

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, OCTOBER 9, 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: Heier moved and Hudkins seconded approval of the minutes of the October 2, 2008 Staff Meeting. Hudkins, Stevens, Workman and Heier voted aye. Schorr was absent from voting. Motion carried.

2 ADDITIONS TO AGENDA

A. Confirmation Letter for Use of Keno Funds for Motocross Track

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

3 COUNTY CHANGE OF ZONE NO. 08042, WIND ENERGY CONSERVATION SYSTEMS - Mike DeKalb, Planner

Mike DeKalb, Planner, gave an overview of County Change of Zone No. 08042, a request by the Planning Director to amend the County Zoning Resolution to change the provisions for Wind Energy Conversion Systems (WECS), also known as wind turbines and windmills. The change will allow wind machines by right in all districts, with conditional use or special permit provisions to exceed the district height with a setback of one to one, height to setback (Exhibit A).

Heier asked whether there should be a provision for removal.

DeKalb said he doesn't see the need as 90% will be privately owned and used.

Stevens asked whether there could be multiples.

DeKalb said yes, windfarms are a possibility.

4 COUNTY JUVENILE SERVICES COMPREHENSIVE PLAN - Sara Hoyle, Juvenile Justice Coordinator

Sara Hoyle, Juvenile Justice Coordinator, briefly discussed the County Juvenile Services Comprehensive Plan (see Executive Summary in the agenda packet) and requested authorization to submit it to the Nebraska Crime Commission.

MOTION: Hudkins moved and Stevens seconded to: 1) Authorize submission of the County Juvenile Services Comprehensive Plan to the Nebraska Crime Commission; and 2) Authorize the Chair to sign the notification page. Hudkins, Stevens, Workman and Heier voted aye. Schorr was absent from voting. Motion carried.

Hoyle was asked to give a presentation on the County Juvenile Services Comprehensive Plan at the October 14, 2008 County Board of Commissioners Meeting.

ACTION ITEMS

A. Certification to Board of Public Roads Classifications and Standards (Exhibit B)

MOTION: Stevens moved and Heier seconded to authorize signature by the Chair. Hudkins, Stevens, Workman and Heier voted aye. Schorr was absent from voting. Motion carried.

B. Request from Aspen Aftercare for Authorization to Cremate Unclaimed Body Pursuant to Nebraska Revised Statute §71-1002(4) (Reissue 2003) (Jose Alfredo Sacach Cux) (Exhibit C)

Stevens inquired about the County's obligations under General Assistance (GA) for individuals who are not legally in the United States.

Kerry Eagan, Chief Administrative Officer, said there are none, but said Nebraska Revised Statute §71-102 states an unclaimed body is the responsibility of the County Board to cause it to be buried or cremated. He said the best pricing is under GA.

MOTION: Heier moved and Stevens seconded to approve the cremation process for Jose Alfredo Sacach Cux. Heier, Workman, Stevens and Hudkins voted aye. Schorr was absent from voting. Motion carried.

C. Microcomputer Request C#4998, \$2,365.93 for a computer laptop, etc. from the Juvenile Probation Budget

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

5 LOSS OF DRIVING PRIVILEGES POLICY - Don Taute, Personnel Director; Sue Eckley, County Risk Manager; Tom Champoux, UNICO Group, Inc.; Kristy Bauer, Deputy County Attorney; Pat Kant, Personnel Coordinator

Kristy Bauer, Deputy County Attorney, said the Loss of Driving Privileges Policy states employees who engage in the operation of a county vehicle as a regular part of their job and lose their driving privileges for more than 90 days through a DUI (driving under the influence) or other serious driving violation will immediately be separated or may apply for another position that does not include require a valid driver's license. If the loss of driving privileges is less than 90 days, the employee may retain employment by using vacation or leave without pay. She said they may still be excluded under the County's auto insurance policy. Bauer said Sue Eckley, County Risk Manager, is compiling a list of employees who are required to maintain a valid driver's license and will perform driver's record checks.

Eckley said she has received all but two of the department lists. She said one department reported an excluded driver (driver's license suspension).

Bauer said employees are required to promptly notify their department head if they lose their driving privileges. Failure to report will result in discipline up to and including termination. The department head must then report the loss of driving privileges to Eckley and the insurance company. She said that does not always occur and presented a draft of revisions to the policy (Exhibit D) to more clearly define the requirements.

Tom Champoux, UNICO Group, Inc., said that just because someone has a driver's license, it does not necessarily mean they are insurable under the County's insurance policy. He added insurance companies run their own motor vehicle checks and said giving notification to the insurance carrier is not as crucial as having a policy in place.

It was noted a driver's license can also be suspended for getting behind in child support payments and Champoux stressed of the importance of reporting the circumstances to avoid an exclusion.

In response to a question from Heier, Champoux said the insurance company will not make a determination based on the differences in regular or commercial driver's licence requirements, but will look at the offenses.

Stevens asked whether insurance companies are only concerned with suspensions.

Champoux said no, there are certain driving offences that will trigger an exclusion, such as willful reckless driving. He added there is an appeal process.

Schorr arrived at the meeting at 9:20 a.m.

There was general consensus to perform annual record checks of drivers. **NOTE:** The cost is \$3.00 per person.

Bauer suggested that checks also be performed on applicants for jobs that require driving to make sure they are insurable.

Eckley was asked to provide an update at the next Management Team meeting.

6 HEALTH AND DENTAL INSURANCE RENEWAL RATES - Stephanie Noonan, Milliman USA, USA; Bill Kostner, City Risk Manager; Bill Thoreson, Benefits Specialist

Stephanie Noonan, Milliman USA, presented a calculation of 2009 medical and dental premiums for Lancaster County (Exhibit E). She noted the Board had requested quotes for different levels of stop-loss coverage and presented a comparison of premium versus expected reimbursements (see Attachment 12). Noonan recommended the Board move from the current level of \$150,000 to \$200,000, based on the analysis. She said that will reduce the recommended increase for the medical plan from 5.2% to 3.5%.

MOTION: Hudkins moved and Heier seconded to moved from move from the current stop-loss coverage level of \$150,000 to \$200,000. Heier, Workman, Stevens, Schorr and Hudkins voted aye. Motion carried.

7 LANCASTER COUNTY CORRECTIONAL FACILITY JOINT PUBLIC AGENCY (JPA) BOND UPDATE - Scott Keene, Ameritas Investment Corporation

Scott Keene, Ameritas Investment Corporation, said the bond market has “seized up” since the September 15th bankruptcy filing of the global investment bank Lehman Brothers. The typical sales volume of \$6 to \$8 billion has dwindled to \$800 million, mostly small bond issues. He said many investors are shying away from municipal bonds and have moved to Treasury Bills, even though there is little or no return on their investment. There are also buyers “sitting on the sidelines” who will look at bond issues if the interest rate is high. Keene said there is a backlog of municipal bonds that are ready to come to market the moment things open up and said the only way to go to market right now is through a negotiated sale. He recommended the County delay the financing until money is actually needed to start construction.

In response to a question from Schorr, Keene said the County could also do a piece of the project with notes to get it started. He said the County could then issue bonds to take out the notes. Keene said he has never been comfortable with that method, as you would be speculating on interest rates.

There was general consensus to proceed with the drafting of documents to be ready for when the market begins to free up.

Keene will also update the City Council and the Lancaster County Correctional Facility Joint Public Agency (JPA).

8 SPECIAL VEHICLE PURCHASE FROM THE LINCOLN PUBLIC SCHOOLS (LPS) AUCTION - Vince Mejer, Purchasing Agent; Bob Walla, Assistant Purchasing Agent; Ron Fetters, Lancaster Manor Administrator; Tom Fox, Deputy County Attorney

MOTION: Heier moved approval.

The motion died for the lack of a second.

Bob Walla, Assistant Purchasing Agent, requested authorization to advertise the County’s intent to purchase a truck for Lancaster Manor at the Lincoln Public Schools (LPS) auction on October 19th. The truck also has a snowplow blade.

Stevens inquired about the value.

Ron Fetters said the Blue Book value is \$11,000 retail, not including the snowplow blade. The trade-in value is \$5,300 to \$6,700.

Walla asked for direction on how much to bid.

No formal direction was given.

MOTION: Stevens moved and Heier seconded to authorize the Purchasing Department to advertise the County's interest in the truck. Hudkins, Schorr, Stevens, Workman and Heier voted aye. Motion carried.

Tom Fox, Deputy County Attorney, said the motion should be to authorize a special purchase and waive the bidding requirements.

Vince Mejer, Purchasing Agent, said the amount is below the formal bid threshold.

9 ACTION ITEMS

- A. Certification to Board of Public Roads Classifications and Standards
- B. Request from Aspen Aftercare for Authorization to Cremate Unclaimed Body Pursuant to Nebraska Revised Statute §71-1002(4) (Reissue 2003) (Jose Alfredo Sacach Cux)
- C. Microcomputer Request C#4998, \$2,365.93 for a computer laptop, etc. from the Juvenile Probation Budget

Items A, B & C were moved forward on the agenda.

ADDITIONS TO AGENDA

- A. Confirmation Letter for Use of Keno Funds for Motocross Track

MOTION: Stevens moved and Hudkins seconded to direct Kerry Eagan, Chief Administrative Officer, to draft a letter for the Chair's signature. Hudkins, Schorr, Stevens, Workman and Heier voted aye. Motion carried.

10 ADMINISTRATIVE OFFICER REPORT

- A. EMS, Inc. Appointment (Brian Johnson)

The Board scheduled the appointment on the October 14, 2008 County Board of Commissioners Meeting agenda.

B. Nebraska Association of County Officials (NACO) Ballot

Board consensus was to appoint Commissioner Heier as the person who will cast a ballot for Lancaster County in the election of NACO officers. Commissioner Hudkins will serve as the alternate.

- C. Lincoln Area on Aging Advisory Council Appointment (Sheryl Jordon, Corrine Simon, Martha Brown and Leola Bullock)
- D. Lancaster Manor Advisory Committee Appointments (Brian Block and Iris Winkelhake)

The Board scheduled Items C and D on the October 14, 2008 County Board of Commissioners Meeting agenda.

E. Southeast Community College Briefing (Jack Huck)

Board consensus was to schedule a briefing on a County Board of Commissioners Meeting agenda.

- F. New Digital Flood Insurance Rate Map Meeting (Friday, October 10, 2008)

Eagan indicated plans to attend the meeting.

G. Tri-County Meeting (Haymarket Park Tour)

Schorr suggested a tour of Haymarket Park (baseball stadium) after the meeting and offered to make the arrangements.

- H. National Association of County Officials (NACo) Vehicle Fleet Card Program

Additional information was requested.

- I. Thank You Letters to Nebraska Farm Bureau and Board of Directors (Exhibit F)

Board consensus was to send thank you letters to the Nebraska Farm Bureau and its Board of Directors for use of their training room for the County's Management Team Retreat.

11 DISCUSSION OF BOARD MEMBER MEETINGS

A. Lancaster Manor Advisory Committee - Hudkins

Hudkins said discussion focused on the consultant that was brought in to assess the entire operation. He said Ron Feters, Lancaster Manor Administrator, indicated the consultant is an allowable expense for Medicaid reimbursement.

B. Nebraska Innovation Zone Commission (NIZC) - Heier

Heier said he did not attend the meeting.

C. Joint Budget Committee (JBC) - Stevens, Schorr

Stevens said United Way of Lincoln and Lancaster County reported a 3% increase in contributions. He said the biggest contributor was Pfizer, Inc., which matches its employees' contribution, and said they recently reduced their workforce.

Stevens said the Nebraska Department of Health and Human Services (HHS) is allocating \$18 million for a juvenile detention facility, up to 16 beds.

Schorr said the facility will serve youth with severe and persistent mental illness.

12 EMERGENCY ITEMS AND OTHER BUSINESS

Dennis Meyer, Budget and Fiscal Officer, introduced Rhonda Ryan, the new Grants Coordinator.

13 ADJOURNMENT

MOTION: Heier moved and Schorr seconded to adjourn the meeting at 10:50 a.m. Hudkins, Schorr, Workman, Stevens and Heier voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk