

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

Commissioners Present: Bob Workman, Chair
Ray Stevens
Deb Schorr

Commissioners Absent: Bernie Heier, Vice Chair
Larry Hudkins

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

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

AGENDA ITEM

**1 APPROVAL OF THE STAFF MEETING MINUTES OF TUESDAY,
NOVEMBER 27, 2007**

MOTION: Stevens moved and Schorr seconded approval of the Staff Meeting minutes dated November 27, 2007. Schorr, Workman and Stevens voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

There were no items at this time.

3 COUNTY CHANGE OF ZONE NO. 07052, SPECIAL PERMIT NO. 07039 AND NO. 07040, PARKLAND ESTATES COMMUNITY UNIT PLAN (CUP), NORTHWEST 118TH STREET AND WEST FLETCHER ROAD - Sara Hartzell and Mike DeKalb, Planners

Sara Hartzell, Planner, gave an overview of County Change of Zone No. 07052, a request for a change of zone from Agricultural (AG) District to Agricultural Residential (AGR) District on property at Northwest 118th Street and West Fletcher Road, and two associated special permits: 1) County Special Permit No. 07039, Parkland Estates Community Unit Plan (CUP) a request for 22 three-acre single family lots; and 2) County Special Permit No. 07040, a request for authority to develop dwelling units within 1,320 feet of the property line of a public lake (Exhibits A, B and C). Opposition consists of testimony by a registered geologist and seven area residents at a public hearing before the Planning Commission; approximately 45 individuals who indicated at the public hearing that they were in opposition; approximately 30 letters, petitions containing 142 signatures and "well comment sheets" from 17 property owners. Groundwater quality and quantity are the primary issues of concern. Planning staff recommended conditional approval of the change of zone request, concluding that it is in conformance with the Comprehensive Plan. Planning staff recommended denial of a request for a waiver to reduce setback to lake property to 300 feet. The Planning Commission disagreed with the staff recommendation of conditional approval and voted 7-0 to recommend denial of the change of zone request. The Planning Commission also voted 7-0 to recommend denial of both special permits.

The Chair asked that the Lower Platte South Natural Resources District (NRD) have a groundwater geologist available at the County Board's public hearing, scheduled for December 4th, to answer questions.

Hartzell said Lincoln-Lancaster County Health Department representatives will also be available to answer questions at the public hearing.

4 REPORT ON 148TH STREET AND HIGHWAY 2 - Don Thomas, County Engineer; Lou Lenzen, Nebraska Department of Roads

Lou Lenzen, Nebraska Department of Roads, gave an update on the 148th Street Realignment Project (realign two county roads near Bennet and close the intersection of 148th Street to Nebraska Highway 2) (Exhibits D & E).

5 SOUTHWEST 40TH AND "O" STREET (22 ACRES TO THE SOUTH) - Don Killeen, County Property Manager

Don Killeen, County Property Manager, said the owners of the 22 acres south of the jail site at Southwest 40th and "O" Street would like to discuss a possible donation of land. He said the land is floodplain and wetlands and said the first step is to determine whether there is any value to the County. Killeen said he contacted HWS and Kirkham, Michael & Associates, Inc. to get pricing for an initial assessment. He reported quotes of \$1,495 and \$1,000, respectively. Killeen recommended that the County contract with Kirkham, Michael & Associates, Inc. for the assessment.

Killeen noted there is potential to get free dirt from a City project north of the Interstate on Northwest 40th Street to address the floodplain issue or to create a small lake or retention pond that could be used by the District Energy Corporation for a heating or cooling project.

MOTION: Schorr moved and Stevens seconded to authorize Don Killeen, County Property Manager, to develop an agreement with Kirkham, Michael & Associates, Inc. for an initial assessment of the 22 acres south of the jail site at Southwest 40th and "O" Street. Schorr, Workman and Stevens voted aye. Motion carried.

6 A) EXPANDED USE OF EMERGENCY SERVICES WORKER; B) MODIFIED JOB DESCRIPTION FOR QUALITY ASSURANCE COORDINATOR; AND C) LEGISLATIVE BILL (LB) 335 (EXPANDED CIVIL PROTECTIVE CUSTODY) - Dean Settle, Community Mental Health Center (CHMC) Director

A) Expanded Use of Emergency Services Worker

Dean Settle, Community Mental Health Center (CMHC) Director, presented a proposal for a pilot project to expand the Emergency Services Program at CMHC by adding five or six part-time, on-call positions (licensed mental health professionals) to field calls from the Lincoln Police Department (LPD). He said the intent is to reduce the number of EPC's (Emergency Protective Custody). Settle said Region V has agreed to fund the positions with post-commitment dollars.

Board consensus was to have the County Attorney's Office and the County Risk Manager review the proposal.

B) Modified Job Description for Quality Assurance Coordinator

Settle said one of CMHC's Strategic Plan Goals (see Exhibit F) is to take a vacant office position and modify it to provide quality assurance for CMHC's programs and on-going accreditation preparation.

John Cripe, Classification and Pay Manager, appeared and said it may be possible to make modifications to an existing quality assurance coordinator position at Lancaster Manor. If not, a new position will need to be created.

Board consensus was to proceed as outlined.

C) LB 335 (Expanded Civil Protective Custody)

Settle said Cornhusker Place plans to ask the Board to continue its support of the legislation.

A letter from a participant in CMHC's Jail Diversion Project (Exhibit G) was also discussed.

ADMINISTRATIVE OFFICER REPORT

A. Handicap Door Opener Estimate (Community Mental Health Center)

It was noted that the estimate has been referred to the Public Building Commission.

ADDITIONS TO THE AGENDA

MOTION: Stevens moved and Schorr seconded to add housing of state wards at the Youth Services Center (YSC) to the agenda. Schorr, Workman and Stevens voted aye. Motion carried.

The Board reviewed a draft of a letter to the Governor regarding the per diem rate for housing state wards at the Youth Services Center (YSC) (Exhibit H).

Schorr suggested that an invitation be extended to the Governor to tour the facility. She also suggested a thorough analysis of the County's costs and how the facility is operated.

Stevens said, as a compromise, the County could ask the State to pay the previous year's actual costs.

Workman said he is not comfortable sending the letter. He said he wants the youth back in Lancaster County and urged the other Board members to agree to the \$238 per diem rate. Workman said the County could also encourage the State to utilize the facility to a greater extent, which would lower costs.

Stevens said he supports sending the letter and extending an invitation for a tour of the facility. He requested a briefing by Kit Boesch, Human Services Administrator, prior to the tour, on how much the County is spending on youth in the community to keep them out of the facility so that the Board share that information with the Governor.

MOTION: Stevens moved and Schorr seconded to: 1) Revise the letter to add an invitation to the Governor to tour the facility; and 2) Ask Commissioner Schorr to sign the letter on behalf of the County Board.

Workman suggested that the Board notify the State that the Board is not willing to sign a contract at this time but will accept a per diem rate of \$238 while negotiations continue.

Schorr said she believes the majority of the Board is willing to negotiate, but is not willing to accept the \$238 figure.

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

Following a brief discussion, there was Board consensus to revise the letter to state that a meeting is requested between the Governor and representatives of the County Board.

7 ACTION ITEMS

A. Authorize Application for "You Drink and Drive, You Lose" Grant (Exhibit I)

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

B. Preliminary Breath Tester Mini-Grant Application (Exhibit J)

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

C. Election Certification for County Commissioners

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

8 ADMINISTRATIVE OFFICER REPORT

A. Handicap Door Opener Estimate (Community Mental Health Center)

Item was moved forward on the agenda.

B. Salaries for Chief Deputy Elected Officials and Unclassified Employees

The Board directed Kerry Eagan, Chief Administrative Officer, to: 1) Contact the elected officials and ask for salary recommendations for the chief deputy elected officials; and 2) Ask the Personnel Department for comparability information for the unclassified employees.

C. Correspondence from Judge Paul Merritt Regarding Part-Time Bailiff Benefits

Board consensus was to seek a recommendation from the Personnel Department.

D. Correspondence Regarding Motocross Recreational Trails Program Grant

The Board directed Eagan to schedule discussion with Glenn Johnson, Lower Platte South Natural Resources District (NRD) General Manager.

E. InterLinc Acting with Citizens to Improve Our Neighborhoods (ACTION) Center Update

Gwen Thorpe, Deputy Chief Administrative Officer, presented options for link buttons on the InterLinc homepage (Exhibit K).

The Board indicated a preference for the last sample and asked that it feature the County Commissioners' seal, rather than the County seal.

F. Mid-Year Budget Retreat Date

The Board tentatively scheduled the retreat on January 17, 2008. Alternate date is January 24, 2008.

G. Construction Manager at Risk Concept

Schorr said there is concern in the community that the Board is accepting services quite different than what was advertised in the Request for Proposals (RFP). **NOTE:** The County went out for bid for a Construction Manager for the jail project. Only one bid was received and the bidder came to the Board and suggested the Construction Manager at Risk concept. Schorr noted that a Construction Manager at Risk may bid on some components of the project and said some companies may not have submitted a bid to serve as Construction Manager because they wanted to be able to participate in the construction portion.

Vince Mejer, Purchasing Agent, noted that it is a professional service so the Board is not required to seek bids.

MOTION: Schorr moved and Stevens seconded to reissue the Request for Proposals (RFP) with the Construction Manager at Risk concept.

Mejer estimated that it will cause a one to two month delay in the project.

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

Brief discussion also took place on whether to have a Project Manager, with consensus to have the Personnel Department provide options at the next Staff Meeting.

H. Correspondence from Lower Platte South Natural Resources District (NRD) Regarding Hazard Mitigation Grant Funding

Eagan said Doug Ahlberg, Emergency Management Director, has agreed to represent the County at the meetings.

I. Legal Opinion Request (Pension Payout)

Board consensus was to proceed with the legal opinion request.

J. Community Consensus Issue

Board consensus was to suggest road funding as the issue.

K. Reappointment of Jane L. Schroeder and Appointment of Debbora A. Day and Linda K. Butcher to the County Extension Board

The Board scheduled the item on the December 4, 2007 County Board of Commissioners Meeting agenda.

9 AGENDA ITEMS FOR DECEMBER 4, 2007 COUNTY BOARD OF COMMISSIONERS MEETING

A. Appointment of Kim Widicker, Teri Harper and Beau West to the Community Mental Health Center Advisory Committee (Exhibit L)

Stevens noted that the Lincoln Independent Business Association (LIBA) and Cornhusker Place will be invited to serve on the committee on an ex-officio basis.

10 ADJOURNMENT

MOTION: Schorr moved and Stevens seconded to adjourn the meeting at 11:14 a.m. Schorr, Workman and Stevens voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk