

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
THURSDAY, MAY 4, 2000  
9 A.M.**

Commissioners Present: Kathy Campbell, Chair  
Larry Hudkins  
Linda Steinman  
Bernie Heier  
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer  
Dave Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Gwen Thorpe, Deputy County Clerk  
Ann Taylor, County Clerk's Office

**AGENDA ITEM**

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, APRIL 27, 2000**

**MOTION:** Hudkins moved and Heier seconded to approve the Staff Meeting minutes dated April, 27, 2000. Hudkins, Heier, Workman, Steinman and Campbell voted aye. Motion carried.

**2 ADDITIONS TO THE AGENDA**

- A. Wilderness Park Bridge
- B. Resource Conservation & Development Program (RC&D) Meeting
- C. Situation at the Crisis Center
- D. Submission of an Application to the Nebraska Department of Health and Human Services for the Lancaster County Juvenile Detention Center's Well Field
- E. Report on Lincoln Partnership for Economic Development Meeting

**MOTION:** Hudkins moved and Steinman seconded to approve the additions to the agenda. Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

**3 PENSION PLAN UPDATE - Larry Eckel, Retirement Specialist for Nationwide Retirement Solutions; Joyce Hall, Marketing Director for Nationwide Retirement Solutions**

Joyce Hall, Marketing Director, and Larry Eckel, Retirement Specialist for Nationwide Retirement Solutions, briefly reviewed materials detailing the County's Deferred Compensation, Post Employment Health Plan (PEHP) and Pension Programs (Exhibit A).

Hall noted that many enhancements have been made to service, via technology.

Hudkins noted concern regarding the company's downsizing and questioned the availability of representatives to answer employees' questions.

Eckel said he will be available the first Friday of each month to meet with new employees, provide training on the use of the website and to answer questions. He indicated that he is willing to expand this schedule and may also be reached by telephone.

Eckel also presented a packet of information on the Deferred Compensation Program (Exhibit B).

**4 PROCEDURES FOR APPROVAL OF ADDITIONAL COSTS AND INFORMATIONAL UPDATES ON THE LANCASTER COUNTY JUVENILE DETENTION FACILITY - Chris Beardslee, Sinclair Hille & Associates Inc.; Greg Pettibone, Project Manager for the New Lancaster County Juvenile Detention Facility; Don Killeen, County Property Manager**

Chris Beardslee, Sinclair Hille & Associates Inc., reviewed the process the Contractor is required to follow regarding changes or modifications that involve additional time or expense (Exhibit C):

- Minor changes in the work
- Proposal requests
- Construction change directives
- Allowance modification
- Change order procedures

Beardslee said the County Board will be copied on field observation reports, minutes of pre-installation conferences and monthly construction coordination meetings with the Contractor and all Proposal Requests (PR's), with summaries presented at appropriate intervals. Price quotations received from the Contractor in response to the PR's will also be presented. He said his firm also plans to post progress photographs on their Internet website.

Beardslee remarked that as the project unfolds, additional meetings that involve specific topics and personnel may be necessary.

Workman asked how the County can insure conformance with the plan.

Beardslee said his firm is under contract with the County to provide construction management service for the project and has consultants under contract to observe and inspect construction techniques and testing agencies that are providing field quality control reports.

In response to a question from Hudkins, Beardslee said he serves as the Owner's representative, with oversight provided by Kerry Eagan, Chief Administrative Officer, and Greg Pettibone, Project Manager for the New Lancaster County Juvenile Detention Facility.

Hudkins asked Pettibone whether he has experience in overseeing construction of a building.

Pettibone indicated that he does not.

Hudkins asked who is responsible for checking the work of the sub-contractors on an on-going basis.

Beardslee said the Contractor is on site. He indicated that he is the point person for his firm and will be increasing his time on-site as construction progresses.

Workman questioned whether the County would benefit from having a Clerk of the Works oversee the project on a day-to-day basis.

Hudkins said perhaps someone in County Property Management could serve in this capacity.

Don Killeen, County Property Manager, said the County has contracted with Sinclair Hille & Associates Inc. for construction oversight and inserting another entity into that process may confuse liability issues.

The Board requested regular updates on the progress of the project, including reports of on-site visits, at the Staff Meetings.

In response to a question from Hudkins, Beardslee said a number of trees that needed to be removed for grading and location of a security fence were salvaged. He added that his firm is negotiating with the Contractor to reduce costs associated with Proposal Requests 001 and 002.

**5 RURAL AMBULANCE SERVICE** - Jim Densberger, Mutual Aid Association President; David May, Bennet Rural Fire District Chief; Eric Johnson, Firth Rural Fire District Board; Doug Ahlberg, Emergency Management Director; Terry Wagner, Lancaster County Sheriff; Bill Jarrett, Chief Deputy Sheriff; Jennifer Brinkman, Administrative Assistant to the Mayor

Jim Densberger, Mutual Aid Association President, reported on concerns that were expressed by rural fire district representatives at the April 17<sup>th</sup> Mutual Aid Association meeting, which include the following:

- Will there be uninterrupted Advanced Life Support (ALS) service to County residents and will it extend outside Lancaster County, as it does now?
- Why has EMS Inc. increased the standards for paramedics?
- Will there be a continuation of the training that is currently provided by Rural/Metro Medical Services at no cost?

Densberger said it would have been preferable for the Request for Information (RFI) to have listed the City of Lincoln and the 911 Service Area as the area of response to insure service to those rural fire districts that cover portions of Lancaster County but are located primarily outside the County's boundaries.

In response to a question from Steinman, Densberger said he believes the Lincoln Fire Department will be bound by the City's agreement with the Mutual Aid Association for ambulance service, if they are awarded the contract for ambulance service.

Hudkins asked whether the Lincoln Fire Department would need to purchase ambulances to maintain the current level of service and how this expense would be covered.

Densberger said he did not know.

Hudkins asked Densberger to comment on the medical community's assertion that there are currently too many paramedics to stay proficient.

Densberger responded that "if you have need of one, then there's not too many." He said any problems with proficiency detected in the field are reported to the fire chief or training officer. Densberger added that a systematic appeals process would be beneficial.

Heier asked what is perceived as being wrong with the current system.

David May, Bennet Rural Fire District Chief, said the majority of rural fire districts in his section of the county only provide stabilization and are satisfied with the ALS and transport service provided by Rural/Metro.

Jennifer Brinkman, Administrative Assistant to the Mayor, said the RFI and supplemental questionnaire were issued because the contract with Rural/Metro expires at the end of the year and do not indicate dissatisfaction with the service currently provided. She said this is not a bid process, because of the way the ordinance is structured, but functions in the same manner. Brinkman said questions regarding the cost and financing of training and equipment should be answered once the proposals are opened. She added that this information will be made public following legal review of information deemed proprietary.

Workman remarked that the oversight issue has added to the confusion and said he does not believe it should be debated at a this time.

Doug Ahlberg, Emergency Management Director, said the rural fire districts have the impression that everything is taking place under the table.

Brinkman said the contract with EMS Inc. does not expire until August, 2001, noting copies of the paramedic standards recently enacted by the EMS Inc. were attached to the supplemental questionnaire.

Terry Wagner, Lancaster County Sheriff, said there is concern that the rural areas won't be a priority for the Lincoln Fire Department and that City taxpayers will not want to pay for the provision of ambulance service to rural areas.

Brinkman said it has been made clear that the contract will not be awarded to an entity that is unable to cover the current service area or would require tax subsidy.

Eric Johnson, Firth Rural Fire District Board, said he does not understand how a provider can submit a proposal without knowing what the oversight will be.

Hudkins asked how the Mutual Aid Association and rural fire districts view the idea of having one medical director for the entire service area.

Densberger said in the past this position was geared toward the City of Lincoln, adding he would prefer that this be a shared position. He said an understanding that the rural situation is different from that of the City's is crucial.

Campbell said the County Board plans to continue discussion of the ambulance service issue and will outline the points believed crucial from the County's perspective in a letter to the Mayor and City Council. The Board will also respond to the Lancaster County Medical Society's request for adoption of a resolution on ambulance service.

**6 EXPENDITURE OF COUNTY FUNDS FOR ROADS WITHIN CITY LIMITS** - Don Thomas, County Engineer; Larry Worrell, County Surveyor; Dave Johnson, Deputy County Attorney

Dave Johnson, Deputy County Attorney, said the scheduled resurfacing of Amberly Road had raised the issue of whether the County can pay for the paving of roads within the City limits. He reviewed two opinions issued by the State Attorney General's Office in 1978 that concluded the County may not expend funds to hard surface a segment of road entirely within city limits or a road located on the city limits boundary line (Exhibit D). He said one of these opinions indicated that legislation change would be necessary in order to permit the County to bear the costs.

Hudkins asked whether usage of the road would have an impact, such as the roads that lead to state recreational areas.

Johnson said no.

In response to a question from Campbell, Eagan said there is an exception for freeways and federal aid secondary highways that traverse or pass through any city or village.

Don Thomas, County Engineer, said South 68<sup>th</sup> Street qualifies for this exception.

Thomas said three road projects are currently impacted by these opinions:

1. Amberly Road
2. Firth (County has committed \$33,000 to pay for half of the overlay costs)
3. Cannongate Road in Waverly

In response to a question from Heier, Larry Worrell, County Surveyor, said annexation of Havelock Avenue east of 84<sup>th</sup> Street will include stipulation of road improvements.

Board consensus to seek a written County Attorney's opinion on the issue.

**7 LABOR NEGOTIATIONS** - Georgia Glass, Personnel Director; John Cripe, Classification and Pay Manager

**MOTION:** Hudkins moved and Workman seconded to enter Executive Session at 11:25 a.m. for discussion of labor negotiations. Hudkins, Campbell and Workman voted aye. Steinman and Heier were absent from voting. Motion carried.

Hudkins and Heier left the meeting.

**MOTION:** Steinman moved and Workman seconded to exit Executive Session at 12:05 p.m. Steinman, Workman and Campbell voted aye. Hudkins and Heier were absent from voting. Motion carried.

**8 ORDER TO SHOW CAUSE REGARDING COMMERCIAL PROPERTY VALUATIONS - Norm Agena, County Assessor**

Norm Agena, County Assessor, reported that the Tax Equalization and Review Commission (TERC) has issued Lancaster County an Order to Show Cause at a hearing on May 10, 2000 as to why the value of the Commercial Class of property of Lancaster County, or subclasses thereof, should not be adjusted as follows:

- Increase by 6% the level of value of the entire class of commercial property to the midpoint, which is 96%, or such other adjustment as may be necessary to promote uniform and proportionate assessments. Such adjustment shall be made by a percentage and shall result in an average level of assessment for the class or subclass adjusted at 77% of actual value for agricultural land and 96% of actual value for non-agricultural real property.

Agena said TERC issued this order in response to data submitted by the Property Tax Administrator that utilized a time adjusted ratio. He said his office has not viewed this data and is unsure of its accuracy.

**ADDITIONS TO THE AGENDA**

A. Wilderness Park Bridge

Item deferred one week.

B. Resource Conservation & Development Program (RC&D) Meeting

Workman reported that he has been asked to meet with the Governor to request funding of the Resource Conservation & Development Program (RC&D).

Board consensus to delay any request for state funding until the issue has been looked at in further detail.

### C. Situation at the Crisis Center

Dean Settle, Community Mental Health Center Director, appeared and reported on a situation at the Crisis Center in which the Lincoln Regional Center has refused to accept additional mental health commitments until a volatile individual, recently committed to their facility, is transferred. He said George Hanigan, Director of Behavior Health for the Nebraska Department of Health and Human Services, was instrumental in securing an early admittance date for the individual at the State hospital in Beatrice.

The Board directed Eagan to notify Hanigan that the Board plans to involve the Governor's Office in the matter because of the larger legislative issues.

Settle also reported on difficulty attracting applicants for a Psychologist III opening at the Community Mental Health Center. He said he plans to request a job audit and comparative analysis of salaries for the Psychologist I, Psychologist II and Psychologist III positions and will contract for services for the unfilled position, on a temporary basis.

### D. Submission of an Application to the Nebraska Department of Health and Human Services for the Lancaster County Juvenile Detention Center's Well Field

The Board authorized the Chair to sign the application.

### E. Report on Lincoln Partnership for Economic Development Meeting

Campbell reported the following:

- Business Development Council has been working on the Area Code 402 issue
- One Stop Workforce Development Center will open July 3, 2000 in Golds Galleria
- Lincoln Public Schools is seeking space for a Technology School

## **9 ACTION ITEMS**

### A. Request from Lincoln-Lancaster County Ecological Advisory Committee

Eagan presented a letter from the Lincoln-Lancaster County Ecological Advisory Committee asking the Board to consider writing to the Trust for Public Land for technical advice and financial strategy (Exhibit E).

Board consensus to review materials on the Trust for Public Land.

## 10 CONSENT ITEMS

- A. Vacation Request from Dave Kroeker, Budget & Fiscal Officer, for Friday, May 5, 2000
- B. Microcomputer Request C#2000-146, County Assessor for \$2,351.10 for Spatial Analyst and ArcPress for ArcView, from the County Assessor's Budget

**MOTION:** Steinman moved and Workman seconded approval of the Consent Items. Steinman, Workman and Campbell voted aye. Hudkins and Heier were absent from voting. Motion carried.

## 11 ADMINISTRATIVE OFFICER REPORT

- A. Pershing Auditorium Update

Campbell reported on a meeting held with representatives of the Chamber of Commerce, Convention and Visitors Bureau, Downtown Lincoln Association, Pershing Auditorium, University of Nebraska, Lancaster County Agricultural Society, and State Fair Park to discuss the future of Pershing Auditorium. She said it was the consensus of that group to seek a community-wide market study. Campbell noted that the County may be asked to contribute financially to this effort.

- B. Paving of Havelock Avenue East of 84<sup>th</sup> Street for Lancaster County Agricultural Society

Campbell said a meeting will be held later in the day to discuss a compromise that will require the Events Center to have a service entrance onto Havelock Avenue rather than pave Havelock Ave east of 84<sup>th</sup> Street, as a condition of annexation.

Board consensus to hold this item one week and schedule discussion with Jennifer Dam, Planning Department

- C. Use of Citizen Information Center's Microphones for County Board Staff Meetings

Gwen Thorpe, Deputy County Clerk, appeared and said the County Clerk's office will be using the Citizen Information Center's microphones at the next Staff Meeting to see whether they will improve the quality of the audio recordings.

- D. Roadkill Request for Proposals (RFP)

Board consensus to re-bid the contract, upon expiration.

#### E. Lobbyist Update

Eagan reviewed comments from the Lancaster Senate Delegation regarding the performance of Gordon Kissel, Legislative Consultant, noting all were very positive, with one exception. He said he will share these comments with Commissioners Hudkins and Heier.

Campbell said Jack Mills, Nebraska Association of County Officials (NACO) Executive Director, also made positive comments regarding Kissel's performance.

**MOTION:** Steinman moved and Workman seconded to authorize Kerry Eagan, Chief Administrative Officer, to initiate contract negotiations with Gordon Kissel, Legislative Consultant, unless Commissioners Hudkins and Heier have concerns that should be brought back to the Board. Steinman, Workman and Campbell voted aye. Hudkins and Heier were absent from voting. Motion carried.

#### F. Transfer of Funds to Juvenile Court Budget

Dave Kroeker, Budget & Fiscal Officer, appeared and reviewed a request from the Juvenile Court for an additional \$361,000 to \$471,000 for the current fiscal year (Commissioners' Information Packet). He said \$250,000 is needed to fund the Juvenile Court's obligations through June 30, 2000, excluding the juvenile boarding contracts.

**MOTION:** Steinman moved and Workman seconded to cover expenses already incurred by the Juvenile Court, with the exception of the juvenile boarding contracts, through June 30, 2000. Steinman, Workman and Campbell voted aye. Hudkins and Heier were absent from voting. Motion carried.

**NOTE:** The Board will take formal action at the May 9<sup>th</sup> County Board of Commissioners meeting.

#### G. Lancaster County-City of Lincoln Government Center Dedication

Campbell briefly reviewed plans for the dedication of the Lancaster County-City of Lincoln Government Center scheduled for this weekend.

Campbell, Steinman and Workman agreed to share staffing of the County Commissioners Office during the public open house that will be held from 10 a.m. to 2 p.m. on Saturday.

#### H. Topics for Monthly Meeting with Mayor

A general discussion of budget issues was suggested.

#### I. Monthly Construction Meeting on Juvenile Detention Facility

Eagan reported that construction is proceeding on schedule.

### **12 DISCUSSION OF BOARD MEMBER MEETINGS**

#### A. Ecological Advisory Committee

See Item 9A.

### **13 EMERGENCY ITEMS AND OTHER BUSINESS**

Eagan reported that the Firth Rural Fire District did not receive the letter from the County Board requesting a written response as to whether a viaduct is needed in Firth.

Eagan also distributed copies of proposed Rule 70, Self-Insurance Security Requirement for Workers' Compensation (Exhibit F).

### **14 ADJOURNMENT**

By direction of the Chair, the meeting was adjourned.

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Bruce Medcalf  
Lancaster County Clerk