

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING, ROOM 113  
THURSDAY, APRIL 9, 2009  
8:30 A.M.**

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

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 8:32 a.m.

**AGENDA ITEM**

**1 APPROVAL OF THE STAFF MEETING MINUTES, THURSDAY, APRIL 2, 2009**

**MOTION:** Stevens moved and Hudkins seconded approval of the April 2, 2009 Staff Meeting minutes. Hudkins, Workman, Schorr, Stevens and Heier voted aye. Motion carried.

**2 ADDITIONS TO THE AGENDA**

A. Meeting with Planning Department to Discuss Metropolitan Planning Organization (MPO)

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

**3 LEGISLATIVE UPDATE - Gordon Kissel Legislative Consultant**

Gordon Kissel, Legislative Consultant, presented a legislative update and a report on bills of interest (Exhibits A & B).

Schorr inquired about the status of bills related to mental health funding and aid to counties.

Kissel said mental health funding is still being discussed and said county aid legislation will be on the agenda within the next thirty days.

### **ADDITIONS TO THE AGENDA**

- A. Meeting with Planning Department to Discuss Metropolitan Planning Organization (MPO)

Stevens said he and Heier met with Marvin Krout, Planning Director, and Planning staff and were given an overview of the Metropolitan Planning Organization (MPO). He noted a change in the operation has been requested (add a second City Council representative to the Officials Committee).

### **ADMINISTRATIVE OFFICER REPORT**

- C. Occupation Tax Amendments

Cori Beattie, Deputy County Clerk, noted the County Board passed a resolution (R-08-0086) in 2008 that imposed an occupation tax on all retail liquor licenses. She said the Nebraska Liquor Control Commission recognizes several other classes of liquor licenses as retail (catering, microbrewery and microdistillery) and said the Board could amend the resolution and impose the occupation tax on those as well.

Schorr asked whether wineries would be recognized as well.

Tom Fox, Deputy County Attorney, said he could not find any authority in the state statutes to impose an occupation tax on wineries.

Kerry Eagan, Chief Administrative Officer, stated he has added it to the County's legislative list.

Board consensus was to schedule action to amend the resolution to include those three classes of liquor licences on a future County Board of Commissioners Meeting agenda.

### **ACTION ITEMS**

- A. Microcomputer Request C#53412, \$7,221.79 from Adult Probation Budget for Twenty-Four (24) Microsoft Office 2007 STD Licenses

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

- B. Letter of Support for Victims of Crime Act Grant from Nebraska Crime Commission

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

### **ADMINISTRATIVE OFFICER REPORT**

- A. Increase in Homeless Clients at Community Mental Health Center (CMHC)
- B. Correspondence from Federal Emergency Management Agency (FEMA) Regarding Revised Flood Insurance Rate Map (FIRM)

Items A and B were informational only.

### **DISCUSSION OF BOARD MEMBER MEETINGS**

- A. Nebraska Innovation Zone Commission (NIZC) - Heier

Heier said he has asked Kathy McKillip, Nebraska Innovation Zone Commission (NIZC) Executive Director, and Phil Mullin, the County's representative, to update the Board at a future meeting.

- B. Lincoln-Lancaster County Ecological Advisory Committee (EAC) - Heier

Heier said the State and City Foresters gave a report (Exhibit C) and said he asked the State Forester to talk to the District Energy Corporation (DEC) about using wood chips for energy.

#### **4 NEW CORRECTIONAL FACILITY UPDATE** - Greg Newport and Matt Glawatz, The Clark Enersen Partners; Boyd Batterman and Chuck Richerter, Sampson Construction Company

Greg Newport and Matt Glawatz, The Clark Enersen Partners, gave an update on the plans for the new Lancaster County Adult Detention Facility (Exhibit D).

Schorr asked whether funds have been allocated for landscaping.

Newport said plant materials are included in the design.

Heier questioned the need for the overhang over the main visitor entrance.

Newport said it provides shading and helps identify the entrance to the building.

Hudkins stressed the need to hold costs down.

Newport said his firm intends to have drawings to Sampson Construction Company by the end of the month. **NOTE:** Sampson Construction Company serves as Construction Manager at Risk for the project.

Boyd Batterman, Sampson Construction Company, said they have been working with the design team and scoping out bid packages. He cited the following time line:

April 23, 2009	Plans will be completed
May 13, 2009	Pre-bid meeting
June 3, 2009	Bids due, via the electronic bid format

Newport said there has been a great deal of interest in the project and said they expect pricing to be very competitive.

Batterman said they plan to use the Purchasing Department's bidding process.

Hudkins asked Batterman whether he is satisfied with the schedule.

Batterman said the schedule will allow them to start moving dirt around July 4<sup>th</sup>. He estimated that will take 60-90 days and said at the same time they will be ordering the long-lead items, like pre-cast cells.

Stevens asked when the Construction Manager at Risk will provide the Guarantee Maximum Price (GMP).

Batterman indicated it will be before the contractors begin work on the project.

Hudkins voiced concern that steel and concrete costs may increase.

Batterman said he does not anticipate that happening in the near future.

Schorr noted the National Association of County Officials (NACo) is sponsoring a free webinar on understanding funding opportunities in the Energy Efficiency and Conservation Block Grant (EECBG) Program and asked whether it would be beneficial to have a member of the design team sit in.

Newport said he plans to do so. He said the building has many energy efficient elements and said they could do more, but it will add to the cost.

Heier inquired about printing costs for the plans.

Newport said they would like to print about 150 sets (estimated cost is \$80,000). He said it is costly but will generate interest in the project. Newport said they have discussed the matter with the Purchasing Department and said it would be helpful to have direction from the Board.

Hudkins said he would like to see Purchasing take bids on the printing.

Newport said his firm can fund the expense with funds set aside for reimbursables. He added that price and service are considerations and said the low price is not always the best option.

Board consensus was to coordinate the printing through the Purchasing Department.

Also present were Mike Thurber, Corrections Director; and Brad Johnson, Transition Coordinator; and Bob Walla, Assistant Purchasing Agent.

**5 LANCASTER MANOR UPDATE** - Gwen Thorpe, Deputy Chief Administrative Officer and Interim Lancaster Manor Administrator

Gwen Thorpe, Deputy Chief Administrative Officer and Interim Lancaster Manor Administrator, said the census is low and said she is trying to determine whether that is an industry trend. She also reported the following:

- Thorpe and Kim Husmann, Fiscal Services Director, met with representatives of Medi-Bill Systems, the Medicare billing contractor, to discuss communication issues.
- Visitors to the facility are now required to sign-in at the front desk.
- Volunteers are being sought for the gift shop.

Schorr said she and Thorpe met with Bob Walla, Assistant Purchasing Agent, to discuss whether Food Service and Central Supply are utilizing the contracts that Purchasing has in place. She said they are also working with Tom Fox, Deputy County Attorney, on admission policies.

Thorpe also presented a proposal from a Lancaster Manor employee to have a contest to encourage County employees to participate in the Cornhusker State Games (Exhibit E).

**6 UNAUTHORIZED RIGHT-OF-WAY FENCING (7301 SOUTHWEST 56<sup>TH</sup> STREET AND 4500 SALTILLO ROAD) - Ken Schroeder, County Surveyor; Tom Fox, Deputy County Attorney**

Ken Schroeder, County Surveyor, said his department recently became aware that fences have been constructed in the County's right-of-way at 7301 Southwest 56<sup>th</sup> Street and 4500 Saltillo Road (Exhibits F & G). He said the fence on 56<sup>th</sup> Street is wood and extends five feet into the County's right-of-way. The fence on Saltillo Road is plastic and extends eighteen feet into the County's right-of-way.

Schorr noted there are plans to resurface that section of Saltillo Road.

Tom Fox, Deputy County Attorney, said there have been a couple of instances where the County has allowed a property owner to have a fence in the right-of-way provided they signed a license agreement and provided liability insurance coverage.

**MOTION:** Stevens moved to: 1) Send a letter to Stanley J. Tenopir, the owner of property at 7301 Southwest 56<sup>th</sup> Street, informing him that his fence has been constructed in the County's right-of-way and asking that the fence either be moved to his property or that he provide the County with the appropriate liability insurance coverage; and 2) Send a letter to Buckshot Farms, the owner of property at 4500 Saltillo Road, informing them that their fence has been constructed in the County's right-of-way, asking that it be moved to their property and indicating the County will remove the fence if it widens the road.

The motion died for the lack of a second.

Hudkins said he believes the two properties should be treated the same.

**MOTION:** Stevens moved and Schorr seconded to send a letter to the owners of property at 7301 Southwest 56<sup>th</sup> Street and 4500 Saltillo Road informing them that their fences have been constructed in the County's right-of-way and asking them to either move their fences to their own property or provide the County with the appropriate liability insurance coverage.

**FRIENDLY AMENDMENT:** Schorr offered a friendly amendment to notify the property owners that County retains control over future use of the right-of-way.

The maker of the motion accepted the friendly amendment.

**ROLL CALL ON THE MOTION AS AMENDED:** Schorr, Stevens, Hudkins, Workman and Heier voted aye. Motion carried.

**REVIEW OF RURAL TRANSIT BUDGET** - Carol Meyerhoff, Rural Transit Manager; Deb Peck, Community Activities & Services Administrator, Lincoln Area Agency on Aging

Carol Meyerhoff, Rural Transit Manager, gave an overview of the following documents (Exhibits H & I):

- Lancaster County Public Rural Transit 2009-2010 Budget Proposal
- Lancaster Rural Transit Statistical Information

Meyerhoff noted a \$1.00 per hour increase in the driver's salary is proposed (current rate is \$7.50 per hour). She said that is still less than what many transit systems in Nebraska are paying.

Hudkins asked Meyerhoff whether she has had difficulty securing drivers at the current rate.

Meyerhoff said the driver they currently have has been willing to work for that amount but said it is difficult to find quality substitute drivers for that rate.

Hudkins expressed concern that fringe benefits for administrative personnel exceed the total cost for the driver and suggested Meyerhoff look for ways to trim administrative costs. He suggested coordinating with another agency for dispatch or using an automated system for taking reservations.

Workman suggested stepping up marketing efforts by offering those who use the service free passes to share with friends or neighbors.

Schorr noted a constituent has requested a reverse commute.

Meyerhoff said she has some concerns regarding opening the service to Lincoln's population.

Schorr suggested Rural Transit try it as a pilot project to gauge interest.

Meyerhoff said it will require public notice to other transportation providers.

**MOTION:** Hudkins moved and Stevens seconded to authorize the Chair to sign the following documents: 1) Application for Public Transportation Assistance; and 2) Federal Fiscal Year 2009 Certification and Assurances for Federal Transit Administration Assistance Programs. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

**NOTE:** Copies of the documents are attached as Exhibits J and K.

Meyerhoff reported there is an opportunity for the County to receive stimulus funds for two (2) small buses valued at approximately \$50,000 each. She said the buses will provide greater accessibility and will have the capacity for two wheelchairs each. No match funds are required but it will cost \$1,300 per vehicle for camera equipment and lettering on the vehicles.

**MOTION:** Hudkins moved and Workman seconded to apply for stimulus funding for two (2) small buses.

**FRIENDLY AMENDMENT:** Schorr offered a friendly amendment to fund the camera equipment and signage out of the Keno Fund.

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

**ROLL CALL ON THE MOTION AS AMENDED:** Schorr, Stevens, Heier, Workman and Hudkins voted aye. Motion carried.

**7 REIMBURSABLE TRAFFIC TRAINING GRANT APPLICATION  
(NEBRASKA OFFICE OF HIGHWAY SAFETY) - Bill Jarrett, Chief  
Deputy Sheriff; Captain Don Young**

Bill Jarrett, Chief Deputy Sheriff, requested authorization to apply for a traffic training grant offered by the Nebraska Office of Highway Safety. He said the funds will allow the Sheriff's Office to send two of their accident reconstructionists, one of which is Captain Don Young, to a conference in Wisconsin. The conference is necessary to maintain certification for Captain Young and for the deputy who will accompany him to complete the examination for certification. Jarrett noted this is a reimbursement grant. The total requested is \$1,412, which includes transportation, lodging and registration.

**MOTION:** Workman moved and Schorr seconded to authorize the Sheriff's Office to pay for Captain Young and the deputy to attend the conference, with the understanding that the costs will be reimbursed. Hudkins, Workman, Schorr, Stevens and Heier voted aye. Motion carried.

**8 REVIEW OF RURAL TRANSIT BUDGET - Carol Meyerhoff, Rural  
Transit Manager; Deb Peck, Community Activities & Services  
Administrator, Lincoln Area Agency on Aging**

Item was moved forward on the agenda.

**9 REGION V GRANT (DELTA MODEL FOR DRUG COURT) - Kim Etherton, Community Corrections Director**

Kim Etherton, Community Corrections Director, said Region V has approved a \$25,000 grant for a 12-month pilot program that will use components of the Delta Model for drug addiction as part of the Adult Drug Court curriculum. The program will pair Drug Court participants with volunteer role models in the community and have them engage in activities. She said she would like to hire a Staff Services Specialist, as soon as possible, to coordinate the program so that it can coincide with the Matrix model (see March 26, 2009 Staff Meeting minutes).

**MOTION:** Stevens moved and Schorr seconded to authorize Kim Etherton, Community Corrections Director, to proceed with the program and the hiring of a staff person, as outlined. Schorr, Stevens, Hudkins, Workman and Heier voted aye. Motion carried.

**10 ACTION ITEMS**

- A. Microcomputer Request C#53412, \$7,221.79 from Adult Probation Budget for Twenty-Four (24) Microsoft Office 2007 STD Licenses
- B. Letter of Support for Victims of Crime Act Grant from Nebraska Crime Commission

Items A and Be were moved forward on the agenda.

**11 CONSENT ITEMS**

There were no consent items.

**12 ADMINISTRATIVE OFFICER REPORT**

- A. Increase in Homeless Clients at Community Mental Health Center (CMHC)
- B. Correspondence from Federal Emergency Management Agency (FEMA) Regarding Revised Flood Insurance Rate Map (FIRM)
- C. Occupation Tax Amendments

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

**13 PENDING**

There were no pending items.

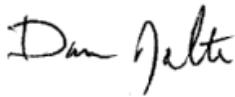
**14 DISCUSSION OF BOARD MEMBER MEETINGS**

- A. Nebraska Innovation Zone Commission (NIZC) - Heier
- B. Lincoln-Lancaster County Ecological Advisory Committee (EAC) - Heier

Items A and B were moved forward on the agenda.

**15 ADJOURNMENT**

**MOTION:** Schorr moved and Workman seconded to adjourn the meeting at 11:05 a.m. Schorr, Stevens, Workman, Hudkins and Heier voted aye. Motion carried.



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Dan Nolte  
Lancaster County Clerk