

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113 - BILL LUXFORD STUDIO
THURSDAY, SEPTEMBER 3, 2015
8:30 A.M.**

Commissioners Present: Roma Amundson, Chair
Larry Hudkins, Vice Chair
Deb Schorr
Bill Avery
Todd Wiltgen

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 September 2, 2015.

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:30 a.m.

AGENDA ITEM

1 APPROVAL OF MINUTES OF THE AUGUST 25, 2015 STAFF MEETING

MOTION: Wiltgen moved and Hudkins seconded approval of the minutes of the September 25, 2015 Staff Meeting. Avery, Hudkins, Wiltgen, Schorr and Amundson voted aye. Motion carried 5-0.

2 ADDITIONS TO THE AGENDA

- A. University of Nebraska-Omaha (UNO) Interns
- B. Report on Adult Probation Picnic

MOTION: Hudkins moved and Workman seconded approval of the additions to the agenda. Hudkins, Schorr, Workman, Avery and Amundson voted aye. Motion carried 5-0.

3 TEXT AMENDMENT NO. 15009 AMENDING SECTION 13.018 OF THE LANCASTER COUNTY ZONING REGULATIONS, COMMERCIAL WIND ENERGY CONVERSION SYSTEMS - Steve Henrichsen, Development Review Manager, Planning Department

Steve Henrichsen, Development Review Manager, Planning Department, recommended the scheduling of a technical briefing by the Planning and Health Departments on the text amendment in advance of the public hearing (see Exhibit A). He estimated the technical briefing will last 1.5 hours and said they have received a request that it be televised. Henrichsen said the Board will also need to set the public hearing and estimated it could last 4.5 hours. He noted there have been several requests from the public that it be held in the evening.

Avery noted he had tried to locate minutes of the Planning Commission's public hearing on the Planning Department's webpage and was unsuccessful. Henrichsen said the Planning Commission adopted the minutes yesterday and thought they would be posted on the Planning Department's webpage later in the day. The technical briefing and documents submitted during the public hearing will also be made available on the website: <http://lincoln.ne.gov/city/plan/dev/wind/index.htm>.

There was consensus to schedule the technical briefing at 10:30 a.m. on the September 10th County Board Staff Meeting. The public hearing was tentatively scheduled for 4:30 p.m. on October 13th. Both proceedings will be held in the City Council/County Commissioners Hearing Room and televised on 5 City-TV (government television station). There was also consensus to have anyone wishing to testify at the public hearing sign in at the meeting and to limit testimony to three minutes.

Wiltgen exited the meeting at 8:51 a.m.

4 A) NEBRASKA REGIONAL INTEROPERABILITY NETWORK (NRIN); AND B) DISASTER DECLARATION PROCESS - Jim Davidsaver, Emergency Management Director

A) Nebraska Regional Interoperability Network (NRIN)

Jim Davidsaver, Emergency Management Director, gave an overview of the interlocal agreement for the Nebraska Regional Interoperable Network (NRIN), noting the purpose is to create a statewide governance board to oversee management and maintenance of the network (Exhibit B).

Wiltgen returned to the meeting at 8:53 a.m.

Action on the agreement will be scheduled on the September 8, 2015 County Board of Commissioners Meeting agenda.

B) Disaster Declaration Process

Davidsaver also gave an update on the disaster declaration process noting Federal Emergency Management Agency (FEMA) categories and project time lines. He said FEMA project specialists have been assigned to City and County departments impacted by the flooding on a 30-day rotation. Amundson asked where the FEMA project specialists are housed. Pam Dingman, County Engineer, appeared and said those assigned to her department were provided workspace at the County Shop and computer equipment so they could view photographs of the flood damage and Geographic Information System (GIS) information.

Dingman said she viewed damage to bridges with the FEMA project specialists last week and asked them to come up with an emergency solution to stabilize bridges on North 98th Street and North 162nd Street. She estimated the cost to rebuild the two bridges at \$1,500,000 each.

ADDITIONS TO THE AGENDA

MOTION: Schorr moved and Wiltgen seconded to add an update on the City-County Switchboard to the agenda. Schorr, Wiltgen, Avery, Hudkins and Amundson voted aye. Motion carried 5-0.

ADMINISTRATIVE OFFICER REPORT

A. County Board Tours, Tuesday, September 22nd, 1:00 p.m.

There was consensus to tour the Election Commissioner's Office (601 North 46th Street) and Motor Vehicle Facility (625 North 46th Street).

B. Claim for Review - Payment Voucher (PV) No. 496662 in the Amount of \$678.15. The Claim Includes Meals in the Amount of \$212.14 for a Group. The Amount Exceeds the Amount of the Per Diem (\$10) Per Person (17 People)

Pam Dingman, County Engineer, appeared and said 28 members of her staff recently attended a two-day Nebraska Local Technical Assistance Program (LTAP) Winter Maintenance Workshop in Grand Island. She said their lodging and the training were funded through a grant. Dingman said she consulted the Lincoln-Lancaster County Human Resources Director and Budget and Fiscal Officer about per diem rates and was informed it was \$10 for breakfast and \$20 for dinner. The employees were sent through a breakfast buffet line at the hotel so they could get to training on time and that cost was slightly higher than the per diem rate (additional \$2.47 per person). She said she is willing to carry that expense.

MOTION: Schorr moved and Wiltgen seconded to handle the claim through the regular claims process based on the information provided by the County Engineer. Wiltgen, Avery, Hudkins, Schorr and Amundson voted aye. Motion carried 5-0.

C. Management Team Meeting Agenda (September 10, 2015)

The following items were suggested: 1) Interpreter contracts; 2) Purchasing agenda item changes; 3) On-line training (Microsoft Word, Excel and Access); and 4) Expanding the scope of the Management Team meetings.

Staff was asked to send a memorandum to the Management Team asking them for suggestions on the future direction of the meetings (topics, speakers, etc.).

D. 2015 Lancaster County Government Day (November 4, 2015)

Amundson, Hudkins and Schorr offered to assist with the event.

- 5) RECOMMENDATIONS FROM LANCASTER COUNTY VISITORS PROMOTION COMMITTEE (VPC): A) IMPROVEMENT FUND GRANT REQUEST FROM LINCOLN PARKS AND RECREATION FOR PRAIRIE CORRIDOR TRAIL (\$90,000 OVER THREE BUDGET YEARS); AND B) REAPPOINT LYNNE IRELAND TO VISITORS PROMOTION COMMITTEE (VPC) - Julie Lattimer, Visitors Promotion Committee (VPC) Chair; Jeff Maul, Lincoln Convention and Visitors Bureau Executive Director**

A) Improvement Fund Grant Request from Lincoln Parks and Recreation for Prairie Corridor Trail

Julie Lattimer, Visitors Promotion Committee (VPC) Chair, gave an overview of the request from Lincoln Parks and Recreation for a \$90,000 grant, over three years, for the recreational trail component of Phase 2 of the Haines Branch Project Prairie Corridor. The funding would serve as match for an application to the Nebraska Environmental Trust (NET) for \$900,000 for the same period. **NOTE:** Other anticipated or confirmed partners for Phase 2 include the City of Lincoln, Lower Platte South Natural Resources District (NRD), Spring Creek Prairie Audubon Center, Village of Denton, Great Plains Trail Network, Recreational Trails Program, University of Nebraska-Lincoln (UNL) School of Natural Resources, Lincoln Parks Foundation, Lincoln Cares Program, Wachiska Audubon Society, Nebraska Game & Parks Commission, Prairie Plains Resource Institute and the Nebraska Land Trust. She said the proposed corridor, which is included in the Lincoln/Lancaster County Comprehensive Plan, is a 13-mile trail and tallgrass prairie with 10 miles of trails connecting Lincoln's trail system to some of the County's most valuable resources, including Pioneers Park, Conestoga Lake Recreation Area, and the Spring Creek Prairie Audubon Center near

Denton, Nebraska. Lattimer said the VPC considered the number of visitors to Pioneers Park (400,000) and the Spring Creek Prairie Audubon Center (10,000) a year and felt there is potential for those attendance numbers to grow substantially once those venues are connected. With nature centers at each end, the corridor would catalyze conservation, research, habitat development, education, outreach and opportunities for economic development and eco-tourism. She said it is also highly possible that the trail could be marketed for events like fun runs, bike rides and marathons. It's projected the ultimate economic impact could reach \$5,950,000, based on an estimated 61,000 local visitors and 124,000 visitors from outside Lincoln and a projection of 17,000 hotel rooms utilized.

Jeff Maul, Lincoln Convention and Visitors Bureau Executive Director, said the estimates may not be accurate but said he agrees the economic impact to Lincoln will be significant.

Lattimer said the VPC recommends granting the funding request. Schorr asked whether the VPC considered a lesser amount. Lattimer said it did not. She said they clarified the amount of existing funds and outstanding commitments. Kerry Eagan, Chief Administrative Officer and an ex-officio member of the VPC, said there will be sufficient funds available to fund the request.

MOTION: Hudkins moved and Wiltgen seconded to support the funding request and move the item to a regular County Board of Commissioners Meeting agenda for action. Avery, Hudkins, Schorr, Wiltgen and Amundson voted aye. Motion carried 5-0.

B) Reappoint Lynne Ireland to Visitors Promotion Committee (VPC)

Lattimer reported a recommendation from the VPC to reappoint Lynne Ireland to second four-year term.

MOTION: Hudkins moved and Wiltgen seconded to schedule the reappointment on the September 8, 2015 County Board of Commissioners Meeting agenda. Hudkins, Schorr, Wiltgen, Avery and Amundson voted aye. Motion carried 5-0.

Maul gave an update on the State Games of America which was recently held in Lincoln. He said 15,200 athletes, ranging in age from 11 months to 89 years, participated in 67 different sports. Maul said the event was a huge success and the CVB will work to have Lincoln host it again in either 2019 or 2021. It was also noted the CVB submitted a request to the Nebraska Tourism Commission to have the State Games of America be named the best event of the year in Nebraska, in the large event category, for 2015.

Wiltgen exited the meeting at 9:50 a.m.

**6) UNITED STATES DEPARTMENT OF AGRICULTURE (USDA)
WILDLIFE SERVICES - David Sprecher, USDA Wildlife Biologist**

David Sprecher, USDA Wildlife Biologist, said the USDA's Animal and Plant Health Inspection Service Wildlife Services Program (APHIS-WS) would like to continue to provide a wildlife management control plan to Lancaster County. The proposed contract would run from October 1, 2015 to June 30, 2016. **NOTE:** The current contract expired June 30, 2015. Sprecher would respond to calls seeking assistance with wildlife problems and the County would reimburse APHIS-WS for the expenses incurred, not to exceed \$7,500.00.

There was general consensus to schedule the contract on a regular County Board of Commissioners Meeting agenda for approval.

ADMINISTRATIVE OFFICER REPORT

E. Request for Credit Card for Human Services Department

It was noted the credit limit will be \$5,000. The card will be used for travel related expenses. The expenses will be reimbursed by grants.

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

F. Evaluation of Joint City-County Directors

The Chair said she and the Vice Chair discussed having the County Board evaluate the joint City-County directors with the Mayor and Rick Hoppe, Administrative Assistant to the Mayor, and said they were amenable to the idea.

Eagan said his understanding is that Hoppe is amenable to the County Board providing input to the Mayor. He suggested the need to review the interlocal agreements if the Board wants more involvement in the evaluation process.

Hudkins felt the Board's participation in the process should be outlined in a memorandum of understanding (MOU).

There was consensus to have the Chair and Eagan discuss the matter further with Hoppe.

Eagan said he will ask Doug McDaniel, Lincoln-Lancaster County Human Resources Director, to bring the final versions of the director class descriptions to the September 17th Staff Meeting.

Wiltgen returned to the meeting at 10:04 a.m.

G. Salary for New Law Clerk

Eagan said a salary of \$43,260, per County Resolution No. R-15-0002, is proposed for Mary Kate Millerd, the District Court's new law clerk.

There was Board consensus to schedule action to set the salary on the September 8, 2015 County Board of Commissioners Meeting agenda.

H. Letter from Village of Denton Regarding Condemnation of County Land

Eagan said the Village of Denton has notified the County it intends to commence with the condemnation process for the County-owned land on which Denton's maintenance shop is located (see July 16, 2015 Staff Meeting minutes).

MOTION: Hudkins moved and Wiltgen seconded to: 1) Accept the letter from the Village of Denton regarding the condemnation; and 2) Authorize Pam Dingman, County Engineer, and the County Attorney's Office to begin negotiations with the Village of Denton regarding the size, shape and cost of the parcel. Schorr, Wiltgen, Avery, Hudkins and Amundson voted aye. Motion carried 5-0.

I. Letter from Nebraska Attorney General Regarding Ponca Tribe's Proposed Land Acquisition on O Street

Hudkins said the Nebraska Attorney General's Office has expressed concern that the Ponca Tribe did not specify what the property will be used for and has asked for a letter of support for their request that the U.S. Department of the Interior's Bureau of Indian Affairs to review the land acquisition. He also pointed out that the acquisition would take the property off the tax rolls.

Eagan noted the Ponca Tribe made payment in lieu of taxes on another property it owns in Lancaster County.

Wiltgen clarified that the Ponca Tribe already owns the property and is seeking to transfer the land into trust on behalf of the tribe.

MOTION: Hudkins moved to offer a letter of support from the County Board, as requested by the Nebraska Attorney General's Office.

Wiltgen suggested the Board consult the County Attorney's Office on what course of action the Board should take. Eagan said Doug Cyr, Chief Deputy County Attorney, has read the Attorney General's letter (see agenda packet) and agrees with the analysis but did not offer a recommendation.

The maker of the motion withdrew his motion so the Board can consult Cyr on what action to take.

J. County Liaison to City Library Board

Eagan the City Library Board could amend its bylaws to allow a County liaison (ex-officio member) or the interlocal agreement could be amended to allow the addition. He said Pat Leach, Lincoln City Libraries Director, agreed to contact the City Attorney about the possibility of amending the bylaws and said he is waiting to hear back from her.

Gwen Thorpe, Deputy Chief Administrative Officer, agreed to work on a press release and a link to the City's appointment application with language that indicates it is to serve as the County's liaison.

RETURNING TO ITEM I

Doug Cyr, Chief Deputy County Attorney, appeared and said the County does not need to do anything at this point, adding the issue that will come before the Board at some point is whether or not the property should be exempt from taxation.

7) PENDING LITIGATION - Doug Cyr, Chief Deputy County Attorney

MOTION: Schorr moved and Wiltgen seconded to enter Executive Session at 10:22 a.m. for the purpose of protecting the public interest with regards to pending litigation, labor negotiations and a security issue.

The Chair restated the motion for the record.

ROLL CALL: Wiltgen, Avery, Hudkins, Schorr and Amundson voted aye. Motion carried 5-0.

Schorr exited the meeting.

MOTION: Wiltgen moved and Hudkins seconded to exit Executive Session at 11:47 a.m. Hudkins, Wiltgen, Avery and Amundson voted aye. Schorr was absent from voting. Motion carried 4-0.

8) LABOR NEGOTIATIONS - Doug McDaniel, Lincoln-Lancaster County Human Resources Director; Nicole Gross and Amy Sadler, Compensation Technicians; Kristy Bauer, Deputy County Attorney; Pam Dingman, County Engineer

See Item 7.

9) SECURITY ISSUE - Sheli Schindler, Youth Services Center (YSC)
Director

See Item 7.

10) CONSENT ITEMS

There were no consent items.

Schorr returned to the meeting at 11:48 a.m.

RETURNING TO ITEM 3

Minette Genuchi, Administrative Assistant to the County Board, appeared and said there is a scheduling conflict for September 10th, the date of the technical briefing. She said a Joint Antelope Valley Authority (JAVA) Meeting is already scheduled for 10:30 a.m. in the City Council/County Commissioners Hearing Room. There was consensus to reschedule the technical briefing from 10:30 a.m. to 10:45 a.m.

The Chair noted there is also a scheduling conflict for October 13th, when the public hearing was scheduled. There was consensus to move the public hearing that was tentatively scheduled for 4:30 p.m. on October 13th to October 20th. The meeting time will stay the same.

11) ADMINISTRATIVE OFFICER REPORT

- A. County Board Tours, Tuesday, September 22nd, 1:00 p.m.
- B. Claim for Review - Payment Voucher (PV) No. 496662 in the Amount of \$678.15. The Claim Includes Meals in the Amount of \$212.14 for a Group. The Amount Exceeds the Amount of the Per Diem (\$10) Per Person (17 People)
- C. Management Team Meeting Agenda (September 10, 2015)
- D. 2015 Lancaster County Government Day (November 4, 2015)
- E. Request for Credit Card for Human Services Department
- F. Evaluation of Joint City-County Directors
- G. Salary for New Law Clerk
- H. Letter from Village of Denton Regarding Condemnation of County Land
- I. Letter from Nebraska Attorney General Regarding Ponca Tribe's Proposed Land Acquisition on O Street
- J. County Liaison to City Library Board

Items A-J were moved forward on the agenda.

12 PENDING

There were no pending items.

13 DISCUSSION OF BOARD MEMBER MEETINGS

A. Lancaster County Fairgrounds Joint Public Agency (JPA) - Wiltgen

Wiltgen said they approved the budget and disbursements. He said the total operating budget for Fiscal Year (FY) 2015-16 is \$2,100,000 and the total property tax requirement request is \$697,529.55.

B. Lincoln Independent Business Association (LIBA) Monthly Meeting - Schorr

Schorr said the majority of the discussion focused on budgets. She said she asked those in attendance for their input on the wind farm issue and said they felt strongly about personal property rights.

C. Meeting with Planning Department - Amundson, Hudkins

Hudkins said they discussed the proposed text amendment for commercial wind energy conversion systems.

D. Lancaster County Correctional Facility Joint Public Agency (JPA) - Amundson, Hudkins

Amundson and Hudkins reported the JPA approved claims and the budget.

E. Mobilizing for Action through Planning & Partnerships (MAPP) - Avery

Avery said he did not attend the meeting.

F. Juvenile Justice Review Committee (JJRC) - Amundson

Amundson said Ann Hobbs, Director, Juvenile Justice Institute, School of Criminology & Criminal Justice, University of Nebraska-Lincoln (UNL), discussed the review of reporting requirements. She said there were questions as to whether or not the data that comes forth will really be accurate.

G. Human Services Joint Budget Committee (JBC) - Amundson, Schorr

Schorr said two guest speakers, Alan Green, Executive Director, Mental Health Association of Nebraska, and another member of that organization, discussed their programs, with a specific focus on the Respond Empower Advocate Listen (REAL) Program that they run with the Lincoln Police Department (LPD) for individuals in

crisis. Mike Thurber, Corrections Director, and Brenda Fisher, Program Director, presented data on JBC and Keno Prevention Fund funding that was allocated for programming for recidivism reduction in the jail. She said they also preliminarily discussion regarding changes to the Keno allocation process for the coming year.

H. Chamber Coffee - Amundson

Amundson said a variety of topics were discussed, including budgets, tourism, workforce development, the Legislature's interim studies, and student enrollment numbers.

RETURNING TO ITEM 3

Cori Beattie, Deputy County Clerk, asked whether it would be helpful if the County Clerk's Office were to create a webpage specific to the wind farm text amendment issue with links to meeting information, related materials, an email address for comments, and the Planning Department's webpage. There was consensus to hold off until after the technical briefing.

ADDITIONS TO THE AGENDA

A. University of Nebraska-Omaha (UNO) Interns

Eagan said Robert Blair, Associate Professor, School of Public Administration, University of Nebraska at Omaha (UNO), is interested in providing interns (3 students and 1 graduate student) to the County to do program evaluations in either the human services or criminal justice areas. Other suggested projects are: 1) Review County properties; 2) Work on identifying how many individuals in the jail have mental health issues; and 3) Identify how to track the impact of Legislative Bill (LB) 605 which changed classification of penalties, punishments, probation and parole provisions, and provisions relating to criminal records and restitution. Eagan said he will tell Professor Blair the Board is interested in having the interns and will report back on the details.

B. Report on Adult Probation Picnic

Amundson said she attended the event, noting there were approximately 125 in attendance.

C. Update on the City-County Switchboard

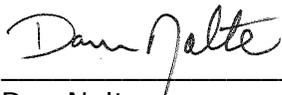
Eagan said the County offices do not feel the switchboard is necessary and recommended the County options be removed from the switchboard recording. The City has indicated it is interested in retaining the switchboard so their options will remain. Schorr asked staff to make sure the County will no longer be billed for the service.

14 EMERGENCY ITEMS AND OTHER BUSINESS

There were no emergency items or other business.

15 ADJOURNMENT

MOTION: Wiltgen moved and Hudkins seconded to adjourn the meeting at 12:17 p.m. Wiltgen, Avery, Hudkins, Schorr and Amundson voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk





**County Board Briefing
 Staffing Meeting
 Thursday, September 3, 2015**

NRIN Interlocal Agreement

NRIN: Nebraska Regional Interoperable Network

A network of microwave links and other communications mediums providing a 99.999% reliable 100Mbps MPLS (Multiprotocol Label Switching) over Ethernet network providing connectivity to the 78 Public Service Access Points (PSAPs) in Nebraska.

Purpose of Interlocal Agreement: Authorization to create a statewide governance board to oversee management and maintenance of the network.

Interlocal Agreement Request should be on the September 8th County Board meeting agenda

Disaster Declaration Update

Timeline

- May 6-8: Large scale flooding event throughout Lancaster County and Southeast NE
- May 27 & 29: FEMA conducts preliminary damage assessment (PDA) in Lancaster County
- June 25: Federal Disaster Declaration DR-4225 issued
- July 15: Applicant briefing hosted by NEMA
- August 12: Kickoff Meeting with FEMA

FEMA Project Specialists assigned to Lincoln & Lancaster County depts.

Reference material: **FEMA P-323 Public Assistance Applicant Handbook**

FEMA Categories

Initial Response and Recovery

- Category A: Debris Removal
- Category B: Emergency Protective Measures

Long Term Recovery

- Category C: Roads and Bridges
- Category D: Water Control Facilities
- Category E: Buildings and Equipment
- Category F: Utilities
- Category G: Parks, Recreational Areas and other facilities
- Category H: Fire Management

Project Timelines (from date of declaration)

- Debris Removal: 6 months
- Emergency Protective Measures: 6 months
- Long Term Recovery (Cats C-H): 18 months

Department Updates

Initial Response and Recovery

Lancaster County Sheriff's Office

Lincoln-Lancaster County Health Department

Lincoln Police Department

All three: Emergency Protective Measures (Cat B)

Long Term Recovery

Lancaster County Engineer

Debris Removal (Cat A)

Emergency Protective Measures (Cat B)

Roads and bridges (Cat C)

City of Lincoln Public Works

Debris Removal (Cat A)

Water Control Facilities (Cat D)

Lincoln Parks and Rec

Trails system (Cat G)

Lincoln Fire & Rescue

Facilities and Equipment (Cat E)

Issues

What is an allowable, reimbursable expense?

Employee Staffing

Regular time vs. overtime

Regular duties vs. Reassigned duties

Debris Removal and Proper Disposal

Pilot project participation availability

FEMA Project Specialists

Some are on 30-day assignment rotations.

New specialists are assigned to fill vacancies.

This can cause issues with continuity of operations.

Project Closeouts

Reimbursement payments are made only after a project is successfully completed.

The closeout process includes certification that the work was completed as outlined in the original project.