

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, JANUARY 10, 2013
8:30 A.M.**

Commissioners Present: Deb Schorr, Chair
Roma Amundson
Jane Raybould
Brent Smoyer

Commissioners Absent: Larry Hudkins, Vice Chair

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dan Nolte, County Clerk
Angela Zocholl, County Clerk's Office

Advance public notice of the Board of Commissioners Staff Meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and provided to the media on January 9, 2013.

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:35 a.m.

AGENDA ITEM

1 APPROVAL OF THE MINUTES OF THE STAFF MEETING, DECEMBER 20, 2012, AND TRI-COUNTY MEETING NOVEMBER 19, 2012

MOTION: Smoyer moved and Raybould seconded approval of the minutes. Raybould, Amundson, Smoyer and Schorr voted aye. Hudkins was absent. Motion carried 4-0.

2 ADDITIONS TO THE AGENDA

A. Letter from Nationwide Retirement Solutions regarding a fund change in the Post Employment Health Plan (PEHP)

B. County organizational chart

C. Wellness

MOTION: Smoyer moved and Raybould seconded approval of the additions to the agenda. Smoyer, Amundson, Raybould and Schorr voted aye. Hudkins was absent. Motion carried 4-0.

3 LEGISLATIVE UPDATE - Gordon Kissel and Joe Kohout, Kissel E&S Associates

Gordon Kissel distributed a list of the 2013 Legislative Committees (Exhibit A).

Joe Kohout discussed the legislative priorities.

- Opposition to the elimination of inheritance tax: This is the number one legislative priority. A bill on elimination of inheritance tax would likely be introduced next week.
- Expansion of Medicaid under the Affordable Care Act: This will be brought forth by Senator Kathy Campbell.
- Elimination of county responsibility to pay rent for Health and Human Services (HHS): This is drafted but was held until committees were assigned. Kerry Eagan noted that Gary Chalupa, General Assistance Director, requested information from the State and discovered a very small number of counties are paying rent; this means those paying rent are paying for the entire state, which raises a constitutional question.
- Modified right to a court appointed attorney in Juvenile Court: This will be introduced by Senator Colby Coash.
- Definition of oversight for staff secure facility: The only change from last year was the section on re-dispensing drugs.

Raybould asked if Douglas County had any discussion on changing elected officials to appointed positions. Kissel said it currently has not been discussed with any of the Douglas County lobbyists.

Eagan discussed a possible bill that would allow the State to take over secure juvenile detention at all levels. If this occurred, the County likely would still be in charge of community programs. Kohout said something with that big of a fiscal impact would have to wait until the budget comes out of the Appropriations Committee, which would not be until late April or early May.

Eagan said Richard Grabow, Deputy County Attorney, has been working with a bill that would provide extra child support from cash bonds. Grabow said he was assisting with the technical aspects of it, but it may not be introduced, as it is requiring a lot of rework.

Schorr asked Kohout and Kissel to watch for any bills related to the Railroad Transportation Safety District (RTSD). She said the Mayor's Office expressed displeasure over decisions made during the budget cycle and the County's ability to use a portion of the RTSD levy in the budget. She thought legislation changing the setup of the RTSD under State statute might be brought forth in the future.

4 HEALTH DEPARTMENT INTERLOCAL AGREEMENTS WITH CITIES AND VILLAGES - Judy Halstead, Health Department Director; Scott Holmes, Environmental Public Health Division Manager; John Chess, Environmental Health Supervisor

Judy Halstead said many of the interlocal agreements date back to 1974 and need to be updated. She explained there would be no change to services. The updates involve minimum standards; regulation of design, construction, installation and maintenance of individual sewage disposal systems; investigation of public health nuisance conditions as defined by the individual villages and cities; review of property transfer; and review of newly proposed subdivisions. Halstead said everything was reviewed with Commissioner Smoyer who did not have any questions or concerns. Schorr confirmed that the agreements would need to be approved during Tuesday Board meetings.

ADDITIONS

A. Letter from Nationwide Retirement Solutions regarding a fund change in the Post Employment Health Plan (PEHP)

Eagan distributed the Nationwide letter (Exhibit B), which notified the County that the Dreyfus Small Cap Fund – Class I would be eliminated and funds would be liquidated. He said action must be taken by January 16. If no action were taken, Nationwide would put the money into their fixed account. Eagan recommended putting the funds into a Nationwide Small Cap Index Fund, which has the lowest fees and best returns. This action would require approval at a Tuesday Board meeting. Eagan noted that only 15 employees and \$26,488 were in the plan. He would try to get a list of the participants to communicate this information. Nationwide would also send a letter saying employees can move the money themselves; if they do not, the default action would be taken.

B. County organizational chart

Schorr asked for approval from the Board to include the chart on the web site.

MOTION: Raybould moved and Amundson seconded approval to place the chart on the County's web site. Raybould, Amundson, Smoyer and Schorr voted aye. Hudkins was absent. Motion carried 4-0.

5 NEBRASKA CRIME COMMISSION HOMELESS GRANT - Kim Etherton, Community Corrections Director

Kim Etherton said the Nebraska Crime Commission Grant has been extended until February, but there will still be five people in homeless beds. She asked for around \$7,000 to keep them in this program until their cases are resolved, which she expected to be by end of the fiscal year. Etherton said the cost of returning those five to custody would be around \$30,000 while the five beds cost around \$3,500 per month. She planned to seek continued funding for this program, which has so far allowed removal of 69 people from the jail. Total cost of the program for two years is around \$200,000.

MOTION: Raybould moved and Amundson seconded approval to authorize expenditures up to \$7,000 to supplement the Nebraska Crime Commission Homeless Grant. Smoyer, Amundson, Raybould and Schorr voted aye. Hudkins was absent. Motion carried 4-0.

ADDITIONS TO THE AGENDA

C. Wellness

Gwen Thorpe suggested having someone from Unico come on-site and put together a wellness program but she was not sure what the cost would be. Schorr said Blue Cross Blue Shield would not charge for this service if using their personal health assessment, but there is a setup fee. To cover the expense, Schorr suggested using rebate funds from the Coast to Coast prescription discount card. Thorpe noted there was around \$21,000 available. Raybould asked if the Coast to Coast funds go into the general fund. Thorpe said an average of \$1,500 per month goes into the general fund.

Eagan suggested reassembling a wellness committee. Schorr thought an email should be sent to directors requesting a representative from each department for the committee and another email sent to elected officials asking for the same participation.

The benefits of a wellness program were discussed.

6 LABOR NEGOTIATIONS - Doug McDaniel, Personnel Director; Richard Grabow, Deputy County Attorney; Nicole Gross, Compensation Technician; Amy Sadler, Compensation Technician

MOTION: Smoyer moved and Raybould seconded to enter Executive Session at 9:16 a.m. for the purpose of discussing labor negotiations and to protect the public interest.

The Chair restated the motion for the record.

ROLL CALL: Raybould, Amundson, Smoyer and Schorr voted aye. Hudkins was absent. Motion carried 4-0.

MOTION: Smoyer moved and Raybould seconded to exit Executive Session at 9:40 a.m. Smoyer, Amundson, Raybould and Schorr voted aye. Hudkins was absent. Motion carried 4-0.

7 ACTION ITEMS

A. Nebraska Crime Commission Continuation Grant Application for County's Coordinated Response to Domestic Violence

Eagan said the grant application is for continuation of the coordinated domestic violence program.

MOTION: Raybould moved and Smoyer seconded approval of the grant application. Raybould, Amundson, Smoyer and Schorr voted aye. Hudkins was absent. Motion carried 4-0.

B. Investment Change Summary for Prudential Fund Changes to 401(a) & 457 Plans

Eagan explained that Prudential needs the form signed to make a fund change.

MOTION: Smoyer moved and Raybould seconded approval for the Chair to sign the investment change summary. Smoyer, Amundson, Raybould and Schorr voted aye. Hudkins was absent. Motion carried 4-0.

8 CONSENT ITEMS

There were no consent items.

9 ADMINISTRATIVE OFFICER REPORT

F. Prudential Fund Change Notification Letter

Eagan said the fund change notification letter would go to all participants explaining the change.

MOTION: Raybould moved and Smoyer seconded approval of the letter. Smoyer, Amundson, Raybould and Schorr voted aye. Hudkins was absent. Motion carried 4-0.

A. NACO County Board Workshop (February 6 - 8, 2013)

Eagan stated it is customary for new commissioners to attend. Amundson said she could attend part of the workshop. Thorpe noted Hudkins would be absent that week, so if two commissioners attended the workshop, there would not be a quorum for the February 7 staff meeting. Schorr said Amundson could attend; if she needed to go also, the staff meeting would have to be canceled.

B. NACO Institute of Excellence (Registration Deadline - February 15, 2013)

Amundson agreed to attend.

C. Claim for Review, PV384308 for \$1,595.00 to Johnson Hardware Co. There is No Contract with This Vendor and The Claim Exceeds the Amount Needing to Go through the Purchasing Order Process

Eagan said the claim was submitted shortly before the Purchasing policy changed. Angie Koziol, Corrections Business Manager, said one of the maintenance people purchased five security locks for work release from Johnson Hardware. She spoke to Bob Walla, Assistant Purchasing Agent, who advised her to bring the claim to the Board for approval since the other quote he had would have been \$300 more.

D. Claim for Review, PV384195 for Mileage Reimbursement of \$29.97 (Community Mental Health Center) beyond the 90 day time period

MOTION: Smoyer moved and Raybould seconded approval to forward Claim PV384308 and Claim PV384195 to the next Tuesday Board meeting for approval. Raybould, Amundson, Smoyer and Schorr voted aye. Hudkins was absent. Motion carried 4-0.

E. County Board Training

Items needed for training were discussed, including the open meetings law, Board of Equalization, Purchasing review, accountability and disclosure, budget act, and Personnel issues.

Schorr discussed the possibility of having Bill Harding discuss employee liability.

Thorpe said she is working on a bring-your-own-device policy.

G. Historic Sign Request

Eagan said the business owner requested that his business name be on the sign. However, there are national standards for historical signs, and he would be required to list the historical name of the building, not the business name. Eagan mentioned the possibility of applying for a Visitors

Improvement Fund grant but it was noted that the business is not nonprofit as required. The consensus was that the County would not be paying for the sign.

H. Committee Assignments

Committee assignments were chosen as follows:

- Budget Monitoring Committee – Raybould, Smoyer
- Chamber of Commerce Coffee – Amundson, Smoyer
- Community Mental Health Center Advisory Committee – Raybould
- Board of Corrections – Hudkins, Raybould
- District Energy Corporation – Schorr, Hudkins
- Emergency Medical Oversight Authority – Schorr
- General Assistance Monitoring Committee – Hudkins, Amundson
- Information Services Policy Committee – Raybould
- Lancaster County Fairgrounds JPA – Hudkins, Schorr
- LIBA Budget Monitoring Committee – Smoyer
- NACO Board of Directors – Schorr
- Health Department, Board of Directors – Amundson
- Human Service Joint Budget Committee – Schorr, Raybould
- Parks and Recreation Advisory Board – Hudkins
- Public Building Commission – Raybould, Hudkins
- Railroad Transportation Safety District – Smoyer, Schorr, Amundson
- Region V Governing Board – Smoyer
- Visitors Promotion Committee – Smoyer
- Youth Services Center Advisory Board - Amundson

I. County Employee Recognition (Tuesday, May 14, 2013)

Minette Genuchi, County Board Administrative Aide, said a breakfast is tentatively planned for May 14, at 7:30 a.m., at Green Gateau.

J. Legal Opinion Regarding Inclusion of Right of Way in Calculation of Farmstead Acreage Requirement

Eagan said State statute defines a farmstead as 20 acres or more and produces \$1,000 worth of farm income. According to legal opinion, the right-of-way is considered part of the owner's land if it is by easement, but it is not included if it is by fee simple. Eagan said he would like to make the legal opinion a public document.

K. Meeting with City Council and Lincoln Public Schools Board

Schorr referred to an article in the newspaper about the truancy program which is run through Juvenile Court. She thought it would be a good topic for a Super Common meeting (County Board, City Council, Mayor and Lincoln School Board). Schorr said a program was presented on the educational component of the Youth Services Center a few years ago and felt it would be a good idea to present it again. She noted recent discussion by Gene Carroll, City Councilman, calling for a Super Common meeting to discuss gun control and safety. The consensus was to include the scheduling of this meeting at the upcoming Common meeting on January 15, 2013.

10 PENDING

There were no pending items.

11 DISCUSSION OF BOARD MEMBER MEETINGS

A. Planning Meeting with Sara & Marvin - Schorr/Hudkins

Schorr said discussion included Rural Water District 1 fees and examples of two-acre plots. She said Planning has brought in a national consultant to revise the way Rural Water District 1 calculates fees.

B. Chamber Coffee - Smoyer/Raybould

Smoyer said there was no Chamber Coffee due to the holidays.

C. Public Building Commission - Hudkins/Raybould

Raybould said Andy Stebbing, County Treasurer, brought a request for a waiver to allow him to carry a concealed weapon on the premises; however, it is in violation of City ordinance and State statute. She said there was discussion on who is responsible for the policy and if a waiver should be allowed for retired law enforcement officers. The consensus was to request a legal opinion from the County Attorney.

Raybould said use of hand dryers versus paper towels was discussed. She noted a large savings on paper products, although several people still preferred using paper towels.

D. Board of Health - Smoyer

Smoyer said the Board discussed the safe kids program, the last of the essential services and opportunities in legislative changes.

E. CMHC ITN - Raybould/Smoyer

Raybould said the request for qualification document was reviewed and corrections were made. At the next meeting, the changes will be reviewed. Eagan said once this is done it will be discussed at a Thursday staff meeting and approved at a Tuesday Board meeting.

12 SCHEDULE OF BOARD MEMBER MEETINGS

Smoyer noted there was a conflict with the City-County Common and LIBA meetings. The consensus was for him to attend the Common meeting.

13 ADJOURNMENT

MOTION: Smoyer moved and Raybould seconded to adjourn the meeting at 10:30 a.m. Raybould, Amundson, Smoyer and Schorr voted aye. Hudkins was absent. Motion carried 4-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk



2013 LEGISLATIVE COMMITTEES
Committee on Committees Preliminary Report
Standing Committees

Updated 1/9/13

Agriculture (8)*Rm. 2102 - Tuesday*

Schilz (C), Bloomfield, Chambers, Hansen, Harr, B., Johnson, Lathrop, Wallman

Appropriations (9)*Rm. 1524 - Monday & Tuesday**Rm. 1003 - Wednesday, Thursday, & Friday*

Mello (C), Bolz, Conrad, Harms, Kintner, Larson, Nelson, Nordquist, Wightman

Banking, Commerce and Insurance (8)*Rm. 1507 - Monday & Tuesday*

Gloor (C), Campbell, Carlson, Christensen, Crawford, Howard, Pirsch, Schumacher

Business and Labor (7)*Rm. 2102 - Monday*

Lathrop (C), Ashford, Chambers, Hansen, Harr, B., McGill, Wallman

Education (8)*Rm. 1525 - Monday & Tuesday*

Sullivan (C), Avery, Cook, Davis, Haar, K., Kolowski, Scheer, Seiler

General Affairs (8)*Rm. 1510 - Monday*

Karpisek (C), Bloomfield, Coash, Johnson, Krist, Lautenbaugh, Murante, Schilz

Government, Military and Veterans Affairs (8)*Rm. 1507 - Wednesday, Thursday, & Friday*

Avery (C), Bloomfield, Karpisek, Lautenbaugh, Murante, Price, Scheer, Wallman

Health and Human Services (7)*Rm. 1510 - Wednesday, Thursday, & Friday*

Campbell (C), Cook, Crawford, Gloor, Howard, Krist, Watermeier

Judiciary (8)*Rm. 1113 - Wednesday, Thursday, & Friday*

Ashford (C), Chambers, Christensen, Coash, Davis, Lathrop, McGill, Seiler

Natural Resources (8)*Rm. 1525 - Wednesday, Thursday, & Friday*

Carlson (C), Brasch, Dubas, Haar, K., Johnson, Kolowski, Schilz, Smith

Nebraska Retirement Systems (6)*Rm. 1525 - At call of Chair*

Nordquist (C), Conrad, Davis, Karpisek, Kolowski, Mello

Revenue (8)*Rm. 1524 - Wednesday, Thursday, & Friday*

Hadley (C), Hansen, Harr, B., Janssen, McCoy, Pirsch, Schumacher, Sullivan

Transportation and Telecommunications (8)*Rm. 1113 - Monday & Tuesday*

Dubas (C), Brasch, Hadley, Janssen, McCoy, Price, Smith, Watermeier

Urban Affairs (7)*Rm. 1510 - Tuesday*

McGill (C), Ashford, Coash, Karpisek, Krist, Lautenbaugh, Murante



Nationwide®
Retirement Solutions

On Your Side™

January 4, 2013

ACTION REQUESTED: Fund closing. Please provide direction for asset mapping.

Dear Retirement Plan Sponsor:

On December 12, 2012, Dreyfus notified us that the **Dreyfus Small Cap Fund – Class I will liquidate on January 16, 2013**. Because the fund is no longer available, it must be removed from your retirement plan, and the assets must be moved to another fund available to your plan.

Nationwide recognizes that this decision by Dreyfus creates a very tight timeline. We are working to make this transition as smooth as possible for you and your participants.

Effective January 14, 2013 the fund is closed to new enrollments. If a participant currently has assets in the fund, (s)he may continue to make contributions, change allocation amounts, and exchange into and out of the fund until January 16, 2013.

Please provide instruction about which of the funds to map the assets into, and we will execute that change when the fund is removed from the plan. If we do not hear from you by 4 p.m. Eastern Standard Time on January 14, 2013, assets in Dreyfus Small Cap Fund – Class I will be mapped to the Nationwide Fixed fund.

Thank you for your prompt response to this request. If you have questions, please call your Nationwide plan administrator.

Sincerely,

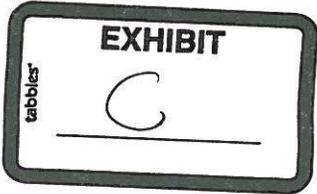
Nationwide Retirement Plans

Prospectuses may be obtained by calling 1-877-849-8282 and are available on www.nrsforu.com. Please read the prospectus carefully for more information, including investment objectives, risks, management fees and other charges and expenses. Investing involves market risk, including possible loss of principal and there is no guarantee that fund objectives will be met.

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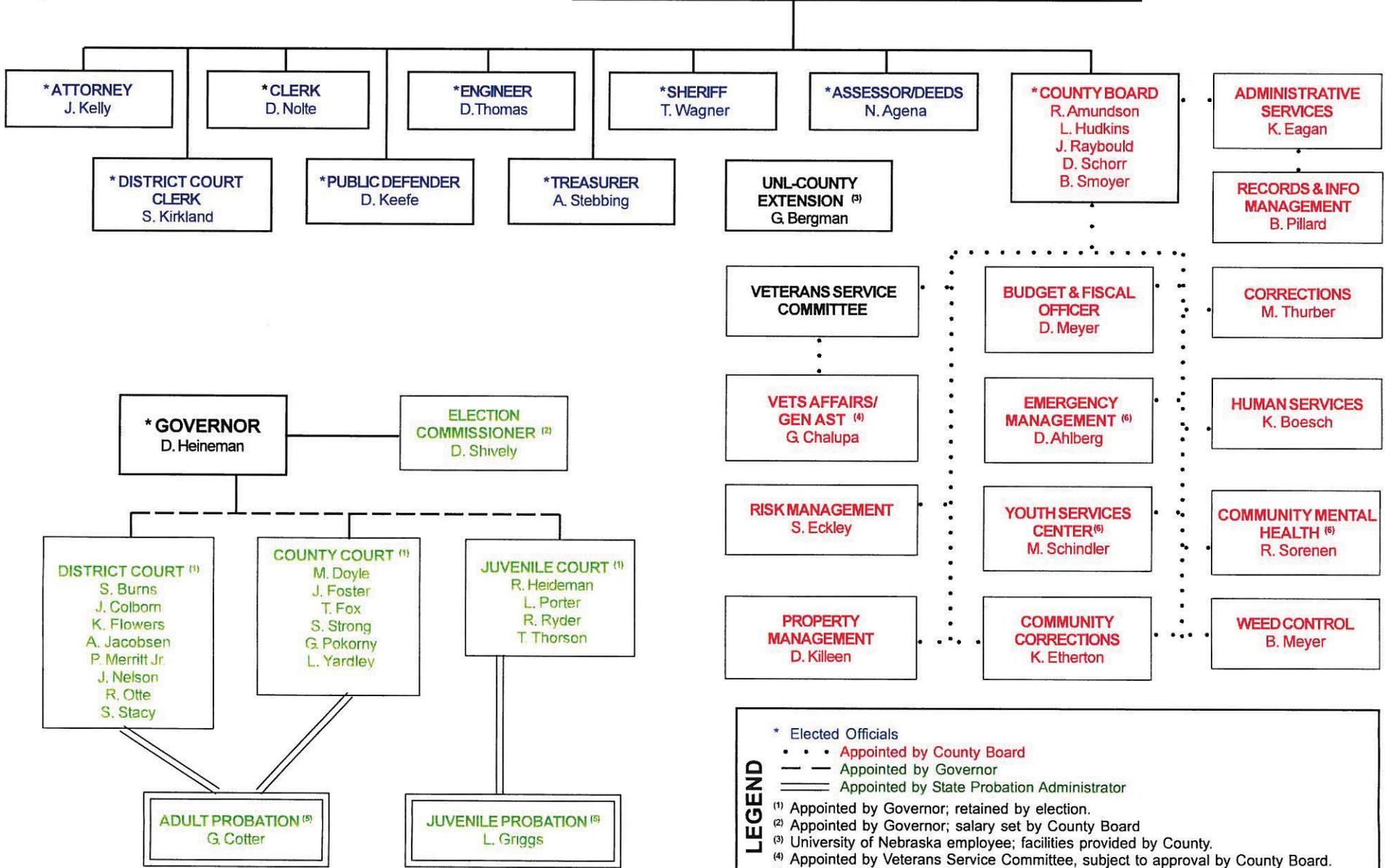
Plan representatives are Registered Representatives of Nationwide Investment Services Corporation, member FINRA. In Michigan only, Nationwide Investment Svcs. Corporation. The unregistered group variable annuity is issued by Nationwide Life Insurance Company, Columbus, Ohio. Contract number: NRC-0105AO, NRC-0105OR. In Oklahoma only: NRC-0105OK.

NRN-0661AO (01/2013)



Lancaster County Organizational Chart

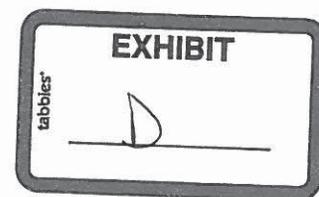
Lancaster County Voters



LEGEND

- * Elected Officials
- • • Appointed by County Board
- — Appointed by Governor
- ==== Appointed by State Probation Administrator

(1) Appointed by Governor; retained by election.
 (2) Appointed by Governor; salary set by County Board
 (3) University of Nebraska employee; facilities provided by County.
 (4) Appointed by Veterans Service Committee, subject to approval by County Board.
 (5) Appointed by State Probation Administrator, subject to approval by judges.
 (6) Agency has advisory board or committee.



Sober Houses of NE

Lisa Harmon & Mark Davis

Lincoln, NE

(402) 327-9751 & (402) 440-7884

12-12-2012

To Whom It May Concern,

We are writing this letter in support of the Lancaster County Community Corrections Homeless Pretrial Release Program that allows homeless people to reside in the community while they are awaiting sentencing rather than be housed in jail. We are the owners of Sober Houses of NE which provides housing to the high-risk, high-need men who are in the Homeless program. It is our understanding that this important program may be losing funding. That would truly be a grave error on the part of the Lancaster County Board. In fact, funding for more beds is needed.

We have been impressed with the program itself and the staff. The men in this program are given a chance to be housed with us inexpensively at \$400 per month instead of high jail costs which, at \$75 per day, equals at least \$2250 per month. While living in the community, these men can still be monitored as closely as needed with ankle bracelets and oversight like our bed checks. It seems that this program is ideal for saving the taxpayers money both now and in the future. Residing in the community allows these men to work also and continue to contribute to the tax base, further saving taxpayers money.

The Homeless Pretrial Release Program gives men a chance to seek treatment in the community and forge ties in Alcoholics Anonymous and Narcotics Anonymous that can last them far beyond their time in Community Corrections, which ultimately makes recidivism much lower. In our houses, the men are required to attend at least three AA or NA meetings every week.

For the men who have mental health issues, living in our houses gives them a safe place to stay, which is much less likely to exacerbate their symptoms as opposed to incarceration. Even though mental health therapy is not provided in our houses, we are both Licensed Independent Mental Health Practitioners. As such, we are uniquely qualified to understand these men in our houses and to help provide them with a supportive environment. Since the future of Lancaster County Mental Health Center seems uncertain at this time, programs like this one that provide beds for homeless people with mental health issues become vitally important.

Community-based housing and treatment is thought to be most effective and desirable for most populations. We realize this has been the first year for the Homeless Pretrial Release Program. Any new program takes time to become successfully established. We have been able to see the successful

progression of this program over time. It is a shame that now, when the program and our houses are understanding how to work together so smoothly to help this high-risk, high-need population, the grant funding is over. We currently have nine beds in our houses being used by this county program. The men in these beds will be there past the end of the grant cycle; further funding is needed to continue to help these men. If their beds are not funded, what will happen to these men? Will they be put in jail or returned to the streets? Sober Houses of NE would be happy to continue working with the dedicated staff of Lancaster County Community Corrections Homeless Pretrial Release Program and the men they serve.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Harmon". The signature is written in black ink on a white background.A handwritten signature in cursive script that reads "Mark Davis". The signature is written in black ink on a white background.

Lisa Harmon & Mark Davis, Sober Houses of NE