

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, OCTOBER 2, 2008
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
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, SEPTEMBER 18, 2008

MOTION: Stevens moved and Heier seconded approval of the minutes of the September 18, 2008 Staff Meeting. Schorr, Stevens, Workman and Heier voted aye. Hudkins was absent from voting. Motion carried.

2 ADDITIONS TO AGENDA

- A. County Government Day
- B. County Smoking Policy

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

3 A) CEDAR HILL CEMETERY EXPANSION; B) CONTRACT ISSUE REGARDING STRUCTURE NO. X-117 NEAR HICKMAN; AND C) POTENTIAL LITIGATION (SOUTH 82ND STREET GRADING) - Don Thomas, County Engineer, Tom Fox, Deputy County Attorney

A) Cedar Hill Cemetery Expansion

Don Thomas, County Engineer, said he has no objection to the request from Cedar Hill Cemetery to extend their existing chain link fence approximately 225 feet across the front of a new section (Exhibit A). He said the fence sits high above the ditch and is not likely to be a safety hazard.

Harold Todd, Cedar Hill Cemetery, appeared and explained the cemetery will lose a row of graves if the fence has to be positioned further back.

Hudkins arrived at the meeting at 8:34 a.m.

Schorr noted the cemetery has also indicated it would like to plant trees on the 4 foot set back line.

Todd said that is correct.

MOTION: Hudkins moved and Schorr seconded to direct the County Attorney's Office to prepare an easement for Cedar Hill United Methodist Church for the land in question and schedule it for action on a County Board of Commissioners Meeting agenda.

AMENDMENT: Stevens moved to amend the motion to indicate it is a temporary easement.

The motion died for the lack of a second.

Tom Fox, Deputy County Attorney, said another option would be to issue a license for location of a fence in the right-of-way.

The maker of the motion and the seconder agreed to accept a license arrangement in place of an easement, at the discretion of the County Attorney's Office.

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

Todd was asked to provide a copy of the cemetery's liability policy.

B) Contract Issue Regarding Structure No. X-117 Near Hickman

Thomas said there are several contract issues with the Nebraska Department of Roads (NDOR) regarding Structure No. X-117, near Hickman. **NOTE:** The County serves as project manager for the project.

Fox said issues include independent contractor language, construction site control and the hold harmless and insurance clauses.

MOTION: Heier moved and Hudkins seconded to contact Tom Champoux, UNICO Group, Inc., to inquire about taking out a temporary insurance policy for the project. Schorr, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

C) Potential Litigation

MOTION: Schorr moved and Stevens seconded to enter Executive Session at 8:52 a.m. for discussion of potential litigation. Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

MOTION: Stevens moved and Heier seconded to exit Executive Session at 9:04 a.m. Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

4 UPDATE ON I-80 INNOVATION ZONE - Kathy McKillip, Nebraska Innovation Zone Commission (NIZC) Executive Director

Kathy McKillip, Nebraska Innovation Zone Commission (NIZC) Executive Director, presented the Phase I Study, NIZC Regional Comprehensive Plan (Exhibit B), noting key components:

- Local Jurisdiction
- Innovative Development
- Environmental Stewardship
- Local, Small Town Character
- Open Space for Recreation and Habitat Conservation
- Growth in Development Clusters or Adjacent to Towns
- Conservation Development Techniques
- Policies for Sustainability
- Utilization of Existing Infrastructure
- Design Guidelines at Critical Development Nodes

McKillip said the NIZC will sunset in 2010 and said she anticipates there will be a recommendation to form an association with a public/private mix to assist communities and counties in decision making, from a collective point of reference.

Hudkins noted there is no mention of a regional airport in the plan, although moving Eppley Airport to either the Greenwood (Exit 420) or Ashland/Mahoney (Exit 426) interchange to accommodate larger planes has been commonly discussed.

McKillip said the concept was discussed but was not deemed a priority.

It was suggested that McKillip share the plan with the Lincoln Chamber of Commerce and the Chamber's Public Policy Forum.

5 PURCHASE OF SURPLUS MOBILE DENTAL LAB VEHICLE - Doug Ahlberg, Emergency Management Director; Judy Halstead, Lincoln/Lancaster County Health Department

Doug Ahlberg, Emergency Management Director, requested authorization to purchase a 1997 GMC surplus truck from the Lincoln/Lancaster County Health Department that was used as a mobile dental lab. He said the truck could be converted into a mobile operations center to replace Emergency Management's 1977 Winnebago. Ahlberg said he has reached an agreement with the Health Department to purchase the vehicle for \$35,000 and spread the cost over two years and suggested that Emergency Management Program Grant (EMPG) funds be used to fund the purchase. He said he will also try to sell the dental equipment that is in the truck.

Hudkins suggested Ahlberg check to see whether the dental equipment could be used in the new jail.

MOTION: Heier moved and Stevens seconded approval of the request.

Judy Halstead, Lincoln/Lancaster County Health Department, said the vehicle was initially purchased with \$200,000 in donations (Exhibit C) for the Minority Outreach Program. She said the department no longer sends mobile units out to do health screenings and needs to sell the vehicle to return money to the program.

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

6 FLU SHOTS - Sue Eckley, County Risk Manager; Kari Wiegert, Risk Management Specialist

Sue Eckley, County Risk Manager, said the Purchasing Department went out for bids for flu shots and said the Nebraska Occupational Health Center was selected. She said the cost will be \$16 per shot and asked the Board whether it wants to pay for flu shots for employees this year through the Wellness Budget. Eckley said 500 to 600 employees receive the vaccine each year.

MOTION: Hudkins moved and Schorr seconded to offer the flu shots to employees at no cost.

AMENDMENT: Stevens moved to amend the motion to require a \$5.00 co-pay.

The motion died for the lack of a second.

Eckley requested authorization to include a flyer with information about the flu shots with employee paychecks.

The maker of the motion and the seconder agreed to include authorization for a paycheck flyer in their motion.

Stevens inquired about the cost of nasal spray flu vaccine.

Eckley said it is her understanding it is more expensive.

Kari Wiegert, Risk Management Specialist, added the nasal flu vaccine spray is not recommended for individuals with asthma or lung disease.

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

ADMINISTRATIVE OFFICER REPORT

B. Self-Insurance for County Vehicle Fleet

Schorr indicated she would like to explore self-insurance for the County vehicle fleet.

Eckley said she would want to have an actuary assess the County's exposure.

ADDITIONS TO AGENDA

B. County Smoking Policy

Brief discussion took place on whether to offer employees smoking cessation classes or Chantix (prescription medication for smoking cessation) at a reduced cost or at no cost to the employee. Additional information and cost estimates were requested.

7 COMMUNITY CORRECTIONS UPDATE (STAFFING & REPORTS) - Kim Etherton, Community Corrections Director

Kim Etherton, Community Corrections Director, said her screening technician has resigned and said she would like to leave the position vacant and hire an additional caseworker instead. She explained that two of her caseworkers will be going on maternity leave at the same time and said an additional caseworker will be needed in their absence.

MOTION: Hudkins moved and Stevens seconded approval of the request.

Hudkins inquired about the department's needs.

Etherton said she may need to order more monitoring equipment (10 additional cell units).

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

Etherton presented a summary report of offenders in the Community Corrections program (Exhibit D) She also suggested it may be beneficial to have a separate Misdemeanor Book and Release Center and said the 9th & J Street Building may be one option.

Stevens suggested Etherton discuss it further with Mike Thurber, Corrections Director, and members of the judiciary and law enforcement and bring back a proposal.

Workman asked that the discussion include whether the embarrassment of being booked into the jail causes some individuals to change their behavior.

8 YOUTH DETENTION CONTRACT WITH PAWNEE COUNTY - Michelle Schindler, Youth Services Center (YSC)

Michelle Schindler, Youth Services Center (YSC), said counties housing youth in YSC are currently charged a per diem \$244.50. She said a contract with Pawnee County for the housing of youth in the facility is scheduled to come before the Board and recommended the County go to a per diem rate of \$236.00 for the contract counties, which is comparable to the rate in the contract with the State of Nebraska. Schindler said YSC should be able to meet the monthly average of care days for the contract counties, based upon the \$236.00 per diem rate. **NOTE:** The per diem rate is based upon the previous year's care days.

MOTION: Schorr moved and Heier seconded to institute a daily per diem of \$236.00 for counties housing youth in the Youth Services Center (YSC), effective upon renewal of contract. Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

Schindler said she will send a letter to all counties in Nebraska indicating the new per diem rate.

9 POTENTIAL LITIGATION - Jim Shotkoski, County Engineering, Right-of-Way Division Head; Tom Fox, Deputy County Engineer

MOTION: Stevens moved and Heier seconded to enter Executive Session at 10:38 a.m. for discussion of potential litigation. Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

Hudkins exited the meeting.

MOTION: Stevens moved and Heier seconded to exit Executive Session at 10:42 a.m. Schorr, Stevens, Workman and Heier voted aye. Hudkins was absent from voting. Motion carried.

Hudkins returned to the meeting at 10:43 a.m.

10 COMMUNITY MENTAL HEALTH CENTER (CMHC) STAFFING - Dean Settle, Community Mental Health Center (CMHC) Director; John Cripe, Classification and Pay Manager

Dean Settle, Community Mental Health Center (CMHC) Director, said he has received assurances that behavioral health reform monies will fund another case manager for the Harvest Project (a program designed specifically to work with individuals who are over the age of 55 and suffer the combined effects of advanced age, impaired health, mental illness and/or substance abuse). He said he would like to take a pass-through approach and place the individual with the Lincoln Area Agency on Aging. CMHC would continue to provide clinical oversight and serve as fiscal agent for the project.

Settle said Region V will fund two recovery specialists (individuals who were involved in the behavioral health system as a client at some point) (Exhibit E). He said one will be a case manager for the Behavioral Health Jail Diversion Program and the other will be a case manager for CMHC. Settle said CMHC will contract with Lutheran Family Services for employment of those workers. He said Region V has also talked about setting aside several hundred thousand dollars for medication reimbursement and staffing of advanced nurse practitioners and psychiatrists.

Settle also suggested the need for succession planning and said he believes Travis Parker, Behavioral Health Jail Diversion Program Manager, is eminently qualified to assume the position of Deputy Director. Additional responsibilities would include budget preparation; legislative responsibilities; represent the department to Nebraska Behavioral Health Organization; serve as the point person in preparing for accreditation; and provide administrative and clinical oversight, evaluation and budgeting for partial hospitalization and the Midtown Center.

Brief discussion took place regarding an appropriate salary.

Settle proposed a salary range of \$81,250 to \$85,000 and said the increase can be absorbed through the department's budget.

John Cripe, Classification and Pay Manager, noted that Parker would retain retreat rights if appointed to the Deputy Director position.

MOTION: Schorr moved and Hudkins seconded to authorize Dean Settle, Community Mental Health Center (CMHC) Director to develop a Deputy Director position, in consultation with the Personnel Department, and to schedule official appointment of Travis Parker to the position on the October 7, 2008 County Board of Commissioners Meeting agenda. Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

11 ADMINISTRATIVE OFFICER REPORT

A. Legislative Resolution (LR) 349 Hearing (October 21, 2008)

Schorr said she would like to attend the legislative hearing on LR 349.

MOTION: Hudkins moved and Stevens seconded to excuse Commissioner Schorr from attendance at the October 21, 2008 County Board of Commissioners Meeting and authorize her to testify on the County Board's behalf at the legislative hearing. Stevens, Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

B. Self-Insurance for County Vehicle Fleet

Item was moved forward on the agenda.

C. Library Relations

MOTION: Schorr moved and Stevens seconded to extend an invitation to Pat Leach, Lincoln City Libraries Director, to have a designee attend the County's Management Team meetings, with a copy to Mayor Beutler. Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

D. Reappointment of Commissioner Stevens to Parks and Recreation Advisory Board

The item was scheduled on the October 7, 2008 County Board of Commissioners Meeting agenda.

E. Claim for Review (PV#187325 - \$67.85 from Lancaster Manor)

Board consensus was to schedule the claim as a Claim for Review at the Tuesday, October 14, 2008 Board of Commissioners Meeting.

F. EMS, Inc. Board Appointment

Eagan will contact Brian Johnson, who formerly served as Waverly's Fire Chief, to gauge his interest in serving.

G. Nebraska Department of Roads (NDOR) Intersection Safety Study (Highway 77 and Waverly Road)

Workman said he will ask Don Thomas, County Engineer, or his designee, to represent the County at the meeting.

H. Continued Use of Keno Funds for Abbott Motocross Track (Recreational Trails Program (RTP) Grant)

There was no objection to the request from the Lower Platte South Natural Resources District (NRD) to use the remainder of the funds the County committed to the project as match for the grant.

I. Tri-County Retreat Update

Mary Meyer, County Board/City Council Clerk, appeared and suggested the retreat be held at the Nebraska School Activities Association (NSAA) Building. She said the rental fee is \$100.

The Board concurred with the suggestion and asked Meyer to make the necessary arrangements.

- J. Installation of Water Pressure Monitoring Equipment at Motor Vehicle Building (46th & R Street)

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

- K. International Revenue Service (IRS) Determination Letter for County's 401(a) Retirement Plan

Eagan recommended the Board hire outside counsel to handle the matter. He said the revenue sharing funds could be used to fund the expense.

The Board concurred with the suggestion.

- L. Management Team Meeting (October 9, 2008)

Board consensus was to cancel the meeting.

ADDITIONS TO THE AGENDA

- A. County Government Day

The Board appointed Mary Meyer, County Board/City Council Clerk, to serve as the County Board's representative. It was noted the Chair will address the participants at the luncheon.

11 DISCUSSION OF BOARD MEMBER MEETINGS

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

Workman said the final payment was made for the construction.

- B. Officials Meeting - Workman, Heier

Heier said the meeting will be held on October 10th.

- C. Community Mental Health Center (CMHC) Advisory Board - Stevens

No report.

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

Hudkins and Stevens said the jail and a road vacation request were discussed.

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

Schorr said the committee reviewed a breakdown of hospital costs (inpatient and Emergency Room).

F. Chamber Coffee - Stevens

Stevens said he reported on the jail financing. Reports were also given on the City's new ordinance banning indoor furniture from porches and Lincoln Public Schools' enrollment numbers.

12 ADJOURNMENT

MOTION: Schorr moved and Stevens seconded to adjourn the meeting at 11:34 a.m. Schorr, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk