

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, AUGUST 19, 2010
8:30 A.M.**

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

Commissioners Absent: Bernie Heier, Chair

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 Vice Chair opened the meeting at 8:30 a.m.

AGENDA ITEM

1 APPROVAL OF THE MINUTES OF THE THURSDAY, AUGUST 12, 2010 STAFF MEETING

MOTION: Hudkins moved and Schorr seconded approval of the August 12, 2010 Staff Meeting minutes. Hudkins, Workman, Schorr and Stevens voted aye. Motion carried 4-0.

2 ADDITIONS TO THE AGENDA

- A. Improvement of Old Cheney Road from 70th to 82nd Street
- B. Use of Smartphones While Driving

MOTION: Hudkins moved and Workman seconded approval of the additions to the agenda. Schorr, Workman, Hudkins and Stevens voted aye. Motion carried 4-0.

3 PAYCHECK DIRECT DEPOSIT RESOLUTION - Tom Fox, Deputy County Attorney

Tom Fox, Deputy County Attorney, said he has reviewed state statutes and none give the County authority to require employees to have their pay deposited directly in their bank accounts. He said there would need to be an waiver or exception provision.

Tim Genuchi, Accounting Operations Manager, County Clerk's Office, appeared and said 124 employees are issued currently paychecks. He said there have been maintenance issues with the printer that prints the checks and said it will need to be replaced if the practice is continued. Genuchi said he believes direct deposit is the "way to go", noting employees can now have their paycheck deposited in more than one bank account and may view their paystub information on Intralinc.

It was noted the City has mandated direct deposit and Fox was asked to research how the City determined it has that authority.

Stevens asked that authority to require direct deposit be added to the County's legislative list.

Sue Eckley, County Risk Manager, appeared and said the County could have a workers' compensation claim if any of the employees who are designated to pick up paychecks for their departments have an accident.

Schorr noted the Management Team has indicated its support of the requirement as it would eliminate that duty.

MOTION: Hudkins moved and Workman seconded to include a notice to the employees who have opted to have a paycheck issued with their next paycheck encouraging them to move to direct deposit and informing them of the new options that are available.

Schorr said she believes the Board should make it a requirement.

FRIENDLY AMENDMENT: Workman offered a friendly amendment that would require new employees to have their pay deposited directly in their bank accounts.

The maker of the motion accepted the friendly amendment.

ROLL CALL: Hudkins, Workman and Stevens voted aye. Schorr voted nay. Motion carried 3-1.

T. Genuchi was asked to report back on how many employees make the transition after receiving the notice.

Schorr suggested that a follow-up call by the department head or a member of the County Board to those who still insist on having a printed paycheck may be appropriate.

ADDITIONS TO THE AGENDA

B. Use of Smartphones While Driving

Schorr said an article in the Lincoln Independent Business Association's (LIBA's) August Newsletter (Exhibit A) indicated an employer could be found liable if an employee has a motor vehicle accident while using a Smartphone (mobile device) to conduct business.

Mark Koller, Personnel Director, appeared and said the City Attorney's Office is drafting a City policy to address this issue. He noted exceptions will need to be made for law enforcement officers.

Gwen Thorpe, Deputy Chief Administrative Officer, was asked to work with the County Attorney's Office, Personnel Department and County Risk Manager to draft a policy for the County Board's consideration.

RETURNING TO ITEM 3

Koller confirmed that the City requires direct deposit of employee pay.

ADMINISTRATIVE OFFICER REPORT

B. Number of Applicants on List of Eligibles (Personnel Rule Modification)

Item was held at the request of the Personnel Director.

4 PENDING LITIGATION - Sue Eckley, County Risk Manager; Kari Wiegert, Risk Management Specialist

MOTION: Workman moved and Hudkins seconded to enter Executive Session at 8:56 a.m. for the purpose of protecting the public interest with regards to pending litigation. Schorr, Stevens, Workman and Hudkins voted aye. Motion carried 4-0.

MOTION: Workman moved and Schorr seconded to exit Executive Session at 9:10 a.m. Hudkins, Workman, Schorr and Stevens voted aye. Motion carried 4-0.

5 HAZARD MITIGATION GRANT - Doug Ahlberg, Emergency Management Director

Doug Ahlberg, Emergency Management Director, said the County has been awarded a hazard mitigation grant in the amount of \$104,000 from the Nebraska Emergency Management Agency (NEMA) for replacement of outdoor warning sirens. He said the County must provide match in the amount of \$26,000 and suggested that Emergency Management Program Grant (EMPG) funds be used for maintenance costs and funds budgeted for that expense be used for the match.

**6 VISITORS PROMOTION COMMITTEE (VPC) RECOMMENDATION:
A) PAYMENT OF PROMOTION FEES FROM VISITORS IMPROVEMENT FUND (JANUARY 1, 2010 THROUGH JUNE 30, 2010); AND B) VISITORS PROMOTION COMMITTEE (VPC) VACANCY - Jeff Maul, Lincoln Convention and Visitors Bureau (CVB) Executive Director; Steve Hilton, Visitors Promotion Committee (VPC) Chair**

A) Payment of Promotion Fees from Visitors Improvement Fund (January 1, 2010 Through June 30, 2010)

Steve Hilton, Visitors Promotion Committee (VPC) Chair, said the VPC has made a determination that facilities are adequate and recommends that the additional ½% lodging tax collected during the period of January 1, 2010 through June 30, 2010 be released to the Convention and Visitors Bureau (CVB) for event promotion.

Schorr exited the meeting at 9:16 a.m.

The Board reviewed a list of events that have requested financial assistance (see agenda packet). The total request is \$119,352.26.

Hudkins said groups that use Pershing Auditorium may question that finding but agreed that some of the events need assistance or will go elsewhere.

Kerry Eagan, Chief Administrative Officer, said a resolution will be scheduled on the August 31, 2010 County Board of Commissioners Meeting agenda that incorporates the recommendation from the VPC.

B) Visitors Promotion Committee (VPC) Vacancy

Hilton said Lisa Tupper, who was General Manager of the Lincoln Hampton Inn, has been transferred to another property and is longer able to serve on the VPC. He said the VPC has recommended appointment of Dave Wheaton, General Manager of the Residence Inn Lincoln South, to a four-year term.

Schorr returned to the meeting at 9:23 a.m.

Hudkins asked whether there is any representation from north or northeast Lincoln properties.

Jeff Maul, Lincoln Convention and Visitors Bureau (CVB) Executive Director, said not at present, but there has been in the past. He said there seems to be a great deal of turnover in this industry, particularly in the limited services property realm, and said the VPC was trying to find someone who was familiar with the Lincoln market.

The Board scheduled the appointment on the August 31, 2010 County Board of Commissioners Meeting agenda.

Stevens noted the VPC also discussed a proposed City ordinance that would allow bars to remain open until 2:00 a.m.

Schorr exited the meeting at 9:29 a.m.

ADMINISTRATIVE OFFICER REPORT

- A. Claim for Review, PV Numbers 277634-277637 to Tan-Aire, Inc.
Totaling \$362.50 (Claim is Over 90 Days)

Bob Jarrett, Maintenance/Construction Manager, Corrections Department, appeared and gave an explanation of the claim. He noted the quality of Tan-Aire's work is good and their rates are reasonable.

Angie Koziol, Business Manager, Corrections Department, appeared and said she has asked the company's bookkeeper to submit claims in a more timely manner.

MOTION: Workman moved and Hudkins seconded to handle the claim through the regular claims process. Hudkins, Workman and Stevens voted aye. Schorr was absent from voting. Motion carried 3-0.

7 AMERICAN INSTITUTE OF ARCHITECTURE AWARD FOR NEW JAIL DESIGN - Mike Thurber, Corrections Director

Mike Thurber, Corrections Director, said PSA-Dewberry will receive an American Institute of Architecture (AIA)/Academy of Architecture for Justice (AAJ) merit award for their design of the new Lancaster County Detention Facility at the Justice Facilities Review Annual Awards Banquet at the Academy of Architecture for Justice, Seventh International Conference in Boston, Massachusetts on November 18th (Exhibit B). He said PSA-Dewberry has asked that Commissioner Heier, who serves as Chair of the Board of Corrections, attend the awards ceremony. Thurber said there are funds in the expense line of the County's architectural contract for the project to pay Heier's expenses.

MOTION: Workman moved and Hudkins seconded to authorize Commissioner Heier to attend the awards banquet.

Stevens questioned whether that is an appropriate use of the funds.

ROLL CALL: Hudkins and Workman voted aye. Stevens voted nay. Schorr was absent from voting. Motion carried 2-1.

8 ACTION ITEMS

There were no action items.

9 CONSENT ITEMS

There were no consent items.

DISCUSSION OF BOARD MEMBER MEETINGS

A. Information Services Policy Committee (ISPC) - Stevens

Stevens said they are still looking at the Voice over Internet Protocol (VoIP) and financing options.

10 ADMINISTRATIVE OFFICER REPORT

A. Claim for Review, PV Numbers 277634-277637 to Tan-Aire, Inc.
Totaling \$362.50 (Claim is Over 90 Days)

B. Number of Applicants on List of Eligibles (Personnel Rule Modification)

Items A and B were moved forward on the agenda.

C. Food Bank Drive Update

Minette Genuchi, County Board Administrative Assistant, appeared and said the Combined City/County Food Bank Drive raised a net of \$18,717.10 this year, with 7,013 pounds of food collected. The County's raised \$5,107.58 and collected 3,166 pounds of food. The City raised \$14,106.00 and collected 3,847 pounds of food. She said the food collection was less than last year but there was a \$5,566 increase in funds raised. Genuchi explained that the coordinators pushed for cash donations this year because the Food Bank has the ability to purchase more food per dollar.

D. September Management Team Meeting (September 9, 2010)

It was noted no agenda items have been scheduled to date and the United Way/Community Health Charities Campaign Kickoff Breakfast is also scheduled to be held that morning.

No decision was made at this time on whether to cancel the meeting.

E. Management Team Fall Retreat

Board consensus was to hold the retreat on October 21st at either the Pioneers Park Nature Center Auditorium, located at the west end of Pioneers Park, South Coddington Avenue at West Van Dorn Street, or at Garner Industries, 7201 North 98th Street.

F. 2010 County Government Day (November 17, 2010)

M. Genuchi said the American Legion Auxiliary will provide the lunch for participants and said it is unlikely there will be any cost to the County this year.

Schorr returned to the meeting at 9:47 a.m.

G. Fall Southeast District Nebraska Association of County Officials (NACO) Meeting (September 24, 2010 at the Peter Kiewit Lodge, Mahoney State Park)

Informational only.

H. Nebraska Association of County Officials (NACO) 116th Annual Conference (December 8-10, 2010 at the Cornhusker Marriott Hotel)

Copies of the tentative program were disseminated (Exhibit C).

I. Equal Employment Opportunity Interlocal Agreement

Eagan said the City has appointed Milo Mumgaard as the new Equal Employment Opportunity Compliance (EEOC) Officer. **NOTE:** The County has a contract with the City for all Equal Employment Opportunity and Affirmative Action services.

11 PENDING

There were no pending items.

12 DISCUSSION OF BOARD MEMBER MEETINGS

A. Information Services Policy Committee (ISPC) - Stevens

Item was moved forward on the agenda.

B. Parks & Recreation Advisory Board - Stevens

Stevens reported the following: 1) Greenspace along Sheridan Boulevard, east of 33rd Street, will be named for Jan Pitsch, who has endowed funds for its maintenance; 2) Revenue from the golf courses is down 14%; and 3) A historical marker commemorating a 1894 train wreck will be placed along the Jamaica North Trail in Wilderness Park.

C. Visitors Promotion Committee (VPC) - Stevens

Stevens reported that the Lincoln Convention & Visitors Bureau (CVB) received a "clean" audit.

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

Stevens reported on plans for a new website for LIBA.

E. Emergency Medical Services (EMS) Oversight Committee - Schorr

Schorr said they discussed new models for EMS oversight and the relationship between the Governing Board and the Medical Director. She noted Bryan/LGH Health System has proposed a model that would eliminate County representation on the Governing Board.

ADDITIONS TO THE AGENDA

A. Improvement of Old Cheney Road from 70th to 82nd Street

Schorr said she attended a meeting to discuss a proposal to widen Old Cheney Road from 70th Street to 84th Street to four lanes. She said it is anticipated that the right-of-way acquisition process will be lengthy because many of the property owners along that stretch of the road oppose the project.

13 EMERGENCY ITEMS AND OTHER BUSINESS

There were no emergency items or other business.

14 ADJOURNMENT

MOTION: Schorr moved and Hudkins seconded to adjourn the meeting at 9:56 a.m. Hudkins, Workman, Schorr and Stevens voted aye. Motion carried 4-0.

/s/Dan Nolte

Dan Nolte
Lancaster County Clerk