

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
THURSDAY, APRIL 27, 2000  
8:15 A.M.**

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

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 THURSDAY, APRIL 20, 2000**

**MOTION:** Hudkins moved and Workman seconded to approve the Staff Meeting minutes dated April, 20, 2000. Hudkins, Workman, Steinman, Heier and Campbell voted aye. Motion carried.

**2 ADDITIONS TO THE AGENDA**

- a. Preliminary Authorization to Submit a Grant to Augment the General Assistance Program
- b. Updates on Construction of Lancaster County Juvenile Detention Center
- c. Vacation Request from Dennis Banks, Lancaster County Juvenile Detention Center Director, April 26-30, 2000
- d. Contract with Juvenile Probation for Electronic Monitoring
- e. How to Handle Emergency Situations Under Terms of the Unit Price Construction Contracts

**3 EMS, INC., AMBULANCE CERTIFICATE REVIEW COMMITTEE** - Jay Upright, Chair of the Certificate Review Committee; Doug Ahlberg, Emergency Management Director

Jay Upright, Chair of the Certificate Review Committee, gave a brief overview of how ambulance service evolved in Lincoln from the 1970's to present, noting the following:

- Lincoln Medical Education Foundation (LMEF) created protocols for critical care nursing staff at local hospitals.
- The Mobile Heart Team, a team of critical care nurses, was created by Bryan Memorial Hospital to respond to Advanced Life Support (ALS) calls along with the Lincoln Fire Department and two private ambulance service providers.
- An integrated 911/Emergency Communications Center was established.
- The two private ambulance service providers merged.
- A joint proposal to merge the Mobile Heart Team with the Lincoln Fire Department was submitted. The City Council rejected that proposal but decided in 1986 to provide the entire system with medical oversight through the Lincoln Medical Education Foundation and a system of protocols from Medical Directions, a subcommittee of the Lancaster County Medical Society (LCMS).
- It was decided in the early 1990's that the Lincoln Fire Department could have paramedics. This resulted in two paramedic systems in the community, as Eastern Ambulance Service also had paramedics. It was agreed that it was no longer appropriate for the Lincoln Medical Education Foundation to provide the medical oversight and EMS Inc., a non-profit corporation, was formed to provide medical direction.

Upright said that because of concerns regarding emergency medical services transportation and medical direction services, the EMS Inc. Board requested review of the Certificate of Public Convenience and Necessity by an independent Certificate Review Committee (A copy of the report is included in the Commissioners' Information Packet).

Campbell noted Upright's statement in a letter to the Board that "the principle concern is that the contract terms be completely defined to avoid placing the entity who is monitoring system response to be in a position where they are forced to interpret the intent of the Mayor or City Council to the respective EMS service agency."

Upright explained that the Certificate of Public Convenience and Necessity does not specify which service will be in charge of ALS. He said it is also vague on the issues of response times, 911/Emergency Communications Center protocols, and determination of charges. He said appendix items created by the Certificate Review Committee were an attempt to provide language to the decision makers on how to improve the Certificate of Public Convenience and Necessity to eliminate system problems.

In response to a question from Workman, Upright said he believes the root problem is that the Certificate of Public Convenience and Necessity does not clarify the terms of how the EMS system of response is to work. It should also include Lancaster County as an ALS response area. He added there is also the problem of not enough calls to maintain the advanced invasive procedure skills of the current number of paramedics.

Steinman noted the remarks of Dr. Joseph Stoter, Medical Director for the Omaha Fire Department, at the April 24<sup>th</sup> City Council Meeting, and asked whether he serves independent of the political structure.

Upright said he did not know. He said Dr. Stoter implied that Lincoln's current system lacks independent medical oversight, but said it does through Dr. Reckaway who reports to the EMS Inc. Board.

Hudkins said the independent medical director issue appears key and asked how the County Board can insure continuity for the numerous rural fire districts, many of which operate outside the county.

Upright said the medical director has the authority, by state law, to decide who has met the standards to be a paramedic. He said this authority needs to be maintained independent from the service provider.

Campbell said she is concerned with portions of the Lancaster County Medical Society's proposal that would change the current system of appointment, making all appointments subject to the approval of the LCMS Board, and requiring review and approval of the oversight agency's bylaws and changes to bylaws by the LCMS Board.

Doug Ahlberg, Emergency Management Director, presented a list of the rural fire districts within Lancaster County and those that are outside Lancaster County but respond to calls within its boundaries and their corresponding medical directors (Exhibit A).

Board consensus to schedule discussion with Jim Densberger, Mutual Aid Association and David May, Bennet Rural Fire District on the May 2<sup>nd</sup> County Board Staff meeting agenda.

#### **4 BOARD OF CORRECTIONS QUARTERLY MEETING - Mike Thurber, Corrections Director**

Separate Minutes.

**5 ONE & SIX-YEAR ROAD AND BRIDGE IMPROVEMENT PROGRAM;  
LETTER FROM VILLAGE OF FIRTH REGARDING VIADUCT- Don  
Thomas, County Engineer; Larry Worrell, County Surveyor**

One & Six-Year Road and Bridge Improvement Program

Don Thomas, County Engineer, presented an overview of the One & Six-Year Road and Bridge Improvement Program, referring to the following documents (Exhibit B):

- *Grading & Culverts, Fiscal 1981 Thru Fiscal 2000, 20 Year History*
- *Bridges, Fiscal 1981 Thru Fiscal 2000, 20 Year History*
- *Paved Road System, Fiscal 1981 Thru Fiscal 2000, 20 Year History*
- *Paved Road Activity*
- *Financial Summary of Major Construction Activities, Fiscal 1981 Thru 2000*
- *Lancaster County Road System Mileage*
- *Traffic County Summary*
- *Future Paving Projects*
- *Lancaster County, Border Traffic (Map)*
- *Lancaster County, Road Grading Needs (Map)*
- *Lancaster County, Graded Roads (Map)*
- *Lancaster County, 2 & 4 Lane Widening (Map)*

Thomas said he considers the county road system to be in excellent condition, with the exception of several recreation roads which are under the State's control. He said grading is currently at the rate of 4-6 miles per year, and is about a year behind schedule.

Thomas said traffic counts are an effective tool that helps identify where improvements are needed. At least two traffic counts have been taken for each county road, utilizing the same methodology. Thomas added that the traffic count data indicates that there are a lot of county roads that can support additional development.

In response to a question from Workman, Thomas said new traffic counts will be taken on North 162<sup>nd</sup> this summer. He said replacement of the two bridges is projected for next year and no work will be initiated on Phase I (Highway 6 to the Salt Creek Bridge) or Phase II (Salt Creek Bridge to the Davey Road) until bridge replacement is completed.

Hudkins asked about plans for Fletcher Avenue between 14<sup>th</sup> to 27<sup>th</sup> Streets.

Larry Worrell, County Surveyor, said it is his understanding that Arbor Road will become an arterial, rather than Fletcher Avenue.

Campbell questioned whether two lanes are sufficient to meet future needs on West Denton Road.

Thomas said a wide, two lane road with paved shoulders is planned.

Workman asked whether a map with all of the traffic counts indicated in color could be made available.

Steinman suggested placement of the map on the Internet website.

#### Letter from Village of Firth Regarding Viaduct

Campbell said the Village of Firth has submitted a letter to the Board requesting that plans for the Firth viaduct cease, as a need does not exist. She said a letter is still needed from the Firth Rural Fire Board.

Eagan agreed to follow up on the matter with the Firth Rural Fire Board.

#### **6 COUNTY SPECIAL PERMIT 178 AND PRELIMINARY PLAT 00003, LITTLE NEMAHA LAKE ESTATES, 148 EAST SHILOH ROAD - Mike DeKalb, Planning Department**

Mike DeKalb, Planning Department, briefly reviewed County Special Permit 178, a Community Unit Plan, and Preliminary Plat 00003 for 9 residential lots clustered around a lake, Little Nemaha Lake Estates (Exhibit C). He noted there is a split jurisdiction with the Village of Bennet and the request meets their 10 acre minimum lot size requirements. DeKalb said the main issue of contention is a feeder operation across the road, to the west. The developer has agreed to plant trees along the western boundary to screen this operation. He said neighboring property owners testified in opposition before the Planning Commission expressing concern that buyers will object to odors from animal operations and concerns regarding outbuildings and lighting.

DeKalb submitted a copy of a statement to be included with the conveyance documents wherein the grantee acknowledges existing farm uses and agrees not to raise legal complaints (Exhibit D).

Eagan questioned whether this conveyance is a "tried and true" provision.

Campbell noted that the Planning Commission has recommended that the developer meet with neighboring property owners prior to the issue being brought before the County Board. She asked DeKalb to follow up on whether this had been done.

**7 STATUS OF REGISTERED NURSES AS EXEMPT EMPLOYEES -**

Georgia Glass, Personnel Director; John Cripe, Classification and Pay Manager; Diane Staab, Deputy County Attorney; Larry Van Hunnik, Lancaster Manor Administrator; Mike Thurber, Corrections Director

Georgia Glass, Personnel Director, said her predecessor had authorized the payment of overtime to registered nurses at Lancaster Manor. She said she does not support this practice, as Registered Nurse I and II positions are classified as exempt, and has requested a County Attorney's opinion on the matter (Exhibit E). Glass said these positions also exist in the Corrections Department, although those individuals have not been paid overtime.

Larry Van Hunnik, Lancaster Manor Administrator, said compensation is necessary to remain competitive with the market.

John Cripe, Classification and Pay Manager, said there are mechanisms that allow the County to compensate employees for additional work performed, although it would not be on an hourly match basis. He said work hours could also be adjusted to provide for 12 hour shifts on a 14 day cycle.

**MOTION:** Steinman moved and Heier seconded to authorize the Personnel Department to explore a plan of options for the Registered Nurse I and Registered Nurse II positions, as expediently as possible, and to make a recommendation to the Board. Steinman, Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

**8 ACTION ITEMS**

- a. Resolution Commemorating 130<sup>th</sup> Birthday of the Chamber of Commerce

**MOTION:** Steinman moved and Heier seconded to authorize a resolution commemorating the 130<sup>th</sup> birthday of the Chamber of Commerce to be presented to that organization. Steinman, Heier, Hudkins, Workman and Campbell voted aye. Motion carried.

b. Letter to Senators Who Voted to Override a Veto of LB 652

Eagan presented a draft of a thank you letter to be sent to those senators who voted to override a veto of LB 652, which provided for a juvenile correctional facilities master plan and payment of juvenile boarding costs by the State (Exhibit G).

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

c. Response to Proposal Requests 001 and 002 for the Lancaster County Juvenile Detention Center Project, Total of \$22,281 for Additional Grading on South Lot Line and Tree Removal

Proposal Request 001

Chris Beardslee, Sinclair Hille & Associates Inc., appeared and reviewed Proposal Request 001, removal of a stand of trees in the southwest corner of the property that encroaches on the proposed location of a security fence, at a cost of \$6,754. He noted that the location of the facility was shifted 40' to the west late in the development of the site plan to allow for future location of the juvenile court on the site. This shift created the encroachment, which was not anticipated in the original demolition contract.

Hudkins indicated that the County Board had wanted to retain as many trees as possible on the site.

Proposal Request 002

Beardslee reviewed Proposal Request 002, revision of grading (Exhibit F) and removal of trees along the south and east property line, at a total cost of \$15,459. He said grading needs to extend onto the State's property and has been revised to address drainage concerns. It also necessitates the removal and replacement of a fence along the property line and the removal of trees on the bank. Beardslee noted that new trees will be planted along the property line as part of the agreement with the State.

Hudkins said the trees were to intended to serve as natural screening of the facility. He questioned whether the tree removal would have been necessary if the building had been positioned farther to the north.

Beardslee said grading was always part of the plans and even if the building had been moved as far to the north as possible, a significant amount of grade would still have been removed and tree removal may still have been necessitated. He conceded that the fence was not identified in the plans and if it had been included the removal and replacement would have been bid.

Beardslee recommended that costs for Proposal Requests 001 and 002 be deducted from the contingency allowance.

**MOTION:** Steinman moved and Hudkins seconded to authorize the work to proceed, with determination of how the cost is to be allocated to be decided at the May 2<sup>nd</sup> County Board of Commissioners meeting.

Hudkins said he believes Sinclair Hille & Associates Inc., architect for the project, made a miscalculation and should share in the Proposal Request 002 cost.

Hudkins and Eagan agreed to discuss the matter with Jim Hille, Sinclair Hille & Associates Inc., and Don Killeen, County Property Manager, prior to the May 2<sup>nd</sup> County Board of Commissioners meeting.

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

d. Request from Marvin Roberts to Remove Trees on Coddington Avenue

**MOTION:** Heier moved and Steinman seconded approval of the request, subject to the approval of the County Engineer. Steinman, Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

#### **ADDITIONS TO THE AGENDA**

Campbell requested inclusion of discussion of the grand opening and ribbon cutting for the Lancaster County-City of Lincoln Government Center on the agenda.

**MOTION:** Steinman moved and Heier seconded to approve the addition to the agenda. No vote was taken.

a. Preliminary Authorization to Submit a Grant to Augment the General Assistance Program

**MOTION:** Heier moved and Steinman seconded to authorize Kerry Eagan, Chief Administrative Officer, to send a letter to Griffin Grant Writing requesting that they write an application for a federal grant intended to assist communities in development of plans to assist the uninsured and underinsured to augment the County's General Assistance Program. Workman, Heier, Steinman, Hudkins and Campbell voted aye. Motion carried.



b. Updates on Construction of Lancaster County Juvenile Detention Center

Eagan suggested that updates on the construction of the Lancaster County Juvenile Detention Center be listed as a standing item on the Staff Meeting agenda. He added that he will schedule a discussion with Chris Beardslee, Sinclair Hille & Associates Inc., on establishment of criteria to determine what items require County Board action and what items can be handled by the architect on the May 4<sup>th</sup> Staff Meeting agenda.

c. Vacation Request from Dennis Banks, Lancaster County Juvenile Detention Center Director, for April 26-30, 2000

**MOTION:** Steinman moved and Heier seconded approval. Heier, Steinman, Hudkins, Workman and Campbell voted aye. Motion carried.

d. Contract with Juvenile Probation for Electronic Monitoring

Board consensus to continue the Electronic Monitoring Program and to investigate whether the State would be willing to contribute financially.

e. How to Handle Emergency Situations Under Terms of the Unit Price Construction Contracts

Dave Johnson, Deputy County Attorney, reported that additional contract language has been drafted that will permit the County to go outside the unit price construction contract list, if the approved contractors are contacted and are unable or unwilling to respond.

f. Grand Opening & Ribbon Cutting for the Lancaster County-City of Lincoln Government Center, May 6, 2000

**MOTION:** Hudkins moved and Workman seconded to authorize the Chair to send a letter to the County departments located in the County-City Building and Justice and Law Enforcement Center indicating that those offices will be open from 10 a.m. to 2 p.m. during the public open house on May 6<sup>th</sup> and asking them to have someone available in their office to answer questions. Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

## **9 CONSENT ITEMS**

- a. Attendance of Mike Thurber, Corrections Director, at the Arrestee Drug Abuse Monitoring (ADAM) Workshop, Friday, May 1-4, 2000

**MOTION:** Heier moved and Hudkins seconded approval. Heier, Hudkins, Workman, Steinman and Campbell voted aye. Motion carried.

## **10 ADMINISTRATIVE OFFICER REPORT**

- a. Use of Citizen Information Center's Microphones for County Board Staff Meetings

Item deferred.

- b. Legislative Consultant Contract

Eagan reported that the contract for Gordon Kissel, Legislative Consultant, expires in October.

Board consensus to send a letter to members of the Lancaster County Senate Delegation asking for comment on Kissel's job performance. Campbell and Eagan will follow-up with phone calls and will report back to the Board.

- c. Quarterly Meeting with Lincoln/Lancaster County Health Department

Board consensus to not schedule quarterly meetings, rather to seek briefings on specific issues of concern.

- d. Local Government Coalition for Establishment of the Homestead Trail

Eagan briefly reported on a draft interlocal agreement for establishment of the Homestead Trail on the abandoned Union Pacific railway line in southern Lancaster County.

- e. Letter from County Board to Local Pharmacies Regarding General Assistance

**MOTION:** Hudkins moved and Heier seconded to authorize a letter to be sent to local pharmacies inviting them to an informational meeting on the General Assistance Program. Hudkins, Heier, Workman, Steinman and Campbell voted aye. Motion carried.

f. Cancellation of Lease at 201 "F" Street

Campbell said the County has been notified in writing that the building used to store election supplies has been sold and the County's lease will not be renewed after June 1, 2000.

Eagan said new space has been leased and arrangements are being made to move the election equipment.

## **11 DISCUSSION OF BOARD MEMBER MEETINGS**

a. General Assistance Monitoring Committee - Campbell, Steinman

Steinman said income guidelines for housing are being reviewed and it was suggested that higher incomes be allowed for larger families.

Steinman said physicians that have provided medical services for General Assistance clients on a volunteer basis will be recognized at the Lancaster County Medical Society's Annual Meeting in September.

b. Attention Center Advisory Committee - Heier

Heier reported that discussion focused on the Transition Team. Heier suggested that Gus Hitz, Assessment Center Director, be scheduled on a future Staff Meeting agenda to discuss the Assessment Center and qualifications for the individuals that will be hired to perform the assessments.

## **12 ADJOURNMENT**

By direction of the Chair, the meeting was adjourned.

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Bruce Medcalf  
Lancaster County Clerk