

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, SEPTEMBER 27, 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
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 TUESDAY, SEPTEMBER 25, 2007

MOTION: Stevens moved and Heier seconded approval of the Staff Meeting minutes dated September 25, 2007. Hudkins, Stevens, Workman, Schorr and Heier voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Set Date for Review of Pension Plan by Segal Advisors (Pension Plan Consultant)
- B. Geo Technical Drilling Proposal for Land Purchased at Southwest 40th and West "O" Streets for a New Jail
- C. Geographic Information System (GIS) Coordinator Position
- D. Rural Medical Response

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

3 A) FLU SHOTS FOR COUNTY EMPLOYEES; B) RELEASE TO ALLIED INSURANCE FOR DAMAGES TO MOTOR VEHICLE SERVICES BUILDING ON NORTH 46TH STREET; AND C) EXECUTIVE SESSION FOR PENDING LITIGATION - Sue Eckley, County Risk Manager

A) Flu Shots for County Employees

Sue Eckley, County Risk Manager, estimated the cost of providing flu shots to county employees at \$6,580 (based on the number of employees that received the shots last year) and said there are sufficient funds in the Lancaster County Wellness Budget to pay for the shots, as well as blood chemistry profiles. **NOTE:** The County paid \$16 per flu shot last year. The cost this year is \$14 per flu shot.

MOTION: Hudkins moved and Heier seconded to: 1) Authorize payment of flu shots for county employees; and 2) Direct Sue Eckley, County Risk Manager, to gather information about the cost of blood chemistry profiles and report back.

Heier asked whether pneumonia shots could be offered as well.

Eckley said it wasn't discussed, but could be an option next year.

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

B) Release to Allied Insurance for Damages to Motor Vehicle Services Building on North 46th Street

Eckley said a vehicle jumped the curb and hit the building, damaging the brick exterior and causing an inside wall to crack. She said Property Management received a firm quote of \$2,863 from David Wood Construction (unit price contractor) to repair the damage. Allied Insurance, the driver's insurance company, has submitted a release of all property damage claims and asked that the County accept their check in the amount of \$2,863 as settlement for the claim.

MOTION: Schorr moved and Hudkins seconded to authorize the Chair to sign the release, contingent upon completion of the repair work. Hudkins, Schorr, Stevens, Workman and Heier voted aye. Motion carried.

C) Executive Session

MOTION: Hudkins moved and Schorr seconded to enter Executive Session at 8:46 a.m. for discussion of pending litigation. Hudkins, Stevens, Workman, Schorr and Heier voted aye. Motion carried.

MOTION: Stevens moved and Hudkins seconded to exit Executive Session at 8:57 a.m. Hudkins, Stevens, Workman, Schorr and Heier voted aye. Motion carried.

- 4 A) ALVO ROAD; AND B) 190TH STREET** - Don Thomas, County Engineer; Steve Henrichsen, Planning Department Special Projects Manager

A) Alvo Road

Steve Henrichsen, Planning Department Special Projects Manager, gave an overview of plans to extend Alvo Road, referring to a map titled Alvo Road Improvements (Stonebrook Parkway to North 16th Street) (Exhibit B), a map titled Lincoln Area Future Land Use and an aerial map of the area. He said paving is needed between two new schools that are scheduled to open in the fall of 2009 near Alvo Road (Kooser Elementary School at North 14th Street and Schoo Middle School near Stonebrook Parkway) and to serve development in the area. Henrichsen noted that Alvo Road currently does not exist between North 1st Street and Northwest 12th Street and said NEBCO, the developer of Fallbrook, has agreed to dedicate the right-of-way for the road. There is a gravel road between North 7th and 14th Streets. Right-of-way has been acquired east of North 14th Street for Alvo Road, but the segment between North 14th and North 16th Streets has not been built. There is no road or right-of-way between North 1st and North 7th Streets. Henrichsen noted that an engineering contract with Schemmer Associates for a preliminary survey, road design and plan preparation for the regrading of Alvo Road between North 1st Street and North 14th Street will be before the Board for consideration and said the location of the right-of-way is one issue they will study. He said the City and NEBCO had initially agreed to four-lane Alvo Road from North 1st Street to Northwest 12th Street, but said those plans were delayed by funding constraints. It is now proposed that NEBCO assume a greater share of the initial paving to get the section from North 1st Street to Stonebrook Parking built, in exchange for lesser costs in the future. The City will work with the County on two-lane surfacing of the section from North 1st to North 16th Streets. An interlocal agreement between the City and County will be drafted for the County to design Alvo Road from North 1st to North 14th Streets, attain the necessary right-of-way and do the grading. The agreement will provide for the City to do the surfacing and install a bike lane on the south side of Alvo Road that will connect to a bike trail that NEBCO will build in Fallbrook. It will also provide for the County to reimburse the City in 2010 for what would have been the County's costs for surfacing the road to county standards.

Schorr expressed concern about how the roundabouts will function with pedestrian traffic at the schools.

Stevens questioned why Alvo Road is not straight from North 1st to Northwest 12th.

Henrichsen said the design was approved in 1999 and said the intent is to serve an adjacent section of Fallbrook. The design also includes two, multiple-lane roundabouts.

Hudkins said he believes a straight road would be better and said he wishes the County had been involved in the design discussions.

Thomas said the costs will be sizable. He questioned the County's interest in paving between North 1st and North 14th Streets, noting there are other paving needs in the County that have not been met.

Heier inquired about use of the impact fees that have been paid in the area.

Henrichsen said the fees will be used to help get Alvo Road surfaced from Northwest 12th to Northwest 20th, to get Northwest 12th Street paved and to get work on Northwest 14th done.

Thomas said Alvo Road is a critical arterial and said if the County does nothing else, it should at least move ahead with the right-of-way acquisition. He said the interlocal agreement could include "stopping points" or it could be split into two agreements, one to address right-of-way acquisition and the other construction.

B) 190th Street

It was noted that Joy Schroeder, Otoe County Commissioner, recently appeared at a Board of Commissioners Meeting and expressed concern regarding the Omaha Public Power District (OPPD) erecting three poles near Highway 2 and South 190th Street, which impacts both Otoe and Lancaster Counties. **NOTE:** The poles are located on an abandoned road.

Thomas said Lancaster County has no demonstrated need for the road and recommended that the Board wait for the legal opinion regarding ownership of South 190th Street on the Otoe/Lancaster County line.

ADMINISTRATIVE OFFICER REPORT

G. Opinion Request from Bob Weyhrich (Trees in the Right-Of-Way)

Board consensus was to refer the letter from Bob Weyhrich (see agenda packet) to the County Attorney with a request for a legal opinion on whether Nebraska Revised Statute § 39-309 limits the County Board's discretion to remove trees from the right-of-way, with a copy to the County Engineer.

5 REQUESTS TO EXCEED RETENTION SCHEDULES (PERSONNEL, COUNTY COURT AND CITY CLERK) - Brian Pillard, Records & Information Manager

A) Personnel

Don Taute, Personnel Director, appeared and said there had been a problem with incomplete files in the past.

Brian Pillard, Records & Information Manager, said there are now checks and balances in place.

Taute requested an extension of one year, with review at the end of that period to make sure the records are complete. He also asked that a surcharge for keeping records past the retention schedule not be applied.

MOTION: Stevens moved and Hudkins seconded to allow retention of the Personnel Department's records to be extended for one (1) year. Heier, Schorr, Workman, Stevens and Hudkins voted aye. Motion carried.

B) County Court

Board consensus was to continue the request from County Court for one week.

C) City Clerk

The Board reviewed the request from the City Clerk to exceed the retention schedules (see agenda packet).

MOTION: Schorr moved and Stevens seconded to extend retention for the City Clerk for one (1) year, due to concerns regarding pending litigation. Hudkins, Stevens, Workman, Schorr and Heier voted aye. Motion carried.

A request from the Planning Department to exceed the retention schedules was also discussed (see agenda packet).

MOTION: Stevens moved to extend retention of the records for the Planning Department for two (2) years.

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

MOTION: Schorr moved and Heier seconded to ask a representative of the Planning Department to come in and discuss their request. Heier, Schorr, Workman, Stevens and Hudkins voted aye. Motion carried.

6 SALARY FOR DR. BOHART (PSYCHIATRIST AT THE COMMUNITY MENTAL HEALTH CENTER) - Tom Fox and Kristy Bauer, Deputy County Attorneys; Dean Settle, Community Mental Health Center Director; Don Taute, Personnel Director; John Cripe, Classification and Pay Manager

Further discussion was held regarding a request from Dr. Patti Bohart to increase her hours and provide her county benefits (see September 20, 2007 Staff Meeting Minutes). Don Taute, Personnel Director, said Dr. Bohart had been working 18 hours a week at an hourly rate of \$100, without benefits (\$93,600 annually). She is now working 24 hours a week and has indicated an interest in increasing her hours further. Dean Settle, Community Mental Health Center Director, has proposed that her rate be reduced to \$80.00 per hour, with benefits (equates to \$127,795 annually).

John Cripe, Classification and Pay Manager, said adjustments could be made to the hourly rate so that it will be at a "break even point".

Settle said he has sufficient funds in the budget to fund the expense. He said Dr. Bohart is committed to CMHC and he said he hopes that she could eventually be "tapped" to serve as Medical Director.

It was noted that the resolutions that address benefits for unclassified employees and psychiatrists will need to be amended.

Schorr suggested that the Board re-evaluate providing benefits to employees that work 20 hours or more.

MOTION: Schorr moved and Hudkins seconded to extend an offer to Dr. Patti Bohart to become a staff psychiatrist at the Community Mental Health Center (CMHC) at a revenue neutral salary, with benefits; and 2) To offer Dr. Bohart the title of Deputy Acting Medical Director.

Settle said he would like an opportunity to discuss the matter with Dr. Sanat Roy, Acting Medical Director, and his Management Team.

The maker of the motion offered to withdraw the second portion of her motion.

The seconder rejected the request to amend the motion.

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

7 SALE OF VACATED ROAD (SOUTH 88TH STREET) - Tom Fox, Deputy County Attorney

Tom Fox, Deputy County Attorney, requested authorization to sell three parcels that makeup the vacated portion of South 88th Street to the adjacent landowners at the appraised value. The parcels were appraised as follows: 1) 30' x 530' parcel was appraised at \$11,000; 2) 30' x 310' parcel was appraised at \$6,300; and 3) 30' x 220' parcel was appraised at \$4,500.

MOTION: Stevens moved and Heier seconded to authorize the County Attorney's Office to proceed with the sale of vacated land on South 88th Street to the adjacent landowners at the appraised values. Schorr, Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

8 PURCHASE OF TRUCK FROM FEDERAL SURPLUS PROPERTY - Doug Ahlberg, Emergency Management Director

Doug Ahlberg, Emergency Management Director, requested authorization to purchase a surplus 1990 Dodge Truck for \$2,500. He said funding will be with Emergency Management Program Grant (EMPG) funds.

MOTION: Stevens moved and Hudkins seconded to authorize Doug Ahlberg, Emergency Management Director, to purchase the surplus truck for \$2,500. Heier, Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

ADDITIONS TO THE AGENDA

D. Rural Medical Response

Ahlberg said Midwest Medical is talking with each of the rural fire districts about providing Advanced Life Support (ALS) service to the 911 Service Area, which extends beyond Lancaster County, and has made arrangements to strategically place their ambulances at rural fire stations. He said Midwest Medical has asked Lincoln Fire and Rescue (LFR) to serve as a back-up system for them. A meeting that was scheduled for October 1st has been moved back two weeks and Midwest Medical will make their provisions and contracts available to the rural fire districts at that time. He noted that LFR has set a deadline of November 15th for the rural fire districts to indicate which direction they want to go (retain the services of LFR and pay them a certain amount, per fire district, or contract with Midwest Medical).

Hudkins said an ambulance needs to be placed in the northern section of the County. Placement in quadrants was also suggested.

Ahlberg said the rural fire districts could also look at developing Emergency Response Districts and contracting for paramedics or splitting the cost that LFR says the rural fire districts owe.

Hudkins noted that the rural fire districts are disputing the losses that LFR has claimed.

- A. Set Date for Review of Pension Plan by Segal Advisors (Pension Plan Consultant)

Board consensus was to schedule the item on the October 25th Staff Meeting agenda.

- B. Geo Technical Drilling Proposal for Land Purchased at Southwest 40th and West "O" Streets for a New Jail

Kerry Eagan, Chief Administrative Officer, reported a cost estimate of \$2,055.

- C. Geographic Information System (GIS) Coordinator Position

Eagan said Kent Morgan, Assistant Planning Director, has agreed to provide the list of finalists to the Board.

9 ADMINISTRATIVE OFFICER REPORT

- A. Update on Waverly School District #145 Annexation and Property Valuation Question

Eagan said the County Attorney's Office is still drafting the legal opinion.

- B. Tri-County Meeting with Douglas and Sarpy Counties (Proposed Dates)

A meeting date of December 6, 2007 was proposed.

- C. Holiday Schedule

Board consensus was to not hold any meetings during the period of December 21, 2007 through January 2, 2008.

- D. District Energy Involvement with New Jail Design

Board consensus was to authorize the involvement of the District Energy Corporation in the new jail design.

E. Breast Pump Program

MOTION: Schorr moved and Stevens seconded to move administration of the Breast Pump Program to MilkWorks, a non-profit organization that provides breast feeding related services to families. Hudkins, Stevens, Workman, Schorr and Heier voted aye. Motion carried.

F. Lancaster Manor Roof Change Order

Eagan said additional work is required.

G. Opinion Request from Bob Weyhrich (Trees in the Right-Of-Way)

Item was moved forward on the agenda.

10 DISCUSSION OF BOARD MEMBER MEETINGS

A. Lincoln Independent Business Association (LIBA) Monthly Meeting -
Hudkins, Stevens

Stevens reported discussion of the jail and whether LIBA would lobby for changes to the rules and regulations that govern the Commission on Industrial Relations (CIR).

B. Community Mental Health Center (CMHC) Advisory Committee -
Stevens

Stevens said a letter from LIBA inquiring about duplication of services between CMHC and Region V was discussed.

11 ADJOURNMENT

MOTION: Schorr moved and Hudkins seconded to adjourn the meeting at 11:24 a.m. Hudkins, Stevens, Workman, Schorr and Heier voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk