

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, AUGUST 2, 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 8:38 a.m.

AGENDA ITEM

1 APPROVAL OF MINUTES OF THE STAFF MEETING MINUTES OF THURSDAY, JULY 26, 2007

MOTION: Stevens moved and Hudkins seconded approval of the Staff Meeting minutes dated July 26, 2007. Hudkins, Workman and Stevens voted aye. Heier abstained from voting. Schorr was absent from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Jamaica North Trail Deletion (Exhibit A)
- B. Government Access and Information Committee (GAIC) Replacement
- C. Letter Regarding County Engineering Employee
- D. Noise Standards

Schorr arrived at 8:39 a.m.

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

3 POTENTIAL LITIGATION - Tom Fox, Deputy County Attorney

MOTION: Heier moved and Hudkins seconded to enter Executive Session at 8:40 a.m. for discussion of potential and pending litigation. Hudkins, Heier, Workman, Schorr and Stevens voted aye. Motion carried.

MOTION: Stevens moved and Schorr seconded to exit Executive Session at 9:14 a.m. Hudkins, Heier, Workman, Schorr and Stevens voted aye. Motion carried.

4 INTERLOCAL AGREEMENT FOR DRUG COURT SERVICES - Tom Fox, Deputy County Attorney; Don Taute, Personnel Director

Tom Fox, Deputy County Attorney, said he has been working with the State to provide compensation back to the beginning of Fiscal Year 2006-07 to the Juvenile Court Bailiff who has performed administrative duties for the Lancaster County Family Drug Court. He said it is problematic because the County is unable to pay claims that are not submitted within 90 days. There could also be an issue with regard to The Wages and Payment Act. Fox said he thought an Exceptional Circumstances Award might be an option, but bailiffs are unclassified employees and awards are not included in the resolution that lists the benefits that can be provided to unclassified employees. The Lancaster County Personnel Rules that apply to classified employees allow the awards, but cap them at \$500. He said the Board would need to decide whether to extend the benefit to unclassified employees and whether to cap it at \$500 (\$8,000 is the proposed amount of compensation). Fox said the person that he has been working with in the State Administrative Office of the Courts notified him yesterday that their Fiscal Administrator is apprehensive about doing any type of award.

Schorr asked whether the funds could be carried forward.

Fox said no, the funds are only available until September.

Don Taute, Personnel Director, expressed concern about setting a precedent.

There was general consensus to allow Fox to continue discussions with the State to see if there is a way for the State to compensate the bailiff, and if not, to allow the funds to be returned to the taxpayers.

5 COMMUNITY CORRECTIONS 9TH AND "J" STREET FACILITY AND COST BENEFIT ANALYSIS FOR ADULT DRUG COURT - Kim Etherton, Community Corrections Director

Cost Benefit Analysis

Kim Etherton, Community Corrections Director, said she contacted The Gallup Organization about the cost of doing a cost benefit analysis of the Adult Drug Court and was told they would charge a minimum of \$50,000. **NOTE:** The County Attorney has offered to contribute \$20,000 in drug forfeiture funds for a Request for Proposals (RFP) for an independent evaluation of the Adult Drug Court. She said the person she spoke with at Gallup questioned whether it would be a worthwhile expense (the Adult Drug Court has a \$250,000 budget, with \$179,000 paid out for personnel costs). Etherton said the University of Nebraska at Omaha (UNO) has done a cost benefit analysis of the Douglas County Drug Court and they have indicated that they could do one for Lancaster County for around \$20,000.

MOTION: Hudkins moved and Stevens seconded to direct Kim Etherton, Community Corrections Director, to gather more details on the University of Nebraska at Omaha (UNO) proposal, in consultation with Gary Lacey, County Attorney.

Stevens asked Etherton to check whether information from the cost benefit analysis could also be applied to the other two Drug Courts.

Workman requested an Executive Summary of the Douglas County cost benefit analysis.

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

9th and "J" Street Facility

Etherton said Steve Rowoldt, Chief Probation Officer in Adult Probation, has indicated that his department no longer needs space in the 9th and "J" Street Building. She said she doesn't need the extra space, explaining it is too large for the planned use and not large enough for the entire department. Etherton said the Community Corrections offices that are currently located in Trabert Hall can move to Courthouse Plaza, as originally planned, but office space in the 9th and "J" Street Building will not be finished at the same time and that is where all the drug testing is going to be done. She said she would prefer to leave the Adult Drug Court where it is housed in the Jail Complex but Rowoldt is hiring two new probation officers and wants the space back at the end of the year.

Workman asked whether the new probation officers could be housed in Trabert Hall.

Etherton said Rowoldt wants them in close proximity to the courts.

Schorr said Courthouse Plaza might be an option.

Etherton requested authorization to talk to Don Killeen, County Property Manager, about other space options.

Stevens asked whether the County has received a response from the State on whether they will share in the cost of the new probation officers.

Kerry Eagan, Chief Administrative Officer, said he spoke informally with Mike Heavican, Nebraska Supreme Court Chief Justice, and said it is unlikely.

Etherton said Adult Probation has claimed the furniture that the Integrated Care Coordination Unit (ICCU) left in Trabert Hall, stating it is part of a deal agreed to by the County Board. She said Adult Probation had initially planned to partner with Community Corrections and to furnish conference rooms in the 9th and "J" Street Building and Courthouse Plaza. The furniture will now be used to furnish offices for the State's Specialized Substance Abuse Supervision (SSAS) Program and Community Corrections will receive whatever is left.

Eagan said the SSAS Program intends to apply the savings from not having to buying furniture towards the purchase of computer equipment.

MOTION: Schorr moved and Hudkins seconded to send a letter to Steve Rowoldt, Chief Probation Officer in Adult Probation, asking that he confer with Kim Etherton, Community Corrections Director, and allow her department to utilize some of the furniture when it moves to Courthouse Plaza.

Etherton said she would be willing to discuss the issue with him again.

AMENDMENT: The maker of the motion and the seconder agreed to amend their motion to delay sending the letter until the Board hears back from Kim Etherton, Community Corrections Director.

ROLL CALL ON THE MOTION AS AMENDED: Heier, Hudkins, Workman, Stevens and Schorr voted aye. Motion carried.

6 JAIL DESIGN REQUEST FOR PROPOSALS (RFP) COMMITTEE -
Vince Mejer, Purchasing Agent; Mike Thurber, Corrections Director

Further discussion took place regarding formation of a Request for Proposals (RFP) Review Committee (see July 26th Staff Meeting minutes). Thurber said he spoke with Deb Brehm and Greg Hershberger and they indicated a willingness to serve on the committee. He also contacted Kathy Campbell and expects to hear back from her shortly. The following names were also suggested: Mary Barry Magsamen, St. Monica's Behavioral Health Services for Women Executive Director; Jim Mastera, Cornhusker Bank; Randy Harre, Schwisow Construction, Inc.; Rick Wallace, Community Development Resources (CDR) Executive Director; and Reverend Donald Coleman, MAD DADS (Men Against Destruction Defending Against Drugs & Social-Disorder) of Lincoln, Inc. It was noted that Douglas County recently built a new correctional facility and a representative from Douglas County was also suggested. Thurber was asked to contact the following and ask if they are willing and able to serve on the committee: Kathy Campbell, Rick Wallace, Tim Loewenstein, Randy Harre, Terry Wagner, Jim Mastera and Mary Barry Magsamen. Hudkins and Workman offered to pay travel expenses for Loewenstein (he is a Buffalo County Commissioner).

Mejer asked whether the Board wants price to be a factor in the selection process.

Board members indicated that they do. There was also general consensus to issue a separate RFP for a project manager.

DISCUSSION OF BOARD MEMBER MEETINGS

C. Lincoln Independent Business Association (LIBA) Monthly Meeting - Heier, Stevens

Heier and Stevens said the following topics were discussed: 1) Jail; 2) County wheel tax; 3) East Beltway; and 4) Planning Commission appointments.

It was noted that Stevens and Schorr have been asked to attend the LIBA Budget Monitoring Committee Meeting and discuss the proposed one cent Jail Savings Fund and financing options.

D. Youth Services Center (YSC) Advisory Committee - Heier

Heier said Randy Farmer, Education Coordinator at the Youth Services Center, gave a presentation on the education component.

Schorr suggested that Farmer give a similar presentation at a Super Common Meeting (City Council/County Board/Lincoln Board of Education/Mayor).

It was also suggested as a topic for a "County Connections" Program on 5-City TV.

7 ACTION ITEMS

- A. Letter of Appreciation to Dr. Dominique J. Chéenne

Board consensus was to send the letter, with minor revisions.

- B. Letter to Post Employment Health Plan (PEHP) Participants with American Century Ultra

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

- C. Microcomputer Request, \$2,609.73 from Adult Probation State Funding for Four (4) HP Laser Printers

MOTION: Heier moved and Hudkins seconded approval. Hudkins, Heier, Workman and Schorr voted aye. Stevens voted no. Motion carried.

Stevens said he would have preferred to hold the request until Kim Etherton, Community Corrections Director, reports back on her conversation with Steve Rowoldt, Chief Probation Officer in Adult Probation.

- D. Acceptance of Quote Terms for Installation of TRIM Software Upgrade (Estimated Cost of \$2,595.20)

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

8 ADMINISTRATIVE OFFICER REPORT

- A. Date for Taping of County Connections Program on New Jail

Board consensus was to tape the program the afternoon of September 4th or 6th.

A suggestion to have a trailer run across the screen during broadcast of the County Board of Commissioners Meeting to inviting questions from the public was noted.

- B. Witherbee Neighborhood Association Meeting (October 4, 2007) (Exhibit B)

Workman agreed to attend the meeting and give an update on plans for the new Jail.

Heier exited the meeting at 10:45 a.m.

C. Smoking Policy (Draft)

Gwen Thorpe, Deputy Chief Administrative Officer, expressed concern regarding the proposed implementation date (August 15, 2007). She suggested that the Board consult Saint Elizabeth Regional Medical Center and BryanLGH Medical Center in developing a transition plan.

Stevens said the Community Mental Health Center (CMHC) has counselors who have conducted smoking cessation classes. He also suggested some type of cost sharing for medication to assist employees that want to quit smoking.

Hudkins reported that the Lancaster Manor Advisory Board voted to urge the County Board to go "smoke free" on the premises and indicated that it would be helpful to offer smoking cessation classes.

9 DISCUSSION OF BOARD MEMBER MEETINGS

A. Lancaster Manor Advisory Board - Hudkins

See Item 8C.

B. Joint Budget Committee (JBC) - Stevens, Schorr

Schorr said a strategic planning session was scheduled.

C. Lincoln Independent Business Association (LIBA) Monthly Meeting - Heier, Stevens

D. Youth Services Center (YSC) Advisory Committee - Heier

Items C and D were moved forward on the agenda.

E. Chamber Coffee - Stevens

Stevens reported discussion of the following: 1) Budget; 2) Jail; 3) Funding for the Lancaster Event Center expansion.

ADDITIONS TO THE AGENDA

A. Jamaica North Trail Deletion (Exhibit A)

Informational only.

B. Government Access and Information Committee (GAIC) Replacement

Dan Nolte, County Clerk, said he would be willing to serve as a temporary replacement for John Glynn. **NOTE:** Glynn, who served as the Deputy County Clerk, recently passed away.

Eagan said he will forward Nolte's name to the Mayor's Office for appointment.

C. Letter Regarding County Engineering Employee

Brief discussion took place regarding a letter suggesting recognition of a County Engineering employee.

D. Noise Standards

Item was held.

10 ADJOURNMENT

MOTION: Schorr moved and Stevens seconded to adjourn the meeting at 11:00 a.m. Stevens, Schorr, Workman and Hudkins voted aye. Heier was absent from voting. Motion carried.

Dan Nolte
Lancaster County Clerk