

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING, ROOM 113  
THURSDAY, MARCH 10, 2011  
8:30 A.M.**

Commissioners Present: Deb Schorr, Chair  
Bernie Heier, Vice Chair  
Larry Hudkins  
Jane Raybould  
Brent Smoyer

Others Present: Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Dennis Meyer, Budget and Fiscal Officer  
Brittany Behrens, Deputy County Attorney  
Dan Nolte, County Clerk  
Cori Beattie, Deputy County Clerk  
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:36 a.m.

**AGENDA ITEM**

**1 APPROVAL OF THE THURSDAY, FEBRUARY 24, 2011 STAFF MEETING MINUTES**

**MOTION:** Hudkins moved and Smoyer seconded approval of the February 24, 2011 Staff Meeting minutes. Hudkins, Smoyer, Raybould and Schorr voted aye. Heier abstained from voting. Motion carried 4-0, with one abstention.

**2 ADDITIONS TO THE AGENDA**

A. Inmate Population Task Force

**MOTION:** Hudkins moved and Heier seconded approval of the addition to the agenda. Raybould, Smoyer, Heier, Hudkins and Schorr voted aye. Motion carried 5-0.

**3 LEGISLATIVE UPDATE** - Gordon Kissel and Joe Kohout, Kissel/E&S Associates

Gordon Kissel, Kissel/E&S Associates, presented a legislative update and a bills of interest report (Exhibits A and B).

Raybould said she would like to pursue legislation that would allow the County to reduce its existing retirement match from 1.5 to 1 and asked whether there is any chance of "tacking" it on another bill.

Kissel said it is a major issue and felt it would be ill advised to try to introduce it in the form of an amendment. He also suggested it would be beneficial for the Board to establish their legislative priorities earlier in the year.

Joe Kohout, Kissel/E&S Associates, noted two bills of interest are scheduled for hearing on March 16th: 1) LB 545 (Establish a co-pay for medical services provided at a correctional facility); and LB 609 (Adopt the Correctional Facility Reimbursement Act).

**ACTION ITEMS**

- A. Notification Letter to Hartford Deferred Compensation Participants Regarding Transfer to Prudential Retirement

**MOTION:** Heier moved and Hudkins seconded approval. Hudkins, Heier, Smoyer, Raybould and Schorr voted aye. Motion carried 5-0.

**4 JAIL UPDATE** - Chuck Richter, Sampson Construction Company; Mike Thurber, Corrections Director; Brad Johnson, Transition Coordinator; Bob Jarrett, Corrections Maintenance/Construction Manager

Chuck Richter, Sampson Construction Company, gave an update on construction of the new Lancaster County Adult Detention Facility (LCADF) (see Exhibit C for progress photographs). He said the cell pods are complete, roof structures are in place and ductwork, electrical, plumbing and masonry work is taking place inside the structure.

Mike Thurber, Corrections Director, noted the Transition Team will be going though How to Open New Institutions (HONI) training on April 4-7 and invited members of the Board to attend the training session on April 4<sup>th</sup>. Thurber was also asked to work with staff to coordinate a tour of the new LCADF.

Brief discussion took place on whether it would be more cost effective to keep some inmates in out-of-county housing.

## **ADDITIONS TO THE AGENDA**

### **A. Inmate Population Task Force**

Raybould proposed the Board establish a task force to make recommendations to expedite inmate processing and reduce all costs associated with the county jail with the specific intent to reduce the number of inmates and days spent in the county jail facilities. She suggested the task force include representation from Corrections, Community Corrections, Community Mental Health Center, County Attorney's Office, Public Defender's Office, County Sheriff's Office, the judiciary and business.

Schorr noted discussions have taken place about different options regarding ways to work with Community Corrections to reduce the jail population.

Heier felt the Board should define what types of offenders it deems appropriate for placement in Community Corrections before moving ahead with a task force.

Schorr suggested it may be beneficial to look at performance indicators for Community Corrections.

Board consensus was to schedule further discussion with Thurber and Kim Etherton, Community Corrections Director, on the March 17<sup>th</sup> Staff Meeting agenda.

## **ADMINISTRATIVE OFFICER REPORT**

### **A. Counties' Legislative Day at the State Capitol and Cornhusker Marriott Hotel on April 7, 2011**

The Commissioners all indicated plans to attend the luncheon at the Cornhusker Marriott Hotel.

### **B. County Board Evening Meeting Dates**

The Chair noted the Board had tentatively agreed to hold evening, rather than morning, regular County Board meetings on certain dates because Commissioner Raybould had a scheduling conflict. She said several of the evening meeting dates (April 12<sup>th</sup>, June 14<sup>th</sup>, July 12<sup>th</sup>, October 11<sup>th</sup> and November 8<sup>th</sup>) conflict with Board of Health meetings that she and Brittany Behrens, Deputy County Attorney, are scheduled to attend and asked that the meetings be held in the morning on those dates.

There was general consensus to honor her request. Evening meetings are still

scheduled on March 29<sup>th</sup>, May 17<sup>th</sup>, August 16<sup>th</sup>, September 20<sup>th</sup> and November 29<sup>th</sup>.

There was also consensus to ask the County Engineer to schedule the public hearing on the One and Six Year Road and Bridge Improvement Program on November 29<sup>th</sup>.

**5 RECORDS MANAGEMENT JUDICIAL USERS SYSTEM TO IMPROVE COURT EFFICIENCY (JUSTICE) PROJECT** - Brian Pillard, Records & Information Manager

Brian Pillard, Records & Information Manager, said his department has an opportunity to increase its revenues by microfilming documents for the Judicial Users System to Improve Court Efficiency (JUSTICE), the State Court Administrator's database for District and County Courts. He said the department also has a backlog of projects from the City and State and requested authorization to add up to 16 hours per week for the imaging specialist position which is currently shared by two employees. One employee currently works 21 hours per week and receives benefits. The other employee works 19 hours per week. **NOTE:** Employees who work more than 20 hours per week are entitled to benefits. Pillard suggested they each work 28 hours per week.

Heier suggested Pillard consider hiring another part-time employee for less than 20 hours per week to eliminate the need to pay benefits. It was also suggested that the hours be restricted to the employee who is already working more than 20 hours a week to avoid the benefits issue.

Pillard said the employee working 19 hours per week would like additional hours and questioned the fairness of restricting the additional hours to one of the employees.

Schorr suggested the Board discuss the issue of paying benefits for part-time employees working more than 20 hours at a future budget meeting.

In response to a question from Raybould, Pillard said his department bills the City and State for imaging work, but does not have contracts in place.

Brittany Behrens, Deputy County Attorney, indicated she is looking into that issue.

There was general consensus to explore this potential revenue source further to see whether it would be profitable for the County

**ADMINISTRATIVE OFFICER REPORT**

C. Hospital Authority No. 1 Board Vacancy

Kerry Eagan, Chief Administrative Officer, said former County Commissioner Bob Workman has agreed to serve and said he will schedule Workman's appointment and reappointment of Elaine Hammer on a regular County Board of Commissioners Meeting agenda for action.

D. Lancaster County Extension Office Staff Appreciation Breakfast (March 15, 2011 at 7:30 a.m.)

Schorr, Hudkins and Heier indicated plans to attend.

**6 PENSION REVIEW COMMITTEE (PRC) RECOMMENDATIONS REGARDING: A) MORGAN STANLEY MID CAP GROWTH FUND; AND B) SEGAL ADVISORS PROPOSAL - Members of the Pension Review Committee (PRC)**

Eagan, who is a member of the Pension Review Committee (PRC), presented the following recommendations from the PRC: 1) The American Century Vista INV Fund should be replaced with the Morgan Stanley Mid Cap Growth P Fund; and 2) Segal Advisors should be retained to review the performance of all investment options in the 401(a) and 457 plans, and make recommendations to the County Board regarding retention or removal of funds (cost not to exceed \$25,000).

**MOTION:** Heier moved and Smoyer seconded to approve the recommendations. Raybould, Smoyer, Heier, Hudkins and Schorr voted aye. Motion carried 5-0.

**NOTE:** The following members of the PRC were also present for the discussion: Doug Cyr, Chief Administrative Deputy County Attorney; and Paula Stutheit, Assistant Benefits Specialist.

**7 A) FARM LEASE OF COUNTY PROPERTY IN WAVERLY, SOUTH OF TRACTOR SUPPLY COMPANY; AND B) STATE PROBATION'S TRABERT HALL LEASE - Don Killeen, County Property Manager**

**A) Farm Lease of County Property in Waverly, South of Tractor Supply Company**

Don Killeen, County Property Manager, asked whether the Board wants to continue to lease farmland (13 plus acres) near Interstate 80 and North 13<sup>th</sup> Street to the current tenant.

Heier said he believes the Board is obligated to do so because it did not give the tenant

notice of termination of the lease by September, 2010.

Board consensus was to ask the tenant to pay for \$125 per acre. **NOTE:** The land is currently leased for \$1,200 a year.

### **B) State Probation's Trabert Hall Lease**

Killeen said State Probation would like to lease the second floor of Trabert Hall and has proposed a ten-year lease. He advised against a long-term lease, suggesting a one-year lease instead. Killeen said the standard rate is \$65,000 per year and said Probation has requested a \$10,000 reduction in light of improvements they have agreed to make.

Hudkins noted there is a potential buyer for the property.

Board consensus was to proceed as outlined.

Raybould asked whether it would be beneficial to have Trabert Hall appraised.

There was general consensus to hold off on having an appraisal done at this time.

### **8 LANCASTER MANOR PROCEEDS (OUTSTANDING LIABILITIES) - Sue Eckley, County Risk Manager; Kari Wiegert, Risk Management Specialist; Tom Fox, Deputy County Attorney**

Sue Eckley, County Risk Manager, said the reserves for Lancaster Manor workers' compensation claims total \$329,078.42. She and Kari Wiegert, Risk Management Specialist, gave an overview of the eight open claims, two of which are lifetime claims. Eckley noted there is a two-year statute of limitations once the claims are closed.

Meyer said there is a \$2,900,000 balance in the Manor Fund, which includes a \$500,000 transfer to the fund to cover remaining costs. He noted approximately half of the \$500,000 has been spent.

Hudkins asked whether there could be other liabilities involving the Manor.

Meyer said there could still be some unemployment payments remaining but said those should be resolved by the end of June.

Gwen Thorpe, Deputy Chief Administrative Officer, said she was informed this week there will be a Medicaid audit of the Manor that will cover the period of October-December, 2009. She said she does not believe the audit is a cause for concern.

**MOTION:** Raybould moved and Schorr seconded to approve the recommendation of the Lancaster Manor Proceeds Committee and move forward with a Request for Proposals (RFP) on how to manage the Lancaster Manor proceeds, with the understanding that the amount could be adjusted based on the resolution of all outstanding claims.

Schorr noted she has strongly advocated for placing the funds in an endowment but believes it would be advisable to delay a decision in light of the issues that have been outlined.

Heier and Smoyer stated they would like to exercise caution regarding the funds.

Hudkins expressed concern about the erosion of the County's reserves.

Heier called for the question.

**ROLL CALL:** Raybould voted aye. Smoyer, Heier and Hudkins voted nay. Schorr abstained from voting. Motion failed 1-3, with one abstention.

Schorr indicated plans to bring the issue back before the Board in six months.

**9 DR. SANAT ROY'S SALARY** - Dean Settle, Community Mental Health Center (CMHC) Director

Dean Settle, Community Mental Health Center (CMHC) Director, noted efforts to streamline operations and move to one medical director for the CMHC. He said Dr. Sanat Roy has agreed to increase his hours by 15-20 hours a week, be on-call 24 hours per day, 7 days a week, and respond to the unit on weekends. Settle said Dr. Roy initially requested a salary adjustment, but has since withdrawn that request. He said Dr. Roy will receive an additional \$150 per week for 24/7 coverage and said that expense was included in their budget. Settle said Dr. Roy will need continuing education in some areas which he can obtain by attending an American Psychiatric Association or World Congress of Psychiatry conference. He said CMHC would be responsible for his registration fee.

Schorr inquired about coverage when Dr. Roy is out-of-town.

Settle said they will hire someone from the community, typically Dr. Kamal from Corrections or Dr. Naseem from the Veterans Administration, at a rate of \$500 per day.

**MOTION:** Heier moved and Hudkins seconded to send a letter of appreciation to Dr.

Sanat Roy. Raybould, Smoyer, Heier, Hudkins and Schorr voted aye.  
Motion carried 5-0.

**10 COUNTY WAIVER NO. 11003, LOT DEPTH-TO-WIDTH RATIO  
(12755 NORTH 84<sup>TH</sup> STREET) - Steve Henrichsen, Development  
Review Manager, Planning Department**

Steve Henrichsen, Development Review Manager, Planning Department, gave an overview of County Waiver No. 11003, a request by James Schwartzman to waive the County Land Subdivision design standard requiring the lot depth not be over three times its width, on property North 84<sup>th</sup> Street and Mill Road (12755 North 84<sup>th</sup> Street). **NOTE:** The applicant has applied for a County Administrative Subdivision to create two, three plus acre lots in the 40 acre parcel. He said the applicant's house is far back on the lot and the subdivision cannot be approved without the waiver. Planning staff and the Planning Commission have recommended approval.

**ADMINISTRATIVE OFFICER REPORT**

F. Update on Transfer of Hartford Deferred Compensation Plan to Prudential Retirement and Addition of Roth Contributions to Prudential Deferred Compensation Plan

Eagan said the transfer has progressed to the stage of defining the provisions of the deferred compensation plan. He noted the Internal Revenue Service (IRS) has eased the restrictions on Roth contributions and said a Roth component is recommended as it will give participants much more flexibility in retirement planning. Periodic reviews of the plan are also recommended.

G. Post Employment Health Plan (PEHP) Request for Proposals (RFP)

Eagan said he and Cyr have been working with the City on the RFP. He said the County could save approximately \$550,000 if PEHP contributions were suspended for one year, but the labor unions would need to agree to the suspension.

Board consensus was to schedule discussion of the issues the Board would like see raised in labor negotiations on the April 7<sup>th</sup> Staff Meeting agenda.

It was noted the April 7<sup>th</sup> Staff Meeting will begin at 7:30 a.m.

H. Road Vacation Petition (West Superior Street, from 56<sup>th</sup> Street to 59<sup>th</sup> Street)

Eagan said the petition is problematic and the Planning Department has asked the

individual who filed the petition to withdraw it.

Schorr requested verification of the signatures on the petition if it is not withdrawn.

## **11 BUDGET ISSUES** - Dennis Meyer, Budget and Fiscal Officer

Dennis Meyer, Budget and Fiscal Officer, said several departments have suggested that rents should also be held at 97%. **NOTE:** The Board has asked county departments to submit budgets at 97% of last year's budget.

Don Killeen, County Property Manager, appeared and said there has only been one increase to the base rent (\$10.50 per square foot) for the government complex since 2004 (a 2.5% increase in 2009). Security costs in the Justice and Law Enforcement Center have increased from \$2.77 to \$3.15 per square foot but those costs are a direct pass-through. He noted there was a slight decrease in those costs last year.

Bill Jarrett, Chief Deputy Sheriff, appeared and said the decrease was due to personnel changes.

Killeen said they have already taken measures to hold rents at the current level, such as reducing cleaning levels.

Raybould inquired about the impact of a 3% rent abatement.

Killeen said further adjustments would need to be made to cleaning and security levels.

Jarrett cautioned that the judges could require a deputy sheriff in every courtroom if front door security in the Justice and Law Enforcement Center is reduced.

Schorr asked whether departments would see a rent reduction if they reduced their space.

Killeen said yes, rents would be adjusted accordingly. He said departments could also reduce their parking requirements, noting there is ongoing demand from individuals who work in surrounding businesses for parking in the north parking lot. Those individuals are charged a monthly rate of \$60. Employees who elect to pay for parking in that lot are charged a monthly rate of \$30. Elected officials, directors, members of the judiciary and certain employees are provided secure parking underneath the County-City Building. Their respective departments pay for that parking through their rent.

**MOTION:** Heier moved and Raybould seconded to charge for all parking underneath the County-City Building.

Killeen noted that departments also pay for parking for certain employees in the west and north parking lots.

The maker of the motion and the seconder withdrew their motion and there was consensus to take this matter before the Public Building Commission (PBC) and City-County Common. A list of paid parking, by department, was also requested.

Schorr asked whether building temperatures could be adjusted to save costs.

Killeen said savings would be minimal because the buildings are served by District Energy, which is a very efficient system.

Schorr noted the Board received a letter from Joe Kelly, County Attorney, expressing concern regarding increases in rent and Information Services (IS) costs (Exhibit D).

Meyer said he will relay concerns related to IS costs to the Information Services Policy Committee (ISPC).

Schorr said she also relayed the Board's concerns to the Mayor.

Meyer said Kit Boesch, Human Services Administrator, has asked the Board for an indication of how much funding the County will provide the Joint Budget Committee (JBC) so she can plan accordingly.

Hudkins said he believes the City and County should equally share funding of the JBC. **NOTE:** The JBC currently receives \$2,000,000. Of that amount, the City contributes \$500,000 and the County contributes \$1,500,000. Last year Region V Systems assisted the County with its share of funding in the amount of \$180,000.

Other suggestions were to: 1) Look at whether there is a duplication of services; 2) Eliminate the behavioral health component; 3) Hold funding to 97% of last year's budget; and 4) reduce the County's contribution to \$1,000,000 and let Boesch determine the areas to fund.

Smoyer exited the meeting at 11:30 a.m.

## **12     RADIOS FOR SHERIFF'S DEPARTMENT** - Bill Jarrett, Chief Deputy Sheriff

Bill Jarrett, Chief Deputy Sheriff, said his department needs two more portable radios which cost \$4,200 each. He said the department has a number of old radios that are not being used and he contacted the Radio Shop to see whether he could make a trade. The Radio Shop indicated it had no use for the old equipment. Jarrett said he

then contacted RACOM Corporation, the supplier, and they agreed to trade one new portable for 20 of the old radios.

**MOTION:** Raybould moved and Hudkins seconded to approve the trade of radio equipment, as outlined. Hudkins, Heier, Raybould and Schorr voted aye. Smoyer was absent from voting. Motion carried 4-0.

**13 FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) APPEALS WITHDRAWAL** - Doug Ahlberg, Emergency Management Director

Doug Ahlberg, Emergency Management Director, said the County has been asked by the Federal Emergency Management Agency (FEMA) Region VII to withdraw its formal first appeal to the Nebraska Emergency Management Agency (NEMA) for two project worksheets related to a severe weather storm that occurred in December, 2009 that were deemed ineligible for disaster relief (see January 27, 2011 Staff Meeting minutes). He said the matter will then be reviewed through an informal process. Ahlberg said FEMA has agreed to allow the County two appeals in the future if it determines the project worksheets are ineligible.

**MOTION:** Hudkins moved and Raybould seconded to authorize the Chair to sign a letter withdrawing the County's formal first appeal. Raybould, Heier, Hudkins and Schorr voted aye. Smoyer was absent from voting. Motion carried 4-0.

**DISCUSSION OF BOARD MEMBER MEETINGS**

A. Nebraska Leadership Prayer Breakfast - Raybould

Raybould said Tom Osborne, University of Nebraska Athletic Director, served as the master of ceremonies. The keynote speaker was Tony P. Hall, a three-time Nobel Peace Prize nominee and Executive Director of the Alliance to End Hunger.

B. Chamber Coffee - Raybould, Smoyer

Raybould said discussion focused on budget matters.

C. Railroad Transportation Safety District (RTSD) - Schorr, Smoyer

Schorr said they reviewed the budget for the coming fiscal year.

D. Public Building Commission (PBC) - Raybould

Raybould said they reviewed an expenditure for carpet that will be placed in corridors in the County Attorney and the County Sheriff's Offices and discussed an issue involving plaques outside the Mayor's Office and the Personnel Department. She said they also decided not to engage in further discussion of purchasing adjoining property until after the May election.

E. General Assistance (GA) Monitoring Committee - Raybould, Hudkins

Raybould said they reviewed the budget and discussed the charges for the primary health clinic.

Eagan stressed the need for to get a contract in place with the Lincoln-Lancaster County Health Department (LLCHD) for the clinic. He said they are also looking at contracting with Express Care as an alternative to the hospitals' emergency rooms and for after-hours requirements.

F. Board of Health - Schorr

Schorr said they were provided information on performance indicators. Presentations were given on greenhouse gases, the 2040 Long-Range Transportation Plan, and the Geographic Information System (GIS) walkability programming.

**14 COUNTY PERMIT FOR PUBLIC AGRICULTURAL ATTRACTIONS -**

Josh Kadavy; Steve Henrichsen, Development Review Manager, Planning Department; Terry Kathe, Zoning Coordinator, Building and Safety Department

Josh Kadavy said he and his wife would like to start a pick-your-own pumpkin farm with agricultural related activities (corn maze, hay rack rides, barnyard petting zoo, etc.) on property they own at North 14<sup>th</sup> Street and Bluff Road. He said he contacted the Planning Department approximately a year ago and discussed applying for a heritage center permit, which would allow them to charge admission. Kadavy said he submitted an application and was notified the property does not meet the requirements.

Steve Henrichsen, Development Review Manager, Planning Department, said a provision for a heritage center was created under the City's zoning in 1995. He said the intent is to provide a special permit for multiple buildings that show a historically significant era in agricultural production. He said this particular site lacks farm buildings. Henrichsen suggested the County's amusement license might be more appropriate. The City of Lincoln would need to give zoning approval because it lies within the City's three-mile zoning jurisdiction. Henrichsen said a pick-your-own pumpkin farm with accessory concessions (selling products produced on the property) is allowed under the zoning, but they could not charge admission.

Kadavy noted insurance requirements are much higher with an amusement license.

Hudkins asked Henrichsen to explain how this differs from the Roca Berry Farm or the Corn Maze near Denton.

Henrichsen said the Roca Berry Farm is within the zoning jurisdiction of Roca. The Corn Maze near Denton has operated under a special event permit within the County's zoning jurisdiction. He said options to address Kadavy's situation include: 1) Amending the heritage center language; 2) Making this a conditional use in the County, in coordination with an amusement license; or 3) Moving a historical building to the site.

Kadavy asked whether he could proceed if he eliminated certain parts of his proposal, such as admission, and charged a set fee for the pumpkins instead.

Kadavy was asked to explore his options with the Planning Department and Building and Safety, with a report back to the Board next week.

## **15 ACTION ITEMS**

- A. Notification Letter to Hartford Deferred Compensation Participants Regarding Transfer to Prudential Retirement

Item was moved forward on the agenda.

## **16 CONSENT ITEMS**

There were no consent items.

## **17 ADMINISTRATIVE OFFICER REPORT**

- A. Counties' Legislative Day at the State Capitol and Cornhusker Marriott Hotel on April 7, 2011
- B. County Board Evening Meeting Dates
- C. Hospital Authority No. 1 Board Vacancy
- D. Lancaster County Extension Office Staff Appreciation Breakfast (March 15, 2011 at 7:30 a.m.)

Items A -D were moved forward on the agenda.

- E. Segal Proposal for Review of Retirement and Deferred Compensation Plans

See Item 6.

- F. Update on Transfer of Hartford Deferred Compensation Plan to Prudential Retirement and Addition of Roth Contributions to Prudential Deferred Compensation Plan
- G. Post Employment Health Plan (PEHP) Request for Proposals (RFP)
- H. Road Vacation Petition (West Superior Street, from 56<sup>th</sup> Street to 59<sup>th</sup> Street)

Items F-H were moved forward on the agenda.

## **18 PENDING**

There were no pending items.

## **19 DISCUSSION OF BOARD MEMBER MEETINGS**

- A. Nebraska Leadership Prayer Breakfast - Raybould
- B. Chamber Coffee - Raybould, Smoyer
- C. Railroad Transportation Safety District (RTSD) - Schorr, Smoyer
- D. Public Building Commission (PBC) - Raybould
- E. General Assistance (GA) Monitoring Committee - Raybould, Hudkins
- F. Board of Health - Schorr

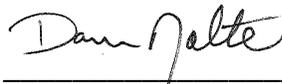
Items A-F were moved forward on the agenda.

## **20 EMERGENCY ITEMS AND OTHER BUSINESS**

There were no emergency items or other business.

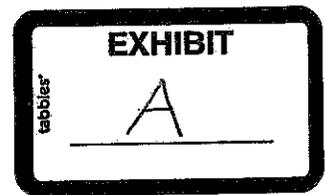
## **21 ADJOURNMENT**

**MOTION:** Heier moved and Hudkins seconded to adjourn the meeting at 12:26 p.m. Heier, Raybould, Schorr and Hudkins voted aye. Smoyer was absent from voting. Motion carried 4-0.



Dan Nolte  
Lancaster County Clerk





Lancaster County Board of Commissioners

March 10, 2011

Legislative Update

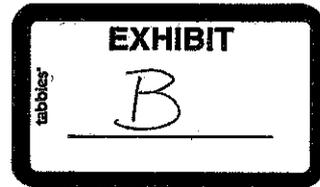
We are almost at the half-way point of the 102<sup>nd</sup> Legislature. Monday is the 45<sup>th</sup> day.

Yesterday the Government Committee heard a couple of bills of interest to Lancaster County. The first was Senator Coash's bill LB 277. This is the bill that was introduced on our behalf and clarifies some ambiguous language and makes it clear that the final authority to use the Improvement Fund proceeds for visitor promotion lies with the governing body of the county, and not with the visitors committee. Kerry Eagan testified and there was no one who testified against the bill. We will try to advance the bill and get it on consent calendar. The Committee also heard LB 685 which concerns us. LB 685 by Senator Schilz is a bill that would assist communities in generating new revenue and economic activity through the use of a County Visitors Improvement and/or Promotion fund. Under current law, the Nebraska Visitors Development Act authorizes the use of county lodging tax dollars for the improvement and promotion of tourism attractions, events or activities. The governing body of a county administers the lodging tax money through grants under the County Visitors Improvement/Promotion fund, with the advice of the Visitors Committee. LB 685 would provide criteria for the membership of the Visitors Committee and guidelines for the grant determination process. Kerry testified in a neutral position and raised some concerns.

There was a question regarding one of the priorities established by the Board regarding reducing the county's match in the Retirement Act. We recommend that we introduce a resolution for an interim study on that topic and work with Douglas County, Sarpy County and the Nebraska Retirement Committee over the summer.

Today is the day that Senators must have their priority bills named. We will provide you with a full list next week. Senator Fischer has named LB 84 which would authorize bonds for the highway system. This is going to be a major issue over the next few weeks pitting educational interests and highway interests. LB 84 would take about \$140 million out of the state's budget each year.

Senator Flood has indicated that he plans to address all priority bills during the months of March and April. He then plans to address the budget and redistricting during the month of May. There is not much time and he indicated that if you need something passed get it done by the beginning of May.



| LB/LR | Sponsor  | Priority | One-Liner  | Committee                                 | Hearing Date | Status | LC | LC Position | NACO | NACO Position |
|-------|----------|----------|--|---|--------------|--------|----|-------------|------|---------------|
| LB14  | Wightman |          | Change and eliminate fees received by registers of deeds and clerks    | Government, Military and Veterans Affairs | 1.19.11      |        | X  |             | X    | Support       |
| LB33  | Louden   |          | Change valuation of agricultural and horticultural land                | Revenue                                   | 1.21.11      |        | X  |             | X    | Oppose        |
| LB48  | Janssen  |          | Adopt the Illegal Immigration Enforcement Act                          | Judiciary                                 | 3.2.11       |        | X  |             | X    | Monitor       |
| LB49  | Krist    |          | Provide certain requirements relating to filing of nonconsensual liens | Banking, Commerce and Insurance           | 1.31.11      |        | X  |             | X    |               |

| LB/LR | Sponsor   | Priority | One-Liner   | Committee                                 | Hearing Date | Status  | LC | LC Position | NACO | NACO Position |
|-------|-----------|----------|---|---|--------------|---|----|-------------|------|---------------|
| LB62  | Heidemann |          | Change budget revision and salary approval provisions for counties      | Government, Military and Veterans Affairs | 1.20.11      | General File with AM245; AM245 adopted; Select File with ER26; ER26 adopted; Lathrop AM496 filed & adopted; Final Reading with ST6; Dubas AM611 filed; Motion to rtn to Select File for specific amendment pending; Sullivan FA7 filed; Motion to rtn to Select File failed; Dubas AM611 withdrawn; Sullivan FA7 withdrawn; Final Reading | X  | Monitor     | X    | Support       |
| LB66  | Cornett   |          | Change provisions relating to DNA collection                            | Judiciary                                 | 1.19.11      | General File with AM241; Cornett AM386 filed  | X  | Support     | X    |               |
| LB69  | Louden    |          | Change provisions relating to use of comparable sales for tax valuation | Revenue                                   | 1.21.11      |   | X  |             | X    | Oppose        |

Kissel/ES Associates

Client: Lancaster County

| LB/LR | Sponsor     | Priority | One-Liner  | Committee                             | Hearing Date | Status   | LC | LC Position | NACO | NACO Position |
|-------|-------------|----------|--|---------------------------------------|--------------|--|----|-------------|------|---------------|
| LB78  | Pahls       |          | Define a term in the Public Funds Deposit Security Act   | Banking, Commerce and Insurance       | 1.24.11      | General File; AM194 filed; AM194 adopted; Select File with ER22; ER22 adopted; Final Reading with Emergency Clause 45-0-4 3.4.11 | X  |             | X    |               |
| LB84  | Fischer     | Fischer  | Adopt the Build Nebraska Act and authorize bonds for the highway system  | Revenue                               | 2.10.11      | General File with AM385  | X  |             | X    | Support       |
| LB87  | Christensen |          | Change provisions relating to mowing weeds in ditches  | Transportation and Telecommunications | 3.8.11       |  | X  |             | X    | Oppose        |
| LB106 | Schilz      |          | Authorize a county sales tax for capital improvements for public safety services and transportation infrastructure | Revenue                               | 1.27.11      |  | X  |             | X    | Support       |
| LB111 | Gloor       |          | Change membership on mental health boards  | Health and Human Services             | 1.19.11      | General File with AM98; AM98 adopted; Select File; Final Reading 49-0-0 2.16.11 Governor Approved 2.22.11                        | X  |             | X    |               |

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Client: Lancaster County

| LB/LR | Sponsor     | Priority | One-Liner  | Committee                                 | Hearing Date | Status   | LC | LC Position | NACO | NACO Position |
|-------|-------------|----------|--|---|--------------|--|----|-------------|------|---------------|
| LB115 | Council     |          | Change limitation of action provisions under the Political Subdivisions Tort Claims Act              | Judiciary                                 | 2.3.11       |  | X  | Oppose      | X    | Oppose        |
| LB117 | Avery       |          | Change publication requirements for constitutional amendments and initiative and referendum measures | Government, Military and Veterans Affairs | 1.21.11      |  | X  |             | X    |               |
| LB128 | Avery       |          | Change DNA collection provisions   | Judiciary                                 | 1.19.11      | IPP'd 2.11.11  | X  | Support     | X    |               |
| LB129 | Avery       |          | Eliminate the statute of limitation for certain felonies   | Judiciary                                 | 1.27.11      |  | X  |             | X    |               |
| LB133 | Ashford     |          | Require inclusion of sentencing costs in presentence reports   | Judiciary                                 | 2.2.11       |  | X  |             | X    |               |
| LB135 | Smith       |          | Change the date for remitting certain funds under the Motor Vehicle Certificate of Title Act         | Transportation and Telecommunication<br>s | 1.18.11      | General File; Langemeier AM56 filed; Select File; Smith AM61 filed; Langemeier AM56 withdrawn; AM61 adopted; Final Reading | X  |             | X    | Support       |
| LB137 | Lautenbaugh |          | Change provisions relating to postconviction relief  | Judiciary                                 | 2.2.11       |  | X  |             | X    |               |

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Client: Lancaster County

| LB/LR | Sponsor                 | Priority | One-Liner  | Committee                                 | Hearing Date | Status  | LC | LC Position | NACO | NACO Position |
|-------|-------------------------|----------|--|---|--------------|---|----|-------------|------|---------------|
| LB139 | Lautenbaugh             |          | Change surplus property sale provisions of the County Purchasing Act               | Government, Military and Veterans Affairs | 1.26.11      | General File with AM292   | X  | Support     | X    | Support       |
| LB157 | Coash                   |          | Change guardianship and conservatorship provisions                                 | Judiciary                                 | 1.20.11      | General File; Coash AM106 filed; Flood AM107 filed & adopted; Flood AM112 filed; AM106 & AM112 adopted; Coash AM140 filed & adopted; Select File; Coash AM215 filed; Flood AM110 & AM111 withdrawn; Coash AM215 adopted; Final Reading 49-0-0 2.16.11 Governor Approved 2.22.11 | X  |             | X    |               |
| LB159 | Urban Affairs Committee |          | Authorize bond powers for cities, villages, and counties for nonprofit enterprises | Urban Affairs                             | 1.18.11      | General File with AM244; AM244 adopted; Select File with ER36; Schumacher AM470 filed; ER36 adopted; AM470 adopted; Final Reading   | X  |             | X    | Monitor       |

Kissel/ES Associates

Client: Lancaster County

| LB/LR | Sponsor  | Priority | One-Liner  | Committee                                 | Hearing Date | Status   | LC | LC Position | NACO | NACO Position |
|-------|----------|----------|--|---|--------------|--|----|-------------|------|---------------|
| LB160 | Campbell |          | Eliminate a duty of the county assessor relating to information on trusts that own agricultural land           | Agriculture                               | 2.1.11       | General File; Select File; Final Reading 47-0-2 3.4.11   | X  |             | X    | Support       |
| LB161 | Karpisek |          | Change provisions relating to recounting votes   | Government, Military and Veterans Affairs | 1.21.11      | General File with AM264; Karpisek AM383 filed; Lautenbaugh MO13 Bracket until June 8, 2011 filed & prevailed | X  |             | X    | Support       |
| LB162 | Campbell |          | Change provisions relating to abstracts of property assessment rolls   | Revenue                                   | 2.17.11      |  | X  |             | X    | Support       |
| LB164 | Louden   |          | Provide notification requirements before moving buildings or other large objects on a county or township roads | Transportation and Telecommunication      | 1.31.11      | General File with AM286; AM286 adopted; Select File; Final Reading   | X  |             | X    | Support       |
| LB182 | Hansen   |          | Change provisions relating to the issuance of one license plate  | Transportation and Telecommunication      | 3.7.11       |  | X  |             | X    | Neutral       |
| LB183 | Wightman |          | Change abandoned motorboat and trailer provisions  | Transportation and Telecommunication      | 1.31.11      |  | X  |             | X    | Monitor       |

Kissel/ES Associates

Client: Lancaster County

| LB/LR | Sponsor  | Priority | One-Liner   | Committee                                 | Hearing Date | Status                                   | LC | LC Position | NACO | NACO Position |
|-------|----------|----------|---|---|--------------|--|----|-------------|------|---------------|
| LB185 | Fulton   |          | Provide for one vehicle license plate   | Transportation and Telecommunications     | 3.7.11       |  | X  |             | X    | Neutral       |
| LB186 | Sullivan |          | Require nonpartisan ballots for county officers   | Government, Military and Veterans Affairs | 2.16.11      |  | X  |             | X    | Oppose        |
| LB189 | Council  |          | Adopt the Criminal Offender Employment Act  | Business and Labor                        | 1.24.11      |  | X  |             | X    | Monitor       |
| LB202 | Council  |          | Authorize petitions for recall and resentencing for certain minors sentenced to life imprisonment | Judiciary                                 | 1.27.11      | General File with AM399                  | X  |             | X    |               |
| LB203 | Council  |          | Change sentencing requirements with respect to certain minors                                     | Judiciary                                 | 1.27.11      |  | X  |             | X    |               |
| LB206 | Wightman |          | Provide for disposition of abandoned camper units and cabin trailers                              | Transportation and Telecommunications     | 1.31.11      |  | X  |             | X    | Monitor       |
| LB210 | Cornett  |          | Change revenue and taxation provisions  | Revenue                                   | 1.19.11      | General File; Select File; Final Reading | X  |             | X    | Monitor       |
| LB214 | Pankonin |          | Require nonpartisan election of county and city officials   | Government, Military and Veterans Affairs | 2.16.11      |  | X  | Monitor     | X    | Oppose        |

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Client: Lancaster County

| LB/LR | Sponsor  | Priority  | One-Liner   | Committee                                 | Hearing Date | Status                  | LC | LC Position | NACO | NACO Position |
|-------|----------|-----------|---|---|--------------|-------------------------|----|-------------|------|---------------|
| LB226 | Gloor    |           | Create the offense of assault with a bodily fluid against a public safety officer                                 | Judiciary                                 | 2.4.11       |                         | X  | Support     | X    |               |
| LB233 | Krist    |           | Decrease the number of members of the Legislature to forty-five   | Redistricting                             | 2.16.11      |                         | X  |             | X    |               |
| LB234 | Fischer  |           | Change provisions relating to county office and service facilities of the Department of Health and Human Services | Government, Military and Veterans Affairs | 2.3.11       |                         | X  | Support     | X    | Support       |
| LB239 | Janssen  |           | Require presentation of government-issued photographic identification to vote in elections                        | Government, Military and Veterans Affairs | 2.24.11      |                         | X  |             | X    | Oppose        |
| LB242 | Hadley   |           | Change provisions relating to assault, assault on an officer, and offenses by a confined person                   | Judiciary                                 | 2.4.11       |                         | X  |             | X    |               |
| LB251 | Council  | Judiciary | Change court fees   | Judiciary                                 | 1.26.11      |                         | X  |             | X    | Support       |
| LB254 | Campbell |           | Provide and change requirements for instruments recorded by the register of deeds                                 | Government, Military and Veterans Affairs | 2.3.11       | General File with AM240 | X  |             | X    | Support       |

| LB/LR | Sponsor         | Priority | One-Liner  | Committee                                 | Hearing Date | Status   | LC | LC Position | NACO | NACO Position |
|-------|-----------------|----------|--|---|--------------|--|----|-------------|------|---------------|
| LB266 | Sullivan        |          | Change the Open Meetings Act relating to closed sessions   | Government, Military and Veterans Affairs | 1.26.11      |  | X  |             | X    | Monitor       |
| LB270 | Executive Board |          | Eliminate duties and positions in the Public Counsel's office  | Executive Board                           | 3.3.11       |  | X  | Support     | X    | Support       |
| LB277 | Coash           |          | Change the Nebraska Visitors Development Act to provide for the advice of a visitors committee to a county board | Government, Military and Veterans Affairs | 3.9.11       |  | X  | Support     | X    | Support       |
| LB278 | Coash           |          | Authorize payment to county officers and employees by electronic funds transfer                                  | Government, Military and Veterans Affairs | 2.3.11       | General File; Select File with ER34; ER34 adopted; Final Reading | X  | Support     | X    | Support       |
| LB289 | Mello           |          | Authorize the operation on public highways of low-speed vehicles as prescribed                                   | Transportation and Telecommunications     | 2.15.11      | General File with AM416  | X  |             | X    | Neutral       |
| LB301 | Ashford         |          | Change provisions for sealing records under the Nebraska Juvenile Code   | Judiciary                                 | 2.24.11      |  | X  |             | X    |               |
| LB304 | McGill          |          | Provide for treatment of sexually transmitted diseases as prescribed   | Health and Human Services                 | 2.24.11      | General File   | X  |             | X    |               |

| LB/LR | Sponsor  | Priority | One-Liner   | Committee                                 | Hearing Date | Status                  | LC | LC Position | NACO | NACO Position |
|-------|----------|----------|---|---|--------------|-------------------------|----|-------------|------|---------------|
| LB318 | Cornett  |          | Redefine qualified claimant for homestead exemption purposes                | Revenue                                   | 2.9.11       |                         | X  | Monitor     | X    | Oppose        |
| LB319 | Cornett  |          | Change reimbursement for homestead exemptions                               | Revenue                                   | 2.9.11       |                         | X  | Monitor     | X    | Oppose        |
| LB320 | Cornett  |          | Change homestead exemption income limitations                               | Revenue                                   | 2.9.11       |                         | X  | Monitor     | X    | Oppose        |
| LB321 | Cornett  |          | Change calculations relating to homestead exemptions                        | Revenue                                   | 2.9.11       |                         | X  | Monitor     | X    | Oppose        |
| LB322 | Cornett  |          | Provide requirements for prescription drug insurance                        | Banking, Commerce and Insurance           | 2.14.11      |                         | X  | Monitor     | X    | Monitor       |
| LB327 | Campbell |          | Change motor vehicle fees and distribution of the proceeds                  | Transportation and Telecommunications     | 2.1.11       |                         | X  |             | X    | Support       |
| LB330 | Cook     |          | Change requirements for dental hygienists in public health-related settings | Health and Human Services                 | 3.4.11       |                         | X  |             | X    |               |
| LB337 | Fulton   |          | Change timeframes for audits by the Auditor of Public Accounts              | Government, Military and Veterans Affairs | 2.10.11      | General File with AM275 | X  |             | X    | Monitor       |

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Client: Lancaster County

| LB/LR | Sponsor    | Priority | One-Liner   | Committee                                 | Hearing Date | Status                                   | LC | LC Position | NACO | NACO Position |
|-------|------------|----------|---|---|--------------|--|----|-------------|------|---------------|
| LB339 | Ashford    |          | Change Nebraska Juvenile Code predisposition evaluation procedures  | Judiciary                                 | 2.9.11       |  | X  | Monitor     | X    |               |
| LB344 | Ashford    |          | Change provisions relating to municipal counties and merger of governmental services  | Government, Military and Veterans Affairs | 2.25.11      |  | X  |             | X    | Monitor       |
| LB363 | Cornett    |          | Change provisions relating to the Tax Equalization and Review Commission and property taxes and provide a duty for the Secretary of State | Revenue                                   | 2.17.11      |  | X  |             | X    | Monitor       |
| LB365 | Sullivan   |          | Change access provisions for voter information and voter registration registers   | Government, Military and Veterans Affairs | 2.24.11      |  | X  |             | X    |               |
| LB368 | Brasch     |          | Change nomination provisions for partisan offices   | Government, Military and Veterans Affairs | 2.2.11       | General File; Select File; Final Reading | X  | Support     | X    | Oppose        |
| LB370 | Wightman   |          | Eliminate provisions relating to issuance of tax deeds  | Revenue                                   | 2.11.11      | General File                             | X  |             | X    |               |
| LB371 | Schumacher |          | Provide for an unfair insurance trade practice relating to public officials   | Banking, Commerce and Insurance           | 2.15.11      |  | X  |             | X    | Monitor       |

| LB/LR | Sponsor          | Priority | One-Liner  | Committee      | Hearing Date | Status | LC | LC Position | NACO | NACO Position |
|-------|------------------|----------|--|----------------|--------------|--------|----|-------------|------|---------------|
| LB373 | Speaker<br>Flood |          | Make deficiency appropriations   | Appropriations | 2.7.11       |        | X  |             | X    | Monitor       |
| LB374 | Speaker<br>Flood |          | Appropriate funds for state government expenses                            | Appropriations | 2.7.11       |        | X  |             | X    | Monitor       |
| LB375 | Speaker<br>Flood |          | Appropriate funds for salaries of members of the Legislature               | Appropriations | 2.7.11       |        | X  |             | X    | Monitor       |
| LB376 | Speaker<br>Flood |          | Appropriate funds for salaries of constitutional officers                  | Appropriations | 2.7.11       |        | X  |             | X    | Monitor       |
| LB377 | Speaker<br>Flood |          | Appropriate funds for capital construction                                 | Appropriations | 2.7.11       |        | X  |             | X    | Monitor       |
| LB378 | Speaker<br>Flood |          | Provide for fund transfers and change provisions relating to various funds | Appropriations | 2.7.11       |        | X  |             | X    | Monitor       |
| LB379 | Speaker<br>Flood |          | Transfer funds from the Cash Reserve Fund                                  | Appropriations | 2.7.11       |        | X  |             | X    | Monitor       |

| LB/LR | Sponsor  | Priority | One-Liner   | Committee                       | Hearing Date | Status   | LC | LC Position | NACO | NACO Position |
|-------|----------|----------|---|---------------------------------|--------------|--|----|-------------|------|---------------|
| LB383 | Cornett  | Revenue  | Eliminate state aid for municipalities, counties, and natural resources districts                                 | Revenue                         | 1.26.11      | General File; Louden AM288 filed; Council AM252 filed; AM288 & AM252 lost; Select File; Council AM331 filed; Council AM334 filed; Council AM334 lost; Mello AM490 filed & lost; Council AM331 lost; Final Reading with Emergency Clause 36-9-4 | X  | Oppose      | X    | Oppose        |
| LB384 | Cornett  |          | Eliminate a commissioner of the Tax Equalization and Review Commission and authorize single commissioner hearings | Revenue                         | 2.3.11       |  | X  |             | X    | Support       |
| LB388 | Wightman | Wightman | Adopt the Site and Building Development Act and change provisions relating to the Affordable Housing Trust Fund   | Banking, Commerce and Insurance | 2.7.11       | General File; Wightman AM649 filed   | X  |             | X    | Monitor       |

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Client: Lancaster County

| LB/LR | Sponsor | Priority | One-Liner  | Committee                       | Hearing Date | Status  | LC | LC Position | NACO | NACO Position |
|-------|---------|----------|--|---------------------------------|--------------|---|----|-------------|------|---------------|
| LB390 | Ashford |          | Change provisions relating to jails and corrections and create the Community Corrections Division of the Nebraska Commission on Law Enforcement and Criminal Justice | Judiciary                       | 1.27.11      |   | X  | Oppose      | X    | Oppose        |
| LB391 | Schilz  |          | Create the Nebraska Invasive Species Council   | Natural Resources               | 2.17.11      |   | X  |             | X    |               |
| LB392 | Schilz  |          | Provide powers and duties relating to aquatic invasive species   | Natural Resources               | 2.17.11      |   | X  |             | X    |               |
| LB396 | Pahls   |          | Change bond provisions relating to the deposit and investment of certain county funds  | Banking, Commerce and Insurance | 1.31.11      | General File; Select File; Final Reading 46-0-3<br>3.4.11 | X  |             | X    | Support       |
| LB398 | Lathrop |          | Change provisions relating to notaries public  | Judiciary                       | 1.28.11      |   | X  |             | X    |               |
| LB405 | Cornett |          | Authorize hearings by a single commissioner of the Tax Equalization and Review Commission  | Revenue                         | 2.17.11      |   | X  |             | X    | Support       |

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Client: Lancaster County

| LB/LR | Sponsor                 | Priority | One-Liner  | Committee                                 | Hearing Date | Status                  | LC | LC Position | NACO | NACO Position |
|-------|-------------------------|----------|--|---|--------------|-------------------------|----|-------------|------|---------------|
| LB409 | Utter                   |          | Provide for the retention of insurance proceeds by a county or municipality to repair or demolish damaged property | Banking, Commerce and Insurance           | 2.14.11      | General File with AM577 | X  |             | X    | Monitor       |
| LB415 | Wallman                 |          | Change provisions relating to contraband in a detention facility or providing an inmate with contraband            | Judiciary                                 | 2.10.11      | General File with AM525 | X  |             | X    |               |
| LB430 | Cornett                 |          | Change property tax levy limitations   | Revenue                                   | 2.2.11       | General File            | X  |             | X    | Monitor       |
| LB437 | Urban Affairs Committee |          | Change state building code provisions  | Urban Affairs                             | 2.8.11       |                         | X  |             | X    |               |
| LB441 | Heidemann               |          | Change levy provisions for rural and suburban fire protection districts  | Revenue                                   | 3.3.11       |                         | X  |             | X    | Monitor       |
| LB444 | Avery                   |          | Provide methods for notice under the Open Meetings Act   | Government, Military and Veterans Affairs | 1.26.11      |                         | X  |             | X    | Support       |
| LB447 | Fulton                  |          | Change provisions relating to vehicular pursuit  | Judiciary                                 | 2.25.11      |                         | X  | Support     | X    | Support       |
| LB449 | Nelson                  |          | Change the Election Act  | Government, Military and Veterans Affairs | 2.16.11      |                         | X  |             | X    | Monitor       |

| LB/LR | Sponsor     | Priority | One-Liner  | Committee   | Hearing Date | Status | LC | LC Position | NACO | NACO Position |
|-------|-------------|----------|--|-------------|--------------|--------|----|-------------|------|---------------|
| LB451 | Ashford     |          | Change court fees, procedures, offices, and judgeships   | Judiciary   | 2.11.11      |        | X  | Monitor     | X    | Monitor       |
| LB452 | Ashford     |          | Provide for lottery winnings and tax refund intercept for debts owed to courts   | Judiciary   | 1.28.11      |        | X  | Monitor     | X    | Monitor       |
| LB457 | Campbell    |          | Provide for notice of preliminary valuations and in-person meeting relating to property taxes and change certain dates | Revenue     | 2.17.11      |        | X  | Monitor     | X    | Monitor       |
| LB459 | Schilz      |          | Limit the adoption of any law by a political subdivision regarding the ownership of domestic animals                   | Agriculture | 3.1.11       |        | X  |             | X    | Monitor       |
| LB460 | Ashford     |          | Change the Sex Offender Registration Act   | Judiciary   | 3.16.11      |        | X  | Monitor     | X    |               |
| LB475 | Lautenbaugh |          | Change garnishment provisions to include independent contractors providing services to government entities             | Judiciary   | 2.11.11      |        | X  |             | X    | Monitor       |

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Client: Lancaster County

| LB/LR | Sponsor    | Priority | One-Liner   | Committee                                 | Hearing Date | Status                  | LC | LC Position | NACO | NACO Position |
|-------|------------|----------|---|---|--------------|-------------------------|----|-------------|------|---------------|
| LB479 | Lathrop    |          | Authorize a minor to give consent to evidence collection and examination and treatment in cases of sexual assault   | Judiciary                                 | 2.10.11      | General File with AM335 | X  |             | X    |               |
| LB480 | Krist      |          | Provide for agreements relating to public building commissions  | Government, Military and Veterans Affairs | 2.9.11       | General File            | X  | Monitor     | X    | Monitor       |
| LB482 | Utter      |          | Change provisions governing industrial disputes involving municipal corporations under the Industrial Relations Act | Business and Labor                        | 2.7.11       |                         | X  |             | X    | Monitor       |
| LB499 | Price      |          | Change provisions relating to filing for office, registering to vote, and voting under the Election Act             | Government, Military and Veterans Affairs | 2.2.11       | General File with AM404 | X  |             | X    | Monitor       |
| LB504 | Campbell   |          | Change motor fuel tax rates   | Revenue                                   | 2.10.11      |                         | X  |             | X    | Monitor       |
| LB508 | Bloomfield |          | Authorize certain residency restrictions near parks for sexual predators  | Judiciary                                 | 3.16.11      |                         | X  |             | X    | Support       |

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| LB/LR | Sponsor     | Priority | One-Liner  | Committee          | Hearing Date | Status | LC | LC Position | NACO | NACO Position |
|-------|-------------|----------|--|--------------------|--------------|--------|----|-------------|------|---------------|
| LB513 | Christensen |          | Adopt the Escort Services Accountability and Permit Act  | Judiciary          | 2.25.11      |        | X  |             | X    |               |
| LB518 | Christensen |          | Change certain penalty and violation provisions of the Concealed Handgun Permit Act                      | Judiciary          | 2.23.11      |        | X  |             | X    |               |
| LB519 | Pirsch      |          | Change the priority of liens for special assessments   | Revenue            | 2.17.11      |        | X  |             | X    | Oppose        |
| LB529 | Carlson     |          | Change provisions relating to conservation and preservation easements and the Nebraska Environment Trust | Natural Resources  | 2.3.11       |        | X  | Monitor     | X    | Support       |
| LB530 | Council     |          | Adopt the Employee Credit Privacy Act  | Business and Labor | 1.31.11      |        | X  | Monitor     | X    |               |
| LB536 | Wightman    |          | Adopt the Nebraska Uniform Real Property Transfer on Death Act   | Judiciary          | 2.17.11      |        | X  |             | X    | Oppose        |
| LB538 | Karpisek    |          | Change provisions relating to the disposition of seized firearms   | Judiciary          | 2.16.11      |        | X  |             | X    |               |

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Client: Lancaster County

| LB/LR | Sponsor | Priority | One-Liner  | Committee          | Hearing Date | Status   | LC | LC Position | NACO | NACO Position |
|-------|---------|----------|--|--------------------|--------------|--|----|-------------|------|---------------|
| LB545 | Pahls   |          | Establish a copay for medical services provided at a correctional facility   | Judiciary          | 3.16.11      |  | X  |             | X    | Support       |
| LB546 | Gloor   | Gloor    | Change provisions relating to adoption of the International Residential Code   | Urban Affairs      | 2.8.11       | General File with AM348; AM348 adopted; McGill AM599 filed & adopted | X  |             | X    |               |
| LB564 | Fulton  |          | Change and eliminate provisions of the Industrial Relations Act and the State Employees Collective Bargaining Act                                | Business and Labor | 2.7.11       |  | X  |             | X    | Monitor       |
| LB565 | Ashford |          | Require secure storage of firearms and notice of such requirement by retailers upon sale and create the offense of improper storage of a firearm | Judiciary          | 3.17.11      |  | X  |             | X    |               |
| LB569 | Coash   |          | Require employers to e-verify the immigration status of new employees  | Judiciary          | 3.2.11       |  | X  |             | X    | Monitor       |

| LB/LR | Sponsor | Priority | One-Liner  | Committee                                 | Hearing Date | Status                  | LC | LC Position | NACO | NACO Position |
|-------|---------|----------|--|---|--------------|-------------------------|----|-------------|------|---------------|
| LB573 | Price   |          | Authorize use of rotating or flashing amber lights on any motor vehicle operated by or for a storm spotter | Transportation and Telecommunications     | 2.15.11      | General File with AM344 | X  |             | X    | Support       |
| LB584 | Fulton  |          | Exempt deployed military personnel from motor vehicle registration fees                                    | Transportation and Telecommunications     | 2.1.11       |                         | X  |             | X    | Oppose        |
| LB597 | Pahls   |          | Require consolidation of county offices  | Government, Military and Veterans Affairs | 2.25.11      |                         | X  |             | X    | Oppose        |
| LB605 | Conrad  |          | Provide for voter registration on election day and require identification to vote                          | Government, Military and Veterans Affairs | 2.24.11      |                         | X  |             | X    | Oppose        |
| LB609 | Pirsch  |          | Adopt the Correctional Facility Reimbursement Act  | Judiciary                                 | 3.16.11      |                         | X  |             | X    | Oppose        |
| LB613 | Pirsch  |          | Change certain lien provisions relating to homeowner's associations and condominiums                       | Banking, Commerce and Insurance           | 2.22.11      |                         | X  |             | X    |               |

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Client: Lancaster County

| LB/LR | Sponsor     | Priority | One-Liner  | Committee                                 | Hearing Date | Status  | LC | LC Position | NACO | NACO Position |
|-------|-------------|----------|--|---|--------------|---|----|-------------|------|---------------|
| LB614 | Pirsch      |          | Change provisions relating to homeowners' association and condominium association liens  | Banking, Commerce and Insurance           | 2.22.11      |   | X  |             | X    |               |
| LB623 | Lautenbaugh |          | Change effect of Industrial Relation Act petitions and provide provisions for counties encompassing a city of the metropolitan class | Business and Labor                        | 2.7.11       |   | X  |             | X    | Monitor       |
| LB628 | Cook        |          | Authorize certain political subdivisions to donate certain motor vehicles to charitable organizations                                | Government, Military and Veterans Affairs | 2.11.11      | General File  | X  |             | X    | Monitor       |
| LB631 | Cook        |          | Provide for a permanent early voting request list  | Government, Military and Veterans Affairs | 2.24.11      |   | X  |             | X    |               |
| LB638 | Karpisek    |          | Provide restrictions relating to sale of county records for commercial purposes  | Government, Military and Veterans Affairs |              | Karpisek MO10 Withdraw bill filed; MO10 prevailed; Bill withdrawn | X  |             | X    | Support       |
| LB643 | Lautenbaugh |          | Provide additional public records that may be withheld   | Government, Military and Veterans Affairs | 3.10.11      |   | X  |             | X    | Monitor       |
| LB658 | Karpisek    |          | Change the fee for obtaining a handgun certificate   | Judiciary                                 | 2.23.11      |   | X  |             | X    |               |

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Client: Lancaster County

| LB/LR | Sponsor | Priority | One-Liner   | Committee          | Hearing Date | Status | LC | LC Position | NACO | NACO Position |
|-------|---------|----------|---|--------------------|--------------|--------|----|-------------|------|---------------|
| LB664 | Nelson  |          | Repeal the Industrial Relations Act and the State Employees Collective Bargaining Act and prohibit public collective bargaining and work stoppage | Business and Labor | 2.7.11       |        | X  |             | X    | Monitor       |
| LB669 | Flood   |          | Change provisions relating to sealing of juvenile court records   | Judiciary          | 2.24.11      |        | X  |             | X    |               |
| LB670 | Flood   |          | Authorize court-ordered conditions for dispositions under the Nebraska Juvenile Code  | Judiciary          | 2.24.11      |        | X  | Monitor     | X    |               |
| LB672 | Flood   |          | Provide an exemption from the documentary stamp tax   | Revenue            | 2.3.11       |        | X  |             | X    | Oppose        |
| LB674 | Haar    |          | Prohibit or restrict certain electronic monitoring of employees by employers  | Business and Labor | 3.7.11       |        | X  | Monitor     | X    | Monitor       |
| LB676 | Lathrop |          | Change provisions relating to emergency protective custody under the Nebraska Mental Health Commitment Act  | Judiciary          | 2.17.11      |        | X  | Monitor     | X    |               |

| LB/LR | Sponsor  | Priority | One-Liner   | Committee                                 | Hearing Date | Status            | LC | LC Position | NACO | NACO Position |
|-------|----------|----------|---|---|--------------|-------------------|----|-------------|------|---------------|
| LB681 | Karpisek |          | Provide for distribution of a portion of keno tax proceeds for thoroughbred horseracing purses  | General Affairs                           | 2.7.11       |                   | X  |             | X    | Monitor       |
| LB685 | Schilz   |          | Change provisions of the Nebraska Visitors Development Act relating to the use of funds and the members of committees   | Government, Military and Veterans Affairs | 3.9.11       | Schilz AM31 filed | X  | Oppose      | X    | Monitor       |
| LB688 | Smith    |          | Require certain law enforcement officers and firefighters to work until age fifty-five to receive full benefits and prohibit elective officers from receiving retirement benefits | Nebraska Retirement Systems               | 2.15.11      |                   | X  | Monitor     | X    | Oppose        |
| LR2CA | Harms    |          | Constitutional amendment to authorize county manager form of county government  | Government, Military and Veterans Affairs | 2.25.11      |                   | X  |             | X    | Neutral       |

| LB/LR  | Sponsor | Priority | One-Liner   | Committee                             | Hearing Date | Status | LC | LC Position | NACO | NACO Position |
|--------|---------|----------|---|---------------------------------------|--------------|--------|----|-------------|------|---------------|
| LR3CA  | Fischer |          | Constitutional amendment to authorize pledge of state sales and use taxes for highway bonds | Transportation and Telecommunications | 2.1.11       |        | X  |             | X    | Monitor       |
| LR9CA  | Schilz  |          | Constitutional amendment to change agricultural and horticultural land valuation            | Revenue                               | 3.3.11       |        | X  |             | X    | Neutral       |
| LR29CA | Nelson  |          | Constitutional amendment to prohibit government from engaging in collective bargaining      | Business and Labor                    | 2.7.11       |        | X  |             | X    | Monitor       |

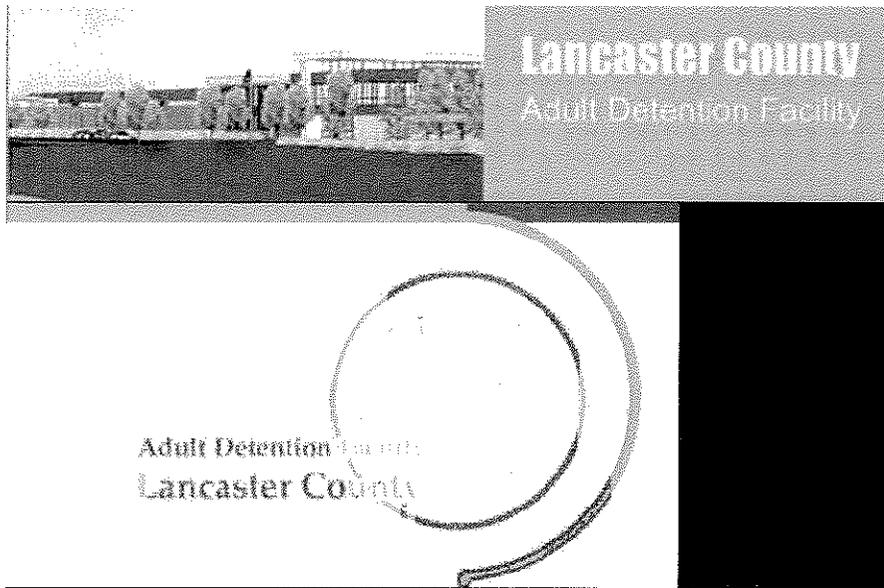
**Lancaster County  
Adult Detention Facility**

**EXHIBIT**

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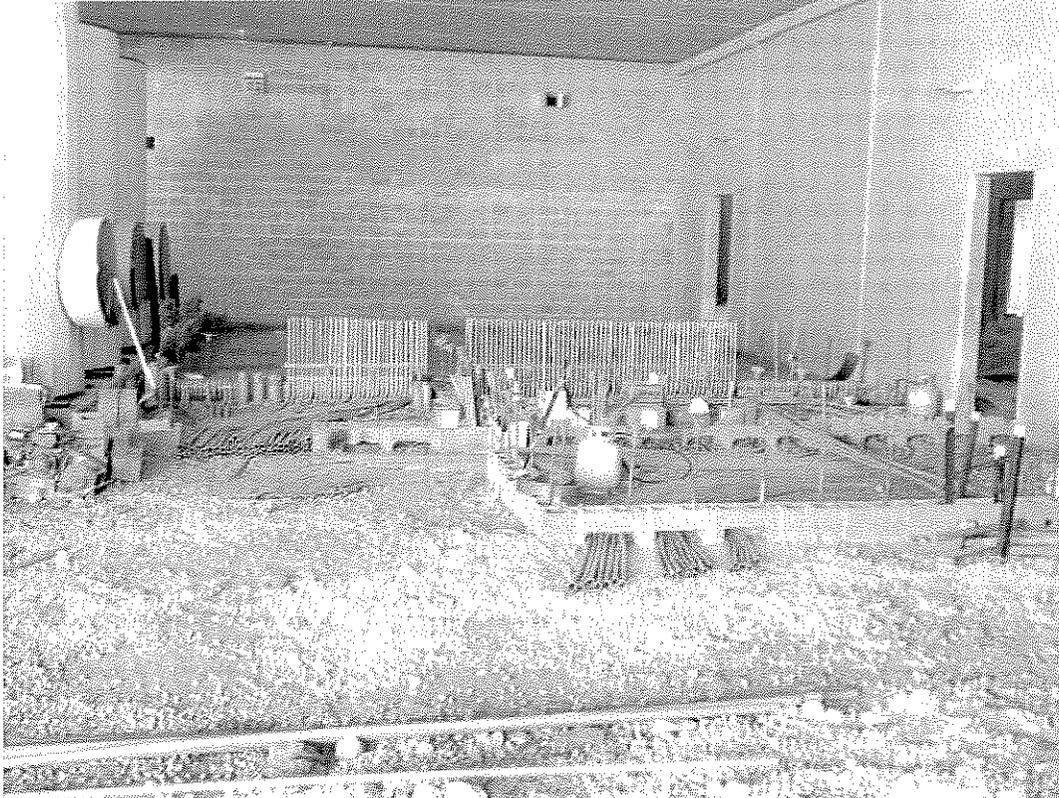
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**Lincoln, Nebraska**



**Progress Photos  
March 10, 2011**

Feb. 9, 2011 Underslab Rough-ins at Main Mech. Room

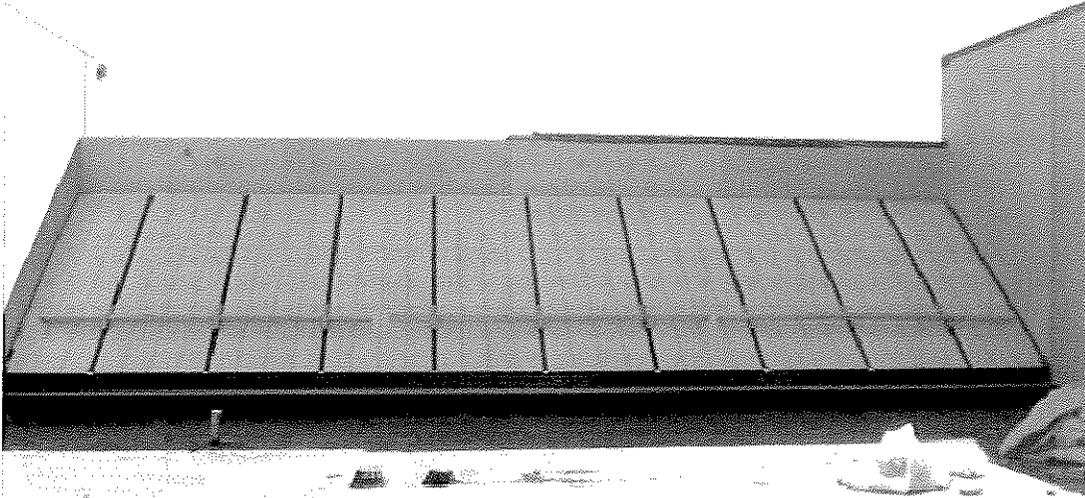


Feb. 11, 2011 Pod 'G' Mechanical Room



Feb. 17, 2011

Main Corridor Skylight



Feb. 18, 2011

Special Needs Dorm



Feb. 23, 2011 Security Mesh & Drywall Ceilings at Pod 'E'



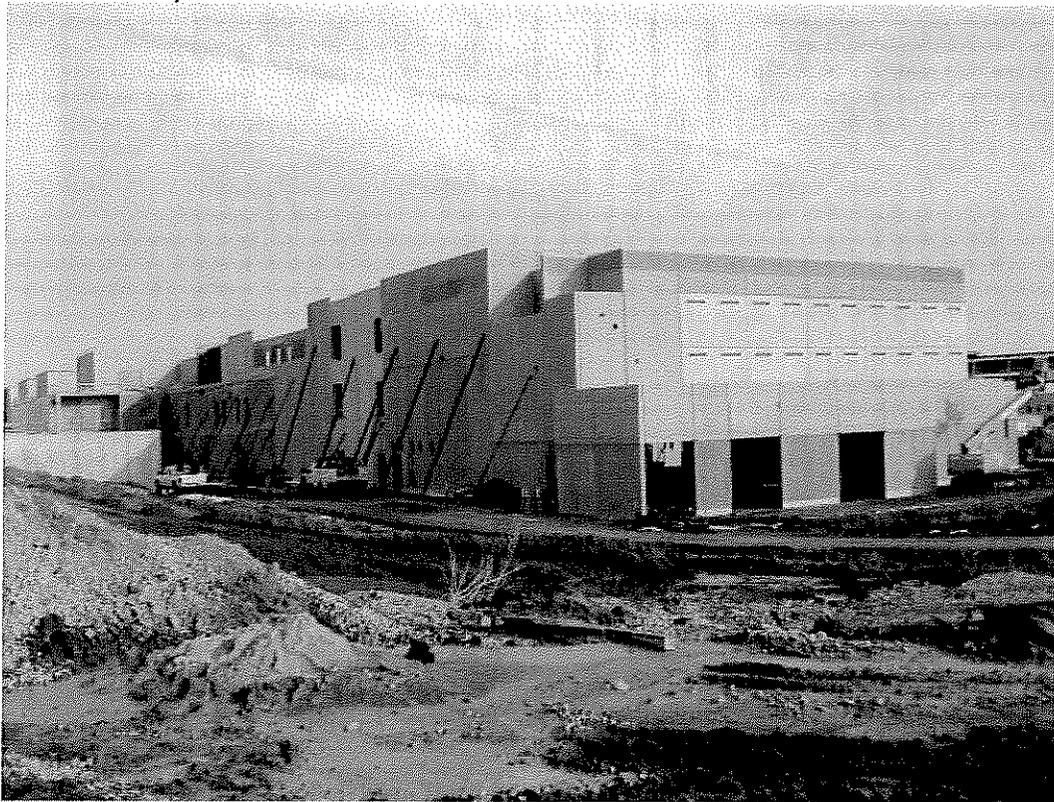
Mar. 4, 2011

Shower Stalls at Pod 'F'



Mar. 4, 2011

West Elevation



Mar. 8, 2011

South Elevation



Feb. 11, 2011

DEC North Elevation



Feb. 17, 2011

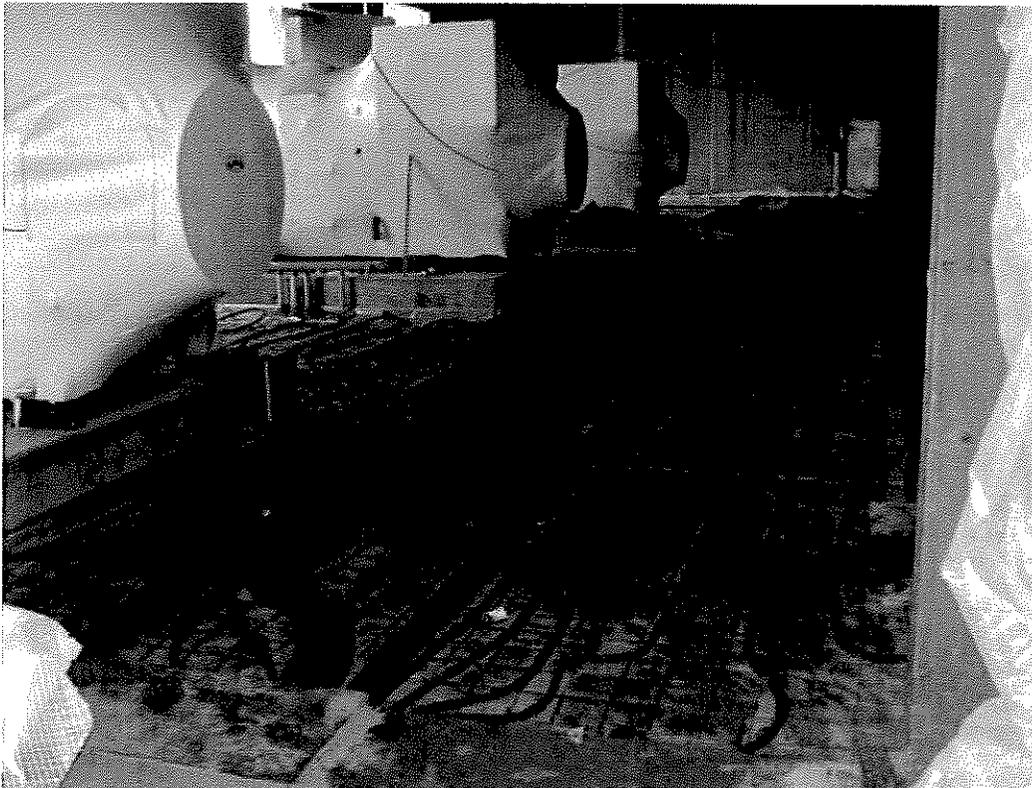
DEC Roofing



Mar. 1, 2011 DEC South Elevation-Exhaust Towers



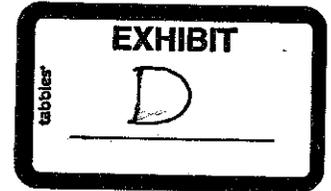
Mar. 8, 2011 DEC Radiant Flooring at Generators



JOE KELLY  
LANCASTER COUNTY ATTORNEY  
575 South 10<sup>th</sup> Street  
Lincoln, NE 68508-2810  
402.441.7321/FAX 402.441.7336

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MAR 09 2011  
LANCASTER COUNTY  
BOARD

March 8, 2011



Commissioner Deb Schorr, Chairperson  
Lancaster County Board  
555 S. 10<sup>th</sup> Street  
Lincoln, NE 68508

re: March 10, 2011 Management Team meeting

Dear Deb:

I cannot attend the Management Team meeting. I would like the Board to consider two budget items based on the figures that we received in our budget packet.

- (1) The projected rents increased **\$4,955** due to an increase in the security component. It is my understanding that the security is for the "one point entry" provided for 575 S. 10<sup>th</sup>. The total security costs are spread among the tenants in 575 and 555 S. 10<sup>th</sup> Street, based on the agency square footage. The cost per square foot is higher for those in 575 S. 10<sup>th</sup> than for those in 555 S. 10<sup>th</sup>.

The County Attorney's Office has never requested that security and we are not requesting that security for 2011/2012. If you do choose to continue that security, the costs should be removed from the individual department budgets. I cannot do anything to control those costs.

- (2) Our projected IS budget will increase by **\$9,727**. Some of the increase is due to the county being required to purchase 20 personal computers for child support. Earlier this year the state required the county to make those purchases. The 20 additional personal computers will probably increase our annual IS maintenance.

However, I believe that part of our IS increase is due to the loss of LES as an IS user. That loss is being spread among all of the IS users. I cannot do anything to control those costs.

I am sure that you can see the inequities in asking agencies to cut their budgets to 97% while you allow increases in the security and IS categories. I should add that the base rents, aside from the security item, remained the same. The rents are not going to decrease 3%.

I urge the Board to settle the IS and rent issues before we submit our budgets.

Sincerely,

A handwritten signature in black ink that reads "Joe Kelly". The signature is written in a cursive, flowing style.

Joe Kelly  
County Attorney

pc: Dennis Meyer  
Commissioners  
Kerry Egan