

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING, ROOM 113  
THURSDAY, MARCH 27, 2008  
8:30 A.M.**

Commissioners Present: Bernie Heier, Vice Chair  
Larry Hudkins  
Ray Stevens  
Deb Schorr

Commissioners Absent: Bob Workman, Chair

Others Present: Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Cori Beattie, Deputy County Clerk  
Ann Taylor, County Clerk's Office

The Vice Chair opened the meeting at 8:30 a.m.

**AGENDA ITEM**

**1 APPROVAL OF THE MINUTES OF THE THURSDAY, MARCH 13, 2008 STAFF MEETING**

**MOTION:** Stevens moved and Schorr seconded approval of the minutes of the Thursday, March 13, 2008 Staff Meeting. Stevens and Schorr voted aye. Heier abstained from voting. Hudkins was absent from voting. Motion carried.

**2 ADDITIONS TO THE AGENDA**

- A. Proposal from Milliman USA for an Actuarial Attestation for Medicare Part D (Exhibit A)
- B. Severe Weather Awareness Program
- C. Meeting on Disproportionate Share Hospital (DSH) Program
- D. Ethanol Meeting
- E. Nebraska Association of County Officials (NACO) Meeting
- F. Gage County Road (Between South 96<sup>th</sup> and South 110<sup>th</sup> Streets)

**MOTION:** Stevens moved and Schorr seconded approval of the additions to the agenda. Schorr, Heier and Stevens voted aye. Hudkins was absent from voting. Motion carried.

**3 LEGISLATIVE UPDATE** - Gordon Kissel, Legislative Consultant; Kristin Crawford, Kissel/E&S Associates

Gordon Kissel, Legislative Consultant, gave a legislative update (Exhibit B).

Kissel said LB 846 (Change motor fuel taxes) was advanced by a vote of 27-12. Amendments are pending that would change the allocation and provide stability for the Allocation Fund. He noted the County is part of a tenuous coalition that supports the bill. Kissel said there are indications the Governor may veto the bill but said it appears there are sufficient votes for an override.

Hudkins arrived at 8:34 a.m.

Hudkins favored taking a neutral stance on the bill as there is minimal benefit to the County.

Kissel was asked to investigate the positions of the others in the coalition further and report back. He was also asked to check on LB 995 (Change provisions relating to cemeteries).

Stevens said he attended the Lincoln Chamber of Commerce's Public Policy Meeting yesterday and said the future of the State Fair was discussed. He said State Senators in attendance indicated support of development of an Innovation Park at the State Fairgrounds and expressed optimism that would happen. Stevens said it was generally felt the State Fair would not remain in Lancaster County, but a member of the Chamber's Executive Committee said he believes significant agricultural expos will still be conducted in Lancaster County.

**ADDITIONS TO THE AGENDA**

- A. Proposal from Milliman USA for an Actuarial Attestation for Medicare Part D (Exhibit A)

Bill Kostner, City Risk Manager, appeared and said the actuarial attestation will determine whether the plan meets the Medicare D requirements for pharmacy benefits. He said Milliman USA will perform the actuarial attestation and will assist the County in applying for reimbursement (estimated to be \$20,000 per year).

**MOTION:** Hudkins moved and Stevens seconded to direct the County Attorney's Office to prepare an addendum to the contract with Milliman USA.

Kostner said the cost, estimated at \$3,000, could be paid out of the Health Insurance Fund.

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

B. Severe Weather Awareness Program

Schorr agreed to appear on the program with Doug Ahlberg, Emergency Management Director. Stevens will serve as the alternate.

C. Meeting on Disproportionate Share Hospital (DSH) Program

Schorr said there are federal funds available to states to assist hospitals that serve a disproportionate number of uninsured patients and said a meeting was held to discuss how Lancaster County's General Assistance (GA) Program can help the State access those funds.

Stevens said the County would be participating as a favor to the State and suggested the State pay the County half of the previous year's Medicaid reimbursement to Lancaster Manor by the end of February of any year, in return. He said that would help alleviate the Manor's cash flow problems. Stevens also suggested that default and handling fee provisions be included in the contract.

A meeting with Christine Peterson, Nebraska Department of Health and Human Services (HHS) Chief Executive Officer, was requested.

D. Ethanol Meeting

Heier reported on formation of a new Ethanol Association and said Nebraska is ranked second in the United States in terms of ethanol production.

**4 HEALTH AND DENTAL INSURANCE UPDATE** - Stephanie Noonan and Jason Speer, Milliman USA; Bill Kostner, City Risk Manager

Stephanie Noonan and Jason Speer, Milliman USA, presented Lancaster County Financial Monitoring Report, Summary: January - December, 2007 (Exhibit C), noting the following:

- Medical expenses (medical claims, prescription claims, administration and stop-loss fees) are below premium levels by \$144,469 for the 2007 plan year, which is approximately 1.5% under budget.
- Dental expenses (claims and fees) are below premium levels by \$13,374 year-to-date, which is approximately 2.2% under the budget.
- The vision plan is fully insured and has a budget equal to expenses for the 2007 plan year.
- Large loss claims payments total \$1,821.986 for the year.

Speer said there were stop-loss reimbursements on two of the claims and said the issue of whether to change the deductible level and the impact on claims will be looked at this year with renewal of the plan.

Kerry Eagan, Chief Administrative Officer, said recent legislation will allow the County to assume more risk.

Speer said the Board will need to assess whether to purchase aggregate stop-loss coverage. He said he generally doesn't recommend the coverage for a group of this size because the chances of a payout out are slim.

Stevens asked whether monies are being set aside in a separate fund to pay for catastrophic losses.

Dennis Meyer, Budget and Fiscal Officer, said there is a balance \$5.5 million sitting in the Health Insurance Fund for medical claims and \$200,000 for dental.

Speer said those funds back the incurred but not reported (IBNR) reserves, as well.

**5 LANCASTER EVENT CENTER UPDATE** - Ron Snover, Lancaster Event Center Managing Director; Rick Hinman, Sales and Marketing Manager

Ron Snover, Lancaster Event Center Managing Director, gave an update on the Lancaster Event Center(Exhibit D) and budget, noting the following:

- 220,000 visitors from January 1<sup>st</sup>, to March 22<sup>nd</sup>, an increase of 17% over 2007
- 11% increase in vendor numbers at shows
- 70% increase in agricultural related show attendance
- 75% increase in concession sales
- 18,630 new visitors to website
- 17,698 visits to the calendar of events
- The facility has had visitors from 23 states this year
- Site visits from 4 national shows
- Total community sponsorship up 350% in the 1<sup>st</sup> quarter
- 65% increase in concession income
- 19% increase in rental income is up 19%
- 70% increase in total income for the first quarter
- 76% increase in total gross profits
- 57% increase in total expenses
- 491% increase in total net income

A schedule of events was also presented (Exhibit E).

In response to a question from Hudkins, Snover said the bank note for the electronic sign is almost paid off.

Rick Hinman, Sales and Marketing Manager, added that almost all of the panels are leased.

Hinman also reported on the new website design.

**6 JAIL SITE JURISDICTIONAL WETLANDS ASSESSMENT - Don Killeen, County Property Manager**

Don Killeen, County Property Manager, discussed the assessment from Kirkham Michael of jurisdictional wetlands (22 acres) at the southeast corner of Southwest 40<sup>th</sup> Street and West "O Street. He said he does not see a value in owning the wetlands unless the land is donated and wetland credits are banked for future projects. Killeen noted there is a small area of wetlands on the southeast corner of the County's property the District Energy Corporation could potentially use for the jail project, with existing credits.

Heier asked Killeen to check whether the District Energy Corporation can finance the heating and cooling, whether it is inside or outside the complex.

**ADDITIONS TO THE AGENDA**

**E. Nebraska Association of County Officials (NACO) Meeting**

Item was not discussed.

**F. Gage County Road (Between South 96<sup>th</sup> and South 110<sup>th</sup> Streets)**

Heier said Marlin Kliever, Gage County Highway Superintendent, has informed him Gage County is willing to assume maintenance on the east half of the mile.

**7 COUNTY CHANGE OF ZONE NO. 08008, AGRICULTURAL (AG) TO AGRICULTURAL RESIDENTIAL (AGR) AND BUSINESS DISTRICT (B), SOUTH 162<sup>ND</sup> STREET AND HIGHWAY 2 - Mike DeKalb, Planner**

Mike DeKalb, Planner, gave an overview of County Change of Zone No. 08008, a change of zone from Agricultural (AG) to Agricultural Residential (AGR) and Business (B) District on property north of the interchange of South 162<sup>nd</sup> Street and Highway 2 (Exhibit F). The purpose of the change of zone is to allow the creation of acreages and future business lots. Staff recommendation of denial is based on a conclusion that the change of zone request is not in conformance with the 2030 Lincoln-Lancaster County Comprehensive Plan or the Bennet Village Plan because the parcel is shown and

designated for agricultural use. The Planning Commission voted 7-1 to recommend denial indicating it may be premature. He stated the applicant is willing to drop the request for the B District zoning, if that is an issue.

Jerry Fletcher, applicant, appeared and submitted preliminary plans and a packet of additional information (Exhibits G & H).

DeKalb said the Department of Roads plans to go out for bid for the South 148<sup>th</sup> Street realignment project in 2009 with potential completion in 2010, subject to funding. He said the Department of Roads has to pay fair market price for land acquisition and a change of zone could increase their costs. The applicant has indicated a willingness to enter into an early purchase agreement but it may not be possible under the Department of Roads' rules and procedures.

In response to a question from Hudkins, Fletcher said the development will have rural water and said he is bringing his application forward at this time so the rural water district can run a line to his property in conjunction with a new water line and water tower north of his property.

- 8 MICROCOMPUTER REQUEST C#2008-137, \$2,054.75 FROM COUNTY ASSESSOR/REGISTER OF DEEDS FOR FIVE (5) 22" COMPUTER MONITORS** - Norm Agena, County Assessor/Register of Deeds; Scott Gaines, Chief Administrative Deputy Assessor/Register of Deeds

**MOTION:** Hudkins moved and Stevens seconded approval of the request. Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

- 9 LABOR NEGOTIATIONS AND PENDING LITIGATION** - Don Taute, Personnel Director; John Cripe, Classification and Pay Manager; Nicole Gross, Compensation Technician; Tom Fox, Deputy County Attorney

**MOTION:** Schorr moved and Hudkins seconded to enter Executive Session at 10:45 a.m. for discussion of labor negotiations and pending litigation. Hudkins, Stevens, Heier and Schorr voted aye. Motion carried.

**MOTION:** Stevens moved and Schorr seconded to exit Executive Session at 11:02 a.m. Stevens, Heier, Schorr and Hudkins voted aye. Motion carried.

**10 TRANSFER OF STATE EMPLOYEES TO COUNTY AT THE HEATHER -**  
Dean Settle, Community Mental Health Center(CMHC) Director; C. J. Johnson, Program Administrator for the Region V Mental Health, Alcoholism & Drug Abuse Program; Tom Fox, Deputy County Attorney; John Cripe, Classification and Pay Manager

Dean Settle, Community Mental Health Center (CMHC) Director, said the State will no longer contract directly with O.U.R. Homes for The Heather (a community transition program) and will only contract with Region V. He said the program is currently run by three state employees, three county employees and two employees from O.U.R. Homes. Settle said the three state employees (a nurse supervisor and two mental health technicians) are key to the program and suggested they be moved to county employment. Funding for the program would continue to come through Region V.

Stevens asked whether the funding is secure.

C.J. Johnson, Program Administrator for the Region V Mental Health, Alcoholism & Drug Abuse Program, said it is on-going, transfer funding. He said the program serves as the step-down from the Lincoln Regional Center and is critical to the emergency system.

Tom Fox, Deputy County Attorney, said the Board would need to pass a resolution asking the State to transfer the employees to the County. He said their sick leave balances and longevity would transfer to the County. The State will payout their vacation balances and will reimburse the County for 25% of their sick leave balances.

John Cripe, Classification and Pay Manager, said there are a few issues that will need to be worked out, but said they are not unsurmountable.

Hudkins asked if they could be made Region V employees.

Johnson said Region V is not intended to be a service provider, if at all possible.

Schorr asked if they could become employees of O.U.R. Homes.

Settle said they would be required to take pay cuts and would lose their benefits and seniority.

Board members expressed concern that the County would be gaining three new employees.

Settle said there will be a reduction of three employees in CMHC's budget so it will only be a net increase of one.

Hudkins said he would prefer to go out for a Request for Proposals (RFP).

Johnson noted counties are responsible for the cost of Emergency Protective Custody (EPC) and said The Heather is a critical component of the overall emergency system.

**MOTION:** Stevens moved and Heier seconded to direct Dean Settle, Community Mental Health Center Director, and Tom Fox, Deputy County Attorney, to prepare the documents to transfer three (3) state employees to county employment, in consultation with C. J. Johnson, Program Administrator for the Region V Mental Health, Alcoholism & Drug Abuse Program.

Schorr and Hudkins said they would like more time to weigh the request.

Settle said the State plans to terminate the three employees effective June 30, 2008.

**FRIENDLY AMENDMENT:** Schorr offered a friendly amendment to request that the State delay termination of the employees until August 31, 2008 to allow the Board time to see how the transfer of employees would fit into the Community Mental Health Center's budget.

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

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

## **DISCUSSION OF BOARD MEMBER MEETINGS**

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

Settle said Travis Parker, Behavioral Health Jail Diversion Program Manager, discussed the suicide prevention program.

## **11 ACTION ITEMS**

A. Microcomputer Requests:

1. C#2008-132, \$1,643.84 from Either District Court Judges Budget or Microcomputer Budget for One (1) PC, 17" Monitor, Software, Etc.

Held for additional information.

Information regarding the starting salary for Clancy Smith, the new Work Release Coordinator, was also requested.

2. C#2008-136, \$1,377.34 from Public Defender Budget for a 19" Monitor, Memory and Software

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

## **12 ADMINISTRATIVE OFFICER REPORT**

- A. Mayor's Earth Day Executive Order

**MOTION:** Schorr moved and Stevens seconded to support the Mayor's Earth Day Executive Order.

**FRIENDLY AMENDMENT:** Stevens offered a friendly amendment to send a letter to Mayor Beutler indicating the County Board's support, with signature by all members of the Board.

The maker of the motion accepted the friendly amendment.

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

- B. Community Rating System for Floodplains

The Board requested a briefing by Dale Stertz, Building and Safety Department.

- C. Juvenile Detention Center Advisory Committee Appointees (Alicia Henderson and Royce Jeffries)

The Board scheduled the item on the April 1, 2008 Board of Commissioners Meeting agenda.

- D. Economic Development Tourism Grant for Motocross Track

**MOTION:** Hudkins moved and Stevens seconded to direct Troy Gagner, Economic Development Coordinator, to resubmit the grant application. Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

- E. Planning Commission Appointment

**MOTION:** Hudkins moved and Stevens seconded to nominate Stan Matzke for appointment to the Planning Commission and forward the nomination to Mayor Beutler for his consideration. Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

F. Tentative Board of Equalization Schedule

Informational only.

G. Request for Letter of Support for Nebraska Crime Commission Victims of Crime Act (VOCA) Grant

**MOTION:** Stevens moved and Hudkins seconded to authorize a letter of support for the grant, with signature by the Vice Chair. Stevens, Schorr, Heier and Hudkins voted aye. Motion carried.

H. Board of Zoning Appeals Reappointment (Ed Woepfel)

The Board scheduled the item on the April 1, 2008 Board of Commissioners Meeting agenda.

I. County Board Representative for Little Salt Creek Watershed Master Plan Advisory Committee

**MOTION:** Schorr moved and Stevens seconded to appoint Commissioner Hudkins to serve as the County Board's representative on the Little Salt Creek Watershed Master Plan Advisory Committee. Stevens, Schorr, Heier and Hudkins voted aye. Motion carried.

J. Engineering Request for Proposals (RFP's) for Abbott Motocross Project (Monday, March 31, 2008)

Board consensus was to have Eagan represent the County in review of the RFP's.

K. United Way Pacesetter Campaign Participation

Eagan agreed to serve as the Campaign Coordinator.

**13 DISCUSSION OF BOARD MEMBER MEETINGS**

A. Juvenile Justice Review Committee Meeting - Heier

No report.

B. Information Services Policy Committee (ISPC) - Stevens

Stevens said Information Services (IS) plans to pilot Microsoft Exchange (replacement for Lotus Notes).

C. Parks and Recreation Advisory Board - Stevens

Stevens reported plans to place a sculpture by artist Cliff Hollestelle of Sandhill Cranes in flight at the entrance to the Lincoln Children's Zoo.

D. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Stevens

Stevens reported discussion of the following: 1) Jail tours; 2) LB 371 (Adopt the Nebraska Peace Officer Retirement Act); 3) Planning Commission vacancy; 4) City budget; and 5) County audit.

Dennis Meyer, Budget and Fiscal Officer, appeared and said adjustments were made to correct the amount of fixed assets and to book compensated absences (sick leave and accrued vacation).

Stevens said he believes a public explanation is needed.

E. Monthly Meeting of Chair, Vice Chair and Mayor - Workman, Heier

Heier said rural ambulance service and the Planning Commission vacancy were discussed.

F. Public Building Commission Meeting - Hudkins, Workman

Hudkins said Mayor Beutler has requested a delay regarding plans for the third floor of the County-City Building.

G. Texas Jail Visit - All Commissioners

Hudkins and Heier reported on their recent tour of the Collin County, Texas Justice Center (Jail and Sheriff's Office). They said the features that impressed them most were the long narrow windows, natural light, wide corridors, prisoner class system, directional flow, programming and direct supervision.

H. Lancaster County Fairgrounds Joint Public Agency (JPA) - Heier, Workman

Heier said the meeting was routine in nature.

- I. Lincoln Independent Business Association (LIBA) Monthly Meeting - Heier, Workman

Stevens said there was budget discussion.

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

Item was moved forward on the agenda.

#### **14 ADJOURNMENT**

**MOTION:** Schorr moved and Stevens seconded to adjourn the meeting at 12:04 p.m. Hudkins, Stevens, Schorr and Heier voted aye. Motion carried.

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Dan Nolte  
Lancaster County Clerk