

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, NOVEMBER 15, 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 8:30 a.m.

AGENDA ITEM

**1 APPROVAL OF THE STAFF MEETING MINUTES OF TUESDAY,
NOVEMBER 6, 2007**

It was noted that the minutes should reflect that the meeting was held on a Tuesday, not a Thursday.

MOTION: Stevens moved and Hudkins seconded approval of the Staff Meeting minutes dated November 6, 2007 with the noted correction. Hudkins, Heier, Schorr, Workman and Stevens voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. County Board Christmas Party
- B. New Dictaphone for County Board Staff
- C. Introduction of Greg MacLean, City Public Works/Utilities Director
- D. State Fair Meeting (November 20, 2007)
- E. Legislative Report on the State Fair Study

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

3 COURT SECURITY DEPUTY - Bill Jarrett, Chief Deputy Sheriff

Bill Jarrett, Chief Deputy Sheriff, presented a request from Terry Wagner, Lancaster County Sheriff, to hire one additional deputy for court security duties (Exhibit A). He said the department has saved \$45,316 in wages and benefits from vacancies and attrition which should help offset the costs of a new deputy through the fiscal year.

Heier exited the meeting at 8:47 to attend the Jail Design Request for Proposals (RFP) Review Committee Meeting.

MOTION: Stevens moved and Hudkins seconded to authorize the County Sheriff to hire an additional deputy for court security duties. Hudkins, Schorr, Workman and Stevens voted aye. Heier was absent from voting. Motion carried.

The Chair asked Jarrett whether his department would be willing to perform an informal audit of how many hours per day each courtroom is used.

Jarrett agreed to relay the request to Terry Wagner, Lancaster County Sheriff.

4 A) COMMUNITY MENTAL HEALTH CENTER BUILDING (PARKING LOT UPDATE, SIGNAGE AND EAST SIDE HANDICAP DOOR); B) EXPANDED USE OF EMERGENCY SERVICES WORKER; AND C) PSYCHIATRIST RECRUITMENT - Dean Settle, Community Mental Health Center (CMHC) Director; Gina Frakes, Nebraska Neon Sign Company

Community Mental Health Center Building

Dean Settle, Community Mental Health Center (CMHC) Director, said the concrete work and striping of the parking lot on the east side of CMHC is complete and the footing for a gate at the north exit has been poured. He said BryanLGH Health System personnel are still parking in the east lot, even though they have been notified that they are not to park there.

Schorr asked whether the County should start towing unauthorized vehicles from the lot.

Settle said even clients are confused as to where to park. He said the lot needs to be clearly signed with entrance, exit and traffic flow signs.

Gina Frakes, Nebraska Neon Sign Company, presented signage examples and a price quote (Exhibit B):

- Sign A: Fabricate and install one (1) double-face, interior-illuminated monument sign at north exit driveway (\$4,759.00)
- Sign B: Fabricate and install two (2) sets of single-face, non-illuminated address numbers (\$1,279.00)
- Signs C & D: Fabricate five (5) single-face, non-illuminated parking type signs, deliver only for client to install (\$412.00)
- Signs E & F: Fabricate and install two (2) post and panel type directional signs (\$2,250.00)

NOTE: The prices do not include final electrical hookup.

Frakes noted that Bryan/LGH is paying to refurbish the sign that is on the west side of the building.

MOTION: Hudkins moved and Stevens seconded to authorize payment for Signs A, B, C, D, E and F.

FRIENDLY AMENDMENT: Schorr offered a friendly amendment to ask the Public Building Commission (PBC) to provide signage on the building.

The maker of the motion did not accept the friendly amendment.

ROLL CALL: Hudkins, Schorr, Workman and Stevens voted aye. Heier was absent from voting. Motion carried.

Settle explained the need for a handicap (automated) door on the east side of the building. He estimated the cost at \$1,700 to \$1,800.

Board consensus was to refer the item to the Public Building Commission.

Expanded Use of Emergency Services Worker

Item was held at Settle's request.

Psychiatrist Recruitment

Settle reported that three part-time psychiatrists at CMHC have resigned (Exhibit C). He said the Assertive Community Treatment (ACT) Team also has need of a part-time psychiatrist and suggested there is a need in the community to recruit a full-time psychiatrist to locate in Lincoln. Settle said he was recently contacted by Linde Healthcare, a contingency physician recruitment firm in St. Louis, Missouri, that is representing a psychiatrist who would like to move to Nebraska. He requested authorization to interview their candidate, stating there will be no financial obligation unless the County hires the physician they refer (the contingency retainer is \$25,000).

Schorr asked whether the ACT Team would pay a portion of that fee.

Settle said that would need to be discussed.

There was no objection to Settle proceeding with an interview.

- 5 A) TWO NEW COMPUTERS; B) COURTHOUSE PLAZA FURNITURE; C) ELECTRONIC MONITORING EQUIPMENT; AND D) STAFFING -**
Kim Etherton, Community Corrections Director; Dennis Keefe, Public Defender

Two New Computers

Kim Etherton, Community Corrections Director, said the computers are for the new employees (see Item 10A).

MOTION: Stevens moved and Hudkins seconded approval of the request. Hudkins, Schorr, Workman and Stevens voted aye. Heier was absent from voting. Motion carried.

Courthouse Plaza Furniture

Etherton reported a quote in the amount of \$68,711 from All Makes Office Equipment for office furniture for relocation of offices to Courthouse Plaza.

There was general consensus to have Etherton to consult Don Killeen, County Property Manager, about re-using existing furniture and to only purchase what is absolutely necessary.

Electronic Monitoring Equipment & Staffing

Etherton said the County and District Court Judges have agreed to sentence more individuals to house arrest.

Dennis Keefe, Public Defender, said that is a significant change but said it has overwhelmed Etherton's department.

Etherton said there are currently 18 individuals on the waiting list for house arrest, due to a shortage of monitoring equipment. She said the process to hook them up to the equipment and get them in the system is lengthy and infringes on the Field Officers' other duties. Etherton requested authorization to hire another Field Officer and Clerk and to order additional monitoring equipment for a total of \$98,244 (Exhibit D).

Workman suggested that it may be appropriate to deduct that amount from the Corrections budget, specifically the portion that is used to fund housing of inmates who are held under Lancaster County's lawful authority in out-of-county facilities.

MOTION: Hudkins moved and Stevens seconded to approve the request with funding from the Contingency Fund. Stevens, Workman, Schorr and Hudkins voted aye. Heier was absent from voting. Motion carried.

6 A) BEDS AND MATTRESSES; AND B) PATIENT LIFTS - Ron Feters, Lancaster Manor Administrator

A) Beds and Mattresses

Ron Feters, Lancaster Manor Administrator, requested authorization to purchase ten (10) mattresses (\$2,200) and ten (10) electric beds (\$20,000) (Exhibit E). He also suggested implementation of a replacement program.

MOTION: Hudkins moved and Schorr seconded to authorize Ron Feters, Lancaster Manor Administrator, to proceed with the purchase, as outlined. Hudkins, Schorr, Workman and Stevens voted aye. Heier was absent from voting. Motion carried.

B) Patient Lifts

Feters requested authorization to purchase eight (8) additional patient lifts (\$28,800) (see Exhibit E).

Correspondence from Sue Eckley, County Risk Manager, regarding lifting injuries at Lancaster Manor and a safety report were also received (Exhibit F).

MOTION: Hudkins moved and Stevens seconded to authorize Ron Feters, Lancaster Manor Administrator, to purchase the additional patient lifts. Schorr, Hudkins, Workman and Stevens voted aye. Heier was absent from voting. Motion carried.

ADDITIONS TO THE AGENDA

MOTION: Schorr moved and Hudkins seconded to add discussion of a request to purchase an electrotherapy system (electric stimulation and ultrasound) and a NuStep TRS 400 Recumbent Cross Trainer to the agenda. Stevens, Workman, Schorr and Hudkins voted aye. Heier was absent from voting. Motion carried.

Fetters requested authorization to purchase an electrotherapy system (electric stimulation and ultrasound) (\$3,695) and a NuStep TRS 400 Recumbent Cross Trainer (\$3,495) (see Exhibit E).

MOTION: Hudkins moved and Stevens seconded approval of the purchase. Workman, Stevens, Schorr and Hudkins voted aye. Heier was absent from voting. Motion carried.

Fetters also reported that the police have located the hit-and-run driver who recently ran her vehicle into the building, causing damage to the brick exterior. An insurance claim will be pursued.

7 POTENTIAL AND PENDING LITIGATION - Ron Fetters, Lancaster Manor Administrator; Mike Thew, Chief Deputy County Attorney; Tom Fox, Deputy County Attorney

MOTION: Schorr moved and Hudkins seconded to enter Executive Session at 9:39 a.m. for discussion of potential and pending litigation. Hudkins, Schorr, Workman and Stevens voted aye. Hudkins was absent from voting. Motion carried.

Schorr exited the meeting.

Heier returned to the meeting at 10:12 a.m.

MOTION: Hudkins moved and Stevens seconded to exit Executive Session at 10:12 a.m. Stevens, Workman, Hudkins and Heier voted aye. Schorr was absent from voting. Motion carried.

8 SHERIFF SHOOTING RANGE - Bill Jarrett, Chief Deputy Sheriff

Bill Jarrett, Chief Deputy Sheriff, presented an offer from the owner of the property that the County leases for the Sheriff's shooting range to sell the land (approximately six acres) to the County for \$50,000 (see aerial map in Exhibit G). He said the owner is willing to include the access road, which is gated, in the sale if he is given an easement.

Schorr returned to the meeting at 10:15 a.m.

MOTION: Hudkins moved and Heier seconded to direct Don Killeen, County Property Manager, and representatives of the County Attorney's Office and County Sheriff's Office to develop a purchase agreement.

Hudkins said it may be better to have a right to road access.

Jarrett expressed concern that an easement could be challenged.

FRIENDLY AMENDMENT: Schorr offered a friendly amendment to include the County Engineer in the discussions.

The maker of the motion and the seconder accepted the friendly amendment.

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

ADDITIONS TO THE AGENDA

MOTION: Schorr moved and Hudkins seconded to add an update on the Request for Proposals (RFP) for pharmacy and related services to the agenda. Hudkins, Heier, Schorr, Workman and Stevens voted aye. Motion carried.

MOTION: Hudkins moved and Heier seconded to add a report on the Jail Design Request for Proposals (RFP) Review Committee Meeting to the agenda. Hudkins, Heier, Schorr, Workman and Stevens voted aye. Motion carried.

F. Update on Request for Proposals (RFP) for Pharmacy and Related Services

Bob Walla, Assistant Purchasing Agent, appeared and said there were two responses to the RFP. One was from Pharmerica, which is already providing services to the County. He said the RFP was set up so the companies could bid on one or all five delivery locations that use pharmaceuticals. The other company only bid on the correctional portion and was determined to not be a good fit since they are a mail order company. Pharmerica bid on all five delivery locations and agreed to reduce dispensing fees and reduce the minimum number of pills that can be dispensed, per inmate, for Corrections (estimated savings of \$100,000 per year). He said the General Assistance (GA) Program is not included at this time.

G. Report on the Jail Design Request for Proposals (RFP) Review Committee Meeting

Walla said the committee decided to interview four firms. The interviews will be held on December 17th.

Heier said he informed the committee that the County Board will buy them lunch.

9 JUVENILE DETENTION CONTRACT WITH NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) - Michelle Schindler, Youth Services Center Director; Tom Fox, Deputy County Attorney; Dennis Meyer, Budget and Fiscal Officer

Michelle Schindler, Youth Services Center (YSC) Director, said the contract with the Nebraska Department of Health and Human Services (HHS) that the Board signed, on behalf of YSC, for the provision of detention services for youth committed to, or placed with the State's Office of Juvenile Services (OJS) was delivered to Mike Reddish, HHS Program Specialist. **NOTE:** The contract (C-07-0467) provides for the County to be paid \$260 per youth, per day, for the term of October 1, 2007 through September 30, 2008.

Tom Fox, Deputy County Attorney, presented a letter of response from Todd Landry, Director of the HHS Division of Children and Family Services (Exhibit H). The letter states that HHS has been informed by its legal staff that Lancaster County will require a per diem of \$260.00, effective November 1, 2007. It goes on to state that HHS will continue to pay the current per diem rate of \$234.00 for HHS-Office of Juvenile Services (OJS) youth that are placed at YSC.

Dennis Meyer, Budget and Fiscal Officer, noted that Douglas County is also talking about moving to the \$260 rate. He said their attorney has indicated that they do not have to base their rate on actual costs but can set it at the "market rate".

Schorr said Sarpy County might increase its rate, as well.

MOTION: Heier moved to not accept any more state wards from the State until there is firm settlement on the per diem rate, as of today.

Heier clarified that state wards already at YSC may remain in the facility.

Hudkins said he would prefer to wait and see when Douglas County plans to increase their rate.

Eagan said the motion should clarify the rate.

AMENDMENT: Heier amended his motion to include that the State will be charged a per diem of \$260.00 for any state wards in the facility, as of October 1, 2007, per the County Board's previous action.

Hudkins seconded the motion, as amended.

FRIENDLY AMENDMENT: Stevens offered a friendly amendment to: 1) Change the date when the County will no longer accept state wards, unless there is firm settlement on the per diem rate, to November 26, 2007; and 2) Copy Douglas County and Sarpy County on the letter of notification that will be sent to the Nebraska Department of Health and Human Services (HHS).

The maker of the motion and the seconder accepted the friendly amendment.

Heier stated that he hates using the kids as pawns but said the State has put the County in this position.

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

Fox said the Juvenile Court Judges also need to be apprised of the Board's action, as it may impact placement decisions.

The Board asked that a copy of the notification letter to HHS and an a copy of Landry's letter be sent to the Juvenile Court Judges.

10 ACTION ITEMS

A. Microcomputer Requests:

1. C#2007-385, \$3,577.25 from Microcomputer Fund, Two (2) PC's, Etc. for Community Corrections

See Item 5A.

2. C#2007-394, \$950.27 from District Court Budget for One (1) PC

Item was held for additional information.

3. C#2007-386, \$5,545.32 from Drug Forfeiture Fund for One (1) PC and Two (2) Laptops, Etc. for County Attorney

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

4. C#2007-401, \$704.82 from Lancaster Manor Budget for Two (2) Laser Printers

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

B. Paycheck Insert for November 29, 2007 (Flu Shot Deadline)

The Board reviewed the proposed insert (Exhibit I). Wording revisions were suggested.

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

ADDITIONS TO THE AGENDA

A. County Board Christmas Party

Hudkins and Heier both offered to host the event, which will be held on December 12th.

B. New Dictaphone for County Board Staff

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

C. Introduction of Greg MacLean, City Public Works/Utilities Director

Board consensus to schedule the item on a future Staff Meeting agenda.

D. State Fair Meeting (November 20, 2007)

Informational only.

E. Legislative Report on the State Fair Study

It was noted that the Legislature's Agriculture Committee will receive a report on the study at 1:30 p.m.

11 ADMINISTRATIVE OFFICER REPORT

A. Proposal from Segal Advisors Regarding Pension Investment Monitoring Services

The Board reviewed the proposal from Segal Advisors for investment/administrative monitoring services for Lancaster County employees 401(a) and 457 pension programs (see agenda packet). The fee is \$40,000 per year, including all costs and travel related expenses. It was noted that Segal Advisors will renegotiate the contract with Nationwide Retirement Solutions (NRS) for administration of the plan at no additional charge. The Pension Review Committee (PRC) will also review the proposal and make recommendation.

B. InterLinc Acting with Citizens to Improve our Neighborhoods (ACTION)
Center Update

Gwen Thorpe, Deputy Chief Administrative Officer, said she doesn't believe the InterLinc ACTION Center is the right solution for the County (see Exhibit J).

There was general consensus to develop a link on the InterLinc website where individuals could relay concerns regarding county issues that would go to a specific county employee for response.

C. Lincoln Chamber of Commerce Meeting on Community Legislative
Priorities (December 5, 2007)

Stevens and Eagan indicated plans to attend.

D. Claim for Review: PV 144605-144658, \$733 to Greiner Process
Services, LLC

The Board reviewed a recommendation of approval from Doug Cyr, Chief Administrative Deputy County Attorney, (see agenda packet).

MOTION: Stevens moved and Schorr seconded to handle the claim through the regular claims process at the November 20, 2007 Board of Commissioners Meeting. Hudkins, Heier, Schorr, Workman and Stevens voted aye. Motion carried.

E. Nebraska Association of County Officials (NACO) Invitation to the Chair
(Conference Opening Session, Wednesday, December 12, 2007, 2:00
p.m., Cornhusker Marriott Hotel Ballroom)

Informational only.

F. Claim Against Lancaster County from Seventh Judicial District Mental
Health Board

See Item 7.

G. Additional Greenbelt Protests

Eagan said 17 property owners have filed a second round of appeals.

Board consensus was to send the property owners a letter informing them that the County Board of Equalization has retained an attorney to represent their interests before the Tax Equalization and Review Commission (TERC) and advising them to retain their own attorney.

H. Billing Dispute with FedEx Kinko's

Board consensus was to direct the County Attorney's Office to send a letter to FedEx Kinko's indicating that the County will not pay the bill they have submitted.

I. Pilot Project for Video Arraignment

Thorpe was asked to research and bring back a plan for a pilot project.

12 DISCUSSION OF BOARD MEMBERS MEETINGS

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

Workman and Heier indicated there is nothing significant to report.

B. Public Building Commission (PBC) - Hudkins, Workman

Hudkins said discussion focused on where to locate the Juvenile Court with direction to look at moving the County Attorney to the third floor of the County/City Building and making room for courtrooms in the vacated space.

Heier suggested that consideration be given to temporarily housing one of the Juvenile Court Judges in Trabert Hall or the Youth Services Center.

C. Chamber Coffee - Stevens

Stevens said he reported that the County Board is considering a Construction Manager at Risk for the jail project. He said the impact of Verison Wireless coming to Lincoln and Information Technology Inc.'s (ITI's) expansion on property tax dollars was also discussed.

D. Information Services Policy Committee - Stevens

No report.

E. General Assistance (GA) Monitoring Committee - Stevens, Schorr

Schorr said there was a presentation by the Health Department on case management of GA clients. She noted that pharmacy costs have been significantly reduced and said the group will now focus on reducing the hospital budget.

F. Board of Health - Schorr

Schorr said there were updates on the Food Program and the Substance Abuse Coalition. She also reported that the Capitol Humane Society has indicated that it wants to continue to provide kenneling services to the City.

13 EMERGENCY ITEMS AND OTHER BUSINESS

The Board welcomed County Government Day participants that were in attendance.

14 ADJOURNMENT

MOTION: Schorr moved and Stevens seconded to adjourn the meeting at 11:43 a.m. Stevens, Workman, Schorr, Heier and Hudkins voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk