

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, AUGUST 19, 1999
8:15 A.M.**

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

Others Present: Kerry Eagan, Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk
Ann Taylor, County Clerk's Office

AGENDA ITEM

**1 APPROVAL OF STAFF MEETING MINUTES OF TUESDAY, AUGUST 3, 1999
AND THURSDAY, AUGUST 12, 1999**

MOTION: Steinman moved and Heier seconded approval of both sets of minutes. On call Steinman, Heier, Workman and Campbell voted aye. Hudkins was absent from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- a. Microcomputer Request C#99234, \$1,435 for County Attorney from the County Attorney's Budget (Exhibit A)

MOTION: Steinman moved and Workman seconded approval of the addition to the agenda. On call Steinman, Workman, Heier and Campbell voted aye. Hudkins was absent from voting. Motion carried.

Board consensus to authorize the request.

3 DISCUSSION OF BOARD MEMBER MEETINGS

- a. Attention Center Risk Assessment - Heier

This report was given at the Tuesday, August 17th County Board Staff Meeting.

b. Parks & Recreation Advisory Board - Workman

Workman reported that discussion focused on the Mayor's proposal to allow the sale of alcohol during six upcoming musical events at Pinewood Bowl in Pioneers Park. He noted a motion to express concern on the part of the Parks & Recreation Board failed, as it was felt that the Parks & Recreation Board lacked authority in the matter.

c. Government Access & Information Committee - Steinman

Steinman reported that Information Services will not be submitting a proposal to the Convention & Visitors Bureau for their website.

Steinman also reported that an interlocal agreement is forthcoming that will change the composition of the Government Access & Information Committee (GAIC), so that City Council and County Board representatives will serve as liaisons, rather than voting members. Both entities will retain voting membership on the Information Services Policy Committee (ISPC), which is the umbrella committee.

Brief discussion took place on how to recognize Raymond Central Future Business Leaders of America students that recently took honors at a State Future Business Leaders of America competition for their work on the InterLinc Project.

d. Meeting with Scott Moore, Secretary of State, Regarding Retention of Records and Technology Standards - Steinman

Steinman reported that a meeting was held to discuss the GAIC's concerns regarding the State's new standards for retention of records and technology, with assurances by the State that efforts will be made to avoid additional costs for counties.

4 REPLACEMENT BRIDGES IN WILDERNESS PARK - Curt Donaldson, Citizen; Terry Genrich & Lynn Johnson, Parks & Recreation; Mike DeKalb, Planning Department

Terry Genrich, Parks & Recreation, stated that since it was determined that several of the pedestrian bridges in Wilderness Park need to be replaced, a design was sought that would be workable for all locations.

Curt Donaldson displayed a 1/12th scale model of a tied arch bridge proposed for use in the park. He stated this bridge may be transported in ten foot long sections to the bridge site, eliminating the need for heavy equipment. Donaldson explained the bridge is designed to be assembled on one side of the creek and suspended across, using a pulley system. Tension is then applied to compress the bridge to its desired length. He noted that bridge suspension is reversible, allowing it to be dismantled and moved to correspond with shifts in the creek flow.

In response to a question from Mike DeKalb, Planning Department, Donaldson stated the bridge design load is 65 pounds per square foot, which will sustain the weight of a small all-terrain vehicle.

Steinman inquired about the bridge's foundation.

Donaldson explained that a treated wood foundation, sandwiched between steel, is planned.

Genrich said the design needs further refinement before approval. A cost estimate must also be developed. He estimated that bridge construction could take place within six to nine months.

DeKalb remarked that a Wilderness Park Working Group subcommittee is currently reviewing the internal trail system and location of bridges.

Campbell suggested that the model also be made available at a City and County Common meeting and a Tuesday, County Board of Commissioners Meeting.

5 COURT APPOINTED SPECIALS ADVOCATES (CASA) PROGRAM - Amy Prenda, Lancaster County CASA Program Director

Amy Prenda, Lancaster County CASA Program Director, presented information regarding the CASA program (Exhibit B), noting this program has the support of the Juvenile Court Judges and Probation Office.

Prenda indicated that she is actively writing grants, organizing fundraisers and requesting donations, but requires additional assistance with start-up funding of a program for Lancaster County.

Campbell explained that Lancaster County sought a National CASA Association grant to establish a program in Lancaster County, but was turned down.

Prenda said Paige Beard, Nebraska CASA Association Executive Director, had informed her of this, but expressed her belief that the timing is right for a program in Lancaster County. She reported that she will be meeting with a National CASA advisor next week and will inquire whether funds are still available.

The Board requested Prenda to meet with Kit Boesch, Human Services Administrator, to discuss how the County could restructure its involvement with the program and return with a recommendation to the Board.

Campbell also suggested that consideration be given to eliminating "Lancaster County" from the program name if not-for-profit status is maintained, as it may restrict fundraising efforts.

Eagan reported that Prenda also performs work for Gordon Kissel, Legislative Consultant, but a conflict of interest is not perceived.

6 SALARIES FOR UNCLASSIFIED, UNREPRESENTED EMPLOYEES - John Cripe, Classification and Pay Manager; Georgia Glass, Personnel Director

John Cripe, Classification and Pay Manager, presented a written summary of a recent wage survey of the market for appointed Directors and other unclassified positions within the County (Exhibit C). This survey was conducted with eight counties of comparable size to Lancaster County and included the State of Nebraska, the United States Attorney's Office and City of Lincoln for the attorney classifications.

Additional materials presented were as follows:

- * Salary Increases for Unclassified Employees, Effective the Pay Period Beginning August 27, 1998 - District Court, Juvenile Court and County Court Personnel; Deputy Sheriff Captains and Psychiatrists (Exhibit D) (Actual Salary for Deputy Sheriff Captains is \$58,350 which reflects inclusion of longevity pay in base salary)
- * Lancaster County Salary Recommendation Worksheet - Bailiff I & II Positions and the Child Support Referee (Exhibit E)
- * Lancaster County Amended Salary Recommendation Worksheet - Attorney I & II Positions in the County Attorney's Office (Exhibit F)
- * Lancaster County Salary Recommendation Worksheet - Attorney I & II Positions in the Public Defender's Office (Exhibit G)
- * Salary Increases for Directors and Assistant Directors, Effective the Pay Period Beginning August 27, 1998 (Exhibit H)
- * Lancaster County Salary Recommendation Worksheet - County Veterans' Service Officer & Assistant County Veterans' Service Officer (Exhibit I)

A brief discussion of the data took place, with tentative Board approval of the following:

- * A 3.5 percent increase for District Court, Juvenile Court and County Court Personnel
- * Creation of a range of salaries (\$48,000 - \$60,100) for Deputy Sheriff Captains. (Maximum salary in the range is a 3 percent increase for current Deputy Sheriff Captains)
- * A \$4,000 increase for the Psychiatrists (Accountability for billable hours is requested)
- * A salary of \$74,000 for Doug Cyr, Deputy County Attorney, to keep that salary comparable with that of Robert Hays in the Public Defender's Office

The Board will continue discussion of salaries for appointed Directors at the Thursday, August 26th County Board Staff Meeting. Cripe was requested to seek comparability data from the private sector with regards to the Lancaster Manor Administrator position, prior to that meeting.

The Board will also take action on a resolution increasing the County contribution to the Post Employment Health Care Plan (PEHP) for unclassified, unrepresented employees at the Tuesday, August 24th County Board of Commissioners Meeting.

- 7 FISCAL YEAR 1999-2000 MICROCOMPUTER/TECHNOLOGY BUDGET**
Dave Kroeker, Budget & Fiscal Officer; Doug Thomas, Information Services Director; Ken Kuszak, Information Services; Gary Lacey, County Attorney; John Colborn, Chief Deputy County Attorney; Gary Bergman, County Extension Agent

Dave Kroeker, Budget & Fiscal Officer, indicated that the County Attorney and County Extension Agent were both present to address the Board's concerns regarding their microcomputer requests.

County Attorney

Gary Lacey, County Attorney, stated attorneys in his office attend training seminars conducted by the National District Attorneys Association, in conjunction with the United States Department of Justice, at no cost to the County. This training dovetails with technology features in the new Justice and Law Enforcement Center. He stated it is his intent, as well as that of the Public Defender, to equip attorneys for courtroom presentations, noting there are currently six laptop computers in the Public Defender's Office and two, purchased out of the Drug Fund, in the County Attorney's Office.

Lacey said a number of computers in his office are scheduled for updating in the process of moving into the Justice and Law Enforcement Center. He recommended replacement of these desktop computers with laptop models that afford greater flexibility for courtroom presentations and off-site work, and proceeded with a brief demonstration of courtroom use.

Workman questioned whether less expensive equipment would meet the attorneys' needs, and presented examples of laptop computer pricing from the newspaper.

Doug Thomas, Information Services Director, presented *County Attorney Notebook Computer Comparisons* (Exhibit J), noting there is a difference between personal and business model machines. He explained that many of the models advertised in the newspaper are not network certified and contain cheaper components.

Steinman suggested that desktop computers, with network connections, be permanently installed in the courtrooms, to reduce costs, and that laptop computers be pooled for use by attorneys. She also voiced concern that if the Board approves the County Attorney's request for laptop computers, the Public Defender may mirror the request.

The Board requested the County Attorney's Office to analyze computer requirements and revise their request to fit those needs. The County Attorney and Public Defender will then meet with Dave Kroeker, Budget & Fiscal Officer, and representatives of Information Services to review the courtroom situation and coordinate technology, with a report back to the Board at the September 9th County Board Staff Meeting.

County Extension Office

Gary Bergman, County Extension Agent, presented a handout detailing the request for five desktop computers and one laptop computer for the County Extension Office (Exhibit K). He stated it is his agency's practice to upgrade computers on a five year schedule with constant budgeting for computer upgrades. This practice allows his agency to keep current with technology and work assignments involving graphing, Geographic Information System (GIS) applications, and the Internet and Intranet.

Bergman also reported that his agency utilizes in-house computer support, rather than the services offered by Information Services.

Campbell said this has not been the County's practice with regards to other agencies and requested that a representative of the County Extension Office meet with Dave Kroeker, Budget & Fiscal Officer, and Information Services to develop a three year plan for the agency and discuss transferring the in-house computer position to Information Services, with a report back to the Board in four to six weeks.

Board consensus to hold the County Extension Office's request until that time.

8 ACTION ITEMS

- a. Southeast District Nebraska Association of County Officials (NACO) Conference - September 2, 1999 at the Villager Motor Inn, Lincoln

Campbell, Steinman, Heier and Workman indicated plans to attend.

Board consensus to not hold a County Board Staff Meeting on this date. A Staff Meeting will instead be held immediately following the Tuesday, August 31st County Board of Commissioners Meeting.

- b. Annual Nebraska Association of County Officials (NACO) Convention - October 12-14, 1999 at the Holiday Inn Convention Center, Omaha

Board consensus to determine coverage following review of the agenda.

9 ADMINISTRATIVE OFFICER REPORT

- a. Appointment of Ecological Advisory Board Members

Board consensus to recruit candidates, as well as accept recommendations from the Ecological Advisory Board, for appointment to that body.

Brief discussion took place on concerns that the Ecological Advisory Board has at times exceeded its authority and lacks specific direction from the Board.

The Board requested a membership listing that notes agency represented and requested Heier and Eagan to meet with Dan Ludwig, Ecological Advisory Board Chair, to discuss the advisory nature of the committee and agency representation.

- b. Judicial Users System to Improve Court Efficiency (JUSTICE) System Update

Steinman reported briefly on a meeting held to discuss problems with conversion of the Clerk of the District Court's Clerk's Automated Receiving and Tracking System (CARATS) to the State's Judicial Users System to Improve Court Efficiency (JUSTICE) system, noting that the State has agreed to provide training to private users of the system and will provide remote access to records via the Internet. She also reported that case history not included in the conversion has been manually entered into the system.

- c. Request to Change Microcomputer Request C#99194, \$933.50 for Word Perfect 2000 Upgrade, Funding Source from District Court to Microcomputer Fund

MOTION: Steinman moved and Heier seconded to deny the request. On call Steinman, Heier and Campbell voted aye. Hudkins and Workman were absent from voting. Motion carried.

- d. Master Telecommunications Ordinance, Temporary Licenses

Eagan explained that discussion of a temporary license agreement with World Wide Fiber (WWF) of Des Moines, Iowa for installation of fiber optic cable on or across County right-of-way at the August 17th County Board of Commissioners meeting raised the question of whether an occupation tax could be imposed. He stated extensive research of the matter has established that occupation taxes for this type of company are limited to cities, with the County's occupation tax applicable only to cable or community antenna television.

Eagan said the County's test under the Federal Communications Act of 1996 is whether fees assessed are fair and reasonable compensation for use of right-of-way. He added that LB 496, which changes right-of-way for telecommunications lines and related facilities and eminent domain powers, is more restrictive in that it limits the County to recovery of costs. He noted these issues will be specifically addressed in a requested County Attorney's Opinion.

Eagan recommended that the County Board proceed with issuance of the temporary license, modifying the expiration date so that it coincides with that of Level 3 Communications.

Dave Johnson, Deputy County Attorney, explained that regardless of how LB 496 is interpreted, there are currently mechanisms in place that will allow the County to recover costs, as long as the focus remains on the weakening of roads, rather than creation of revenue.

Eagan noted the County will be better prepared to withstand legal challenge if County Engineer costs are documented.

MOTION: Steinman moved and Heier seconded to request the Nebraska Association of County Officials (NACO) to schedule discussion of telecommunications issues on the agenda for the annual convention and to pursue corrective legislative action with regards to LB 496. On call Steinman, Heier, Hudkins, Workman and Campbell voted aye. Motion carried.

ADJOURNMENT

By direction of the Chair, the meeting was adjourned.

Bruce Medcalf
Lancaster County Clerk