

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, AUGUST 23, 2007
8:30 A.M.**

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

Commissioners Absent: Bernie Heier, Vice Chair

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 8:33 a.m.

AGENDA ITEM

1 APPROVAL OF MINUTES OF THE STAFF MEETING MINUTES OF THURSDAY, AUGUST 16, 2007

MOTION: Stevens moved and Hudkins seconded approval of the Staff Meeting minutes dated August 16, 2007. Hudkins, Stevens and Workman voted aye. Schorr abstained from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Request for Release of a Vehicle Title Held in Relation to a Rural Enterprise Assistance Program (REAP) Loan (Exhibit A)
- B. Request from Dean Settle, Community Mental Health Center Director, to Allow Him to Continue to Serve on the South Street Business Association Board
- C. County Line Legal Opinion
- D. Lincoln Partnership for Economic Development (LPED) Request
- E. Community Mental Health Center Advisory Board Meeting Report

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

3 BOARD OF CORRECTIONS QUARTERLY MEETING - Mike Thurber,
Corrections Director

Separate minutes.

4 GENERAL ASSISTANCE REIMBURSEMENT - Gary Chalupa, Veterans
Service Officer/General Assistance Director

Gary Chalupa, Veterans Service Officer/General Assistance Director, said his office has received requests for reimbursement from Douglas County. He recommended denial of one of the claims, as residence in Lancaster County could not be verified. Chalupa said it brings to question the issue of legal settlement and who is financially responsible.

The Board scheduled action on the claim on the August 28th County Board of Commissioners Meeting agenda.

Hudkins asked how claims involving illegal immigrants are handled.

Chalupa said responsibility could fall to the County if there is no other means of assistance.

Chalupa indicated plans to ask the County Attorney's Office for a legal opinion on the issue of whether subsidized housing counts as public assistance when determining legal settlement and to review outstanding requests for reimbursement (the requests total approximately \$130,000).

5 FINAL BUDGET DISCUSSION REGARDING FIFTEEN CENT LEVY -
Dennis Meyer, Budget and Fiscal Officer

Dennis Meyer, Budget and Fiscal Officer, presented Lancaster County, 2007-08 Final Allocation of Levy (Exhibit B) and said the Board will exceed the 15 cent levy authorized for certain political subdivisions if it approves all of the requests. He said the requests from the Malcolm and Raymond Rural Fire Districts push the levy over 15 cents and said if their requests were reduced to 9.9 cents to stay within the levy, Malcolm would be short \$4,663.43 and Raymond would be short \$5,085,90.

Hudkins said the Raymond Rural Fire District lost \$18 million in valuation when the City of Lincoln annexed part of their territory. He said the same thing happened to the Malcolm Rural Fire District a few years ago when the City annexed Kawasaki Motors.

Hudkins suggested that the reduction be made to the Railroad Transportation Safety District (RTSD) tax rate.

Meyers said RTSD would see a reduction of \$90,000 if its tax rate were reduced from 2.6 cents to 2.55 cents. The Malcolm and Raymond Rural Fire Districts would only gain \$800 and \$1,000, respectively.

Stevens noted that the RTSD is already down \$63,000 since valuations were less than projected.

Workman asked why the Malcolm and Raymond Rural Fire Districts are spending so much money.

Hudkins said it is because they respond to the Interstate 80 and Branched Oak Lake calls. He said they have requested the amount they feel is necessary to maintain operations and said the loss of valuation is more severe than they anticipated.

MOTION: Stevens moved to eliminate the capital request from the Lancaster County Agricultural Society, reducing their levy to zero and apply it to the Malcolm and Raymond Rural Fire Districts.

The motion failed, due to the lack of a second.

MOTION: Hudkins moved to come as close as possible to fulfilling the requests of the Rural Fire Districts by moving the Rural Library out of the 15 cent levy and into the 5 cent levy available for interlocal agreements.

The motion failed, due to the lack of a second.

MOTION: Schorr moved and Hudkins seconded to reduce the Malcolm and Raymond Rural Fire Districts by \$4,663.43 and \$5,085.90, respectively. Hudkins, Schorr and Workman voted aye. Stevens voted no. Motion carried.

A resolution in the matter of final allocation of levy authority to all political subdivisions subject to County levy authority was scheduled on the August 28th County Board of Commissioners Meeting agenda. A public hearing on the final tax request was scheduled on the September 4th County Board of Commissioners Meeting agenda.

6 A) WORKERS COMPENSATION AUDIT; AND B) HEALTH INSURANCE SMOKERS' SURCHARGE AND SPOUSAL CARVE OUT - Sue Eckley, County Risk Manager

A) Workers Compensation Audit

Sue Eckley, County Risk Manager, reported on the workers compensation claims audit conducted by Safety National Casualty Corporation, the excess insurance carrier (see agenda packet). She noted the recommendation to include detailed notes on the claims system and presented an example of a completed claims record (Exhibit C).

B) Health Insurance Smokers' Surcharge and Spousal Carve Out

Eckley said she recently attended a workshop sponsored by UNICO Group, Inc. (insurance broker) and said there was a presentation by Auxiant, a medical benefits administrator, on features it offers. They include a smokers surcharge (smokers are charged a penalty for smoking) and a spousal carve out (a surcharge against an employee enrolled in the health plan if their spouse's employer offers a health plan for which the spouse is eligible and the spouse elects not to participate in that plan and goes with the employee's plan instead). She said these types of things could be made a condition of employment. Eckley asked whether the Board would like more information about these features, suggesting a presentation at a Staff Meeting or the Fall Retreat.

Eckley was asked to: 1) Contact Blue Cross/Blue Shield of Nebraska, the claims administrator, to see whether they offer these features; 2) Research how many county employees are smokers; and 3) Request a legal opinion on whether the County can implement these features and if so, how to go about it.

7 THERAPY/REHABILITATION SERVICES FOR LANCASTER MANOR - Ron Fetters, Lancaster Manor Interim Administrator; Tom Fox, Deputy County Attorney; Vince Mejer, Purchasing Agent; Bob Walla, Assistant Purchasing Agent

Ron Fetters, Lancaster Manor Interim Administrator, proposed that therapy/rehabilitation services for Lancaster Manor move from the bid process to professional services. He said three providers have shown interest, through his contacts, in providing the service.

Vince Mejer, Purchasing Agent, said this is a competitive service and said other providers may be upset if they don't have an opportunity to bid on the contract.

Tom Fox, Deputy County Attorney, said he believes these services would qualify as professional services.

Stevens asked how long it would take to prepare a Request for Proposals (RFP) and make a selection.

Bob Walla, Assistant Purchasing Agent, said it depends on whether there are any changes to the specifications. He said two weeks would be the minimum time required.

Fetters noted that the last time the services went out for bid only two providers showed interest.

Mejer said departments enter into contracts that his department is not aware of and said staff may spend time preparing a bid for a service and not be aware that there is a similar contract that they could "piggyback" on.

Gwen Thorpe, Deputy Chief Administrative Officer, said the Purchasing Department now has the ability to look up contracts on the TRIM Electronic Recordkeeping System.

Schorr suggested that department heads be given a reminder at the next Management Team Meeting to inform the Purchasing Department of any contracts.

MOTION: Stevens moved and Hudkins seconded to authorize Ron Fetters, Lancaster Manor Interim Administrator, to proceed with acquiring therapy/rehabilitation services for Lancaster Manor under the auspices of professional services, rather than the bid process. Stevens, Workman, Schorr and Hudkins voted aye. Motion carried.

8 SURVEY OF HISTORICAL RESOURCES IN LANCASTER COUNTY -
Ed Zimmer, Historic Preservation Planner; Jill Dolberg, State Historical Society Survey Coordinator

Jill Dolberg, State Historical Society Survey Coordinator, discussed plans to conduct a Nebraska Historic Buildings Survey in Lancaster County (the survey will encompass everything in the County except the City of Lincoln, which has been covered). She said the survey process will take approximately one year to complete and everything that is surveyed will be mapped on the Geographic Information System (GIS). A public meeting on the survey has been tentatively scheduled on September 18th.

Schorr suggested that this would be an appropriate topic for a 5-City TV Program.

The following documents were also presented: information regarding the Nebraska Historic Buildings Survey, and example of a county survey, and information regarding the Valuation Incentive Program (a property tax assessment preference for historic properties) (Exhibits D, E & F).

9 POTENTIAL LITIGATION - Tom Fox, Deputy County Attorney; Bill Jarrett, Chief Deputy Sheriff

MOTION: Schorr moved and Hudkins seconded to enter Executive Session at 10:47 a.m. for discussion of potential litigation. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

MOTION: Stevens moved and Schorr seconded to exit Executive Session at 10:59 a.m. Stevens, Workman, Schorr and Hudkins voted aye. Motion carried.

10 ACTION ITEMS

A. Agenda Items for City-County Common Meeting on September 4, 2007

Board members asked that the following items be added to the agenda: 1) Jail financing; and 2) TRIM Electronic Recordkeeping System.

ADDITIONS TO THE AGENDA

A. Request for Release of a Vehicle Title Held in Relation to a Rural Enterprise Assistance Program (REAP) Loan (Exhibit A)

Board consensus was to schedule the release on the August 28th County Board of Commissioners Meeting agenda.

B. Request from Dean Settle, Community Mental Health Center Director, to Allow Him to Continue to Serve on the South Street Business Association Board

MOTION: Stevens moved and Schorr seconded to authorize Dean Settle, Community Mental Health Center Director, to continue to serve on the South Street Business Association Board. Stevens, Workman, Schorr and Hudkins voted aye. Motion carried.

C. County Line Legal Opinion

Brief discussion took place regarding the issue of the Board approving housing developments in the county that open onto roads that Lancaster County does not maintain. It was noted that a legal opinion indicates that there are no State Statutes that address this issue.

MOTION: Schorr moved and Hudkins seconded to request a copy of a county line maintenance map from the County Engineer and consider sending letters to the adjoining counties, after review of the map, to see if they would be willing to trade maintenance of county line roads. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

D. Lincoln Partnership for Economic Development (LPED) Request

MOTION: Schorr moved and Stevens seconded to ask the Lincoln Partnership for Economic Development (LPED) to come to a meeting and discuss their interest in developing a larger pool of money to be used for incentives to attract new businesses and to present a formal request for an increase in the funding contribution. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

The Chair and Vice Chair were asked to share Board members' concerns regarding the Administrative Assistant to the Mayor/Economic Development position with the Mayor.

E. Community Mental Health Center Advisory Board Meeting Report

Stevens said there were concerns regarding how the proposed smoking policy will impact clients of the Midtown Center (a rehabilitation program for adults with persistent mental illness).

11 ADMINISTRATIVE OFFICER REPORT

A. Nebraska City Management Association

Kerry Eagan, Chief Administrative Officer, said he was asked to join the Nebraska City Management Association at an annual cost of \$50.

Board consensus was to not pay for membership at this time.

B. Meeting Date for Joint Lincoln Public Schools (LPS)/City Council/County Board Meeting

Board members indicated a preference that the meeting be held on October 30th at 7:30 a.m. A presentation by Randy Farmer, Education Coordinator at the Lancaster County Juvenile Detention Center, was requested.

C. Recommendation from Visitors Promotion Committee (VPC) for Use of One-Half Percent of Visitors Improvement Fund and Appointment of Norbert Greuner and Reappointment of John Chapo to the VPC

Eagan said the Visitors Promotion Committee (VPC) has deemed attractions as adequate and has recommended that the additional one-half percent lodging tax proceeds for July-December, 2006 and January-June, 2007 be released to the Lincoln Convention & Visitors Bureau (CVB). He also reported a recommendation to appoint Norbert Greuner and reappoint John Chapo to the VPC.

Board consensus was to schedule both items on the August 28th County Board of Commissioners Meeting agenda. The Board asked that Greuner meet beforehand with the Commissioners.

D. Benefits Resolution for Unclassified Employees

Eagan noted changes to the sick leave payout and retirement provisions to make benefits for unclassified employees consistent with the other groups and the County's pension plan. He noted that an inconsistency remains in terms of the maximum number of sick leave hours that can be accrued (all other employees, with the exception of Sheriff deputies, can accrue 2,080 hours of sick leave).

MOTION: Hudkins moved and Schorr seconded to direct the County Attorney's Office to redraft the resolution to harmonize the sick leave accrual provisions with the other employee groups, increasing it from 1,976 to 2,080. Hudkins and Workman voted aye. Stevens voted no. Schorr abstained from voting. Motion carried.

E. Jail Information on County Board Website

Board consensus was to allow Cori Beattie, County Board Administrative Secretary, to proceed with placing answers to frequently asked questions and appropriate information on the website.

12 DISCUSSION OF BOARD MEMBER MEETINGS

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

Hudkins said they discussed the Administrative Assistant to the Mayor/Economic Development position.

B. Visitors Promotion Committee - Stevens

See Item 12c.

C. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Stevens, Schorr

Stevens said discussion focused on the jail.

Schorr said there was strong interest in putting the issue out for a public vote or expanding the current facility.

Stevens said privatization was also discussed and said committee members indicated a willingness to explore the issue if the Board sends the Committee a letter indicating that the Board is willing to consider privatization, if it is legally possible.

MOTION: Stevens moved and Hudkins seconded to request a legal opinion on whether or not the Board could privatize the operation of a jail facility in Lancaster County and who would be liable in that situation. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

13 ADJOURNMENT

MOTION: Schorr moved and Stevens seconded to adjourn the meeting at 11:51 a.m. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk