

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, JULY 12, 2007
8:30 A.M.**

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

Commissioners Absent: Ray Stevens

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

The Chair opened the meeting at 8:36 a.m.

AGENDA ITEM

1 APPROVAL OF MINUTES OF THE STAFF MEETING MINUTES OF THURSDAY, JULY 5, 2007

MOTION: Heier moved and Hudkins seconded approval of the Staff Meeting minutes dated July 5, 2007. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Planning Commission Appointment
- B. Reappointment of Larry Hudkins to the Public Building Commission (Exhibit A)
- C. Board of Equalization Schedule (Exhibit B)
- D. Request for Proposals (RFP) for Voice-Over-Internet Protocol

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

3 BUDGET WORK SESSION - Dennis Meyer, Budget and Fiscal Officer

A) Personnel Request from Public Defender (Part-Time Runner)

Dennis Keefe, Public Defender, appeared and gave an explanation of his request for a part-time runner (estimated annual cost of \$16,000).

B) Mental Health Residential Care (The Heather Program)

Dean Settle, Community Mental Health Center (CMHC) Director, appeared and discussed the Board's plans to terminate the mental health residential services agreement with O.U.R. Homes/The Heather. He projected net savings of \$235,000 (the amount reflects retaining the program manager and assigning her other duties). Settle indicated plans to meet with Scot Adams, Nebraska Department of Health and Human Services (HHS), to discuss how the State plans to respond. He also indicated plans to meet with Speaker of the Legislature Mike Flood and Senators DiAnna Schimek and Joel Johnson. Settle said Region V has emergency funds available that can be use to fund the program for about 90 days and said the State will have to come up with the ultimate solution.

MOTION: Hudkins moved and Schorr seconded to authorize the Chair to send a letter to the State, and the other affected parties, giving notice of termination, as per the contract. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

Settle said the seven mental health specialists that will be impacted by the termination are part of the bargaining unit and will require two weeks notice. He said "bumping" rights will apply, which will impact other mental health specialists employed at CMHC.

There was Board consensus to wait and see what Settle's meetings with State representatives produce before giving the employees notice of termination.

C) General Budget Discussion

Dennis Meyer, Budget and Fiscal Officer, presented Lancaster County, Property Tax Funded Budgets, Fiscal Year 2008 Requested Compared to Fiscal Year 2007 Adopted and Lancaster County, Request for Increase in Personnel (Fiscal Year 2008) (Exhibits C & D).

MOTION: Schorr moved to retain the funding for the Lincoln-Lancaster Women's Commission.

The motion died for the lack of a second.

The Chair asked Meyer to notify the Mayor's Office that the Board elected not to act on an interlocal agreement to fund the Lincoln-Lancaster Women's Commission and did not include funding in the budget.

Heier asked whether Exhibit C reflects revenues for Veterans Services and the Youth Services Center.

Meyer said Veterans Services' revenues were included. He said Michelle Schindler, Youth Services Center Director, informed him that the back billings for the State are caught up and said that is reflected in the General Fund's fund balances.

Hudkins said Bill Jarrett, Chief Deputy Sheriff, indicated that \$100,000 of their additional appropriation was not needed and asked Meyer to make sure that the credit is reflected in the fund balances.

Brief discussion took place regarding funding of the Noxious Weed Control Authority budget.

MOTION: Hudkins moved and Heier seconded to add discussion of the Noxious Weed Control Authority funding allocation to the City-County Common Budget Hearing agenda and ask Russ Shultz, Noxious Weed Control Authority Superintendent, to attend. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

4 ALTERNATIVES TO INCARCERATION - Kim Etherton, Community Corrections Director; Kit Boesch, Human Services Director; Steve Rowoldt, Chief Probation Officer in Adult Probation; Mike Thurber, Corrections Director

Kim Etherton, Community Corrections Director, reported on meetings held with stakeholders to discuss alternatives to incarceration. She noted that Steve Rowoldt, Chief Probation Officer in Adult Probation, has already presented a proposal to reduce the time of completion for pre-sentence investigations from 8 weeks to 4 weeks, reducing days of incarceration (see June 14, 2007 Staff Meeting minutes).

Rowoldt stated there are approximately 2,000 individuals on probation in Lancaster County on any given day.

Etherton also outlined proposals to place offenders sentenced in County Court to 14 or fewer days in jail on house arrest through her department (estimated savings of \$186,000 for 20 offenders) and for a sentence conversion program for offenders on work release. She said the District Court Judges have agreed to begin writing orders for sentence conversion to house arrest. Etherton said the intent had been to focus on offenders that are currently incarcerated, but said that will not be permitted because it would void the original order.

MOTION: Schorr moved and Hudkins seconded to authorize the Chair to send a letter to the County Court Judges and District Court Judges requesting their support of the alternatives to incarceration that Kim Etherton, Community Corrections Director, has proposed. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

Etherton estimated the additional cost to her budget at \$40,000 for equipment, drug testing and monitoring fees.

Etherton also discussed issues relating to the Fine Reminder Calling Program suggested by County Court. She said information in the Judicial Users System to Improve Court Efficiency (JUSTICE) computer system, which is controlled by the State, is not up-to-date. The State is providing updated information to Douglas County, as a pilot project, but is not willing to extend that to Lancaster County until the pilot program is completed. Etherton said it might be worthwhile to hire a part-time person to do the necessary data entry if it will increase collections. She indicated plans to meet with a representative of the State to discuss the matter further on Monday and will report back.

Discussion then focused on the proposal to reduce the time of completion for pre-sentence investigations for felonies from 8 weeks to 4 weeks. Two additional probation officers would be required for implementation, at a cost of \$98,242 (an interlocal agreement with the State would be required). Savings from the anticipated reduction in jail days are estimated at \$408,240. It was noted that the cooperation of the courts is key.

MOTION: Schorr moved and Hudkins seconded to: 1) Allocate \$100,000 in the budget for the interlocal agreement with the State to hire two (2) additional probation officers to do pre-sentence investigations; 2) Send a letter to Ellen Brokofsky, State Probation Administrator, requesting 50/50 funding of the positions, with a copy to Mike Heavican, Nebraska Supreme Court Chief Justice; and 3) Reduce the Corrections budget by \$100,000, with the understanding that the department may need additional funds at mid-year.

Schorr said she believes that the line item for outside boarding contracts is the best place to make the reduction in the Corrections budget.

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

Kit Boesch, Human Services Director, said another recommendation that came out of the stakeholders meetings was to explore the concept of having a collection agency collect fines. She suggested that the County send out a letter of inquiry to collection agencies asking if they would be interested in contracting with a government agency to collect fines (see Exhibit E for sample letter). Boesch noted that County Court fines go to the Lincoln Public Schools and suggested that they be approached about sharing in costs.

MOTION: Schorr moved and Heier seconded to authorize Kit Boesch, Human Services Director, in conjunction with the County Board's Office, to send out the letter of inquiry and asked her to consult the County Attorney's Office and the Purchasing Department about any areas of concern. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

Boesch said the practice of allowing offenders to sit out their fines in the jail has long been a concern and said she recently learned that judges also have the option of sentencing offenders to Community Corrections.

Etherton said she has discussed this matter with the judges and said they are not willing to do it unless a legislation is passed to remove the option of allowing offenders to sit out their fines in jail.

Eagan was asked to add this to the list of legislative priorities.

5 PENSION REVIEW COMMITTEE (PRC) RECOMMENDATIONS AND UPDATE ON PENSION CONSULTANT

Kerry Eagan, Chief Administrative Officer, gave an overview of Pension Review Committee (PRC) Recommendations Regarding Selection of Pension Consultant and Administration of the Post Employment Health Plan (PEHP) (see agenda packet):

1. The following members of the Pension Review Committee (PRC) should be designated to interview Segal Advisors regarding their proposal to perform pension consultation services for Lancaster County: Terry Adams, Doug Cyr, Kerry Eagan, Tim Genuchi and Dennis Meyer. The only other bid received was from Karstens Investment Counsel, which was not responsive to the request for proposals. The PRC recommends that Karstens not be interviewed.

Eagan said Segal Advisors was interviewed, at the direction of the Board, and recommend that the County proceed with hiring the firm as pension consultant. He indicated that the revenue sharing funds could be used for that purpose.

MOTION: Schorr moved and Hudkins seconded to authorize Kerry Eagan, Chief Administrative Officer, to pursue a contract with Segal Advisors as pension consultant. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

2. Lancaster County should investigate the feasibility of establishing a separate voluntary employee benefit association for purposes of administrating the Post Employment Health Plan (PEHP) for Lancaster County employees. Further, the County Board should authorize Nationwide Retirement Solutions (NRS) to send correspondence to Lancaster County employees participating in PEHP regarding concerns with American Century Ultra.

MOTION: Hudkins moved and Heier seconded to authorize Nationwide Retirement Solutions (NRS), in consultation with Kerry Eagan, Chief Administrative Officer, to send a letter to Lancaster County employees with funds in the Post Employment Health Plan (PEHP) regarding concerns related to American Century Ultra. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

Eagan said he will consult Segal Advisors regarding the feasibility of establishing a separate voluntary employee benefit association for purposes of administrating PEHP for Lancaster County employees.

6 PENDING LITIGATION - Mike Thew, Chief Deputy County Attorney;
Tom Fox, Deputy County Attorney

MOTION: Heier moved and Hudkins seconded to enter Executive Session at 10:09 a.m. to discuss pending litigation. Heier, Hudkins, Schorr and Workman voted aye. Motion carried.

MOTION: Heier moved and Hudkins seconded to exit Executive Session at 10:52 a.m. Hudkins, Heier, Schorr and Workman voted aye. Motion carried.

ADMINISTRATIVE OFFICER REPORT

- A. Surplus Property - Integrated Care Coordination Unit (ICCU)
Telephones

MOTION: Schorr moved and Heier seconded to declare the Integrated Care Coordination Unit (ICCU) telephones surplus and to charge Region V \$2.00 per telephone. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

- B. Request from the Lincoln Independent Business Association (LIBA) for Jail Discussion (Exhibit F)

Heier noted that LIBA has asked to meet with the Board and the Jail Study Committee prior to the Board making any final decisions on a new jail.

Discussion took place regarding the request, with consensus that there is no need to reconvene the Jail Study Committee.

Workman noted that Buffalo County is also going through the process of building a new jail and suggested that it might be helpful to "compare notes" with their County Board.

7 FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TRAILERS

- Doug Ahlberg, Emergency Management Director

Doug Ahlberg, Emergency Management Director, said he acquired an additional surplus FEMA trailer when he went to purchase the three that were authorized by the Board. The purchase is contingent upon Board approval (the additional cost is \$2,500). He proposed that the four trailers be located in different quadrants of the county.

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

8 BUDGET WORK SESSION (CONTINUED)

Meyer said he notified Rick Hoppe, Administrative Assistant to the Mayor, of the Board's decision to not fund the Lincoln-Lancaster Women's Commission and Hoppe asked whether the Board will provide funding through August 31st, under terms of the existing interlocal agreement with the City.

Board consensus was to fund the Women's Commission through August 31, 2007.

Heier asked Meyer to check whether the City plans to continue funding in the amount of \$50,000 for the Youth Services Center.

The Board asked that discussion of the Geographic Information System (GIS) Coordinator position also be scheduled on the City-County Common Budget Hearing agenda.

Discussion took place regarding the requests for increases in personnel (see Exhibit D).

MOTION: Hudkins moved and Schorr seconded to retain \$12,000 for continuation of a part-time position in the Veterans Services/General Assistance Office. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

MOTION: Hudkins moved and Heier seconded to deny the request by County Property Management for \$16,466 to fund a half-time Maintenance Repair Worker II to serve the Community Mental Health Center. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

There was Board consensus to: 1) Approve the Juvenile Court's request for a Court Administrator and Bailiff (\$147,785); 2) Review the Community Mental Health Center's request for an assistant for Judi Tannahill, Administrative Services Officer, at mid-year; and 3) Deny the request from the Public Defender for a part-time runner (\$9,418 with a start date in November).

Discussion followed regarding the \$1.5 million budget shortfall (see Exhibit C). Meyer noted that a 2.25% increase in valuation will generate about \$1.1 million.

Schorr stated that she would like to keep the mil levy the same and try to make up the difference with the valuation change.

No further action was taken on the budget and the focus of discussion moved to the jail project.

Meyer said he talked to Scott Keene, Ameritas Investment Corporation, about how to finance the land purchase. He said the Board could pay for it out of the fund balances and said Keene said it shouldn't impact the County's bond rating as long as the Board passes a reimbursement resolution.

Workman suggested that consideration be given to creating a Sinking Fund for the new jail, perhaps one cent, per \$100 of value.

Meyer said the Sinking Fund could also be used for up-front costs.

The following documents were also distributed (Exhibits G & H): 1) 2007-2008 Election Commissioner's Adjusted Budget; and 2) Lancaster County, Fiscal Year 2007-08 Keno Fund Budget.

RETURNING TO ITEM 10B

Board consensus was to forward a response from the Jail Study Team (Karen Chinn, Chinn Planning; JoAnne Kissel, The Clark Enersen Partners; and Al Povondra, Carlson, West and Povondra Architects) (Exhibit I) to LIBA, with a cover letter signed by the Chair, indicating that the Board does not plan to reconvene the Jail Study Committee and that LIBA had representation on the Committee.

9 ACTION ITEMS

- A. Request from Mike Thurber, Corrections Director, to Attend Annual Correctional Association Conference in Kansas City, Missouri (August 11-15, 2007)

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

- B. Requisition for Disbursement to Wells Fargo Bank, Trustee for Limited Tax Building Bonds, Series 2004, in the Amount of \$109,388.53

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

10 ADMINISTRATIVE OFFICER REPORT

- A. Surplus Property - Integrated Care Coordination Unit (ICCU)
Telephones
- B. Request from the Lincoln Independent Business Association (LIBA) for Jail Discussion

Items A & B were moved forward on the agenda.

ADDITIONS TO THE AGENDA

- A. Planning Commission Appointment

It was noted that Jeff Frack and Dean Hoy have expressed interest in serving on the Planning Commission.

- B. Reappointment of Larry Hudkins to the Public Building Commission (Exhibit A)

MOTION: Heier moved and Schorr seconded to schedule reappointment of Larry Hudkins to the Public Building Commission on the July 10, 2007 County Board of Commissioners Meeting agenda. Schorr, Workman and Heier voted aye. Hudkins abstained from voting. Motion carried.

C. Board of Equalization Schedule (Exhibit B)

Board members indicated a preference for holding hearings on July 19th, rather than July 20th.

D. Request for Proposals (RFP) for Voice-Over-Internet Protocol

The Board requested a briefing by Doug Thomas, Information Services Director.

11 DISCUSSION OF BOARD MEMBER MEETINGS

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

Workman and Heier reported discussion of the following: 1) Drag strip sound testing; 2) Budget; 3) Jail; 4) A stoplight at 84th Street and Havelock Avenue; and 5) Humane Society contract.

B. Board of Health - Schorr

Schorr said proposed revisions to food handler regulations and binge drinking issues were discussed.

C. Lincoln Chamber of Commerce Coffee - Workman

Workman said there were budget presentations by the City, County and Lower Platte South Natural Resources District (NRD).

12 ADJOURNMENT

MOTION: Schorr moved and Heier seconded to adjourn the meeting at 12:08 p.m. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk