

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, JANUARY 21, 2010
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
Dan Nolte, County Clerk
Cori Beattie, Deputy 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,
JANUARY 14, 2010**

MOTION: Stevens moved and Workman seconded approval of the January 14, 2010 Staff Meeting minutes.

It was noted that the minutes of the Board's meeting on January 14, 2010 with representatives of Lancaster County's villages were also included in the agenda packet.

The maker of the motion and the seconder clarified that their motion includes approval of the minutes of the Lancaster County Board of Commissioners meeting on January 14, 2010 with representatives of Lancaster County's villages.

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

2 ADDITIONS TO THE AGENDA

None were stated.

3 LEGISLATIVE UPDATE - Gordon Kissel and Joe Kohout, Kissel/E&S Associates (Legislative Consultants)

Gordon Kissel, Legislative Consultant, gave a legislative update (Exhibit A). One of the bills he discussed was Legislative Bill (LB) 983 (Provide a rate of payment for certain medical services in emergency protective custody situations). Kissel said the hospitals oppose the bill. Heier said the Nebraska Association of County Officials (NACO) supports the bill. Joe Kohout, Legislative Consultant, said Douglas County has also indicated interest in the bill.

ADMINISTRATIVE OFFICER REPORT

D. Contract with Bryan/LGH Health System for Inmate and Emergency Protective Custody (EPC) Medical Care

Kerry Eagan, Chief Administrative Officer, said Bryan/LGH Health System would like to enter into negotiations to extend the existing contract and said he believes that is a better proposition than counting on passage of LB 983. He suggested Mike Thurber, Corrections Director, and Dennis Meyer, Budget and Fiscal Officer, serve on the negotiating committee and indicated he would be willing to assist as well.

RETURNING TO ITEM 3

Michelle Schindler, Youth Services Center (YSC) Director, appeared and asked Kissel to monitor LB 800 (Provide methods of early intervention for children at risk).

Scott Gaines, Chief Administrative Deputy Assessor/Register of Deeds, appeared and discussed the fiscal impact of LB 692 (Change a duty of county assessors relating to real property valuation).

Schorr noted the Board received correspondence from Gary Chalupa, Veterans Service Officer/General Assistance (GA) Director, regarding LB 940 (Amend the Welfare Reform Act to require drug screening for cash assistance benefits).

Chalupa appeared and said the bill only affects the Nebraska Department of Health and Human Services (HHS) but said he is concerned there may be a "trickle down" effect. He also suggested that LB 226 (Change the age of majority to eighteen years of age for certain purposes) be monitored, as it may impact GA.

Eagan said Travis Parker, Community Mental Health Center (CMHC) Deputy Director, plans to testify on LB 702 (Change provisions relating to a patient's access to medical records). He also reported on the following legislation:

- LB 304 (Change limitation of action provisions under the Political Subdivisions Tort Claims Act)

- LB 687 (Change amounts of homestead allowance, exempt property and family allowance for decedents' estates)

Vince Mejer, Purchasing Agent, appeared and discussed how LB 925 (Require employment of Nebraska laborers for public works projects during excessive unemployment) could impact the County.

Kissel was provided with a copy of the Nebraska Association of County Officials' (NACO's) position on legislative bills.

ACTION ITEMS

- A. Microcomputer Requests:
 - 2. C#60180, \$2,496.97 from Community Corrections Budget for a Notebook PC and Software

Board consensus was to hold the item for further information.

ADMINISTRATIVE OFFICER REPORT

- A. City-County Common Meeting Agenda (February 1, 2010)

It was noted that Kit Boesch, Human Services Administrator, plans to brief the Common on a change in the way Joint Budget Committee (JBC) dollars are allocated.

- B. Thank You Letter to Elected Officials Salary Review Committee

MOTION: Stevens moved and Hudkins seconded approval, with inclusion of a language to indicate the Board adopted the Elected Officials Salary Review Committee's recommendations. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

- C. Committee Assignments

The Board reviewed the list of committee assignments (see agenda packet) and made the following changes in assignments:

- Region V Governing Board was moved from Schorr to Workman
- Public Building Commission (PBC) was moved from Workman to Schorr
- Nebraska Innovation Zone Commission (NIZC) was moved from Heier to Hudkins

NOTE: At the conclusion of the meeting, it was indicated that assignment to the Budget Monitoring Committee would move from Stevens to Schorr.

Discussion also took place regarding whether it is appropriate to continue the Lancaster Manor Advisory Committee since ownership and operation of the facility has transferred to another entity.

MOTION: Schorr moved and Hudkins seconded to notify Keith Fickenscher, Lancaster Manor Rehabilitation Center Administrator, and members of the Lancaster Manor Advisory Committee that the Board is disbanding the committee, due to the change in ownership.

Schorr said Fickenscher could reinstitute the committee, with the same membership, if he so chooses.

Eagan suggested it would be more appropriate to have Schorr attend the Committee's next meeting and explain it to them in person.

Stevens said he believes the committee still has value and would like them to make periodic reports to the Board on operational changes at the facility.

The maker of the motion and the seconder withdrew their motion. Schorr said she will attend the Committee's next meeting and to get a feel on how to proceed.

4 PROPOSED REVISION FOR GENERAL ASSISTANCE (GA) GUIDELINES - Gary Chalupa, Veterans Service Officer/General Assistance (GA) Director

Gary Chalupa, Veterans Service Officer/General Assistance (GA) Director, gave an overview of proposed revisions to the General Assistance (GA) Guidelines (Exhibit B).

The following changes were suggested:

- Require applicants to submit at least one form of picture identification (Chapter 1, Section 1:200)
- Eliminate the word limited from the term medical coverage relating to automotive/motorcycle insurance (Chapter 2, Section 2:103)
- Lower the maximum rent rates (Chapter 2, Section 2:203)
- Add a statement that income in-kind will not be allowed to supplement rent/shelter payments (Chapter 2, Section 2:203)

MOTION: Hudkins moved to: 1) Preliminarily accept the proposed revisions, with the stipulation that the maximum rent rate be set as follows: \$375 per month for a family with one (1) member; \$400 per month for a family with two (2) members; \$450 per month for a family with three (3) members; and \$500 per month for a family with four (4) or more members; and 2) Ask Gary Chalupa, Veterans Service Officer/General Assistance (GA) Director, to bring them forward to a County Board of Commissioners Meeting.

The motion died for the lack of a second.

MOTION: Hudkins moved and Stevens seconded to ask Gary Chalupa, Veterans Service Officer/General Assistance (GA) Director, to bring the proposed revisions forward to a County Board of Commissioners Meeting, with the other changes that were suggested. Schorr, Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

5 JAIL DIVERSION EVALUATION CONTRACT WITH JIM ADDY - Tom Fox, Deputy County Attorney

Tom Fox, Deputy County Attorney, asked whether the Board is willing to waive the general liability insurance requirement for the contract.

MOTION: Workman moved and Stevens seconded to waive the requirement. Stevens, Schorr, Workman, Hudkins and Heier voted aye. Motion carried.

ADMINISTRATIVE OFFICER REPORT

E. Release of Legal Opinion Regarding Care of Medically Indigent

Eagan said the Douglas County Attorney's Office has requested a copy of the opinion.

MOTION: Workman moved and Hudkins seconded to authorize release of the legal opinion. Hudkins, Workman, Schorr, Stevens and Heier voted aye. Motion carried.

H. Notification from Gwen Thorpe, Deputy Chief Administrative Officer, Regarding Return from Leave of Absence

Eagan said Thorpe would like to return to her position as Deputy Chief Administrative Officer on February 1, 2010.

There was no objection to the request.

I. Criminal Court Case Search Tool

MOTION: Stevens moved and Hudkins seconded to authorize Information Services (IS) to spend up to \$6,500 out of its budget to integrate the criminal court case search criteria with the County Attorney's new case management system. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

J. Outside Legal Opinion Regarding Transfer of Voluntary Employee Beneficiary Association (VEBA) Assets to an Internal Revenue Service (IRS) Code, Section 115 Trust

Eagan said an outside legal opinion is not needed at this time.

K. Highway 34 and Northwest 12th Street Bridge Meeting Update

Eagan said he attended the meeting and said City Councilman John Spatz will address the Board on this issue at the next Staff Meeting.

6 SHERIFF DEPUTY VOLUNTEERS FOR SPECIAL OLYMPICS - Terry Wagner, Lancaster County Sheriff; Bill Jarrett, Chief Deputy Sheriff

Bill Jarrett, Chief Deputy Sheriff, said the individual heading up security for the 2010 Special Olympics, which will be held in Lincoln, has asked law enforcement officers to assist with security. He said Tom Casady, Lincoln Chief of Police, has agreed to allow his officers to volunteer for the security detail and to be in uniform.

Terry Wagner, Lancaster County Sheriff, said having law officers volunteer is beneficial but cautioned there is potential for liability.

Jarrett added no problems are anticipated.

There was no objection to the request.

DISCUSSION OF BOARD MEMBER MEETINGS

A. Information Services Policy Committee (ISPC) - Stevens

Stevens said they discussed Voice over Internet Protocol (VoIP) and the Lancaster Manor transition. He also reported that PC's the State supplied to the County Attorney's Office for their Child Support Program are being returned to the State and said the State has offered to sell them back to the County for \$125 apiece. Stevens said Information Services (IS) does not believe they are worth that much.

Gary Lacey, County Attorney, appeared and said the State has revised their offer and is now willing to sell the PC's to the County for \$150 each. The price includes the keyboard and monitor. He said IS supports the revised request.

Stevens asked what they will use for software.

Lacey said they plan to utilize software that had been used at Lancaster Manor and assured the Board there will be no additional cost to the County.

B. Nebraska Association of County Officials (NACO) Board Meeting - Heier

Heier said Chris Rodgers, Douglas County Commissioner, is running for a National Association of County Officials (NACo) office and said the Nebraska Association of County Officials (NACO) is contributing \$60,000 towards his campaign.

C. Parks and Recreation Advisory Board - Stevens

Meeting was cancelled.

D. Nebraska Association of County Officials (NACO) Legislative Committee Meeting - Heier

Heier said they discussed legislative issues.

E. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Stevens

Stevens said he gave an update on Lancaster Manor.

F. District Energy Corporation - Hudkins, Workman

Workman said they discussed financing issues related to the jail's geo-thermal system.

G. Keno Prevention Advisory Committee - Schorr

Schorr said they reviewed applications for funding.

7 UNCLASSIFIED EMPLOYEE SALARIES - Mark Koller, Personnel Director; John Cripe, Classification and Pay Manager

John Cripe, Classification and Pay Manager, said he researched the matter of employee vacation accruals, as the Board requested, and reported that 14 out of 863 employees have reached the maximum accrual of 240 hours. He said another 42 are within 10 hours of the maximum accrual.

The Chair noted the Board discussed increases for unclassified employees at last week's Staff Meeting but was unable to reach a consensus regarding an amount.

Information showing the fiscal impact of increases for directors, assistant directors, child support referee, bailiffs and psychiatrists ranging from 0.00% to 2.00% and increases ranging from 1.00% to 2.5% for Sheriff's captains were presented (Exhibits C & D).

District Court Judge Jodi Nelson appeared and discussed her request that the District Court Judges' bailiffs (Bailiff II's) receive an increase and a market adjustment to help equalize their salaries with those of Paralegal II's (Exhibit E).

Heier said he would like to see copies of their job descriptions.

Cripe said the County is over the market in some areas and suggested the Board keep that in mind when considering market adjustments.

MOTION: Workman moved and Schorr seconded to approve a 1% increase for the directors, assistant directors, child support referee, Bailiff I's and psychiatrists and a 1.5% increase for unclassified employees.

Stevens noted the increase for Sheriff's deputies, deputy county attorneys and deputy public defenders will be for those respective pools and the office holders will apportion the increase as they deem appropriate.

Terry Wagner, Lancaster County Sheriff, appeared and expressed concern regarding compression of wages.

Schorr noted that the Public Defender has expressed a similar concern.

Eagan said discussion of comparability has been scheduled on the Mid-Year Budget Retreat agenda.

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

MOTION: Schorr moved and Stevens seconded to approve a 1.5% increase for the Bailiff II's, with an additional \$1,500 market adjustment.

AMENDMENT: Hudkins offered an amendment to make the market adjustment \$1,000, rather than \$1,500.

The amendment failed, due to the lack of a second.

AMENDMENT: Workman moved and Hudkins seconded to amend the motion to make the market adjustment \$2,000, rather than \$1,500. Workman and Heier voted aye. Hudkins, Stevens and Schorr voted no. Motion failed, due to the lack of a majority.

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

MOTION: Hudkins moved and Stevens seconded to direct the Personnel Department to begin gathering salary information in September and begin salary discussions no later than October. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

ADMINISTRATIVE OFFICER REPORT

F. Personnel Interlocal Agreement

Eagan noted that the interlocal agreement with the City for a joint Personnel Department is based on the ratio of City/County employees and said the County's employee numbers have decreased by 25%.

Pat Kant, Personnel Coordinator, appeared and said the Personnel Department is still working to finalize matters involving former employees of Lancaster Manor. **NOTE:** The County recently terminated all of its employees working at the facility due to a material change in the operation of Lancaster Manor.

The Personnel Department was asked to reflect the change in employee ratio when preparing next year's budget.

8 ACTION ITEMS

A. Microcomputer Requests:

1. #C59824, \$7,525.42, from District Court Budget for Digital Recording System (Laptop & Software)

Troy Hawk, Court Administrator, Lancaster County District Court, appeared and explained the recording system used by the Child Support Referee is no longer functioning. He said the District Court lacks funds in its budget to purchase a new

system and had planned to submit the funding request at mid-year. The request was moved up, due to the urgent need.

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

2. C#60180, \$2,496.97 from Community Corrections Budget for a Notebook PC and Software

Item A2 was moved forward on the agenda.

9 CONSENT ITEMS

There were no consent items.

10 ADMINISTRATIVE OFFICER REPORT

- A. City-County Common Meeting Agenda (February 1, 2010)
- B. Thank You Letter to Elected Officials Salary Review Committee
- C. Committee Assignments
- D. Contract with Bryan/LGH Health System for Inmate and Emergency Protective Custody (EPC) Medical Care
- E. Release of Legal Opinion Regarding Care of Medically Indigent
- F. Personnel Interlocal Agreement

Items A - F were moved forward on the agenda.

- G. Lancaster Manor Advisory Committee

Item was covered under Item 10C.

- H. Notification from Gwen Thorpe, Deputy Chief Administrative Officer, Regarding Return from Leave of Absence
- I. Criminal Court Case Search Tool
- J. Outside Legal Opinion Regarding Transfer of Voluntary Employee Beneficiary Association (VEBA) Assets to an Internal Revenue Service (IRS) Code, Section 115 Trust
- K. Highway 34 and Northwest 12th Street Bridge Meeting Update

Items H-K were moved forward on the agenda.

11 PENDING

There were no pending items.

12 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Information Services Policy Committee (ISPC) - Stevens
- B. Nebraska Association of County Officials (NACO) Board Meeting - Heier
- C. Parks and Recreation Advisory Board - Stevens
- D. Nebraska Association of County Officials (NACO) Legislative Committee Meeting - Heier
- E. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Stevens
- F. District Energy Corporation - Hudkins, Workman
- G. Keno Prevention Advisory Committee - Schorr

Items A-G were moved forward on the agenda.

13 ADJOURNMENT

MOTION: Hudkins moved and Workman seconded to adjourn the meeting at 10:59 a.m. Stevens, Schorr, Heier, Workman and Hudkins voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk