

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, FEBRUARY 16, 2012
8:30 A.M.**

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

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

Advance public notice of the Board of Commissioners Staff Meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and provided to the media on February 15, 2012.

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:32 a.m.

AGENDA ITEM

1 APPROVAL OF THE MINUTES OF THE TUESDAY, FEBRUARY 2, STAFF MEETING

MOTION: Smoyer moved and Hudkins seconded approval of the minutes of the February 2, 2012 Staff Meeting. Hudkins, Smoyer, Heier, Raybould and Schorr voted aye. Motion carried 5-0.

2 ADDITIONS TO THE AGENDA

A. Kick-Off for Centennial Mall Fund-raising Campaign (Exhibit A)

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

3 LEGISLATIVE UPDATE - Joe Kohout, Kissel E&S Associates

Joe Kohout, Kissel E&S Associates, presented a legislative update, legislative bills of note and a current priority bill listing (Exhibit B).

Discussion took place regarding Legislative Bill (LB) 970 (Terminate the inheritance tax and change income tax rates and calculation). Hudkins said Senator Cornett has suggested it may be better to look at eliminating the alternative minimum tax (ATM) (an income tax imposed by the federal government on individuals, corporations, estates and trusts) which would decrease State, rather than County, revenues. Kohout said the senators are looking at what would most significantly impact Nebraska's tax ranking.

Kerry Eagan, Chief Administrative Officer, expressed concern that LB 867 (Change employer contribution provisions under certain county retirement plans) eliminates the maximum. Kohout said he will follow-up with the Retirement Committee to see whether there was discussion on that issue.

Raybould inquired about LB 975 (Adopt the Fair Bidding Act). Kohout said the legislation will likely become an interim study.

Terry Wagner, Lancaster County Sheriff, inquired about the status of LB 991 (Change court fees, sheriff's fees, and handgun certificate fees). Kohout said he is not aware of any plans to prioritize the bill.

ADDITIONS TO THE AGENDA

- A. Kick-Off for Centennial Mall Fund-raising Campaign (Exhibit A)

Hudkins agreed to represent the County Board at the event.

ACTION ITEMS

- A. Lancaster County Retirement Plan 2011 Annual Report

MOTION: Heier moved and Smoyer seconded to authorize signature by the Chair. Smoyer, Hudkins, Heier, Raybould and Schorr voted aye. Motion carried 5-0.

- B. County Representatives for Dental and Vision Insurance Request for Proposals (RFP) Selection Committee

MOTION: Heier moved and Smoyer seconded to appoint Sue Eckley, County Risk Manager, and Tim Genuchi, Accounting Operations Manager, County Clerk's Office, to the Dental and Vision Insurance Request for Proposals (RFP) Selection Committee. Heier, Raybould, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.

ADMINISTRATIVE OFFICER REPORT

- B. Request from Don Thomas, County Engineer, for Attendance at Lower Platte South Natural Resources District (NRD) Meeting on March 6, 2012 at 9:00 a.m.

Gwen Thorpe, Deputy Chief Administrative Officer, agreed to represent the Board at the meeting.

- C. Nebraska Association of County Officials (NACO) Award of Excellence

CORRECTION: The item is related to the Nebraska Association of County Officials (NACO) Institute of Excellence, not Award of Excellence.

It was noted that Sheli Schindler, Youth Services Center (YSC) Director, and Maura Kelly Tolzin, Chief Deputy Election Commissioner, have registered to attend.

- D. Letter of Appreciation to Jon Braaten

MOTION: Heier moved and Raybould seconded to send a letter of appreciation to Jon Braaten, Anderson, Creager, Wittstruck law firm, for his service to youth in the County's Truancy Diversion Program at Park Middle School. Raybould, Heier, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.

DISCUSSION OF BOARD MEMBER MEETINGS

- A. Parks & Recreation Advisory Board - Raybould

Raybould said discussion focused on the Centennial Mall capital campaign.

B. Nebraska Association of County Officials (NACO) County Board
Workshop - Heier

Heier said there was a session on conservation easements and their impact on counties. He suggested it may be beneficial to have a presentation on this issue at a future Staff Meeting.

4 CORRECTIONS/COURTS VIDEO CONFERENCING - District Court
Judge Steven Burns; Mike Thurber, Corrections Director

District Court Judge Steven Burns, discussed the District Court Judges are concerned that video conferencing with the new jail facility will be a "closed" system which will consist of a link between the court and jail rather than an internet-based system which would allow attorneys, interpreters, and others to participate in hearings from other locations (see Exhibit C). He noted there have been significant advances in courtroom technology and said the District Court Judges feel a "closed" system would be archaic. Judge Burns said there is a broad spectrum of procedures that might be handled through the technology (bond reviews, bond swearings, pleas in abatement) which could save transportation and appointed counsel costs. The District Court is also looking at matters that could be handled with technology in the civil area such as motion hearings. He noted the Courts have not allowed testimony by telephone because of issues of authenticity but said that is not as significant an issue with video technology. Judge Burns noted the District Court has been asked to participate in a test of an internet based software system called MOVI that is utilized by the State Court System and said he believes the system that has been designed for the new jail could be adapted to use it.

Hudkins asked what modifications would be required.

Burns said he is not familiar with the technical aspects.

Raybould asked Judge Burns what "best practices" are utilized by other court systems.

Judge Burns said the Lancaster County District Court will be the first in Nebraska and this region to move in this direction. He said County Courts in the north central and western parts of the State have been using the MOVI system for interpreters.

County Court Judge Laurie Yardley, appeared and said the County Court Judges are open to expanding the use of the video conferencing system beyond arraignment hearings.

Heier said he is disappointed the issue was not brought the Board sooner. Judge Burns responded that the District Court only recently learned that the video conferencing system was in the design process.

Raybould exited the meeting at 9:16 a.m.

In response to a question from Schorr, Judge Burns said the MOVI system software licenses would be provided to the Court at no cost to the County. He noted licensing and portal fees may apply to other users. Cameras would be required and some computer hardware may need to be updated.

Raybould returned to the meeting at 9:20 a.m.

Mike Thurber, Corrections Director, said he is willing to check with the companies responsible for the design and installation of the video conferencing system to see whether the MOVI system could be integrated. He will also consult Judge Burns, Information Services (IS) and the architects to see what can be accomplished.

Smoyer exited the meeting at 9:24 a.m.

DISCUSSION OF BOARD MEMBER MEETINGS

D. Meeting with the Mayor - Schorr, Hudkins

Schorr said they discussed Inheritance Tax legislation, how Geographic Information System (GIS) costs will be allocated, the TRIM Electronic Records Management System, Centennial Mall and the Occupy Lincoln movement.

Smoyer returned to the meeting at 9:27 a.m.

C. Visitors Promotion Committee (VPC) - Smoyer

Smoyer said discussion focused on a request for funding from the Visitors Improvement Fund for the Centennial Mall renovation project.

5 COMMUNITY MENTAL HEALTH CENTER (CMHC) PLANNING COMMITTEE REPORT - Members of the Community Mental Health Center (CMHC) Planning Committee (Dean Settle, Community Mental Health Center (CMHC) Director; Lori Seibel, President/Chief Executive Officer (CEO), Community Health Endowment (CHE); Pat Talbott, Mental Health Association of Nebraska (MHA-NE); Deb Shoemaker, Executive Director, People's Health Center (PHC); C.J. Johnson, Administrator, Region V Systems)

Members of the Community Mental Health Center (CMHC) Planning Committee made the following comments: Dean Settle, Community Mental Health Center (CMHC) Director, encouraged the Board to review the Health Management Association (HMA) report, stating he believes it will impact how behavioral health and primary care work together. **NOTE:** HMA was a consultant engaged by CHE to study the health care safety net, including the broad integration of physical and behavioral health services. He said the State has requested proposals for behavioral health managed care said that will change how behavioral health is structured, approved for service, and paid. The Affordable Care Act will also have an impact, as more individuals will qualify for Medicaid by 2014 which could significantly reduce the local contribution. Settle also stressed that the uncertainties involving CMHC have had a negative effect on clients, their families and staff. Lori Seibel, President/Chief Executive Officer (CEO), Community Health Endowment (CHE), said the report represents a comprehensive look at CMHC and said she believes this is an opportunity to craft a more integrated, system. She noted the Committee was committed to reaching a consensus on recommendations prior to release of the HMA report and said there are many consistencies. Pat Talbott, Mental Health Association of Nebraska (MHA-NE), said the community has done an outstanding job of seeing that people's needs are met and encouraged taking more steps towards preventive programs and a recovery-based system. Deb Shoemaker, Executive Director, People's Health Center (PHC), said listening to those who came forward in the focus groups to voice their opinions and concerns really gave her a "different picture" of what the community needs to do to help this vulnerable population. She felt future programming should have a more integrated approach (behavioral and physical care) and stressed the need for partnerships with other agencies and primary and behavioral health care providers, noting the potential for connecting through technology and providing "virtual" services. Shoemaker said in the meantime, she believes the County would do well to contract with Region V Systems for administrative management of CMHC. C.J. Johnson, Administrator, Region V Systems, noted an application has been submitted for a \$12,000,000 Health Care Innovation Grant and said those funds could be used to work on these processes. He said he believes a single decision about whether to fund CMHC or not will not save the County money, rather the County should allow the overall system components to evolve over the next couple of years and see where there are cost efficiencies.

Kerry Eagan, Chief Administrative Officer and an ex-officio member of the Committee, noted that the Committee's report reflects a different amount of property tax going into the Crisis Center than the figure that was presented at the Mid-Year Budget Retreat. He said the projected savings are less than what was initially projected.

Also present for the discussion was Kit Boesch, Human Services Administrator and an ex-officio member of the Committee.

The Board thanked the Committee members for their service. Seibel was asked to come back and discuss the HMA report in more detail.

NOTE: The County Board will hold a public hearing on the Committee's recommendations at the February 21, 2012 County Board of Commissioners Meeting. The Committee's report and recommendations, as well as minutes of their proceedings, are available on the County's website <http://lancaster.ne.gov>.

DISCUSSION OF BOARD MEMBER MEETINGS

E. Public Building Commission (PBC) Meeting with the Mayor - Hudkins

Hudkins said they discussed the proposal to purchase the HWS (Alfred Benesch & Company) Building at 825 "J" Street.

F. Public Building Commission - Hudkins, Raybould

Hudkins and Raybould commented on plans to display art by Nebraska artists in the lobby of the County-City Building.

6 SOUTHWEST 40TH & "O" STREET VIADUCT UPDATE - Roger Figard, City Engineer; Devin Biesecker, Engineer, Public Works & Utilities

Devin Biesecker, Engineer, Public Works & Utilities, gave an update on the Southwest 40th & "O" Street Viaduct Project (Exhibit D). He said it appears the U.S. Army Corps of Engineers will require a temporary bridge to be constructed over the stream which will increase the project costs. Heier questioned the need for the temporary bridge. Biesecker said Public Works must place a substantial amount of fill between the railroad tracks and the stream because the roadway is elevated. The best point of access is over or through the stream since the railroad crossing is closed. Hudkins suggested a culvert as an alternative measure. The Chair asked Biesecker to keep the Board updated on the project.

In response to a question from Hudkins, Roger Figard, City Engineer, said Southwest 40th Street, from the viaduct north to "O" Street, will be paved with the project. Biesecker added the road will be paved from "O" Street to "F" Street.

7 BUILDING PERMIT AND SETBACK POLICIES FOR FARMSTEAD RESIDENCES - Fred Hoke, Director, Building and Safety Department; Terry Kathe, Zoning Coordinator; Mel Goddard, Chief Building Inspector; Ed Bergstraesser, Chief Electrical Inspector

Eagan noted the Board passed a resolution in 2002 (County Resolution No. R-02-0106) that stated non-farm buildings used as residences shall be subjected to the Zoning Regulations and Building Permit Requirements and legislation was passed in 2006 that made it clear building permits could be required on farmstead residences.

Fred Hoke, Director, Building and Safety Department, noted there is an exemption for permits and inspections on parcels of 20+ acres. He said his department is occasionally asked to inspect farm homes, based on their size. Hoke said it is sometimes selective and it would be helpful to have clear direction on what the department should do.

Heier said he thought electrical, plumbing and sewage inspections were required on all new residences outside of the City's three-mile zoning jurisdiction. Ed Bergstraesser, Chief Electrical Inspector, said electrical inspections are required, per the Nebraska Electrical Act, on any new residence built on a parcel over 20 acres. He said permits and inspections are not required on additions and remodels unless they "change out" the incoming electrical service. Hudkins said he believes inspections should be required so there is continuity.

Eagan said the Board's direction could be provided in the form of a resolution, adding it may be advisable to hold a public hearing on the matter. He emphasized that it will only apply to residences, noting farm buildings on parcels over 20 acres are exempted by state statutes.

MOTION: Heier moved and Raybould seconded to direct staff to prepare a resolution addressing permits on farmstead residences. Raybould, Heier, Hudkins, Smoyer and Schorr voted aye. Motion carried 5-0.

Eagan said questions have also come up regarding setback requirements. Terry Kathe, Zoning Coordinator, Building and Safety Department, said the Board had directed his department to only enforce frontage setbacks on parcels over 20 acres. He said side and rear setbacks have not been strictly enforced because there are a number of land-locked parcels. Kathe said that lack of enforcement has resulted in some questions from neighboring landowners and suggested it would be helpful to have that direction in a written policy or to amend the ordinance. Heier said setbacks may be needed if there is "build-through" in the future and suggested a minimum setback of 60 feet all around. **NOTE:** The setbacks apply to residences, not accessory buildings. Eagan noted there is also a variance procedure in place through the County Board of Zoning Appeals.

MOTION: Smoyer moved to support the enforcement of the existing setback requirements.

Kathe noted there is another issue involving the "frontage rule" for new lots having 550 feet of frontage and suggested it either be eliminated or reduced.

The maker of the motion withdrew his motion.

There was consensus to schedule further discussion on future Staff Meeting and City-County Common Meeting agendas.

Smoyer exited the meeting at 10:45 a.m.

8 A) CHANGE OF ZONE NO. 12001, ZONING RESOLUTION AMENDMENT FOR MARKET GARDENS IN AGRICULTURAL (AG) AND AGRICULTURAL RESIDENTIAL (AGR) DISTRICTS; AND B) SPECIAL PERMIT NO. 12003 MARKET GARDEN WITH RESTAURANT (10405 BRANCHED OAK ROAD) - Sara Hartzell, Planner

Sara Hartzell, Planner, gave an overview of Change of Zone No. 12001, a request for a zoning resolution amendment for market gardens in the Agricultural (AG) and Agricultural Residential (AGR) Districts, and Special Permit No. 12003, a request from Lakehouse Farm, LLC, for a special permit pending the approval of a change of zone (see partial site plan in Exhibit E). She said the applicant is applying under the section for "Market Garden secondary use" with the intent to build and operate a farm-to-table restaurant on the site as a secondary use to their planned organic market garden. Hartzell said the County's change of zone and special permit applications will be heard concurrently before the Planning Commission with the change of zone application that was submitted to the City. The special permit application will be finalized at the Planning Commission level and will be held until the change of zone applications are finalized at the City and County levels.

Smoyer returned to the meeting at 10:48 a.m.

9 AL LARSON ROAD IMPROVEMENT DISTRICT DISSOLUTION - Brittany Behrens, Deputy County Attorney

Brittany Behrens, Deputy County Attorney, discussed a request to dissolve the Al Larson Road Improvement District and the procedure the Board must follow. She noted a statement from Pinnacle Trust Services indicating the bonds have been paid in full and a petition signed by more than half of the landowners within the District authorizing the dissolution have been provided.

Raybould inquired about distribution of any remaining funds. Behrens said the District will petition the District Court for distribution of the remaining funds. The funds will be distributed in the same form they were assessed.

10 ELECTION SERVICES CONTRACTS - Dave Shively, Election Commissioner; Maura Kelly Tolzin, Chief Deputy Election Commissioner; Brittany Behrens, Deputy County Attorney

Dave Shively, Election Commissioner, discussed two contracts that will be coming before the Board that are related to election services. The first is renewal of a contract with Election Systems and Software for ballot printing and coding. He said the contract will run through September, 2015, which is the end of his current term of office. The second is a new rental agreement with a five year term with Election Systems and Software for equipment and software needed to print absentee ballots.

Brittany Behrens, Deputy County Attorney, said the contractor was not willing to remove standard limitation of liability language from the contracts. Said language would limit Election Systems and Software's liability to the total amount of the contract and services provided. However, the contractor was willing to include the County's reciprocal indemnification provision. Behrens said the contractor also rejected a termination provision without cause and said the contracts provide for 60-day termination for breach of contract. She said she is still working on an issue with the first contract involving a provision that the contractor can cease performance if payment exceeds the due date by five or more days. Behrens said the second contract provides for a 30-day grace period beyond the due date before performance would cease. She said the second contract includes the same standard limitation of liability language and termination provisions. Behrens said it also includes an automatic renewal provision and said she will ask that it be limited to a one-year renewal upon mutual written consent of the parties. Shively noted that the costs will be locked-in for the term of the contracts and will be reimbursed by all of the political subdivisions, other than federal, state and county, that are on the ballot.

DISCUSSION OF BOARD MEMBER MEETINGS

G. Board of Health - Schorr, Smoyer

Schorr said they received a preview of the Health Department's Annual Report and discussed the HMA report.

11 BUDGET INSTRUCTIONS LETTER - Dennis Meyer, Budget and Fiscal Officer

Dennis Meyer, Budget and Fiscal Officer, asked what changes the Board would like to make to last year's budget instructions letter to departments (Exhibit F). Board consensus was to include concerns about the possible loss of Inheritance Tax revenue and to ask departments to indicate the impact of a 97% budget. Heier said he believes 94% is a more realistic figure to work with.

In response to a question from Heier, Meyer said a \$6,700,000 deficit is projected. Heier asked whether the Board could pull in the 15 cent levy authorized for certain political subdivisions and distribute the funds. Meyer said he is not sure, particularly in terms of the rural fire districts.

MOTION: Heier moved and Smoyer seconded to request a legal opinion on the County Board's authority regarding the levy for certain political subdivisions. Smoyer, Hudkins, Raybould, Heier and Schorr voted aye. Motion carried 5-0.

Raybould suggested the Board try to engage the public in the budget discussions by posting a survey on the County's website and holding town hall meetings in the rural communities. She also encouraged all of the elected officials to return their 2% salary increase to the County, stating she believes they are all more than adequately compensated.

12 ACTION ITEMS

- A. Lancaster County Retirement Plan 2011 Annual Report
- B. County Representatives for Dental and Vision Insurance Request for Proposals (RFP) Selection Committee

Items A and B were moved forward on the agenda.

13 CONSENT ITEMS

There were no consent items.

14 ADMINISTRATIVE OFFICER REPORT

- A. Purchase of HWS (Alfred Benesch & Company) Building at 825 "J" Street

Heier said he will not vote to purchase the HWS (Alfred Benesch & Company) Building unless the Board agrees to sell Trabert Hall and the Community Mental Health Center (CMHC). Schorr said she is willing to do so but believes the proceeds should be used to fund renovation of the old jail facility. Smoyer cautioned that although the Public

Building Commission (PBC) would be the entity purchasing the building, there will be a perception that the County is purchasing another building during a period of severe budget constraints. Hudkins agreed that the timing of the purchase is poor but it would allow government functions to be consolidated in a central location.

- B. Request from Don Thomas, County Engineer, for Attendance at Lower Platte South Natural Resources District (NRD) Meeting on March 6, 2012 at 9:00 a.m.
- C. Nebraska Association of County Officials (NACO) Award of Excellence
- D. Letter of Appreciation to Jon Braaten, Anderson, Creager, Wittstruck, P.C., L.L.O.

Items B-D were moved forward on the agenda.

15 PENDING

There were no pending items.

16 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Parks & Recreation Advisory Board - Raybould
- B. Nebraska Association of County Officials (NACO) County Board Workshop - Heier
- C. Visitors Promotion Committee (VPC) - Smoyer
- D. Meeting with the Mayor - Schorr, Hudkins
- E. Public Building Commission (PBC) Meeting with the Mayor - Hudkins
- F. Public Building Commission - Hudkins, Raybould
- G. Board of Health - Schorr, Smoyer

Items A-G were moved forward on the agenda.

- H. Lincoln Partnership for Economic Development (LPED) - Thorpe

Thorpe said discussion focused on the proposal to merge the Nebraska Department of Labor into the Nebraska Department of Economic Development.

17 EMERGENCY ITEMS AND OTHER BUSINESS

Schorr said Kit Boesch, Human Services Administrator, has received an award from the Friendship Home and suggested the award be presented again at a regular County Board of Commissioners Meeting.

18 ADJOURNMENT

MOTION: Heier moved and Smoyer seconded to adjourn the meeting at 11:55 a.m. Hudkins, Smoyer, Heier, Raybould and Schorr voted aye. Motion carried 5-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk





Revitalizing Nebraska's Centennial Mall



"When it's all done, this Nebraska treasure will be restored to its rightful place as a beautiful, substantial, educational source of pride for all Nebraskans."

Roger Larson

Wausa native and campaign leader



Image courtesy of the Office of the Nebraska Capitol Commission, Nebraska Capitol Collections



Capitol Fountain and Plaza featuring the Great Seal of the State of Nebraska between K and L Streets block looking north.

The Nebraska State Capitol, a National Historic Landmark, was designed by Bertram Goodhue of New York City and was completed in 1932. Goodhue proposed “wide avenues” or malls extending from the four cardinal axes of the building to enhance the principal approaches to the building and to provide a proper visual setting for our Capitol within its urban context.

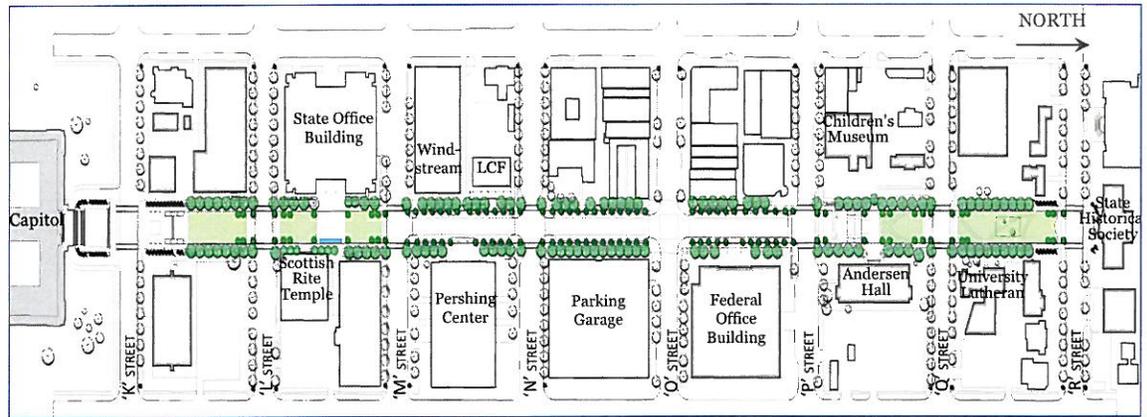
By the 1940s, a 120-foot-wide right of way had been created along 15th Street from the Capitol to the University campus. Nebraska’s Centennial Mall was proudly built and dedicated in 1967 to commemorate Nebraska’s centennial anniversary. However, over the past 45 years, the condition of the infrastructure and landscape has become aged to the point of deteriorating and are beyond the point of practical repair.

Revitalizing Nebraska’s Centennial Mall

The redesign of Nebraska’s Centennial Mall will celebrate Nebraska’s legacy of stewardship, create durable accessible walkways, and will be designed for optimal flexibility to accommodate a wide variety of activities and uses.

Five former Governors and a statewide group of passionate volunteers are working to raise \$9.6 million to pay for the project which includes a \$1.5 million endowment. The project is unanimously endorsed and supported by the Nebraska Capitol Commission and the Capitol Environs Commission.

The Spirit of Nebraska Pathway is a series of granite and bronze tiles placed along the twin walkways that frame all seven blocks of Nebraska’s Centennial Mall. The pathway program supports the Mall project and endowment fund by providing opportunities to sponsor tiles about famous Nebraskans or recognize individuals, organizations and businesses. All 93 Nebraska counties will each be recognized. Over time, it is envisioned that these blocks will become a “Mosaic of Nebraskans” and their stories.



Capitol Fountain and Plaza between K and L Streets looking south.



Spirit of Nebraska Pathway

Individual Tiles: Honor or memorialize friends, family, organizations or businesses. Made of granite, individual tiles will be placed in the central three blocks.

- \$1,000 for an 18" x 18" granite tile with 3 lines of text (hometown, name and 1-line brief description, 23 characters per line).



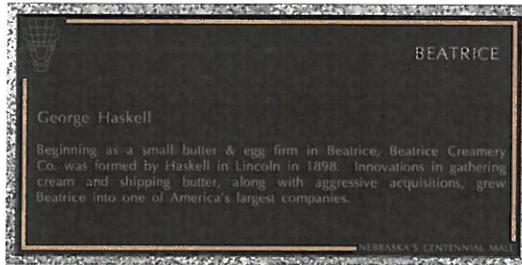
Individual 18" x 18" Tile

Leadership Tiles: Provide greater opportunity to describe the significance of an individual, family or an organization's accomplishments. Leadership tiles are made of bronze set into granite, and will be placed in the central three blocks.

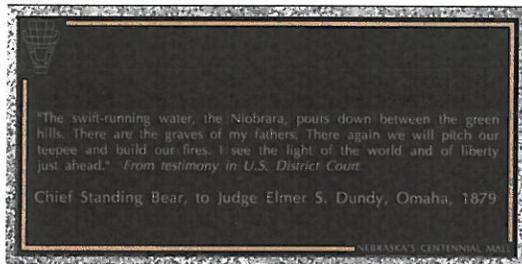
- \$10,000 for an 18" x 18" bronze tile with 5 lines of text (name and 4 lines of tribute, 28 characters per line) **OR**
- \$25,000 for an 18" x 36" bronze tile with 5 lines of text (name & 4 lines of tribute, 65 characters per line)



Leadership 18" x 18" Tile



Leadership 18" x 36" Tile



Nebraska Notables 18" x 36" Tile

Nebraska Notables Tiles:

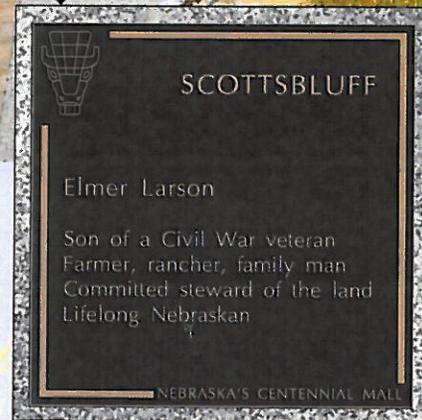
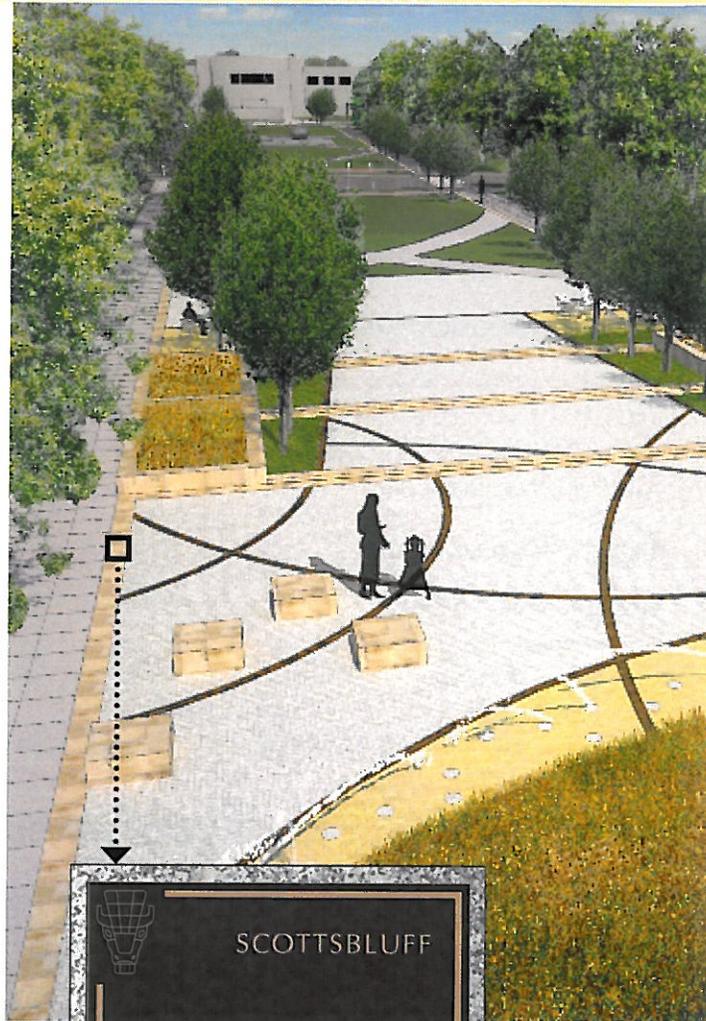
Feature Nebraska citizens and organizations which have made significant contributions to our state. These pre-selected tiles will be placed in the outer two blocks on the northern and southern ends of the mall. Sponsors of the Nebraska Notables tiles may choose to have their names inscribed beneath the text, remain anonymous or credit someone else.

- \$25,000 for an 18" x 36" bronze set into granite tile featuring pre-selected Nebraska citizens and organizations which have made a significant contribution to our state. (5 lines of text: name & 4 tribute lines, 65 characters per line)

Examples of Nebraska Notables available for sponsorship*:

- George W. Norris
- LaFlesche Family
- Professor George Beadle
- Willa Cather
- Chief Standing Bear
- J. Sterling Morton
- Pound Family
- Ted Sorensen
- Professor Theodore Kiesselbach

*For a complete list of available pre-selected leadership tiles, go to NECentennialMall.org.



Plaza between P and Q Streets block looking north.

These beautiful tiles will line the twin walkways of the new Nebraska's Centennial Mall. This important path, connecting the University of Nebraska and the Nebraska State Capitol, is the perfect place to honor a significant Nebraskan, Nebraska business or organization, and loved ones.

Proposed improvements

- New accessible walkways
- Capitol Fountain depicting the Great Seal of the State of Nebraska
- Nebraska leaders' quotes and stories
- Large central plaza featuring the outline & eco-regions, rivers and County seats of the State of Nebraska
- Fountains symbolic of the Missouri River
- Seating areas recognizing the Ogallala Aquifer and the Platte River
- Pedestrian lighting
- Plaza gathering areas
- Reflection plaza focusing on the history and evolution of Nebraska's state capitol buildings
- Tree-lined vistas of the Capitol and the University of Nebraska
- Sustainable features
- Large grassy lawns for events
- Native plantings
- Educational and interpretive features
- Artwork

Spirit of Nebraska Pathway donors

All Spirit of Nebraska Pathway donors receive a commemorative certificate and a special lapel pin recognizing their donation to the Nebraska Centennial Mall project. Call 402-441-8258 to request an order form or print your order form at www.NECentennialMall.org

Naming Opportunities

\$50,000 to \$1.5 million

- Capitol Fountain and Plaza
- Nebraska Fountain and Plaza
- Sparking the Good Life Fountain and Plaza
- Ogallala Aquifer and Platter River Seating Areas with Story Walls
- Greens with tile borders

We invite you to get involved!

Campaign Leaders

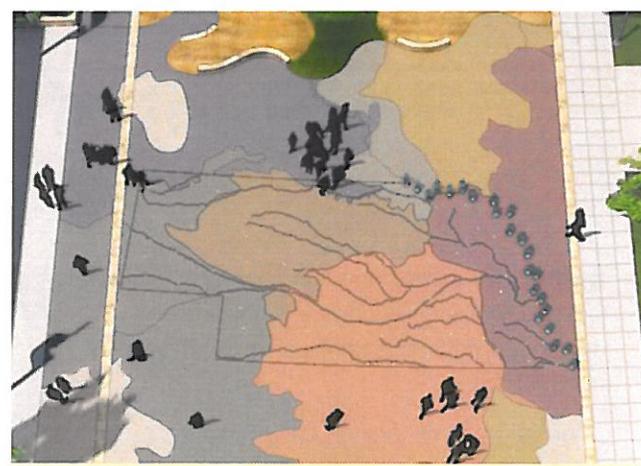
Mary Arth
Eric Brown
Christie Dionisopoulos
Lynn Johnson
Jim Krieger
Liz Lange
Tom Pansing
Roger Larson
Patty Pansing Brooks
Don Pederson
Mike Seacrest
Jeff Searcy
Liz Shotkoski

Honorary Campaign Chairs

Sen. Mike Johanns
Former Sen. Bob Kerrey
Sen. Ben Nelson
Former Rep. Charles Thone
Former Gov. Norbert Tiemann



Ogallala Aquifer and Platte River seating areas along the west side of L to M Streets block.



Nebraska Plaza in the center of the L to M Streets block.



Plaza in the center of P to Q Streets block looking south.

Nebraska's Centennial Mall is among the most cherished and recognized public spaces in our great state's rich history. The Mall extends north seven blocks from "K" to "R" streets in downtown Lincoln and connects two of Nebraska's most important institutions: the State Capitol and the University of Nebraska. Nebraska's Centennial Mall is best known as a frequent attraction for local citizens and tourists and has functioned as a gathering space and iconic rally point for many different citizen groups and special events over the years. Every year, 35,000 fourth graders visit the Capitol and use the Mall as part of their field trip focusing on Nebraska history.

**Nebraska's Centennial Mall
Lincoln Parks Foundation
2740 "A" Street, Box 201
Lincoln, NE 68502**

or contact:

**Susan Larson Rodenburg, campaign organizer
402-440-3227**

Susan@SLRCommunications.com

NECENTENIALMALL.ORG



KISSEL / E&S
ASSOCIATES

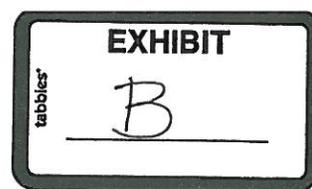
A Limited Liability Company Associated with Erickson and Sederstrom, P.C.

Joseph D. Kohout, *Partner*

Suite 400 Cornhusker Plaza / 301 S. 13th Street / Lincoln, NE 68508-2571

Telephone (402) 476-1188 / Facsimile (402) 476-6167

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LEGISLATIVE MEMORANDUM

TO: Lancaster County Board of Commissioners
Kerry Eagan, Chief Administrative Officer

FROM: Gordon Kissel and Joe Kohout

DATE: February 16, 2012

RE: Weekly Update

Please accept this as your update through Wednesday, February 15, 2012. Today, the Legislature will convene for the twenty-ninth day of the 60 day session. Today is the deadline for Senators to announce priority bills for the 2012 session.

The following bills are bills of interest to Lancaster County which have been discussed during the previous week:

LB970 (Cornett) Terminate the inheritance tax and change income tax rates and calculation. This week, Chairwoman Schorr took part in a press conference that showed continued opposition to LB970. While the committee appears to be opposed to the inheritance tax, we must keep the pressure on to attempt to keep elimination of the inheritance tax out of the bill.

LB787 (McGill) Authorize inspection and regulation of staff secure facilities by the Jail Standards. This bill remains held by the Judiciary Committee.

LB881 (Coash) Change medical services payment provisions relating to jails and correctional facilities. The bill remains held in the Judiciary Committee.

LB1000 (McGill) Change certain marriage related fees. This bill remains held by the Judiciary Committee

LB934 (Karpisek) Provide for appointment of all election commissioners by the county board. This bill remains held by the Government Committee.

LB867 (Karpisek) Change employer contribution provisions under certain county retirement plans. This bill was heard by the Retirement Committee on February 6, 2012 and was advanced by the committee and reported to General File this week. We have received indications that this may be the 2nd priority bill for the Committee – thus virtually assuring its debate and passage this year.

Bills of note:

LB1134 (Avery) Change agency procedures for eminent domain. This would dramatically affect the ability for any entity – government or otherwise – to utilize this process. The bill was heard yesterday and will result in an interim study of the issue. Those appearing in opposition included utilities, League of Municipalities, gas companies, and others.

LB1102 (Wightman) Change inheritance tax rates and exemption amounts. This bill would reduce the rates charged on certain classifications of recipients and change exemptions. This bill was heard last Wednesday. NACO appeared in a neutral capacity.

LB967 (Schumacher) Change an interest rate relating to delinquent taxes and special assessments. This bill would lower the rate charged on delinquent taxes from 14% to 10%. The hearing was held yesterday.

This concludes our report for this week. Please do not hesitate to contact us with any questions you have.

Current Priority Bill Listing

Final Date For Priority Submissions: February 16, 2012

Senator Priority Bills

<u>Priority</u>	<u>Document</u>	<u>Primary Introducer</u>	<u>Status</u>	<u>Description</u>
Senator Adams	LB913	Adams	Referral	Change base limitation provisions and certain dates relating to the Tax Equity and Educational Opportunities Support Act
Senator Ashford	LB357	Ashford	Select File	Authorize an increase in local option sales and use tax
Senator Avery	LB1104	Adams	Referral	Change the Postsecondary Education Act
Senator Brasch	LB830	Hadlev	General File	Provide a sales and use tax exemption for biochips
Senator Carlson	LR358CA	Carlson	General File	Constitutional amendment to change legislative term limits to three terms
Senator Christensen	LB653	Christensen	General File	Provide for interbasin transfers during times of flooding as prescribed
Senator Dubas	LB825	Dubas	Referral	Establish local offices for access to public benefit programs
Senator Fischer	LB745	Fischer	Referral	Provide requirements for imposition of municipal occupation taxes
Senator Gloor	LB834	Gloor	General File	Change the Nebraska Regulation of Health Professions Act
Senator Haar	LB947	Hadlev	Referral	Change averaging adjustment and a certification date under the Tax Equity and Educational Opportunities Support Act
Senator Hadley	LB1118	Cornett	Select File	Provide tax incentives for large data center projects
Senator Harr	LB902	Harr	Referral	Redefine a term relating to property tax exemptions and change provisions relating to a sales tax exemption for purchases by the state or a governmental unit
Senator Karpisek	LB1067	Karpisek	General File	Change restrictions on keno
Senator Krist	LB998	Krist	Referral	Create the Foster Care Review Office and eliminate the Foster Care Review Board
Senator Lambert	LB750	Cornett	Referral	Change provisions relating to comparable sales used for tax assessment
Senator Larson	LB806	Lautenbaugh	General File	Authorize the State Racing Commission to regulate wagering on historic horse races
Senator McCoy	LB970	Cornett	Referral	Terminate the inheritance tax and change income tax rates and calculation
Senator McGill	LB599	Campbell	General File	Provide coverage for certain children as prescribed pursuant to the Medical Assistance Act
Senator Price	LB1080	Cornett	Referral	Provide a property tax exemption and a sales and use tax exemption relating to data centers
Senator Smith	LB1161	Smith	Referral	Provide for study and evaluation of routes for proposed oil pipelines
Senator Sullivan	LB845	Sullivan	Referral	Provide reclamation requirements under the Oil Pipeline Reclamation Act
Senator Wallman	LB1090	Wallman	Referral	Provide for the awarding of grants and the distribution of information relating to the Summer Food Service Program by the State Department of Education

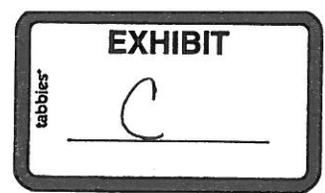
Committee Priority Bills

<u>Priority</u>	<u>Document</u>	<u>Primary Introducer</u>	<u>Status</u>	<u>Description</u>
Education Committee	LB870	Adams	General File	Provide for an accountability system to measure school performance under the Quality Education Accountability Act
Education Committee	LB946	Adams	Passed	Adopt the Community College Aid Act

General Affairs Committee	LB824	Karpisek	Referral	Define "flavored malt beverage" under the Nebraska Liquor Control Act
General Affairs Committee	LB1130	Coash	General File	Provide for entertainment district licenses under the Nebraska Liquor Control Act
Judiciary Committee	LB972	Ashford	Referral	Transfer the youth rehabilitation and treatment centers from the Office of Juvenile Services to the Department of Correctional Services
Judiciary Committee	LB1145	McGill	Referral	Change and provide provisions and penalties relating to human trafficking and pandering
Legislative Performance Audit Committee	LB949	Legislative Performance Audit Committee	Referral	Require reports and a strategic plan by the Division of Children and Family Services of the Department of Health and Human Services
Legislative Performance Audit Committee	LB1160	Health and Human Services Committee	Referral	Require Department of Health and Human Services to develop an information system and provide for reports and an evaluation
Natural Resources Committee	LB1043	Langemeier	E and R Initial	Eliminate provisions relating to contracts or agreements for discounted rates involving public power districts
Nebraska Retirement Systems Committee	LB916	Nebraska Retirement Systems Committee	General File	Change provisions relating to retirement
Transportation and Telecommunications Committee	LB751	Fischer	Referral	Update state motor carrier laws with federal law, change provisions relating to enforcement of such laws, and change provisions relating to ignition interlocks
Transportation and Telecommunications Committee	LB715	Fischer	General File	Change regulation of boundaries for telecommunications services
Urban Affairs Committee	LB863	Coash	General File	Include film production under the Local Option Municipal Economic Development Act
Urban Affairs Committee	LB1001	McGill	Referral	Create the Building Code Advisory Committee and change and eliminate state agency building code compliance requirements

Speaker Priority Bills

No Speaker priority bills found.



January 30, 2012

RECEIVED

JAN 30 2012

LANCASTER COUNTY
BOARD

Steven D. Burns
District Judge
3rd Judicial District

Christine Rhynalds
Bailiff

Patricia Laukaitis
Court Reporter

Mike Thurber
Lancaster County Jail
605 S. 10th Street
Lincoln, NE 68508

Re: Video Conferencing with Jail

Dear Mike:

This letter is written on behalf of all of the District Court Judges of this District. Last week Troy Hawk, District Court Administrator, informed us that Brad Johnson from your office has indicated to him the information we were previously given on the video conferencing between the court and jail has not been accurate. Rather than an internet based system which allows attorneys, interpreters, and others to participate in hearings from other locations, the proposed system is a "closed" system which will consist of a link between the court and the jail only.

Typically, judges avoid involving ourselves in policy and financial matters of the county. It is not our intention to do so at this time. However, after considering the matter we feel compelled to express our view that the proposal of a closed system is a significant and substantial waste of money. We have never seen a budget for this aspect of the jail construction, but understand from our conversations with you that it may be in the neighborhood of \$100,000. In reaching our conclusion, we are also aware that some money (we do not know how much) has already been spent some years ago to acquire some of the hardware that will be used in the closed system. We do not know if any of that equipment could be used in a different system.

Let me explain our point of view. As one judge explained it in pretty plain terms, in today's technology, the proposed closed system is akin to two tin cans and a string. It is antiquate and short sighted in our view. A perfect example of our observation occurred this week. The State Court Administrator's office has asked this District to participate in testing a new language interpreter system that uses interpreters available electronically. Some of the more unique languages which we see in the courtroom do not have qualified interpreters readily available. The new system to be tested by the State will permit those interpreters to appear electronically rather than incurring the sometimes extraordinary costs for travel. If it is successful, the electronic appearance of interpreters will likely become

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Internet Address:
crhynalds@lancaster.ne.gov

common place for all languages. The proposed closed circuit system between the jail and courts would not permit the use of an electronic interpreter system.

There are further concerns. In our view we are on the cusp of significant changes in electronic presentation of evidence in courts. Historically, courts have not permitted evidence by telephone because of the difficulty of assuring the authenticity and identity of persons on the other end of the phone. When "telecommunications" becomes "videocommunications" the issues of authenticity and identity are much less significant. Witnesses testifying by videoconferencing becomes much more akin to videotaped depositions which are today in common use in the courts. With those changes, we see a great likelihood of significant changes in court hearings in the next couple of years. A closed system with the jail would not be adaptable to cover these needs. As a result a separate system would be required with all its attendant duplication of equipment and costs. Additional costs of duplicative systems does not stop at the capital required for installation of the systems. Different technology also requires different education and skills for those operating and maintaining the systems. The multiplication of equipment becomes cumbersome in the courts.

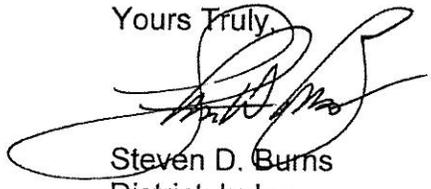
We also ask for consideration of the other consequences of the closed system. While costs of transportation of prisoners is reduced with whatever the design of the system might be, the possibility of cost saving does not have to end there. With an internet based system there would be the added cost saving of lawyers and interpreters having to come to the court house or jail to participate in hearings. We believe this will impact the cost the county incurs for indigent representation. It would also permit use of the system for those who are out of custody, thus expanding the impact on indigent representation costs. An internet based system would also permit the flexibility of bringing interpreters to the courts electronically. The civil branch of the court system would also see some possibility for reduced costs by the use of an internet based videoconferencing plan.

There may be a temptation to complete the closed system simply because some money was spent a couple years ago to purchase some of the hardware for this closed system (we do not know what of that equipment might be salvageable for use in a more robust system). While we understand the temptation, we unanimously encourage that not to occur. Our understanding is the funds that have been expended are not a large percentage of the total cost. Rather, we believe it a better approach for there to be a more universal approach to video conferencing in courts which contemplates use of video technology in all aspects of the court's business. Such an approach not only reduces the overall costs to the taxpayers, but would result in a substantial reduction in the cost of litigation, whether civil or criminal.

We hope that our past communication regarding the much more expansive use of videoconferencing with the jail demonstrates that we do not wish to be a roadblock in this arena. We wish to be an encouragement. However, we all believe we would be remiss if we did not express our distress over the current plan. We appreciate your consideration of these points.

We would like to meet with you as soon as possible to explore the possibility of improving the system and avoiding costly duplication.

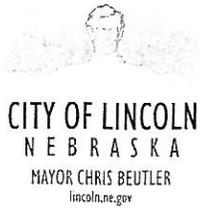
Yours Truly,

A handwritten signature in black ink, appearing to read "S.D. Burns", written over the words "Yours Truly,".

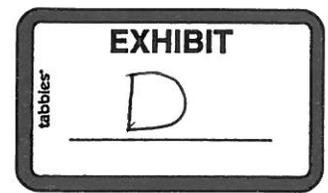
Steven D. Burns
District Judge

cc: Michael Heavican, Chief Justice
Justice Kenneth Stephan
District Court Judges, Third Judicial District
County Court Judges, Third Judicial District
County Commissioners
Troy Hawk

SDB:cr



SW 40th Viaduct Fast Facts February 16, 2012



Contacts:

City Design Project Manager:
Design Consultant:

Devin Biesecker, (402) 937-5515
Kirkham Michael

Project Information:

Estimated Project Cost		
Design Engineering	\$	2,270,224
Right-of-Way	\$	1,692,504
Utilities	\$	66,556
Construction	\$	12,336,751
Construction Engineering	\$	970,751
Total	\$	17,336,788

Schedule*

Submit PS&E Plans to NDOR	May 2012
Project Bid Letting	Fall 2012
Start Construction	Winter 2012/2013
Construction Complete	Late 2014

* Dates are estimates and subject to change

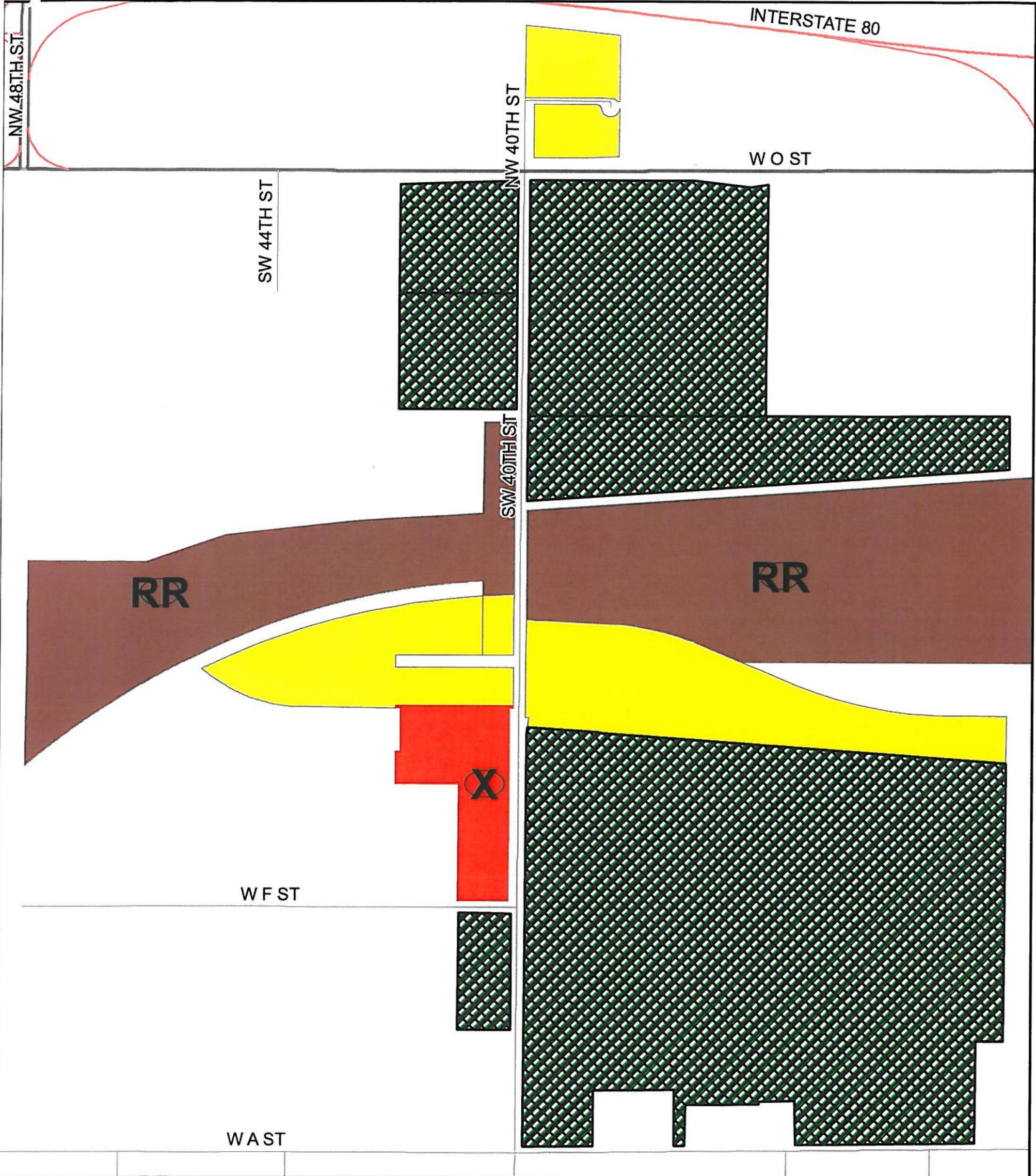
Items we are currently working on:

- NDOR is currently reviewing 90% plans for the bridge and roadway
- Kirkham Michael is finalizing design plans. Should be complete in March 2012
- Currently negotiating with remaining landowners for easements and acquisition (see Status of Right-of-Way)
- Holding a pre-application meeting with the Corps of Engineers on 2/16/2012 to resubmit the 404 permit
- Working on setting up meetings with private utilities to get schedules and plans for their relocations
- Have submitted all necessary documentation to BNSF. Currently waiting for their approval of the Construction and Maintenance Agreement.
- Planning on a Plans, Specs, and Estimates (PS&E) submittal to NDOR by May 2012. In order to submit plans we need to have the following completed.
 - All ROW acquired
 - Arrangements made for private utility relocations
 - Agreement signed with BNSF
 - Encroachments removed from the Right-of-Way

Status of Right-of-Way:

22 Tracts of property identified for easements and acquisition

- Acquired - 8 Tracts
- Condemnation - 1 Tract sent over to Law for condemnation
- In Negotiations - 6 Tracts (4 landowners)
- BNSF - 7 Tracts

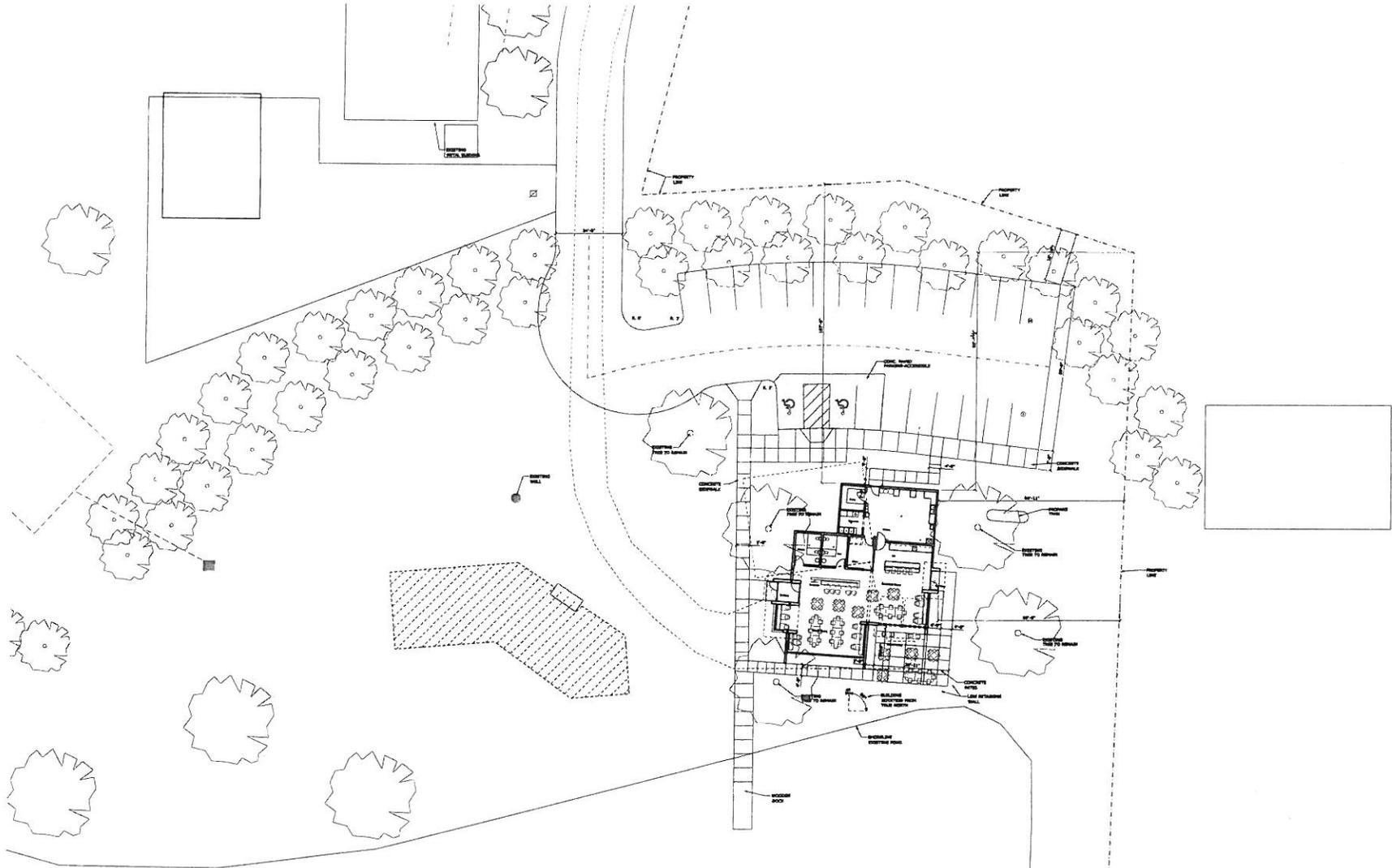


**ROW Status
SW 40th Project**

Legend

SW40th_Tracts Status

- Acquired
- In Negotiations
- X Condemnation
- RR



Partial Site Plan



GENERAL CONTRACTOR
 KINGERY CONSTRUCTION
 201 N. 46TH STREET
 LINCOLN NE 68503
 V 402 465 4400
 F 402 465 4529

Prairie Plate Restaurant
 Jerry and Renee Cornett
 10405 Branched Oak Rd.
 Waverly, NE 68462

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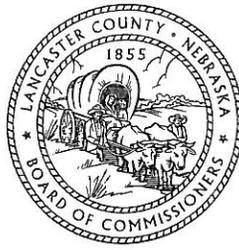


BVH

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LANCASTER COUNTY BOARD OF COMMISSIONERS

Bernie Heier Larry Hudkins Deb Schorr Brent Smoyer Jane Raybould
Kerry Eagan, *Chief Administrative Officer* Gwen Thorpe, *Deputy Administrative Officer*

MEMORANDUM

TO: All County Departments
FROM: Deb Schorr, Chair *DS*
DATE: February 25, 2011
RE: 2011-12 Budget Requests

The County Board recently reviewed the status of the 2010-11 County budget, as well as some additional costs which we will be facing during the next few years. Several important issues are worth noting:

1. The County is projecting no increase in valuation. This will result in the same property tax request as last year. The County Board's goal is to keep the property tax rate the same.
2. The County is preparing for a loss in state aid of \$1.4 million.
3. Payroll costs, which include benefits, increase on an annual basis between \$1.5 million and \$2 million.
4. The condition of our economy will again affect the upcoming budget. Revenues, including interest income, have been on the decline and will have an impact on fund balances as well as projected income for FY2011-12.
5. Public Safety, which includes law enforcement and the judicial system, is an important function of Lancaster County. 59% of the county general fund budget is expended for public safety functions. The new adult correctional facility will open in the spring or summer of 2012.

The County Board anticipates budget requests for FY2012 will be far greater than our ability to pay. **Therefore, the Board is asking that FY2012 budget requests come in at 97% of FY2011 budgets.** The Board understands the difficulty this will cause but asks for your cooperation as you submit your FY2012 budget requests. The Board is asking each department to review their operations and programs to come up with ideas to cut costs. The Board understands this could reduce staffing. Due to these budget concerns, the Board is asking that out of state travel for training and conferences not be included in your budget request. Please include a list of cuts utilized in the preparation of the FY2012 budget request.

Please follow all of the instructions and properly complete all forms by March 31, 2011.

Please review all revenue accounts in depth as well as possible capital outlay items that could be put off a year. After the budget requests have been reviewed and the Board has a better handle on fund balances, anticipated revenues, and budgeted expenditures, adjustments will be made to present a proposed balanced budget.

The Board does not anticipate dollars will be available for expansion of services or personnel. However, if a necessity exists, expansion budgets must be separately stated on the form provided with justification for the need, and will be discussed with the Board prior to approval.

ADDITIONAL ITEMS TO CONSIDER

Grants

Please complete the form listing the federal grants your department has been awarded for FY2012. Include the awarded amount, the federal agency awarding the grant along with the program title, the business unit used for accounting purposes, the revenue account, any positions funded by the grant, the grant period, and any county match.

Micro Computers

As in the past, the Board will budget for micro computers funded with property tax dollars in the data processing budget. Please identify your FY2012 need on the Micro Computer Request Form. Your request for FY2012 must be submitted at the same time as your budget.

Cutoff on Expenditures

The cutoff for FY2011 purchase requisitions will be May 1, and the last date for sending payment vouchers to the Clerk will be June 30. Payroll will be accrued through June 30.

Salaries

As usual, FY2012 salary cost-of-living will be budgeted by the County Board in their budget and should not be included in agency requests unless it will affect cost reimbursement. To insure consistency and comparability, the Board is requesting a salary recommendation schedule for all unclassified employees' salaries that are set by the Board with the exception of chief deputies for elected officials.

Managing your FY2011 budget from now to June 30 will be helpful. Unexpended amounts will increase year-end balances, thus, reducing next year's tax requirements.

The County Board realizes the budgeting process requires substantial effort on your part. However, adequate documentation and timely submission of your agency's budget request is essential to us in determining the spending levels of the County in line with the revenues available.