

CITY-COUNTY COMMON

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County Commissioners
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AGENDA CITY COUNTY COMMON TUESDAY, APRIL 8, 2008 COUNTY-CITY BUILDING 555 SOUTH 10TH STREET ROOM 113, 8:30 A.M.

1. Approval of Common Meeting Minutes of Tuesday, February 5, 2008.
- 8:30 AM 2. FEMA's Pilot Project on Debris Management - Doug Ahlberg, Emergency Management Director
- 8:50 AM 3. Crisis Center Report - Scott Etherton, Program Director; Dr. Klaus Hartmann, M. D.
- 9:10 AM 4. City-County Policy on Approving Soil Mining Permits - Dan Marvin, City Council

CITY-COUNTY COMMON MEETING MINUTES APRIL 8, 2008

Common Members Present: Chair Dan Marvin; Vice Chair Ray Stevens; Mayor Beutler (8:34 am); Doug Emery (8:37 am); Robin Eschliman; Bernie Heier; Larry Hudkins (9:28 am); Deb Schorr; John Spatz; Ken Svoboda; and Bob Workman

Common Members Absent: Jon Camp; and Jonathan Cook.

Location of The Nebraska Open Meeting Act announced. The meeting was called to order at 8:32 am by Chairman Marvin.

Approval of Common Meeting Minutes of Tuesday, February 5, 2008

Stevens moved and Svoboda seconded approval of the minutes of the City-County Common Meeting of Tuesday, February 5, 2008. Marvin, Stevens, Eschliman, Heier, Schorr, Svoboda, and Workman voted aye. Spatz erroneously omitted from voting. Motion carried.

FEMA's Pilot Project on Debris Management

Doug Ahlberg, Emergency Management Director; Dave Thurber, PW Utilities Security Manager

Ahlberg stated FEMA would like Lincoln/Lancaster County to develop a pilot project which when completed would give an additional 5% of federal funds applying to a catastrophic event for debris management. Instead of 75% the federal government would pay 80% for debris removal.

The requisitions for the FEMA pilot project include:

- Total estimate of debris in Lancaster County. Square footage of approximately 102,000 County parcels;
- Non-taxable property; state, local, county, federal, University of Nebraska property done separately;
- Properties 30 years, or older, have formula with consideration for asbestos and lead paint;
- If on historical register cannot remove debris until supervisor inspects; and
- FEMA requests estimate of total cubic yards of vegetative debris in Lancaster County.

Thurber added it is a strategy to identify community collection points. By EPA standards all debris is contaminated following a natural disaster. Before identifying sites extensive preplanning needed including ground water and soil analysis, and need to identify two (2) contractual haulers.

Degree of accuracy discussed. Would be as close to actual debris, in cubic yards, with reimbursement based on our estimate. Heier asked if the 5% is over our expenses, including expenses to receive? Ahlberg replied the threshold for Lincoln-Lancaster County is \$750,000, over that amount we would receive an additional 5% for debris removal, not for the entire event.

A federal disaster declaration is required. Schorr inquired if updates needed for reimbursement, how often renewed, staffing, and commercial or industrial categories? Ahlberg stated would be sustained yearly but may require changes in purchasing statutes and ordinances. Also, additional debris stream for white goods, electronic goods. Received Overland County, Virginia's FEMA plan, half the size of Lancaster County with a FEMA approved debris plan of 369 pages. Workman asked if a downside if we list numbers, and if so to go with the 75%. Discussion on the 5% and if any benefit in normal years. Svoboda thought after an extensive study to establish, and maintain, the cost may exceed the 5% received. Thurber added it would be a commitment of city, county, state, and federal agencies to develop strategies and plan.

Schorr commented as a pilot project FEMA could maintain for two years and then drop. Mayor Beutler asked Ahlberg if he had a recommendation? Ahlberg replied this information is for this Board to give direction, but his recommendation would be we don't do at this point in time.

Workman made motion not to proceed with the FEMA project, which would increase debris removal reimbursement from 75% to 80%.

Role taken on motion not to proceed with FEMA additional debris reimbursement project. Marvin, Stevens, Mayor Beutler, Emery, Eschliman, Heier, Schorr, Spatz, Svoboda, and Workman voted aye. Hudkins, Camp, and Cook absent from voting. Motion carried. Svoboda stated usually the County and City would vote as separate bodies. Marvin thought this Board vote was to give direction.

Crisis Center Scott Etherton, Lancaster County Crisis Center Program Manager; Klaus Hartmann, M.D.

Etherton gave Crisis Center overview (Attachment A) including:

- Fifteen (15) bed in-patient facility, started in 1989;
- Psychiatric evaluations;
- Serves Region V of State of Nebraska
- Serves individuals detained under the Nebraska Health Commitment Statutes;

Dr. Klaus stated he has been involved in the program for nineteen (19) years, covering the program seven (7) days a week, serving a variety of people with mental problems such as:

- Adjustment disorders; life setbacks. May harm themselves or alarm the community;
- Different types of depression. Most individuals treated and sent to family and community providers;
- Patients who are sent to the Regional Center usually have bi-polar disorders, etc.; and
- Most patients have co-morbidities; numerous illnesses/problems.

Dr. Klaus added even though the Crisis Center is only a small 15 bed facility it is:

- An anchor for the community and regions' mental health;
- If Crisis Center is full there is a major ripple effect through the community;
- Average length of stay is four to five days, with some exceptions;
- An excellent staff obtaining patient's history, contacting family, and having information available;
- Use of restraints, or seclusion, is relatively little;
- With almost 14,000 admissions, never had a suicide; and
- Use the Crisis Center as a teaching program for family practice residents, nursing, and social work.

Dr. Klaus indicated:

- Patients come through Bryan LGH West, sometimes violent, and could put other patients at risk;
- Sometimes a negotiation process, but the Crisis Center generally takes and treats those patients;
- A community peer program put in place resulting in a significant difference and benefit;
- Relatively few psychiatrists in community resulting in lengthy appointment delays;
- The Community Mental Health Center will take patients;
- Patients may be uninsured, with psychiatric medicines frequently expensive;
- LB95 allows committed patients to be given psychiatric medicines for free from the State; and
- Some patients do not want medicines and we cannot give if they are not actively causing harm; Can distribute medicine with permission from the Mental Health Board.

Dr. Klaus explained how the program is designed to be 4 /5 days, longer may be problematic with no programs. Some patients are sent to the day hospital program, part of the Community Mental Health Center.

Stevens stated this is mandated for the County Board. The behavioral health reform act, 1083, was designed

to provide more community based treatment programs, but there has been backup at the Crisis Center. The Board hopes the state decides on the Regional Center issues so beds are available for inpatient treatment.

Svoboda stated admissions are 78% Lincoln/Lancaster County. Does this represent a population split, and how often full? Etherton replied average daily census is 13.7. Clients discharged and admitted throughout the day. Svoboda asked if individuals held in jail if full? Etherton said if from jail may wait for a bed or may go to BryanLGH If intoxicated, or with abuse history, do have beds at detox. If committed for substance abuse have respite beds at Cornhusker Place. And BryanLGH has voluntary admissions but sometimes full.

Spatz asked if the state is liable for expenses? Patients are responsible but the state takes custody for treatment. Receive about \$200 a day for holding a State individual. Spatz asked if civilly committed do you hold for 24 hours, or longer? Etherton stated they evaluate within 36 hours, and if the evaluation recommends we hold then have a hearing within seven (7) days. Spatz asked if they were provided a County attorney. Etherton replied if they don't have a private attorney.

City-County Policy on Approving Soil Mining Permits Planning Commissioners: Jim Carroll; Lynn Sunderman; Dick Esseks; Marvin Krout, Planning Director; Mike DeKalb, Planning

Marvin stated the issue is policy consistency. Krout stated the Planning Commission receives cases and recommends. The County Board has discussed and carried out some recommendations but still have category issues, including level of enforcement, not trapping or opening up too much land, soil erosion, etc. The second issue is operating hours. The third is digging ponds instead of cutting into grades and maintaining, more or less, the same grading and the issue of potential ground water contamination.

Krout doubted if there a consistent set of guidelines. Possibly for more consistency could have a task force, bringing in neighborhood people, contractors, staff assistants and Planning Commissioners to see if anything can be done to further reduce the amount of conflict. Eschliman stated she thinks a task force could look into the history, and with industry representatives can predict how many more may come forward. Workman thought as these are individual cases we should leave this way.

Workman stated a sign is almost a necessity, having numbers listed. On operating hours the County Board deals with on a per basis application. Look at each one, and still look at ground water separately. An item which should be incorporated permanently are requirements for a sign.

Svoboda added the City deals within the three mile limit and will have greater opposition to a soil mining project than the County might. Would dislike a situation where we legislate, mandate, hours of operation and by doing so a project with no opposition becomes restricted from being completed quicker.

Marvin asked for Commissioners thoughts as this is decided at the Planning Commission level. Krout stated true for the City, not for the County. Carroll thinks with fuel costs there will be more applications as contractors may want multiple sites for quicker travel. At the Planning Commission level the majority of testimony is on compliance and enforcement, which the Planning Commission doesn't do, and is why the Commission would like a list of standards which would go into the ordinance, which everyone knows and can enforce, instead of multiple sites with different conditions. Most residents feel fine knowing we protect their health and the environment. Not a lot of conditions, just the sign, working hours, hydrology reports, standard conditions the contractors and residents understand. Now have an unknown because of different conditions and possible lack of compliance. We hear this at the Planning Commission and we try to streamline applications going forward to the City and County.

Carroll stated some applications are received with the Commission saying the site has no conditions and therefore contractors can do certain things with the residents not knowing. Contractors are happy with

written conditions as then they understand what to follow when they make an application. Communication is important, and if in writing, everybody understanding, would be less to deal with.

Esseks said the Planning Commission has a fairly intensive interest of neighbors feeling this type of enterprise is a lifestyle threat. Possibly with a more regularized process some, or most, of their fears would be put to rest. Agree we still have to do case by case, but if we could try to come up with a set of standards, and then enforce the standards. Possibly in a short time find a reasonable approach.

Eschliman asked if the Planning Commission developed rules they would like to see used as guidelines, would it require more than one or two meetings of the task force, bringing industry people and neighborhoods together? Krout replied we would know where we stand after one or two meetings.

Svoboda felt this could be done internally without a task force. Maybe the Planning Department and Commissioners could develop legislation and bring before this body. Krout replied they do have conditions under special permits being generalized on hydrology and water tables. How many acres over how many months, but hasn't been as much of an issue. Most years identify an annual review although some aren't sure what an annual review means, who does it, what it consists of. There is some value having people who argue at a public hearing together, at least once or twice, to talk and see what they can accomplish.

Hudkins stated the County has numerous hours of testimony, most public record. He continues to be asked who enforces and what are the regulations? Internally we can work out and have some answers, with Building and Safety having a major part. We have to balance the needs of a growing economy. We need dirt, an essential building component, but there has to be an orderly way to extract, and also agree with the agricultural community wanting seeding done in a timely fashion. Maybe the two departments, Planning and Building and Safety, could develop what they would like and then perhaps the Commons body could put together a steering committee to fine tune. Building blocks to work on. Krout said if that is the preference would do that way.

Schorr added there should still be the flexibility to alter for special circumstances. Krout agreed, and thinks this is a balancing question as every site is unique in terms of residents and truck traffic, etc. Schorr stated didn't seem right in a cookie cutter mode. City sites are completely different than County sites.

Workman thinks the most important part of guidelines is allowance for inspection, for compliance. That's the question most asked, who's watching? Possibly ask applicants how many truck loads of dirt they're going to bring out and we'll inspect certain number. The neighbors would have assurance there is a plan.

Stevens asked what are the special permit provisions? Krout replied in both City and County can call a hearing to determine whether or not the conditions are being met, in which case they can revoke the permit. Don't know if it is a standard condition in the resolutions passed initially, but is available.

Marvin asked if giving enough direction to the Planning Department? Krout replied they will come back and talk informally with some of the contractors, representatives, and some neighbors, receive input informally and put together.

Marvin adjourned the meeting at 9:34 am.

Mary Meyer
Clerk

Dean B. Settle, M.A.
Executive Director

Sanat Roy, M.D., D.F.A.P.A.
Acting Medical Director

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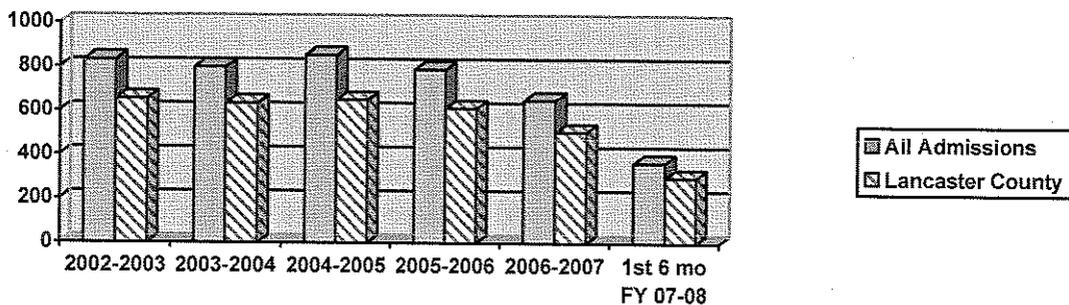
LANCASTER COUNTY CRISIS CENTER

Programming:

The Crisis Center is a program of The Community Mental Health Center of Lancaster County. It is a 15 bed facility that provides custody, emergency evaluation and crisis intervention to acutely mentally ill individuals 18 years and older who are detained under Nebraska Civil Commitment Statutes. A program goal is to provide comprehensive medical/psychological examinations within 36 hours of admission. Another goal is to provide short term evaluation, stabilization and provide linkages with other mental health and substance abuse programs allowing 50% of admissions to return to the community as rapidly as possible.

Who We Serve:

The program serves the 16 counties of southeast Nebraska known as Region V. The total number of persons admitted to the program for the last 5 fiscal years are shown below.



Yearly averages over the last 5 years:

- 748 admissions - 78% from Lincoln/Lancaster County
- 147 - 19% are placed in an Inpatient setting by the Mental Health Board
- 155 - 20% are committed Outpatient by the MH Board
- > 60% of admissions discharged back into the community with no legal intervention
- 57% of admissions are male
- 36% of persons are employed at time of admit