

**LANCASTER COUNTY 101 MEETING MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, DECEMBER 3, 2019**  
**NACO CONFERENCE ROOM**  
**3:30 P.M.-5:00 P.M.**

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

Senators Present: Myron Dorn; Anna Wishart; Tom Brandt; and Suzanne Geist

Others Present: Sam Huppert, Administrative Assistant to Kate Bolz; Joe Kohout, Brennen Miller, Kissel, Kohout, ES Associates LLC; Kim Etherton, Community Corrections Director; George Dungan, Deputy Public Defender; Brad Johnson, Corrections Director; Dennis Meyer, Budget and Fiscal Director; Todd Duncan, Chief Deputy Sheriff; Todd Wiltgen, Public Policy Specialist, Lincoln Chamber of Commerce; Rachel Garver, County Treasurer; Joe Nigro, Public Defender; Pat Condon, County Attorney; Pam Dingman, County Engineer; Pat Lopez, Lincoln-Lancaster County Health Department Interim Director; Dustin Antonello, Director of Policy and Research, Lincoln Independent Business Association (LIBA); Gary Greer, Citizen; Kerry Eagan, Chief Administrative Officer; and Leslie Brestel, 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 December 2, 2019.*

The Chair noted the location of the Open Meetings Act and opened the meeting at 3:41 p.m.

**AGENDA ITEM**

**1. INTRODUCTION & WELCOME – Commissioners Amundson and Flowerday**

Amundson and Flowerday welcomed those in attendance to the meeting.

**2. UPDATE ON COUNTY FINANCE – Dennis Meyer, Budget & Fiscal Officer**

Meyer distributed and reviewed the Lancaster County Budget (Exhibit A).

When asked if there have been budget allowances for expanded economic development opportunities (regarding special permits), Meyer answered not at this point. Flowerday added the previously proposed wind energy was projected to generate \$1,000,000 in property taxes annually.

**3. COUNTY LEGISLATIVE PRIORITIES**

**A. Standing Priorities – Kerry Eagan, Chief Administrative Officer**

The standing priorities were presented (Exhibit B).

Dungan discussed how bond is set and bail bond reform both locally and nationally. Both bills in the legislature require pre-trial services to be considered. Flowerday added the Board voted to endorse bail reform.

**B. Financing of County Bridges – Pam Dingman, County Engineer**

Dingman reviewed her presentation on County bridges (Exhibit C). Kohout added Senator Bolz is carrying LB267 (Provide a duty for the county board relating to deficient bridges and authorize a tax levy).

**C. Statewide 24/7 Sobriety – Kim Etherton, Director, Community Corrections**

Etherton described the 24/7 Sobriety program goal, how it currently operates and how passing LB335 (Authorize a 24/7 sobriety program permit for operating a motor vehicle as a condition of bail) would be beneficial. There are federal funds available for such programs, however, those funds are not accessible unless the State has a statute for a 24/7 Sobriety program.

**D. Sharing of Mental Health Info – Commissioner Schorr & Chief Deputy Sheriff Todd Duncan**

Schorr discussed LR183 (Interim study to examine whether continuity of care and safety for individuals and the public can be enhanced by allowing mental health providers to coordinate with law enforcement).

Duncan said law enforcement wants to reduce gun violence and to provide services as best as possible to those with mental illness, and that law enforcement has difficulty with these goals without access to pertinent information. Shared information would be only in the event of contact and is not intended to lead to more pre-emptive contact. Geist added the shared information would be limited to the individual's name.

**E. Advance Mental Health Directives – Brad Johnson, Director, Corrections**

Johnson stated the jail had a daily average population of 655 last month, which is a record for November. He felt some of the increase can be attributed to LB605 (Provide, change, and eliminate penalties, punishments, sentencing, restitution, probation, parole, and crime victim provisions and provide for post-release supervision, grants, and suspension of medical assistance for inmates). There is an increase in jailed individuals with mental health issues, many of those individuals do not understand the severity of their illness without medications and having an advance mental health directive would benefit them.

When asked about the percent of crowding at the jail, Johnson answered the facility has space for 786 individuals. The units for females are overcrowded. LB605 has added between 35-40 individuals per day to the jail population.

**4. SENATOR COMMENTS**

No comments.

## 5. OTHER LANCASTER COUNTY ISSUES

### A. GAINS Grant Update – Kim Etherton, Director, Community Corrections

Etherton reviewed the grant and discussions between the Regional Center, the Department of Health and Human Services (DHHS), and Douglas, Lancaster and Sarpy counties for expanding services for competency to stand trial and competency restoration and stated funding has been renewed for another year. Additionally, due to the discussions, the Regional Center has adjusted the way they operate.

### B. YRTC - Lincoln Update – Kerry Eagan, Chief Administrative Officer

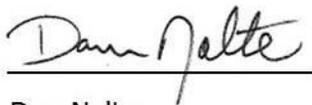
Eagan said the Youth Residential Treatment Center (YRTC) has a lease for a portion of the YRTC building for the State to use for youth treatment purposes. Kohout added tours of the building can be arranged for those interested.

## ADDITIONAL LANCASTER COUNT ISSUES

Lopez stated the Cultural Centers and the Health Department have worked together with organizations to provide culturally-appropriate preventative health trainings for the ethnic minority populations using funds from the Health Care Cash Fund. Due to a bid process change, the State will be grouped into regions with the funds being attached to the treatment of diabetes. Due to specific requirements with the change to regions, the funds may not be eligible to be accessed by the Cultural Centers. Letters have been sent to DHHS as local input is being disregarded.

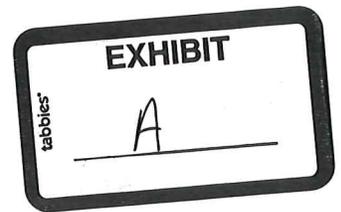
## 6. ADJOURNMENT

There being no further business the meeting was adjourned at 5:15 p.m.



Dan Nolte  
Lancaster County Clerk





**FY2019-20 ADOPTED BUDGET**  
Public Hearing held on August 27, 2019

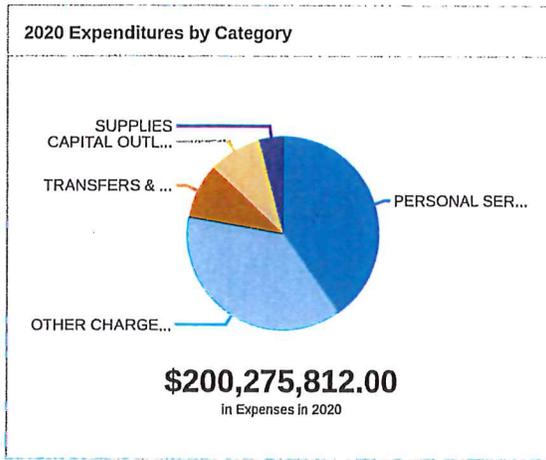


## **BUDGET OVERVIEW**

The Lancaster County's adopted budget is a plan to address a combination of state mandates, local priorities, public safety and infrastructure needs.

The Lancaster County Board's adopted budget was completed using the property tax rate of 28.1576 cents. The County Board will utilize .75 cents from the Railroad Transportation Safety District's tax rate.

## BUDGET OF EXPENDITURES



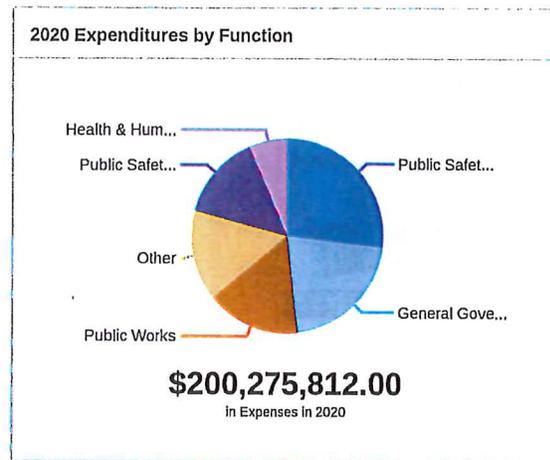
The total adopted budget of expenditures is \$200,275,812 which is a 3.72% increase in comparison to the 2018-19 adopted budget.

The largest portion of Lancaster County expenditures is for employee salaries and benefits (40.13%).

Lancaster County's 3 largest budgets:

1. County Engineer - \$31,368,413
2. Corrections - \$25,958,310
3. County Sheriff - \$13,646,568

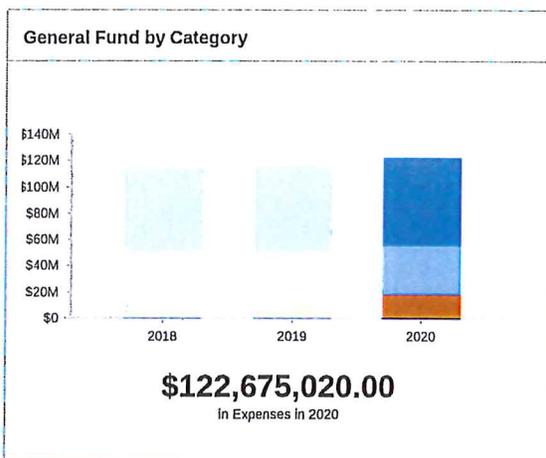
## EXPENDITURES BY FUNCTION



Public Safety, including Law Enforcement and Other, is 41.11% of the budget. Public Safety-Law Enforcement consists of Corrections, County Sheriff, Youth Services Center, etc. Public Safety-Other includes Courts, County Attorney, Public Defender, etc.

General Government is 2nd at 21.42%. General Government includes the County Clerk, County Treasurer, County Assessor/Register of Deeds, etc. The largest dollar amount is for transfers between funds.

Public Works is the 3rd largest function at 15.88%. Public Works consists of the County Engineer and Noxious Weed Control.

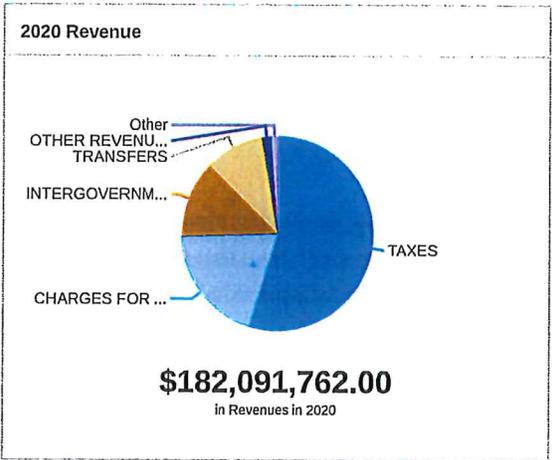


### GENERAL FUND EXPENDITURES

The total budget of expenditures for the general fund is \$122,675,020 which is an increase of \$6,542,586. This results in a 5.63% increase over the prior year.

What is driving the increased costs?

1. Lancaster County and the City of Lincoln are implementing a new HR/Payroll system. Implementation costs for Lancaster County is approximately \$900,000.
2. Additional \$3 million will be allocated to the County Engineer's budget.
3. Payroll costs are increasing by \$1,923,561 (2.95%). An additional 10 FTE's were hired mid year last year so this is the first full year of costs - \$850,000.
4. Board of Equalization costs - Residential Revaluation.
5. Increase in Jail costs - \$857,290.



## BUDGET OF REVENUES

Taxes are the largest source of revenue for Lancaster County (54.79%). Taxes consist of Property Tax, Motor Vehicle Tax and Inheritance Tax. Inheritance Tax is deposited into the General Fund and is utilized to decrease the amount of property tax required.

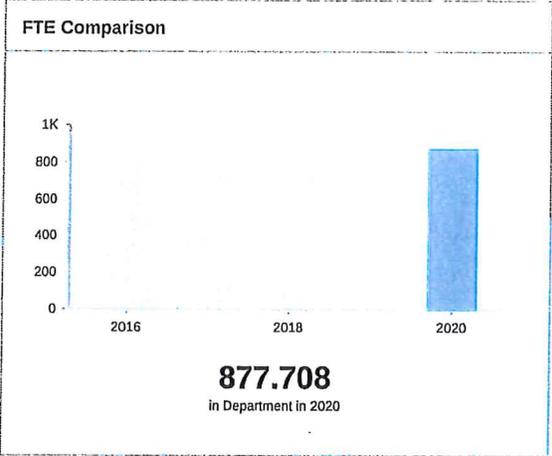
Fees in the General Fund are decreasing because revenue collected by the Youth Services Center is estimated to decrease by approximately \$985,000 due to a projected lower number of kids to be housed during 2019-20.

## Cash Reserve - General Fund

The Government Finance Officers Association (GFOA) recommends the cash reserve be no less than two months (16.67%) of regular general fund operating expenditures. Based on the recommendation from the GFOA, the General Fund's cash reserve should be \$19.6 million. The cash reserve is setup to help cash flow during months of limited property tax collections. Lancaster County is making an effort to increase the General Fund cash reserve. The new cash reserve amount will be \$8,130,699 which is an increase of \$1,940,699. Cash reserve will need to be a budget discussion item each year because the new reserve number is only 6.6% of the general fund operating expenditures.

## Fund Balance - General Fund

The General Fund balance at July 1, 2019, was lower than the previous year by \$1,353,575. The reduction in fund balance was included in the calculation of property tax needed to balance the budget.



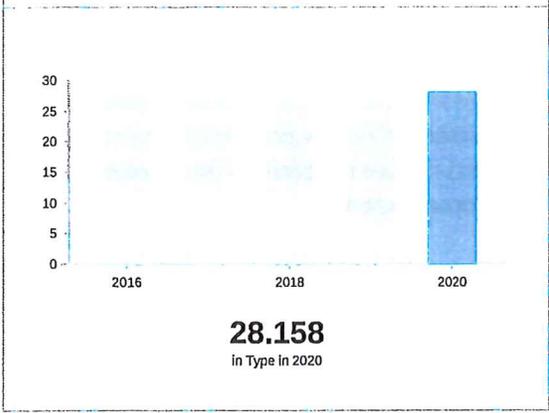
## Employees

Lancaster County's total staffing remained at the same level in 2020 as compared to 2019. Total staffing is slightly higher than 2016.

The majority of the 10 additional FTE's added in 2019 would be classified in the Public Safety function.

- 3 largest Departments:
1. Corrections - 225
  2. County Sheriff - 110
  3. County Engineer - 108

### Tax Levy



## Property Tax Levy

Property Taxes increased by 12.9%. The total amount of property taxes for the adopted budget is \$80,276,884.

The county tax levy will be 28.1576 cents which is an increase of 1.5 cents. The Railroad Transportation Safety District's levy will decrease by .75 cents.

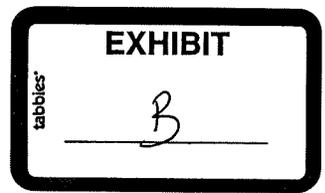
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## Standing Priorities



### 1. Property Tax Relief

Property tax relief continues to be the top legislative priority for Lancaster County.

Pressure on the property tax can be reduced by eliminating unfunded mandates which primarily benefit the State, including the obligation of counties to pay rent for certain Health and Human Services facilities under Neb. Rev. Stat. §68-130. Another way to reduce reliance on the property tax is to diversify county revenue sources. Potential new revenue sources for counties could include:

- Tobacco tax increase
- Occupation tax on wineries
- Remove sales tax exemption on soda, energy drinks, and candy, and earmark the proceeds for property tax relief
- Increase statutory fees to keep pace with the cost of the service being provided
- Establish reasonable fees for services provided by the county engineers for issuance of driveway permits, right-of-way permits, subdivision reviews, load permits, and for petitions to vacate or abandon a county public road

### 2. Funding for Adult Criminal Justice System Reform

Lancaster County's jail population and probation housing costs have increased as a direct result of 2015 Neb. Laws LB 605. Funding for the County Justice Reinvestment Grant Program created under LB 605 should be maintained or increased to help offset these additional costs. Additional property tax savings could be realized through criminal justice reforms such as no cash bail, and mandating home arrest for inmates who qualify for work release and for persons convicted for nonsupport of their children.

### 3. Funding for Juvenile Justice Reform

Juvenile justice reform under 2013 Neb. Laws LB 561 is not being adequately funded. With the passage of 2018 Neb. Laws LB 1112, adequate funding becomes even more critical. Additional funding should be appropriated for community-based post adjudication services, and existing funding levels for the Juvenile Justice Community Based Aid Program should be maintained or increased.

## 2020 LANCASTER COUNTY LEGISLATIVE PRIORITIES

### 1. **Allow financing of County Bridges under Neb. Rev. Stat. §23-120(3)(b)**

The number of structurally deficient county bridges in Nebraska is increasing at an alarming rate. Amending Neb. Rev. Stat. §23-120(3)(b) to include county bridges could provide a steady source of revenue to address this public safety issue.

### 2. **Statutory Changes to Implement Statewide 24/7 Sobriety Program**

The 24/7 Sobriety Program has been successfully used in other states to reduce recidivism for alcohol-related offenses such as driving under the influence. Lancaster County is in the process of establishing a 24/7 program under the supervision of the County's Community Corrections Department. Statutory changes are needed to mandatory sentencing and drivers license provisions to provide incentives for participants to actively participate and complete the program.

### 3. **Amend the Mental Health Commitment Act to Allow Sharing of Mental Health Information Among Providers and Law Enforcement Agencies**

The strict limitations on the release of mental health records under Neb. Rev. Stat. §71-961 can interfere with continuity of care and the ability of law enforcement to protect the public safety. §71-961 should be broadened to allow providers to share mental health records when it will assist in providing better continuity of care or when the safety of an individual or the public can be enhanced by allowing law enforcement agencies to have such information.

### 4. **Adopt the Advance Mental Health Care Directives Act under LB 247**

An acute mental health episode can cause a person to refuse treatment that the person would freely accept if not impaired by mental illness. If the mental health episode leads to incarceration, the person may refuse medications essential to their treatment. If that individual had signed a lawful advance mental health care directive, more timely care can be provided. Stabilizing a person in a mental health crisis can lead to shorter periods of incarceration and increased public safety.

Lancaster County 101

Tuesday December 3, 2019

2020  
Lancaster County  
1 & 6 Road and Bridge  
Program



EST. 1859  
LANCASTER  
COUNTY  
ENGINEERING

October 29, 2019  
6:30

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Lancaster County Bridges



296 Bridges or Bridge  
Length Box Culverts

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It's already snowed!



2018 First Snow -10/14  
2019 First Snow -10/27

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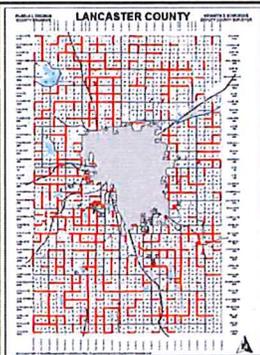
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### Flooding of March of 2019 The Perfect Storm



- Roads Shown in Red have been re-rocked and gravelled.
- The process is on going due to rock and gravel shortages.
- Frost Bolts caused Motor Graders to sink.
- 78% of the County's Dump Trucks/Snow Plows broke down



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### Flooding of March of 2019 The Perfect Storm



Bridge B-133  
located on  
Agnew East of  
North 56

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### Damage to Federal Aid Routes

D-88 Agnew Road East of Hwy 77  
K-121 Adams between 84<sup>th</sup> and 98<sup>th</sup>



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### 2019 FEMA Process



Current unpaid Claims from 2015  
\$300,000

Current Claim for 2019  
\$1,400,000

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### Flooding of March of 2019 The Perfect Storm



In 2014 Lancaster County had 67 Scour Critical/Scour Susceptible Structures.

By December 2018 we had repaired or replaced 35.

The progress on repairing and reopening closed bridges was lost during the 2019 weather events.

Lancaster County Engineering Staff added 20 Bridges to the scour watch list in the spring of 2019.




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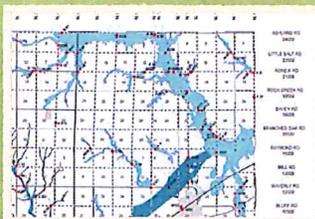
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### Flooding of March of 2019 The Perfect Storm



Rock Creek North of Waverly  
Flood Stage – 23 Feet

Record High - March of 2019 – 25.02

2<sup>nd</sup> Record May of 2014 – 24.15

3<sup>rd</sup> Record May of 2015 – 21.30

5<sup>th</sup> Record May of 2017 – 19.23

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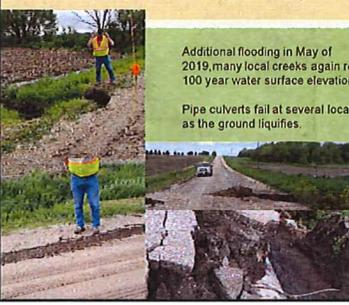
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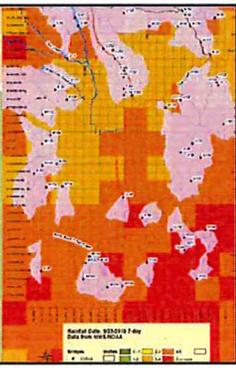
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### Flooding in May of 2019



Additional flooding in May of 2019, many local creeks again reach 100 year water surface elevations.

Pipe culverts fail at several locations as the ground liquifies.



Map of Lancaster County showing flood zones. Legend: 100 Year Flood, 500 Year Flood, 100 Year Flood with 15% Antecedent Moisture, 500 Year Flood with 15% Antecedent Moisture.

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### Flooding in May of 2019



May of 2019 flooding results in Lancaster County Commissioners declaring a second emergency event.

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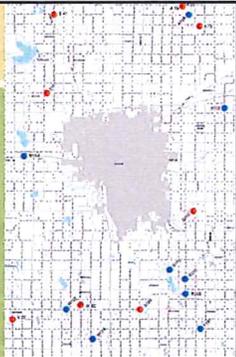
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### Closed Bridges

Bridges Currently Closed  
17

Bridges in Design or Construction  
8

Bridges with no funding  
9



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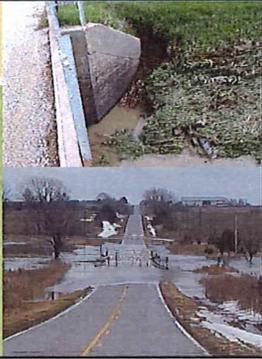
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**Current Bridge Needs**

Critical Needs before flooding of 2019  
\$200,000,000

- 45 - Structurally Deficient
- 4 - Functionally Obsolete
- 39 - Scour Susceptible
- 18 - Scour Critical
- 20 - Sufficiency Rating less than 50



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**K-121 Adams Street Between 84<sup>th</sup> and 98<sup>th</sup>**

Designed and Completed this year.

FHWA Emergency Project that is 80% Reimbursable.



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**N-19 West Pioneer Blvd west of SW 98<sup>th</sup> Street**

FEMA Funds \$12,000  
Transportation Innovation Act Funds \$100,000



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G-144 Bluff Road between 27<sup>th</sup> and 40<sup>th</sup> Street



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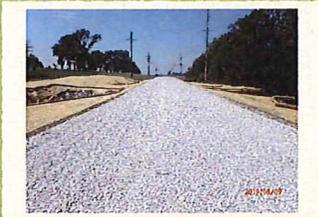
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G-111 Alvo Rd west of 112<sup>th</sup> Street



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C-91 Raymond Road East of 1<sup>st</sup> Street



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**Projects Completed or in Progress 2019**

Bridges Constructed	8
Bridges Repaired	4
Bridges Designed	8
Bridge Awaiting Permitting	1



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**Future Focus on North 14<sup>th</sup> Street**

- F-88 Bridge to Bridge
- F-78 Bridge to Box Culvert
- F-82 Bridge to Box Culvert
- F-86 Bridge to Box Culvert
- There are 2 additional smaller Box Culverts that will also need to be replaced.



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**Proposed Bridge Projects FY 21-FY25**

- Bridges circled on the map indicate bridges that are currently closed. These bridges could be closed for several more years.
- Many of these structures are larger and will take additional design time and funding



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