

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING, ROOM 113  
THURSDAY, APRIL 29, 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  
Gwen Thorpe, Deputy 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, APRIL 22, 2010**

**MOTION:** Stevens moved and Workman seconded approval of the April 22, 2010 Staff Meeting minutes. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried 5-0.

**2 ADDITIONS TO THE AGENDA**

A. "Bike to Work" Week (May 17-21, 2010)

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

**3 INTERNATIONAL BUILDING CODES UPDATE** - Ron Peery,  
Inspections and Enforcement Manager, Building and Safety Department

Ron Peery, Inspections and Enforcement Manager, Building and Safety Department, asked the County to adopt updates to the 2006 International Building, Residential and Mechanical Codes and the 2008 National Electrical Code. He noted the County's fees are different than the City's and agreed to send a comparison to the Board.

Stevens asked whether contractors had input in the process to update the codes.

Peery said contractors from each of the different disciplines served on a task force and committee that studied the codes.

**ADDITIONS TO THE AGENDA**

A. "Bike to Work" Week (May 17-21, 2010)

Workman agreed to represent the Board in an event planned for May 14<sup>th</sup> to kick off "Bike to Work" Week.

**4 COUNTY STRATEGIC ENERGY PLAN** - Don Killeen, County Property Manager; Krishna Amancherla, Project Manager, District Energy Corporation (DEC)

Copies of the proposed County Strategic Energy Plan were disseminated (Exhibit A).

Don Killeen, County Property Manager, said the County must submit the plan to comply with grants it has received. **NOTE:** A \$5,000,000 grant will be used to help fund a geothermal ground-source loop field system for the new adult correctional facility and a \$111,000 grant will be used to help fund energy efficient items in the facility.

**MOTION:** Stevens moved and Hudkins seconded to adopt the County Strategic Energy Plan. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried 5-0.

Krishna Amancherla, Project Manager, District Energy Corporation (DEC), said the Environmental Protection Agency has waived preparation of an environmental impact statement and said he anticipates full award of the \$5,000,000 grant by the end of week. He said drilling for the well field will begin next week.

**5 PUBLIC BUILDING COMMISSION (PBC) OPERATION OF OLD INTAKE AND DETENTION FACILITY (605 SOUTH 10<sup>TH</sup> STREET) - Don Killeen, County Property Manager**

Don Killeen, County Property Manager, recommended the County lease the current Intake and Detention Facility, located at 605 South 10<sup>th</sup> Street, to the Public Building Commission (PBC). He said the PBC will then issue a Request for Proposals (RFP) for architectural services to develop a master plan for potential future uses.

In response to a question from Heier, Killeen said the Corrections Department and Sheriff's Office will be consulted about what functions need to be incorporated in the plan.

Schorr said there are a number of ancillary functions that could benefit from being located near the Justice and Law Enforcement Center and asked Killeen to brief the Management Team at their next meeting.

**MOTION:** Hudkins moved and Stevens seconded to authorize Kerry Eagan, Chief Administrative Officer, and Don Killeen, County Property Management, in consultation with the County Attorney's Office, to develop a lease agreement with the Public Building Commission for the Intake and Detention Facility. Schorr, Stevens, Workman, Hudkins and Heier voted aye. Motion carried 5-0.

**6 COUNTY ASSESSOR/REGISTER OF DEEDS OFFICE CONFIGURATION** - Norm Agena, County Assessor/Register of Deeds; Rob Ogden, Chief Field Deputy Assessor/Register of Deeds; Dan Nolte, County Clerk; Don Killeen, County Property Manager; John Kay, Sinclair Hille & Associates Inc.

John Kay, Sinclair Hille & Associates Inc., presented the following cost estimates (Exhibit B):

- Minor demolition and workstation reconfiguration in the County Assessor/Register of Deeds' Office and convert three offices currently used by the County Clerk into office space for the County Assessor/Register of Deeds - \$35,000 to \$45,000
- Convert office space that was used by the Personnel Department into offices for the County Clerk (Phase 2 of the County Clerk's remodel project) - \$65,000 to \$75,000
- Renovate space used by the Personnel Department into offices for Human Services - \$85,000 to \$95,000

- Convert two offices used by the Personnel Department into offices for City Finance - \$1,200 to \$1,500

**NOTE:** See Exhibit C for a detailed diagram of the proposed reconfiguration of the County Assessor/Register of Deeds' office space.

Kay said the estimate does not include systems furniture or labor to tear down, move and reassemble the furniture; cleaning or replacement of fabric panels; extra hardware; and rearrangement of electrical/voice/data supply.

Heier asked whether the jail crews could assist with tearing down and reassembling the workstations.

Schorr said no, explaining that special training is required.

Norm Agena, County Assessor/Register of Deeds, said they only plan to move 10 to 12 workstations and said the fabric panels do not need to be cleaned.

Don Killeen, County Property Manager, said he considers the cost of the County Assessor/Register of Deeds' portion to be the department's responsibility, because most of the work involves reconfiguration of their existing space. He said the Public Building Commission (PBC) may be willing to assist with costs for the County Clerk, as it involves utilizing new space. The Human Services Department's portion will be a PBC expense as they are a new tenant and will be filling vacant space.

Dan Nolte, County Clerk, said he needs time to assess his staff's needs. He also expressed concern regarding the budgetary impact, stating he feels the project is a low priority in a tight budget year.

Schorr said she will lobby the PBC to cover the cost of the County Clerk's portion. She also expressed concern regarding the projected costs for Human Services and requested a breakdown of those costs.

Heier asked Agena whether he anticipates hiring any new employees.

Agena said he does not.

## **ACTION ITEMS**

- A. Microcomputer Requests:
  - 1) C#61937, \$1,117.76 from County Court Budget for Six (6) Microsoft Word 2010 Licenses

Stevens said he was informed by Information Services (IS) there are no software licenses remaining from Lancaster Manor. **NOTE:** A suggestion was made at the April 22, 2010 to explore utilizing licenses from Lancaster Manor.

**MOTION:** Workman moved and Stevens seconded approval of the request.

Schorr asked whether the request could be delayed until County Court's budget hearing.

Stevens suggested it may be appropriate to fund the request out of the Microcomputer Fund.

Dennis Meyer, Budget and Fiscal Officer, appeared and said there is approximately \$30,000 remaining in the Microcomputer Fund.

**AMENDMENT:** Workman moved and Stevens seconded to amend their motion to state funding will be through the Microcomputer Fund.

**ROLL CALL ON THE MOTION AS AMENDED:** Schorr, Stevens, Workman, Hudkins and Heier voted aye. Motion carried 5-0.

2) C#62087, \$661.30 from Adult Probation Budget for Nine (9) Webcams

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

B. Appointment of Chair for May 27, 2010 Staff Meeting

**MOTION:** Workman moved and Schorr seconded to appoint Commissioner Schorr the acting Chair for the May 27, 2010 Staff Meeting. Schorr, Stevens, Workman, Hudkins and Heier voted aye. Motion carried 5-0.

C. Claim for Review, Payroll Voucher Numbers 264143-264144, \$2,301.76 from Sheriff's Office (No Purchase Orders)

Eagan said Vince Mejer, Purchasing Agent, informed him the department would have saved on shipping costs if they had used a purchase order.

**MOTION:** Workman moved and Hudkins seconded to handle the claim through the regular claims process. Schorr, Stevens, Workman, Hudkins and Heier voted aye. Motion carried 5-0.

#### D. Work Release Rates

Schorr said the County is charging \$7.00 a day for work release even though it costs the County \$50 to \$60 a day.

Eagan said State Statutes do not specify an amount but said Mike Thew, Chief Deputy County Attorney, has indicated there is a limitation on what costs you can recover.

Mike Thurber, Corrections Director, appeared and said Thew told him the County can only recover its costs for food and laundry. He said most make minimum wage and said the majority are under court-ordered child support.

Thurber was asked to review the matter with Thew.

#### E. Renewal of Legislative Services Contract

Heier noted Kissel/E&S Associates has proposed a two-year contract with a five percent increase. **NOTE:** The current contract is for \$53,000. Kissel/E&S Associates has proposed a fee of \$55,650 for 2011 and 2012.

**MOTION:** Hudkins moved and Workman seconded to offer Kissel/E&S Associates a two (2) year contract at the existing rate. Hudkins, Workman and Heier voted aye. Stevens voted no. Schorr abstained from voting, due to a conflict of interest. Motion carried 3-1, with 1 abstention.

#### **7 NEGOTIATIONS WITH FRATERNAL ORDER OF POLICE, LODGE 32 (EXECUTIVE SESSION) - John Cripe, Classification and Pay Manager; Tom Fox, Deputy County Attorney**

**MOTION:** Schorr moved and Workman seconded to enter Executive Session at 9:38 a.m. for the purpose of protecting the public interest with regards to labor negotiations and potential litigation. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried 5-0.

**MOTION:** Stevens moved and Workman seconded to exit Executive Session at 10:18 a.m. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried 5-0.

#### **8 POTENTIAL LITIGATION (EXECUTIVE SESSION) - Ken Schroeder, County Surveyor; Tom Fox, Deputy County Attorney**

See Item 7.

**9 DEPUTY CHIEF ADMINISTRATIVE OFFICER SALARY** - Mark Koller, Personnel Director; John Cripe, Classification and Pay Manager; Pat Kant, Personnel Coordinator

Mark Koller, Personnel Director, noted his department had been asked to provide actual salaries for the three counties that responded to a salary survey for the Deputy Chief Administrative Officer position. **NOTE:** A range of salaries for those counties was presented at the April 22, 2010 Staff Meeting. He said the salaries are as follows:

- Douglas County, Nebraska (includes Omaha) - \$84,166.00
- Polk County, Iowa (includes Des Moines) - \$92,580.00
- Sedgwick County, Kansas (includes Wichita) - Two (2) salaries were reported - \$111,407.00 and \$126,085.00

Schorr said three individuals hold the position in Douglas County.

Cripe said Douglas County only reported one salary.

Koller said the mid-point for those four salaries is \$102,776.00. Gwen Thorpe, Deputy Chief Administrative Officer, is currently receiving \$102,859.37. Thorpe received a \$2,000 a month pay increase when she assumed the duties of Interim Lancaster Manor Administrator. She returned to her position as Deputy Chief Administrator Officer on February 1, 2010 with no adjustment to salary. **NOTE:** Thorpe's salary would have been \$78,617.71 if she had returned at her original salary and received the 1 percent increase that was given to directors and deputy directors.

John Cripe, Classification and Pay Manager, said the three counties who responded to the survey all fall within the population parameters of not less than half, or twice as large, as Lancaster County.

Schorr said it would take a \$15,000 market adjustment to bring Thorpe closer to the 2009 mean salary figure.

Hudkins asked Thorpe whether she received any remuneration from Hunter Management for her services at Lancaster Manor. **NOTE:** Hunter Management is the private company that purchased the facility from the County.

Thorpe said only for the month that she was on a leave of absence from the County.

**MOTION:** Hudkins moved and Heier seconded to set the salary for Gwen Thorpe, Deputy Chief Administrative Officer, at \$80,000.

Stevens said that amount is 62.4 percent of Chief Administrative Officer's salary.

Schorr noted the deputy elected officials' salaries are approximately 90 percent of their respective office holder's salaries.

Cripe said the Chief Deputy Election Commissioner is an exception. **NOTE:** That individual only works part-time.

Heier said he can't justify that kind of a salary increase.

Schorr said the Board has made market adjustments in the past.

**ROLL CALL:** Hudkins voted aye. Workman, Heier, Stevens and Schorr voted nay. Motion failed 1-4.

**MOTION:** Workman moved and Schorr seconded to set the salary for Gwen Thorpe, Deputy Chief Administrative Officer, at \$83,000.

**FRIENDLY AMENDMENT:** Schorr offered a friendly amendment to set the salary at \$85,000.

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

**ROLL CALL:** Schorr and Workman voted aye. Stevens, Hudkins and Heier voted nay. Motion failed 2-3.

**MOTION:** Stevens moved and Schorr seconded to reconsider the previous motion. Schorr, Stevens, Heier and Workman voted aye. Hudkins voted no. Motion carried 4-1.

**NOTE:** The Board's action to reconsider placed the question back before the Board. Workman and Schorr restated their motion to set the salary for Gwen Thorpe, Deputy Chief Administrative Officer, at \$85,000.

**AMENDMENT:** Hudkins moved to amend the motion to set the salary at \$81,000.

The motion to amend died for the lack of a second.

**ROLL CALL:** Schorr, Stevens and Workman voted aye. Hudkins and Heier voted nay. Motion carried 3-2.

**MOTION:** Stevens moved and Workman seconded to make the salary effective at the beginning of the next pay period. Hudkins, Workman, Heier, Stevens and Schorr voted aye. Motion carried 5-0.

**10 LESSEE ACCESS TO COUNTY PROPERTY NEAR INTERSTATE 80 AND NORTH 134<sup>TH</sup> STREET - Don Thomas, County Engineer**

Don Thomas, County Engineer, discussed the issue of access to a county-owned lot that is approximately .5 miles east of the Waverly interchange. **NOTE:** The County purchased the lot for the future Interstate 80/Beltway interchange. He said access to the triangular shaped lot, which abuts Interstate 80, is limited to a road that is on Tecumseh Poultry's property (see aerial map in Exhibit D). Thomas said the County has an access easement from Dover Street to Interstate 80, but the property is fenced and access is through a gate. He said drainage is also a problem and said he is still assessing what type of drainage structure (pipe or box culvert) is needed.

Don Killeen, County Property Manager, appeared and said the County is required to either put in crops or native grasses.

Thomas suggested exploring whether the property owners to the west would be interested in farming the lot to get through this year.

Hudkins said a driveway that provided access to the lot from 134<sup>th</sup> Street was eliminated when the State realigned the road and asked whether the State has a responsibility to guarantee the County access to the property.

Tom Fox, Deputy County Attorney, appeared and said he would have to research the matter.

**11 ACTION ITEMS**

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  - 2) C#62087, \$661.30 from Adult Probation Budget for Nine (9) Webcams
- B. Appointment of Chair for May 27, 2010 Staff Meeting
- C. Claim for Review, Payroll Voucher Numbers 264143-264144, \$2,301.76 from Sheriff's Office (No Purchase Orders)
- D. Work Release Rates
- E. Renewal of Legislative Services Contract

Items A-E were moved forward on the agenda.

**12 CONSENT ITEMS**

There were no consent items.

### **13 ADMINISTRATIVE OFFICER REPORT**

- A. New Jail Tour (May 6, 2010)

Informational only.

- B. City-County Common Meeting (May 3, 2010)

The following agenda items were noted: 1) A presentation on Drug Court; and 2) Emergency Medical Services (EMS) Annual Report.

### **14 PENDING ITEMS**

There were no pending items.

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

- A. Capacity Building Grant Review Meeting - Schorr

Schorr said 10 non-profit agencies were allocated \$1,500 each for capacity building.

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

Hudkins said they discussed the budget and the Lancaster Manor proceeds. Schorr said work release rates were also discussed.

- C. Downtown Lincoln Association (DLA) - Stevens

Stevens said there was a presentation on the Centennial Mall Project. Downtown redevelopment projects were also discussed.

- D. Lancaster County Corrections Facility Joint Public Agency (JPA) - Heier,  
Stevens

Stevens said they approved claims to Wells Fargo for bank fees and Sampson Construction Company (the contractor) totaling \$667,414.81.

- E. Nebraska Department of Roads (NDOR) and Public Works Department  
Meeting

Meeting was rescheduled to May 4, 2010.

F. Community Mental Health Center (CMHC) Advisory Committee -  
Stevens

Schorr said concerns were expressed regarding the community support funding reduction.

**16 EMERGENCY ITEMS AND OTHER BUSINESS**

There were no emergency items or other business.

**17 ADJOURNMENT**

**MOTION:** Schorr moved and Stevens seconded to adjourn the meeting at 11:10 a.m. Hudkins, Workman, Heier, Stevens and Schorr voted aye. Motion carried 5-0.

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Dan Nolte  
Lancaster County Clerk