

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
THURSDAY, JUNE 28, 2007  
8:30 A.M.**

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

Commissioners Absent: Ray Stevens

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

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

**AGENDA ITEM**

**1            APPROVAL OF STAFF MEETING MINUTES OF THURSDAY,  
JUNE 21, 2007**

**MOTION:** Hudkins moved and Schorr seconded approval of the Staff Meeting minutes dated June 21, 2007. Hudkins, Schorr, Heier and Workman voted aye. Motion carried.

**2            ADDITIONS TO AGENDA**

There were no additions to the agenda.

**3            BUDGET WORK SESSION**

Documentation was disseminated relating to property tax funded budgets (Exhibit 1).

Dean Settle, Community Mental Health Center Director, reviewed a memorandum, dated June 19, 2007, regarding his proposed 2008 budget (Exhibit 2) and noted that the increases were driven by salary/benefit increases and jail diversion.

## **BUDGET WORK SESSION CONTINUED:**

Settle also reviewed an analysis showing the programs where property tax dollars are spent (Exhibit 3).

Settle stated he feels Emergency Protective Custody, the Crisis Center, jail diversion and General Assistance are mandated services.

Discussion took place regarding continued funding of the homeless project (special needs), residential rehabilitation, day rehabilitation and independent living program. Schorr questioned whether county property tax dollars should continue to be used toward residential rehabilitation on a long term basis.

**MOTION:** Heier moved and Schorr seconded to send a letter to the Regional Center, Region V, State of Nebraska, and O.U.R. Homes informing them of the withdrawal of County funds toward residential rehabilitation at the end of the contract term.

Kerry Eagan, Chief Administrative Officer, stated they need to review the contract prior to sending notification.

Heier withdrew his motion.

**MOTION:** Heier moved and Schorr seconded to begin the process of investigating the termination of the O.U.R. Homes contract. Heier, Hudkins, Schorr and Workman voted aye. Motion carried.

### **4 UNINCORPORATED VILLAGE STREET NAMES - Ray Hill, Planner**

Ray Hill, Planner, gave an overview of the renaming of streets in six unincorporated villages within the County (Walton, Kramer, Martell, Prairie Home, Princeton and Rokeby). He explained that changing the name of the streets will allow them to fit into the uniform addressing system and will also avoid duplication and confusing street names.

Tom Fox, Deputy County Attorney, noted that Martell is located within the one mile zoning and subdivision jurisdiction of Sprague and that the Village of Sprague will need to approve the street names within Martell.

Eagan suggested an interlocal agreement with Sprague delegating that authority to the County.

**5 (A) SOUND, NOISE AND DRAG RACING** - Dr. Dominique J. Chéenne, Ph.D., Director of Acoustics, Audio Arts and Acoustics Department, Columbia College in Chicago, Illinois; **AND (B) NOISE PROVISIONS UNDER RACE TRACK REGULATIONS** -Scott Holmes, Environmental Health Division Head

Scott Holmes, Environmental Health Division, introduced Dr. Chéenne, stating he is a professor at Columbia College in Chicago, Illinois. Holmes stated a contract is in place with Dr. Chéenne to conduct a study in Lincoln regarding noise in the community. Dr. Chéenne, he stated, completed his graduate work at the University of Nebraska-Lincoln and lives in Lincoln, commuting to Chicago to teach.

Dr. Chéenne gave a presentation entitled *Environmental Noise Monitoring* which included the following:

- Definitions and Units
  - Noise - Unwanted Sound
  - Level - Strength
  - Frequency - Pitch
  - Spectrum - Type of Sound
  - Sampling Rate - How often level of sound is recorded for study
- Sound Propagation Outdoors - Part I
- Sound Propagation Outdoors - Part II
  - Temperature Inversion Conditions
- Where and When Inversions Occur
  - Stagnation Index
  - L90 - Background level of noise (90 percent of the time the noise will be greater than 50 decibels (dB))
  - L50 - Medium level of noise (50 percent of the time the noise is greater than 60dB)
  - L10 - Exception Level (10 percent of the time the sound is greater than 70dB)
  - Leq - Continuous Noise Level
  - NPL - Noise Pollution Level which is a composite rating of all other levels
- How Quiet is Quiet
  - 35dB's indoor level for sleeping
  - 45dB's outdoor level
  - Lincoln ordinance for noise during the day is 65dB's and at night the level is 55dB's

## **SOUND, NOISE AND DRAG RACING CONTINUED:**

Holmes disseminated documentation regarding the proposed modification(s) to the text amendment as suggested by the Health Department (Exhibit 4). He stated additional language is proposed regarding professional sound assessment of the motor sports facility to allow on-site noise monitoring instead of computer modeling of noise generated by the proposed facility.

Board consensus was to conduct on-site noise level tests, with permission of the property owner, prior to July 17, 2007.

### **6 PENDING LITIGATION - Mike Thew, Chief Deputy County Attorney**

**MOTION:** Heier moved and Hudkins seconded to enter into Executive Session for the purpose of discussing pending litigation at 10:47 a.m.. Schorr, Hudkins, Heier and Workman voted aye. Motion carried.

**MOTION:** Schorr moved and Heier seconded to exit Executive Session at 11:14 a.m.. Hudkins, Schorr, Heier and Workman voted aye. Motion carried.

### **7 (A) CHANGE ORDER ON EAST BELTWAY; (B) 60 FOOT RIGHTS-OF-WAY; AND (C) SUBDIVISIONS ADJACENT TO UNIMPROVED ROADS OF OTHER COUNTIES - Don Thomas, County Engineer**

#### Change Order(s)

Don Thomas, County Engineer, reported on a change order with HDR of Omaha, Nebraska, in the amount of \$34,951, for bridge construction at North 134<sup>th</sup> Street and the Waverly Viaduct. Thomas indicated the change order was justified.

Thomas also reported on a second change order with HWS Consulting Group, in the amount of \$4,800, relating to an interchange justification report. Recommendation was to proceed with the change order.

**MOTION:** Hudkins moved and Schorr seconded to receive and acknowledge the recommendations of the County Engineer for the two change orders with HDR of Omaha and HWS Consulting Group relating to the East Beltway. Hudkins, Schorr and Workman voted aye. Heier abstained from voting. Motion carried.

**(A) CHANGE ORDER ON EAST BELTWAY; (B) 60 FOOT RIGHTS-OF-WAY; AND  
(C) SUBDIVISIONS ADJACENT TO UNIMPROVED ROADS OF OTHER  
COUNTIES CONTINUED:**

Thomas also addressed a question asked by Heier at the previous Staff Meeting regarding funding for the East Beltway. He distributed documentation (Exhibit 5) and referred to paragraph five which explains the Federal funding earmarked and the procedure used for distribution of the funds.

60 Foot Rights-of-way

Thomas stated the Engineering Department determines right-of-way according to each project. He stated he doesn't purchase 60 feet except in locations where they recognized 120 foot right-of-way or if it's one-half mile outside the three-mile limit.

Thomas stated the Planning Department is running into issues where developers are not agreeing to 60 foot rights-of-way. He stated they have compromised with a 50 foot right-of-way and a ten foot no build.

Board consensus was to leave the policy relating to the purchase of right-of-way as it is currently and to review on a case by case basis.

Subdivision adjacent to unimproved roads

Schorr asked if the agreement regarding subdivisions adjacent to unimproved roads of other counties should be reviewed based upon the increase in rural development within the County.

**MOTION:** Schorr moved and Hudkins seconded to request a legal opinion from the County Attorney's Office regarding existing interlocal agreements relating to maintenance of county line roads. Schorr, Heier, Hudkins and Workman voted aye. Motion carried.

**8 (A) AUTHORIZE PURCHASE ORDER FOR SUPPLIES FOR CITIZENS EMERGENCY RESPONSE TEAM (\$1,833.42); AND (B) EMERGENCY MEDICAL SERVICES UPDATE** - Doug Ahlberg, Emergency Management Director

Purchase Order

Doug Ahlberg, Emergency Management Director, gave an overview regarding a purchase order, in the amount of \$1,833.42, for supplies for the Citizens Emergency Response Team.

**MOTION:** Heier moved and Hudkins seconded to approve the authorization of a purchase order, in the amount of \$1,833.42, for supplies for the Citizens Emergency Response Team. Schorr, Hudkins, Heier and Workman voted aye. Motion carried.

Emergency Medical Services Update

Ahlberg updated the County Board regarding emergency medical services and disseminated a copy of a letter, with attached questionnaire, dated June 11, 2007 which he sent to all rural fire districts (Exhibit 6) pointing out alternative solutions to operating costs outside the City of Lincoln.

Ahlberg indicated the following fire districts have responded to the questionnaire:

- Bennet will use Midwest Medical for all calls
- Eagle-Alvo will use Midwest Medical for Advanced Life Support (ALS) calls
- Malcolm will use Midwest Medical for all Basic Life Support (BLS) and ALS calls
- Palmyra will use Lincoln Fire and Rescue for ALS calls
- Raymond will use Midwest Medical for ALS calls
- Valparaiso will respond to their BLS calls and will use Lincoln Fire and Rescue for ALS calls

**9 JUVENILE COURT ATTORNEY** - Gary Lacey, County Attorney

Gary Lacey, County Attorney, distributed documentation regarding Sarpy, Lancaster and Douglas County Separate Juvenile Courts (Exhibit 7). He stated the number of cases relating to law violations in Lancaster County is the same or greater than Douglas County.

Lacey stated one of the female attorney's assigned to Juvenile Court will be on maternity leave for three months beginning sometime during the month of September.

## **JUVENILE COURT ATTORNEY CONTINUED:**

In response to a question asked by Schorr, Lacey stated he would need to bring in a temporary attorney to cover the attorney who will be on maternity leave.

### **10 ACTION ITEMS**

- a. Microcomputer request C#2007, in the amount of \$653.32, from Drug Forfeiture Fund for three Tungsten Palm Pilots for the County Attorney's Office.

**MOTION:** Heier moved and Hudkins seconded approval of microcomputer request C#2007, in the amount of \$653.32, from the Drug Forfeiture Fund for three Tungsten Palm Pilots for the County Attorney's Office. Heier, Hudkins, Schorr and Workman voted aye. Motion carried.

### **11 ADMINISTRATIVE OFFICER REPORT**

- a. Automatic Disposal of Records Center documents on retention schedule date

Eagan explained that Brian Pillard, Records and Information Management Manager, sends annual notices out to those departments who have records which should be disposed of according to retention schedules. He stated most departments do not respond back and suggested that the policy be changed to indicate that the Records Center will destroy the documentation unless the department justifies why they should not be purged.

- b. Set Date for Annual Investment Performance Report from Nationwide Retirement Solutions

Board consensus was to tentatively schedule the report for August 23, 2007.

- c. Lancaster Building and Youth Complex at State Fair Park

Hudkins reported that the new entrance into State Fair Park would destroy the Farmland Building and a portion of the Youth Complex building. He stated he thought the Ag Society surrendered their interest in the Lancaster Building and the Youth Complex to the County, however, he was unsure if a transfer had taken place.

Lancaster Building and Youth Complex at State Fair Park Continued:

Discussion took place regarding a transfer and leasehold interests .

Hudkins suggested that Don Killeen, Property Manager, review the property and advise the County Board regarding a transfer.

**MOTION:** Hudkins moved and Heier seconded to request Don Killeen, Property Manager, review the proposed action regarding the Lancaster Building and Youth Complex and advise the County Board regarding possible leasehold interests. Heier, Schorr, Hudkins and Workman voted aye. Motion carried.

d. TRIM Seminar (Tuesday, August 28, 2007 at 1:30 p.m.)

Gwen Thorpe, Deputy Chief Administrative Officer, stated the seminar will take place in the Hearing Room (Room 112) at 12:30 p.m..

e. Information Services Consultant

Eagan and Thorpe asked for direction from the County Board as to whether they should proceed with obtaining an information services consultant given the tight budget year.

In response to a question asked by Schorr, Thorpe stated the cost would be approximately \$35,000 plus travel.

Board consensus was to not proceed at the current time.

**12 DISCUSSION OF BOARD MEMBER MEETINGS**

a. LIBA Monthly Meeting - Workman, Hudkins

Workman stated discussion took place regarding the Women's Commission and Lancaster Event Center.

b. Community Mental Health Center Advisory Committee Meeting -  
Stevens

No report given.

### 13 ADJOURNMENT

**MOTION:** Schorr moved and Hudkins seconded adjournment of the Staff Meeting at 12:42 p.m.. Heier, Hudkins, Schorr and Workman voted aye. Motion carried.

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Dan Nolte  
County Clerk