

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, JANUARY 11, 2007
8:30 A.M.**

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

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dan Nolte, County Clerk
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:35 a.m.

AGENDA ITEM

1 APPROVAL OF MINUTES OF THE STAFF MEETING MINUTES OF THURSDAY, JANUARY 4, 2007

MOTION: Schorr moved and Stevens seconded approval of the Staff Meeting minutes dated January 4, 2007. Schorr and Workman voted aye. Stevens abstained from voting. Hudkins and Heier were absent from voting. Motion carried.

Heier arrived at 8:36 a.m.

LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant

Gordon Kissel, Legislative Consultant, presented a legislative update (Exhibit A).

Hudkins arrived at 8:38 a.m.

Schorr asked about the fiscal impact of legislation allowing property tax to be paid in smaller installments and adding blindness as a disability for homestead exemption.

Kissel said he will check with the Revenue Committee.

Hudkins asked whether there has been legislation introduced to require the County Assessor to send personal property notices.

Kissel said Senator Mines has introduced legislation to address that issue.

Stevens said he was told a failed constitutional amendment relative to diversity of investments on foundations will be reintroduced and said it may impact investment of Keno funds.

Dean Settle, Community Mental Health Center Director, appeared and said Senator Hudkins will introduce proposed modifications to LB 1199 (Change provisions relating to the punishment, prosecution, treatment and monitoring of sex offenders). Senator Hudkins has also been asked to introduce the concept of mental health jail diversion. He noted that a bill has also been introduced to create the Office of Public Guardianship.

Schorr said she has agreed to serve on an advisory board being established by the Nebraska Association of County Officials (NACO), in conjunction with the Mental Health Region, to make sure that sufficient funds are in place to maintain mental health reform.

Dave Shively, Election Commissioner, appeared and said legislation is needed to require the Department of Motor Vehicles to make driver's license numbers available to the election commissioner/jury commissioner to assist with making up jury lists (Nebraska Revised Statute §25-1628) (Exhibit B).

MOTION: Hudkins moved and Stevens seconded to direct Gordon Kissel, Legislative Consultant, to find a senator to sponsor correction of Nebraska Revised Statute §25-1628. Hudkins, Heier, Schorr, Stevens and Workman voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Authorize County Sheriff to Submit a Grant to Wal-Mart (Exhibit C)
- B. Letter from Gary Young, Legal Counsel for the Fraternal Order of Police (FOP) 32, Regarding Corrections' Staffing
- C. Yankee Hill Road, Between South 40th and South 56th Streets, and West Denton Road
- D. Jail Study
- E. Direct Deposit of Joint Budget Committee (JBC) Monies

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

3 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant

Item was moved forward on the agenda.

ADMINISTRATIVE OFFICER REPORT

- A. Committee Assignments

The Board reviewed the list of committee assignments (Exhibit D) and made the following changes:

- * Assign the Nebraska Association of County Officials (NACO) Board of Directors and NACO Executive Committee to Heier
- * Assign the Lancaster Manor Advisory Committee to Hudkins
- * Assign the Board of Health to Schorr
- * Assign the Nebraska Innovation Zone Commission to Heier (Hudkins will serve as alternate)
- * Assign the Monthly Meeting of County Board Chair, Vice Chair & Mayor to Workman and Heier
- * Assign the Lincoln Partnership for Economic Development (LPED) to Workman (Schorr will serve as alternate)
- * Assign the Officials Committee to Workman and Heier

NOTE: Workman is no longer the City-County Common Chair. Stevens has been named the Vice Chair.

The Board scheduled action on the committee assignments on the Tuesday, January 16, 2007 Board of Commissioners Meeting agenda.

4 PER DIEM FOR JUVENILE DETENTION CONTRACT WITH NEBRASKA HEALTH AND HUMAN SERVICES (HHS) - Michelle Schindler, Youth Services Center Director; Kristy Bauer, Deputy County Attorney

Michelle Schindler, Youth Services Center Director, said the County had initially proposed a daily per diem rate of \$244.50 to the State. The State countered with a rate of \$233.00.

The following documents were disseminated (Exhibits E & F): 1) Revenue Summary; and 2) Adopted Budget for Boarding Contract Revenue for Fiscal Year 2007.

Hudkins reported on a meeting held with Christine Peterson, Nebraska Department of Health and Human Services (HHS), to discuss the contract and said he agreed to recommend a daily per diem rate of \$240.30 to the Board. The State subsequently submitted an offer of \$233.00 to the County. Hudkins recommend that the County make one more attempt to negotiate the rate and offer to split the difference (a rate of \$238.50).

Heier said he is not in favor of doing so. He maintained that the State should be paying the same rate as the contracted counties, which is the County's cost (\$244.50).

It was noted that expenses have been less than anticipated and that the daily per diem rate would be approximately \$240, if recalculated.

Workman asked whether the contract provides for an end-of-the-year adjustment for true costs.

Hudkins said the State did not want that provision, opting for a firm figure.

Heier said he was not aware that the daily per diem was higher than actual costs and said, if that is the case, then the contracts with other counties should be renegotiated.

Schindler explained that costs can fluctuate, based on a number of factors.

MOTION: Stevens moved and Hudkins seconded to propose a daily per diem rate of \$238.00 to the State of Nebraska.

FRIENDLY AMENDMENT: Schorr offered a friendly amendment to change the proposed rate to \$240.00 per day.

The maker of the motion did not accept the friendly amendment.

ROLL CALL: Stevens, Workman and Hudkins voted aye. Schorr and Heier voted no. Motion carried.

5 INTRODUCTION OF JOHN MAHER, JOURNAL STAR PUBLISHER

John Maher, Journal Star Publisher, was introduced to the County Board.

6 MEAL REIMBURSEMENT POLICY (COUNTY RESOLUTION NO. R-06-0114) - Tim Genuchi, Accounting Operations Manager for the County Clerk's Office

General discussion took place regarding the Meal Reimbursement Policy (Exhibit G).

Tim Genuchi, Accounting Operations Manager for the County Clerk's Office, said checking itemized receipts has proved cumbersome for his department.

Terry Wagner, Lancaster County Sheriff, said he believes there needs to be allowances for special circumstances.

MOTION: Heier moved and Hudkins seconded to continue with the current policy.

Mike Thurber, Corrections Director, appeared and said itemization seems to be a problem.

Stevens noted that the policy does not specifically require itemized receipts.

Thurber noted that he provided the Chief Administrative Officer with a draft of a meal reimbursement policy used in several counties in Kansas.

Stevens said he would be comfortable as long as some sort of receipt was provided and reasonable assurance that alcohol was not included.

Dennis Meyer, Budget and Fiscal Officer, suggested use of a "meal log" (claimant would note the date, place and dollar amount) for accounting purposes. Receipts could be attached.

Workman suggested that if a receipt is not attainable, the claimant could handwrite a receipt and sign it.

FRIENDLY AMENDMENT: Stevens offered a friendly amendment to eliminate the following language in Section 2: *Reimbursement for tips shall not exceed 15% of the cost of the meal.*

The maker of the motion and the seconder accepted the friendly amendment.

ROLL CALL: Schorr, Workman, Heier and Hudkins voted aye. Stevens voted no.
Motion carried.

Schorr asked Genuchi to report back in six months.

A resolution in the matter of amending the policy governing the expenditure of public funds of actual and necessary expenses incurred by County elected officials, appointed officials, employees and volunteers was scheduled on the Tuesday, January 16, 2007 Board of Commissioners Meeting agenda.

7 TRABERT HALL PARKING - Don Killeen, County Property Manager

Don Killeen, County Property Manager, said up to 60 parking stalls could be added south of Trabert Hall, if needed.

It was noted that Cedars Youth Services has delayed a decision on whether to lease space in the building, due to a possible programming change.

Killeen recommended waiting until space needs are further defined and said the Lincoln Area Agency on Aging vans could be moved from the lot, in the interim, to free up parking spaces.

ADDITIONS TO THE AGENDA

- A. Authorize County Sheriff to Submit a Grant to Wal-Mart (Exhibit C)

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

- B. Letter from Gary Young, Legal Counsel for the Fraternal Order of Police (FOP) 32, Regarding Corrections' Staffing

Heier indicated that he had received a letter requesting a meeting to discuss issues relating to Corrections' staffing. He said he will contact Young and tell him he has referred the matter to Mike Thurber, Corrections Director.

- C. Yankee Hill Road, Between South 40th and South 56th Streets, and West Denton Road

Heier suggested that the Board consult mayoral candidates before proceeding with paving of Yankee Hill Road, between South 40th and South 56th Streets.

Stevens said the City Council has pulled paving of West Denton Road out of the City's plan because one of its members took exception to a letter from the County Board indicating that the County does not plan to make Yankee Hill Road, between South 40th and South 56th Streets, a Rural to Urban Transportation System Program (RUTS) road.

The Board schedule further discussion of the matter on the February 5, 2007 City-County Common Meeting agenda.

D. Jail Study

Heier encouraged the Board to move forward at a faster pace.

- 8 COURT ADMINISTRATOR** - District Court Judge Steven D. Burns; District Court Judge Jeffre Chevront; District Court Judge John Colborn; District Court Judge Karen B. Flowers; District Court Judge Jodi L. Nelson; District Court Judge Paul D. Merritt, Jr.; and District Court Judge Earl J. Witthoff

General discussion took place regarding a request from the District Court Judges to hire a court administrator. Suggested duties include preparing and administering the District Court Budget; serving as a liaison with the Clerk of the District Court's Office; appointing and evaluating the work of court personnel; overseeing updating of the courtrooms; and assisting with legal research and jury instructions. The cost was estimated at \$45,000 to \$50,000, plus benefits. The expense could be offset, in part, by eliminating the receptionist position. The receptionist space could also be reconfigured to accommodate the court administrator.

Schorr asked whether the court administrator could assist the Juvenile Court.

Kerry Eagan, Chief Administrative, said the Juvenile Court Judges have indicated that they want their own court administrator.

It was noted that the receptionist currently assists the Clerk of the District Court's Office by setting up new files.

Linda Sanchez-Masi, Chief Deputy Clerk of the District Court, appeared and said she will have to assess what impact elimination of the position will have on her office.

There was general consensus to pursue the matter further, perhaps as a pilot project (a shared position between the District Court and Juvenile Court). Additional discussion was scheduled on the Mid-Year Budget Review (February 1, 2007).

- 9 A) GRANTS COORDINATOR; B) VIOLENCE AGAINST WOMEN ACT (VAWA) GRANT; AND C) OUTSIDE GRANT WRITING** - Kit Boesch, Human Services Administrator

A) Grants Coordinator

Kit Boesch, Human Services Administrator, said Cathy Behrns, County Grants Coordinator, has resigned her position.

General discussion took place regarding physical location, job duties (see Exhibit H for a draft job description) and supervision.

Boesch said she believes her department should continue to monitor the Joint Budget Committee (JBC) grants.

MOTION: Schorr moved and Hudkins seconded to move the County Grants Administrator, currently existing under the Human Services Department, to the County Board's Office, to be overseen by the Budget and Fiscal Officer, and to assign the position responsibility for management of grants across all county departments.

Eagan was asked to contact the Personnel Department to see what is needed to enact the change.

AMENDMENT: The maker of the motion amended the motion to indicate that the Chief Administrative Officer will supervise the position and the Budget and Fiscal Officer will serve as the Rating Officer.

The seconder accepted the amendment.

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

B) Violence Against Women Act (VAWA) Grant

Boesch gave an overview of the grant (Exhibit I).

MOTION: Stevens moved and Hudkins seconded authorization to proceed with the Violence Against Women Act (VAWA) Grant application. Stevens, Workman, Schorr, Heier and Hudkins voted aye. Motion carried.

C) Outside Grant Writing

Boesch said she does not anticipate pursuing more than three to four grant writing opportunities per year.

MOTION: Stevens moved and Hudkins seconded approval, under the terms and conditions outlined in a memorandum from Kit Boesch, Human Services Administrator (see agenda packet).

Eagan noted that the Board approved Boesch's outside grant writing request, stipulating case-by-case approval, at the January 4th Staff Meeting.

The maker of the motion and the seconder withdrew their motion.

Brief discussion also took place regarding the schedule for a Request for Proposals (RFP) for a Day and Evening Reporting Center.

ADDITIONS TO AGENDA

E. Direct Deposit of Joint Budget Committee (JBC) Monies

MOTION: Hudkins moved and Heier seconded to: 1) Approve direct deposit of Joint Budget Committee (JBC) monies, contingent upon approval of the County Treasurer and County Attorney; and 2) Add language to the Joint Budget Committee (JBC) contracts stipulating that all contracts are subject to approval of the County Board budget. Stevens, Workman, Schorr, Heier and Hudkins voted aye. Motion carried.

10 ADMINISTRATIVE OFFICER REPORT

A. Committee Assignments

Item moved forward on the agenda.

B. Claim for Review: PV 103218-103219, \$5.34 from Public Defender's Office for Mileage

Board consensus was to handle the claim as a regular claim at the Tuesday, January 16, 2007 Board of Commissioners Meeting.

C. Nebraska Heart Institute (NHI) Tour

Board consensus was to tentatively schedule the tour on Tuesday, February 20, 2007. Alternate date is Tuesday, January 30, 2007.

D. Giebenrath Soil Mining Permit (County Special Permit No. 06066) and Meeting with Neighbors

MOTION: Schorr moved and Hudkins seconded to direct Kerry Eagan, Chief Administrative Officer, to draft a letter to the City Council indicating that the County Board approved County Special Permit No. 06066, on a 3-0 vote with Commissioners Workman and Heier absent, and requested that the applicant meet with neighbors to discuss his plans and schedule as part of the process, although it was not made a condition of the special permit; and that the County Board would like the City Council to consider including it as a condition of the City's special permit. Stevens, Schorr, Hudkins, Heier and Workman voted aye. Motion carried.

E. Nebraska Association of County Officials (NACO) County Board Workshop, February 7-9, 2007

Hudkins and Heier indicated plans to attend.

Board consensus was to: 1) Schedule a Staff Meeting on Tuesday, February 6, 2007, immediately following the Board of Commissioners Meeting; and 2) Reschedule the Management Team Meeting scheduled for Thursday, February 8, 2007, if there are agenda items.

F. Post Employment Health Plan (PEHP) Investments

The Board discussed an email communication from Doug Cyr, Pension Review Committee (PRC), expressing concerns regarding fees, fund array and the lack of an oversight committee (Exhibit J).

MOTION: Hudkins moved and Heier seconded to send a letter to Nationwide Retirement Solutions (NRS) asking them to get an oversight committee for Post Employment Health Plan (PEHP) investments in place.

Brief discussion also took place on whether it would be appropriate to ask the Pension Review Committee (PRC) to provide oversight.

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

G. Request for a County Resolution in Support of Nebraska's Food Stamp Program and Food Stamp Outreach

MOTION: Schorr moved and Stevens seconded to issue a proclamation in support of Nebraska's Food Stamp Program and Food Stamp outreach.

Eagan was asked to redraft the sample proclamation (see agenda packet).

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

H. County Government Access and Information Committee (GAIC) Representative Nominations

Board consensus was to proceed with the following nominations:

- * Maura Kelly Tolzin, Chief Deputy Election Commissioner (One Year Term)
- * John Glynn, Chief Deputy County Clerk, (One Year Term)
- * Dennis Meyer, Budget and Fiscal Officer (Permanent Member)

11 DISCUSSION OF BOARD MEMBER MEETINGS

A. Monthly Meeting of Mayor/County Board Chair and Vice Chair - Schorr, Workman

Schorr and Workman reported that discussion focused on the Motorsports Task Force and budget matters.

B. Officials Committee Meeting - Schorr, Workman

Schorr and Workman reported approval of the Long Range Transportation Plan and discussion of the Lancaster Event Center sign.

C. Public Building Commission - Hudkins, Workman

No report.

12 ADJOURNMENT

MOTION: Stevens moved and Schorr seconded to adjourn the meeting at 12:02 p.m. Stevens, Workman, Schorr, Heier and Hudkins voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk