

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
THURSDAY, APRIL 14, 2022 AT 8:30 A.M.
COUNTY CITY BUILDING, 555 S. 10TH STREET
ROOM 112 - CHAMBERS**

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

Others Present: Dave Derbin, Chief Administrative Officer; Kristy Bauer, Deputy Chief Administrative Officer; Leslie Brestel, County Clerk's Office

Advanced public notice of the meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, website and emailed to the media on April 13, 2022. Notice was also published in the Lincoln Journal Star print and digital editions on April 11, 2022.

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

AGENDA ITEM

1. APPROVAL OF STAFF MEETING MINUTES FROM APRIL 7, 2022

MOTION: Yoakum moved and Amundson seconded approval of the minutes. Flowerday, Vest, Amundson and Yoakum and Schorr voted yes. Motion carried 5-0.

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

Kohout reviewed the weekly report (Exhibit 1). Both LB873 (Change provisions relating to corporate and individual income taxes, taxation of social security benefits, and property tax credits) and LB1014 (Appropriate Federal Funds allocated to the State of Nebraska pursuant to the federal American Rescue Plan Act of 2021) passed and been signed by Governor Ricketts. The Legislature overrode every veto in the budget package except for the transfer of \$14,000,000 from the emergency fund to the cash reserve as it is intended for COVID response if necessary.

LB921 (Provide for reimbursement for lodging of certain defendants, require medicaid enrollment assistance for inmates, change priority for admission to state hospitals for the mentally ill and require minimum numbers of beds at the Lincoln Regional Center, and create the Legislative Mental Health Care Capacity Strategic Planning Committee) moved to Final Reading with the provisions for LB952 (Provide medicaid enrollment assistance to inmates prior to release from incarceration) and LB1223 (Require reimbursement for lodging certain defendants in county jails and require state hospitals to maintain beds for certain patients). LB876 (Change provisions relating to the State Racing and Gaming Commission, wagering on and conduct of horseraces, the Nebraska Racetrack Gaming Act, taxation of gaming activities, and public records) also moved to Final Reading; however, the intended amendment containing provisions for LB73 (Direct a portion of the proceeds from the Nebraska Racetrack Gaming Act to county agricultural societies) was not included.

Concerning LB1223, Kohout said the bill remained intact according to originally amended version with

an update to the bed capacity. Tenants of the bill include: 1) the Legislature will convene a taskforce study on the number of beds at the Lincoln Regional Center (LRC), 2) for each person ordered to the LRC for competency restoration who is held in the jail more than 30 days from the court ruling, the State will pay the County \$100 per day, and 3) competency restoration in a priority order in admittance to the LRC. The bill is on the Governor's desk for his signature.

LB805 (Change provisions relating to prioritization of applications and intent to appropriate funds under the Noxious Weed Control Act) passed with an update of the funding being from American Rescue Plan Act (ARPA) funds as opposed to General Fund appropriations.

Regarding LB952, Kohout stated the Department of Health and Human Services (DHHS) will need to send staff to 77 State and county facilities to assist individuals in applying for Medicaid. There is an amendment to limit the Department's entry into State facilities in the three largest counties as there is available staff in those communities.

Kohout reported there is an estimated \$75,000,000 set aside for developmental disability providers. Additionally, there is the 15% rate increase for behavioral health providers with provisions in the ARPA funds for \$25,500,000 to build beds in local communities and conduct grant programs for the workforce. LB1066 (Appropriate federal funds to the Department of Health and Human Services and the University of Nebraska for behavioral health care services) will also appropriate \$2,500,000 for use by the grant programs.

LB760 (Appropriate federal funds to the Department of Health and Human Services for grants to licensed emergency medical services programs) and LB1138 (Appropriate federal funds to the Department of Health and Human Services for local public health departments) were included in the ARPA bill and signed by the Governor. LB1250 (Change provisions relating to joint public hearings and postcards under the Property Tax Request Act) was amended into LB927 (Change provisions relating to the Civic and Community Center Financing Act, the Convention Center Facility Financing Assistance Act, the Property Tax Request Act, and the Sports Arena Facility Financing Assistance Act) and was presented to the Governor.

When asked about LR263CA (Constitutional amendment to require the Legislature to reimburse political subdivisions as prescribed), Kohout felt there is a lot of work to be conducted.

Kohout and Miller stated, due to the elections, they anticipate few interim studies to be prioritized (Exhibit 2). Kohout added there may be a special session this summer focusing on abortion bills.

The Board expressed their thanks to Kohout and Miller for their assistance.

Additionally, a listing of Lancaster County priority bills (Exhibit 3) and a comprehensive listing of bills were provided (Exhibit 4).

3. BOARD OF EQUALIZATION UPDATE – Cori Beattie, Chief Deputy County Clerk, and Cody Gerdes, Great Plains Appraisal

Dan Zieg, Chief Deputy County Attorney, and Dan Nolte, County Clerk, were also available for the discussion.

Beattie discussed changes for the 2022 Board of Equalization (BOE) process. She noted the referee review process will be paperless and introduced Nick Wemhoff and Joseph Carter with Information Services who assisted with the programming efforts. She thanked them, as well as the County Attorney's Office, County Assessor/Register of Deeds Office, Great Plains and Brestel for their support and continued assistance with the project.

Gerdes added the referee screens have been incorporated into the current database as well as information imported from the Assessor's database. The updated system will allow the referees to be more consistent and thorough in their reviews.

It was confirmed that electronic filing is not mandatory. The Clerk's Office will enter protest forms and supporting documentation received by mail into the database for the referees to review.

A. BOE Policies and Procedures

Beattie requested Board input on supporting documentation and COVID protocols (see agenda packet). Last year all supporting documentation was to be filed at the time of the protest. Those filing electronically were given two hours to upload their documentation. This rule gave a clear timeline definition for everyone involved in the process. Due to the paperless referee review process, it would now be possible to allow filers to submit supporting documentation beyond the timeframe of the protest filing.

In person hearings are estimated to be the week of July 18-22, 2022. All referee recommendations will need to be to the Clerk's Office by August 3 to be posted with the BOE agenda on August 5. It was the consensus of the Board that all supporting documentation be submitted no later than seven (7) days from the date of the hearing date.

Concerning COVID protocols, phone hearings will still be offered and those attending in person hearings will be required to follow federal, state and local health guidelines or directed health measures.

Finalized policies and procedures will be presented in May to the Board for Board action.

B. Coordinator/Referee Contracts

Gerdes stated most referees entered into two-year contracts last year. There will be training with the referees on the system.

C. Resolution

The resolution to extend the deadline for hearing valuation protests to August 10th will be on a May Tuesday agenda for Board action.

D. BOE Letters

Beattie discussed revisions to the letters. Decisions made regarding the submittal of additional information and COVID protocol will be included in the final versions.

E. Lancaster County Protest Form

Beattie reviewed the protest form (see agenda packet). She noted due to new legislation protests can only be accepted on approved protest forms. The Clerk's Office will have these forms available. Required information for a protest includes (1) the real property description; (2) reason(s) for the requested valuation change; (3) the requested valuation amount; and (4) a signature. If any of these fields are not completed, the Clerk's Office strives to contact filers to obtain the missing information. If the filer does not respond, dismissal of the protest may be recommended.

Gerdes said the form includes prompts for the most common reasons for a requested valuation change. It also gives the referees a roadmap as to why the protest was filed and what types of information they should expect to receive.

Gerdes reviewed the referee final report (Exhibit 5). The report contains information that is built from the system. The public will be able to view and print the report once it is complete. He noted there is a section for the referees to leave comments as to why the recommendation is being made.

Schorr asked if the requested valuation is required for the online filings. Wemhoff answered all of the required elements are mandatory when filing electronically. Gerdes added the same is true for various referee components, such as value recommendations or reasons for the recommendation.

F. Hearing Venue

Beattie stated two venues for in-person hearings are being explored, the County Extension Office and the Lincoln Firefighter's Reception Hall. The final contract will be on a May Tuesday agenda for Board action.

G. Final Action Date / BOE Timeline

Beattie reviewed the protest process timeline. Protests can be filed June 1-30 with phone hearings in June and July while in-person hearings will be in mid-July. Referee recommendations will be received in the Clerk's Office on August 3 to be released with the agenda publication on August 5. BOE final action will be held on Tuesday, August 9th immediately following the BOC meeting.

4. ELEANOR CREATIVE UPDATE – Christine Weeks, Chief Executive Officer, Eleanor

Weeks gave a presentation on the County Corrections project (see agenda packet). The campaign will be mostly through social media advertisements. The website is currently in test mode, with an estimated launch time within three weeks. The link from the campaign will direct individuals to an outside website hosted through Eleanor Creative, which will include an educational feature about being a correctional officer. Brad Johnson, Corrections Director, added the site includes a chat function which a Corrections employee will be monitoring. The actual job applications will still be submitted through the City-County Human Resources system.

Flowerday suggested the tagline be updated from "Making a Difference" to "Making an Impact."

Weeks said Eleanor Creative will also have future smaller campaigns for the Mental Health Crisis Center and Youth Services Center.

5. ARPA FUNDING FOR RURAL WATER DISTRICT #1 – Alan Wood, Legal Counsel, and Jordon Bang, District Manager, Rural Water District #1, Lancaster County, Nebraska

Bang stated the ARPA funding will assist with a project located at South 148th Street and Yankee Hill Road for a new service area. Some heavy-use customers assigned to other existing service areas will be reassigned to the new service area which will create better water flow and pressure for all of the service areas. The improvement will allow the extra water tower to be used and properly maintained.

Pam Dingman, County Engineer, stressed the need to coordinate projects with her office to avoid costly utility relocations. Also, the County should be conscious that the right-of-way is cluttered. There is a major bridge closure on Pine Lake Road and, once the bridge is reopened, there is a developer ready to pave the road.

MOTION: Vest moved and Amundson seconded to authorize the County Attorney's Office to draft an interlocal agreement with the Rural Water District #1 to allocate ARPA funds for use in the project as contained in the project proposal. Flowerday, Vest, Amundson, Yoakum and Schorr voted yes. Motion carried 5-0.

BREAK

The meeting was recessed at 9:44 a.m. and reconvened at 10:01 a.m.

6. NEBRASKA TASK FORCE ONE OFFER – Candace Behrens, Deputy County Attorney

Jim Davidsaver, Emergency Management Director, reported Brooke Siefker, Emergency Management Specialist, has applied for a position with Nebraska Task Force One. She is currently in training for new and prospective task force members. Siefker has a background in recreation management. Behrens added the Task Force is recruiting Siefker to assist in finding victims during building collapses. City Fire and Rescue is a sponsoring agency for Nebraska Task Force One. The Task Force requires employer acknowledgement to deploy on specific missions. Siefker is deemed a federal volunteer on the missions, and while on the missions, she would be on leave without pay status with the County. Leave without pay status could have implications on sick and vacation leave, workers compensation and insurance premiums. There will be a Memorandum of Understanding (MOU) between Siefker and the County at a future Tuesday meeting.

Schorr asked if Siefker would be paid by the federal government. Behrens answered yes, she would be paid by the federal government. She must present her regular rate of pay to the Task Force so she can be paid at her regular rate by the Task Force, who will be reimbursed by the Federal Emergency Management Agency (FEMA). Her position will remain available to her by the County.

Yoakum inquired as to the average length of missions. Davidsaver said it is usually no more than seven days. When an individual is asked to deploy, the individual is not required to accept.

7. PROPOSED STARTRAN BUS TRANSFER STATION – Elizabeth Elliott, Director of Transportation and Utilities

Elliott introduced Mike Davis, StarTran Transit Manager.

Davis reviewed the multimodal transit transfer center presentation (see agenda packet). This is a conceptual idea that looks at both the proximity to downtown and street directions. The grant includes planning and construction phases. Elliott stated the corresponding letter of support is showing the Board's acceptance for continued work with the City, County and Public Building Commission.

Schorr asked how many StarTran employees would be at the center. Davis said only the administration team, which is 10 individuals working between the hours of 8:00 a.m. and 4:30 p.m. The center hours would be 5:00 a.m. to 10:00 p.m.

Amundson noted the Public Building Commission also saw this presentation and is supportive of the project with the ability to modify it if necessary.

Yoakum inquired if there have been any conversations with the Sheriff's Office regarding security. Elliot stated not yet, but there would be ongoing conversations throughout project.

The Board moved to Item 10A.

8. BREAK

Item moved forward on agenda.

9. COVID-19 UPDATE AND RESPONSE

No updates were given.

10. ACTION ITEM

- A. Authorize the Chair to sign a letter in support of a Federal Transit Administration (FTA) Grant for StarTran's proposed Lincoln Multimodal Transportation Center (LMTC)**

Derbin noted an updated letter was available (Exhibit 6).

MOTION: Flowerday moved and Yoakum seconded to authorize the Chair to sign the letter of support with the revisions included in Exhibit 6. Vest, Amundson, Yoakum, Flowerday and Schorr voted yes. Motion carried 5-0.

11. CHIEF ADMINISTRATIVE OFFICER REPORT

A. Village Meeting

Derbin asked for Board availability during May or June to hold a Village Meeting. Discussion topics could include broadband, rural water, rural fire, ARPA updates and rural radios.

Concerning broadband, Derbin stated the Request for Proposal (RFP) closed last week. An engineering firm will be selected in the upcoming weeks. The consultant will be required to set meetings with villages and cities for in depth reporting on the project.

12. DEPUTY CHIEF ADMINISTRATIVE OFFICER REPORT

A. 2022 NACo Annual Conference, July 21-24, 2022

Bauer will budget for one attendee to the conference.

13. DISCUSSION OF BOARD MEMBER MEETINGS ATTENDED

A. Realtors Association Government Affairs Committee – Amundson / Yoakum

Amundson said there were discussions on legislative bills, County paving projects, Veteran's Services office construction, the rural water project, mentor court recognitions, upcoming property protests, affordable housing, ARPA funds and the Sunflower Program at the airport supporting various disabilities.

B. Region V Services Committee Meeting – Yoakum

Yoakum stated there was a presentation on the Region V retirement plan and the Executive Director evaluation.

C. Region V Systems Governing Board Meeting – Yoakum

Yoakum reported there were discussions on behavioral health provider rate increases, trainings concerning crisis and drug addiction, intensive outpatient therapy via Zoom and peer-to-peer programming in rural jails.

D. Youth Crisis Response Committee – Amundson

Amundson noted there were agency updates and discussions on mental health related instances in schools, housing grant opportunities for women and their children, and the 988 mental health emergency phone line.

E. Public Building Commission – Amundson / Flowerday

Flowerday and Amundson reported there were discussions on the security of the parking garage, the use of a therapy dog with trauma victims, the upcoming move of the County Attorney's Office and the possibility of purchasing a condemned property close to the Public Defender's Office. There was

also the presentation from StarTran on the transfer station.

F. Lincoln - Lancaster County Board of Health –Flowerday

Flowerday said legislative updates and a home lead stabilization grant were discussed.

G. Lancaster County Mental Health Crisis Center Advisory Committee – Yoakum

Yoakum stated Credible, the electronics records system, will have an updated agreement available soon. Other items discussed were various open staff positions, the increased number of individuals on the weekends, the bylaws and the need for more committee members.

H. Other Meetings Attended Since the Last Staff Meeting

No reports were given.

14. SCHEDULE OF BOARD MEMBER MEETINGS

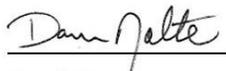
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15. EMERGENCY ITEMS

There were no emergency items.

16. ADJOURNMENT

MOTION: Amundson moved and Flowerday seconded to adjourn at 10:54 a.m. Amundson, Vest, Yoakum, Flowerday and Schorr voted yes. Motion carried 5-0.


Dan Nolte
Lancaster County Clerk

