

**MINUTES
TRI COUNTY MEETING
DOUGLAS, LANCASTER AND SARPY COUNTIES
LINCOLN CHILDREN'S ZOO
1222 SOUTH 27TH STREET, LINCOLN, NE
THURSDAY, OCTOBER 21, 2021 AT 8:30 AM**

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 October 19, 2021. Notice was also published in the Lincoln Journal Star print and digital editions on October 15, 2021.

Lancaster County: Rick Vest, Chair; Deb Schorr, Vice Chair; Roma Amundson, Sean Flowerday and Christa Yoakum, County Commissioners; David Derbin, Chief Administrative Officer; Kristy Bauer, Deputy Chief Administrative Officer; Makayla Johnson, Grant Coordinator; Leslie Brestel, County Clerk's Office; and Joe Kohout and Brennan Miller, Kissel Kohout ES Associates (Lancaster County Lobbyists)

Douglas County: Jim Cavanaugh, Mary Ann Borgeson, Chris Rodgers, PJ Morgan, County Commissioners; Dan Esch, County Clerk; Patrick Bloomingdale, Chief Administrative Officer; Kim Hawekotte, Deputy County Administrator; Joe Lorenz, Budget & Finance Director; and Sean Kelley, Kelley Plucker LLC (Douglas County Lobbyist)

Sarpy County: Don Kelly, Gary Mixan, Jim Warren, David Klug, Angi Burmeister, County Commissioners; Dan Hoins, County Administrator; Deb Houghtaling, County Clerk/Register of Deeds; Renee Lansman, Deputy County Clerk; John Reisz, Deputy County Attorney; and Tim Gay and Kaitlin Reece (Sarpy County Lobbyists)

A copy of the Nebraska Open Meeting Act was available from the Lancaster County Clerk's staff.

1) BREAKFAST

Breakfast was served from 8:30 a.m. to 9:00 a.m.

2) ZOO TOUR

Those in attendance were given a zoo tour beginning at 9:04 a.m.

Don Kelly and Jim Warren, Sarpy County Commissioners, exited the meeting at 9:50 a.m.

Introductions were made by those in attendance.

3) LANCASTER COUNTY LEGISLATIVE PRIORITIES AND ARPA

Flowerday, Schorr and Amundson reviewed the legislative priorities (see agenda packet). Kohout reviewed the Board's standing priorities (see agenda packet).

Regarding the jail population, Flowerday showed graphs of the average wait times for individuals deemed incompetent to stand trial to be admitted to the Lincoln Regional Center (LRC) (Exhibit 1).

When asked about the current jail population, Flowerday answered the population this morning is 619. He and Schorr explained that, even though the maximum capacity of the jail is over 700 individuals, the maximum capacity to safely operate quarantines is 590 individuals.

There was general conversation about problem solving courts and mental health courts as related to medication-assisted treatment for drug addictions. Derbin stated the Lancaster County Attorney's Office is

reviewing documentation with proposed settlement amounts. Amundson noted the success of the Lancaster County Veterans Court.

Yoakum and Vest led discussion on staffing shortages in non-profit agencies, especially mental health providers. Medicaid expansion is also playing a part as the program is difficult to implement and additional staff are being hired by various entities to assist in navigating the program. Reimbursement amounts from Medicaid are not enough to cover the costs of additional staff. Kohout hoped that allocations to behavioral health and public health regions will be a priority to the State when it goes through the American Rescue Plan Act (ARPA) funding process.

Hoins stated he felt the Sarpy County Board of Commissioners would support LB242 (Provide for county bridges under the Political Subdivisions Construction Alternatives Act).

Derbin noted that the Court Technology priority is moot as the State is looking into upgrading courtroom technology in all of the counties.

There was general conversation about inheritance tax. Lancaster, Sarpy and Douglas Counties receive approximately \$5,000,000-\$8,000,000, \$3,000,000-\$5,000,000 and \$12,000,000-\$15,000,000 respectively per year in inheritance tax. Kohout outlined the process of analyzing probate cases, noting that it is a very time-consuming process and that the financial impacts vary on a case-by-case basis. It was noted that Nebraska is one of six states that has inheritance tax. Additionally, inheritance tax is collected from out of state individuals.

Vest asked how Sarpy and Douglas Counties use the inheritance tax. Sarpy County designates it for the general fund and bond debts. Lancaster County uses inheritance tax as property tax relief. Douglas County is using the funds for county functions and behavioral health related projects. Also, each Douglas County Commissioner was designated \$2,500,000 for use in their district using the ARPA fund regulations. Schorr added most of the smaller counties use it to purchase heavy equipment.

Johnson reviewed Lancaster County's priorities for ARPA fund designation, including public health projects, HVAC systems for county owned facilities, body scanners for the jail, tourism, capital development for non-profit entities to expand programming to divert individuals from incarceration, increased rural broadband and rural water projects. She said Lancaster County and the City of Lincoln worked together to outline how the funding could be used so as to not duplicate efforts.

4) BREAK

The meeting was recessed at 10:57 a.m. and reconvened at 11:16 a.m.

5) DOUGLAS COUNTY LEGISLATIVE PRIORITIES AND ARPA

Kelly stated Douglas County's priorities are to protect inheritance tax, increase funding for behavioral and mental health, Criminal Justice Reform (CJR) working group, LB215 (Change 911 service surcharge provisions) and the Tax Equalization and Review Commission (TERC) Board of Equalization process.

A. Mental health issues and 988 hotline

Borgeson said there is one task force that is assisting with the technology and operational issues related to the 988 hotline, while a second task force is developing how incoming calls will be handled.

B. Use of referees in BOE (Board of Equalization) process

Borgeson discussed Douglas County's property valuation protest process and stated the Douglas County Board is looking at legislation to make the process better for citizens. There was general discussion on the constitutionality of freezing valuation rates.

Schorr described the Lancaster County protest process noting that no additional information was considered after the protest was filed. Brestel outlined the hearing methods, including telephone hearings, in person hearings and waived hearing options. Borgeson requested the Lancaster BOE process rules.

When asked what percentage of protests are appealed to the State, Brestel answered approximately 10% per year file an appeal with TERC (Tax Equalization and Review Commission).

6) LUNCH

The meeting was recessed at 11:40 a.m. and resumed at 12:37 p.m.

7) SARPY COUNTY LEGISLATIVE PRIORITIES AND ARPA

A. LB644 (2021) coordination

There was general discussion on LB644 (Adopt the Property Tax Request Act, change dates relating to tax levies, and change provisions relating to property tax refunds). Flowerday felt the postcards are misleading as only impacted entities will be listed and citizens could believe the total on the postcard will be their final tax amount, and then when the citizen receives their tax bill, the amount will be different.

B. State ARPA funding / Sewer infrastructure

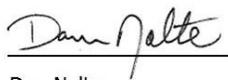
Hoins presented Sarpy County's legislative priorities, including sewer projects, mental health issues and infrastructure needs. He reviewed the proposed updated sewer system estimated at \$300,000,000 (Exhibit 2). Reece added grants through the Nebraska Department of Environmental Energy (NDEE) could be used for the sewer project and other infrastructure needs, including bridges. Concerning mental health issues, Hoins said Sarpy County designated \$1,200,000 of CARES Act funding for a 30-bed unit for individuals waiting competency restoration that has a contract with the University of Nebraska Medical Center (UNMC) for a forensic psychiatrist and additional caseworkers to assist with competency restoration. A director for the center has yet to be hired.

Kohout noted in the last budget cycle, the State allocated \$860,000 for the restoration of competency in a community-based setting. There are no contracts with behavioral health providers at this time.

Regarding ARPA funds, Kohout stated the largest requests were \$450,000,000 from the Chamber of Commerce, \$250,000,000 from health care provider network, and \$200,000,000 from the University of Nebraska-Lincoln (UNL). The Governor's Office currently has \$520,000,000 to allocate. There could be difficulties receiving funds if the counties are going to ask for infrastructure funds. Johnson added the State received \$1,000,000,000 in ARPA funds and State departments also received their own ARPA funds.

8) ADJOURNMENT

There being no further business, the meeting was adjourned at 1:15 p.m.


Dan Nolte
Lancaster County Clerk

