

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
TUESDAY, DECEMBER 11, 2012
10:30 A.M.**

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

Commissioners Absent: Jane Raybould

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dennis Meyer, Budget and Fiscal Officer
Cori Beattie, Deputy County Clerk

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 December 10, 2012.

The Chair noted the location of the Open Meetings Act and opened the meeting at 10:37 a.m.

AGENDA ITEM

1 APPROVAL OF THE STAFF MEETING MINUTES OF THURSDAY, DECEMBER 6, 2012

MOTION: Heier moved and Hudkins seconded approval of the minutes of the December 6, 2012 Staff Meeting. Heier, Hudkins and Schorr voted aye. Smoyer and Raybould were absent from voting. Motion carried 3-0.

Smoyer arrived at the meeting at 10:38 a.m.

2 ADDITIONS TO THE AGENDA

A. Jail Tour

MOTION: Heier moved and Hudkins seconded approval of the addition to the agenda. Heier, Hudkins, Smoyer and Schorr voted aye. Raybould was absent from voting. Motion carried 4-0.

3 REPLACEMENT ATTORNEY FOR MIKE THEW, CHIEF DEPUTY COUNTY ATTORNEY - Joe Kelly, County Attorney; Mike Thew, Chief Deputy County Attorney

Joe Kelly, County Attorney, said Mike Thew, Chief Deputy County Attorney, Civil Division, plans to retire early in 2014. He said he would like to hire a law clerk in his office who will graduate this month. The law clerk will not be able to practice law until he passes the bar exam, at the earliest in April, 2013. Kelly said he would then be brought on as an attorney in the Civil Division.

Thew said he and Doug Cyr, Chief Administrative Deputy County Attorney, each have more than 30 years experience. He said the next most experienced attorney in the Civil Division is Brittany Behrens, an attorney with two years of experience. Thew said Behrens and Richard Grabow, another attorney in the Civil Division, simply haven't had an opportunity to learn how to do all the work of the Civil Division, such as the Tax Equalization and Review Commission (TERC) appeals, civil rights litigation, tax foreclosures and bankruptcies. He said he and Cyr will train these three attorneys in those areas of law over the next year.

MOTION: Heier moved and Smoyer seconded approval of the hiring plan, as outlined. Heier, Hudkins, Smoyer and Schorr voted aye. Raybould was absent from voting. Motion carried 4-0.

4 A) DIVERSION SERVICES; B) FEE COLLECTION THROUGH NEBRASKA.GOV; AND C) PURCHASE OF SURPLUS VEHICLE - Kim Etherton, Community Corrections Director

B. Fee Collection Through NEBRASKA.GOV

Kim Etherton, Community Corrections Director, said she would like to start using NEBRASKA.GOV, a credit card fee collection system, in her department. She said it will require an amendment of the County's Government Service Level Agreement with Nebraska Interactive, LLC (known as NEBRASKA.GOV). Community Corrections will also have to purchase a credit card scanner at a cost of \$100 and have it hooked up to the computer system. She explained that any fees are attached to the individual using the credit card.

There was general consensus to allow Etherton to proceed, as outlined.

NOTE: The Board will take action to amend the agreement at a regular County Board of Commissioners Meeting.

C. Purchase of a Surplus Vehicle

Etherton requested authorization to purchase a surplus vehicle from the City of Lincoln for her department. The cost is \$5,700, which is \$700 more than she had budgeted. She said she will try to absorb the extra expense. Etherton also informed the Board that the County Shop has recommended that two other vehicles used by her department be retired.

MOTION: Hudkins moved and Smoyer seconded approval of the request. Hudkins, Smoyer, Heier and Schorr voted aye. Raybould was absent from voting. Motion carried 4-0.

A. Diversion Services

Schorr said Eric McMasters, President and Chief Executive Officer (CEO) for Diversion Services, Inc., has indicated that he is getting close to retirement and said she and Commissioner Heier have had preliminary discussions with Etherton and Joe Kelly, County Attorney, regarding a transition plan. She said they also had input from the County Court Judges regarding the services that Diversion Services provides and how they could be provided under Community Corrections. Etherton and Kelly toured Diversion Services' facility and spoke to staff.

Kelly appeared and said Diversion Services and the Nebraska Safety Council, Inc. offer the Safety Training Option Program (S.T.O.P.) classes, noting the County is not bound statutorily to either of those providers. He said Southeast Community College (SCC) has expressed interest in offering the program or it could be turned over to Community Corrections.

Kelly said the City and County each pay approximately \$38,000 annually for the Pre-Trial Diversion Program, noting approximately three-quarters of all Diversion cases are City. He said City/County money is going back and forth (revenues from the S.T.O.P. Program, Diversion registrations, and fees from prosecution of returned checks) which will be a sticking point in terms of Community Corrections taking over the program.

Schorr asked whether Kelly has talked to the City Attorney's Office. Kelly said he has apprised John McQuinn, Chief Assistant City Prosecutor, that the County is looking at other options. Schorr said the Mayor has been apprised as well.

Heier asked about software to run the program. Kelly said he believes there are a number of software packages available that could replace the one used by Diversion Services. Etherton felt Community Corrections' new Case Management System could be expanded to accommodate Diversion Services' programs.

Kelly said the contract with Diversion Services expires in 2015 and could be terminated by either party with 60-days notice. He said he will talk to Rod Confer, City Attorney, to see what can be worked out on the City's side. Kelly said Community Corrections could just run the County's diversion program but felt it would be more cost efficient to keep the City and County's programs together.

ADDITIONS TO THE AGENDA

Schorr said the Lincoln Independent Business Association (LIBA) had expressed interest in the re-utilization plan for the old jail and said several members toured the facility yesterday.

- 5 A) VISITORS PROMOTION COMMITTEE (VPC) GRANT GUIDELINES**
B) VISITORS IMPROVEMENT FUND GRANT RECOMMENDATIONS:
- 1) Lancaster Event Center (Approval - \$2,124,790 over Five (5) Years)**
 - 2) The BAY (Approval - \$10,000)**
 - 3) Abbott Sports Complex (Approval - \$10,000)**
 - 4) Sheldon Art Association (Approval - \$10,000)**
 - 5) National Museum of Roller Skating (Approval - \$8,500)**
 - 6) Lincoln Fencing Association (Approval - \$1,400)**
 - 7) University Place Community Organization (Denial - \$10,000)**
 - 8) Special Olympics Nebraska (Denial - \$10,000)**
- C) VISITORS IMPROVEMENT FUND EVENT PROMOTION (\$183,000)** - Jeff Maul, Lincoln Convention and Visitors Bureau (CVB) Executive Director; Julie Lattimer, Visitors Promotion Committee (VPC) Chair

A) Visitors Promotion Committee (VPC) Grant Guidelines

Jeff Maul, Lincoln Convention and Visitors Bureau (CVB) Executive Director, gave an overview of the Lancaster County Visitors Improvement Fund Grant Guidelines (Revised October, 2012) (see agenda packet). He said the revisions were recommended because the document wasn't stringent enough and didn't clearly define the fund's function.

Dennis Meyer, Budget and Fiscal Officer, said there is \$2,900,000 in the Visitors Improvement Fund and \$1,200,000 available for minor grant fund requests. He said some of the funds have been allocated out, such as \$150,000 for Sherman Field and

\$500,000 for improvements to Centennial Mall, and cautioned that if the Board continues to approve larger grant fund requests it could result in more being allocated than lodging tax revenues received in a given year.

Maul said they are working on an five-year analysis of the needs of Lancaster County attractions and agreed that the County should not over-commit the funds so they will be available, if needed.

Meyer added that the current allocation of County Visitors Improvement Fund dollars (0.5% for bid fees, 0.5% for grants and 1.0 percent for improvements to facilities) could change, based on the funding decisions the Board is asked to make today.

NOTE: The Board will take action on the proposed revisions at a regular County Board of Commissioners Meeting.

B) Visitors Improvement Fund Grant Recommendations

Julie Lattimer, Visitors Promotion Committee (VPC) Chair, reviewed the Visitor Improvement Fund grant recommendations (Exhibit A):

- 1) Lancaster Event Center (Approval - \$2,124,790 over a five-year period for improvements to the facility (Phase III))

Lattimer noted the VPC had discussed whether it would be possible to limit funding to specific portions of the project. Maul said the vote was to approve the project as is.

Schorr asked Alan Wood, Lancaster County Agricultural Society Counsel, who was in attendance, how the request related to the rest of Phase III. Wood said the request enables the Ag Society to reduce the overall Phase III budget and will enhance the Lancaster Event Center, irrespective of whether Phase III moves forward or not.

MOTION: Hudkins moved and Heier seconded to approve the request.

Smoyer stated for the record that he is not comfortable with the paving portion.

ROLL CALL: Hudkins, Heier and Smoyer voted aye. Schorr abstained from voting, due to a conflict of interest. Raybould was absent from voting. Motion carried 3-0, with one abstention.

- 2) The BAY (Approval - \$10,000)

MOTION: Heier moved and Hudkins seconded to approve the request. Heier, Hudkins, Smoyer and Schorr voted aye. Raybould was absent from voting. Motion carried 4-0.

3) Abbott Sports Complex (Approval - \$10,000)

MOTION: Hudkins moved and Smoyer seconded approval of the request. Hudkins, Smoyer, Heier and Schorr voted aye. Raybould was absent from voting. Motion carried 4-0.

4) Sheldon Art Association (Approval - \$10,000)

MOTION: Heier moved and Smoyer seconded to approve the request. Heier, Hudkins, Smoyer and Schorr voted aye. Raybould was absent from voting. Motion carried 4-0.

5) National Museum of Roller Skating (Approval - \$8,500)

MOTION: Smoyer moved and Hudkins seconded to approve the request. Smoyer, Hudkins, Heier and Schorr voted aye. Raybould was absent from voting. Motion carried 4-0.

6) Lincoln Fencing Association (Approval - \$1,400)

MOTION: Hudkins moved and Smoyer seconded to approve the request. Hudkins, Smoyer, Heier and Schorr voted aye. Raybould was absent from voting. Motion carried 4-0.

7) University Place Community Organization (Denial - \$10,000)

Lattimer said the VPC recommended denial because they did not feel the project would attract or retain additional tourists. Maul said the applicant plans to strengthen the proposal and work on a marketing campaign to brand that area a destination component of Lincoln.

MOTION: Heier moved and Hudkins seconded to deny the request, based on the recommendation from the Visitors Promotion Committee (VPC). Heier, Hudkins, Smoyer and Schorr voted aye. Raybould was absent from voting. Motion carried 4-0.

8) Special Olympics Nebraska (Denial - \$10,000)

Lattimer said the VPC recommended denial because they saw the project as more operational expenses than a tourism component.

MOTION: Hudkins moved and Heier seconded to deny the request, based on the recommendation from the Visitors Promotion Committee (VPC). Hudkins, Heier, Smoyer and Schorr voted aye. Raybould was absent from voting. Motion carried 4-0.

C) Visitors Improvement Fund Event Promotion

Maul presented the CVB's request for 25% of the 2% hotel tax paid to the Visitors Improvement Fund from July, 2012 through October, 2012 for the specific purpose of paying promotion fees for two events (see Exhibit B). **NOTE:** The total request is \$183,000. He said the VPC has recommended approval of the request, having deemed that visitor attractions in the County are adequate and do not require improvement.

MOTION: Smoyer moved and Hudkins seconded to direct staff to prepare a resolution to approve the request for action at the December 18, 2012 County Board of Commissioners Meeting. Smoyer, Hudkins, Heier and Schorr voted aye. Raybould was absent from voting. Motion carried 4-0.

6 ACTION ITEMS

- A. Authorize Payment of Segal Rogerscasey Invoice in the Amount of \$25,000 from Prudential Expense Account

MOTION: Hudkins moved and Smoyer seconded approval. Hudkins, Smoyer, Heier and Schorr voted aye. Raybould was absent from voting. Motion carried 4-0.

7 CONSENT ITEMS

There were no consent items.

8 ADMINISTRATIVE OFFICER REPORT

There were no Administrative Officer reports.

9 PENDING

There were no pending items.

10 DISCUSSION OF BOARD MEMBER MEETINGS

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

Schorr said the RTSD approved safety fencing for two locations around railroad tracks near the West Haymarket arena area for a total of \$172,000. She said they also allocated \$60,000 to build a roadway near 1st and J Street to provide emergency access to that area.

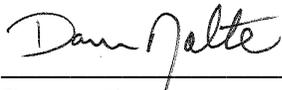
Heier asked whether monies for the Southwest 40th Street viaduct have been paid out. Smoyer said the RTSD still has 97% of what was allocated to the project.

11 EMERGENCY ITEMS AND OTHER BUSINESS

There were no emergency items or other business.

12 ADJOURNMENT

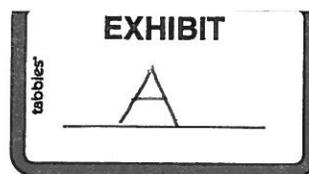
MOTION: Heier moved and Smoyer seconded to adjourn the meeting at 11:55 a.m. Hudkins, Heier, Smoyer and Schorr voted aye. Raybould was absent from voting. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk



NOTE: Minutes were submitted by Ann Taylor, County Clerk's Office.



Lancaster Event Center Grant Request: Julie Burton came to represent the grant request of Phase III at the Lancaster Event Center. She said earlier this year they presented. They were told to look back and change some things. They made upgrades such as parking lots, removing islands and surfacing. Islands have been a safety hazard with people tripping over them. They are asking for the funds that normally events that come to LEC would be paying for. Originally they were asking for 44 mill and they have now cut that down to 35 mill. They were able to save some money and also cut costs down. They narrowed down the next five years.

The items they would like to add or fix are the following: 1- new lighting for indoor events, 2-a fence for outdoor events, 3 - wireless public address system, 4 – additional electrical, 5 – permanent concession stand, 6 - parking lot #7, and 7 – Mulbach lighting and power. They need new bulbs for indoor lighting. They would like to have a fence to be able to charge people for outdoor events such as the tractor pulls. Right now with no fence they have a hard time charging people. They are applying for a liquor license for these events through the city and county because there in between the lines for both. The last building they want to make updates because they have to hall food over to it.

Dave Wheaton made a motion to approve the full amount of \$2,124,790 mill grant request by Lancaster Event Center. The motion was seconded by Julie Lattimer. Motion carried.

University Place Community Organization and University Place Business Association Grant Request: Carlos Guerrero came to represent the grant request for University Place First Friday. The idea for this new project came from the Chamber with the new branding. Carlos said they would like to get involved. They would like to create flags and alternate different themes throughout University Place. For this grant they would purchase 30 banners with hardware for existing light poles. The flags would alternate between the University Place logo and new Lincoln branding standards. Along with putting up the flags they are planning to invite citizens of Lincoln and surrounding communities to see what University Place has to offer on the First Friday of every month.

Becky Perrett approved to deny the request for \$10,000 grant request by University Place Community Organization and University Place Business Association. The motion was seconded by Lynne Ireland.

The BAY Grant Request: Mike Smith came to represent the grant request for The BAY which is a non-profit indoor skate park. Their organization has relocated from Gateway Mall to 2005 Y Street in order to accommodate space for a youth-driven art studio, all-age concert venue and in addition to an expanded skate park. Mike said the money requested is for the skate park, art gallery, coffee shop and concerts. When the project is finished, features of the skate park will include two indoor concrete elements and two Los Angeles-inspired skate obstacles, making their skate facility one of the most unique in the Midwest.

Ron Snover made a motion to approve \$10,000 grant request by The BAY. The motion was seconded by Becky Perrett.

Abbott Sports Complex – Abbott Motocross Park Grant Request: Craig Fritz came to represent the grant request for the Abbott Sports Complex which operates the Abbott Motocross Park. The park consists of a full sized outdoor motocross track and separate mini-track for younger riders. They are seeking grant assistance to run electrical power to the Abbott Motocross Park property. The electrical power would be used for the office building and provide accessory power to run the P.A. system, event software, electronic scoring system, and parking lot lights. For competitive events, the motocross park attracts families from all over the state of Nebraska as well as bordering states. The Abbott Motocross Park facility has the potential to host regional and national events that would bring thousands of families to Lincoln.

Julie Lattimer made a motion to approve \$10,000 grant request by Abbott Sports Complex - Abbott Motocross Park. The motion was seconded by Becky Perrett.

Sheldon Art Association Grant Request: Laura Reznicek came to represent the grant request for the Sheldon Museum of Art. She said each year 75,000 tourists and visitors make the Sheldon Museum of Art and Sculpture Garden a destination in order to experience the beauty of the building, the artwork, and the Sculpture Garden. The proposed project will renovate the Sculpture Garden. There focus will be more visitor friendly, additional artworks will be brought out of storage, more space to sit and spend time, and improve the learning experience. The museum's 50th anniversary in 2013 is the ideal time to unveil an improved visitor experience in the Sheldon Sculpture Garden.

Ron Snover made a motion to approve \$10,000 grant request by the Sheldon Museum of Art. The motion was seconded by Becky Perrett.

Special Olympics Nebraska Grant Request: Carolyn Chamberlin came to represent the grant request for Special Olympics Nebraska. She said they provide year-round sports training and competition in 19 Olympic-type sports for children and adults with intellectual disabilities. The Sports Classic competition is held every year in Lincoln, Nebraska during the month of August. This competition hosts over 1,000 athletes and over 500 spectators who will be traveling to Lincoln from across the state. The cost of the event is \$30,000 and additional costs includes expenses for awards, advertising, printing, publishing, general supplies, meals, equipment rental, public relations and other expenses. The money received would go to support their marketing and outreach efforts to increase visibility as well as visitor attraction to Lancaster County.

Ron Snover made a motion to deny the \$10,000 grant request by Special Olympics Nebraska. The motion was seconded by Becky Perrett.

National Museum of Roller Skating Grant Request: James Vannurden and George Pickard came to represent the grant request for the National Museum of Roller Skating. At the National Museum of Roller Skating they collect, preserve, and display the history of roller skating. They want to add seven display cases that would meet visitors right away upon entrance. Right now when people enter the building, visitors are met with office equipment. Then they navigate their way through offices and cubicles to find the museum in the back portion of the building. They want to give visitors a sense of the museum right away when entering, but also to give more exhibition space for the museum to share its wonderful and world-renown collection.

Lynne Ireland made a motion to approve the \$8,500 grant request by the National Museum of Roller Skating. The motion was seconded by Roland Morgan.

Lincoln Fencing Association Grant Request: Kit Boesch came to represent the grant request for the Lincoln Fencing Club. The Lincoln Fencing Club (LFC) has been around since 1980 has about 100 fencers ranging from ages 8 to 80. The United States Fencing Association (USFA) has asked LFC to bid on hosting a North American Cup (NAC) Youth Tournament in 2014. The USFA will be watching the two smaller tournaments, The Icicle Tournament (Jan. 26-27, 2013) and the Capital City Youth Classic (Apr. 26-27, 2013) very closely to see how they are conducted, advertised, if vendors will attend, how parents and coaches are taken care of and public relations LFC adds to indicated the caliber of tournaments they run. Their request is to add promotional and advertising opportunities to expand and improve their existing tournaments; and to help them acquire exhibits which they have not been able to afford in the past. Having both will increase the number of attendees. It will also increase their chances to host a Youth NAC with 1000 fencers, for the USFA in the future; bringing more substantial money to Lincoln.

Lynne Ireland made a motion to approve the \$1,400 grant request by the Lincoln Fencing Association. The motion was seconded by Dave Wheaton.



December 11, 2012

TO: Lancaster County Commissioners

FR: Jeff Maul, Executive Director
Lincoln Convention and Visitors Bureau

RE: Additional ½% Lodging Tax request

Formal Action was taken by the VPC on November 19th, 2012, in which they deemed the facilities as adequate. The following represents the VPC recommendation (11-19-12) that the funds for July – October 2012 be released to the CVB.

½% CVB Bid Fee Lodging Tax Request, per VPC minutes

Maul said this is improvement fund dollars for promotion of events. There are bid fees in order to promote events. He said the CVB goes after groups and allocated the dollars needed and then requests it through the VPC, with formal approval of the Lancaster County Board. This year's request is \$183,000.00 for July – October 2012. Lattimer asked if there are any questions on the CVB request for funds. Lattimer asked for a motion to approve the facilities adequate and allow improvement fund dollars to be used for promotion as presented which was done by Snover and seconded by Lattimer. Motion carried.

The VPC has made a determination that the facilities in Lincoln are adequate in order to request these lodging tax funds. In order for us to continue our bid process in attracting new events and securing existing relationships with organizers, we ask that the approved funds be released to the CVB. We have past and existing fees that will need to be paid.

Bid Fee's are traditionally paid post event, but some require money, per contracts, prior to their event.

NEW request for ½% lodging tax (July 2012- October 2012 collection)

- a. \$180,000.00 (USARS Rollerskating Championships)
- b. \$3,000.00 (Nebraska Healthcare Association)

Total Request: \$183,000.00