

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, DECEMBER 18, 2008
8:30 A.M.**

Commissioners Present: Bob Workman, Chair
Bernie Heier, Vice Chair
Larry Hudkins
Deb Schorr

Commissioners Absent: Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
and Interim Lancaster Manor Administrator
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:34 a.m.

AGENDA ITEM

**1 APPROVAL OF THE STAFF MEETING MINUTES, THURSDAY,
DECEMBER 4, 2008**

MOTION: Heier moved and Hudkins seconded approval of the minutes of the December 4, 2008 Staff Meeting. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

2 ADDITIONS TO AGENDA

- A. Press Release Regarding Business Hours on December 26, 2008 and January 2, 2009
- B. Correspondence from County Engineer Regarding Federal Stimulus Bill for Transportation (Exhibit A)
- C. Report on Nebraska Association of County Officials (NACO) Annual Conference
- D. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee Meeting

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

3 SALARIES FOR UNCLASSIFIED EMPLOYEES - Mark Koller, Personnel Director; John Cripe, Classification and Pay Manager

John Cripe, Classification and Pay Manager, discussed salaries for unclassified employees and matches in the market. **NOTE:** Counties participating in the market survey are Douglas County, Nebraska (includes Omaha); Linn County, Iowa (includes Cedar Rapids); Polk County, Iowa (includes Des Moines); Scott County, Iowa (includes Davenport); Sedgwick County, Kansas (includes Wichita); and Shawnee County, Kansas (includes Topeka). He said the following positions are significantly behind the market and said market adjustments to their base salaries would be appropriate: Budget and Fiscal Officer; Community Corrections Director; Emergency Management Director; Veterans Service Officer/General Assistance Director; and Youth Services Center (YSC) Director. Cripe said the Community Mental Health Center Director is over the market by approximately 3.5%.

In response to a question from Schorr, Cripe said elected officials received a 2.5% increase this year. Employees represented by the American Federation of State, County & Municipal Employees (AFSCME) received a 3% increase.

Cripe noted the Deputy Chief Administrative Officer is currently serving as Interim Lancaster Manor Administrator and has received a salary adjustment. The County's psychiatrists also received recent salary adjustments.

There was general consensus to adjust the base salaries for the following positions by \$2,000: Budget and Fiscal Officer; Community Corrections Director; Emergency Management Director; Veterans Service Officer/General Assistance Director; and Youth Services Center (YSC) Director.

Salary recommendations for attorneys in the Public Defender's and County Attorney's Offices were disseminated (an overall increase of approximately 5%) (Exhibits B &C) .

Board members said they believe that is too high.

Cripe noted part of the increase is considered to be merit and said the survey indicates the County's maximum for Attorneys I and II is low.

Heier asked Cripe to research how many attorneys the other counties participating in the market survey have, stating that can make a big difference.

It was noted the County Sheriff has not submitted salary recommendations for the Sheriff's Captains.

Bill Jarrett, Chief Deputy Sheriff, appeared and said his office did not receive a comparability study.

Cripe said the Sheriff's Captains are currently at the market. He noted the Board has typically given consideration to like positions in the Lincoln Police Department (LPD). The maximum salary for LPD Captains is \$99,000. The County's maximum is \$86,900.

The Board asked Cripe to prepare a document showing the cost difference between a 3.7% and 4.0% increase for the January 15, 2009 Staff Meeting. He was also asked to research what other cities and counties provide benefits to part-time (20 hours per week) employees.

ADMINISTRATIVE OFFICER REPORT

G. Lancaster Manor Director Search

Hudkins asked whether a search for a new director has been initiated.

Kerry Eagan, Chief Administrative Officer, said Gwen Thorpe, Interim Lancaster Manor Administrator, is still gathering information about the facility and said the Personnel Department has not been asked to initiate a search.

Heier suggested the Personnel Department begin a salary survey.

Cripe said the National Association of Nursing Homes conducts a survey and said he will try to obtain a copy. He will also contact the Nebraska Health Care Association, Inc. for information.

4 COUNTY COURT WORK RELEASE SCREENER - Mike Thurber, Corrections Director

Mike Thurber, Corrections Director, suggested the vacant part-time bailiff's position (work release) in County Court be moved to his department and asked that he be allowed to work with the Personnel Department in developing a job description for the hiring of a part-time (20 hours per week) Work Release Screener (see Exhibit D for a draft of functions the position could perform). **NOTE:** The position would move from unclassified to classified service.

MOTION: Heier moved and Schorr seconded to proceed with development of a job description for a part-time Work Release Screener, as outlined.

Heier expressed concern regarding providing benefits to part-time employees.

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

5 RURAL EMERGENCY MEDICAL SERVICES UPDATE - Greg Hall, Rural Emergency Medical Services Committee Chairman

Greg Hall, Rural Emergency Medical Services Committee Chairman, said 18 of 21 rural fire districts have agreed to participate in the one-year contract with Lincoln Fire and Rescue (LFR) for rural emergency medical services. Those electing not to participate were Eagle/Alvo; Ashland and Pleasant Dale. He said the rural fire districts are short \$10,900 and asked if the County would be willing to assist with the shortfall.

Discussion followed on whether to take the funds out of the General Fund or the Keno Fund.

Dennis Meyer, Budget and Fiscal Officer, appeared and said the County's original contribution of \$60,000 was taken out of the General Fund. He said there are sufficient funds in both the General Fund and Keno Fund to fund the request, but said if the County continues to kick in funds every year it will begin to cut into other areas of funding.

MOTION: Hudkins moved and Heier seconded to approve the request for \$10,900 and stipulated that the funds come out of the General Fund.

The Board requested a monthly report from LFR on the number of calls for rural emergency medical service, the number of responding units and how much LFR is generating from the calls. The request will be relayed to the Mayor.

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

Ann Taylor, County Clerk's Office, informed Hall and the Board that the Clerk's Office is still missing signatures from several of the parties to the agreement between Lancaster County and the Rural Fire Districts (C-08-0201). **NOTE:** Signatures are needed from the Clatonia Rural Fire District, Crete Rural Fire District, Douglas Rural Fire District, Greenwood Rural Fire District, Southeast Rural Fire District and the Waverly Rural Fire District.

6 A) TELEPHONE AUDIT; AND B) NEBRASKA REVISED STATUTE § 23-120 (3) (b) PROJECTS - Dennis Meyer, Budget and Fiscal Officer

A) Telephone Services Audit

Dennis Meyer, Budget and Fiscal Officer, said a company in Kansas (NCI Telecom Diagnostics) recently contacted him and offered to review the County's phone bills to see if the charges were correct. **NOTE:** The County's annual phone charges are approximately \$500,000. He said there would be no charge for the service. NCI would receive a percentage of any savings instead. Meyer said he consulted Steve Hubka, City Budget Officer, and Vince Mejer, Purchasing Agent, and Mejer recommended the County issue a Request for Proposal (RFP).

Board consensus was to proceed with an RFP for a telephone services audit.

B) Nebraska Revised Statute § 23-120 (3) (b) Projects

Meyer said he will be bringing forward a resolution in January designating Nebraska Revised Statute § 23-120 (3) (b) projects and specifying the amount of the levy of taxes for each project. He said the County is currently using three quarters of a cent of the five and two-tenths cents levy allowed under the statute for building projects.

ADDITIONS TO AGENDA

- A. Press Release Regarding Business Hours on December 26, 2008 and January 2, 2009

The Board suggested a joint press release that City and County Offices will be open for business on December 26, 2008 and January 2, 2009. Directors will be notified as well.

- B. Correspondence from County Engineer Regarding Federal Stimulus Bill for Transportation (Exhibit A)

Board consensus was to: 1) Direct Kerry Eagan, Chief Administrative Officer, to forward the information to the County's cities and villages, with a cover memorandum, to see if they have any projects that would qualify; and 2) Send a letter to Nebraska's Congressional and Senate delegation asking that consideration be given to the County's jail project, if there are infrastructure funds available.

C. Report on Nebraska Association of County Officials (NACO) Annual Conference

Heier said he attended the Juvenile Justice Services session and said there are plans for a Needs Study.

Hudkins said he attended the session on how to prepare for a Tax Equalization and Review Commission (TERC) hearing and said it was recommended that referees provide separate values for land and buildings.

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

Heier said consolidation of City and County departments was discussed.

7 EMPLOYEE ASSISTANCE PROGRAM CONTRACT WITH CONTINUUM - Mark Koller, Personnel Director; Pat Kant, Personnel Coordinator; Kris Brenan and Georgette Kincade, Continuum

Pat Kant, Personnel Coordinator, said the County's three-year contract with Continuum to provide an employee assistance program for County employees is due to expire. She recommended the County renew the contract for another three years.

Kris Brenan and Georgette Kincade, Continuum, gave an overview of the scope of Employee Assistance Program (EAP) services (Exhibit E):

Services for Employees & Their Families

- EAP Professional Clinical Services
- Work/Life Services
- Legal, Financial and Mediation Services

Workplace Services

- Work Performance Improvement Coaching (Employer Referrals)
- Department of Transportation (DOT) and Non-DOT Alcohol/Drug Services
- Employee Performance and Workplace Consultation Services
- EAP Orientations and Training for Supervisors, Unions and Employees
- Critical Incident Stress Management
- Conflict Resolution Services
- Program Promotion
- Program Evaluation

Kant said the fee is \$23,800 (a 2% increase over the previous contract). She said Continuum also offers web-based work/life services. The cost is \$3.00, per employee, per year.

The Board declined the additional service.

Schorr said several departments have high sick leave usage and asked whether Continuum has a program that addresses that issue.

Kincade said there are specific strategies that could be used to address the problem.

8 FLU SHOT AND BLOOD CHEMISTRY PROFILE UPDATE - Sue Eckley, County Risk Manager; Kari Wiegert, Risk Management Specialist

Sue Eckley, County Risk Manager, said there was 50% employee participation in the flu shots this year at a cost of \$9,488. She said 266 employees participated in the blood chemistry profiles at a cost of \$6,166. Eckley said the annual Wellness Budget is \$15,000 and covers the flu shots, blood chemistry profiles, "Winning with Wellness" Program, HOPE Health Letter, Wellness Council Newsletter and WorkWell Program dues. She said expenses have currently exceeded the budget by \$4,146 and suggested the Board consider co-pays.

Workman suggested that the blood chemistry profiles be spaced 18 months apart, rather than the current 12 month intervals.

Schorr said she believes 18 months is too long and said she would favor instituting co-pays instead.

MOTION: Hudkins moved and Heier seconded to move to 18 month intervals for the blood chemistry profiles. Hudkins, Heier and Workman voted aye. Schorr voted no. Motion carried.

9 POTENTIAL LITIGATION - Tom Fox, Deputy County Attorney; Sue Eckley, County Risk Manager

MOTION: Schorr moved and Hudkins seconded to enter Executive Session at 10:32 a.m. for discussion of potential litigation. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

MOTION: Schorr moved and Heier seconded to exit Executive Session at 10:46 a.m. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

10 CORONER CONTRACT - Gary Lacey, County Attorney

Gary Lacey, County Attorney, recommended the County terminate its contract with Dr. Matthias Okoye, County Coroner, so that a new contract can be negotiated (see Exhibit F for draft letter of termination).

MOTION: Heier moved and Hudkins seconded to authorize Gary Lacey, County Attorney, to send the letter of termination. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

ACTION ITEMS

A. Reappointment of Bernie Heier to District Energy Board of Directors

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

B. Microcomputer Request C#50845, \$4,899.19 from Drug Forfeiture Fund to Purchase Four (4) HP Compaq Notebook PC's, etc. for County Attorney's Office

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

C. Notice of Termination Letter to Mary McGuire for Lancaster Manor Consulting Contract

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

ADMINISTRATIVE OFFICER REPORT

A. 84TH Street and Havelock Avenue Area Master Plan

Board consensus was to discuss possible involvement in a study at the Mid-Year Budget Retreat, pending a formal request.

B. E-mail from Waverly City Administrator

NOTE: The Waverly City Administrator asked whether the County would be interested in joining the City of Waverly and Waverly School District in locking in fuel prices through hedging.

Board consensus was to refer the matter to Don Thomas, County Engineer, for comment.

- C. County Extension Board Appointments - Annie N. Stokes, Pablo Cervantes and Wesley D. Daberkow
- D. Government Access and Information Committee (GAIC) Appointment - Jim Lamphere

The Board scheduled Items C and D on the January 6, 2009 County Board of Commissioners Meeting agenda.

- E. National Association of Government Defined Contribution Administrators (NAGDCA) Membership Renewal

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

- F. Lancaster County Correctional Facility Joint Public Agency (JPA) Meeting

Board consensus was to schedule the meeting when there is a quorum.

- H. Management Team Meeting (Thursday, January 8, 2009)

Informational only.

11 SUBMISSION OF CRIME COMMISSION GRANTS AND JUVENILE RE-ENTRY GRANT - Kit Boesch, Human Services Administrator; Sara Hoyle, Juvenile Justice Coordinator

Submission of Crime Commission Grants

Sara Hoyle, Juvenile Justice Coordinator, gave an overview of Juvenile Justice Graduated Sanctions Proposed 2009-2010 Funding (Exhibit G).

MOTION: Schorr moved and Hudkins seconded to authorize the Chair to sign the grant application. Schorr, Heier, Hudkins and Workman voted aye. Motion carried.

Kit Boesch, Human Services Administrator, briefed the Board on the Legislature's Children in Crisis Task Force meeting.

Juvenile Re-Entry Grant

Boesch discussed a proposal for a 12-month planning grant to develop a comprehensive plan to serve 1,000 juveniles and adult offenders returning from correctional facilities (Exhibit H).

- 12 A) LANCASTER MANOR ELECTRICAL WORK; AND B) SNOW PLOW BLADES** - Gwen Thorpe, Interim Lancaster Manor Administrator; Jerry Allen, Facilities Manager; Don Killeen, County Property Manager; Bob Walla, Assistant Purchasing Agent

A) Lancaster Manor Electrical Work

Gwen Thorpe, Interim Lancaster Manor Administrator, asked whether the Board wants to proceed with the proposal from ABC Electric for relocation of emergency electrical distribution equipment at Lancaster Manor (see agenda packet). **NOTE:** Estimated cost is \$70,000, which does not include the cost of moving the laundry room and a stand-alone air conditioning unit. She said another option would be to have an engineer assess the situation and make recommendation on what type of sump pump is needed.

Don Killeen, County Property Manager, suggested a battery back-up for the sump pump, stating there needs to be some assurance that water would be evacuated, with redundancy, if flooding occurs.

Workman asked whether the repairs could be delayed.

Jerry Allen, Facilities Manager, said it would be more costly and there would be more downtime.

Killeen said the County might be able to buy a little time if work on the generator transfer gear is held until the end of the project.

MOTION: Hudkins moved and Heier seconded to expend \$64,992.00 for the work and \$3,727.00 for the transformer out of Lancaster Manor's Renewal and Replacement Fund.

Killeen recommended the County explore alternatives and suggested that T.J. Schirmer, The Clark Enersen Partners, be asked to provide a risk assessment and an estimate for an Uninterruptible Power Supply (UPS) System.

Dennis Meyer, Budget and Fiscal Officer, said the Renewal and Replacement Fund is also being used to cover cash flow. He said the fund balance at the end of November was \$675,000 and said the Board can tap into the fund, but replenishment remains an issue.

Heier suggested the Keno Fund as a funding source.

ROLL CALL: Hudkins and Heier voted aye. Workman and Schorr voted no. Vote tied. Motion failed due to the lack of a majority.

MOTION: Schorr moved and Hudkins seconded to ask T.J. Schirmer, The Clark Enersen Partners, to perform a risk assessment and make recommendation to the Board. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

B) Snow Plow Blades

Thorpe discussed the request to purchase a snow plow blade (Exhibit I).

Allen said it will allow staff to plow the lot more frequently than the contractor (LeGrande Construction).

Killeen said the Public Building Commission (PBC) contracts with LeGrande to plow its other lots and said he is satisfied with their work.

In response to a question from Hudkins, Allen said his staff could plow Trabert Hall's lot, as well.

Brief discussion took place on blade types.

Bob Walla, Assistant Purchasing Agent, said only straight blades were priced.

MOTION: Heier moved and Schorr seconded approval of a straight snow plow blade for Lancaster Manor.

Allen noted if there is heavy snowfall, LeGrande will haul the snow away.

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

13 PENDING LITIGATION - Bill Peters, Attorney for Lancaster County Board of Equalization

MOTION: Schorr moved and Heier seconded to enter Executive Session at 12:02 p.m. for discussion of pending litigation. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

Heier exited the meeting.

MOTION: Schorr moved and Hudkins seconded to exit Executive Session at 12:21 p.m. Schorr, Workman and Hudkins voted aye. Heier was absent from voting. Motion carried.

14 ACTION ITEMS

- A. Reappointment of Bernie Heier to District Energy Board of Directors
- B. Microcomputer Request C#50845, \$4,899.19 from Drug Forfeiture Fund to Purchase Four (4) HP Compaq Notebook PC's, etc. for County Attorney's Office
- C. Notice of Termination Letter to Mary McGuire for Lancaster Manor Consulting Contract

Items A-C were moved forward on the agenda.

15 ADMINISTRATIVE OFFICER REPORT

- A. 84TH Street and Havelock Avenue Area Master Plan
- B. E-mail from Waverly City Administrator
- C. County Extension Board Appointments - Annie N. Stokes, Pablo Cervantes and Wesley D. Daberkow
- D. Government Access and Information Committee (GAIC) Appointment - Jim Lamphere
- E. National Association of Government Defined Contribution Administrators (NAGDCA) Membership Renewal
- F. Lancaster County Correctional Facility Joint Public Agency (JPA) Meeting
- G. Lancaster Manor Director Search
- H. Management Team Meeting (Thursday, January 8, 2009)

Items A-H were moved forward on the agenda.

16 DISCUSSION OF BOARD MEMBER MEETINGS

A. Railroad Transportation Safety District (RTSD) - Stevens, Schorr

Schorr said discussion focused primarily on “quiet zones” (a railroad grade crossing at which trains are prohibited from sounding their horns in order to decrease the noise level for nearby residential communities) and the bridge at 18th and Holdrege Streets.

Hudkins encouraged the RTSD representatives to get a commitment from Roger Figard, City Engineer, that the City will pave the last 500 feet of Southwest 40th Street, out to “O” Street.

B. Meeting of Public Building Commission (PBC) Chair, Vice Chair and Mayor - Hudkins

Hudkins said Mayor Beutler asked that plans for renovation of the second and third floors of the County-City Building be held until he can present them to the City Council.

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

Hudkins said the City Attorney’s Office will be provided a satellite office on the second floor of the Justice and Law Enforcement Center.

D. Juvenile Justice Review Committee (JJRC) - Heier

See Item 11.

E. Board of Health - Schorr

Schorr said the group received a report from two doctors that serve on the Nebraska Medical Association’s Health Care Reform Task Force and said the task force will be bringing forth a proposal for universal health care in Nebraska.

F. Parks & Recreation Advisory Board - Stevens

No report.

G. Information Services Policy Committee - Stevens

No report.

17 ADJOURNMENT

MOTION: Schorr moved and Hudkins seconded to adjourn the meeting at 12:23 p.m. Schorr, Workman and Hudkins voted aye. Heier was absent from voting. Motion carried.

Dan Nolte
Lancaster County Clerk