

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

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

Commissioners Absent: Larry Hudkins

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

The Vice Chair opened the meeting at 8:33 a.m.

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES FROM THURSDAY, AUGUST 23, 2007

MOTION: Schorr moved and Stevens seconded approval of the staff meeting minutes of August 23, 2007. Stevens and Schorr voted aye. Heier abstained. Workman was absent from voting.

2 ADDITIONS TO AGENDA

There were no additions to the agenda.

Workman entered at 8:40 a.m.

3 ANNUAL PENSION INVESTMENT REVIEW - Curt Morrow, Nationwide Retirement Solutions Investment Services Manager; Diane Fite, Senior Pension Consultant; Joyce Hall, Marketing Director; Chad Christensen, Retirement Specialist

Curt Morrow, Nationwide Retirement Solutions (NRS) Investment Services Manager, appeared and distributed documentation regarding Lancaster County's Retirement and Deferred Compensation Plans (Exhibit A). He indicated there aren't any recommendations to add or terminate any investment options, however the Neuberger Berman Genesis Fund should be placed on the "Watch List" due to its performance. Morrow also noted there were three funds put on the "Watch List" last year, JP Morgan Diversified Mid Cap Growth Fund, JP Morgan Mid Cap Value Fund and MFS Total Return Fund, that now meet the criteria.

Morrow also noted there are 1,418 plan participants in the 401(a) and 457(b) accounts, however there are 1,113 that have a little bit of money in the fixed account. Morrow said in the Fund Expense Summary the total expense is, by option, the total amount of fees that any participant in the plan would pay. There are no administrative fees assessed by Nationwide, however they do collect revenue reimbursements from the mutual fund companies and it would be included in the total expense ratios.

There was also discussion about the 12B-1 fees and Morrow said the fees are one of the sources of income that NRS receives from the fund managers and are used to offset the administrative costs of running the program. He said NRS receives reimbursements in addition to the 12B-1's such as sub-transfer agency fees (fees paid for record keeping services provided to the fund house).

There was a brief discussion about automatically allocating assets for new employees, rather than the money going to a fixed fund, however it's not the County's money to "invest", it's the employees. They agreed that if the money goes into the fixed account alone, then it is not serving the employee in the long run.

Chad Christensen, Retirement Specialist, indicated that he is trying to speak with many of the new employees about allocating their assets rather than leaving their money in the fixed account.

Diane Fite, Senior Pension Consultant, said they have come up with a new enrollment package to give employees so they can read it, try to understand the retirement benefits and then make an appointment with Chad to set up their funds.

4 SPECIAL PERMIT NO. 07032, YOUTH SPORTS CLUB AT SW 14TH AND WITTSTRUCK ROAD - Mike DeKalb, Planner

Mike DeKalb, Planner, appeared and distributed documentation regarding Special Permit No. 07032 (Exhibit B) and indicated Planning Commission recommended approval. He said the permit is creating a 20 acre parcel for a Christian Fellowship Athletic Club, which will have up to 60 kids, sometimes staying over night. DeKalb also noted there are a few conditions that need to be followed before it can be approved which would include moving a sign onto their own premises and moving their access point.

DeKalb also noted Planning will provide Administrative Amendments to the Bentzingers Pleasant Acres CUP which is now in split City and County jurisdiction. He said the amendments remove this 20 acre parcel from the CUP and adjust density and remove one lot.

Commissioner Stevens said he would like to see a copy of the drainage study that is required and he also wondered how it will be determined who is a club member and who isn't.

DeKalb said it will be on a complaint basis.

5 POTENTIAL LITIGATION - Kristy Bauer, Deputy County Attorney; Mike Thew, Chief Deputy County Attorney

MOTION: Schorr moved and Heier seconded to enter into Executive Session at 9:50 a.m. for the purpose of discussing potential litigation. Stevens, Schorr, Heier and Workman voted aye. Motion carried.

MOTION: Stevens moved and Heier seconded to exit Executive Session at 10:08 a.m. Stevens, Workman and Heier voted aye. Schorr was absent from voting. Motion carried.

Schorr returned at 10:09 a.m.

6 COURTHOUSE PLAZA FURNITURE - Don Killeen, County Property Manager

Don Killeen, County Property Manager, appeared and indicated the furniture that the Public Defender is currently using systems furniture, which is owned by the Public Building Commission, and will be incorporated into Personnel once they take over the office. He said in the Attorney's private offices, it is the County's responsibility to pay for the furniture which would come out of the Building Fund. Killeen noted he has been in touch with All Makes and the cost of the new furniture would be \$195,554, which is less than the last number he reported.

MOTION: Heier moved and Stevens seconded to authorize the Public Defender to purchase office furniture for the Courthouse Plaza Offices out of the Building Fund. Schorr, Stevens, Workman and Heier voted aye. Motion carried.

7 GIS COORDINATOR POSITION - Kent Morgan, Assistant Planning Director; Don Thomas, County Engineer; Rob Ogden, Chief Deputy Assessor/Register of Deeds; Erik Hubl, GIS Mapping Division Head

Kent Morgan, Assistant Planning Director, appeared and indicated the City Council did approve a full-time employee to be housed in the Planning Department and they would like to begin to advertise the job as a City position. He said in 1999 there was an interlocal agreement between the City and County to establish the GIS group. Morgan noted there are 8 different departments that will evaluate this position which include Planning, Building & Safety, Lincoln Electric System, Assessor/Register of Deeds, Information Services, County Engineer, Lower Platte South Natural Resources District and Public Works.

Members of the County Board expressed their concern about the employee being a City employee when they were told it was going to be a County employee.

Morgan said the benefits the County offer do not compare to the City's benefits, therefore, the two people that applied for the job who were qualified, did not accept the job because of the benefits. He said the City's pay range starts out lower than the County's, but it ends up higher in the end.

MOTION: Stevens moved and Schorr seconded to authorize the Steering Committee and the representatives to proceed with the hiring process to hire a GIS Coordinator as a City employee, place that employee in the Planning Department and to supercede anything that has been done up until that point. Heier, Stevens, Schorr and Workman voted aye. Motion carried.

8 (A) WINNING WITH WELLNESS; (B) INSURANCE RENEWALS; AND (C) PENDING LITIGATION - Sue Eckley, County Risk Manager; Sara Ondracek, Risk Management Specialist; Tom Champoux, UNICO; Doug Cyr, Chief Deputy County Attorney

Sue Eckley, County Risk Manager, appeared and indicated in the past Lancaster County has participated in Winning with Wellness which is a program offered through Workwell. She asked the Board if they would be willing to waive the \$1.00 registration fee for County employees.

MOTION: Schorr moved and Stevens seconded to authorize the County's participation in Winning with Wellness and pay the \$1.00 fee for the employees. Schorr, Heier, Workman and Stevens voted aye. Motion carried.

Tom Champoux, UNICO, appeared and indicated the overall coverage for insurance is decreasing this year by \$2,613. He stated the Public Officials/Excess Liability has decreased, however Workers' Compensation and the Boiler/Machinery coverage have increased. Champoux also noted the coverage includes a Terrorism Premium of \$4,681, which needs to be authorized and signed (Exhibit D).

MOTION: Stevens moved and Heier seconded to sign the binding coverage document and to reaccept the TRIA coverage. Stevens, Schorr, Heier and Workman voted aye. Motion carried.

Champoux also noted the \$600,000 retention is expiring and it has a \$750,000 retention on renewal, however he has negotiated those terms and there will not be an increase.

MOTION: Heier moved and Stevens seconded approval of the renewals of the insurance presented to the Board, which includes terrorism. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

MOTION: Heier moved and Schorr seconded to enter into Executive Session at 11:03 a.m. for the purpose of discussing pending litigation. Schorr, Stevens, Heier and Workman voted aye. Motion carried.

MOTION: Stevens moved and Schorr seconded to exit Executive Session at 11:14 a.m. Stevens, Heier, Workman and Schorr voted aye. Motion carried.

9 BI CELLULAR CONTRACT ADDENDUM - Kim Etherton, Community Corrections Director

Kim Etherton, Community Corrections Director, appeared and indicated she currently has a contract with BI Cellular for the monitoring services that they provide for the units. She said in order to purchase or to rent the cell units, they are going to add an addendum to the contract saying that she is going to pay the monitoring services to them through a cellular unit. Etherton noted the original contract was signed, however there are a few things that need to be changed.

Tom Fox, Deputy County Attorney, appeared and said BI Cellular is willing to strike the word "direct" from the contract, where it says, "They won't be liable for any direct, special, consequential or incidental damages."

Etherton also noted the cellular phones are all rented and if she needs a phone, she calls them, they Fed Ex the phone the next day, and then she pays \$4.50 per day, per phone to run the service. The addendum will enable electronic monitoring service to be installed without a telephone line connected to the Community Corrections client's home.

There was brief discussion about the Cost Benefit Analysis issue and having Gallup perform the analysis, rather than the University of Omaha.

10 ACTION ITEMS

- A. Microcomputer Requests:
 - 1. C#2007299, \$5,677.13 from the Juvenile Court Budget for 3 Computers, 3 17" Monitors, Printer and Software

MOTION: Schorr moved and Stevens seconded approval of the microcomputer request and agreed to ask the Judge if he wants a laptop instead of a computer. Heier, Schorr, Stevens and Workman voted aye. Motion carried.

2. C#2007298, \$879.59 from Elections Budget for Arc View Upgrade from 8.1 to 9.2

MOTION: Schorr moved and Stevens seconded approval of the Arc View Upgrade. Schorr, Workman, Stevens and Heier voted aye. Motion carried.

- B. Authorize Sheriff's Office to Apply for National Tactical Officers Association Yearly Grants

MOTION: Stevens moved and Heier seconded to authorize the Sheriff's Office to apply for the National Tactical Officers Association Yearly Grant. Heier, Schorr, Stevens and Workman voted aye. Motion carried.

12 ADMINISTRATIVE OFFICER REPORT

- A. NACo Annual Conference (December 12-14, 2007) and Legislative Conference (October 11, 2007)

Eagan reported the NACo Conference is in Lincoln this year, the Management Team Retreat is scheduled for October 11, 2007 (the same day as the Legislative Conference) and the NACo Southeast District meeting is scheduled for September 13, 2007.

The Board agreed there would not be a staff meeting on September 13, 2007 due to a lack of a quorum.

14 DISCUSSION OF BOARD MEMBER MEETINGS

- A. **Keno Advisory Board Meeting** - Schorr

Schorr reported they have several new members and they discussed the funds to be allocated with the Keno money.

- B. **LIBA Monthly Meeting** - Schorr, Workman

Schorr reported they discussed the jail, which cannot be privatized.

Eagan noted a legal opinion should be done because there is a Jail Privatization Act which only applies to the State of Nebraska and also states nothing in the act shall authorize counties to privatize the construction or operation of a jail.

Stevens said LIBA's question is, if it were prohibited from doing that, they would be willing to take up the Legislative cause if the County is willing to consider that as an option, if the law gets changed.

Schorr noted there was a question that came up at the Budget Monitoring meeting about Vision 2015 with regards to the jail plans. She indicated she would speak with Kent Seacrest of 2015 and inform them of the plans, who informed her that if it is not going out for a vote to the people for a public bond issue, it doesn't affect their planning at all. If it does go out for a public vote, 2015 would be concerned.

Schorr said they also discussed the new fire chief.

15 ADJOURNMENT:

MOTION: Schorr moved and Stevens seconded to adjourn the staff meeting at 11:47 a.m. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk