

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, FEBRUARY 15, 2001
8:15 A.M.**

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

Commissioners Absent: Kathy Campbell, Chair

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

AGENDA ITEM

**1 APPROVAL OF STAFF MEETING MINUTES OF TUESDAY,
FEBRUARY 6, 2001**

MOTION: Heier moved and Steinman seconded approval of the Staff Meeting minutes of February 6, 2001. Steinman and Workman voted aye. Heier abstained from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Centrex Phone System Failure
- B. Meeting with the Mayor Concerning the Public Building Commission

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

3 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant

Gordon Kissel, Legislative Consultant, gave a legislative update (Exhibit A), noting the following:

- O Health and Human Services Committee and Appropriations Committee held a joint session Wednesday to discuss the various mental health bills and the distribution of the Health Trust Fund. A tentative compromise has been reached and it appears the eight bills will be combined into LB 692 (provides for funding of the Nebraska Lifespan Respite Services Program under the Nebraska Health Care Funding Act).
- O Transportation and Telecommunications Committee heard testimony on LB 616 (authorizes road maintenance agreements between counties, cities and villages).
- O Government Committee has designated LB 142 (authorizes creation of municipal counties) as a committee priority.
- O Judiciary Committee heard LB 272 (adopts the Nebraska Juvenile Justice Institute Act).

Kissel said he and Mike Kelley, lobbyist for Douglas County, plan to meet with Lauren Hill, Governor's Office, and Chris Peterson, Nebraska Department of Health and Human Services, to discuss a compromise on LB 640 (renames grants and provides for a county aid program under the Juvenile Services Act). He said an amendment has been drafted to reduce the \$500,000 designated in the bill as planning for counties to \$100,000. The intent is to apply the remaining \$400,000 towards boarding contract costs.

Hudkins said the County Board has taken a position of opposition to LB 447 (provides for acquisition of country roads through arbitration) and asked Kissel to work the bill.

Hudkins also noted concern that LB 704 (changes Nebraska State Capital Environs District specifications) could restrict future County/City Government Center building efforts.

MOTION: Hudkins moved and Steinman seconded to oppose LB 704, as written.

AMENDMENT: Both the maker of the motion and the seconder agreed to include in the motion that the County opposes extending the Nebraska State Capital Environs District any further west and that efforts to express the County's concerns will be coordinated with the City.

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

Dave Kroeker, Budget & Fiscal Officer, briefly reviewed the Inheritance Tax bills - LB 28 (changes an exemption amount subject to inheritance tax and creates the County Inheritance Tax Replacement Fund), LB 266 (provides termination dates for the inheritance, estate, and generation-skipping transfer taxes) and LB 725 (changes the distribution of estate tax revenue and changes the exempt amount for inheritance tax purposes). He said of the three bills, LB 725 would be "the best one to live with".

MOTION: Steinman moved and Hudkins seconded to oppose the legislative bills related to Inheritance Tax.

Hudkins said he concurs with opposing the other Inheritance Tax bills, but said we should not "burn our bridges" on LB 725.

AMENDMENT: Both the maker of the motion and the seconder agreed to amend the motion to state that the County opposes LB 28 and LB 266 and will monitor LB 725.

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

ADDITIONS TO THE AGENDA

A. Centrex Phone System Failure

Workman reported that the 911/Emergency Communications and Lincoln Police Department telephone lines have been down since early morning, due to moisture in the line. He said Doug Ahlberg, Emergency Management Director, enacted the Y2K Emergency Plan in response and police officers were placed at conspicuous spots around the city. Workman noted that 911/Emergency Communications had requested a second redundant line but had received assurances from Alltel Communications that it was not necessary.

MOTION: Heier moved and Hudkins seconded to ask Doug Ahlberg, Emergency Management Director, to draft a letter to be sent to Alltel Communications indicating the immediate need for another 911/Emergency Communications phone line, with a copy to the City. Workman, Steinman, Hudkins and Heier voted aye. Motion carried.

Doug Ahlberg, Emergency Management Director, appeared and said the affected telephone lines had numbers with the 441 prefix. He noted that the County Sheriff's Office had sporadic use of its phone lines and the Lincoln Police Department's 27th Street Station was unaffected.

Ahlberg said he had enlisted the help of local Ham Radio operators who were positioned at key intersections. Volunteer fire departments were also notified of the situation and were asked to staff their fire stations and to patrol the major roads in their fire districts with marked vehicles.

MOTION: Steinman moved and Heier seconded to send letters of appreciation to the Ham Radio operators who lent assistance, the Lancaster County Firefighters Association, Lincoln Police Department and Lancaster County Sheriff's Office. Heier, Steinman, Hudkins and Workman voted aye. Motion carried.

B. Meeting with the Mayor Concerning the Public Building Commission

See Item 12B.

4 STORMWATER MASTER PLANNING - Allan Abbott, City Public Works/Utilities Director; Steve Masters, Nicole Fleck-Tooze and Lalit Jha, City Public Works/Utilities; John Cambridge, Olsson Associates; Glenn Johnson, Ed Ubben and J. B. Dixon, Lower Platte South Natural Resources District (NRD)

The following documents were disseminated:

- A document explaining the Lincoln Stormwater Basin Planning Project (Exhibit B)
- A map of *Directional Growth: Urban Planning Zones* (Exhibit C)

Nicole Fleck-Tooze, City Public Works/Utilities, said the Beal Slough Master Plan was adopted last year as an amendment to the Lincoln City-Lancaster County Comprehensive Plan. She said efforts are now being made to move forward with studies for the North (N) and South (S) Urban Planning Zones, areas within the future urban service limits, and said the intent is to do proactive master planning in advance of development. Fleck-Tooze said the goal of the Lincoln Stormwater Basin Planning Project is to develop an integrated and comprehensive stormwater and master plan for Lincoln and its environs. She added that this work will dovetail with the Comprehensive Plan's master planning effort.

Glenn Johnson, Lower Platte South Natural Resources District (NRD) General Manager, said this has been a cooperative effort between the City and the Lower Platte South NRD and said County participation in the project would be welcomed.

Johnson said when land use changes, particularly from open space to more intensive use, there is significant stormwater impact. He said the project will evaluate each of the basins within, and on the fringe, of Lincoln, in terms of stormwater and will plan and retrofit programs and practices to address existing problems. It will integrate the basins into one interactive system to show the impact land use change in one particular area will have on other areas downstream. Planning will also focus on flow and stability of stream channels to avoid costly infrastructure changes in the future.

Lalit Jha, City Public Works/Utilities, said Federal Emergency Management Agency (FEMA) maps will also be updated to reflect future conditions.

Fleck-Tooze reviewed the public process, noting a series of four open houses will be held for each of the areas.

In response to a question from Workman, Allan Abbott, City Public Works/Utilities Director, said the intent is to leave the channel as natural as possible.

John Cambridge, Olsson Associates, said the public process will help to identify what is acceptable to the individuals with interests in those areas and the effects of anticipated development on channels. He added that "today's conditions may not be our target".

In response to a question from Steinman, Abbott said it is hoped that developers will cooperate with this effort.

Steve Masters, City Public Works/Utilities, predicted that many will be proactive and will reflect this in their plans and designs.

J. B. Dixon, Lower Platte South NRD, said his agency will share information on techniques that can be used to control urban development run-off in watersheds with developers.

Heier asked whether there is coordination with the Stevens Creek Basin Initiative Task Force.

Masters said yes, noting the Lower Platte South NRD has also done a lot of work in the Stevens Creek Basin and this work will be considered with the Stevens Creek Basin Initiative Task Force's recommendations when urbanization of that area is discussed.

5 HEALTH INSURANCE UPDATE - Georgia Glass, Personnel Director; Bill Kostner, City Risk Manager; Bill Thoreson, Benefits Specialist; Stephen Snyder and Gina Samland, Marsh, Inc.

Gina Samland, Marsh, Inc., reviewed *Lancaster County, Claims Report for the Period November 1, 1999 - December 31, 2000* (Exhibit D), noting the following:

- O Expenses for the medical plan exceeded premiums by 9% for the 14 month period
- O 19% of the paid claims for active employees were for pharmacy charges
- O Participants in the plan are generally using generic equivalent drugs, when available
- O A 28% savings in physician and hospital charges was realized through utilization of United HealthCare's network

Samland noted that recent changes to the plan are not reflected in the claims report, which closed out last year.

Heier expressed concern that the administration fees for the medical plan, which are 13.3% of the total premium, are high.

Samland explained that insurance companies typically charge a little more for administration because it is included as part of the plan package. She said some insurance companies charge a percentage of claims and third party administrators charge a fee that is based on participation.

The Board requested revision of the *Premium and Paid Claims Experience Report , Medical, United HealthCare, November 1, 1999 - December 31, 2000* (see Page 2) to:

- Eliminate data for November and December, 1999
- Provide an actual monthly premium breakdown for 2000
- Indicate percentage increase from the previous year

The Board also requested a comparison of the current year's pharmacy claims with last year's.

Samland said factors that will influence the upcoming plan renewal include health care inflation, utilization, increases in prescription drug costs and insurers' being more conservative in their pricing.

Samland said options to consider include:

- Narrowing employee provider choices to increase provider incentives
- Increasing employee cost sharing to promote economical use of the medical plan and utilization of generic equivalent drugs
- Providing employee education to promote wise use of plan benefits
- Introducing a drug formulary
- Promoting mail order prescription program

6 WORKERS' COMPENSATION MANAGEMENT REPORT - Mario Lombardi, Midwest Employers' Casualty Company; Mike Herring, Unico Group, Inc.; Sue Eckley, Workers' Compensation & Risk Management Manager

Mario Lombardi, Midwest Employers' Casualty Company, reviewed *Lancaster County, Management View Report, A Workers' Compensation Benchmark Report Prepared by Midwest Employers Casualty Company and Unico Group, Inc., February 15, 2001* (Exhibit E), noting the following:

- Lancaster County performed 47% better than its peers over the last ten years and is expected to incur \$1.4 million less in lost wage and medical benefits
- Lancaster County is expected to incur 48% fewer work-related injuries than the peer benchmark
- Lancaster County is projected to pay 1% more per claim on average than its benchmark peers for the years analyzed (reflects a high incidence of higher loss claims in 1999)

Lombardi commended Lancaster County for having an effective Workers' Compensation Management Program.

7 LINCOLN ELECTRIC SYSTEM (LES) PLAN FOR UTILIZATION OF LANCASTER COUNTY JUVENILE DETENTION FACILITY GENERATOR AND CONSTRUCTION UPDATE - Don Killeen, County Property Manager; Phillip Euler and Roger Van Laningham, Lincoln Electric System (LES); Charles Werp, Alvine & Associates; Chris Beardslee, Sinclair Hille & Associates Inc.

Lincoln Electric System (LES) Plan for Utilization of Lancaster County Juvenile Detention Facility Generator

Phillip Euler, Lincoln Electric System (LES), proposed that Lancaster County participate in the Power Purchase Program, utilizing the Lancaster County Juvenile Detention Facility's generator (Exhibit F). He explained that this program allows larger commercial/industrial customers to participate by identifying loads they can reduce and generators they can operate when the need arises. This curtailment allows LES to reduce its peak load and the amount of power needed from outside resources. Euler explained there are two ways to participate in this program:

- O Seasonal Curtailment - Maximum of 20 requests per summer season. A minimum load reduction of 100 kilowatts (kW) must be sustained for at least six hours. Penalty if customer does not participate, with one waiver.
- O Daily Curtailment - A minimum of 100 kilowatts (kW) of load reduction. No limit on the number of requests. Participation is voluntary on a day-to-day basis.

Euler said LES pays participants \$20 per kilowatt (kW) for load reduction and \$0.10 per kilowatt-hour (kWh) for energy reduced or generated when curtailment is requested.

Don Killeen, County Property Manager, said Lancaster County's interest would be in the Seasonal Curtailment portion of the program and estimated earnings of \$7,000, per year, over and above costs by participating.

Charles Werp, Alvine & Associates, said "wear and tear" on the generator will be minimal, and likened participation to being paid for testing the generator. He added that the generator's automatic transition switch will allow power to be transferred from the generator to LES and back without a "blink" in service.

Euler said the automatic transition switch allows the generator to operate in parallel with the utility lines. He said LES has a policy in place for emergency generators that allows this type of switch to be used, however, it limits parallel operation to two minutes. Euler explained that a formal request from Lancaster County to have the generator unit run in parallel with LES for provision of the Power Purchase Program will be needed.

- MOTION:** Hudkins moved and Steinman seconded to:
1. Request that the Lancaster County Juvenile Detention Facility's generator unit be allowed to run in parallel with Lincoln Electric System (LES), only under the provisions of the Power Purchase Program
 2. To request a waiver of the Lincoln Electric System (LES) policy on parallel generation operation
 3. To authorize Kerry Eagan, Chief Administrative Officer; Don Killeen, County Property Manager, and Dave Johnson, Deputy County Attorney, to develop a contract with Lincoln Electric System (LES)
- Steinman, Hudkins, Heier and Workman voted aye. Motion carried.

Construction Update

Chris Beardslee, Sinclair Hille & Associates Inc., distributed the following documents (Exhibit G):

- Progress Summary as of February 15, 2001
- Contractor's Request for Information No. 019 (Furred Walls & Ceilings)
- Architect's Supplemental Instructions No. 025 (Quarry Tile & Ceramic Tile)
- Architect's Supplemental Instructions No. 026 (Countertops, Cabinet Fronts & Window Sills)
- Architect's Supplemental Instructions No. 027 (Cementitious Backer Units in Showers)
- Architects Field Observations Dated January 5, 11 and 18, 2001 and February 5, 2001
- Proposal Request No. 027 (Add light fixtures and switches, change fire alarm device mounting, change voltage)
- Proposal Request No. 028 (Change key switches)
- Proposal Request No. 029 (Change the Morse Watchman System)

8 NORTHWEST MUSIC AND ARTS CENTER- Darrell Stock

Eagan said the state statutes that apply to roadhouses, structures that provide food, drink, dancing and entertainment, are antiquated. The County is currently in the process of updating its *Guidelines for Obtaining an Amusement License*, but these would not specifically apply to roadhouses. He said the Northwest Music and Arts Center, which is located in the Raymond zoning jurisdiction, would like to hold concerts and there is question as to whether the facility should be classified as a roadhouse.

Dave Johnson, Deputy County Attorney, said there are issues of public safety related to the concerts and a public hearing process would provide an opportunity to address these.

Darrell Stock, attorney representing the Northwest Music and Arts Center, said he does not believe the facility should be classified as a roadhouse as there is no intent to seek a liquor license. He said the owners intend to provide a space for music lessons during the daytime, rehearsal space for local bands in the evenings, and space for fledgling groups to hold concerts. Stock added that the owners are willing to comply with building codes and safety issues.

Hudkins noted that the limited restroom facilities and the available square footage are concerns.

Eagan said the concerts meet the definition of a "show" in Nebraska Revised Statute §23-813 (Reissue 1997) and recommended that the owners apply for an amusement license.

The Board concurred and suggested that Stock request an amusement license application from the County Clerk's Office.

9 ACTION ITEMS

- A. Request from Lower Platte South Natural Resources District (NRD) for Letter of Support Regarding Grant Application to Develop Surface Water Database for Salt Creek Watershed

MOTION: Steinman moved and Hudkins seconded to approve a letter of support for the grant application and to authorize Kerry Eagan, Chief Administrative Officer, to draft the letter. Heier, Steinman, Hudkins and Workman voted aye. Motion carried.

- B. Registration for Spring Nebraska Association of County Officials (NACO) Meeting, March 8, 2001

The County Commissioners and Kerry Eagan, Chief Administrative Officer, plan to attend.

Board consensus to cancel the Management Team Meeting scheduled for that date.

- C. Microcomputer Request C#2001-043 from Community Mental Health Center, \$2,740.40 from the Community Mental Health Center Budget for Microsoft Office (2 Licenses) and Crystal Report (15 Licenses)

See Agenda Item 9E.

D. Microcomputer Request C#2001-041 from Corrections, \$6,666.72 from the Inmate Benefit Fund for 4 Pentium III's with 17" Monitors, Etc.

See Agenda Item 9E.

E. Microcomputer Request C#2001-055 from Weed Control, \$850.67 from Weed Control Budget for 3 Palm Pilots and 2 Palm Cameras

MOTION: Steinman moved and Heier seconded to approve the microcomputers requests from the Community Mental Health Center, Corrections and Weed Control. Steinman, Hudkins, Heier and Workman voted aye. Motion carried.

F. Request from County Court, \$2,300 from the Microcomputer Fund for a Pentium III

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

G. Agenda Items for City-County Common Meeting, March 6, 2001

The Board recommended that the City-County Common Meeting scheduled for March 6, 2001 be cancelled, as there are no agenda items.

10 CONSENT ITEMS

A. Vacation Requests from:

1. Dave Kroeker, Budget & Fiscal Officer, for March 12-16, 2001
2. Kit Boesch, Human Services Administrator, for February 15-16; March 29-30; and July 2-11, 2001
3. Larry Van Hunnik, Lancaster Manor Administrator, for February 16, 2001
4. Doug Ahlberg, Emergency Management Director, for February 16, 2001

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

11 ADMINISTRATIVE OFFICER REPORT

A. Deputy Chief Administrative Officer

Board consensus to ignore the Personnel Department's screening of applicants for the position of Deputy Chief Administrative Officer and to review all 53 applications.

Georgia Glass, Personnel Director, agreed to also review the applications and to make a recommendation to the County Board of which candidates to interview for the position.

B. Human Services Space Needs

Item deferred.

C. Appointment of Kathy Campbell to the Comprehensive Plan Economic Development Study Committee

See Agenda Item11D.

D. Appointment of Chuck Francis, Edith Meints, Marge Davenport and Dennis Schroeder to the Ecological Advisory Committee

MOTION: Steinman moved and Heier seconded to approve appointment of Kathy Campbell to the Comprehensive Plan Economic Development Study Committee and appointment of Chuck Francis, Edith Meints, Marge Davenport and Dennis Schroeder to the Ecological Advisory Committee. Steinman, Heier, Hudkins and Workman voted aye. Motion carried.

E. Potential Litigation

Eagan said American Signal Corporation of Milwaukee, Wisconsin has questioned the bidding process for Emergency Management's outdoor warning sirens (Exhibit H).

Eagan also reported Don Thomas, County Engineer, would like to proceed with condemnation of the Cook property, involved in the Kawasaki off-ramp project, if the County's final offer is rejected.

Hudkins said he will contact Thomas and try to set up a meeting with Merle Cook, personal representative for the Cook estate.

12 DISCUSSION OF BOARD MEMBER MEETINGS

A. Office Space Meeting - Campbell, Hudkins

Hudkins said Jim Hille, Sinclair Hille & Associates Inc., met with the County Assessor, County Clerk, County Treasurer and Register of Deeds to discuss space needs. The County Clerk and County Treasurer both indicated that they will need to add staff to meet the demands of the Governmental Accounting Standards Board (GASB) 34 Infrastructure Reporting.

Dave Kroeker, Budget and Fiscal Officer, said it will probably be necessary for the County to have a position dedicated to maintenance of the fixed assets system. He added that the County Treasurer's Office does have a need for someone with accounting skills, although this is not entirely attributable to the GASB 34 reporting.

B. Public Building Commission - Campbell, Hudkins

Hudkins said NEBCO has indicated that it may construct a building on the property east of the County-City Building that is currently utilized as parking. He said zoning precludes construction of a parking garage on the southern half of the property and limits building height to 57 feet on the northern half. The Public Building Commission, has agreed to give NEBCO two weeks to develop a proposal before proceeding with purchase of property to the north of the County-City Building.

C. Board of Health - Hudkins

Hudkins reported that the performance of Leon Vinci, Lincoln/Lancaster County Health Department Director, was evaluated in Executive Session and said a report will be given to Mayor Wesely.

13 ADJOURNMENT

By direction of the Vice Chair, the meeting was adjourned.

Bruce Medcalf
Lancaster County Clerk