

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 3, 2010
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.**

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

Others present: Gwen Thorpe, Deputy Chief Administrative Officer
Tom Fox, Deputy County Attorney
Cori Beattie, Deputy County Clerk
Angela Zocholl, County Clerk's Office

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 9:30 a.m.

1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, July 27, 2010.**

MOTION: Hudkins moved and Stevens seconded approval of the minutes. Hudkins, Stevens and Heier voted aye. Workman abstained. Motion carried 3-0. (Schorr absent from vote.)

2) **CLAIMS: Approval of all claims processed through Tuesday, August 3, 2010.**

MOTION: Workman moved and Hudkins seconded approval of the claims. Hudkins, Workman, Stevens and Heier voted aye. Motion carried 4-0. (Schorr absent from vote.)

3) **SPECIAL PRESENTATION:**

A. Special Olympics Report – Doug Ahlberg, Lancaster County Emergency Management Director, and Jeff Maul, Convention & Visitors Bureau Executive Director. (See Item 5A for correlating documentation.)

Commissioner Schorr entered the meeting.

Doug Ahlberg gave an overview of the County's involvement in the 2010 Special Olympics. He noted the number of volunteer hours by County employees. Ahlberg said Emergency Management provided vehicles for non-emergency transports. There were 927 medical incidents during the week, resulting in 237 transports. He stated 35 ham radio operators spent a total of 564 hours running the communications network. Ahlberg said Emergency Management also supplied old FEMA trailers at three venues to cool down the athletes. Members present from the Lincoln Amateur Radio Club and Emergency Operations Center Volunteer Staff were introduced. The Board thanked the volunteers for their work.

3) **SPECIAL PRESENTATION CONTINUED:**

Jeff Maul thanked everyone involved and shared some statistics from the event.

- National corporations donated 170 Cessna aircrafts and transported 800 athletes to and from the games.
- Over 3,000 athletes participated with 750 coaches.
- There were 4,900 medals awarded.
- Around 8,500 volunteer jobs were filled with 11,000 people offering to volunteer. Of those, 1,100 volunteers were from out of state.
- There were 15,000 family members and friends and 25,000 spectators.
- Over 40 corporations in Lincoln and over 75 in Nebraska donated time and money.
- The Convention and Visitors Bureau staffed 10 information tables at various sites.
- The games were documented by 50 students from the College of Journalism, as well as 5 City TV.

Heier asked who outfitted the athletes. Maul said the Lincoln Journal Star raised a lot of money, but several other corporations helped as well. The Board commended Maul for his work. Schorr asked if the Special Olympics would return. Maul said the games may be held on one of the coasts in 2014, but Lincoln is interested in staying in the rotation.

The Deputy Clerk read the resolution for the record.

4) **OLD BUSINESS:**

- A. **An amendment to an assistance agreement between the U.S. Department of Energy and Lancaster County, on behalf of the Lancaster County Adult Correctional Facility, found at County Contract No. C-10-0188, for a grant in the amount of \$110,300, which will fund the development of an energy efficiency and conservation strategy. The amendment replaces the terms and conditions, updates the project activity worksheets, replaces the reporting requirements, adds wage determination and approved strategy and provides notification that project activities are approved by the National Environmental Protection Agency (NEPA). (C-10-0375)**

Item was held per request of the County Attorney's Office.

5) **NEW BUSINESS:**

- A. **A resolution in the matter of recognizing volunteers for the 2010 National USA Special Olympics Games. (R-10-0061)**

MOTION: Hudkins moved and Stevens seconded approval of the resolution. Schorr, Stevens, Hudkins, Workman and Heier voted aye. Motion carried 5-0.

- B. **A resolution in the matter of Street Name Change No. 10002 to name the new connector from S. 148th Street to Highway 2 as "Hooper Road" and to rename a portion of the extension of S. 158th Street now identified as "relocated S. 162nd Street" on the County sectional maps as "S. 158th Street." (R-10-0059)**

5) **NEW BUSINESS CONTINUED:**

MOTION: Schorr moved and Stevens seconded approval of the resolution. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried 5-0.

- C. **A resolution in the matter of approving the 2010-2011 annual cost of living increase for unrepresented classified County employees in the amount of 1% for employees in the "C" and "E" classifications and 3½% for employees in the "X" classification, effective the pay period beginning August 12, 2010. (R-10-0060)**

Bill Jarrett, Chief Deputy Sheriff, submitted and read a letter from Sheriff Terry Wagner, regarding his disapproval of the 1% raise for unrepresented employees (Exhibit A). Jarrett submitted a letter from "The Unrepresented Employees" of the Lancaster County Sheriff's Office, regarding their disapproval of the 1% raise (Exhibit B). The Deputy Clerk read the letter for the record. Jarrett suggested revisiting sick leave cap and retirement payout to compensate for less raise. Workman questioned the number of people affected and costs involved. Schorr said for each 1% raise, salary cost increases \$175,000 in "C" class and \$27,000 in "E" Class. Workman noted total cost would be around \$500,000. Hudkins discussed pay decreases in major corporations. He said property valuations are not final, so the tax base is not yet known. Heier said the Board is trying to find ways to cut costs to avoid raising taxes. Stevens said a 1% raise was better than the other options of 0% and ½% which the Board had considered. Schorr stated final decisions have not been made on changing insurance deductibles or co-pays, noting some changes could increase benefits such as generic drug cost decreasing from \$15 to \$4. Workman said he hoped the pay scale would become more equal for all employees and the Board would consider this in future negotiations. Don Thomas, County Engineer, expressed his concern over the disparity in the class raises and the multi-year AFSCME contract.

MOTION: Hudkins moved and Schorr seconded approval of the resolution. Workman, Schorr, Hudkins, Stevens and Heier voted aye. Motion carried 5-0.

- D. **A special designated license application from Ken's Liquor, Inc., to provide liquor beverage service for an event at Country Pines, 6305 W. Adams Street, Lincoln, Lancaster County, Nebraska, on Saturday, August 14.**

MOTION: Schorr moved and Hudkins seconded approval of the special designated license application. Schorr, Hudkins, Stevens, Workman and Heier voted aye. Motion carried 5-0.

- E. **A special designated license application from Lancaster Event Center, to provide liquor beverage service for an event at 4100 N. 84th Street, Lincoln, Lancaster County, Nebraska, on Saturday, August 28.**

MOTION: Stevens moved and Hudkins seconded approval of the special designated license application incorporating the recommendations from the County Sheriff.

Stevens said the Sheriff's letter indicated the event time of 9:00 a.m. to 12:00 a.m., noting the Lancaster Event Center would be required to have two deputies assigned the entire time if the Sheriff's recommendations were incorporated. Hudkins said often early times include setup time since the alcohol is already on the premises. Stevens noted the Sheriff's recommendation covered serving time until one hour later.

5) **NEW BUSINESS CONTINUED:**

ROLL CALL: Hudkins, Stevens, Schorr, Workman and Heier voted aye. Motion carried 5-0.

- F. **A political subdivision tort claim filed against Lancaster County by Mark Ellis for damaged property in the amount of \$968.64.**

MOTION: Stevens moved and Schorr seconded denial of the tort claim.

Workman asked Tom Fox, Deputy County Attorney, to update him on the claim since he had been absent during previous discussion. Fox explained the claim involved a collision between a Sheriff's Department car and another car. He said the claim needed to be filed within one year of the incident and did not meet the deadline. Fox said the item was filed in a timely manner previously by the insurance company but it had been denied by the County Board.

ROLL CALL: Hudkins, Stevens, Schorr, Workman and Heier voted aye. Motion carried 5-0.

- G. **A unit price agreement between Pioneer Overhead Door, Inc., the City of Lincoln, Lancaster County and the Lincoln-Lancaster County Public Building Commission, for overhead door and accessory repair and replacement. The County will pay for the products and services on an as needed basis according to the pricing as listed in the contractor's proposal. Term of the contract shall be three years from the date of execution. (C-10-0380)**

MOTION: Hudkins moved and Stevens seconded approval of the agreement. Schorr, Hudkins, Workman, Stevens and Heier voted aye. Motion carried 5-0.

- H. **A unit price agreement between Raynor Doors of Nebraska, Inc., the City of Lincoln, Lancaster County and the Lincoln-Lancaster County Public Building Commission, for overhead door and accessory repair and replacement. The County will pay for the products and services on an as needed basis according to the pricing as listed in the contractor's proposal. Term of the contract shall be three years from the date of execution. (C-10-0381)**

MOTION: Stevens moved and Workman seconded approval of the agreement. Workman, Schorr, Stevens, Hudkins and Heier voted aye. Motion carried 5-0.

- I. **An appraisal contract between the County Engineer and Great Plains Appraisal, Inc., in the amount of \$550, for appraisal services in connection with Project No. C55-KP-412(1), located at S. 98th Street. (C-10-0382)**

MOTION: Schorr moved and Stevens seconded approval of the contract. Schorr, Stevens, Hudkins, Workman and Heier voted aye. Motion carried 5-0.

- J. **Change order supplemental agreement No. 2 with Pavers, Inc., found at County Contract No. C-10-0136, for an increase of \$9,153.10 for Arbor Road grading and paving; Project No. C55-G-408(3). (C-10-0383)**

5) **NEW BUSINESS CONTINUED:**

MOTION: Hudkins moved and Workman seconded approval of the change order. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried 5-0.

- K. **A consulting services agreement with Aon Risk Services Central, Inc., to provide employee benefit consulting services for insurance programs. The County will pay a total of \$16,000 for the services listed in Exhibit A of the agreement. Term of the agreement is June 1, 2010, to May 31, 2011. (C-10-0384)**

MOTION: Stevens moved and Schorr seconded approval of the agreement. Workman, Schorr, Stevens and Heier voted aye. Hudkins voted nay. Motion carried 4-1.

- L. **Acceptance of a bid for the sale of County surplus property generally located at 2331 S. 47th Street, Lincoln, Lancaster County, Nebraska, legally described as Seymour Addition, Lot 36, excluding the East 134.09 feet, in the amount of \$100, and a quitclaim deed for said property from Lancaster County as grantor to Chad Fickes and Meredith Fickes, husband and wife, as grantees.**

MOTION: Hudkins moved and Stevens seconded approval of the bid and the quitclaim deed.

Hudkins noted the property could go back on the taxroll since the County would no longer own it.

ROLL CALL: Schorr, Hudkins, Stevens, Workman and Heier voted aye. Motion carried 5-0.

- M. **A mini-grant contract application and award from the Nebraska Office of Highway Safety, in the amount of \$3,696, for overtime enforcement in the "You Drink & Drive. You Lose." crackdown from August 20-September 6, 2010.**

MOTION: Workman moved and Stevens seconded approval of the application and award. Hudkins, Stevens, Schorr, Workman and Heier voted aye. Motion carried 5-0.

- 6) **CONSENT ITEMS:** *These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:*

- A. **Receive and place on file the Annual Inventory of County Real Property.**
- B. **Setting of a public hearing for Tuesday, August 17, 2010, at 9:30 a.m., in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building, regarding County Special Permit No. 07024B, requested by Gregory and Heidi Rettele, for authority to locate and occupy a mobile home while building a permanent residence on property generally located at SW 14th Street and W. Olive Creek Road.**

6) **CONSENT ITEMS CONTINUED:**

- C. **Setting of public hearings for Tuesday, August 24, 2010, at 9:30 a.m., in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building, regarding the following:**
1. **Amendment of Sections VI and XV of County Resolution No. 03-0007, Regulations for the Operation of Body Art and Piercing Establishments in Lancaster County, Nebraska, by increasing various fees (on file with County Clerk's Office).**
 2. **Amendment of Section XIII of County Resolution No. 02-0030, Procedures for the Regulation of On-Site Wastewater Treatment Systems in Lancaster County, Nebraska, by increasing various fees (on file with County Clerk's Office).**
 3. **Amendment of Section X of County Resolution No. 06-0005, Procedures for the Inspection of On-Site Water Supply Systems and On-Site Wastewater Treatment Systems Prior to the Sale, Transfer or Conveyance of Property in Lancaster County, Nebraska, by increasing various fees (on file with County Clerk's Office).**
 4. **Amendment of Resolution No. 5069, the Lancaster County Air Pollution Control Resolution, to increase the fee for open burning permits charged to business and industry (on file with the County Clerk's Office).**

MOTION: Stevens moved and Schorr seconded approval of the consent items. Hudkins, Stevens, Schorr, Workman and Heier voted aye. Motion carried 5-0.

7) **PUBLIC COMMENT:**

John Austin addressed miscellaneous items, including doors on the County-City Building, the Lancaster Manor sale and multiple contracts going before the County Board.

8) **ANNOUNCEMENTS:**

- A. **The Lancaster County Board of Equalization will review 2010 property valuation protest appeals on Tuesday, August 3, 2010, beginning at 10:30 a.m., and Thursday, August 5, 2010, beginning at 1:00 p.m., in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building.**
- B. **The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, August 5, 2010, at 8:30 a.m., in Room 113 on the first floor of the County-City Building.**
- C. **The Lancaster County Board of Commissioners meeting is broadcast live at 9:30 a.m., on Tuesdays and rebroadcast at 1:30 p.m., and 6:30 p.m., as well as on Saturday afternoon on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on Nebraska On Demand Time Warner Channel 101 and is available on the internet 24 hours a day at www.lancaster.ne.gov. Click on 5 City-TV Video on Demand.**

9) **ADJOURNMENT:**

MOTION: Stevens moved and Hudkins seconded to adjourn the Board of Commissioners meeting at 10:23 a.m. Schorr, Hudkins, Workman, Stevens and Heier voted aye. Motion carried 5-0.

/s/Cori Beattie

Cori Beattie
Lancaster County Deputy Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, AUGUST 3, 2010
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE LANCASTER COUNTY
BOARD OF COMMISSIONERS MEETING**

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

Others present: Scott Gaines, Deputy County Assessor/Register of Deeds
Gwen Thorpe, Deputy Chief Administrative Officer
Tom Fox, Deputy County Attorney
Cori Beattie, Deputy County Clerk
Angela Zocholl, County Clerk's Office

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 10:23 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, July 27, 2010.**

MOTION: Schorr moved and Stevens seconded approval of the minutes. Schorr, Stevens, Hudkins, Workman and Heier voted aye. Motion carried 5-0.

2) **ADDITIONS AND DEDUCTIONS: Approval of 29 additions and deductions to the tax assessment rolls per Attachments "A" and "B".**

MOTION: Workman moved and Stevens seconded approval of the additions and deductions. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried 5-0.

3) **ADJOURNMENT:**

MOTION: Workman moved and Schorr seconded to adjourn the Board of Equalization meeting at 10:24 a.m. Workman, Schorr, Hudkins, Stevens and Heier voted aye. Motion carried 5-0.

/s/Cori Beattie

Cori Beattie
Lancaster County Deputy Clerk

Office of the Sheriff Lancaster County

Terry T. Wagner
Sheriff

William E. Jarrett
Chief Deputy

575 S. 10th Street, Lincoln, Nebraska 68508-2869
Phone (402) 441-6500 Fax (402) 441-8320



August 2, 2010

Bernie Heier, Chair
Lancaster County Board of Commissioners
555 South 10th
Lincoln, NE 68508

Dear Mr. Heier,

I am writing to express my disappointment in the cost of living raises the Board approved for Unrepresented employees of Lancaster County. I apologize for being unable to attend last Thursday's staff meeting to voice my disapproval.

I was disappointed last year with the Board's decision to give this class of employees a 2% raise when AFSCME received a 3.25% raise. This year AFSCME receives 3 1/2% while the Unrepresented employees will receive 1%. As I stated last year, the reason these employees are unrepresented is because they do not have the "community of interest", required of the classifications in AFSCME. These employees are the most trusted employees in our offices. It is because of their positions of trust they are excluded from being a member of AFSCME. It appears the Board is punishing our most responsible employees for their increased level of responsibility. The result of your treatment of this class of employees could very well be the formation of another bargaining group.

I am also aware of discussion regarding insurance co-pay, increased deductibles and increased employee premiums. Depending upon the amounts of these various items, any raise for the Unrepresented employees would be negated by the increases in health insurance costs.

I am acutely aware of the budget issues facing Lancaster County, but penalizing this group of employees because they have no voice to speak collectively for them "because you can", is a poor way to treat these most trusted employees. Perhaps providing the Unrepresented employees with a non-monetary benefit such as lifting the cap on their sick leave accrual may soften the blow you are dealing these employees.

I would urge the Board to reconsider the cost of living raises for the Unrepresented employees and perhaps give consideration to non-monetary benefits for these trusted employees.

Sincerely,

Terry T. Wagner
Lancaster County Sheriff

August 02, 2010

Mr. Bernie Heier, Chair
Lancaster County Board of Commissioners
555 So. 10th Street
Lincoln, NE 68508

Re: Unrepresented employees cost of living raise(s)

Dear Mr. Heier,

We, the Unrepresented Employees of the Lancaster County Sheriff's Office, would offer an opinion in reference to the 2% cost of living raise we received last year and the 1 % that we will be receiving this year.

First, we do recognize there is a recession and you are asking for zero budget submissions from the County Offices. That being said, I would remind you that we also have bills and have to readjust our way of living to compensate this same recession.

Second, we are also aware that AFSCME (3.5%) contract personnel and the FOP (3%) will be receiving their bargained raises and this too, is fair. However, we Unrepresented Employees have no one to bargain for us, therefore we are the ones penalized and receive the least amount of raise. I hope that you realize that we Unrepresented Employees are the most trusted and long term of the county employees, and are usually in positions of a greater responsibility than most. Additionally, employees still on steps will get a total of 8.5% - 8% raise in pay (respectively) for the year.

On top of only receiving the 1% raise, we may possibly be requested to take furlough days. Just one day of furlough will pretty much take care of the 1% raise. We have also been told our portion of the insurance premiums will probably go up. If this is the case, then we who only receive 1% (2%) raises will be going backwards for pay. In light of that fact, we are thankful that we do have employment, but again – we do not feel we should be asked to pay for the budget shortfall.

We too have bills to pay and budgets to adhere to, and feel the Board of Commissioners should take this into account. You should not be able to put the weight of the County budget shortfall on the backs of your most trusted employees. Surely, giving us the 3.5% raise same as AFSCME is not going to make that much difference in the overall budget. Thank you for your time and consideration.

“The Unrepresented Employees” of the Lancaster County Sheriff's Office