

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

Commissioners Present: Bernie Heier, Chair  
Ray Stevens, Vice Chair  
Larry Hudkins

Commissioners Absent: Bob Workman  
Deb Schorr

Others Present: Kerry Eagan, Chief Administrative Officer  
Cori Beattie, Deputy County Clerk  
Dan Nolte, County Clerk  
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:32 a.m. and said Commissioner Schorr's absence is due to attendance at a National Association of County and City Health Officials (NACCHO) Conference.

**AGENDA ITEM**

**1 APPROVAL OF THE STAFF MEETING MINUTES, TUESDAY, JULY 28, 2009**

**MOTION:** Stevens moved and Hudkins seconded approval of the July 28, 2009 Staff Meeting minutes. Hudkins, Stevens and Heier voted aye. Motion carried.

**2 ADDITIONS TO THE AGENDA**

None were stated.

**3 FLU SHOT PROVIDER** - Sue Eckley, County Risk Manager; Kari Wiegert, Risk Management Specialist

Sue Eckley, County Risk Manager, said there is a new provider for the annual flu shots that are offered to employees and requested authorization for a paycheck flyer to give employees advance information regarding the lab location and dates (Exhibit A).

Stevens asked whether shots for the H1N1 flu will be offered.

Eckley said they will not.

**MOTION:** Hudkins moved and Stevens seconded to authorize a paycheck flyer regarding annual flu shots. Hudkins, Stevens and Heier voted aye. Motion carried.

### **ACTION ITEMS**

- A. Set Date for One and Six Year Road and Bridge Improvement Program Public Hearing

Kerry Eagan, Chief Administrative Officer, said he spoke to Don Thomas, County Engineer, and he indicated his request to hold the hearing later in November was to provide sufficient time to meet notice and hearing requirements.

Board consensus was to hold the hearing on November 17<sup>th</sup> at 7:00 p.m.

- B. Microcomputer Request #56268, \$1,137.27 from County Commissioners Information Services Budget for Three (3) Microsoft Office 2007 Pro Licenses for County Treasurer's Office

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

- C. Correspondence from Lancaster County Emergency Medical Services Committee

Board consensus was to schedule discussion with Greg Hall, Rural Emergency Medical Services Committee Chairman, at the time the rural fire district budgets are being discussed.

### **ADMINISTRATIVE OFFICER REPORT**

- A. Meeting with Gable Consulting

Eagan said representatives of Gable Consulting will meet with the County Board Chair, Vice Chair and Mayor on September 16<sup>th</sup> and will give a report on their assessment of the current provision of information services to Lancaster County and a recommendation regarding a County I/S Coordinator position at the September 17<sup>th</sup> Staff Meeting. He noted there will be additional costs associated with their travel to Lincoln.

In response to a request from Hudkins , Eagan said he will schedule discussion of whether to raise the amount which requires a purchase order from \$1,500 to \$5,000, which is the statutory limit, when all five commissioners are present.

B. City-County Common Meeting (Tuesday, August 4, 2009)

Board members suggested presentations on the proposed Horse Park at 84<sup>th</sup> Street and Havelock Avenue and the City's Biosolids Program.

C. Claim for Review: PV 230889 from County Extension Payable to Darren Binder in the Amount of \$1,825.00 (Requires a Contract or Purchase Order) (Exhibit B)

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

**4 AMENDED LOSS OF DRIVING PRIVILEGES POLICY** - Sue Eckley, County Risk Manager; Pat Kant, Personnel Coordinator; Kristy Bauer, Deputy County Attorney

Kristy Bauer, Deputy County Attorney, gave an overview of proposed changes to the Loss of Driving Privileges Policy (see agenda packet). She said the changes will be presented to the Personnel Policy Board on August 6<sup>th</sup>. Bauer said a piece has also been added to the application process to eliminate applicants who are not insurable.

Sue Eckley, County Risk Manager, indicated she will be running annual driver history reports and will make department heads aware if there is a problem with a driver.

**5 JAIL CONSTRUCTION UPDATE** - Chuck Richter, Sampson Construction Company, Inc.; Greg Newport, The Clark Enersen Partners; Mike Thurber, Corrections Director

Greg Newport, The Clark Enersen Partners, said the project is progressing smoothly and said they are in the process of surveying the property.

Chuck Richter, Sampson Construction Company, Inc., said they are moving dirt, shaping contours and getting the building pad ready. He said the project management group is meeting weekly to go over project details and will have a pre-construction meeting with all of the sub-contractors the week of August 10<sup>th</sup>. Richter said they also met with District Energy Corporation (DEC) representatives and will be coordinating efforts with them.

Mike Thurber, Corrections Director, said Jail Standards approved the original plans but has not given final approval to the last 112 beds.

Richter noted the Board approved a Notice of Intent (NOI) regarding the Stormwater Pollution Prevention Plan on June 25<sup>th</sup> but said the wrong form was used. He requested the Chair's signature on the correct form.

Eagan advised the Board to take action to approve signature at a regular County Board of Commissioners Meeting, rather than a Staff Meeting.

Board consensus was to schedule action on the August 4<sup>th</sup> County Board of Commissioners Meeting agenda.

**6 ABANDONED PIONEER CEMETERY MOWING** - Russ Shultz, Noxious Weed Control Authority Superintendent; Tom Fox, Deputy County Attorney

Russ Shultz, Noxious Weed Control Authority Superintendent, presented a draft agreement for the care and maintenance of the Evangelical Cemetery, an abandoned cemetery in Lancaster County (Exhibit C).

Tom Fox, Deputy County Attorney, asked whether the Board wants to waive the insurance requirement, noting there is a hold harmless clause.

There was consensus to waive the requirement and to schedule the agreement on a County Board of Commissioners Meeting agenda for action.

Shultz also presented information regarding sites of phragmites helicopter application (Exhibit D).

Stevens asked Shultz if his department could take care of weed problem on the northwest corner of the intersection of 21<sup>st</sup> and "N" Streets.

**DISCUSSION OF BOARD MEMBER MEETINGS**

A. Lancaster Manor Advisory Committee - Schorr

The meeting was cancelled.

B. Meeting with Mayor - Heier, Stevens

Heier and Stevens reported discussion of the following: 1) Planning Commission appointment; 2) Proposed smoking ban; 3) The cost for the Public Defender to provide legal representation in City cases.; and 4) The County's share of the cost for emergency ambulance services, through the Lincoln Fire Department (LFD), to all areas of the County outside the City limits.

Heier said the Mayor indicated the County's share of the cost this year will be \$95,000.

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

Stevens said there were presentations on the People's Health Center and electronic health records.

**7 CLASSIFIED/UNREPRESENTED EMPLOYEE SALARIES** - Mark Koller, Personnel Director; John Cripe, Classification and Pay Manager; Nicole Gross, Compensation Technician

John Cripe, Classification and Pay Manager, asked how the Board would like to proceed with salaries for the 285 unrepresented employees, 60 excluded employees and four excluded classes that mirror American Federation of State, County & Municipal Employees (AFSCME) positions, but are excluded from union representation. He recommended that employees in the last class receive the same increase as those represented by AFSCME (3.25%).

Heier suggested an increase of 2% for the other employees.

Cripe cautioned against creating too large of a gap between the represented and unrepresented classes.

**MOTION:** Hudkins moved and Stevens seconded to give employees in the four excluded classes that mirror American Federation of State, County & Municipal Employees (AFSCME) positions a 3.25% increase and to give the other classified/unrepresented employees a 2% increase.

The Chair said he spoke to Commissioner Workman and said he supports the 2% increase.

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

## **DISCUSSION OF BOARD MEMBER MEETINGS**

### **D. Lincoln Independent Business Association (LIBA) - Heier, Hudkins**

Hudkins said Lancaster Manor was discussed.

Heier said they were informed there were several applicants for the Planning Commission vacancy.

### **E. Downtown Lincoln Association (DLA) - Stevens**

Meeting was cancelled.

### **F. Lancaster County Correctional Facility Joint Public Agency (JPA) - Heier, Stevens**

Stevens said the JPA approved \$3,200,000 in reimbursements to Lancaster County for jail expenses that were paid prior to the bonds being issued. Claims were also approved, including the design for an 112 additional beds.

### **G. General Assistance (GA) Monitoring Committee - Workman, Stevens**

Stevens said claim statistics were presented.

## **8 BUDGET UPDATE - Dennis Meyer, Budget and Fiscal Officer**

Dennis Meyer, Budget and Fiscal Officer, noted several questions were raised during discussion of the budget at the July 28<sup>th</sup> Staff Meeting. The first was related to whether the County could amortize a spend-down of excess assets over four years, rather than five. He said he contacted Milliman USA, the County's insurance consultant, and they agreed to calculate the difference. Meyer was also asked to check how much of the rural library allocation is related to capitol improvements. He said he contacted Pat Leach, Lincoln City Libraries Director, and she agreed to check and report back by next week.

### **Lancaster Manor**

Meyer said Gwen Thorpe, Interim Lancaster Manor Administrator, has identified approximately \$400,000 in expenditure reductions, possibly through layoffs. He said he calculated how much of the jail bond proceeds would need to be pulled into the General Fund, then transferred to the Manor, to balance the budget (\$1,402,123) and said he will adjust the proposed budget accordingly.

In response to a question from Hudkins, Meyer said the funds will not be transferred to the Manor until needed. He added that a motion will be required to move forward with the reductions.

Heier said he is not "sold" on the idea of transferring jail bond proceeds and said he is leaning more towards a tax increase to support the facility.

**9 POTENTIAL LITIGATION** - Tom Fox, Deputy County Attorney

**MOTION:** Stevens moved and Hudkins seconded to enter Executive Session at 9:55 a.m. for discussion of potential litigation and the potential sale of Lancaster Manor. Hudkins, Stevens and Heier voted aye. Motion carried.

**MOTION:** Stevens moved and Hudkins seconded to exit Executive Session at 10:45 a.m. Hudkins, Stevens and Heier voted aye. Motion carried.

**10 VIOLENCE AGAINST WOMEN ACT (VAWA) GRANT** - Bill Jarrett, Chief Deputy Sheriff; Captain Ben Houchin

Captain Ben Houchin, requested authorization to submit an application to the Nebraska Crime Commission for a Violence Against Women Act (VAWA) Grant. He noted the Sheriff's Office is also participating in a VAWA STOP (Services\*Training\*Officers \*Prosecutors) Program Grant. Houchin said a 3 to 1 match is required but said it can be in-kind services.

**MOTION:** Stevens moved and Hudkins seconded to authorize submission of the grant application, with signature by either the Chair or Vice Chair. Hudkins, Heier and Stevens voted aye. Motion carried.

**11 FIRING RANGE SIMULATOR PURCHASE** - Bill Jarrett, Chief Deputy Sheriff; Vince Mejer, Purchasing Agent; Bob Walla, Assistant Purchasing Agent; Tom Fox, Deputy County Attorney

Tom Fox, Deputy County Attorney, said there were two responses to the Request for Proposals (RFP) for a firing range simulator: 1) Ti Training of Denver, Colorado; and IES Interactive Training of Ann Arbor, Michigan. He said Ti Training was the low bidder and said the two bidders are currently involved in litigation related to patent infringement. Fox said two members of the Sheriff's Office toured IES' training facilities prior to beginning the RFP process and said they would like to tour Ti's training facilities as well. He said the bidders would normally come to Lincoln for interviews/demonstrations.

Bill Jarrett, Chief Deputy Sheriff, said that is not necessary. He said both companies sell the system his department is interested in and said his main concern is that whichever company is selected remains in business to support the system.

Heier said he wants it noted for the record that funds for the simulator came from an anonymous source.

Jarrett also expressed concern that his office did not have representation on a committee that reviewed the RFP responses.

Bob Walla, Assistant Purchasing Agent, assured the Board that standard purchasing procedures have been followed and said Jarrett received the same information as the committee.

**MOTION:** Hudkins moved and Stevens seconded to allow the Sheriff's Office to send two (2) representatives of the Sheriff's Office to tour Ti Training's facilities in Denver, Colorado and to bring back a recommendation. Hudkins, Stevens and Heier voted aye. Motion carried.

**12 LANCASTER MANOR POTENTIAL SALE (EXECUTIVE SESSION) -**  
Vince Mejer, Purchasing Agent

See Item 9.

**13 VISITORS PROMOTION COMMITTEE (VPC) RECOMMENDATION REGARDING PAYMENT OF BID FEES -** Steve Hilton, Visitors Promotion Committee (VPC) Chair; Jeff Maul, Lincoln Convention and Visitors Bureau (CVB) Executive Director

Steve Hilton, Visitors Promotion Committee (VPC) Chair, requested that County Visitors Improvement Fund proceeds for the period of July, 2008 through June, 2009 be released to the Lincoln Convention and Visitors Bureau (CVB) for visitor promotion (Exhibit E). The total amount requested is \$244,530. He said the funds will be used for payment of bid fees to attract events (see list in agenda packet).

Hudkins noted the events are heavily sports related and asked whether there are funds available for other conventions such as FFA (agricultural education).

Jeff Maul, CVB Executive Director, said funds for other events are available in another area of their budget. He said they are working on a number of events, several of which are ag related.

Board consensus was to schedule a resolution authorizing the use of the County Visitors Improvement Fund proceeds for visitor promotion on the August 4, 2009 County Board of Commissioners Meeting agenda.

#### **14 ACTION ITEMS**

- A. Set Date for One and Six Year Road and Bridge Improvement Program Public Hearing
- B. Microcomputer Request #56268, \$1,137.27 from County Commissioners Information Services Budget for Three (3) Microsoft Office 2007 Pro Licenses for County Treasurer's Office
- C. Correspondence from Lancaster County Emergency Medical Services Committee

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

#### **15 CONSENT ITEMS**

There were no consent items.

#### **16 ADMINISTRATIVE OFFICER REPORT**

- A. Meeting with Gable Consulting
- B. City-County Common Meeting (Tuesday, August 4, 2009)
- C. Claim for Review: PV 230889 from County Extension Payable to Darren Binder in the Amount of \$1,825.00 (Requires a Contract or Purchase Order)

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

#### **17 PENDING**

There were no pending items.

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

- A. Lancaster Manor Advisory Committee - Schorr
- B. Meeting with Mayor - Heier, Stevens
- C. Mayor's Blue Ribbon Task Force on Healthcare Safety Net - Stevens
- D. Lincoln Independent Business Association (LIBA) - Heier, Hudkins
- E. Downtown Lincoln Association (DLA) - Stevens

- F. Lancaster County Correctional Facility Joint Public Agency (JPA) - Heier, Stevens
- G. General Assistance (GA) Monitoring Committee - Workman, Stevens

Items A-G were moved forward on the agenda.

## **19 ADJOURNMENT**

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

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Dan Nolte  
Lancaster County Clerk