

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, MAY 17, 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
 John Glynn, Deputy County Clerk
 Ann Taylor, County Clerk's Office
 Susan Starcher, County Clerk's Office

The Chair opened the meeting at 8:30 a.m.

AGENDA ITEM

1 APPROVAL OF MINUTES OF THE STAFF MEETING MINUTES OF THURSDAY, MAY 10, 2007

MOTION: Stevens moved and Heier seconded approval of the Staff Meeting minutes dated May 10, 2007. Stevens and Workman voted aye. Heier abstained from voting. Schorr and Hudkins were absent from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Potential Litigation (See Item 8)
- B. Request from the Lincoln Independent Business Association (LIBA) for One or More Members of the County Board to Speak on County Issues at their June 19th Membership Luncheon

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

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

Hudkins arrived at the meeting at 8:32 a.m.

3 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant; Kristin Crawford, Kissel/E&S Associates

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

ADMINISTRATIVE OFFICER REPORT

F. Request from Gary Nickel to Remove Trees from County Right-of-Way

Gary Nickel, 11500 Middle Fork Road, appeared and requested authorization to move some of the cottonwood trees that are in the county right-of-way on Middle Fork Road and to remove the remainder.

MOTION: Heier moved and Hudkins seconded to approve development of a contract with Gary Nickel for the tree removal. Hudkins, Schorr, Heier, Workman and Stevens voted aye. Motion carried.

ADDITIONS TO THE AGENDA

B. Request from the Lincoln Independent Business Association (LIBA) for One or More Members of the County Board to Speak on County Issues at their June 19th Membership Luncheon

Workman and Heier agreed to speak at the luncheon.

The other Board members expressed interest in attending the luncheon and asked Kerry Eagan, Chief Administrative Officer, to review a County Attorney's opinion to see whether it is necessary to give public notice of the meeting and to have the County Clerk in attendance.

ACTION ITEMS

A. County Drug Card Press Release

Gwen Thorpe, Deputy Chief Administrative Officer, distributed copies of a draft press release (Exhibit C).

B. Grant Application to the Nebraska Office of Highway Safety (\$2,267.20 for Drug Recognition Training)

Informational only.

ADMINISTRATIVE OFFICER REPORT

A. National Management Week Resolution

Informational only.

B. Girls State (June 7, 2007)

Stevens agreed to speak to the Girls State participants.

C. Letter to Nebraska Department of Health and Human Services (HHS) Regarding Collection of Child Support in Juvenile Court (See Agenda Packet)

Dennis Keefe, Public Defender, said Juvenile Court Judge Roger Heideman has indicated that contractors who are willing to perform the legal work will be paid the \$65 per hour rate in addition to their contract amount. If the contractors decline the work, the Juvenile Court will appoint counsel. He recommended that: 1) The additional amount be paid out of the Justice Miscellaneous Legal Services Budget, rather than the Juvenile Court Legal Services Budget, for tracking purposes; and 2) The contractors be required to submit their billings with their monthly contract billing statements.

MOTION: Stevens moved and Hudkins seconded to authorize the Chair to sign the letter. Hudkins, Schorr, Heier, Stevens and Workman voted aye. Motion carried.

4 PUBLIC DEFENDER ANNUAL REPORT - Dennis Keefe, Public Defender

Dennis Keefe, Public Defender, presented 2006 Annual Report of the Lancaster County Public Defender (Exhibit D), noting the following:

* The Cost of Counsel in Juvenile Court

Keefe recommended that the County hire a research consultant to assist the Lancaster County Indigent Defense Advisory Committee in assessing juvenile legal services: 1) Costs; 2) Use of the Public Defender's Office, assigned counsel and legal contracts; 3) The concept of establishing a non-profit, guardian-at-litem agency; 4) Quality of services; and 5) Systems in use. He estimated the cost at \$15,000.

* The Financial Impact if the Nebraska Supreme Court Adopts Recommended Standards for Assigned Counsel

The Chair exited the meeting at 9:26 a.m. and the Vice Chair assumed direction of the meeting.

- * Public Defender/City Attorney Misdemeanor Cases

The Chair returned to the meeting at 9:29 a.m. and resumed direction of the meeting.

Keefe discussed the impact of new city ordinances and said he has asked the City to increase its contribution (\$25,000 each year for three years).

- * Relocation of the Public Defender's Office
- * New Case Management System

5 PROBATION USE OF TRABERT HALL FOURTH FLOOR - Steve Rowoldt, Chief Probation Officer in Adult Probation

Steve Rowoldt, Chief Probation Officer in Adult Probation, presented a proposal to locate the Supervision Unit of Adult Probation and the Adult Probation Day Reporting Center in Trabert Hall, 2202 South 11th Street (Exhibit E).

MOTION: Hudkins moved and Schorr seconded to proceed with the plan and ask Steve Rowoldt, Chief Probation Officer in Adult Probation, to consult Don Killeen, County Property Manager, and to bring back a cost estimate.

Rowoldt said it will change his department's needs for space in the 9th & J Street Building, 555 South 9th Street.

Kim Etherton, Community Corrections Director, appeared and discussed her department's space needs.

Etherton was asked to relay the information to Killeen.

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

6 WILDERNESS PARK TRUNK SEWER EASEMENT - Clint Thomas, City Real Estate Appraiser

Clint Thomas, City Real Estate Appraiser, discussed the request from the City for an easement in Wilderness Park for the final phase of the Salt Valley Trunk Sewer.

The Board requested review by County Engineering.

7 ECONOMIC DEVELOPMENT APPLICATION FOR MOTOCROSS TRACK AT ABBOT SPORTS COMPLEX - Troy Gagner, Economic Development Coordinator

Troy Gagner, Economic Development Coordinator, gave an overview of an application to the Nebraska Department of Economic Development for a Community Development Block Grant (CDBG), in the amount of \$140,000, for the development of a motocross track at the Abbott Sports Complex, 7600 North 70th Street (Exhibit F).

The Board scheduled action on the grant application on the May 22, 2007 Board of Commissioners Meeting agenda.

Gagner also gave a brief update on the status of loans to: Legacy Dairy and Creamery, Weavers Potato Chip Company and Kinco Manufacturing.

Gagner was asked to follow-up on Banner House Fabrics' repayment schedule.

8 POTENTIAL AND PENDING LITIGATION - Mike Thew, Chief Deputy County Attorney; Kristy Bauer and Tom Fox, Deputy County Attorneys; Michelle Schindler, Youth Services Center Director

MOTION: Heier moved and Schorr seconded to enter Executive Session at 10:09 a.m. for discussion of potential and pending litigation. Hudkins, Schorr, Heier, Stevens and Workman voted aye. Motion carried.

Schorr exited the meeting.

MOTION: Stevens moved and Heier seconded to exit Executive Session at 11:21 a.m. Hudkins, Stevens, Heier and Workman voted aye. Schorr was absent from voting. Motion carried.

9 NORTHERN PONCA HOUSING AUTHORITY AGREEMENT - Kristy Bauer, Deputy County Attorney

Kristy Bauer, Deputy County Attorney, said she was contacted by the Northern Ponca Housing Authority's attorney regarding amendment of a 1996 cooperative agreement with Lancaster County. She said the Northern Ponca Housing Authority's properties are exempt from taxation and said the agreement allowed up to five units to be placed in Lancaster County, with ten percent of the rent on those units paid in lieu of the taxes. The Northern Ponca Housing Authority actually placed fourteen units in Lancaster County and would like to add eleven more units. Their attorney suggested that the number of units be left open ended so they would not have to amend the agreement again. Bauer suggested that the Board might want to consider placing a cap on the number of units instead. She added that the County has not received any money from the Northern Ponca Housing Authority since 1999.

Schorr returned to the meeting at 11:24 a.m.

MOTION: Hudkins moved and Heier seconded to authorize the County Attorney's Office to prepare a letter in consultation with Kerry Eagan, Chief Administrative Officer, for signature by the Chair, indicating that Lancaster County would like payment of the percentage of rent that was owed in lieu of taxes and would be willing to negotiate amendment of the cooperative agreement. Stevens, Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

10 LANCASTER MANOR ISSUES: A) ADDITIONAL EMPLOYEES; B) SOFTWARE UPDATE; AND C) ROOF - Ron Fetters, Lancaster Manor Interim Administrator

Ron Fetters, Lancaster Manor Interim Administrator, provided an update on the following issues (Exhibit G):

* Parking Spaces

MOTION: Schorr moved and Hudkins seconded to send a letter to the Lincoln Area Agency on Aging, with copies to Mayor Chris Beutler and Don Killeen, County Property Manager, asking that all of the Lincoln Area Agency on Aging's buses be removed from the east parking lot by June 1, 2007. Stevens, Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

* Medicare Computer Program

MOTION: Hudkins moved and Schorr seconded to authorize Ron Fetters, Lancaster Manor Interim Administrator, to contact the Purchasing Department to begin the process for the Medicare computer program. Stevens, Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

* Medicare Biller and Collections Person

* Medicare Computer and Monitor

MOTION: Schorr moved and Stevens seconded to authorize Ron Fetters, Lancaster Manor Interim Administrator, to contact the Personnel Department to begin the process of hiring a person to handle Medicare billings and collections and to authorize the purchase of a computer and monitor for that person. Hudkins, Heier, Stevens, Schorr and Workman voted aye. Motion carried.

* Roof Repair

MOTION: Hudkins moved and Heier seconded to authorize up to \$20,000 for emergency repairs to Lancaster Manor's roof. Hudkins, Heier, Stevens, Schorr and Workman voted aye. Motion carried.

11 ACTION ITEMS

- A. County Drug Card Press Release
- B. Grant Application to the Nebraska Office of Highway Safety (\$2,267.20 for Drug Recognition Training)

Items A and B were moved forward on the agenda.

12 ADMINISTRATIVE OFFICER REPORT

- A. National Management Week Resolution
- B. Girls State (June 7, 2007)
- C. Letter to Nebraska Department of Health and Human Services (HHS) Regarding Collection of Child Support in Juvenile Court (See Agenda Packet)

Items A, B & C were moved forward on the agenda.

- D. Request from Jane Cockerham to Close Lincoln Street in Cheney for Auction (June 23, 2007, 8:00 a.m. to 5:00 p.m.)

Kerry Eagan, Chief Administrative Officer, said he will contact Cockerham regarding an application for a Special Events Permit. It was noted that the County Engineer does not have a problem with the request, provided there are signs and barricades.

- E. Board of Equalization Handbook

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

- F. Request from Gary Nickel to Remove Trees from County Right-of-Way

Item was moved forward on the agenda.

- G. Amendment of Zoning Regulations for Motorsports Facilities

Mike DeKalb, Planning Department, appeared and discussed proposed amendment of the Lancaster County Zoning Regulations for motorsports facilities.

There was Board consensus to contact Scott Holmes, Lincoln-Lancaster County Health Department, regarding his preliminary recommendations regarding sound and to schedule a presentation by Dr. Dominique J. Chéenne, Ph.D., Director of Acoustics, Audio Arts and Acoustics Department, Columbia College Chicago.

13 DISCUSSION OF BOARD MEMBER MEETINGS

A. Information Services Policy Committee (ISPC) - Stevens

No report.

B. Alternatives to Ease Jail Overcrowding - Stevens

Stevens said the focus was on recommendations regarding pre-sentence investigations.

C. Region V Governing Board - Schorr

Schorr reported on a drug and alcohol policy for Region V employees.

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

No report.

14 ADJOURNMENT

MOTION: Stevens moved and Hudkins seconded to adjourn the meeting at 12:15 p.m. Hudkins, Heier, Schorr, Workman and Stevens voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk