

MINUTES
LINCOLN-LANCASTER COUNTY CONSOLIDATION TASK FORCE
COUNTY-CITY BUILDING
555 SOUTH 10TH STREET, ROOM 210
FRIDAY, JUNE 28, 2013
8:30 A.M.

Committee Members Present: Ann Post, Chair; Russ Bayer; Mike DeKalb; Jan Gauger; Larry Lewis; Jean Lovell; Darl Naumann; W. Don Nelson; Kerry Eagan (Ex-Officio); and Trish Owen (Ex-Officio)

Committee Members Absent: Dick Campbell; Dale Gruntorad; James Jeffers; Larry Melichar; and Amanda McGill

Others Present: Jane Raybould, Lancaster County Commissioner; and Ann Taylor, Lancaster County Clerk's Office

The Chair called the meeting to order at 8:30 a.m.

1 APPROVAL OF MINUTES OF JUNE 14, 2013 MEETING

MOTION: Nelson moved and DeKalb seconded approval of the minutes. Bayer, DeKalb, Gauger, Lewis, Lovell, Naumann, Nelson and Post voted aye. Campbell, Gruntorad, Jeffers, Melichar and McGill were absent from voting. Motion carried 8-0.

2 REVIEW OF KEY OUTCOMES FROM MEETING OF JUNE 14, 2013

The Task Force reviewed a handout related to Task Force processes and agendas (Exhibit A).

The Chair asked the Task Force members for their thoughts on an exercise at the June 14, 2013 meeting in which Task Force members and the public officials in attendance indicated their current level of support for developing recommendations for public safety organizations. Task Force members indicated their level of support with red stickers and the public officials indicated their level of support with green stickers (Exhibit B):

- Merge/Consolidate Only Lincoln Police Department (LPD) and County Sheriff
- Merge/Consolidate Only the City and Rural Fire and Emergency Medical Services (EMS) Systems
- Merge/Consolidate all Rural and County Public Safety Organizations, Especially Sheriff and Fire

- Establish a Lincoln/Lancaster County Public Safety Organization
- Formalize the Agreements/Make Them More Permanent
- Leave Status Quo and Do Nothing

NOTE: The polling was not deemed a vote for any particular action, rather an early step in the group decision-making process.

Bayer noted some of the Task Force members did not vote on each of the recommendations. He said he appreciates that the Task Force appears to support some type of consolidation of the City and Rural Fire and Emergency Medical Services (EMS) systems because that has the most impact on the health and welfare of citizens.

Nelson felt there was a clear difference between the responses from the Task Force members and those with a vested interest in the outcome.

Bayer said he would like more information on how a consolidated structure would work.

Nelson proposed that some of the Task Force members take a field trip to Manhattan, Kansas to observe the Riley County law enforcement consolidation project and interview officials on why it was launched and whether it has been successful. **NOTE:** Riley County, Kansas merged three municipal police departments and the County Sheriff's patrol operation in 1971. The Chair said they would likely need to talk to the City Council and County Board about funds to do something like that. Nelson and Bayer indicated they would be willing to cover the costs of the trip. Eagan offered to research what was done in Riley County, Kansas and other jurisdictions.

Bayer said he would be interested in learning whether any jurisdictions have tried consolidation, determined it to be unsuccessful and reverted back to the original structure. Nelson said perhaps the National League of Cities (NLC), U.S. Conference of Mayors (USCM) or the National Association of County Officials (NACo) could provide that information.

FUTURE ROLE OF FACILITATOR

The Chair noted the length of Karen Amen's contract with the City and County to serve as a professional facilitator and assist in the analysis and recommendation phase for potential consolidation of various City and County departments is limited and asked the Task Force members what they see as Amen's future role.

There was consensus to ask Amen to continue to serve as the group's facilitator provided she, the City Council and County Board are agreeable. Nelson said if funding becomes an issue, he would be willing to raise the necessary funds in the private sector.

**3 GROUP DISCUSSION AND PRELIMINARY CONSIDERATION OF POTENTIAL RECOMMENDATIONS:
A) LINCOLN POLICE DEPARTMENT (LPD) AND LANCASTER COUNTY SHERIFF
B) OTHER PUBLIC SAFETY FUNCTIONS**

The Chair asked whether the Task Force wants to make potential recommendations or request more specific information.

Lovell felt the recommendation to formalize agreements and make them more permanent would be a good place to start since the Task Force members seem to be in agreement.

Eagan said agreements between the Chief of Police and the County Sheriff are not legally binding because neither has the authority to bind the City and County to agreements. He noted there may be agreements involving security matters they will not want made public. Eagan said there may be other areas where they share resources that do not rise to the level of an interlocal agreement and said it would be good to know what those are. DeKalb felt they should be put in written form. Gauger said you cannot legally "tie the hands" of future public officials. Owen said perhaps the two departments could enter into a Memorandum of Understanding (MOU) for matters that are not security related, which could be ratified by both the City Council and County Board.

Nelson suggested a registry of the intergovernmental agreements so they are more easily accessible.

Eagan noted Tom Casady, City Public Safety Director, has indicated he has a concept of what consolidation of the two departments would look like and said Terry Wagner, Lancaster County Sheriff, has seen it and says it preserves the Sheriff's role. Eagan said that is a piece of information the Task Force might want to look at.

MOTION: Bayer moved and Gauger seconded to recommend that agreements between the Lincoln Police Department (LPD) and County Sheriff's Office (LSO) be formalized, recognizing there are different levels of formalization, with the intent to have a public document that is ratified with a vote by the governing bodies and that any changes in the agreements be brought to the public's attention. Bayer, DeKalb, Gauger, Lewis, Lovell, Naumann, Nelson and Post voted aye. Campbell, Gruntorad, Jeffers, Melichar and McGill were absent from voting. Motion carried 8-0.

Gauger said there isn't a great difference of opinion between Task Force members on the other proposed recommendations, other than the one to consolidate all rural and county public safety organizations. Nelson disagreed and said he views the responses as polarized. He also noted indications from some of the public officials that they will not support specific recommendations and will try to block them, in particular the

recommendations relating to the Rural Fire and EMS systems. Bayer questioned whether the public officials have the power to stop the Task Force's efforts. Owen remarked that the responses from the public officials may indicate they believe "if it's not broke, don't try to fix it" rather than a public safety organization won't work.

MOTION: Nelson moved and Naumann seconded to ask Tom Casady, City Public Safety Director; Jim Peschong, Chief of Police, Lincoln Police Department (LPD); and Terry Wagner, County Sheriff; to come to the July 26th meeting and present a plan for consolidation of the Lincoln Police Department (LPD) and Lancaster Sheriff's Office (LSO) and how a public safety umbrella organization would work. Bayer, DeKalb, Gauger, Lewis, Lovell, Naumann, Nelson and Post voted aye. Campbell, Gruntorad, Jeffers, Melichar and McGill were absent from voting. Motion carried 8-0.

The Chair said she would like to see how the two pension plans (defined benefit plan and defined contribution plan) could be merged.

4 FUTURE ROLE OF FACILITATOR

Item was moved forward on the agenda.

5 AGENDA FOR MEETING OF JULY 12, 2013

There was consensus to ask the City Attorney and County Attorney to come discuss how they could combine their Juvenile Prosecution and Criminal Divisions. The City Clerk and County Clerk will also be asked to present a plan for consolidation of those two offices.

6 ADJOURNMENT

There being no further business, the meeting was adjourned at 9:45 a.m.

Submitted by Ann Taylor, Lancaster County Clerk's Office.

**Consideration of Consolidation Task Force Processes and Agendas:
Reviewing June 14th meeting and Previewing June 28th meeting**
Draft as of Wednesday, June 19, 2013 prepared by Karen Amen

Reviewing the June 14th meeting:

► **Results of "Where Do I Stand" activity:**

This was a "test the waters" activity, not a vote or decision or recommendation. It is useful as a helpful starting point for current thinking of the group members and future consensus-building.

- **At this point, no one tied to any particular position.** Task Force will analyze the results and talk about their personal positions in further detail at future meetings.
- For purposes of planning future agendas, note that nearly all of Task Force **did not support** remaining at status quo.

► **Meeting Management**

- **Meeting methodologies:** Coordinate neutral facilitator and Robert's Rules of Order processes. Karen and Ann stay in close touch before and during meetings to determine when best to use which methods.
- **Resource experts:** Kerry and Trish continue to provide ongoing information on legal, administrative and other relevant issues. Task Force members continue to request information and weave that into their opinions and decisions.
- **Presenter preparation:** Provide invited presenters a list of questions that Task Force will ask, but also leave open opportunities for more informal in-depth conversations.

Previewing and Developing Potential Agenda Items for June 28th Meeting

NOTE: Task Force is almost halfway through its scheduled meetings. We need to move briskly but thoroughly through the process in order to meet the charge in the given time.

► **Parking Lot issues to discuss**

- **Relevant state and federal laws:** More depth, as needed, on existing vehicles: Interlocal agreements, JPA's, and Municipal Counties. And on mutual aid agreements and informal agreements. Update on Legislature's interim study.
- **Criteria for evaluating recommendations:** See prior handout. **And**, to what extent should political feasibility be a criterion?
- **Continued role for facilitator:** Karen available for some but not all future meetings. How much is facilitator needed, how much can group do on its own?

► **Develop Specific Recommendations for Public Safety Organizations**

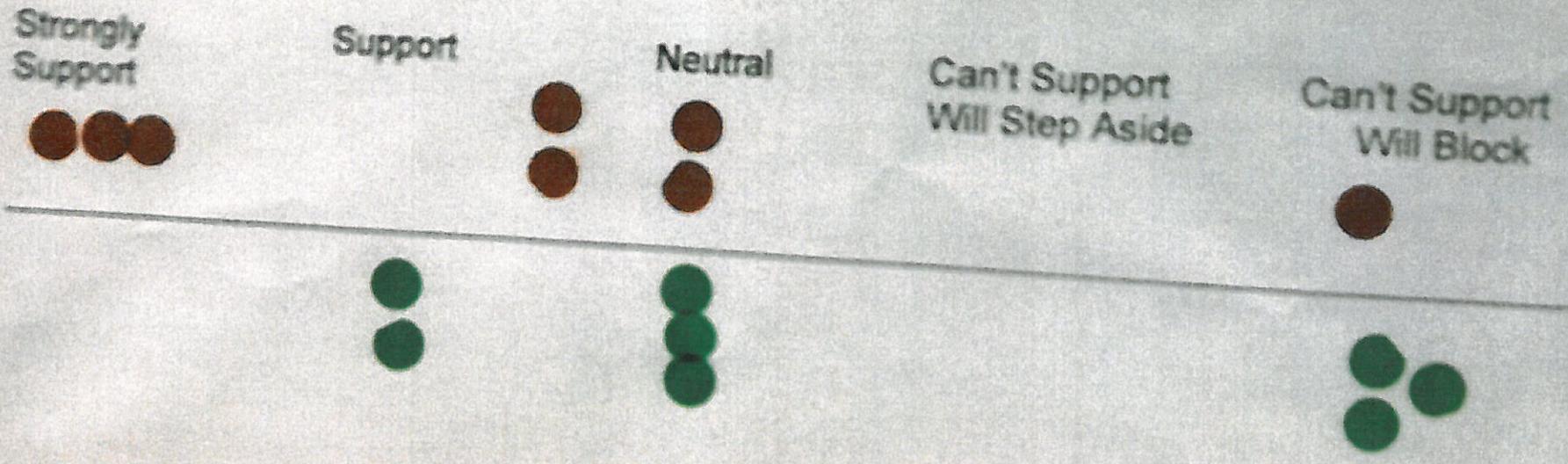
- Using results from June 14th, draft wording for recommendations
- Create a list of specific questions for more details on what consolidation would look like: Org chart? Duties? Personnel benefits? Improved efficiencies?
- Invite presenters to return on July 12th

NOTE from Karen: Could we glean specific questions from Task Force through email process this week and have Casaday and Wagner come to the June 28th meeting?

tabbles
EXHIBIT
B

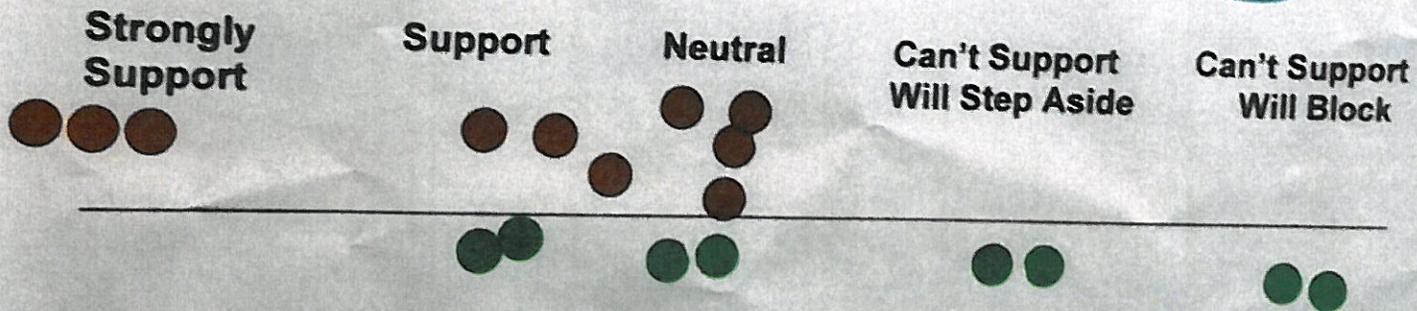
AT THIS POINT IN TIME (June 14, 2013),
What is your level of support
for developing recommendations to . . .

Merge/Consolidate only Lincoln Police
Department and County Sheriff?



AT THIS POINT IN TIME (June 14, 2013),
What is your level of support
for developing recommendations to . . .

Merge/Consolidate only the
City and Rural Fire and EMS Systems?



Further Comments:

AT THIS POINT IN TIME (June 14, 2013),
*What is your level of support
for developing recommendations to ...*

**Merge/Consolidate all rural and county public
safety organizations, especially Sheriff and
Fire?**

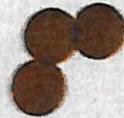
**Strongly
Support**



Support



Neutral



**Can't Support
Will Step Aside**

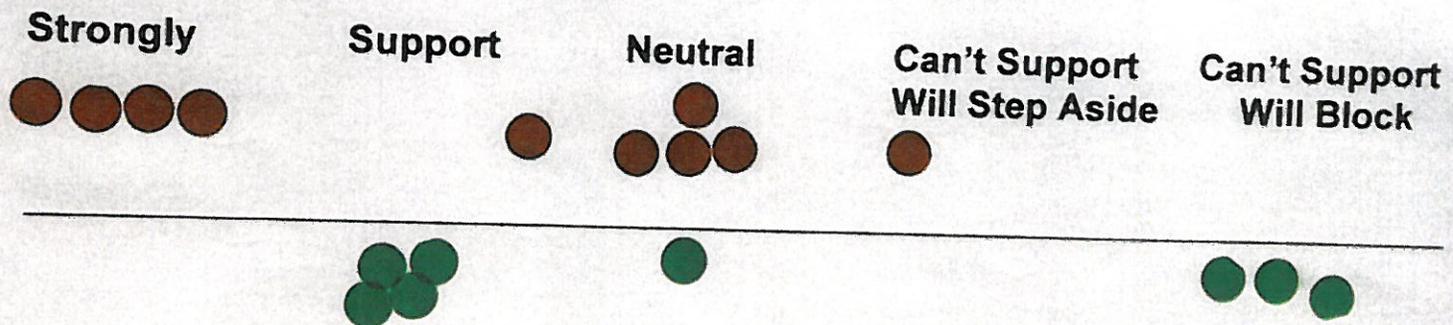


**Can't Support
Will Block**



AT THIS POINT IN TIME (June 14, 2013),
What is your level of support
for developing recommendations to . . .

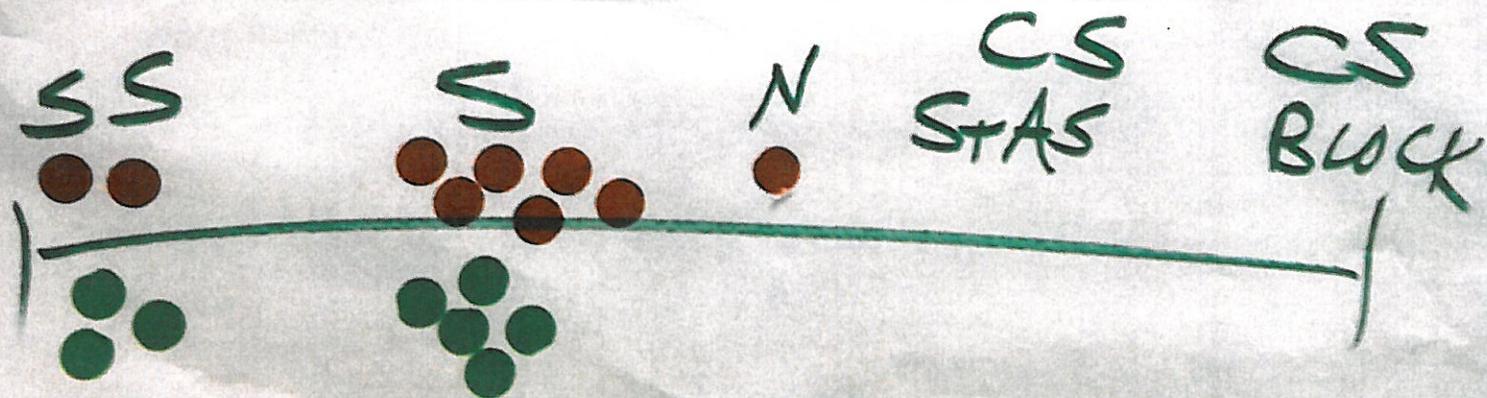
Establish a Lincoln/Lancaster County
Public Safety organization?



Add below your further comments on anything relevant to this potential recommendation, including consolidating/merging in these ways:

- Begin with LPS, Sheriff, 911, and Fire
- Start with sharing facilities and technology: cost sharing!
- Later, add HazMat? Pollution control? Animal control? UNL & airport police?
- Promote cross training; Share staff, both volunteer and professional
- Rewrite laws, as needed, and administrative structure (1 person heads all?)

"FORMALIZE" THE
AGREEMENTS
~~INTERLOCALS~~ / MAKE
THEM "More Permanent"



AT THIS POINT IN TIME (June 14, 2013),
What is your level of support
for developing recommendations to . . .

LEAVE STATUS QUO
DO NOTHING

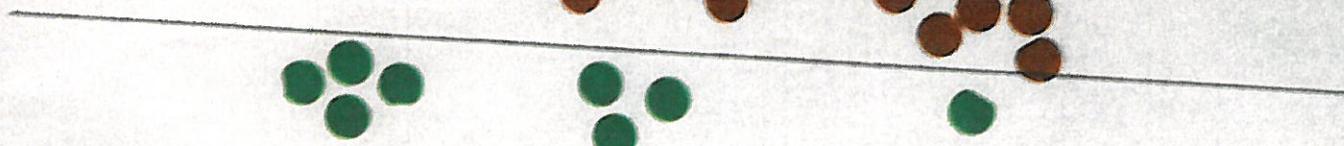
Strongly Support

Support

Neutral

Can't Support
Will Step Aside

Can't Support
Will Block



~~FORMALIZE THE
INTER-LOCALS TO BE
LONG TERM/PERMANENT~~

Further Comments: