

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
MEETING ROOM #113  
THURSDAY, FEBRUARY 25, 1999  
8:15 A.M.**

Commissioners Present: Kathy Campbell, Chair  
Linda Steinman  
Bernie Heier  
Bob Workman  
Larry Hudkins

Others Present: Kerry Eagan, Chief Administrative Officer  
Dave Kroeker, Budget & Fiscal Officer  
Diane Staab, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Gwen Thorpe, Deputy County Clerk  
Ann Taylor, County Clerk's Office

**AGENDA ITEM**

**1 APPROVAL OF COUNTY BOARD STAFF MEETING MINUTES OF  
FEBRUARY 23, 1999**

**MOTION:** Heier moved and Hudkins seconded approval of the minutes. On call Steinman, Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

**2 ADDITIONS TO THE AGENDA**

- a. 1999 Nebraska Geographic Information System (GIS) Symposium
- b. Safety Training Option Program (STOP)
- c. Y2K Meeting

**MOTION:** Hudkins moved and Steinman seconded approval of the additions to the agenda. On call Hudkins, Workman, Heier, Steinman and Campbell voted aye. Motion carried.

**3 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant**

Gordon Kissel, Legislative Consultant, briefly reviewed his legislative update (Exhibit A), noting the following:

- \* LB 96 provides that County Boards in counties with population in excess of 50,000 could adopt a resolution allowing all elected offices to be elected on a non-partisan ballot

- \* Amendments to LB 54 shift the costs incurred by counties for court appointed interpreters for deaf, hard of hearing and non-English speaking individuals during pre-sentence investigations and ongoing supervision by a probation officer to the Supreme Court

Brief discussion took place on LB 414, which provides for the transition of the Clerk of the District Court to a State reimbursed position, with Board members noting opposition to the bill's exclusion of Bailiffs in the transfer. Eagan reported that the bill also requires counties to payout sick and vacation leave benefits at the time of transfer.

**MOTION:** Hudkins moved and Workman seconded to send a letter to Senator Beutler, introducer of LB 414, with carbon copies to members of the Judiciary Committee, noting the County Board's concerns and offering alternative solutions, including a statement of fiscal impact to Lancaster County, and to authorize the Chair to sign the letter. On call Steinman, Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

Gordon Kissel, Legislative Consultant; Kerry Eagan, Chief Administrative Officer; and Dave Kroeker, Budget & Fiscal Officer, will meet with Senator Beutler to further discuss the Board's concerns.

Dave Kroeker, Budget & Fiscal Officer, presented a draft of a letter to Senator Wickersham, Chair of the Revenue Committee, with regards to LB 770, which changes the exempt amount for inheritance tax purposes and LB 357, which provides a termination date for the inheritance tax (Exhibit B). He also reviewed *Comparison of Estate and Gift Tax to Nebraska Inheritance Tax* (Exhibit B).

The Board requested that a statement indicating the County Board's opposition to LB 357 and LB 770 be included at the beginning of the letter and inclusion of statements indicating that elimination of the Inheritance Tax will have an adverse effect on counties, forcing their reliance on property tax, and that proposed legislation does not address the problem of redistribution of wealth upon death.

**MOTION:** Hudkins moved and Heier seconded to authorize the letter with those revisions and signature by all members of the County Board and to authorize Mike Thew, Chief Deputy County Attorney; and Dave Kroeker, Budget & Fiscal Officer, to provide legislative testimony in opposition to LB 357 and LB 770. On call Hudkins, Heier, Workman, Steinman and Campbell voted aye. Motion carried.

The Board also reviewed a draft of a letter to Senator Dierks indicating the Board's support of LB 401, which changes provisions relating to county zoning regulations (Exhibit C) and requested that carbon copies also be sent to members of the Government Committee.

Norm Agena, County Assessor, appeared to request support of LB 853, which changes provisions for valuation of agricultural and horticultural land.

Brief discussion took place on the U.S. Supreme Court's recent ruling on an Iowa case that may conflict with farmers "right to farm".

Kissel reported a conflict for March 1<sup>st</sup>, which had been proposed as the date for a meeting between the Lancaster, Douglas and Sarpy County Boards and State Senators. He indicated that he will be meeting on that date with Senators Thompson and Pedersen; Linda Steinman, Lancaster County Board; Kerry Eagan, Chief Administrative Officer; and Mike Kelley, Douglas County Lobbyist, to discuss juvenile justice legislation.

Board consensus to schedule further discussion of setting a date for the meeting with the Douglas and Sarpy County Boards and State Senators on the agenda for the Thursday, March 4<sup>th</sup> County Board Staff Meeting.

### **ADDITIONS TO THE AGENDA**

- a. 1999 Nebraska Geographic Information System (GIS) Symposium

**MOTION:** Hudkins moved and Workman seconded to authorize Kerry Eagan, Chief Administrative Officer, to attend the 1999 Nebraska Geographic Information System (GIS) Symposium, at the Cornhusker Hotel, May 11-12, 1999, and to pay his registration fee from the County Commissioner's Budget. On call Workman, Hudkins, Heier, Steinman and Campbell voted aye. Motion carried.

- b. Safety Training Option Program (STOP)

Steinman reported that Southeast Community College offers drivers' education classes and is seeking Safety Training Option Program (STOP) accreditation from the Nebraska Safety Council. It was noted that the Adult Diversion Program depends on revenue from the STOP Program classes.

- c. Y2K Meeting

Workman reported briefly on the Y2K meeting Emergency Management held with various department heads, private business groups and support agencies to discuss issues related to Y2K and the County's preparedness.

## **4 MID-YEAR BUDGET REQUEST FOR ADDITIONAL RECORDS PERSONNEL; REVIEW OF NURSE STAFFING - Mike Thurber, Corrections Director**

### Mid-Year Budget Request for Additional Records Personnel

Mike Thurber, Corrections Director, explained his request to hire three Records Technicians, at a lower pay scale, to fill a Records Specialist vacancy and meet the legal paperwork demands associated with the admission and release of offenders (Exhibit D). He indicated this will afford the remaining Records Specialist the time to focus on disciplinary hearing and inmate classification duties. Thurber estimated the fiscal impact of his request at \$29,989 for Fiscal Year 2000.

Thurber also reviewed Fiscal Year 95-99 population figures for the Jail and the Lancaster Correctional Facility (LCF) (Exhibit E).

Steinman noted that population increase trends may subside, reducing the acute need for Records Division support.

**MOTION:** Steinman moved and Hudkins seconded to authorize the Corrections Department to convert the vacant Records Specialist position to two (2) Records Technician positions, with a review of all full-time employee positions in the Corrections Department at the Board of Corrections quarterly meeting in May. On call Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

### Review of Nurse Staffing

Thurber reported it is difficult for the Corrections Department to compete with the private sector in the hiring of nurses, noting that temporary service agencies are currently utilized to meet nursing needs.

In response to a question from Campbell, Thurber stated that Lincoln General Hospital is not interested in providing nursing services for the correctional facilities.

## **5 WAGES & BENEFITS FOR SHERIFF CAPTAINS; MID-YEAR REQUEST FOR ADDITIONAL PERSONNEL** - Terry Wagner, Lancaster County Sheriff; Bill Jarrett, Chief Deputy Sheriff; Ron Todd, Personnel Director

### Wages & Benefits for Sheriff Captains

Terry Wagner, Lancaster County Sheriff, briefly reviewed the following:

- \* A letter to the County Board explaining his opposition to proposed resolutions that define benefits for unclassified employees, which include Sheriff Captains (Exhibit F)
- \* Nebraska Revised Statutes 23-1725 through 23-1729 (Exhibit G)
- \* *Lancaster County Employee Representation* (Exhibit H)
- \* *Benefits Comparison - American Federation of State, County & Municipal Employees (AFSCME) vs Nonrepresented vs Captains* (Exhibit I)

Wagner stated that, although Sheriff Captains are unrepresented by a labor organization and considered unclassified according to Lancaster County Personnel Rules, they are considered to be classified employees under the Lancaster County Sheriff's Office Merit Commission Rules and should therefore be considered separate and distinct from other unrepresented/unclassified employees. He stated that Sheriff Captains are represented in the context of wages and benefits by the Merit Commission, noting that those recommendations are based upon comparability studies. Wagner also noted that Sheriff Captains are promoted from within the ranks of the Sheriff Department, rather than at-will employees, and language in the proposed resolutions granting benefits upon hire do not apply.

Eagan stated that, although the Merit Commission makes salary recommendations to the County Board, it is the Board's responsibility to set salaries and benefits. The County Board was not aware that Sheriff Captains were receiving longevity pay and so did not consider those funds when setting their salary. He also noted that Sheriff Captains receive the benefit of job protection, a benefit not afforded to other unclassified employees.

Diane Staab, Deputy County Attorney, cautioned that treating the Sheriff Captains differently from others in that classification could result their being recognized as a separate bargaining unit.

Campbell suggested including a statement in the resolution indicating that comparability information for Sheriff Captains is received from the Merit Commission.

In response to a question from Heier, Wagner stated that the Sheriff Department's workers' compensation benefits plan differs from that of other County employees.

The Board directed Kerry Eagan, Chief Administrative Officer; Diane Staab, Deputy County Attorney; and Terry Wagner, Lancaster County Sheriff, to meet with representatives of the Personnel Department to determine whether adjusting the Sheriff Captains benefits package would affect their comparability and report back with recommendations to the Board at the Thursday, March 4<sup>th</sup> County Board Staff Meeting.

#### Mid-Year Request for Additional Personnel

Wagner requested that the Board reconsider his request for an additional full-time civil process deputy, noting that the limited amount of time that deputies currently have to dedicate to civil process has resulted in a decrease in fees collected.

Eagan recommended that the Board support LB 439, which changes fees for service of process.

#### **6 PENDING LITIGATION** - Diane Staab, Deputy County Attorney

**MOTION:** Steinman moved and Heier seconded to enter Executive Session at 10:20 a.m. for discussion of pending litigation. On call Steinman, Heier, Workman and Campbell voted aye. Hudkins was absent from voting. Motion carried.

**MOTION:** Hudkins moved and Steinman seconded to exit Executive Session at 10:24 a.m. On call Hudkins, Steinman, Heier, Workman and Campbell voted aye. Motion carried.

#### **7 TRANSFER OF AMERITAS PENSION FUNDS** - Doug Cyr, Deputy County Attorney

Doug Cyr, Deputy County Attorney, briefly reviewed a letter to Ameritas Life Insurance Corporation detailing the payout of retirement funds invested with their firm (Exhibit J).

The Board requested that a letter also be drafted to the Public Employees Benefit Service Corporation (PEBSCO) directing that the retirement funds, which will be transferred to PEBSCO, be invested in the following manner:

- \* All funds contributed by Lancaster County will be deposited into the fixed account
- \* All funds contributed by employees will be deposited into the money market account, for a period not to exceed six months, to allow those employees the opportunity to direct investment of these funds
- \* Any funds remaining in the money market account after six months shall be moved into the fixed account

The Board also requested that PEBSCO notify the individual account holders of this arrangement.

**8 ECONOMIC DEVELOPMENT LOAN TO KINCO MANUFACTURING** - Troy Gagner, Economic Development Coordinator

Troy Gagner, Economic Development Coordinator, reported that Kinco Manufacturing of Waverly is currently eight months behind in repayment of its \$10,000 job creation loan.

Gagner recommended the following changes to Kinco Manufacturing's repayment agreement:

- \* Add the past due interest payments (\$366.54) to the remaining principal balance (\$9,856.67) for a new principal balance of \$10,233.21.
- \* Starting March 1, 1999, monthly principal and interest payments of \$223.14 will be made for 51 months, allowing Kinco Manufacturing to complete its loan payments by May, 2003, previously established as the final payment date.

Gagner stated this plan would result in a slight increase to the monthly payments, allowing the company to stay current with the existing payment schedule.

Workman suggested that the Board follow standard banking practices and amortize the loan, with interest accrual based upon the date the payment is received. He indicated this would provide loan recipients an incentive to submit payments on time.

Hudkins agreed, suggesting that Kinco Manufacturing's partners would benefit from education on business principals.

**MOTION:** Workman moved and Hudkins seconded to amortize the loan to Kinco Manufacturing, with interest accrual based upon the date the payment is received.

Campbell asked how late payments were addressed with other Economic Development Loan recipients, noting that a consistent policy should be maintained.

Dave Kroeker, Budget & Fiscal Officer, indicated that delinquency has not been a problem in the past, with the exception of Weavers Potato Chip which was placed in bankruptcy receivership.

Campbell suggested that the Board institute a policy in which delinquent parties would be notified that they have a two month grace period in which to bring payments current, or an interest accrual schedule based upon the date payment is received will be adopted.

**ROLL CALL:** Workman, Hudkins and Heier voted aye. Steinman and Campbell voted no. Motion carried.

The Board directed Gagner to review the County's Economic Development Loan Policy and bring back recommendations on a delinquency policy statement for future loans.

### **ADDITIONS TO THE AGENDA**

**MOTION:** Hudkins moved and Steinman seconded to add discussion of LB 520 to the agenda. On call Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

### **ADDITIONS TO THE AGENDA**

- d. Discussion of LB 520, which changes collection fees for certain school taxes

Kroeker estimated that, if LB 520 is enacted, the County could lose 2.5 million dollars after the four year phase-out period. **NOTE:** This figure was later amended to 1.6 million dollars.

**MOTION:** Steinman moved and Hudkins seconded to oppose LB 520 and to authorize either Terry Adams, Deputy County Treasurer or Dave Kroeker, Budget & Fiscal Officer to testify in opposition at the legislative hearing. On call Steinman, Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

## **9 CONSENT ITEMS**

- a. Vacation Request from Kerry Eagan, Chief Administrative Officer
  - 1. Friday, March 5 through Monday, March 8, 1999
  - 2. Tuesday, March 23 through Tuesday, March 30, 1999
- b. County Board Committee Assignments

**MOTION:** Steinman moved and Heier seconded approval of the Consent Items. On call Steinman, Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

## 10 ADMINISTRATIVE OFFICER REPORT

### a. Meeting with Griffin Grant Writing & Associates

Eagan reported on a meeting held with representatives of Griffin Grant Writing & Associates. This firm of professional grant writers guarantees the securing of one million dollars in federal grants per year, based on a two year contract with a \$95,000 retainer. He indicated it is too late for the grant writing service to be of benefit to the County this year, but suggested that the proposal be given consideration for next year.

Kroeker suggested that the firm's expertise may be beneficial in securing federal grants that would assist with the County with the cost of constructing the new Juvenile Detention facility.

Brief discussion took place with the following suggestions:

- \* Development of an interlocal agreement between the City and County for the professional grant writing service
- \* City and County hire a full-time, in-house grant writer to focus on the grant writing needs of both entities
- \* Discussion of the professional and in-house grant writing options at a Management Team Meeting

### a. Emergency Management Director

**MOTION:** Heier moved and Steinman seconded to hire Doug Ahlberg for the position of Emergency Management Director. On call Heier, Workman, Hudkins, Steinman and Campbell voted aye. Motion carried.

Campbell will notify Ahlberg of the Board's decision.

Campbell, Workman, and Eagan will conduct salary negotiations with Ahlberg and will report back to the Board with recommendations.

### b. Furniture for New Juvenile Court Judge

**MOTION:** Steinman moved and Hudkins seconded to authorize the furniture purchase. On call Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

## 11 DISCUSSION OF BOARD MEMBER MEETINGS

### a. Master Plan Steering Committee - Hudkins

Hudkins reported that furniture costs for the judiciary in the Hall of Justice and Law Enforcement Center are slightly over budget.



b. Information Services Policy Committee - Steinman

Steinman reported that installation of fiber optic cable by Aliant Communications for the Lincoln-Lancaster County Health Department in exchange for location of a cellular tower on top of their building at 3140 "N" Street was discussed.

Steinman indicated that the need for additional Oracle licenses and the division of fees between the City and County were also discussed.

c. Visitors Promotion Advisory Committee - Steinman

Steinman reported that Michael Carpenter, Lincoln Convention & Visitors Bureau Director, plans to attend a convention in Tempe, Arizona that will focus on constructing new conventions center facilities. She noted the Visitors Promotion Advisory Committee believes a feasibility study should be conducted prior to this convention.

Eagan cautioned that such a study may not be an appropriate use of the Visitors Promotion Advisory Committee's funds. He agreed to contact the County Attorney's office for an opinion on the matter.

Steinman also reported that a positive response has been received from the lodging industry to the request for a \$1 per room surcharge to help subsidize the National Rollerskating Championships.

## **17 EMERGENCY ITEMS AND OTHER BUSINESS**

Hudkins reported that a meeting was held with representatives of the Building & Safety Department, Planning Department and the County Attorney's Office to discuss the trailer situation in the County.

Steinman briefly reported on a meeting held with the Juvenile Court Judges and Bill Janike, Chief Probation Officer, to discuss screening tools.

## **18 ADJOURNMENT**

By direction of the Chair, the meeting was adjourned.

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Bruce Medcalf  
Lancaster County Clerk