

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, OCTOBER 2, 2003
8:15 A.M.**

Commissioners Present: Bernie Heier, Chair
Ray Stevens, Vice Chair
Larry Hudkins
Bob Workman
Deb Schorr

Others Present: Gwen Thorpe, Deputy Chief Administrative Officer
Kristy Mundt, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:18 a.m.

AGENDA ITEM

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY,
SEPTEMBER 18, 2003 AND TUESDAY, SEPTEMBER 30, 2003**

MOTION: Hudkins moved and Workman seconded approval of the Staff Meeting minutes of September 25, 2003. Workman, Heier and Hudkins voted aye. Stevens abstained from voting. Schorr was absent from voting. Motion carried.

MOTION: Stevens moved and Hudkins seconded approval of the Staff Meeting minutes September 30, 2003. Stevens, Workman, Heier and Hudkins voted aye. Schorr was absent from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Flower and Card Fund
- B. Agenda for City-County Common Meeting
- C. Joint Meeting of Administrative and Fiscal Staff for Lancaster, Douglas and Sarpy Counties

- D. Report on Information Desk
- E. Letter from Lincoln Airport Authority

MOTION: Hudkins moved and Stevens seconded approval of the additions to the agenda. Stevens, Workman, Heier and Hudkins voted aye. Schorr was absent from voting. Motion carried.

3 COMMISSIONER MEETING REPORTS

- A. Lancaster Manor Advisory Committee - Hudkins

Hudkins reported that the Manor's roof needs replacement. He said the Administrator would also like to have hoists installed each of the rooms to assist staff in lifting patients.

- B. Lincoln Independent Business Association (LIBA) Monthly Meeting - Hudkins, Stevens

Stevens said LIBA members expressed concerns regarding Planning Commission appointments.

Schorr arrived at 8:26 a.m.

4 RURAL FIRE DEPARTMENT COMMUNICATIONS - Doug Ahlberg, Emergency Management Director; Doug West, Southwest Rural Fire District; Jim Densberger, Lancaster County Firefighters Association

Doug Ahlberg, Emergency Management Director, said the Office of Domestic Preparedness has allowed \$255,000 in grant funds to be set aside for a communications system for the rural fire departments. The Lancaster County Firefighters Association, through the Southwest Rural Fire District, subsequently received a \$533,000 Fire Service Grant that can also be utilized for that purpose. He noted plans for an 800 megahertz conventional communications system that will be able to operate in conjunction with the City/County 800 megahertz trunk system. Thirteen of the seventeen rural fire districts that serve Lancaster County will be on the system, including the nine that are located within Lancaster County. Ahlberg said antenna space on cellular towers is a crucial component and asked for the Board's assistance in this area.

The Chair exited the meeting and the Vice Chair assumed direction of the meeting.

MOTION: Hudkins moved and Schorr seconded to: 1) Support the recommendation for an 800 megahertz county-wide communications system; 2) Direct Doug Ahlberg, Emergency Management Director, to inform the Planning Department of the cellular tower requirement. Hudkins, Schorr, Workman and Stevens voted aye. Heier was absent from voting. Motion carried.

5 LOCAL LAW ENFORCEMENT BLOCK GRANT PURCHASES (SET PUBLIC HEARING) - Bill Jarrett, Chief Deputy Sheriff

Bill Jarrett, Chief Deputy Sheriff, gave an overview of 2003 Local Law Enforcement Block Grant (LLEBG) Purchase Plan Proposal (Exhibit A). He said the Sheriff's Department has prioritized purchase of a mobile command center and will include \$12,000 in next year's budget to cover the difference between the cost and the funds available through the grant and county match.

Workman asked whether Emergency Management would be able to use the vehicle.

Jarrett said no, as the Sheriff's Department plans to store equipment in the vehicle and will need to limit access.

MOTION: Workman moved and Hudkins seconded to set a public hearing to review the grant application. Hudkins, Schorr, Workman and Stevens voted aye. Heier was absent from voting. Motion carried.

Jarrett reviewed a request for seven (7) computers for the Civil Division for the Palm Pilot Project (Exhibit B). He said LLEBG funds will serve as the funding source.

MOTION: Schorr moved and Hudkins seconded to approve the purchase of computers. Workman, Schorr, Hudkins and Stevens voted aye. Heier was absent from voting. Motion carried.

6 A) TORT CLAIMS PROCEDURES; B) OTHER CLAIMS; AND C) ENGINE BRAKES - Mike Thew, Chief Deputy County Attorney

A) Tort Claims Procedures

Mike Thew, Chief Deputy County Attorney, said individuals seeking information about how to file a tort claim should be advised to seek legal counsel or to refer to the Nebraska Revised Statutes.

B) Other Claims

Thew reviewed two claims filed by the City seeking reimbursement for prisoner medical expenses.

C) Engine Brakes

Thew said his office has issued an opinion regarding regulation of engine braking.

In response to a question from Schorr, Thew suggested that the Board add clean-up of the statute that gave local authorities the authority to regulate engine braking to its legislative "wish list".

MOTION: Hudkins moved and Workman seconded to authorize the County Attorney's Office to draft a resolution prohibiting engine braking on Lancaster County roads. Schorr, Workman, Hudkins and Stevens voted aye. Heier was absent from voting. Motion carried.

PENDING TAX EQUALIZATION & REVIEW COMMISSION (TERC) CASES - Norm Agena, County Assessor/Register of Deeds

Norm Agena, County Assessor/Register of Deeds, said his office lacks the resources to handle the 400 property valuation appeals filed with the Tax Equalization and Review Commission (TERC). He said the appeals will be reviewed to assess which can be handled by his staff and which are likely to proceed to TERC. Agena recommended that the County contract with Great Plains Appraisal Company to provide preliminary values in the cases that are likely to proceed to TERC and for preparation and presentation of those cases.

Bruce Medcalf, County Clerk, said it may also be necessary to hire assistance with transcription for his office. He said he does not have funds in his budget for this expense.

Dave Kroeker, Budget and Fiscal Officer, said \$500,000 was budgeted for Board of Equalization (BOE) and approximately \$350,000 expended.

Agena reported that Catherine Lang, Property Tax Administrator, plans to support legislation to extend the date values are set from July 25th to August 10th.

MOTION: Hudkins moved and Schorr seconded to direct the County Attorney's Office to prepare contracts for the Board of Equalization, with the assistance of the County Assessor's Office, for assistance with Tax Equalization and Review Commission (TERC) appeals. Workman, Schorr, Hudkins and Stevens voted aye. Heier was absent from voting. Motion carried.

AUTHORIZE CLINE WILLIAMS WRIGHT JOHNSON & OLDFATHER, LLP, TO REPRESENT LANCASTER COUNTY IN CRICKET COMMUNICATION'S BANKRUPTCY - Doug Cyr, Deputy County Attorney

Doug Cyr, Deputy County Attorney, said the County's \$62,698.72 proof of claim in Cricket Communication's bankruptcy has been misclassified as a general unsecured claim, rather than an unsecured priority claim, which could result in the County receiving "pennies on the dollar". He recommended that the Board hire Cline Williams Wright Johnson & Oldfather LLP to represent the County in the matter, estimating the cost at \$1,000 to \$1,500.

The Chair returned to the meeting at 9:54 a.m.

MOTION: Workman moved and Hudkins seconded to approve hiring of Cline Williams Wright Johnson & Oldfather LLP to represent Lancaster County in Cricket Communication's bankruptcy proceedings. Hudkins, Schorr, Heier, Workman and Stevens voted aye. Motion carried.

7 A) WIRING PROPOSAL FOR FAMILIES FIRST & FOREMOST (F³) AT TRABERT HALL; AND B) PREVIOUS REMODELING BILLS FOR (F³) - Don Killeen, County Property Manager; Renee' Dozier, Families First & Foremost (F³) Associate Director

A) Wiring Proposal for Families First & Foremost (F³) at Trabert Hall

Renee' Dozier, F³ Associate Director, reported a bid in the amount of \$5,500 from Kidwell Communications for wiring of additional offices in Trabert Hall. She noted that F³ has already paid over \$15,000 for wiring in Trabert Hall and asked whether departments are expected to absorb that cost.

Hudkins explained that the County would recover the cost either in this manner or through rent.

MOTION: Hudkins moved and Workman seconded to authorize installation of the wiring, with payment through the Families First & Foremost (F³) budget. Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

B) Previous Remodeling Bills for (F³)

Killeen said the matter has been resolved.

- 8 AUTHORIZE CLINE WILLIAMS WRIGHT JOHNSON & OLDFATHER, LLP, TO REPRESENT LANCASTER COUNTY IN CRICKET BANKRUPTCY - Doug Cyr, Deputy County Attorney**

Item moved forward on the agenda.

- 9 A) PENDING TAX EQUALIZATION & REVIEW COMMISSION (TERC) CASES; B) APPROVAL OF HIRING A LAND RECORD TECHNICIAN I; AND 3) REGISTER OF DEEDS UPDATE - Norm Agena, County Assessor/Register of Deeds; Scott Gaines, Chief Administrative Deputy Assessor/Register of Deeds**

A) Pending Tax Equalization & Review Commission (TERC) Cases

Item moved forward on the agenda.

B) Approval of Hiring a Land Record Technician I

Agena requested authorization to eliminate one Property Appraisal Technician position and add one Land Record Technician I position (salary savings of approximately \$2,100).

MOTION: Hudkins moved and Workman seconded approval of the request. Hudkins, Schorr, Heier, Workman and Stevens voted aye. Motion carried.

C) Register of Deeds Update

Agena reported on filing activity and said the office is nearly caught up to date on filings.

The Chair exited the meeting at 10:20 a.m.

ACTION ITEMS

C. Community Corrections Letterhead

Kim Etherton, Community Corrections Director, appeared and circulated several letterhead examples.

The Board authorized Etherton to proceed with ordering letterhead, but asked her to order in small quantity. The Board also asked that discussion of department letterhead be scheduled on the Management Team Retreat agenda.

D. Hiring Requests:

1. Community Corrections - Case Manager

MOTION: Hudkins moved and Schorr seconded approval. Workman, Schorr, Hudkins and Stevens voted aye. Heier was absent from voting. Motion carried.

F. Warren Cook Insurance

Gwen Thorpe, Deputy Chief Administrative Officer, said Warren Cook, Coordinator of Adult Offender Services, has asked the Board to consider paying a portion of the \$3,500 cost of renewing his liability insurance.

Kristy Mundt, Deputy County Attorney, said the County is under no obligation to do so.

Thorpe said Cook renewed his insurance because the County did not meet his timeline for contract completion. She said Cook believes he needs to return and provide training for Community Corrections staff and to present his final report to the Board in order to professionally complete the terms of his contract.

MOTION: Workman moved and Hudkins seconded to authorize payment in the amount of \$3,500.

Schorr questioned the necessity of additional visits.

Kim Etherton, Community Corrections Director, said she does not believe the training component is needed.

Thorpe said she believes Cook could complete the contract from his office in Portland, Oregon.

Workman called the question on the motion. There was no second.

AMENDMENT: Hudkins moved and Workman seconded to amend the motion to reimburse Warren Cook, Coordinator of Adult Offender Services, for the cost of his liability insurance on a monthly basis until the contract is completed, up to two months.

Stevens suggested amendment of the contract with additional compensation to help pay for the insurance.

Schorr noted that when Cook's contract was extended it was with the provision that there would be no additional cost to the County.

ROLL CALL: Hudkins and Workman voted aye. Schorr and Stevens voted no. Heier was absent from voting. Motion failed.

ROLL CALL ON THE ORIGINAL MOTION: Workman, Schorr, Hudkins and Stevens voted no. Heier was absent from voting. Motion failed.

Heier returned at 11:09 a.m.

10 ACTION ITEMS

A. Set Date for Mid-Year Budget Retreat

A tentative meeting date of January 22, 2004 was set.

B. Insurance Advisory Group Membership

MOTION: Schorr moved and Hudkins seconded to ask Kerry Eagan, Chief Administrative Officer; Dave Kroeker, Budget and Fiscal Officer; Doug Cyr, Deputy County Attorney; Sue Eckley, Workers' Compensation & Risk Management Manager; Bill Giovanni, Ameritas Investment Corporation (financial advisor) and representatives from Lincoln Public Schools (LPS); Lincoln Electric System (LES); Lincoln Independent Business Association; and the Lincoln Chamber of Commerce to serve on a committee to review options for general liability insurance.

It was suggested that the committee seek input from UNICO Group, Inc. (insurance consultant) and the Nebraska Intergovernmental Risk Management Association (NIRMA).

ROLL CALL: Workman, Heier, Schorr, Hudkins and Stevens voted aye. Motion carried.

C. Community Corrections Letterhead

Item moved forward on the agenda.

D. Hiring Requests:

1. Community Corrections - Case Manager

Item moved forward on the agenda.

2. County Treasurer - Account Clerk I

MOTION: Schorr moved and Stevens seconded approval. Stevens, Hudkins, Workman, Schorr and Heier voted aye. Motion carried.

E. Replacement Telephone for Records & Information Management Warehouse

MOTION: Hudkins moved and Workman seconded approval. Stevens, Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

F. Warren Cook, Coordinator of Adult Offender Services, Insurance

Item moved forward on the agenda.

G. Authorization for County Board Chair to Sign Sub-Recipient Award for Community Emergency Response Team (CERT) Program

MOTION: Hudkins moved and Workman seconded approval. Hudkins, Schorr, Heier, Workman and Stevens voted aye. Motion carried.

H. Request from Dennis Banks, Lancaster County Juvenile Detention Center Director, for Michelle Schindler, Lancaster County Juvenile Detention Center Deputy Director, to Attend Juvenile Services Conference, October 12-15, 2003 in Bloomington, Minnesota

MOTION: Workman moved and Stevens seconded approval. Stevens, Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

11 ADMINISTRATIVE OFFICER REPORT

A. Computer Login Messages

Thorpe reviewed the policy for posting messages on the computer login screen (see agenda packet).

B. Appointment to the Lincoln Area Agency on Aging Advisory Council (Dr. Gregory Kallos)

The item was scheduled on the October 7, 2003 Board of Commissioners Meeting agenda.

C. Hickman Planning Commission Public Hearing Notice

See agenda packet.

D. Library Customer Survey

See agenda packet.

E. Appointment of Sitaram Jaswal to the Air Pollution Control Advisory Board

The item was scheduled on the October 7, 2003 Board of Commissioners Meeting agenda.

F. Request from Mosaic (formerly known as Martin Luther Homes, Inc.) For County Commissioner to Attend Quarterly Advisory Board Meetings

Board consensus was to reject the request.

ADDITIONS TO THE AGENDA

A. Flower and Card Fund

The Board members agreed to each give Cori Beattie, County Board Administrative Secretary, \$20 for the flower and card fund and to reimburse her for any additional monies owed.

B. Agenda for City-County Common Meeting

It was noted that a wrap-up briefing on the acreage studies is planned.

ADDITIONS TO THE AGENDA

MOTION: Schorr moved and Hudkins seconded to add discussion of the Southeast Upper Salt Creek Watershed Master Plan to the agenda as an emergency item. Hudkins, Schorr, Heier, Workman and Stevens voted aye. Motion carried.

Brief discussion took place with consensus to schedule a Staff Meeting on Tuesday, October 7, 2003 at 10:30 a.m. to discuss issues relating to: 1) Comprehensive Plan Amendment 03004, a request to adopt the Southeast Upper Salt Creek Watershed Master Plan as an approved subarea plan, and to amend the Land Use Plan to designate land as Green Space or Agricultural Stream Corridor along the 100 year flood prone corridor on property generally located between Salt Creek and South 70th Street, from Yankee Hill Road to south of Saltillo Road; and 2) Duties and responsibilities of the Natural Resources District (NRD) with the Planning Department and Public Works/Utilities staff; Don Thomas, County Engineer; and Glenn Johnson, Lower Platte South (NRD) General Manager.

C. Joint Meeting of Administrative and Fiscal Staff for Lancaster, Douglas and Sarpy Counties

Thorpe said the meeting will be held October 9, 2003 in Lincoln.

D. Report on Information Desk

Hudkins reported that steps are being taken to address Building and Safety's concerns regarding relocation of the Information Desk.

E. Letter from Lincoln Airport Authority

Thorpe said she will discuss the request from Lincoln Airport Authority (see agenda packet) with Darl Naumann, Aide to the Mayor for Economic Development, and will report back on the City's response.

12 EMERGENCY ITEMS AND OTHER BUSINESS

Mayor Seng appeared and announced selection of Don Taute to be Director of the Lincoln-Lancaster County Personnel Department (Exhibit C). **NOTE:** The selection must be confirmed by the City Council and County Board.

13 ADJOURNMENT

MOTION: Workman moved and Stevens seconded to adjourn the meeting at 12:04 p.m. Hudkins, Schorr, Heier, Workman and Stevens voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk