

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, JULY 24, 2008
8:30 A.M.**

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

Commissioners Absent: Larry Hudkins

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

AGENDA ITEM

1 APPROVAL OF THE STAFF MEETING MINUTES OF THURSDAY, JULY 17, 2008; DEPARTMENTAL BUDGET HEARING MINUTES OF THURSDAY, MAY 29, 2008

MOTION: Stevens moved and Heier seconded approval of the minutes of the July 17, 2008 Staff Meeting and May 29, 2008 Departmental Budget Hearing. Schorr, Heier, Workman and Stevens voted aye. Motion carried.

2 ADDITIONS TO AGENDA

- A. Board of Equalization (BOE)
- B. Request from Kit Boesch, Human Services Administrator, to Submit a Resume to Write Grants for the Multi Cultural Center Consortium to Develop a Multi Cultural Center for Lincoln (Exhibit A)
- C. Request from Governor Heineman to Meet with Gordon Kissel, Legislative Consultant
- D. Microcomputer Request from the Community Mental Health Center (CMHC) (Exhibit B)

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

3 DISTRICT ENERGY CORPORATION PROJECTS - Don Killeen, County Property Manager

Don Killeen, County Property Manager, noted the District Energy Corporation (DEC) is working on the energy plant for the new Jail and asked whether the Board is interested in pursuing energy saving measures outside the plant (heat recovery, hot water exchange system, ice melt system, re-utilization of final rinse cycle water in the laundry facility and daylight sensors). He said the extra costs would be incurred by DEC.

Board consensus was to pursue the energy saving measures, as outlined.

Workman suggested DEC also explore a vacuum sewer system and rooftop water recovery.

Killeen noted the project may accumulate enough points with the DEC initiatives to qualify for Leadership in Energy and Environmental Design (LEED) certification and suggested it would be worthwhile to register the project (estimated cost is \$400-\$500).

ADDITIONS TO AGENDA

A. Board of Equalization (BOE)

Board consensus was to schedule discussion with Mike Thew, Chief Deputy County Attorney, on whether the BOE can make a blanket motion on the greenbelt cases it heard last year if there is no new information.

4 EMERGENCY OPERATIONS CENTER FACILITY - Doug Ahlberg, Emergency Management Director; Don Killeen, County Property Manager

Doug Ahlberg, Emergency Management Director, suggested consideration be given to moving the Emergency Operations Center (EOC) to the 233 Building as the current space in the Justice and Law Enforcement Center is cramped and lacks room for expansion (Exhibit C). He said the cost would be minimal (\$50,000 - \$75,000) because the building has a generator and communications antennas and is in close enough proximity to the Justice and Law Enforcement Center which has repeaters. Ahlberg said he has applied for two grants from the Federal Emergency Management Agency (FEMA) which would cover the costs.

Schorr noted the Jail Complex has been suggested as a possible location.

Workman said that would not be feasible for two or three years.

Ahlberg said the 233 Building could be maintained as a back-up site if the Jail Complex is determined to be a better location for EOC in the future.

MOTION: Heier moved and Schorr seconded to direct Don Killeen, County Property Manager, and Doug Ahlberg, Emergency Management Director, to investigate the feasibility of moving the Emergency Operations Center (EOC) to the 233 Building. Schorr, Heier, Workman and Stevens voted aye. Motion carried.

5 DIRECTIONAL SIGNS FOR COUNTRY PINES BANQUET FACILITY AND VINEYARD - Don Thomas, County Engineer; Tom Fox, Deputy County Attorney

Don Thomas, County Engineer, said the Country Pines Banquet Facility and Vineyard on West Adams Street has requested authorization to install directional signs through completion of the City's reconstruction project on West Adams Street and Northwest 56th Street. He said County Pines is willing to have the signs made, install them and remove them once the City's project is completed.

Tom Fox, Deputy County Attorney, expressed concern regarding liability (the signs will be located in the County's right-of-way). He recommended the County enter into a license agreement with the facility, rather than pass a traffic sign change resolution.

Thomas suggested, as an alternative, that Country Pines purchase the signs from a barricade company and have County Engineering install them.

MOTION: Schorr moved and Heier seconded to allow the directional signs be made by an independent barricade company and installed by County Engineering.

Thomas said he will make sure the signs conform to the Manual on Uniform Traffic Control Devices (MUTCD).

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

6 UNITED WAY CAMPAIGN UPDATE AND FORMATION OF CAMPAIGN ADVISORY COMMITTEE - Starlet Borecky, Campaign Manager, United Way of Lincoln & Lancaster County; Mike McCrory, Personnel Director, State of Nebraska and Public Sector Division Chair

Mike McCrory, Personnel Director, State of Nebraska and Public Sector Division Chair, noted the County Employees Charitable Giving Campaign will take place mid August and suggested the County form a Leadership Advisory Committee to govern and develop strategies for the campaign (Exhibit D). He said the Advisory Committee would be comprised of two County Commissioners, two Elected Officials and three Department Heads.

Kerry Eagan, Chief Administrative Officer, suggested inclusion of union leaders.

Cori Beattie, Deputy County Clerk and former Campaign Coordinator, stressed the importance of timing. She said she believes serving as a Pacesetter or Jump Starter Company (companies that have been asked to conduct their campaigns earlier than the normal workplace campaigns which take place September through November) has hurt the County's campaign drive because they are scheduled so close to the Food Bank Drive. **NOTE:** The County has agreed to serve as a Pacesetter Company this year.

Workman requested additional information about the percent of participation and contribution per employee for other entities in Lincoln.

Board consensus was to schedule the item for discussion at the next Management Team meeting.

7 CONVERSION OF RECORDS MANAGEMENT DATABASE TO ACCESS
- Brian Pillard, Records & Information Manager; Terry Lowe, Information Services Project Manager

Brian Pillard, Records & Information Manager, discussed R:Base issues (Exhibit E) and said a move to Access would create efficiencies and save at least an hour a day in manpower. He said the cost, which is estimated at \$11,360 to \$14,200, was not included in the budget.

Terry Lowe, Information Services Project Manager, said ORACLE (relational database management system) may be a better solution. He said it will be a web-based application and estimated a return on the investment within one year.

Gwen Thorpe, Deputy Chief Administrative Officer, noted Records and Information Management will eventually move into TRIM (electronic record keeping system).

MOTION: Stevens moved and Heier seconded to proceed with funding through the Information Services (IS) Development Fund budget. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

8 JAIL BOND FINANCING UPDATE - Scott Keene, Ameritas Investment Corporation; Lauren Wismer, Gilmore & Bell PC (Bond Counsel)

Scott Keene, Ameritas Investment Corporation, discussed the ability of the County to fund construction of the new jail through a Joint Public Agency (JPA) as opposed to the other models the County Board has looked at (funding through the Public Building Commission (PBC) or County stand-alone financing through limited tax bonds under Nebraska Revised Statute §23-120). He noted Dan Marvin, City Councilman, has proposed investigating whether there are differentials between PBC and JPA financing. Keene said lease payments that would be used for debt service payments in the PBC option are direct levies of the City and County. Under a JPA, the City and County, or either party, can lend its levy authority to the JPA. The JPA then levies the taxes.

Lauren Wismer, Bond Counsel, said he is still in the process of researching the JPA statutes. He said they are somewhat ambiguous in terms of questions that have been raised, such as whether a JPA levy would impact the levy limitations of the City or County.

Marvin appeared and discussed his proposal (Exhibits F and G). He said he suggested a JPA as an alternative because there are issues that will need to be worked through if the PBC model is used. These include how to address how the City pays its lease payment and how it is credited back. A JPA would also provide the County the ability to bond for a longer period of time.

Workman asked whether a levy on principal and interest under a JPA would be assessed over the entire County or just within the City limits.

Wismer said the JPA statutes are unclear on that issue.

Heier asked whether there is an advantage to either one as far as the interest rate.

Keene said there may be a minuscule difference in basis points.

Schorr noted the County has a tight time frame and asked how long a change in method would delay the project.

Marvin said he doesn't believe it will take any longer than going through the PBC, as that model will require a system to deal with the debits and credits.

Gary Lacey, County Attorney, appeared and asked whether the JPA Act ever been used for a jail.

Wismer said not to his knowledge.

Lacey expressed concern there could be a taxpayer challenge, noting a lawsuit could set the project back until a court decides whether the Act is being used to circumvent the lids.

Workman asked Marvin how the JPA model would benefit taxpayers.

Marvin said it would align cost control interests on "one side of the ledger".

Workman noted JPA model will shift \$225,000 in costs from the City out into the County. **NOTE:** The City currently pays \$1.4 for the operational cost of the jail. Under the PBC model that money would go toward the jail debt. Under the JPA model the City would contribute its levy authority (up to 5 cents per \$100 valuation) to provide debt service. In exchange the County would then take on the responsibility of the operational cost of the jail.

Stevens asked if County could also lend part of its levy to generate funds and shorten the term of the bonds.

Wismer said yes, explaining under the terms of the JPA Act any participant with taxing authority, other than sales tax, can delegate part of its levy to the JPA.

Keene noted the question of whether the County's lending of a levy under the JPA is subject to Nebraska Revised Statute §23-120 is still being researched.

Dennis Meyer, Budget and Fiscal Officer, appeared and questioned how two separate valuation bases can work.

Keene said he believes it is workable, but is not sure of the mechanics.

Meyer noted the County's levy would provide a wider valuation base.

Wismer said he is reasonably confident whichever levy is used will not be subject to levy limitations as long as it is used exclusively for debt service payment.

Workman said he would prefer to continue with the PBC model.

Eagan said that process can continue while questions on the JPA model are researched.

Workman said he would like further discussion of leaving the \$1.4 million on the City's side.

Rick Hoppe, Administrative Assistant to the Mayor, appeared and said Mayor Beutler would like to explore whether a JPA is workable solution before proceeding.

MOTION: Stevens moved to ask the County Attorney's Office for a legal opinion on whether a Joint Public Agency (JPA) model is legal.

The motion died for the lack of a second.

9 COMPUTER LAPTOP FOR MENTAL HEALTH BOARD - Sue Kirkland, Clerk of the District Court

Sue Kirkland, Clerk of the District Court, requested authorization to purchase a computer laptop for the Mental Health Board out of the Microcomputer Fund (Exhibit H).

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

10 CLASSIFIED, UNREPRESENTED EMPLOYEE SALARIES - Don Taute, Personnel Director; John Cripe, Classification and Pay Manager

John Cripe, Classification and Pay Manager, noted three-year agreements have been negotiated with the American Federation of State, County & Municipal Employees (AFSCME) and Fraternal Order of Police (FOP) Lodge 29. He said the agreements provide salary increases of three percent and recommended the Board award the same to employees in following classifications: "C" (Unrepresented), "E" (Excluded) and "X" (Excluded).

Gary Lacey, County Attorney, appeared and asked whether the Employees Advisory Team (EAT) was consulted.

Don Taute, Personnel Director, explained EAT is not a bargaining group.

MOTION: Schorr moved and Stevens seconded to approve a three percent salary increase for C" (Unrepresented), "E" (Excluded) and "X" (Excluded) employees. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

11 PENDING LITIGATION - Kristy Bauer, Deputy County Attorney; Don Taute, Personnel Director; John Cripe, Classification and Pay Manager; Mike Thurber, Corrections Department

MOTION: Schorr moved and Heier seconded to enter Executive Session at 10:48 a.m. for discussion of pending litigation. Schorr, Heier, Workman and Stevens voted aye. Motion carried.

Schorr exited the meeting.

MOTION: Stevens moved and Heier seconded to exit Executive Session at 11:08 a.m. Stevens, Workman and Heier voted aye. Schorr was absent from voting. Motion carried.

12 TIME CLOCK SUPPORT CONTRACT - Michelle Schindler, Youth Services Center Director

Michelle Schindler, Youth Services Center Director, suggested the County enter into a service agreement for the time clock system. She said it would include a software upgrade and telephone technical support. The total cost is \$600.

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

NOTE: The Board will take formal action on the contract at a regular Board of Commissioners Meeting.

Schorr returned to the meeting at 11:13 a.m.

ADDITIONS TO THE AGENDA

- B. Request from Kit Boesch, Human Services Administrator, to Submit a Resume to Write Grants for the Multi Cultural Center Consortium to Develop a Multi Cultural Center for Lincoln (Exhibit A)

Kit Boesch, Human Services Administrator, appeared and said the work will not conflict with her duties and will be performed in her off hours.

MOTION: Heier moved and Stevens seconded to allow Kit Boesch, Human Services Administrator, to submit her resume. Schorr, Heier, Stevens and Workman voted aye. Motion carried.

- C. Request from Governor Heineman to Meet with Gordon Kissel, Legislative Consultant

Eagan said Kissel believes the Governor wishes to discuss the matter of the State's surplus.

- D. Microcomputer Request from the Community Mental Health Center (CMHC) (Exhibit B)

Eagan said CMHC has a credit from Information Services (IS) that will basically offset the \$924.50 cost.

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

13 ACTION ITEMS

A. Microcomputer Requests:

1. C#48448, \$669.50 from the County Engineer's Budget for Two (2) Novell Licenses and Other Software

Eagan said the cost has been reduced to \$616.03 (Exhibit I).

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

2. C#48538, \$2,341.51 from the Microcomputer Fund for a Computer Laptop for the Mental Health Board

See Item 9.

14 ADMINISTRATIVE OFFICER REPORT

A. Candidate Forum (September 23, 2008)

Informational only.

B. County Connections, Tape 07/29/2008

Gwen Thorpe, Deputy Chief Administrative Officer, said the program will focus on juvenile graduated sanctions. Schorr agreed to participate in the program, provided the Board of Equalization (BOE) is not in session at the time.

C. County Board Website

Thorpe said Matt Raven, Administrative Assistant, is scheduled for training to become a Web Assistant. He will then be allowed to update the Board's website.

D. Date for the One and Six Year Road and Bridge Improvement Program Public Hearing

Item was held.

E. Fairground Third Party Interests Meeting

Eagan was asked to represent the County's interests at the meeting.

F. Correspondence from Mayor Beutler Regarding Union Plaza

There was general consensus to research whether the lodging tax could be used to fund County participation in the project.

Stevens expressed concern it would set a precedent.

15 DISCUSSION OF BOARD MEMBER MEETINGS

A. Meeting with The Clark Enersen Partners - Workman, Heier

Item was held.

16 ADJOURNMENT

MOTION: Stevens moved and Heier seconded to adjourn the meeting at 11:35 a.m. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk