

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

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

Commissioners Absent: Larry Hudkins

Others Present: Gwen Thorpe, Deputy Chief Administrative Officer
and Interim Lancaster Manor Administrator
Dan Nolte, 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, THURSDAY, JUNE 25, 2009

MOTION: Stevens moved and Workman seconded approval of the June 25, 2009 Staff Meeting minutes. Workman, Stevens, Heier and Schorr voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

A. Jail Update

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

3 LANCASTER MANOR UPDATE - Gwen Thorpe, Interim Lancaster Manor Administrator
(A) Auto Shut-Off Valve Installation Estimate
(B) On-Line Yellow Page Invoice
(C) Public Records Request

Auto Shut-Off Valve Installation Estimate

Gwen Thorpe, Interim Lancaster Manor Administrator, noted the Board approved installation of an automatic isolation valve for the water main, but capped the cost at \$1,000 (see May 28, 2009 Staff Meeting minutes). She said Jerry Allen, Facilities Manager, contacted two of the contracted providers and received an estimate from one, Johnson Controls of Omaha, in the amount of \$3,825.00.

MOTION: Workman moved and Stevens seconded to authorize the expenditure. Schorr, Heier, Stevens and Workman voted aye. Motion carried.

On-Line Yellow Pages Invoice

Thorpe said a member of the staff gave permission for On-Line Yellow Pages to provide advertising services. She said she wants to stop the services but said the County owes for services rendered (approximately \$800).

MOTION: Workman moved and Schorr seconded to: 1) Ask the County Attorney's Office to send a letter to On-Line Yellow Pages asking them to cease services; and 2) Authorize Gwen Thorpe, Interim Lancaster Manor Administrator, to proceed with payment for services rendered. Schorr, Heier, Stevens and Workman voted aye. Motion carried.

Public Records Request

Mike Thew, Chief Deputy County Attorney, said the County has received an extensive public records request for records related to Lancaster Manor and asked the Commissioners to contact him if they have any records within the purview of the request. He added that most of the materials requested are available in TRIM, the County's electronic record keeping system, and can be provided inexpensively in an electronic format.

4 DISCUSSION POINTS ON POTENTIAL SALE OF LANCASTER MANOR (EXECUTIVE SESSION) - Vince Mejer, Purchasing Agent; Dennis Meyer, Budget and Fiscal Officer; Mike Thew, Chief Deputy County Attorney

MOTION: Schorr moved and Workman seconded to enter Executive Session at 8:40 a.m. to discuss the potential sale of real estate. Schorr, Heier, Stevens and Workman voted aye. Motion carried.

MOTION: Stevens moved and Workman seconded to exit Executive Session at 9:30 a.m. Schorr, Heier, Stevens and Workman voted aye. Motion carried.

MOTION: Schorr moved and Stevens seconded to authorize the Chair to send a letter, as drafted by the County Attorney's Office, in response to a request from Kim Kaspar, American Federation of State, County & Municipal Employees (AFSCME) Local #2468 President to meet with the Board.

The Chair said he would prefer that the letter be signed by all members of the Board.

The maker of the motion and the seconder agreed to modify their motion to reflect that signature will be by the full Board.

MOTION: Schorr moved and Stevens seconded to appoint Commissioner Workman to the Negotiating Team and an alternate, if needed. Workman, Stevens, Heier and Schorr voted aye. Motion carried.

5 TOBACCO FREE CAMPUS UPDATE - Sue Eckley, County Risk Manager; Tom Fox, Deputy County Attorney

Tom Fox, Deputy County Attorney, presented a draft resolution in the matter of creating a policy prohibiting smoking in, on, or around property, buildings, building grounds, parking areas, offices, vehicles and equipment owned, leased, or controlled by Lancaster County (Exhibit A).

Sue Eckley, County Risk Manager, said the policy will only apply to County owned facilities as it does not have the endorsement of the City or Public Building Commission (PBC). She noted there are exceptions for Midtown Center clients and approved Lancaster Manor residents. Those individuals may use tobacco products in designated areas on those facilities' grounds.

Gwen Thorpe, Interim Lancaster Manor Administrator, said she believes the exception should apply to all Manor residents.

Workman asked whether an exception should also be made for Crisis Center clients.

Stevens said Dean Settle, Community Mental Health Center Director, has indicated that is not necessary.

A draft of a letter to Kim Kaspar, AFSCME Local #2468 President, was also presented (see Exhibit A). The letter states the County is interested in offering smoking cessation assistance to employees who wish to stop smoking and seeks Kaspar's approval, on behalf of AFSCME members.

MOTION: Stevens moved and Schorr seconded to send the letter with the following modifications: 1) Implementation date will be September 1, 2009, rather than June 1, 2009; and 2) The term limit for the reimbursement will be six (6) months from the date of policy implementation, rather than the end of 2009. Schorr, Heier and Stevens voted aye. Workman voted no. Motion carried.

Also present were David Humm and Brian Baker, Public Health Educators, Lincoln-Lancaster County Health Department.

- 6 BUDGET UPDATE** - Dennis Meyer, Budget and Fiscal Officer
 - A) Microcomputer Budget** - Ken Kuszak, Microcomputer/Network Support Coordinator, Information Services

Microcomputer Budget

Ken Kuszak, Microcomputer/Network Support Coordinator, Information Services, gave an overview of Lancaster County, Microcomputer Requests Fiscal Year (FY) 2010 (Exhibit B).

Dan Nolte, County Clerk, and Todd Duncan, Sheriff's Captain, appeared and provided an explanation of their respective departments' requests.

There was general consensus to approve the requests for the County Clerk, County Extension Office, Records and Information Management and Veterans Service; approve the County Sheriff's request, with the exception of two (2) Touchsmart Business PC's; 1) hold the request from District Court, reduce the County Sheriff's request by two (2) and eliminate three (3) PC's from the County Attorney. The requests for Adult Probation and District Court were held for additional information.

Heier asked whether could any of the requests could be funded through the jail bonds since three of the agencies that submitted requests (District Court, County Sheriff, and County Attorney) perform services related to the jail facility.

Lauren Wismer, Gilmore & Bell P.C. (Bond Counsel), appeared and agreed to research the matter.

Budget Update

Dennis Meyer, Budget and Fiscal Officer, presented Lancaster County, Property Tax Funded Budgets, Fiscal Year (FY) 2010 Requested Compared to Fiscal Year (FY) 2009 Adopted (Exhibit C), noting a net change of \$442,130.

The Board authorized Meyer to send a budget letter to the Rural Fire Districts (see agenda packet). The Board also decided to convene the Budget Monitoring Committee as soon as possible and to schedule additional budget discussion with Dennis Keefe, Public Defender, and Dean Settle, Community Mental Health Center Director.

ACTION ITEMS

- A. Reimbursement of Great Plains Trails Network for Jamaica North Trail (\$12,964.66)

MOTION: Workman moved and Schorr seconded to authorize the reimbursement. Workman, Stevens, Heier and Schorr voted aye. Motion carried.

- 7 JAIL BOND PROCEEDS** - Scott Keene, Ameritas Investment Corporation; Lauren Wismer, Gilmore & Bell P.C. (Bond Counsel)

Scott Keene, Ameritas Investment Corporation, presented Lancaster County Correctional Facility, Surplus Proceeds Expenditure Options (Exhibit D):

Project Cost Expenditure Options:

- 1) Furnishing and equipping the facility
- 2) Expansion of the facility
- 3) Reimbursement of allowable expenses prior to bond issuance

Keene said preliminary expenditures, such as architectural and engineering fees and soil surveys, are reimbursable, provided they occurred within a reasonable period of time prior to the issuance of the bonds. He said land acquisition is excluded.

Schorr asked whether paving to provide access to the facility, road construction, or a stoplight are reimbursable expenses.

Lauren Wismer, Bond Counsel, said those items would be considered part of the project.

Debt Service Expenditure Options:

- 1) Defease portion of outstanding bonds
- 2) Pay portion of debt service over next few years

**8 A) EMERGENCY MEDICAL SERVICES OVERSIGHT UPDATE; AND
B) CITY BUDGET UPDATE** - Rick Hoppe, Administrative Assistant to the Mayor

A) Emergency Medical Services Oversight Update

Rick Hoppe, Administrative Assistant to the Mayor, said the Mayor's plans to put out a Request for Proposals (RFP) to find a group, company or organization to provide medical oversight for emergency medical services will be delayed until later in the year or early next year and EMS, Inc.'s contract for oversight will be extended through August, 2010.

B) City Budget Update

Hoppe discussed the City's outcome-based budgeting process and presented an example of program prioritization (Exhibit E).

9 PARKLAND ESTATES IRRIGATION SYSTEMS - Marvin Krout, Planning Director; Mike DeKalb, Planner

Mike DeKalb, Planner, said County Special Permit No 07039, which provided authority for the Parkland Estates Community Unit Plan, prohibited underground lawn sprinklers and said the developer has requested permission for buyers to install underground drip type irrigation systems instead (Exhibit F). He said the request will be handled through an administrative amendment, unless there is an objection from the Board.

There were no objections to the request.

10 84th & HAVELOCK AVENUE SPECIAL ASSESSMENT DISTRICT - Alan Wood, Lancaster County Agricultural Society Counsel; Ron Snover, Lancaster Event Center Managing Director

Alan Wood, Lancaster County Agricultural Society Counsel, said the Ag Society is requesting the creation of a Special Assessment District to pay the costs related to street improvements at 84th Street and Havelock Avenue (see Exhibit G). He said the Ag Society is required to make the street improvements as a condition of annexation and commercial zoning of the Ag Society's property on the southeast corner of 84th

Street and Havelock Avenue under provisions of the Substitute Memorandum of Understanding (MOU) between the Ag Society and City of Lincoln, dated September 2, 2008. Wood said the Ag Society would like to phase the street improvements because plans for the property north of Havelock Avenue have not been finalized. The cost will be passed on to the commercial development through their lease payments.

MOTION: Schorr moved and Workman seconded to direct the County Attorney's Office to draft a resolution endorsing the creation of a Special Assessment District to pay for street improvements at 84th Street and Havelock Avenue.

In response to a question from Heier, Woods said the Substitute MOU requires the Ag Society to pay \$40,000 to hook into the sewer line that goes south on 84th Street to serve the Region Heights Subdivision. He said the topography would make a lift station necessary so the Ag Society is seeking a waiver of the requirement and will try to hook into the sewer trunk line instead.

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

ADDITIONS TO THE AGENDA

A. Jail Update

Greg Newport, The Clark Enersen Partners, appeared and requested the following amendments to his firm's contract for design of the new jail facility for additional services (Exhibit H):

Amendment No. 001 - Expand the design of the facility to accommodate and additional 112 beds (\$185,500.00)

Amendment No. 002 - Extend construction period administration services to 30 months (\$45,000.00)

Amendment No. 003 - Increase construction meetings to weekly during construction period (\$66,240.00)

Vince Mejer, Purchasing Agent, appeared and recommended the County enter into a lump sum agreement for duration of the project.

MOTION: Workman moved and Stevens seconded to schedule the proposed amendments, as a lump sum, not to exceed agreement, on a regular County Board of Commissioners Meeting agenda. Workman, Stevens, Heier and Schorr voted aye. Motion carried.

11 ACTION ITEMS

- A. Reimbursement of Great Plains Trails Network for Jamaica North Trail (\$12,964.66)

Item was moved forward on the agenda.

12 CONSENT ITEMS

There were no consent items.

13 ADMINISTRATIVE OFFICER REPORT

- A. August 20, 2009 Staff Meeting

There was Board consensus to not hold a Staff Meeting on Thursday, August 20th. A Staff Meeting will be held on Tuesday, August 18th instead.

- B. American Federation of State, County & Municipal Employees (AFSCME) Correspondence (Lancaster Manor Liaison & Negotiations)

Lancaster Manor Liaison

Stevens offered a draft response (Exhibit H) to the letter from Kim Kaspar, AFSCME Local #2468 President asking that Commissioner Schorr step down as liaison to Lancaster Manor and that Commissioner Hudkins, the former liaison, be reinstated.

MOTION: Stevens moved and Workman seconded to send the letter of response.

The Chair said Commissioner Hudkins was informed of the proposed letter of response and indicated he will not sign the letter (see Exhibit I).

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

Negotiations

See Item 4.

- C. Claim for Review: PV227982 from Noxious Weed Control Authority, \$451.00 (Claim includes mileage that is beyond the 90-day time period)

MOTION: Stevens moved and Schorr seconded to handle the claim through the regular claims process. Workman, Stevens, Heier and Schorr voted aye. Motion carried.

14 PENDING

There were no pending items.

15 DISCUSSION OF BOARD MEMBER MEETINGS

A. Juvenile Justice Review Committee - Heier

Heier said Region V has agreed to fund a Licensed Mental Health Practitioner (LMHP) position for the Youth Assessment Center.

B. Lincoln Independent Business Association (LIBA) Monthly Meeting - Stevens, Schorr

Stevens and Schorr said discussion focused primarily on Lancaster Manor, the new jail and the budget.

C. Chamber Coffee - Stevens, Schorr

Stevens and Schorr reported discussion of the following: 1) Jail; 2) Lancaster Manor; 3) Legislation; and 4) Mayor's proposal for a One-Stop Development Services Center.

D. Nebraska Innovation Zone Commission (NIZC) - Heier

No report.

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

Heier said there was a presentation on bio-solids.

F. Mayor's Blue Ribbon Task Force on Healthcare Safety Net - Stevens

No report.

16 ADJOURNMENT

MOTION: Schorr moved and Stevens seconded to adjourn the meeting at 11:31 a.m. Workman, Stevens, Heier and Schorr voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk