

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
THURSDAY, FEBRUARY 17, 2000  
8:30 A.M.**

Commissioners Present: Larry Hudkins, Vice-Chair  
Linda Steinman  
Bernie Heier  
Bob Workman

Commissioners Absent: Kathy Campbell, Chair

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,  
FEBRUARY 8, 2000 AND MID-YEAR BUDGET REVIEW MINUTES OF  
THURSDAY, FEBRUARY 3, 2000**

**MOTION:** Workman moved and Steinman seconded approval of the Staff Meeting Minutes dated February 8, 2000. Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

**MOTION:** Steinman moved and Workman seconded approval of the Mid-Year Budget Review Minutes dated February 3, 2000. Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

Hudkins requested that Item 7, Paragraph 1, of the February 1, 2000 Staff Meeting Minutes, approved at the Staff Meeting on February 8, 2000, be amended to read as follows:

Hudkins reported that Jack Mills, Nebraska Association of County Officials (NACO) Executive Direction, has announced that he will retire June 30, 2000. Craig Nelson, NACO Legal Counsel, may assume this position. The NACO Board is considering contracting for lobbying services.

**MOTION:** Steinman moved and Heier seconded to amend the Staff Meeting Minutes of February 1, 2000, as noted. Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

## **2 ADDITIONS TO THE AGENDA**

None were stated.

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

Gordon Kissel, Legislative Consultant, presented a legislative update and *2000 Priority Bills* (Exhibit A), noting the following:

- LB 708, which changes provisions for admission of persons to state hospitals and use of other facilities, has advanced to General File and may be given Speaker priority status
- Senator Bruning has prioritized LB 628, which requires provision of copies of public records at actual costs
- LB 1365, which authorizes the issuance of building permits for farmstead residences, will probably be added to a Revenue Committee bill

Kissel also reported that LB 652, which provides for a juvenile correctional facilities master plan, was advanced to Select File. He said Senator Chambers opposes transfer of the Nebraska Correctional Youth Facility from the Department of Correctional Services to the Office of Juvenile Services (OJS) and plans to divide the question in debate.

Eagan said the emphasis should remain on the fact that boarding costs are already a State responsibility and transferring these costs to the State will free funds for other juvenile programs.

Kissel said Senator Landis is concerned that the State may be less responsive to juveniles and placement may be affected by the ability to access federal funding. He is also concerned that the bill will limit juvenile court judges' ability to make placement decisions.

Steinman will contact Juvenile Court Judge Tom Dawson to address the juvenile court judges's concerns. An additional meeting may be held with Senator Landis.

Hudkins asked about LR 289CA, a constitutional amendment to permit gaming on Indian lands, and whether recognition would be extended to the Ponca Tribe which could have an impact on Lancaster County.

Kissel said the language was drafted to limit recognition to Indian lands identified in 1988, which would be the Omaha, Winnebago and Santee tribes. He noted that tribes with ties to ancestral lands have petitioned and received recognition from the Department of the Interior in other states with similar legislation.

#### **4 LANCASTER MANOR ADMISSION POLICY - Larry Van Hunnik, Lancaster Manor Administrator**

Larry Van Hunnik, Lancaster Manor Administrator, requested waiver of *Policy Statement, Financial Eligibility for Admission to, and Continued Residency at Lancaster Manor*, dated March 19, 1991 (Commissioners' Information Packet) until occupancy levels reach 280 residents or 93 percent capacity.

**MOTION:** Steinman moved and Workman seconded approval of the policy waiver.

Van Hunnik proposed a new policy statement that would increase the level of assets for those in a spend-down plan from \$10,000 to \$25,000 (Exhibit B).

In response to a question from Workman, Van Hunnik stated Medicaid reimbursement is only in jeopardy if the total occupancy level falls below an 85%.

Both the maker of the motion and the seconder agreed to include in the motion authorization for Larry Van Hunnik, Lancaster Manor Administrator, to draft a new policy statement that increases the level of assets for those in a spend-down plan from \$10,000 to \$25,000 and provides for suspension of the policy when occupancy falls below 93 percent, for review by the County Attorney's Office.

**ON CALL:** Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

Van Hunnik also reported \$365,000 in Medicaid retroactive payments was received, which reflects an increase of \$4 per day.

**5 PRELIMINARY PLAT 99025 AND SPECIAL PERMIT 174, SOUTHWEST 14<sup>TH</sup> & WEST WITTSTRUCK ROAD (BENTZINGER SUBDIVISION) -**  
Mike DeKalb, Planning Department; Larry Worrell, County Surveyor

Mike DeKalb, Planning Department, reviewed Preliminary Plat 99025 and Special Permit 174, a Community Unit Plan that created 8 lots on property located at Southwest 14<sup>th</sup> & West Wittstruck Road (Exhibit C). He noted a recommendation of approval from the Planning Commission and Planning Staff.

**6 CLERK OF THE DISTRICT COURT BUDGET (CONTINUATION FROM THE MID-YEAR BUDGET REVIEW) -** Kelly Moore Guenzel Handlos, Clerk of the District Court; Elly Carrico, Deputy District Court Clerk; District Court Judge Steven Burns; Dave Kroeker, Budget & Fiscal Officer; Doug Thomas, Information Services Director; Brian Pillard, Records & Information Manager

The following materials were distributed:

- *Clerk of the District Court, Mid-Year Budget Issues* (Exhibit D)
- A letter from Presiding District Court Judge Steven Burns noting comments from the District Court Judges regarding mid-year budget matters for the Clerk of the District Court (Exhibit E)

Overtime

Dave Kroeker, Budget & Fiscal Officer, said an additional \$24,000 is needed for overtime expenses.

Lektriever File Storage System

Kelly Moore Guenzel Handlos, Clerk of the District Court, said the Lektriever file storage system in her office frequently breaks down. She said the length of time it takes for response to service calls and the lack of replacement parts result in numerous file retrieval delays. Cost of replacement is estimated at \$28,000. A one-year maintenance agreement, which includes parts and labor, costs \$1,500.

Eagan said replacement with a sliding file storage system is another option. He said Don Killeen, County Property Manager, is investigating whether the office floors have sufficient weight bearing capacity to handle such a system.

Brian Pillard, Records & Information Manager, explained how the files could be imaged, which would allow for multiple users, and the system of file retrieval. He said issues of paper storage and method of storing subsequent filings for speedy retrieval need to be resolved and questioned whether imaging will serve the immediate needs of that office.

District Court Judge Steven Burns said original documents are frequently needed in the court for purposes of identification. He added that use of an imaging system for the court and retention of documents will require input from the Nebraska Supreme Court.

Steinman noted there is a bill pending before the Nebraska Legislature that provides for transition of the office of the Clerk of the District Court to a state reimbursed position and questioned how this would impact imaging of case files.

**MOTION:** Heier moved and Steinman seconded to form a committee consisting of Commissioner Workman; District Court Judge Steven Burns; Kelly Moore Guenzel Handlos, Clerk of the District Court; Brian Pillard, Records & Information Manager; Gary Lacey, County Attorney; Doug Thomas, Information Services Director, and Nebraska Supreme Court Chief Justice John Hendry, or his designee, to explore development of an imaging system for the Clerk of the District Court, with a report back to the Board in one month. Heier, Steinman, Workman and Hudkins voted aye.

**MOTION:** Workman moved and Steinman seconded to approve the maintenance contract, with the stipulation that the hand-crank for the Lektriever must be made operative and that terms of the maintenance contract are approved by the County Attorney's Office. Workman, Steinman, Heier and Hudkins voted aye. Motion carried.

### Receptionist Position

Elly Carrico, Deputy District Court Clerk, reported that the person assigned to this temporary position qualified for benefits in January.

Handlos requested that this person be reassigned to a file clerk position in the Clerk of the District Court's Office to assist with filings. She said an individual in her office performing similar duties would then be reassigned to the receptionist position.

Board consensus to defer the request until the end of the fiscal year and to review office efficiencies at that time.

### Audit of Clerk of the District Court

Handlos said her request for an audit upon taking office is no longer necessary, as an audit report has been completed and monthly bank reconciliations are close to being brought up-to-date. She added that she will seek inclusion in the process of selecting a Certified Public Accountant (CPA) firm, should the Board elect to proceed with an audit.

Judge Burns said the district court judges still have concerns about past delays in monthly bank reconciliations and feel an audit should take place.

Kroeker suggested that the CPA firm currently under contract to the County could perform the audit.

The Board requested Kroeker to work with Handlos and Judge Burns in defining what services are needed.

### Data Processing

Judge Burns explained there were numerous problems in coordination of fields when the Clerk's Automated Receiving and Tracking System (CARATS) was converted to Judicial Users System to Improve Court Efficiency (JUSTICE) that made manual entry of active cases necessary. He said the State has indicated that conversion of case history is possible, but not in a format compatible with the County's software. Judge Burns estimated that access to CARATS will be necessary for up to twenty years to meet statute of limitations for filings in child support cases.

In response to a question from Kroeker, Elly Carrico, Deputy District Court Clerk, said the State will not reimburse the County for this expense.

Handlos said this problem is unique to Lancaster County as Douglas County has not made the conversion to JUSTICE and other counties did not have computerized systems.

Eagan asked whether an Internet or Intranet program could be developed that would facilitate usage of both systems.

Doug Thomas, Information Services Director, said that is a possibility, although a joint effort by the County and State would be necessary.

The Board requested that the entire issue be revisited with Joe Steele, Supreme Court Administrator, and Ron Bowmaster, Intergovernmental Data Processing.

## **7 ATTORNEY II PROMOTIONS - Gary Lacey, Lancaster County Attorney**

Gary Lacey, Lancaster County Attorney, reviewed a request to increase the salaries of four attorneys in his office from (Exhibit F), noting these are routine promotions.

The Board directed that the item be placed on a County Board of Commissioners Meeting agenda.

## **8 EMERGENCY MANAGEMENT PROJECTS - Doug Ahlberg, Emergency Management Director**

Doug Ahlberg, Emergency Management Director, reviewed a proposal to update the *Lancaster County Local Emergency Operations Plan (LEOP)* and to hire Michael Burnett, an Emergency Management Volunteer, for 20 hours a week on a temporary basis to facilitate the community planning process and to serve as the data collection and desktop publishing manager for the project, at a salary of \$12,000. He noted that a Nebraska Emergency Management Agency (NEMA) grant is available that would provide full reimbursement of project costs.

In response to a question from Heier, Eagan said Burnett would not qualify for benefits.

**MOTION:** Steinman moved and Heier seconded to authorize Doug Ahlberg, Emergency Management Director, to submit an application for the Nebraska Emergency Management Agency (NEMA) grant and to hire Michael Burnett, as outlined, contingent upon receipt of the grant. Steinman, Heier, Workman and Hudkins voted aye. Motion carried.

Ahlberg also proposed that:

Any developer wishing to expand or create new housing or industrial sites within Lancaster County be required, prior to approval, to adhere to the following:

- A. Purchase and erect an outside warning siren that meets or is compatible with those standards established by the Department of Emergency Management, if the development exceeds 1500 feet in radius and/or extends beyond the present established coverage areas of existing outdoor warning sites
- B. Upon completion of installation and testing, the outside warning siren becomes sole property of the Department of Emergency Management, who will then be responsible for all maintenance and operational costs

Ahlberg said a 6 cell system is estimated to cost \$12,000. Once this system is in place, it is possible to add cells to extend the radius, at a cost of \$1,400 for every 5 feet.

**MOTION:** Steinman moved and Heier seconded authorized Doug Ahlberg, Emergency Management Director, to organize a committee that includes representatives of the City of Lincoln, Planning Department, Building & Safety Department and the Home Builders Association to review the proposal and to bring a recommendation back to the Board. Steinman, Heier, Workman and Hudkins voted aye. Motion carried.

**9 FAMILIES FIRST & FOREMOST (F<sup>3</sup>) GRANT ARBITRATION AGREEMENT** - Sheryl Schrepf, Families First & Foremost (F<sup>3</sup>) Grant Director

Sheryl Schrepf, Families First & Foremost (F<sup>3</sup>) Grant Director, explained that funding for the arbitration agreement with the Lincoln Lancaster Mediation Center for facilitation of stakeholder meetings is included in a \$250,000 supplemental grant to F<sup>3</sup> for technical assistance. She said the budget of \$50,000 could be pared down or shifted to fund other technical assistance.

Steinman suggested the family conferencing portion be eliminated and the budget be capped at \$38,000.

Dave Johnson, Deputy County Attorney, raised the issue of 60-day notice of non-renewal of contract and agreed to draft language for the Board's review at a future Staff Meeting.

**10 ACTION ITEMS**

- a. Microcomputer Request C#2000-045, Juvenile Grants Office/Families First & Foremost (F<sup>3</sup>) Grant for \$11,132.46 from the F<sup>3</sup> Grant Funds for Two (2) Laptops; One (1) Desktop Computer, Three (3) Monitors, etc. for the Assessment Center Coordinator; Training/Technical Assistance Coordinator and Case Management

Workman asked Sheryl Schrepf, Families First & Foremost (F<sup>3</sup>) Grant Director, whether less expensive equipment would meet these individuals' needs.



Schrepf said less expensive equipment would probably suffice. She also agreed to check on the need for a desktop computer.

**MOTION:** Steinman moved and Heier seconded to approve a corrected version of the microcomputer request. Steinman, Heier, Workman and Hudkins voted aye. Motion carried.

## **11 CONSENT ITEMS**

- a. Request from Dean Settle, Community Mental Health Center Director, to Attend Commission on Accreditation of Rehabilitation Facilities Annual Conference in Tucson, Arizona; February 18-23, 2000
- b. Request from Dennis Banks, Lancaster County Juvenile Detention Center Director, to Attend the National Conference on Juvenile Court Judges and the Family in Tampa, Florida; March 19-22, 2000
- c. Vacation Request from Doug Ahlberg, Emergency Management Director, for March 3-5, 2000

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

## **12 ADMINISTRATIVE OFFICER REPORT**

- a. Joint Department Visits

Eagan reported that Reba Schafer, Lincoln Area Agency on Aging Administrator, will not be available on March 28<sup>th</sup>.

Board consensus to proceed with a tour of the Lincoln/Lancaster County Health Department and Information Services on that date and to reschedule a tour of the Lincoln Area on Aging.

## **13 DISCUSSION OF BOARD MEMBER MEETINGS**

- a. Government Access & Information Committee - Steinman

Steinman noted that she no longer attends these meetings and requested that the item be dropped from the agenda.

b. Information Services Policy Committee

Steinman said she did not attend this meeting and asked Doug Thomas, Information Services Director, to give a report.

Thomas reported the following:

- Agency budgets have been sent out
- 1,007,000 hits on the InterLinc website in January
- Criminal Justice Information Services (CJIS) VAX System has been upgraded
- Tax collection via e-commerce has been delayed

**14     ADJOURNMENT**

**MOTION:**     Steinman moved and Workman seconded to adjourn the meeting.  
Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

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Bruce Medcalf  
Lancaster County Clerk