

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, JUNE 16, 2011
8:30 A.M.**

Commissioners Present: Deb Schorr, Chair
Bernie Heier, Vice Chair
Larry Hudkins
Jane Raybould
Brent Smoyer

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 8:31 a.m.

AGENDA ITEM

**1 APPROVAL OF THE MINUTES OF THE THURSDAY, JUNE 9, 2011
STAFF MEETING AND TUESDAY, MAY 17 AND WEDNESDAY, MAY
18, 2011 DEPARTMENTAL BUDGET HEARINGS**

MOTION: Hudkins moved and Heier seconded approval of the minutes of the June 9, 2011 Staff Meeting and May 17 and May 18, 2011 Departmental Budget Hearings. Hudkins, Smoyer, Heier, Raybould and Schorr voted aye. Motion carried 5-0.

2 ADDITIONS TO THE AGENDA

- A. Pending Litigation (Executive Session)
- B. Recognition of the Boston Bruins (Hockey Team) for Winning the Stanley Cup
- C. Privatization of County Maintenance Shop

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

3 VISITORS PROMOTION COMMITTEE (VPC) RECOMMENDATION ON LANCASTER COUNTY AGRICULTURAL SOCIETY'S LANCASTER EVENT CENTER REQUEST - Jeff Maul, Lincoln Convention and Visitors Bureau (CVB) Executive Director; Steve Hilton, Visitors Promotion Committee (VPC) Chair; Alan Wood, Legal Counsel for the Lancaster County Agricultural Society

Steve Hilton, Visitors Promotion Committee (VPC) Chair, gave an overview of a request from the Lancaster County Agricultural Society for \$275,751 from the County Visitors Improvement Fund for enhancements to the Lancaster Event Center (Exhibit A). He said the VPC has recommended approval of the request, contingent upon available funds.

MOTION: Smoyer moved and Hudkins seconded to direct the County Attorney's Office to prepare a contract for action at a regular County Board of Commissioners Meeting. Smoyer, Hudkins, Heier, Raybould and Schorr voted aye. Motion carried 5-0.

ADDITIONS TO THE AGENDA

A. Pending Litigation (Executive Session)

See Item 4.

B. Recognition of the Boston Bruins (Hockey Team) for Winning the Stanley Cup

Raybould suggested the Board pass a resolution to recognize the Boston Bruins for winning the Stanley Cup as the National Hockey League (NHL) playoffs champion.

C. Privatization of County Maintenance Shop

Raybould suggested the Board consider privatizing the County Maintenance Shop.

Heier questioned whether that would be the County Engineer's call. **NOTE:** The County Maintenance Shop is part of the County Engineer's department.

Board consensus was to schedule further discussion with the County Engineer, representatives of the Purchasing Department and county departments that utilize the facility.

4 LABOR NEGOTIATIONS - Mark Koller, Personnel Director; John Cripe, Classification and Compensation Manager; Nicole Gross, Compensation Technician; Tom Fox, Deputy County Attorney

MOTION: Smoyer moved and Hudkins seconded to enter Executive Session at 8:48 a.m. for the purpose of protecting the public interest with regards to labor negotiations.

The Chair restated the motion for the record.

ROLL CALL: Heier, Raybould, Smoyer, Hudkins and Schorr voted aye. Motion carried 5-0.

MOTION: Heier moved and Smoyer seconded to exit Executive Session at 9:47 a.m. Smoyer, Hudkins, Heier, Raybould and Schorr voted aye. Motion carried 5-0.

5 FEDERAL AID UPDATE - Don Thomas, County Engineer

Don Thomas, County Engineer, said the Nebraska Department of Roads (NDOR) has taken steps over the last year and a half to reorganize in order to comply with the Federal Highway Act and the County did not receive any federal aid for that period. He said the Legislature passed a bill that allows NDOR to buyout federal aid programs for the cities and counties at a reduced rate (80%). Since it will be state monies, the cities and counties will not be subject to the federal regulations. Thomas said the buyout funds will come to the County in the form of an annual check (estimated amounts are \$300,000 for roads and \$60,000 for bridges) and use of the funds will have to be certified each year. He said one downside is that there won't be sufficient funds to replace costly bridges. Thomas said some federal aid will still be honored in 2012 and will be used for projects such as the Southwest 40th Street bridge and reconstruction of Denton Road from Southwest 12th Street to Southwest 58th Street.

6 ELECTION COMMISSIONER'S SALARY - John Cripe, Classification and Compensation Manager

John Cripe, Classification and Compensation Manager, reported the results of a salary survey of the following counties: Douglas County, Nebraska (includes Omaha), Linn County, Iowa (includes Cedar Rapids), Scott County, Iowa (includes Davenport), Polk County, Iowa (includes Des Moines), Sedgwick County, Kansas (includes Wichita), and Shawnee County, Kansas (includes Topeka). He said the highest salary reported for the position of election commissioner is \$98,205 and the lowest is \$60,000. The midpoint is \$79,527. **NOTE:** Dave Shively, Lancaster County Election Commissioner currently receives \$75,797. Cripe said the highest salary reported for the position of

deputy election commissioner is \$83,474 and the lowest is \$43,075. The midpoint is \$60,702. **NOTE:** Maura Kelly Tolzin, Chief Deputy Election Commissioner, currently receives \$43,075. Kelly Tolzin works three-quarters time, rather than full-time. It was noted that the Board will be setting their salaries for a four-year term.

There was general consensus to pattern salary increases for the election commissioner and the chief deputy election commissioner after the resolution that addressed salaries and cost of living increases for the elected officials for the 2011-2014 term of office (Resolution No. R-09-0107).

7 ACCEPTANCE OF PRICE QUOTE FOR CONTINUED HEALTHCARE SERVICES AT YOUTH SERVICES CENTER (YSC) BY CORRECTIONAL HEALTHCARE MANAGEMENT - Brittany Behrens, Deputy County Attorney; Bob Walla, Assistant Purchasing Agent

Brittany Behrens, Deputy County Attorney, said the informational price quote submitted by Continued Healthcare Services is based on terms of the compensation section of their three-year agreement to provide healthcare services to the Youth Services Center (YSC).

Bob Walla, Assistant Purchasing Agent, said the original agreement allows for a Year 2 price increase tied to the Midwest Region Consumer Price Index (CPI) for Medical services, which is 3.6%. He said the contractor is requesting a 3% increase which is less than the CPI.

DISCUSSION OF BOARD MEMBER MEETINGS

A. Information Services Policy Committee (ISPC) - Smoyer

Smoyer said they discussed the Voice over Internet Protocol (VoIP), emergency preparedness and the budget.

B. Cornhusker Girls State - Raybould, Smoyer

Raybould and Smoyer said they enjoyed visiting with participants and would be willing to represent the County Board again next year.

C. Parks & Recreation Advisory Board - Raybould

Raybould said they discussed how to improve usage of the public golf courses and approved a proposal to expand the liquor policy to allow alcohol to be served at specific events in parks and other recreational facilities such as Auld Pavilion in Antelope Park and Pinewood Bowl in Pioneers Park, with appropriate safeguards and

controls in place. Their recommendation of approval was forwarded to the Lincoln City Council.

8 COMPREHENSIVE PLAN ACREAGE DESIGNATION - Mike DeKalb, Planner; Marvin Krout, Planning Director

Heier said he would like to see the yellow areas, which depict areas suitable for low density residential development, that were removed from the Proposed 2040 Lancaster County Future Land Use Plan Map restored. Those areas are now depicted with blue hash marks on the map. **NOTE:** The map was presented at the June 9, 2011 Staff Meeting.

Mike DeKalb, Planner, explained that there are still a lot of yellow areas shown on the map. New areas, depicted with red hash marks, were added where there are services and infrastructure in place or to fill in between existing yellow areas. He noted a scoring system is used when an application for change of zone is not compatible with the land use designation.

Raybould expressed concern that some individuals may have purchased property that had been designated as low-density residential with the expectation of future acreage development.

DeKalb explained that the Comprehensive Plan is a public policy document and is not binding.

Raybould inquired about the notification to property owners.

DeKalb said the Planning Department notifies anyone that had a change in designation so the property owners have an opportunity to participate in the public hearings or convey their thoughts to the public officials. He said there is also a notification process in place for when there is a change of zone request.

Schorr said she would like to see a list of the parcels that were removed and the rationale for their removal.

In response to a question from Smoyer, DeKalb explained that the Board is planning for the community as a whole. He added that a number of public agencies rely on the Comprehensive Plan for planning purposes.

Smoyer questioned why contiguous parcels do not have the same designation. He cited the area around Pawnee Lake as an example and said it has infrastructure in place for development.

DeKalb explained that area is deemed a risk in terms of finding water although there are a few "sweet spots".

The Chair exited the meeting at 10:37 a.m. and the Vice Chair assumed direction of the meeting.

Smoyer said he believes it is up to the buyer whether to take that risk.

Marvin Krout, Planning Director, said every parcel is contiguous to every other parcel and that could open up the whole County to acreage development. He said there are tremendous costs in providing infrastructure to what is a relatively small population.

Hudkins said the Planning Department has removed a yellow designation from a lot of areas that already have improved roads in place. He said he believes the Planning Department is just trying to limit development to within the city limits.

Krout said they are trying to provide for the historic market for acreages. He said it is also a matter of equity, explaining the majority of the taxes that are paid to maintain county roads are paid by city taxpayers. Krout referred to the Cost of Service Study that was done eight years ago that indicated residential development taxes do not pay the cost of maintaining the county road system.

Hudkins said he believes that study is flawed.

The Chair returned to the meeting at 10:41 a.m. and resumed direction of the meeting.

MOTION: Heier moved and Hudkins seconded to retain the same amount of yellow (low density residential) as was shown on the prior Lancaster County Future Land Use Plan Map.

Schorr requested a one-week delay to allow time to review the areas that were deleted and Planning's rationale.

Raybould said she would also like an opportunity to review that information.

DeKalb gave an overview of past discussions between the Board and Planning Department of where to locate acreage development and alternative provisions to the 20 acre minimum lot size.

Heier called the question.

ROLL CALL: Hudkins, Smoyer, Heier, Raybould and Schorr voted aye. Motion carried 5-0.

9 2011 BOARD OF EQUALIZATION PROTEST POLICIES AND PROCEDURES - Cori Beattie, Deputy County Clerk

Cori Beattie, Deputy County Clerk, noted inclusion of language to clarify that taxpayers who filed appeals to the Tax Equalization and Review Commission (TERC) for the preceding year and had those cases continued must file a new appeal or any relief they received when their TERC case is decided will not apply to the current year.

Raybould asked that a contact number be included in case property owners have questions.

10 BUDGET UPDATE - Dennis Meyer, Budget and Fiscal Officer

Raybould presented an alternate proposal for budget reductions for the Fiscal Year 2011-2012 (Exhibit B). **NOTE:** The Board approved a list of proposed budget reductions submitted by Schorr at the June 9th Staff Meeting on a 3-2 vote (Raybould and Hudkins voted against the proposal). She said her proposal includes a 0.5% budget reduction that would be evenly disbursed between all county departments.

Heier felt Raybould's projection of savings by bidding the health insurance plan was unrealistic, noting the Board has bought down premium increases the last couple of years with the fund balance. Plan changes were also made.

Smoyer asked Raybould why she did not include a reduction to the Information Services (IS) budget in her proposal.

Raybould said IS would receive a reduction of 0.5%. She noted Steve Henderson, Chief Information Officer for IS, is scheduled to present a plan to the Board in October for savings going forward, which could include privatization of some elements.

Schorr said there are several figures she is not comfortable with, including the amount for Joint Budget Committee (JBC) funding and the reduction to the Sheriff's Sinking Fund.

Raybould suggested there is also potential for future savings by taking the following measures:

- Early retirement buyouts
- Employee contributions toward health insurance premiums
- Reducing the retirement match

- Privatization of the County Maintenance Shop
- Consolidation of the County Sheriff's Office and Lincoln's new Public Safety Division
- Consolidation of County Engineering and City Public Works/Utilities
- Jury waivers of compensation
- Increasing fees for marriage licenses, locksmith licenses and certified copies
- Passing the cost of sex-offender registration to the offender
- Requiring attorneys in the County Attorney's Office and Public Defender's Office to pay their Bar Association dues

Schorr and Smoyer felt paying Bar Association dues should be at the discretion of the County Attorney and Public Defender.

Joe Kelly, County Attorney, appeared and said Bar Association dues are part of the attorneys' compensation package. He also pointed out that there are two budgets the Board has control over that have not had budget reductions: Corrections and the Courts. He pointed out that District Court received an adjustment at midyear which gave it a new baseline figure on which to base their budget for next year.

Raybould noted she only made an exception for Corrections in her proposal.

Kelly suggested the Board needs to look at the "big picture" including future costs to operate the new jail.

Terry Wagner, Lancaster County Sheriff, appeared and said Raybould is making an "apples to apples" comparison of departments and that is not the case. He said the elected officials have statutory duties to fulfill and should be treated differently than other departments. Wagner also questioned whether the Board has made cuts to its own budget.

Schorr explained that the Board's budget is composed of three business units. The Administrative Services business unit had a reduction of more than 3%.

Raybould said she has studied the Sheriff's budget and believes some capital investments could be deferred. She also suggested that wear and tear on vehicles could be reduced if deputies did not take their vehicles home at the end of their shifts.

Wagner said he has been planning for future equipment needs and larger increases will be needed in following years if those funds are cut now. He said the Board will make itself look good by not raising taxes this year but his budget will go "sky high" when it comes time to purchase that equipment.

Raybould said the Governor has made it clear that counties should make budget reductions and avoid tax increases.

Bill Jarrett, Chief Deputy Sheriff, appeared and noted that the County is nowhere near its levy lid.

Raybould said taxpayers do not want to see a tax increase.

Jarrett said that is the Board's decision to make.

Hudkins asked whether the Sheriff's Office is advocating a tax increase.

Wagner replied that he just wants sufficient funds to run his office. He said the Board could also eliminate non-mandated functions.

Heier, Smoyer and Schorr indicated they are satisfied with the action the Board took at the June 9th Staff Meeting to reduce the budget.

Norm Agena, County Assessor/Register of Deeds, appeared and asked the Board if there had been increase in the valuation base, would it have reduced the tax rate by the amount the base rate would have gone up or picked up the additional tax revenue.

Schorr said they will make that decision should that occur.

11 ACTION ITEMS

There were no action items.

12 CONSENT ITEMS

There were no consent items.

13 ADMINISTRATIVE OFFICER REPORT

A. Hickman Deputy Emergency Management Director

Eagan said the City of Hickman will name a replacement for Brett Baker, who had served in that capacity.

B. Open Meetings Law Changes

Eagan reported that minor modifications were made to the Open Meetings Act during the 2011 legislative session. He said one of the changes requires that documents

related to the agenda be available to the public at the meeting and he will work with the County Clerk's Office to assure compliance.

C. Food Distribution Night - Center for People in Need

Board consensus was to observe the July 5th food distribution.

14 PENDING

There were no pending items.

15 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Information Services Policy Committee (ISPC) - Smoyer
- B. Cornhusker Girls State - Raybould, Smoyer
- C. Parks & Recreation Advisory Board - Raybould

Items A-C were moved forward on the agenda.

D. Meeting with the Mayor - Schorr, Heier

Schorr said they discussed the City's request for funds from the Visitors Improvement Fund for the new West Haymarket Arena, the County's request that the City waive its fees for design work on improvements to the intersection at the entrance to the new Lancaster County Adult Detention Facility (LCADF), the Geographic Information System (GIS) billing, the Equal Employment Officer position and the Sheriff's concerns that the 911/Emergency Communications remain independent.

E. Board of Health - Schorr

Schorr said they discussed the Summer Food Program and changes in how to perform Cardio-Pulmonary Resuscitation (CPR).

F. Labor Management Meeting - Raybould

Raybould said the American Federation of State, County & Municipal Employees (AFSCME) representatives relayed their concerns regarding the County Treasurer's new sick leave policy.

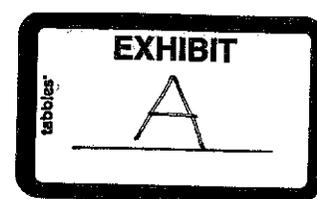
16 EMERGENCY ITEMS AND OTHER BUSINESS

Schorr said Larry Dix, Executive Director, Nebraska Association of County Officials (NACO), informed her that the National Association of County Officials (NACo) is disappointed that the Board has decided to no longer participate in NACo's Caremark Rx Card Program. **NOTE:** The County has moved to the Coast2Coast Rx Card Program (see May 12, 2011 Staff Meeting minutes).

17 ADJOURNMENT

MOTION: Heier moved and Smoyer seconded to adjourn the meeting at 11:37 a.m. Smoyer, Hudkins, Heier, Raybould and Schorr voted aye. Motion carried 5-0.

Dan Nolte
Lancaster County Clerk



LANCASTER EVENT CENTER

4100 North 84th Street, Lincoln, NE 68507 (402) 441-6545 Fax: (402) 441-6046 www.lancastereventcenter.com

Date: Monday, April 25, 2011

To: Visitors Promotion Committee

From: Lancaster Event Center, Ron Snover, Managing Director

The Lancaster County Agricultural Society is requesting the following capital funds from the 1% Improvement Fund from the Visitors Promotion Committee on Monday, May 16.

Pavilion 1 – Big Ceiling Fans for cooling and heating **\$ 38,560**
 The addition of large ceiling fans will help cool during summer months and heat costs in the colder months. This addition makes this building much more marketable for existing and new shows.

Pavilion 1 – Concrete **\$ 55,800**
 Pavilion I currently has a dirt center arena. The dirt arena is becoming less frequently used and the need for carpeting is requested more often. This addition will alleviate the addition and removal of carpeting between shows, which will result in the ability to market new shows and maintain current shows.

Public Address System Upgrade – all buildings **\$ 65,551**
 This upgrade in the sound system will allow all buildings to communicate with each other, eliminate current cross-talk between existing system, and comply with Federal Law regarding wireless systems in the 700Hz band range. This upgrade will alleviate existing sound issues that arise during multiple events.

Lincoln Room – additional office/meeting room space **\$112,840**
 This addition will provide office/meeting space to support events in the Lincoln Room. There is currently no space to support rentals in this room.

Miscellaneous – Permits **\$ 3,000**

Total **\$275,751**

2011-2012 Budget Reductions									
16-Jun-11									.5% budget reduction
			One-time	Deb's Proposal	Alternate Proposal				
<u>Potential Savings</u>				2011-2012	2011-2012				
.5% budget fund savings					1,288,279.00				
3% budget fund savings			ALL DEPTS.EXCEPT*						
PEHP	\$450,000	√		330,000.00	330,000.00				
1 Day Furlough	249,000.00	√		0.00	249,000.00	sum deducted per person per each department's budget			
Health Ins. Adjustments	150,000.00			0.00	106,000.00	mid-year budget from January - June 2012			
\$50 month health ins.	0.00								
KENO	1,000,000.00	√		950,000.00	600,000.00	allow handhelds for Assessor's department			
IS savings	255,000.00			170,000.00	0.00				
East Beltway	606,000.00			625,000.00	500,000.00				
JBC	250,000.00			205,000.00	150,000.00				
Valuation increase 1%	500,000.00	√		350,000.00	350,000.00				
Delinquent tax	600,000.00	√		650,000.00	650,000.00				
Sinking fund Sheriff	100,000.00	√		0.00	86,000.00				
Juvenile/District Court	150,000.00			150,000.00	0.00				
Corrections Budget	150,000.00			150,000.00	-122,000.00	Adjustment added back to Corrections budget			
Elected Official Budget Reduction				585,376.00	0.00				
<u>Future Cost Savings</u>									
Early retirement buy-out savings									
Employee Health Ins. Contribution									
Reduce retirement match to 1									
Privatize repair shop									
Consolidate law enforc.									
Consolidate eng.& pw									
	\$4,460,000			4,165,376.00	4,187,279.00				
* County Clerk, County Treasurer, County Assessor/Register of Deeds									
Public Defender, County Sheriff, County Attorney and County Engineer									
These departments held to a flat budget of 0% increases									