

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
THURSDAY, FEBRUARY 27, 2020
COUNTY-CITY BUILDING
ROOM 113 - BILL LUXFORD STUDIO
8:30 A.M.**

Commissioners Present: Sean Flowerday, Chair; Rick Vest, Vice Chair; Deb Schorr, Christa Yoakum and Roma Amundson

Others Present: Ann Ames, Deputy Chief Administrative Officer; and Dan Nolte, 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 February 26, 2020.

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:31 a.m.

AGENDA ITEM

1. APPROVAL OF STAFF MEETING MINUTES FOR FEBRUARY 20, 2020

MOTION: Yoakum moved and Vest seconded approval of the February 20, 2020 Staff Meeting minutes. Vest, Schorr, Yoakum and Flowerday voted yes. Amundson was absent. Motion carried 4-0.

Amundson arrived at 8:34 a.m.

2. LEGISLATIVE UPDATE – Joe Kohout and Brennen Miller, Kissel, Kohout, ES Associates LLC

Joe Kohout and Brennen Miller, Kissel, Kohout, ES Associates LLC provided an overview of the weekly legislative report (Exhibit 1), bill information (Exhibit 2), hearing schedule (Exhibit 3) and County priorities (Exhibit 4). It was noted that today is the last day for legislative hearings.

Regarding priority bills, it was noted that LB 247, a speaker priority bill, is supported by Senator Kate Bolz. LB 48 is a priority bill dealing with juvenile services but it should not affect the County contract with the State, although, a bill introduced by Senator Vargas could have an impact.

LB 1218 applies to political subdivisions and has a \$1,300,000 fiscal note from the State. Bob Walla, Purchasing Director, expressed concern that the City of Lincoln would be required to direct a certain percentage of projects to underutilized businesses. He said monitoring this would require additional staff and with a shortage of contractors, there could be delays in completing projects. Pam Dingman, County Engineer, expressed support for the bill. She believed diversity needs to occur and that there are roadblocks for some businesses to obtain contracts. Kohout recommended the Board take no position on the bill at this time as amendments are still being developed.

Miller said LB 1167 would allow the public to speak at any meeting of public bodies. This would include many county meetings including committees established by a political subdivision. Opponents have said there is generally not a problem with people being able to speak at a meeting. It was also noted that time restraints could be adopted by the political subdivision to keep speakers to a reasonable amount of time.

LB 1024 is the Risk Management Act and includes best practices. It is supported by the Insurance Federation and opposed by the League of Municipalities.

The TERC (Tax Equalization and Review Commission) bill is opposed by NACO (Nebraska Association of County Officials) and the Assessor's Association.

LB 749, the Anti-Terrorism Act, is opposed by the ACLU (American Civil Liberties Union) which believes the penalties are too harsh.

LB 744, allowing for the appointment of County Engineers, is being heard today.

LB 1125, dealing with homestead exemptions, is supported by Douglas County and opposed by NACO. Additionally, LB 1192, related to homestead exemptions, is opposed by Lancaster County.

LB 103 changes requirements for budget hearings. It would require publishing a one-fourth page newspaper advertisement prior to the hearing. LB 1213 is a similar bill.

MOTION: Amundson moved and Yoakum seconded to oppose LB744. Amundson, Schorr, Yoakum, Vest and Flowerday voted yes. Motion carried 5-0.

Dingman will relay this vote at the hearing on the bill.

3. ELECTION MONITORING SOFTWARE – Dave Shively, Election Commissioner; and Ken Carbullido, Principal Consultant at Election Tek, LLC

Dave Shively, Election Commissioner, brought to the Board's attention a new application that can monitor polling site activity as well as early voting. The goal is to make the voting process more efficient.

Ken Carbullido, Principal Consultant at Election Tek, LLC, said the application he is developing is seeking to minimize long lines at both polling places and early voting locations. He said the goal is to reduce citizens' time to vote to no more than 30 minutes. Cell phones would be detected to show how long a person is in a polling place. They do not know who is at the site, just that they are there. When delays are detected at a polling location, the staff can make adjustments to alleviate the delays. It can improve scheduling, as well as how much equipment is needed at a site. Carbullido will provide this service at no cost to Lancaster County as a pilot project. It would include an early voting location as well as several polling places. In the future, he would provide it to the County at cost if it is successfully developed.

Yoakum had concerns that this could be perceived negatively by voters if they thought someone would have their information and that this needs to be explained fully.

MOTION: Amundson moved and Schorr seconded to authorize the Election Office to undertake the pilot project with Election Tek, LLC. Schorr, Yoakum, Vest, Amundson and Flowerday voted yes. Motion carried 5-0.

4. FELONY IV DIVERSION – Pat Condon, County Attorney; and Kim Etherton, Corrections Director

County Attorney Pat Condon explained that with the addition of an attorney to handle drug cases, it would speed up the process of moving more people to Diversion whereby they would have access to intensive supervision. This would result in a lower re-offense rate.

Community Corrections Director Kim Etherton said with drug monitoring, additional staff would be necessary. With a methamphetamine program, she will need an additional mental health clinician. With this addition, the program can be up and running with current staffing. In the future, it may require the addition of a case manager. She estimated the first-year cost at approximately \$150,000. There may be some reimbursements available by working in conjunction with the DUI Court.

Flowerday asked where she would anticipate this program to be in two years. Etherton said if successful, it could involve 1,000 cases a year. Flowerday noted that some of these are level III & IV felonies and they have been pushed to the County by the State due to legislative changes.

Vest added that if persons are not incarcerated as a result of this proposal, it will reduce jail costs.

MOTION: Vest moved and Amundson seconded to authorize Community Corrections to hire a mental health clinician. Yoakum, Vest, Amundson, Schorr and Flowerday voted yes. Motion carried 5-0.

The meeting was recessed at 9:30 a.m. and reconvened at 9:44 a.m.

5. VETERANS SERVICES ANNUAL REPORT – Richard Ringlein, Veterans Service Officer

Rick Ringlein, Veterans Service Officer, provided a PowerPoint presentation of services the agency provides to veterans in Lancaster County (Exhibit 5). The Office assists with disability and pension issues and veterans home applications. As of September 2019, there were 16,992 veterans residing in Lancaster County with 514 having 100% disability.

Ringlein told the Board that a veteran can obtain a military special license plate at no charge if they have a military related disability. He added an ongoing challenge is staff transition.

DEPUTY CHIEF ADMINISTRATIVE OFFICER REPORT

A. Board of Zoning Re-appointment of Herschel Staats

Deputy Chief Administrative Officer Ann Ames will forward the reappointment to a Tuesday agenda.

DISCUSSION OF BOARD MEMBER MEETINGS ATTENDED

A. Juvenile Detention Alternatives Initiative (JDAI) Collaborative Meeting – Amundson/Yoakum

Amundson said Human Services Director Sara Hoyle and Dr. Richard Weiner with the University of Nebraska were present as were representatives from State Probation and various non-profit agencies. State Probation gave a report on shelter issues.

Vest exited the meeting at 10:10 a.m. and returned at 10:14 a.m.

B. Lancaster County Fairgrounds Joint Public Agency (JPA) – Amundson/Vest

It was noted the Fairgrounds Joint Public Agency (JPA) did not meet. The Agricultural Society discussed County Fair preparations and grandstand construction.

C. New Americans Task Force Meeting and Quarterly Consultation – Yoakum

Yoakum reported that the New Americans Task Force is moving forward with the My City Academy. Participants will get to better know their community, city and government.

D. County Board Chair/Vice Chair Monthly Meeting with Planning – Flowerday/Vest

Flowerday and Vest said discussion included solar energy regulation, CAFO (Concentrated Animal Feeding Operation) language and the 2050 Comprehensive Plan.

The Staff Meeting was recessed at 10:15 a.m.

6. BOARD OF CORRECTIONS QUARTERLY MEETING – Brad Johnson, Corrections Director

See separate minutes.

The Staff Meeting was reconvened at 10:58 a.m.

7. RESTORATIVE JUSTICE TRAINING FOR YOUTH SERVICES PROGRAM SUPERVISOR – Sheli Schindler, Youth Services Director

Sheli Schindler, Youth Services Center Director, said LB 230 was passed. It includes responses to youth behavior and restorative measures for youth facilities. One goal is to decrease acting out by residents.

Flowerday exited at 11:00 a.m. and returned at 11:03 a.m.

Schindler recommended sending Chad Chapman, Program Supervisor, to restorative justice training. She noted the cost could be covered by her current budget.

MOTION: Amundson moved and Vest seconded to authorize the Youth Services Center to send Chad Chapman to restorative justice training. Amundson, Vest, Yoakum, Schorr and Flowerday voted yes. Motion carried 5-0.

8. COUNTY TEXT AMENDMENT NO. 19010: TEXT AMENDMENT TO THE LANCASTER COUNTY ZONING RESOLUTION, ARTICLE 2 DEFINITIONS, ARTICLE 4 AG-DISTRICT, ARTICLE 13 SPECIAL PERMITS AND ARTICLE 22 GENERAL PROVISIONS
DISCUSSION – Jenifer Holloway, Deputy County Attorney

Jenifer Holloway, Deputy County Attorney, met with the Board to discuss County Text Amendment No. 19010. She said working out the details for the permitting process for the wells was more difficult than anticipated. Language needs to be developed that does not conflict with Natural Resources District (NRD) requirements. Since the Lower Platte South NRD and Nemaha NRD both have jurisdiction, requirements from both will be incorporated into the regulations.

Holloway said well permits may require a pump test by the NRD, but not an aquifer test, and that the NRD cannot be required to undertake the test.

Jonathan Leo, attorney, appeared and suggested an amendment to provide information about the productivity of the water source to ensure it is enough volume for a CAFO (Concentrated Animal Feeding Operation). It should also be determined how this would impact other wells in the area. He said a pump test is for 24 hours under NRD rules and felt a 72-hour test would show if there is enough volume for a CAFO. He did not believe this would violate NRD rules if it became a County requirement.

Holloway said an interlocal agreement with the NRD would be needed to provide for the additional pump test and there will need to be another text amendment on pump tests for large CAFOs. It was noted this will be on a future meeting agenda.

Amundson exited the meeting at 11:28 a.m.

9. 20-21 BUDGET INSTRUCTIONS – Dennis Meyer, Budget & Fiscal Officer

Dennis Meyer, Budget & Fiscal Officer, discussed instructions to agencies for development of the FY 2021-22 budget. He recommended the Board not utilize a service-based budget for the upcoming budget but to explore other types of budgets in the future. He added there will also be more OpenGov training for persons developing agency budgets.

10. DEPUTY CHIEF ADMINISTRATIVE OFFICER REPORT

Item moved forward on agenda.

11. DISCUSSION OF BOARD MEMBER MEETINGS ATTENDED

Items moved forward on agenda.

12. SCHEDULE OF BOARD MEMBER MEETINGS

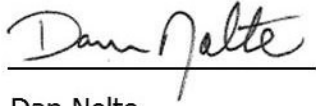
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13. EMERGENCY ITEMS

There were no emergency items.

14. ADJOURNMENT

MOTION: Schorr moved and Vest seconded to adjourn at 11:37 a.m. Vest, Yoakum, Schorr and Flowerday voted yes. Amundson was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk

