

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, JUNE 17, 2010
8:30 A.M.**

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

Others Present: 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, JUNE 10, 2010; MINUTES OF DEPARTMENTAL BUDGET HEARINGS ON TUESDAY, MAY 11, 2010 AND WEDNESDAY, MAY 12, 2010 (AFTERNOON SESSION)

It was noted the minutes of the Departmental Budget Hearings on May 11, 2010 are not included.

MOTION: Stevens moved and Heier seconded approval of the minutes of the June 10, 2010 Staff Meeting and the May 12, 2010 Departmental Budget Hearings (afternoon session). Schorr, Hudkins, Stevens, Workman and Heier voted aye. Motion carried 5-0.

2 ADDITIONS TO THE AGENDA

- A. Report on District Energy Corporation (DEC) Conference
- B. Furloughs

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

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

Chuck Richter, Sampson Construction Company, gave an update on construction of the jail (see Exhibit A for progress photographs). He said they are beginning to install precast panels and said the first set of cell modules should be delivered on Monday.

Mike Thurber, Corrections Director, said the District Energy Corporation (DEC) would like to add more energy saving components to the facility. He also indicated plans for: 1) Further discussion with the Mayor's staff regarding the issue of bus turnouts and the intersection at Southwest 40th and "O" Street; and 2) Final review of the keys and lock system.

Hudkins suggested Thurber contact Saunders and Buffalo Counties to gauge their satisfaction with the lock and hinge systems in their respective correctional facilities.

4 COUNTY PRELIMINARY PLAT NO. 10002 (FOX RUN), ½ MILE NORTH OF HIGHWAY 2 AND 162ND STREET - Mike DeKalb, Planner

Mike DeKalb, Planner, gave an overview of County Preliminary Plat No. 10002, a request for 19 single-family acreage lots and to waive the block length requirement, on a 71.47 acre parcel located approximately ½ mile north of the corner of South 162nd Street and Highway 2, which is commonly known as the Bennet Corner (Exhibit B). He said Planning staff and the Planning Commission have recommended conditional approval.

In response to a question from Heier, DeKalb said the Village of Bennet has updated its Comprehensive Plan and has indicated it is satisfied with the way things are in terms of development of the intersection.

Schorr said Bennet does not want to encourage a lot of commercial development in that area, indicating a preference that it be located within the village, but understands certain traveler services and commercial development would be appropriate.

DeKalb said the Board will have an opportunity to review the area as part of the Comprehensive Plan update.

5 SOUTHEAST NEBRASKA BEHAVIORAL HEALTH INFORMATION NETWORK (SNBHIN) CONTRACT - Tom Fox, Deputy County Attorney; Dean Settle, Community Mental Health Center (CMHC) Director; Travis Parker, CMHC Deputy Director

Tom Fox, Deputy County Attorney, expressed concern regarding three provisions in the proposed Southeast Nebraska Behavioral Health Information Network (SNBHIN) contract: 1) Limitation of liability and damages; 2) Limitation of warranties; and 3) Alternative dispute resolution policy.

Wende Baker, SNBHIN Executive Director, appeared and said SNBHIN is only able to offer the warranties provided by the vendor.

Gwen Thorpe, Deputy Chief Administrative Officer, questioned whether the County would be covered if there is a Health Insurance Portability & Accountability Act (HIPAA) issue.

Fox said patients will sign releases to allow their information to be entered into the system.

Dean Settle, Community Mental Health Center (CMHC) Director, said this is a unique opportunity and recommended that the Board move forward with the contract as it stands.

ACTION ITEMS

- A. Computer Request C#-62700 from Public Defender's Budget for 18 Computers, Printer and Related Software

MOTION: Stevens moved and Hudkins seconded to: 1) Approve fifteen (15) computers, three (3) scanners and related software; and 2) Request justification for the three (3) additional computers. Stevens, Workman, Hudkins and Heier voted aye. Schorr abstained from voting. Motion carried 4-0 with one abstention.

ADMINISTRATIVE OFFICER REPORT

- A. Web Committee Update

Thorpe said the County's new website will be launched on June 25th and indicated plans to issue a press release.

- B. Board of Equalization Hearings

Cori Beattie, Deputy County Clerk, asked whether the Board wants to hold individual hearings with property owners who submit new or additional information after receiving the referee's recommendation.

General consensus was to provide those individuals an opportunity to meet with the Board of Equalization on August 3rd and 5th.

6 GEODATABASE CONTRACT WITH ESRI - Jeff McReynolds, Geographic Information System (GIS) Program Manager; Erik Hubl, GIS Mapping Division Head, County Engineering; Tom Fox, Deputy County Attorney

Jeff McReynolds, Geographic Information System (GIS) Program Manager, asked the Board to consider entering into a contract with ESRI (GIS mapping software company) for assistance in creating a geodatabase for County Engineering data. He said the total cost is \$25,000 and will be split between the following entities: Public Works & Utilities - \$7,000; Planning Department - \$4,000; Lincoln Electric System (LES) - \$5,000; and County Engineering - \$9,000. McReynolds said the intent is to build a unified legal lot land base with one department updating and maintaining the data. He added the software currently used by County Engineering is being phased out by ESRI.

Erik Hubl, GIS Mapping Division Head, County Engineering, said his department would like to participate in the project by using funds set aside for equipment, repair and maintenance in their current year's budget. He said he would be willing to forego attending a GIS conference this year but would like permission to attend a conference next year and present this project.

Tom Fox, Deputy County Attorney, said there is a push to get the contract done by the end of the fiscal year which doesn't allow sufficient time to develop an interlocal agreement with the City. He cautioned that the County will be "on the hook" initially for the full amount of the contract.

McReynolds said he has verbal commitments from the other entities and can pay the bill from the City's GIS Fund and bill the other entities for their portions.

Hubl said Don Thomas, County Engineer, would also like a Memorandum of Understanding (MOU) outlining responsibilities.

MOTION: Hudkins moved and Workman seconded to: 1) Move forward with the contract, contingent upon a commitment from the Mayor's Office; and 2) Allow Erik Hubl, GIS Mapping Division Head, to attend the 2011 GIS Conference and present the project. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried 5-0.

7 CONTRACT WITH STANLEY SECURITY SOLUTIONS - Tom Fox, Deputy County Attorney; Sheli Schindler, Youth Services Center (YSC) Director

Sheli Schindler, Youth Services Center (YSC) Director, said YSC needs to upgrade its security system and said the cost will be \$20,000, compared to \$200,000 for a new system. She said they are also looking at getting an extended warranty for the system at a cost of \$375 per year, noting repairs typically cost \$1,500 to \$5,000.

Tom Fox, Deputy County Attorney, expressed concern regarding limitation of damages and warranties in the proposed contract.

Schindler said she expects her budget to be underspent by \$70,000 to \$100,000, not including this cost.

MOTION: Schorr moved and Hudkins seconded to approved the \$20,000 expenditure out of the current fiscal year budget, with the understanding that the Board will waive the provisions related to limitation of damages and warranties. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

8 BUDGET UPDATE - Dennis Meyer, Budget and Fiscal Officer

Dennis Meyer, Budget and Fiscal Officer, outlined several ways to reduce the \$2,500,000 budget deficit:

- Reduce the Board of Equalization budget
- Reduce the Mental Health Board compensation
- Reduce Information Services (IS) charges for the Clerk of the District Court
- Increase revenues for the Youth Services Center (YSC), a portion of which is a back payment from Nebraska Department of Health and Human Services (HHS) for state wards housed at YSC
- Remove courtroom monitors from the District Court Budget
- Eliminate out-of-state travel
- Adjust budget to reflect Medicaid Payment from HHS for Lancaster Manor

Meyer said those adjustments total \$1,040,000.

Board consensus was to schedule a budget work session on June 22nd focusing on the following agencies: Corrections, County Sheriff, Community Mental Health Center and Human Services. There was also consensus to schedule discussion of the following budget items on the June 24th Staff Meeting agenda: Purchasing Department, Personnel Department, Health Department, Region V, Sinking Funds, Keno Fund, Inheritance Tax, Workers' Compensation and health insurance.

Kim Etherton, Community Corrections Director, appeared and offered to make the following adjustments to her budget (Exhibit C):

- Eliminate moving staff to the 9th and J Street Building
- Increase the cost clients pay for house arrest from \$5 to \$7-\$10 per day

Etherton said those adjustments total \$160,205.

In response to a question from Hudkins, Etherton said the cost to serve house arrest, pre-trial release and Adult Drug Court participants is \$15 per day. That cost increases to \$20 per day if Adult Drug Court participants are excluded. She said her department served approximately 1,800 clients this fiscal year with a budget of \$1,400,000 - 1,600 house arrest clients (29,000 days out-of-custody), 74 pre-trial clients (5,000 days out-of- custody); and 126 Adult Drug Court participants. Community Corrections also supervised 50,000 hours of community service last year.

Etherton also listed other possible adjustments to her budget (Exhibit C):

- Eliminate one field officer
- Eliminate the part-time jail screener position
- Eliminate one staff support position for Adult Drug Court

Etherton said those reductions total \$113,247, but said the reductions will impact revenues and the ability to operate programs.

In response to a question from Workman, Etherton estimated there are 125 to 150 program participants on any given day.

Heier asked whether those individuals would have ended up with State Probation if convicted.

County Court Judge Laurie Yardley appeared and said offenders are either sentenced to jail or Probation and said many cannot afford to participate in Probation because of the evaluation, treatment and probation costs. She said individuals who are sentenced to a jail sentence may apply for house arrest, under certain conditions.

Hudkins asked how the ability to pay is determined.

District Court Judge Steven D. Burns, appeared and said there is no verification of the ability to pay since the Indigent Screener was eliminated.

District Court Judge Paul D. Merritt, Jr., appeared and said Community Corrections is frequently asked to perform evaluations in cases where a bond reduction is requested and said they include employment and financial information in their evaluations.

Etherton added that employment history is included as part of the screening process for pre-trial release.

District Court Judge Jodi Nelson clarified that the ability to pay Probation fees is not a consideration in sentencing.

Workman said it appears it is costing the County \$30 per day to keep offenders out of jail and noted the County is able to house offenders in other counties for \$45 per day.

Judge Yardley said she believes more offenders plead because they know they can apply for house arrest as part of their jail sentence and said that saves the County money in terms of fewer trials and attorney appointments.

Heier said the Board has no intention of eliminating Community Corrections and thanked the judiciary for supporting the program.

Hudkins said the Board just wanted to look at Community Corrections because it was a non-mandated service to see whether there was any way to increase revenues and control costs.

Etherton said she has one suggestion. She estimated there are 30 individuals sitting in jail because they lack a place to live and said she believes her department could get at least 20 of them released if the Board would appropriate \$50,000 to assist with housing. She noted that C. J. Johnson, Region V Systems Administrator, has offered to assist the County with that effort.

Stevens said getting those individuals out of jail could minimize the need for additional correctional officers and said he would like Etherton to pursue what housing is available.

Coby Mach, LIBA Executive Director, also appeared and indicated support of the program.

NOTE: Also present for the discussion were: County Court Judge Susan I. Strong; District Court Judge Jeffre Chevront; District Court Judge John Colborn; Gary Lacey, County Attorney; Dennis Keefe, Public Defender; and C. J. Johnson, Region V Systems Administrator.

9 ACTION ITEMS

- A. Computer Request C#-62700 from Public Defender's Budget for 18 Computers, Printer and Related Software

Item was moved forward on the agenda.

10 ADMINISTRATIVE OFFICER REPORT

- A. Web Committee Update
- B. Board of Equalization Hearings

Items A and B were moved forward on the agenda.

RETURNING TO ITEM 9A

Dennis Keefe, Public Defender, appeared and said his office needs to replace 21 computers but only has funds in the current fiscal year budget for 18.

MOTION: Stevens moved to approve three (3) additional computers for the Public Defender's Office.

The motion died for the lack of a second.

ADDITIONS TO THE AGENDA

- A. Report on District Energy Corporation (DEC) Conference

Workman reported on his recent attendance at a DEC conference in Indianapolis, Indiana.

- B. Furloughs

Thorpe said the Personnel Policy Board will be meeting next week and asked whether the Board would like them to look at the proposed furlough policy. Board consensus was to request review by the Personnel Policy Board.

11 PENDING

There were no pending items.

12 DISCUSSION OF BOARD MEMBER MEETINGS

A. Cornhusker Girls State - Schorr

Schorr said she met with participants and discussed the duties of the County Board.

B. Joint Budget Committee (JBC) - Stevens, Schorr

Stevens said funding recommendations were discussed and said Region V Systems has agreed to provide some funding.

C. Region V Governing Board - Heier

Heier said Dave Merrill, Region V Services Executive Director, and C. J. Johnson, Region V Systems Administrator, have agreed to freeze their salaries. He said there was an increase in reimbursement fees for Emergency Protective Custody (EPC) but said reductions in behavioral health and Medicaid are anticipated.

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

Stevens said they discussed potential uses for Pershing Auditorium.

Schorr exited the meeting at 11:27 a.m.

E. Monthly Meeting with the Mayor - Heier, Stevens

Stevens said the interlocal agreement for the joint receptionist position is moving forward. He said they informed the Mayor that Brett Baker, Hickman City Administrator/Economic Development Director, and Doug Rix, Waverly City Administrator/Clerk, have been suggested for the Comprehensive Plan Update Committee as individuals who work in a rural environment and the Mayor agreed to take that under consideration. The status of the proposed Northwest 12th Street overpass and the possibility of furloughs were also discussed.

F. General Assistance (GA) Monitoring Committee - Stevens

Stevens said they discussed the budget.

13 EMERGENCY ITEMS AND OTHER BUSINESS

There were no emergency items or other business.

14 ADJOURNMENT

MOTION: Workman moved and Stevens seconded to adjourn the meeting at 11:32 a.m. Hudkins, Workman, Heier and Stevens voted aye. Schorr was absent from voting. Motion carried 4-0.

Dan Nolte
Lancaster County Clerk