

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113 - BILL LUXFORD STUDIO
THURSDAY, OCTOBER 29, 2015
8:30 A.M.**

Commissioners Present: Roma Amundson, Chair
Deb Schorr
Bill Avery
Todd Wiltgen

Commissioners Absent: Larry Hudkins, Vice Chair

Others Present: Gwen Thorpe, Deputy Chief Administrative Officer
Dan Nolte, County Clerk
Ann Taylor, 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 October 28, 2015.

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:33 a.m.

The Board recognized the recent death of Bill Luxford, former Operations Manager at 5 City-TV.

AGENDA ITEM

1 APPROVAL OF MINUTES OF THE OCTOBER 15, 2015 STAFF MEETING

MOTION: Wiltgen moved and Avery seconded approval of the minutes of the October 15, 2015 Staff Meeting. Avery, Wiltgen and Amundson voted aye. Schorr abstained from voting. Hudkins was absent from voting. Motion carried 3-0, with one abstention.

2 ADDITIONS TO THE AGENDA

- A. Nebraska Association of County Officials (NACO) Southeast District Meeting
- B. National Association of County Officials' (NACo's) Juvenile Justice Action Academy in Chicago, Illinois

- C. Legislative Resolution (LR) 196 (Interim Study to Examine Current State Statutes Governing Population Thresholds for Nebraska Counties)
- D. Resignation from the Pension Review Committee (PRC)

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

3 LINCOLN ELECTRIC SYSTEM (LES) SERVICE CENTER AND ADMINISTRATIVE OFFICES AT SOUTH 98TH STREET AND ROKEYB ROAD - Kevin Wailes, Administrator and Chief Executive Officer (CEO), Lincoln Electric System (LES); Trish Owen, Vice President, Corporate Operations, LES

Kevin Wailes, Administrator and Chief Executive Officer (CEO), Lincoln Electric System (LES), said LES would like to construct a new LES Operations Center (LOC) at South 98th Street and Rokeby Road. He said impetus for the project were concerns about reliability and the ability to meet customers' needs. Wailes explained that all of LES's operations and support for transmission distribution, equipment, and storage of materials is at one site (North 27th and Fairfield Streets) and said exposure for a catastrophic event is significant. The north center, which houses the LOC, sits in the 100-year flood plain and its flood protection gates had to be closed this spring due to flooding.

Trish Owen, Vice President, Corporate Operations, LES, gave a PowerPoint presentation on plans for the new LOC (Exhibit A), noting the following:

- Project Rationale
- Conclusions of 2013 Study by HDR (Engineering Consultant)
 - ▶ Any incident resulting in the loss of, or reduction of, operations of the Service Center (SVC) would significantly reduce the capability to respond to customers
 - ▶ To address future operational and customer needs in the most cost effective manner possible, LES should begin efforts to:
 - 1) Relocate customer service/bill paying to a new location downtown;
 - 2) Construct a new service center in an area closer to the projected growth of the city;
 - 3) Relocate Lincoln Electric Building (LEB) personnel to the new service center and sell the LEB
- Service Area Growth
- Short List Criteria
- Site Selection
- Expected Time line

Owen said the proposed LOC could provide an opportunity for possible co-location of other government operations, such as the County Sheriff and County Engineering.

Owen also indicated that LES plans to request that a section of Rokeby Road, from South 84th to South 98th Street, be added to the County's One and Six Year Road and Bridge Improvement Program for Year One. LES is willing to front the cost to construct that segment of road and to work with County Engineering on an interlocal agreement and road design criteria.

Avery inquired about the cost of the project. Owen said the total budget is \$72,000,000 and said \$50,000,000 will go for construction. Avery asked if LES plans a rate increase to pay for the facility. Wailes said it could be a small component of a rate increase. He said the project will be debt financed and explained LES typically funds at least 50% of its capital programs with cash and the remainder with debt.

Avery inquired about competition for electricity by other providers. Wailes said LES participates in a national rate study every year and had the eleventh lowest rates in the country last year. He said there have been comments about Nebraska in total not being as competitive. Wailes said that may be caused in part by the way the Energy Information Administration does its rate comparison.

Schorr asked what they project the facility will look like and how will it impact roads. Owen said they do not have a design yet but said it will likely have a low profile, similar in design to the existing Service Center with an office component attached. She estimated there will be 250 to 300 employees at the facility but they will not all be working the same hours which will help mitigate the impact. Owen said there will be an impact to Rokeby Road and said the paving of a portion of that road segment is a Rokeby Coalition obligation. Access to the facility has not been determined but will either be from South 98th Street or Rokeby Road.

In response to a question from Schorr, Waites estimated the number of trucks that will be accessing the facility at 75.

Also present for the presentation were: J.D. Linscott, (LES); Mike Marsh, Greg Smith and Mike Wachal, Davis Design; and Brian Chaffin, Ben Day, Rick Herrick, Brad Korell, Jon Nunes and Mark Palmer, Olsson Associates.

4 THREAT HAZARD IDENTIFICATION AND RISK ASSESSMENT (THIRA) ON NOVEMBER 18, 2015 - Jim Davidsaver, Emergency Management Director

Jim Davidsaver, Emergency Management Director, discussed the Threat Hazard Identification and Risk Assessment (THIRA) exercise that will be held November 18th and invited the Commissioners to participate (Exhibit B). Amundson indicated plans to attend.

In response to a suggestion from Schorr to involve the media, Davidsaver explained that contact will be through a public service officer.

Avery exited the meeting at 9:22 a.m.

**5 RECOMMENDATION FROM PENSION REVIEW COMMITTEE (PRC)
TO ELIMINATE ROYCE PENNSYLVANIA MUTUAL INVMT FUND
AND MAP PROCEEDS TO VANGUARD SMALL CAP INDEX ADM
FUND - Pension Review Committee (PRC)**

Dennis Meyer, Budget and Fiscal Officer and a member of the Pension Review Committee (PRC) reported the following recommendation from the PRC:

- *Eliminate the Royce Pennsylvania Mutual Invmt Fund, from the investment array for the 401(a) Lancaster County Employees Retirement Plan and the 457(b) Deferred Compensation Program and map the proceeds to the Vanguard Small Cap Index Adm Fund*

Avery returned to the meeting at 9:27 a.m.

Schorr asked how many employees would be affected. Scott Gaines, Chief Administrative Deputy Assessor/Register of Deeds and a member of the PRC, said 83 employees are invested in the fund. Their investments total slightly less than \$2,000,000.

MOTION: Wiltgen moved and Schorr seconded to schedule action to proceed with the recommendation from the Pension Review Committee (PRC) on the November 3, 2015 County Board of Commissioners Meeting agenda. Wiltgen, Avery, Schorr and Amundson voted aye. Hudkins was absent from voting. Motion carried 4-0.

ADDITIONS TO THE AGENDA

D. Resignation from the Pension Review Committee (PRC)

Gwen Thorpe, Deputy Chief Administrative Officer, said Scott Helvie, Chief Deputy Public Defender, is retiring from the Public Defender's Office and has submitted a letter indicating that he is also resigning as a Pension Review Committee (PRC) member (Exhibit C). She said Joe Nigro, Public Defender, has indicated he would be willing to serve on the PRC in his place.

There was consensus to schedule action to accept the Helvie's resignation and to appoint Nigro to the PRC on the November 3, 2015 County Board of Commissioners Meeting agenda.

ADMINISTRATIVE OFFICER REPORT

H. Addition of David Derbin, Deputy County Attorney, to the Pension Review Committee (PRC)

The Board scheduled the appointment on the November 3, 2015 County Board of Commissioners Meeting agenda.

6 ADULT PROBATION REPORTING CENTER - Don Killeen, County Property Manager; Jeff Curry, Chief Probation Officer, Adult Probation; Cindy Wohlers-Green, Probation Reporting Center Coordinator; John Kay, Sinclair Hille & Associates Inc.

Don Killeen, County Property Manager, said space has been located in a building at 2949 North 27th Street that seems to meet Adult Probation's needs for an additional reporting center in the northern portion of Lincoln (Exhibit D). The building is on a bus route and offers adequate parking. It is also in close proximity to a police substation, unemployment services and the Center for People in Need, which can assist with basic needs.

John Kay, Sinclair Hille & Associates Inc., presented a concept plan diagram of the space (Exhibit E). He said the building is currently a shell and all of the interior walls have been removed.

Wiltgen inquired about other options for space. Killeen said he contacted realtors in the community and said this space is the best fit for that area of Lincoln which has a high concentration of high risk offenders.

Jeff Curry, Chief Probation Officer, Adult Probation, said the State will supply the furnishings and computer equipment and software, which will be given to the County. The County will be responsible for leasing the space. He said additional staff will be hired by January 1st and funds will be made available at that time for programming.

Killeen was asked to check with the County Attorney's Office on the maximum length of time the County can enter into a lease and to negotiate the best lease terms he can. Killeen said he will also ask contractors look at the space to help determine costs.

Avery exited the meeting at 9:43 a.m. to attend a dedication ceremony for improvements to the entryway corridor that extends from the Lincoln Airport to downtown Lincoln.

In response to a question from Schorr, Killeen said sale of Trabert Hall is tied to the renovation of the 605 Building. He said sale of the Community Mental Health Center Building could be as early as March, 2016, noting Lutheran Family Services (LFS) plans to move out of the building around that time.

ADDITIONS TO THE AGENDA

- A. Nebraska Association of County Officials (NACO) Southeast District Meeting

Wiltgen reported he was elected President of the NACO Southeast District.

- B. National Association of County Officials' (NACo's) Juvenile Justice Action Academy in Chicago, Illinois

Amundson said she attended the NACo's Juvenile Justice Action Academy as part of a team from Lancaster County and said she has provided Board members with materials from the Academy on juvenile justice reform.

- C. Legislative Resolution (LR) 196 (Interim Study to Examine Current State Statutes Governing Population Thresholds for Nebraska Counties)

Thorpe said Kerry Eagan, Chief Administrative Officer, and Joe Kohout, Kissel/E&S Associates (Legislative Consultant), plan to attend the Government Committee's hearing on LR 196 on November 4th.

7 VIDEO CONFERENCING KENO FUNDING - Dennis Meyer, Budget & Fiscal Officer; Jennifer Kulwicki, District Court Administrator

Dennis Meyer, Budget & Fiscal Officer, said there is \$268,000 in the Keno Fund that has not been allocated to a specific project and said a portion could be used to equip two District Court and two Juvenile Court courtrooms with video conferencing equipment at an approximate cost of \$80,000. The cost of the equipment is increasing and the County could save approximately \$15,000 by purchasing the equipment now (see October 15, 2015 Staff Meeting minutes).

Schorr noted the County Engineer has asked that funds in the Keno Fund be used to purchase right-of-way. Meyer suggested \$150,000 from the Keno Fund could still be used for that purpose.

MOTION: Wiltgen moved and Schorr seconded to proceed with equipping two District Court and two Juvenile Court courtrooms with video conferencing equipment utilizing funds in the Keno Fund. Wiltgen, Schorr and Amundson voted aye. Avery and Hudkins were absent from voting. Motion carried 3-0.

ADMINISTRATIVE OFFICER REPORT

A. Six-Month Salary Review for Sara Hoyle, Human Services Director

Thorpe disseminated an excerpt from the February 3, 2015 County Board of Commissioners Meeting minutes showing the Board's intent to review Hoyle's salary after six months with a potential salary increase not to exceed \$80,000 (Exhibit F). Schorr said she has received very positive comments from other entities in the community regarding Hoyle's performance and said she supports increasing Hoyle's salary to \$80,000.

The Board scheduled action on the November 3, 2015 County Board of Commissioners Meeting agenda.

B. City of Lincoln Fire Chief Interviews (Schorr, Wiltgen)

Schorr and Wiltgen indicated they have been asked to serve on the Interview Committee.

J. Nebraska Association of County Officials (NACO) Voter Registration for NACO Officers

MOTION: Schorr moved and Wiltgen seconded to authorize Commissioner Amundson to cast the ballot for Lancaster County in the 2015 election of Nebraska Association of County Officials (NACO) Officers and to designate Commissioner Wiltgen as alternate. Schorr, Wiltgen and Amundson voted aye. Avery and Hudkins were absent from voting. Motion carried 3-0.

8 JUVENILE TRANSPORT UPDATE - Sheli Schindler, Youth Services Center (YSC) Director; Jeff Bliemeister, Chief Deputy Sheriff; Kristy Bauer and David Derbin, Deputy County Attorneys

Sheli Schindler, Youth Services Center (YSC) Director, said the County still does not have a contract with the Office of Probation Administration for holding post-adjudicated youth in YSC. She added that transportation has always been part of contracts. Schindler said the County is still not receiving its full per diem (the County is charging a daily per diem of \$307 and the State is paying \$276). The difference to date is \$488,000 from billing that started in June, 2014.

Schindler said YSC staff have spent 244 hours transporting youth to court this past month, which equates to \$10,000 in personnel costs. There were 193 transports and 13 involved more than one staff member in the vehicle. She said 223 residents were transported, some more than once. Of the 193 transports, 179 were Probation jurisdiction and 44 were County jurisdiction. Schindler noted staff had to be pulled from the floor to assist with transports for 19 out of 28 court days.

Schindler noted the County sent a letter to the Office of Probation Administration notifying it the County would cease providing transportation for post-adjudicated youth, as of September 1, 2015 (see July 23, 2015 Staff Meeting minutes). She said she made a decision prior to that deadline to continue because of concerns about what had been worked out. Schindler said a new situation has arisen that has caused her to rethink future continuance of transportation. She said she received an amended order last week from Juvenile Court regarding the use of restraints when transporting juveniles defined by Nebraska Revised Statute Section §43-247(1), (2) or (3)(B) before the Court in the Justice and Law Enforcement Center (Exhibit G). The order states a juvenile alleged to be or adjudicated shall not be transported from court after a detention hearing with any type of restraint if that juvenile is being released to their parent/guardian. Schindler said she still has questions regarding the scope of the order. She said YSC's policies do not allow the unrestrained transport of persons to or from destinations, including court.

Schindler said YSC had previously received an order that (3)(B) (ungovernable or truant) youth would not be restrained during transport. That order came after a law took effect that youth should not be restrained in court. At that time, the County was developing processes to decrease the number of (3)(B) youth held in the County's staff secure facility. She said she felt that situation could be managed with the security measures in place. Schindler said she has adjusted policies so transports can only occur with only one youth in the back of the vehicle. She said increasing the non-restrained population will affect staffing needs for transport and security issues. Schindler said she has evaluated the option of releasing the juvenile directly from court but does not support it. She explained that Nebraska Jail Standards require certain processing steps, including releasing property and monies and signing certain forms. She said staff also checks for any warrants that might have been issued since intake.

Schindler outlined several options:

- 1) Send another letter to the Office of Probation Administration indicating the County will not conduct transports of post-adjudicated youth to or from court. Any pre-adjudicated youth who are transported to court will be returned to the facility.
- 2) Continue to transport all youth with the new procedures in place.
- 3) Seek approval from Nebraska Jail Standards to skip certain standards and discharge the youth directly from court. That would increase the risk of tort claims and the staff's workload.

Schorr asked what would happen if the youth were discharged from court and no parent/guardian were present. Schindler said that situation could occur.

Schorr also inquired about the fiscal impact. Schindler estimated it at \$10,000 a month, based on low transportation numbers.

Wiltgen noted the Juvenile Court could order the County Sheriff's Office to provide transport. Jeff Bliemeister, Chief Deputy Sheriff, said it could but pointed out having armed deputies transport unrestrained youth could be problematic. He also stated the cost would be more than the \$10,000 a month employee cost that Schindler had indicated. The Court could also order Probation to do the transports which it could do by contracting with one of the companies that provide the service. Schindler said state statutes clearly state that Probation is responsible for the cost of transportation.

The Chair asked Schindler what option she is most comfortable with. Schindler said she would not be comfortable doing unrestrained transports. She said the County has not agreed to do transports as part of a contract and said it is not a function of detention.

There was consensus to have staff draft a letter to the Office of Probation Administration that will: 1) Incorporate the amended order and describe the impact it has had on YSC; 2) Outline the County's concern that is not in the best interest of the youth to be transported by an armed law enforcement officer; and 3) Indicate the County will cease providing transportation for post-adjudicated youth as of November 13, 2015. The letter will be signed by all members of the Board and copies will be sent to the Nebraska Supreme Court and Lancaster Juvenile Court.

Jeff Curry, Chief Probation Officer, Adult Probation, appeared and said he would be willing to assist in any way he can.

9 PENDING & POTENTIAL LITIGATION - Kristy Bauer, David Derbin and Ryan Swaroff, Deputy County Attorneys

MOTION: Schorr moved and Wiltgen seconded to enter Executive Session at 10:42 a.m. for the purpose of protecting the public interest with regards to pending litigation, potential litigation and labor negotiations.

The Chair restated the motion for the record.

ROLL CALL: Schorr, Wiltgen and Amundson voted aye. Avery and Hudkins were absent from voting. Motion carried 3-0.

Avery returned to the meeting at 10:50 a.m.

MOTION: Wiltgen moved and Schorr seconded to exit Executive Session at 11:33 a.m. Avery, Schorr, Wiltgen and Amundson voted aye. Hudkins was absent from voting. Motion carried 4-0.

10 LABOR NEGOTIATIONS - Doug McDaniel, Lincoln-Lancaster County Human Resources Director; Kristy Bauer, Deputy County Attorney

See Item 9.

11 INTERNAL REVENUE SERVICE (IRS) C FORMS FOR COUNTY -
Doug McDaniel, Lincoln-Lancaster County Human Resources Director

Doug McDaniel, Lincoln-Lancaster County Human Resources Director, said the City and County must file a 1095-C form with the IRS for the 2015 tax year for each of their employees to be in compliance with the Affordable Care Act (ACA). Information must be provided on what insurance coverage was made available, when it was offered, any dependents that were offered health insurance, and the date of birth and social security number for each individual covered. He said that is not information that is necessarily captured in the payroll system. McDaniel said Empower (payroll vendor) indicated it could produce the forms for the City at a cost of \$13,000. He said Information Services (IS) learned that Empower subcontracts with a software developer (JAT Computer Consulting, Inc.) and contacted JAT to see if it would be willing to perform the service. McDaniel said they agreed to do so, noting Blue Cross and Blue Shield of Nebraska (BCBSNE), administrator of the health plan, will supply the required information. McDaniel said the City has purchased one software license at a cost of \$4,200, adding there will be an additional cost of approximately \$4,475 to print and mail the forms. The County's share of the costs will be \$2,891. He said he signed the contract on behalf of the City and County. The County will be billed for its portion and employees will be notified that they will need to include 1095-C forms with their tax returns.

Wiltgen inquired about the "Cadillac Tax", a 40% non-deductible excise tax on employer-sponsored health coverage that provides high-cost benefits. McDaniel said he cannot guarantee the County will avoid the tax but said exposure has been minimized. The tax will not take effect until 2018 and it appears that only one of the County's plans (law enforcement) has exposure.

It was suggested AON Risk Solutions, the County's benefit consultant, provide information on the ramifications of the "Cadillac Tax."

12 CONSENT ITEMS

There were no consent items.

13 ADMINISTRATIVE OFFICER REPORT

- A. Six-Month Salary Review for Sara Hoyle, Human Services Director
- B. City of Lincoln Fire Chief Interviews (Schorr, Wiltgen)

Items A and B were moved forward on the agenda.

- C. Letter to Lincoln-Lancaster County Planning Director Regarding South Haymarket District

Thorpe presented a letter draft (Exhibit H), noting there will be attachments (see Item 10F in the October 15, 2015 Staff Meeting minutes).

Amundson noted the Public Building Commission (PBC) feels strongly that PBC property between South 8th and South 9th Streets should be removed from the South Haymarket Neighborhood Plan.

Avery and Schorr questioned whether it is appropriate to continue to use the K Street Building for long-term storage of documents, noting more of a reliance on electronic documents.

There was consensus to hold action until all five commissioners are present. There was also a request to have the Planning Department give a presentation on the Plan.

D. District Energy Corporation (DEC) Director Appointment (Hudkins)

There was consensus to hold the appointment until the Board makes its committee assignments in January.

E. Lincoln Independent Business Association (LIBA) Events - Should They Be Added to the Invitation Sheet (Green Sheet)

There was consensus to add Lincoln Independent Business Association (LIBA) and Lincoln Chamber of Commerce sponsored ribbon cutting ceremonies and after hours events to the Invitation Sheet. There was also consensus to limit the events listed on the Invitation Sheet to eight weeks out.

F. Appointment of Lucas Sabalka to the Air Pollution Control Advisory Board

There was consensus to schedule the appointment on the November 3, 2015 County Board of Commissioners Meeting agenda.

G. Nonprofit Board Matching Event (November 11, 2015)

Item was dropped from the agenda.

H. Addition of David Derbin, Deputy County Attorney, to the Pension Review Committee (PRC)

Item was moved forward on the agenda.

I. Appointment of Tom Randa to the Lincoln-Lancaster County Board of Health (Replacing Dr. Karla Lester)

Item was held for additional information regarding the makeup of the Board of Health.

- J. Nebraska Association of County Officials (NACO) Voter Registration for NACO Officers

Item was moved forward on the agenda.

- K. Authorize Payment of Segal Rogerscasey from Prudential Expense Account (\$28,500 for Annual Investment Review)

MOTION: Schorr moved and Wiltgen seconded to authorize the payment. Schorr, Wiltgen, Avery and Amundson voted aye. Hudkins was absent from voting. Motion carried 4-0.

- L. Agenda Items and Location of Tri-County Meeting (Muller Administrative Services Building - Multipurpose Room on Lower Level)

Thorpe said the Tri-County Meeting will be held on the Bellevue University campus in Bellevue, Nebraska on November 16th. She said she, Eagan and Dennis Meyer, Budget and Fiscal Officer, met with their counterparts in Douglas and Sarpy County and said the following topics were suggested: 1) Legislative agendas; 2) Juvenile Detention Alternatives Initiative (JDAI); 3) Strategic planning; 4) Courtroom video conferencing; 5) Health insurance premiums; and 6) Use of cloud computing (the provision of computational resources on demand via a computer network).

Wiltgen said he would like discussion of the behavioral health system in the context of criminal justice reform. Schorr said she is interested in the data component. The issue of transporting juveniles to court was also suggested.

14 PENDING

There were no pending items.

ADDITIONS TO THE AGENDA

- E. Lincoln Chamber of Commerce Growth and Development Meeting
- F. Volunteer Opportunity

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

15 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Nebraska Association of County Officials (NACO) Legislative Conference - Schorr

Schorr said Joe Kohout, Kissel/E&S Associates, spoke about lobbying and the legislative process.

- B. Mobilizing for Action Through Planning and Partnerships (MAPP) - Avery

Avery said discussion focused on goals, objectives and a strategic planning process for improving community health.

- C. Lancaster County Fairgrounds Joint Public Agency (JPA) - Wiltgen/Avery

Wiltgen said they approved disbursements.

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

Wiltgen said the highlight of the meeting was a presentation by Lincoln Electric System (LES) on their rate increase.

- E. District Energy Corporation (DEC) - Hudkins/Schorr

Schorr said they discussed a request from Lincoln Electric System (LES) for DEC to put a facility at the South 98th Street and Rokeby Road site (see Agenda Item 3). The DEC also hired a consulting firm to look at requests it receives to provide power to different facilities in the community.

- F. Parks and Recreation Futures Committee - Hudkins

No report.

- G. Lincoln Independent Business Association (LIBA) Monthly Meeting - Hudkins

No report.

- H. Meeting with Planning Department - Amundson/Hudkins

Amundson said they were informed that Avalon Event Paradise, a reception venue at 12788 Roca Road, Crete, Nebraska, applied for special permit to allow it to hold special events such as weddings and family reunions then asked the Planning Commission to defer a decision so the owner can contact neighbors and try to address their concerns. She said they also were informed there is an outdoor shooting range operating illegally at 3200 Gage Road, Firth, Nebraska, and that the buildings that were constructed on the property did not have permits.

- I. Keno Advisory Board - Schorr

Schorr said an orientation session was held.

ADDITIONS TO THE AGENDA

E. Lincoln Chamber of Commerce Growth and Development Meeting

Wiltgen said there was a presentation by Kyle Schneeweis, the new Nebraska Department of Roads (NDOR) Director. He said Schneeweis talked about bundling of City and County road and bridge construction and combining it with design-build, a method to deliver a project in which the design and construction services are contracted by a single entity.

F. Volunteer Opportunity

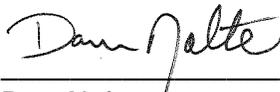
Avery suggested the Board volunteer at the Food Bank of Lincoln on December 3rd from 1:00-4:00 p.m.

16 EMERGENCY ITEMS AND OTHER BUSINESS

There were no emergency items or other business.

17 ADJOURNMENT

MOTION: Schorr moved and Wiltgen seconded to adjourn the meeting at 12:27 p.m. Avery, Schorr, Wiltgen and Amundson voted aye. Hudkins was absent from voting. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk



HDR 2013 Facility Master Plan

Study Goal

Determine if the two existing non-power producing facility assets (LEB and SVC) are meeting the current and projected internal and external needs of the company



Striving to be the world's best energy company.

www.les.com | 3

HDR 2013 Analysis Process

Identify risks associated with current facilities and the ability of each facility to meet the following service goals:

- Meet necessary customer demands under various emergency scenarios
- Meet the future operational needs to maintain the current excellent level of service
- Meet the future growth requirements estimated for the service area over the next 25 to 30 years



Striving to be the world's best energy company.

www.les.com | 4

Operations Center Project Rationale

- RISK
- GROWTH
- RESPONSE TIME



Striving to be the world's best energy company.

www.les.com | 5

RISK-Assets in One Location

May 2011

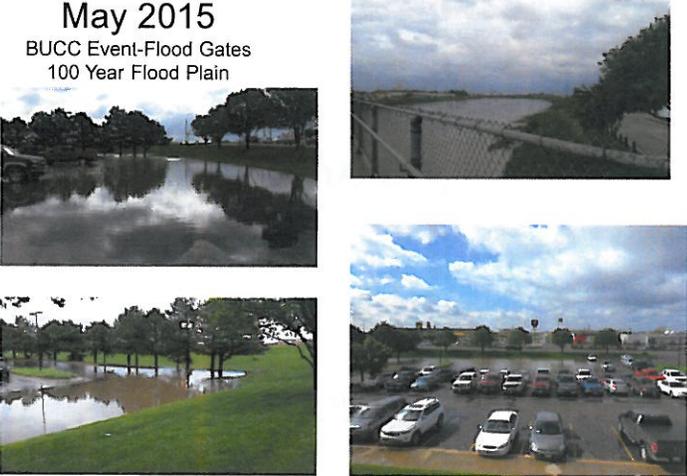
32 minutes changed Joplin, Missouri



Striving to be the world's best energy company.

www.les.com | 6

May 2015
BUCC Event-Flood Gates
100 Year Flood Plain



The slide contains four photographs. The top-left photo shows a large body of water reflecting a cloudy sky, with trees in the background. The top-right photo shows a close-up of a concrete structure, likely a flood gate, with a chain-link fence in the foreground. The bottom-left photo shows a flooded area with water covering a grassy field and trees. The bottom-right photo shows a parking lot with several cars parked, with a building and trees in the background.

LES Striving to be the world's best energy company. www.les.com

GROWTH

- Growth pattern has been to the south/southeast
- Lancaster County has seen an annualized growth rate of 1.3% during the 2000's
- Comp Plan assumes Lancaster County to reach over 412,000 persons by 2040, 90% of which will likely continue to reside in the City of Lincoln

LES Striving to be the world's best energy company. www.les.com | 8

Service Area Growth (HDR current SVC scenario)

- Increased time for service crews to respond to outages
- Increased crew costs due to travel time



Striving to be the world's best energy company.

www.les.com | 9



- Degradation of the operational efficiencies of construction crews due to larger service area and travel time from the north service center site



Striving to be the world's best energy company.

www.les.com |

HDR 2013 Study Conclusions

TODAY- All Energy Delivery service and assets from SVC

- Any incident resulting in the loss of, or reduction of, operations of the SVC would significantly reduce the capability to respond to customers.

FUTURE- To address future operational and customer needs in the most cost effective manner possible LES should begin efforts to

- Relocate customer service/bill paying to a new location downtown
- Construct a new service center in an area closer to the projected growth of the city
- Relocate LEB personnel to the new service center and sell the Lincoln Electric Building



Striving to be the world's best energy company.

www.les.com | 11

Site Selection

Ten responses received back from farmers and other land owners to 2014 RFP for 80+ acre parcels

Four parcels were shortlisted

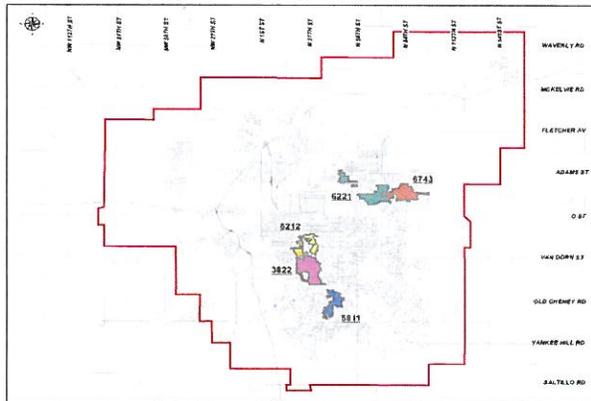
- Two finalist sites were not slated for any city infrastructure until after 2040.
- One finalist site was too close to a prime commercial, developed area not suitable for a service center
- Denison site has sewer and water planned for extension in collaboration with the Rokeby Coalition by 2020. This Tier III parcel abuts with the Coalition's Tier I parcel. Best choice for LES



Striving to be the world's best energy company.

www.les.com | 12

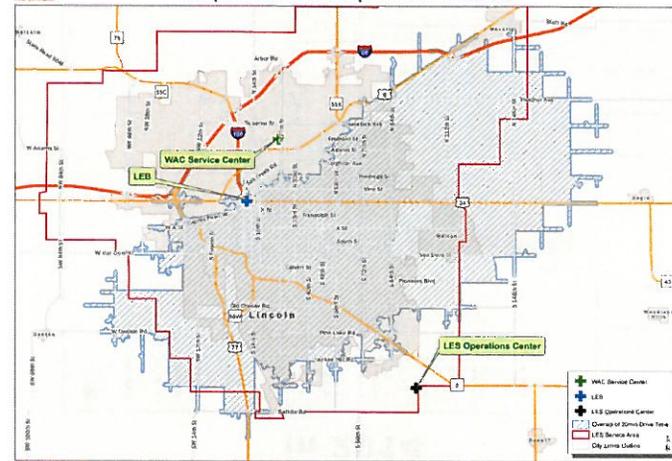
Five circuits with the Highest Customer Impact in 2014



Striving to be the world's best energy company.

www.les.com |

Improved Response Times



Striving to be the world's best energy company.

www.les.com | 16

LES Operations Center 98th and Rokeby

- Service Center Operations
 - Indoor/outdoor warehouse stores
 - Covered truck parking
 - Primary control center
 - Maintenance garage & vehicle service area
 - Tool and Stores
 - General office and conference room spaces
 - Possible co-location of other govt. operations:
 - County Sheriff; County Engineering; PWU;
 - Lincoln Police Department; LFR



Striving to be the world's best energy company.

www.les.com | 17

LES Operations Center 98th and Rokeby

- LES Board room & Public Meeting Space
- LES Division Offices

Other:

Solar and geo-thermal systems-DEC feasibility?

Wastewater system or lagoon

Rural Water



Striving to be the world's best energy company.

www.les.com | 18

Lincoln Electric Building

- Current square footage = 44,641-Six floors
- Formally 'surplus' the building for sale
- Back on the property tax rolls
- Higher and better use for building
- Several developers have expressed interest
- National Registry designation
- Customer interface (bill paying) remains downtown
- Why sell LEB? Would be irresponsible to keep three buildings when two will do!



Striving to be the world's best energy company.

www.les.com | 19

Rokeby Road-Our Front Door

Request to add Rokeby Road (84th to 98th) to One-and-Six Road Plan for year one

LES will front all costs to construct that segment of road

Working with Pam Dingman on a possible interlocal and road design criteria

Important to be a good neighbor to the area, finish road, control dust on roads and construction site



Striving to be the world's best energy company.

www.les.com | 20

Emergency Services

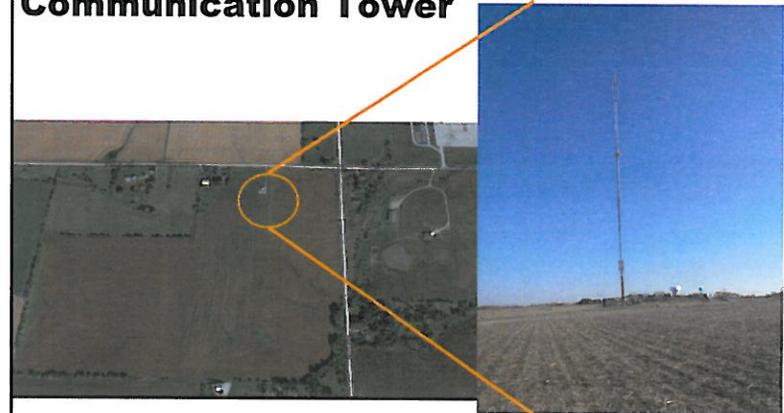
- In the Bennet Fire District
- Southeast Rural Fire Station at Hwy 2/Eiger only 2.7 miles away
- LFR's new fire station to be around 70th and Pine Lake Road for mutual aid calls
- On site fire suppression system similar to Terry Bundy Generating Station



Striving to be the world's best energy company.

www.les.com | 21

Communication Tower



Striving to be the world's best energy company.

www.les.com | 22

Expected Timeline

Site Purchase – 4/1/2015- **Completed**

Architect Start – August 2015- **Completed**

Engineering Start – Fall 2015- **Completed**

Initial Site Prep – Spring 2016

Above Grade Construction Start – Fall 2016

Construction Completion – Nov./Dec. 2018



Striving to be the world's best energy company.

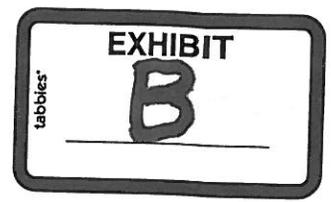
www.les.com | 23

Questions?



Striving to be the world's best energy company.

www.les.com | 24



THIRA Briefing Notes
Lancaster County Board Staff Meeting
Thursday, Oct 29, 2015

Are we ready?

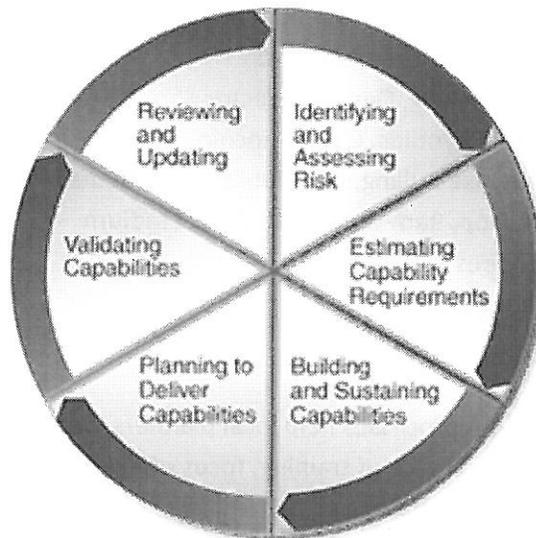
Emergency Management: All-hazards approach

Mission Areas: Prevention, Protection, Mitigation, Response and Recovery

THIRA

Threat Hazard Identification and Risk Assessment

National Preparedness System Planning Cycle



Thirty-Two Core Capabilities

- | | | |
|--------------------------|------------------------------------|-----------------------------------|
| Access Control | Intelligence & Information Sharing | Public & Private Resources |
| Community Resilience | Interdiction & Disruption | Public Health & Medical Services |
| Cyber Security | Long-term Vulnerability Reduction | Public Information & Warning |
| Economic Recovery | Mass Care Services | Risk & Disaster Resiliency |
| Environmental Response | Mass Search & Rescue | Risk Management for Protection |
| Fatality Management | Natural & Cultural Resources | Screening, Search & Detection |
| Fire Management | On-Scene Security & Protection | Situational Assessment |
| Forensics & Attribution | Operational Communications | Supply Chain Integrity & Security |
| Health & Social Services | Operational Coordination | Threat & Hazard Identification |
| Housing | Physical Protective Measures | |
| Infrastructure Systems | Planning | |

THIRAs are conducted annually at the regional and state levels.

Preparing to Participate in a THIRA Process-UNL Public Policy Center (13 min video)

<https://www.youtube.com/watch?v=aY53CLjmYQc>

Lincoln-Lancaster County THIRA

Key Stakeholders/Subject Matter Experts invited to participate (50+ agencies/entities)

'Whole community'	Emergency Responders	Businesses
Healthcare Providers	Critical Infrastructure	Schools
Vulnerable Populations	Continuity of Operations	
Representatives from government: County, City, State and Federal agencies		

Consider three 'worst case' scenarios

Possibility vs. Probability

Tornado

Flood

Hazmat outside Memorial Stadium on Football Saturday

Data gathering and scripting the scenarios:

Mark Hosking, Deputy Director

Jeff McReynolds, City of Lincoln GIS

Dr. Denise Bulling, UNL Public Policy Center

Wed, Nov 18th Workshop, 9am-2pm, UNL-West Stadium

80-125 attendees

RSVP deadline: Wed, Nov 4th

End Product

Local and regional THIRA processes help local planners identify capability gaps, which in turn guide the development of plans, choice of training, focus of exercises and type of equipment and supplies that are prioritized for purchase.

Focus is on response and recovery efforts

Lessons learned from response and recovery are applied to future efforts targeting prevention, protection and mitigation.

The process aims to identify 'capability' gaps

As a community, what do we do well?

What are our areas in need of improvement?

What do we need to do to fill those gaps?

Planning process

Equipment and resource acquisition

Training/Orientation on use of new equipment/resources

Exercises to test our preparedness

Local Emergency Operations Plan (LEOP) due for major review in 2016

LAW OFFICES OF THE
LANCASTER COUNTY PUBLIC DEFENDER

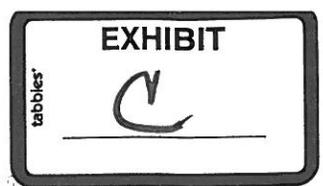
COURTHOUSE PLAZA
633 SOUTH 9TH STREET

LINCOLN, NE 68508

(402) 441-7631

FAX (402) 441-6062

FELONY DIVISION FAX (402) 441-6095



RECEIVED

OCT 28 2015

LANCASTER COUNTY
BOARD

October 26, 2015

Kerry Eagan
Chief Administrative Officer
Lancaster County, Nebraska

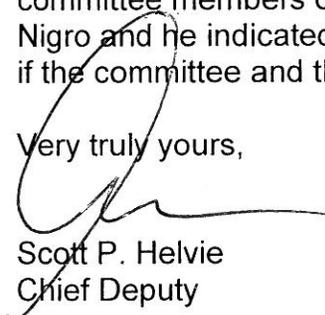
RE: Pension Review Committee

Dear Kerry:

I recently finalized my retirement plans from the Lancaster County Public Defender's Office. My last day at work will be December 31, 2015. Thereafter I will take my accumulated vacation time until it runs out. I expect the vacation time to run out in the middle of February 2016.

As I am retiring from the Lancaster County Public Defender's Office, I am hereby submitting my resignation as a Committee Member with the Pension Review Committee. I have enjoyed the opportunity to work with you and the rest of the committee members on that committee. I did discuss my resignation with Joe Nigro and he indicated he would be willing to serve on the committee in my place if the committee and the County Board so desired.

Very truly yours,



Scott P. Helvie
Chief Deputy

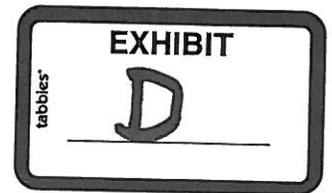
SPH:lg
cc: Joe Nigro

For Lease

Office/Retail Center



2949 N. 27th Street
Lincoln, Nebraska



- \$9.50/SF NNN
- 5,800 SF (can be subdivided)
- On the high traffic corner of 27th Street & Cornhusker Hwy.
- Great visibility
- Lots of parking
- TI Allowance available
- Monument signage available in 2015
- **6 Months Free Rent**- call for details



For more information, contact:

Mike Ball

402 441 5807 • mball@naifma.com

Scott Richardson

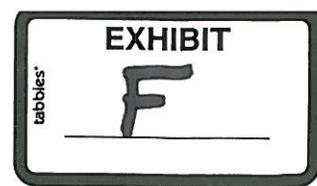
402 441 5814 • srichardson@naifma.com

NAIFMA Realty

Wells Fargo Center
1248 'O' Street, Suite 550
Lincoln, NE 68508
402 441 5800
naifmarealty.com

NO WARRANTY OR REPRESENTATION, EXPRESS OR IMPLIED, IS MADE AS TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN, AND THE SAME IS SUBMITTED SUBJECT TO ERRORS, OMISSIONS, CHANGE OF PRICE, RENTAL, OR OTHER CONDITIONS, PRIOR SALE, LEASE OR FINANCING, OR WITHDRAWAL WITHOUT NOTICE, AND OF ANY SPECIAL LISTING CONDITIONS IMPOSED BY OUR PRINCIPALS. NO WARRANTIES OR REPRESENTATIONS ARE MADE AS TO THE CONDITION OF THE PROPERTY OR ANY HAZARDS CONTAINED THEREIN ARE ANY TO BE IMPLIED.

FEB. 3, 2015



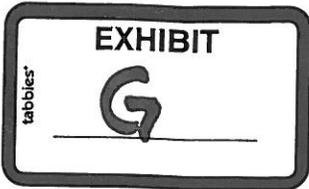
4) **OLD BUSINESS:**

- A. Contract with CBM Managed Services to provide food service for various Lancaster County departments. The County will pay for products according to the Enhanced Menu Pricing. The term of the agreement is a four-year term beginning February 1, 2015. (C-15-0062)

5) **NEW BUSINESS:**

- A. Addendum to County Contract C-14-0224, between Lancaster County and Milliman, Inc., extending the agreement for professional actuarial services for one additional year beginning February 1, 2015 and ending January 31, 2016. (C-15-0065)
- B. Service and support agreement with Renovo Software for the video visitation system at the Lancaster County Department of Corrections. (C-15-0066)
- C. Contract with Surface Sealers, Inc. for broadcast system flooring at the Lancaster County Department of Corrections. Cost to the County is \$7,500. (C-15-0067)
- D. Grant contract with the Lincoln-Lancaster County Child Guidance Center, in the amount of \$50,000, for funding of outpatient mental health services. Term of the grant contract is July 1, 2014 to June 30, 2015. (C-15-0068)
- E. Grant contract with OMNI Behavioral Health in the amount of \$30,000 to provide funding for Functional Family Therapy Services. Term of the contract is March 1, 2014 to June 30, 2015. (C-15-0069)
- F. Amendment to County Contract C-13-0399 with OMNI Behavioral Health to provide funding for Functional Family Therapy Services. The amendment extends the grant term to December 31, 2014 to coincide with an extension of the grant. (C-15-0070)
- G. Release of Property Damage Claims for Bob and Don's Plumbing, LLC. (C-15-0071)
- H. Grant application and grant agreement with the Nebraska Department of Environmental Quality for the Lancaster County Engineering Department's implementation of litter reduction and recycling programming. The County will receive grant funds in an amount up to \$5,000. (documentation forthcoming) (C-15-0072)
- * I. Appointment of Sara Hoyle to the position of Lancaster County Human Services Director at an annual salary of \$75,000, effective February 5, 2015, and subject to a six-month review with a potential annual salary increase not to exceed \$80,000.

- 6) **CONSENT ITEMS:** These are routine business items that are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:



IN THE SEPARATE JUVENILE COURT OF LANCASTER COUNTY, NEBRASKA

IN RE: USE OF RESTRAINTS WHEN TRANSPORTING JUVENILES DEFINED BY NEB. REV. STAT. SEC. 43-247(1), (2) OR (3)(B) BEFORE THIS COURT IN THE JUSTICE AND LAW ENFORCEMENT CENTER

DISTRICT COURT
LANCASTER COUNTY NE
2015 OCT 19 PM 1:24
AMENDED ORDER
SEPARATE JUVENILE COURT

This matter came before the Judges of the Separate Juvenile Court of Lancaster County, Nebraska for the purpose of considering use of restraints with juveniles defined by Neb. Rev. Stat. Sec. 43-247(1), (2) or (3)(b).

IT IS THEREFORE ORDERED that, effective August 31, 2015, any juvenile alleged to be or adjudicated solely as a person defined by Neb. Rev. Stat. Sec. 43-247(3)(b) shall not be transported with the use of any type of restraint as defined by Neb. Rev. Stat. Sec. 43-251.03. This order shall remain in full force until further order of the court.

IT IS FURTHER ORDERED that, effective November 1, 2015, any juvenile alleged to be or adjudicated as a person defined by Neb. Rev. Stat. Sec. 43-247 (1) or (2) shall not be transported **from court after detention hearing** with the use of any type of restraint as defined by Neb. Rev. Stat. Sec. 43-251.03 if that juvenile was released to their parent/guardian. This order shall remain in full force until further order of the court.

Dated this 19th day of October, 2015.

BY THE COURT:

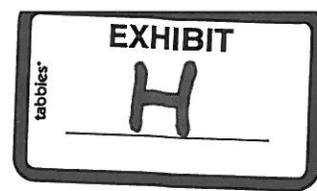
Linda S. Porter

Roger J. Heideman

Reggie L. Ryder

Tori G. Thorson

DRAFT



November 3, 2015

David Carey, Interim Director
Lincoln-Lancaster County Planning Department
555 S. 10th Street, Suite 213
Lincoln, NE 68508

Re: South Haymarket Neighborhood Plan

Dear David:

The 2005 Downtown Master Plan identifies the South Haymarket area as a unique opportunity for high density residential development. In response the Planning Department produced the South Haymarket Neighborhood Plan. The Lancaster County Board of Commissioners has reviewed the Plan and believes it identifies many exciting concepts and recommendations for the future development of this area. However, the County Board has serious concerns regarding the proposals to convert government properties on the west side of 9th Street to private uses and to consolidate government offices between 9th and 10th Streets. See Attachment A to this letter.

The Plan identifies three government building for conversion to private use: the K Street Complex, the Benes Building at 825 J Street, and the old Election Commission Building at 9th & J Streets, now known as the 900 Building. All three of these buildings are key components in meeting the long-range building and space needs of Lancaster County, and more than \$8 million has been invested by the County in these buildings. The Benes Building is now being remodeled to house the Lancaster County Mental Health Crisis Center, the 900 Building is being used by the County's Community Corrections Program, and the K Street Complex is well-situated to meet City and County records storage needs for years to come. It should also be noted a previous study indicated it is not economically feasible to convert the K Street Complex to private housing, and the best use of the property is for a records storage facility. Moreover, the cost of replacing these properties would far exceed what the County has already invested.

Consolidation of government offices between 9th & 10th Street is also problematic. The Plan calls for high rise buildings and multi-tier parking structures at both the north and south

parking lots for the existing government buildings. However, this type of construction is cost prohibitive, and local government would be more likely to relocate outside of the downtown area to meet its growth needs. This result would be contrary to the 2005 Downtown Master Plan, which envisions a downtown that “maintains and strengthens the governmental functions of city, county, state, and federal governments.”

The County Board believes the better approach is to accept the existing government buildings on the west side of 9th Street as an integral part of the South Haymarket Neighborhood Plan. This would be more in line with the multi-use vision of the Downtown Master Plan, and would maintain an existing employment center in the South Haymarket Neighborhood for the benefit of its residents.

Thank you for considering our input on this important project.

Sincerely,