

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING, ROOM 113  
THURSDAY, JUNE 10, 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, JUNE 3, 2010; MINUTES OF DEPARTMENTAL BUDGET HEARINGS ON TUESDAY, MAY 11, 2010 AND WEDNESDAY, MAY 12, 2010**

It was noted the minutes of the Departmental Budget Hearings on May 11, 2010 and May 12, 2010 (afternoon session) are not included.

**MOTION:** Stevens moved and Workman seconded approval of the minutes of the June 3, 2010 Staff Meeting and Departmental Budget Hearings on May 12, 2010 (morning session). Workman, Stevens, Hudkins, Schorr and Heier voted aye. Motion carried 5-0.

**2 ADDITIONS TO THE AGENDA**

- A. Revised Budget Summaries and Certifications for Nebraska Crime Commission Grant Applications (Emergency Item)
- B. Microcomputer Request from Juvenile Probation (Exhibit A)
- C. Request from District Court Judge Steven D. Burns to Meet with the Board to Discuss Community Corrections
- D. Emergency Computer Request from Adult Probation

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

### **ADDITIONS TO THE AGENDA**

A. Revised Budget Summaries and Certifications for Nebraska Crime Commission Grant Applications (Emergency Item)

**MOTION:** Workman moved and Hudkins seconded to authorize signature by the Chair. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried 5-0.

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

Mike Thurber, Corrections Director; Terry Weber, Facility Administrator, Intake & Detention Facility; and Kent Griffith, Facility Administrator, Lancaster Correctional Facility (LCF), appeared and discussed the request for 14 new positions to manage over-crowding and to facilitate transition into the new jail facility under construction (Exhibit B). Thurber said the positions would be phased-in during the next fiscal year and said he will reduce out-of-county housing during the current fiscal year by \$200,000 and reduce the Fiscal Year 2010-2011 budget request by \$277,000 to cover the increased staffing cost. He said opening of the new jail will likely be delayed if the new positions are not approved and said if that happens he would want to have funds for out-of-county housing restored.

Hudkins asked when the new jail facility is projected to open.

Thurber said it will likely be in the third or fourth quarter of 2012.

Schorr asked Thurber how employees facing furloughs will feel about his request to add 14 new positions.

Thurber said he has talked to his staff and said they understand the need to increase staffing.

Heier said the "bottom line" will be whether the new positions will help reduce the jail population.

Weber said the primary focus of the Classification Section will be to review the status of offenders and to work with the Courts, Public Defender and County Attorney to get them out of jail.

Heier asked whether Community Corrections will play a role.

Kim Etherton, Community Corrections Director, appeared and said her department would like to assist with that effort but said the Courts won't release offenders unless they can show they have a place to live.

Stevens said Corrections would be increasing its budget by \$750,000 and staff by approximately 10%, beginning July 1, 2011, with basically the same population numbers.

Thurber clarified that he is projecting a 4%- 5% growth in jail population.

Schorr asked Thurber whether he plans to add additional staff after that.

Thurber projected an additional 40 correctional officers will be needed to open a 600 bed jail.

Stevens said they shouldn't need that many beds upon opening and expressed concern that Thurber is seeking to have those 14 new positions "on board" at least one year prior to opening of the jail.

Thurber said that is correct. He added that the classification positions will help write policies and procedures for the new jail.

The Board asked Thurber to prioritize the positions and to indicate how long the hiring can be delayed.

Terry Wagner, Lancaster County Sheriff; Bill Jarrett, Chief Deputy Sheriff; and Don Killeen, County Property Manager, appeared and discussed the issue of eliminating front door security in the Justice and Law Enforcement Center.

Dennis Meyer, Budget and Fiscal Officer, noted the service is reimbursed by the Public Building Commission (PBC) and said one of Commissioners had asked whether its elimination would decrease rents in the building.

Don Killeen, County Property Manager, said the annual surcharge is \$2.77 per square foot for each tenant in the building.

Workman estimated the County would save \$250,000 by eliminating the service.

Terry Wagner, Lancaster County Sheriff, said he has a statutory requirement to provide security for the Courts and said he would need seven additional deputies if the front door security is eliminated. He said the alternative would be to contract with a private company for the front door security and to remove that cost from the Sheriff Department's budget.

Workman asked whether the Sheriff's Department can eliminate any of the deputies in the courtrooms.

Wagner explained that the judges dictate the level of security in the courtrooms.

Dean Settle, Community Mental Health Center (CMHC) Director; Travis Parker, CMHC Deputy Director; Dr. Joseph Swoboda, Psychologist, CMHC; and Dr. William Spaulding, Psychology Professor, University of Nebraska, appeared and discussed an affiliation agreement with the University of Nebraska Board of Regents on behalf of the Clinical Psychology Training Program for five graduate psychology students to provide services such as psychotherapy, counseling and psychological testing for CMHC. **NOTE:** This agreement was held over from the June 8, 2010 County Board of Commissioners Meeting for further discussion.

Information regarding the psychology extern positions and the budget allocation for those positions was presented (Exhibits C & D).

Heier questioned whether the County can afford to continue the program.

Dr. Joseph Swoboda, Psychologist, CMHC, said the psychology externs cost the County approximately \$30,000 and said CMHC would need 2.5 full-time equivalent (FTE) psychologists, at a cost of approximately \$145,000, to provide those services if the extern positions were eliminated.

Travis Parker, CMHC Deputy Director, said this is a priority area for CMHC.

Swoboda indicated plans to place the psychology externs under provisional licenses which will enable CMHC to bill Medicaid directly for their services.

Dr. William Spaulding, Psychology Professor, University of Nebraska, said these are highly advanced students and said the University is heavily subsidizing the extern positions because it is very committed to having a public/education partnership.

Swoboda said there are students available through the Psychology Department that could probably assist other County departments, such as Corrections.

The Chair asked Parker to share that information with Mike Thurber, Corrections Director.

## **EMERGENCY ITEMS AND OTHER BUSINESS**

Kerry Eagan, Chief Administrative Officer, said the Nebraska Department of Health and Human Services (HHS) has agreed to pay the County for state wards it has placed in the County's Staff Secure facility and estimated the amount of additional revenue at \$200,000 (Exhibit E).

### **4 COUNTY SPECIAL PERMIT NO. 7024A, TEMPORARY MOBILE HOME AT 24215 SOUTHWEST 14<sup>TH</sup> STREET - Mel Goddard, Chief Building Inspector, Building & Safety Department**

Mel Goddard, Chief Building Inspector, Building & Safety Department, said he notified Gregory and Heidi Rettele, 24215 Southwest 14<sup>th</sup> Street, that they are in violation of the condition in their Special Permit to initiate construction of a permanent residence within six months. He said the Rettele's were informed that they have 45 days to remove their temporary mobile home or face legal action and said they will likely reapply or seek an extension. Goddard said there have been similar situations in the past and suggested it would be beneficial in the future to get assurance from the applicants that they have the funds to initiate construction.

## **ACTION ITEMS**

### **A. Letter to Governor Heineman Opposing Alcohol in State Parks**

The Board reviewed two drafts of the letter (Draft No. 1 is in the agenda packet and Draft No. 2 is shown as Exhibit F).

**MOTION:** Hudkins moved and Schorr seconded to send the letter shown as Draft No. 1, with the following revision:

Delete the following sentence from the first paragraph: *Our children deserve better.*

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

### **B. Claim for Reimbursement of \$293.97 for Eyeglass Replacement from Jim Kerns under Article 31 of the American Federation of State, County & Municipal Employees (AFSCME) Contract**

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

## ADMINISTRATIVE OFFICER REPORT

### A. Next Meeting with Villages

Board consensus was to schedule the next meeting with village representatives on July 15<sup>th</sup>, beginning at 8:00 a.m., and to invite a representative of the City Council and two members of the Comprehensive Plan Review Committee to participate.

#### **5 LABOR NEGOTIATIONS** - John Cripe, Classification and Pay Manager

**MOTION:** Schorr moved and Hudkins seconded to enter Executive Session at 9:48 a.m. for the purpose of protecting the public interest with regards to labor negotiations and a pending investigation. Hudkins, Workman, Schorr, Stevens and Heier voted aye. Motion carried 5-0.

**MOTION:** Stevens moved and Workman seconded to exit Executive Session at 10:16 a.m. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried 5-0.

#### **6 PENDING LITIGATION (EXECUTIVE SESSION) (PENDING INVESTIGATION)** - Doug Cyr, Chief Administrative Deputy County Attorney

**MOTION:** Hudkins moved and Workman seconded to enter Executive Session at 10:17 a.m. for the purpose of protecting the public interest with regards to a pending investigation involving the Asian Community and Cultural Center.

Doug Cyr, Chief Administrative Deputy County Attorney, explained Nebraska Revised Statute §84-1410.1(c) allows the Board to discuss investigative proceedings related to allegations of criminal misconduct in Executive Session.

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

**MOTION:** Stevens moved and Schorr seconded to exit Executive Session at 10:40 a.m. Schorr, Stevens, Workman, Hudkins and Heier voted aye. Motion carried 5-0.

**MOTION:** Stevens moved and Hudkins seconded to ask the State Auditor to perform an attestation review of the Asian Community and Cultural Center. Schorr, Stevens, Hudkins, Workman and Heier voted aye. Motion carried 5-0.

## **7 ACTION ITEMS**

- A. Letter to Governor Heineman Opposing Alcohol in State Parks
- B. Claim for Reimbursement of \$293.97 for Eyeglass Replacement from Jim Kerns under Article 31 of the American Federation of State, County & Municipal Employees (AFSCME) Contract

Items A and B were moved forward on the agenda.

## **8 ADMINISTRATIVE OFFICER REPORT**

- A. Next Meeting with Villages

Item was moved forward on the agenda.

- B. Fencing in County Right-of-Way (25700 South 38<sup>th</sup> Street, Firth, Nebraska)

Eagan said Anglea and David Colgan, the owners of property at 25700 South 38<sup>th</sup> Street, Firth, Nebraska, have not responded to a letter from the Board, dated June 9, 2009, asking that they either remove fencing from the County's right-of-way or sign an agreement with the County allowing them to retain the fencing subject to the following conditions: 1) Removal of child play equipment from the right-of-way; 2) Obtain insurance and hold the County harmless for any injury or loss which may occur as a result of the fencing being located in the right-of-way; and 3) Remove the fencing at no cost to the County if it becomes necessary to widen the roadway where the fencing is located.

Board consensus was to direct Eagan, in consultation with the County Attorney's Office, to draft a follow-up letter indicating the County will remove the fencing if the owners do not do so or refuse to sign the agreement.

- C. Christian Heritage Celebration of Fatherhood Luncheon (June 17, 2010)

Heier, Hudkins and Workman will represent the County Board at the event.

- D. Records Coordinator Job Description

Eagan discussed proposed revisions to the Records Coordinator's job description (see agenda packet). He said the revisions clarify that the Records Coordinator's work is performed under the general supervision of the Chief Administrative Officer and that the Records Coordinator will consult with the County Board regarding current and future record and information management issues when requested.

**MOTION:** Stevens moved and Hudkins seconded to accept the revised job description. Schorr, Stevens, Workman, Hudkins and Heier voted aye. Motion carried 5-0.

E. Joint County Board/City Council Receptionist Contract

**NOTE:** The City Council's secretary resigned in February and Mary Meyer, the joint receptionist for the County Board/City Council has been covering that position since that time. The County has asked the City to reimburse it for the time Meyer has spent on those duties and for an exceptional circumstance award that Meyer received to compensate her for the additional duties by amendment of the interlocal agreement for the joint receptionist position to increase the percentage of reimbursement by the City, with an effective date of February 3, 2010.

Eagan said Doug Emery, former City Council Chair, stated he forwarded the proposed interlocal agreement to the Mayor's Office on April 1<sup>st</sup>, but the Mayor's Office indicated they did not have it. Eagan said he has forwarded another copy to Trish Owen, Deputy Chief of Staff, Mayor's Office, for review.

Schorr said Pat Kant, Personnel Coordinator, informed her the Personnel Department has forwarded the applications of several qualified candidates for the secretary position to the City Council.

The Chair said he will follow-up with John Spatz, City Council Chair, on this matter.

**ADDITIONS TO THE AGENDA**

B. Microcomputer Request from Juvenile Probation (Exhibit A)

Eagan said Juvenile Probation has sufficient funds in their current budget to cover the cost.

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

C. Request from District Court Judge Steven D. Burns to Meet with the Board to Discuss Community Corrections

Eagan said some the County and District Court Judges have indicated they want to be part of a discussion on Community Corrections that is scheduled on the June 17, 2010 Staff Meeting agenda.

D. Emergency Computer Request from Adult Probation

Eagan said four of Adult Probation's computers were damaged when a water chiller line broke at Trabert Hall. He said they have requested immediate replacement of one.

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

**9 PENDING**

There were no pending items.

**10 DISCUSSION OF BOARD MEMBER MEETINGS**

A. District Energy Corporation (DEC) - Hudkins, Workman

Hudkins said there was a presentation on the Haymarket Arena project and said the DEC has been asked to provide heating and cooling for the facility.

Workman said there was also an update on the Jail project, noting this is the first time a DEC structure has done a geo-thermal project for a jail. He also reported the loan for a ground-loop system for the Lancaster Event Center has been repaid and said the DEC decided it will no longer fund those types of projects.

B. Environmental Leadership Awards Luncheon - Heier

Heier said he spoke at the event and relayed his belief that agriculture is doing its "fair share" in terms of addressing environmental waste .

C. Meeting with Mayor - Hudkins

Hudkins said he met with John Spatz, City Council Chair, the Mayor and a representative of NEBCO to discuss the possibility of a bridge over Highway 34. He said Spatz has a funding proposal and said the Mayor has suggested Tax Incremental Financing (TIF) as an alternative.

D. Railroad Transportation Safety District (RTSD) - Workman, Stevens, Schorr

Workman said discussion focused on "quiet zones" (a railroad grade crossing at which trains are prohibited from sounding their horns in order to decrease the noise level for nearby residential communities).

Schorr said the City of Waverly is experiencing problems with the wayside horn system (a stationary horn is sounded in place of the train horn as the train approaches the grade crossing). She said they also discussed the realignment of railroad tracks for the Haymarket Arena project.

E. Public Building Commission (PBC) - Schorr

Schorr reported on various remodeling projects. She also reported that a lease is being drafted between the PBC and County for future use of the Corrections facility (605 South 10<sup>th</sup> Street).

F. Board of Health - Schorr

Schorr said there will be new fees as a result of a change in state law regarding hazardous air pollutants.

G. Information Services Policy Committee (ISPC) - Stevens

Stevens said they decided to moving ahead with the Voice over Internet Protocol (VoIP) and are trying to decide on a provider. One of the proposals would finance the project over two years. He said expanded use of "thin client" computers has been placed on hold because the person in charge of the project is busy with other projects. Stevens also reported plans to launch the new County website the week of June 21<sup>st</sup>.

**11 EMERGENCY ITEMS AND OTHER BUSINESS**

Item was moved forward on the agenda.

**12 ADJOURNMENT**

**MOTION:** Schorr moved and Stevens seconded to adjourn the meeting at 11:15 a.m. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

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Dan Nolte  
Lancaster County Clerk