follow-up letter to the editor from Dean Settle, Community Mental Health Center Director, titled "Unfinished business" that was published on March 25, 2007 (Exhibit I).

9 PURCHASE OF LAND (EXECUTIVE SESSION) - Don Killeen, County Property Manager; Mike Thurber, Corrections Director

MOTION: Schorr moved and Heier seconded to enter Executive Session at 10:34 a.m. to discuss the purchase of land. Schorr, Workman, Heier and Stevens voted aye. Motion carried.

MOTION: Stevens moved and Heier seconded to exit Executive Session at 11:08 a.m. Schorr, Heier, Workman and Stevens voted aye. Motion carried.

10 ACTION ITEMS

- A. Letter of Intent to Submit Grant to Office of Minority Health (Translation of Crisis Center Materials and Related Materials for Emergency Protective Custody (EPC) Clients) (Exhibit H)

Item was moved forward on the agenda.

- B. Microcomputer Request C#2007-109, \$2,894.49 from County Extension Budget for Four (4) PC's, Etc.

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

- C. Paycheck Insert for April 19, 2007 (Wellness Letter)

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

ADDITIONS TO THE AGENDA

- A. Draft of a Resolution Supporting the Development of Motorsports in Lancaster County (Exhibit A)

MOTION: Stevens moved and Schorr seconded to schedule the resolution on the Tuesday, April 3, 2007 Board of Commissioners Meeting agenda. Schorr, Heier, Stevens and Workman voted aye. Motion carried.

- C. Report from Commissioner Schorr on Meeting with Dr. Roy Baker, Norris School District Superintendent; Don Thomas, County Engineer; and Doug Pillard, County Engineering Design Division Head

Schorr said traffic patterns at the school changed after the school was rebuilt (the school was damaged in a tornado). The school would like the speed limit lowered, which would require a traffic study. She said the cost of the study (estimated at \$15,000) will be split between the Norris School District and the County (the County's share will be paid out of the County Engineer's budget). An additional \$15,000 may be required for lights, conduit and signage.

11 ADMINISTRATIVE OFFICER REPORT

- A. County Token of Appreciation

Item was held.

- B. County Board Acceptance of Contract for Medicare Review of Lancaster Manor

MOTION: Schorr moved and Stevens seconded to authorize the contract for the Medicare review study of Lancaster Manor. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

- C. Office Space for County Grants Manager

The Board reviewed the proposed office layout (see agenda packet).

Eagan said systems furniture will cost \$6,520.24.

MOTION: Stevens moved and Schorr seconded to: 1) Approve the proposed office layout; and 2) Authorize up to \$6,600 for the office furniture.

There was general consensus to utilize used systems furniture, if possible.

ROLL CALL: Stevens, Workman and Schorr voted aye. Heier voted no. Motion carried.

- D. Surplus Lot Appraisal (Parcel ID 10-22-205-003-000)

Eagan said the appraisal is estimated to cost \$2,300.

There was general consensus to proceed.

- E. Correspondence from Walgreens Health Initiatives Regarding Prescription Benefit Management

The Board referred the item to Bill Kostner, City Risk Manager, for review.

- F. Claim for Review - Payment Voucher No. 113151 from Community Mental Health Center (CMHC) in the Amount of \$200

Item was moved forward on the agenda.

12 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Lancaster Manor Advisory Committee - Hudkins

No report.

- B. Lincoln Independent Business Association (LIBA) Monthly Meeting - Workman, Stevens

Stevens said the jail was the primary topic of discussion.

- C. Community Mental Health Center (CMHC) Advisory Committee - Stevens

Item was moved forward on the agenda.

13 ADJOURNMENT

MOTION: Stevens moved and Schorr seconded to adjourn the meeting at 11:28 a.m. Schorr, Heier, Workman and Stevens voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk