

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, FEBRUARY 27, 2003
8:15 A.M.**

Commissioners Present: Ray Stevens, Vice Chair
Larry Hudkins
Bob Workman
Deb Schorr

Commissioners Absent: Bernie Heier, Chair

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

The Staff Meeting was called to order at 8:17 a.m.

AGENDA ITEM

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY,
FEBRUARY 20, 2003 AND TUESDAY, FEBRUARY 25, 2003**

MOTION: Hudkins moved and Workman seconded approval of the Staff Meeting minutes of February 20, 2003 and February 25, 2003. Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

A. Replacement of a Case Manager at the Community Mental Health Center and Projects for Assistance in Transition from Homelessness (PATH) Contract

MOTION: Workman moved and Hudkins seconded approval of the addition to the agenda. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

Dean Settle, Community Mental Health Center Director, appeared and requested authorization to replace a case manager at the Community Mental Health Center, noting the position is funded through tobacco settlement funds.

MOTION: Hudkins moved and Workman seconded approval of the request. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

Settle said the Nebraska Department of Health and Human Services (HHS) has indicated that \$65,000 in federal block grant funds will be withdrawn if the County does not go forward with the network provider service contract for the Projects for Assistance in Transition from Homelessness (PATH) (money is channeled through Region V and split with CenterPointe, Inc.). He said HHS is unwilling to revise language in the contract that the County Attorney finds objectionable because the service has been provided since July of 2002 and has implied that the funding will be transferred to another Region if the issue is not resolved.

Hudkins suggested that Settle schedule a strategy session with the County Attorney's Office.

Settle said he is also exploring the option of subcontracting through CenterPointe, Inc.

The Board scheduled consideration of the contract on the March 4, 2003 Board of Commissioners Meeting agenda.

3 COMMISSIONER MEETING REPORTS

A. Monthly Meeting with Mayor Wesely - Stevens, Hudkins

Stevens and Hudkins reported the following: 1) Mayor Wesely has appointed Mike Miriovsky, Executive Director of EMS, Inc., to the Hometown Security Task Force; 2) Mayor Wesely does not anticipate significant changes in the budgets for the Lincoln Area Agency on Aging, Lincoln-Lancaster Women's Commission and Lincoln/Lancaster County Health Department; 3) Joint approach for the Convention Center was discussed; and 4) Mayor Wesely was asked to resolve the issue of payment of medical expenses for inmates injured during apprehension by the Lincoln Police Department.

B. Joint Budget Committee (JBC) - Workman, Stevens

Stevens said the Joint Budget Committee (JBC) has recommended that the City deny funding of the Indian Center for the second quarter of the fiscal year and suspend payments for the balance of the year, due to the lack of documentation proving delivery of services.

Stevens said contracts between the City, County and Indian Center will be subject to review since the Indian Center is not in compliance. He added that Families First & Foremost (F³) has an alternative available to perform wraparound services provided through the Indian Center.

C. Lincoln Independent Business Association (LIBA) Monthly Meeting - Workman, Stevens

Workman said the budget, labor negotiations and appointments were discussed.

D. Hometown Security Study Committee - Hudkins

Hudkins said there was a report by Julie Righter, 911/Emergency Communications Director.

E. Community Mental Health Center Advisory Committee - Stevens

Stevens said the meeting was routine.

4 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant; Amy Prenda, Director of Legal Research and Analysis for Kissel/E&S Associates

Gordon Kissel, Legislative Consultant, presented a legislative update and reviewed a list of priority bills (Exhibit A).

Amy Prenda, Director of Legal Research and Analysis for Kissel/E&S Associates, reported that LB 329 (change the designation of Jury Commissioner in certain counties) was amended to make determination of whether the Clerk of the District Court will perform the duties of Jury Commissioner or whether the Election Commissioner will serve as Jury Commissioner ex officio. The responsibility of the decision lays with the District Court Judges, not the County Board. The bill also requires the Department of Motor Vehicles to provide an updated list of licensed motor vehicle operators to the Jury Commissioner on an annual basis.

Brief discussion took place on LB 99 (change provisions relating to the Nebraska Visitors Development Act). Kissel noted that the bill failed to advance but said the language may be incorporated into another bill.

Kerry Eagan, Chief Administrative Officer, said a meeting is scheduled for March 5, 2003 to try to get City and County consensus on the proposal for a 2% increase in the hotel tax for visitor development.

MOTION: Workman moved and Hudkins seconded to ask the Lincoln Convention & Visitors Bureau (CVB) to survey the Lincoln Lodging Association and all the hotels in Lancaster County for their position on the proposed legislation and these specific issues: 1) The 2% increase in the hotel tax; 2) Additional representation on the Visitors Promotion Advisory Committee (VPAC); and 3) Use of the tax for new or existing facilities. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

The Board asked Kissel to monitor LB 335 (change annexation provisions relating to certain Class III school districts).

5 LABOR NEGOTIATIONS - Georgia Glass, Personnel Director; Diane Staab, Deputy County Attorney

MOTION: Schorr moved and Hudkins seconded to enter Executive Session at 9:02 a.m. for discussion of labor negotiations. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

MOTION: Workman moved and Schorr seconded to exit Executive Session at 9:53 a.m. and to indicate that pending litigation was also discussed. Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

6 POSITION DESCRIPTION FOR DIRECTOR OF ALTERNATIVES TO INCARCERATION; PUBLIC DEFENDER INVESTIGATOR POSITION
- Georgia Glass, Personnel Director; Kit Boesch, Human Services Administrator

Position Description for Director of Alternatives to Incarceration

Georgia Glass, Personnel Director, distributed a draft position description for Director of Alternatives to Incarceration (Exhibit B). She said Warren Cook, Coordinator of Adult Offender Services, believes a masters degree should be a minimum qualification but said it is her recommendation that the County require a bachelors degree and indicate that a masters degree is desirable.

Kit Boesch, Human Services Administrator, appeared and suggested that close coordination with State Probation be included in the examples of work performed.

The Board concurred with those recommendations.

Brief discussion took place on salary, with consensus to indicate that salary will be commensurate with experience. There was also consensus to advertize the position in the Lincoln Journal Star and Omaha World Herald newspapers and to advertise in the Sunday edition of a major Kansas City newspaper.

Public Defender Investigator Position

Glass said the Personnel Policy Board did not meet in December, 2002 or January, 2003, so action on a request to raise the pay range of an investigator in the Public Defender's Office from E20 to E22 did not occur until February, 2003. She asked that the increase be made retroactive to December 12, 2002.

MOTION: Workman moved and Hudkins seconded approval of the request. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

7 BOARD OF EQUALIZATION REFEREE CONTRACT - Trish Owen, Chief Deputy County Clerk; Tom Kubert, Great Plains Appraisal Company

Tom Kubert, Great Plains Appraisal Company, reviewed minor changes to the referee contract.

Hudkins asked that the contract reflect the federal mileage reimbursement rate.

The Board will take action on the contract at the March 4, 2003 Board of Commissioners Meeting.

Trish Owen, Chief Deputy County Clerk, informed the Board of the need to hire two temporary employees from the Board of Equalization budget to assist with the property valuation protest process.

8 GENERAL DISCUSSION WITH MELVIN MOORE, AMERICAN FEDERATION OF STATE, COUNTY & MUNICIPAL EMPLOYEES (AFSCME) PRESIDENT

Melvin Moore, American Federation of State, County & Municipal Employees (AFSCME) President, gave the Board a heads up on issues that AFSCME plans to bring up in labor negotiations:

- Early Retirement
 - Prescription plan
 - Transfer of sick leave balance into the Post Employment Health Plan (PEHP)
 - Savings projections
 - Percentage of insurance premiums paid, based on years of service

- Health Insurance
 - County carry a \$10,000 deductible policy on employees
- Dental Insurance
 - Increase the number of fluoride treatments, per year, from one to two
- Sick Leave
 - Involve the union if there is a sick leave problem before taking any disciplinary action

In response to a question from Hudkins, Moore said AFSCME would be willing to look at changing the 2/4 insurance coverage (employee/spouse or employee/children) to employee/spouse coverage, as a cost savings measure.

Moore inquired about the County's financial situation.

Workman expressed concern that the discussion has focused on negotiated items.

Stevens stated that he is willing to listen to what AFSCME representatives have to say but refuses to engage in negotiations.

Moore said he believes direct interaction is beneficial and will help resolve issues.

Stevens said the Board has confidence in its negotiating team and will rely on it to discuss these individual items with AFSCME and report back.

Moore said AFSCME is aware that the County may be facing a difficult financial situation and would like to be kept apprised and assist in anyway that it can.

Eagan said the budget process is open to the public.

Moore said AFSCME is concerned with keeping layoffs to a minimum and has a number of ideas on how the County could save money.

NOTE: Also present were Terri Gardner and Lori Kelch, AFSCME; Georgia Glass, Personnel Director; and Diane Staab, Deputy County Attorney.

9 LONG TERM DISABILITY & DONATED LEAVE - Sue Eckley, Workers' Compensation & Risk Management Manager

Sue Eckley, Workers' Compensation & Risk Management Manager, said CNA Insurance would like to extend the 60 day waiting period for long term disability benefits for employees that receive donated leave. She said employees should not be penalized for donated leave and recommended that eligibility begin on the on the 61st day, noting long term disability payments will not begin as long as the employee is in a paid status.

MOTION: Workman moved and Schorr seconded to accept the recommendation to proceed in this manner and directed Sue Eckley, Workers' Compensation & Risk Management Manager, to draft a letter to CNA Insurance for the Board's review. Workman, Schorr, Stevens and Hudkins voted aye. Motion carried.

10 DRIVE-THROUGH WINDOW AT THE MOTOR VEHICLE FACILITY -
R. J. Nuernberger, County Treasurer; Terry Adams, Deputy County Treasurer

R. J. Nuernberger, County Treasurer, said the drive-through window at the motor vehicle facility is no longer repairable. The estimated cost of replacement is \$7,185.

In response to a question from Stevens, Terry Adams, Deputy County Treasurer, said the expense was not included in the budget.

MOTION: Hudkins moved and Workman seconded to authorize the County Treasurer to replace the drive-through window with funding through the Building Fund or Contingency Fund, if there are not sufficient funds in the County Treasurer's budget. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

ACTION ITEMS

- A. Use of County Engineering Property in Emerald, Nebraska as Collective Site for Household Hazardous Waste (August 15, 2003)

Eagan said the County Engineer supports the request.

MOTION: Hudkins moved and Workman seconded approval and asked that an announcement of the collection site be made at a Board of Commissioners Meeting. Hudkins, Stevens, Schorr and Workman voted aye. Motion carried.

- B. Request from 1st Choice Credit Union to Distribute Information with the March 13, 2003 Paychecks

MOTION: Hudkins moved and Workman seconded approval, provided that the policy for distribution is followed. Hudkins, Workman, Schorr and Stevens voted aye. Motion carried.

ADMINISTRATIVE OFFICER REPORT

E. Lincoln-Lancaster Women's Commission Luncheon (March 7, 2003)

Schorr and Hudkins indicated that they plan to attend the luncheon. Stevens said he will be out of town on that date.

Hudkins exited the meeting at 11:02 a.m.

11 APPROVAL OF PHASE II OF COUNTY ASSESSOR/REGISTER OF DEEDS REMODEL - Norm Agena, County Assessor/Register of Deeds; John Kay, Sinclair Hille & Associates Inc.; Don Killeen, County Property Manager

John Kay, Sinclair Hille & Associates Inc., gave an overview of Phase 2 of the remodel of the offices of the County Assessor/Register of Deeds (Exhibit C).

Norm Agena, County Assessor/Register of Deeds, said All Makes Office Furniture will be asked to reassess the existing inventory and revise the cost estimate for systems furniture (see Exhibit C).

MOTION: Workman moved and Stevens seconded to proceed with the plan, not to exceed the limits outlined in the handout. Workman, Schorr and Stevens voted aye. Hudkins was absent from voting. Motion carried.

12 PENDING LITIGATION - Doug Cyr, Deputy County Attorney

See Item 5.

13 ACTION ITEMS

- A. Use of County Engineering Property in Emerald, Nebraska as Collective Site for Household Hazardous Waste (August 15, 2003)
- B. Request from 1st Choice Credit Union to Distribute Information with the March 13, 2003 Paychecks

Items moved forward on the agenda.

14 ADMINISTRATIVE OFFICER REPORT

- A. Pension Update

Eagan said Rod Crane, Segal Advisors, is making progress in the negotiations with Nationwide Retirement Solutions and will have a final recommendation in the near future.

B. Department Tours

MOTION: Schorr moved and Workman seconded to approve the department tour schedule and to ask Gwen Thorpe, Deputy Chief Administrative Officer, to notify County departments of the tour times. Schorr, Workman and Stevens voted aye. Hudkins was absent from voting. Motion carried.

C. Joint Receptionist for County Board/City Council

John Kay, Sinclair Hille & Associates Inc., gave an overview of plans for remodel of County Board and City Council space.

Don Killeen, County Property Manager, noted that Kay will present plans and cost estimates to the Public Building Commission on March 11, 2003.

Brief discussion took place on where to locate the joint receptionist. It was noted that the position will be discussed at the March 4, 2003 City-County Common Meeting.

Georgia Glass, Personnel Director, distributed position descriptions for Lancaster County Clerk Typist II, Excluded Clerk Typist II and Lancaster County Clerk Typist III, Excluded Clerk Typist III (Exhibits D & E). She said the Clerk Typist II description seems most appropriate for this position.

Eagan suggested creation of a position to provide overall office management for both offices.

D. Appointment of Mike Thurber, Corrections Director, to the Benefits Consultant Request for Proposals (RFP) Review Committee

Eagan said Diane Staab, Deputy County Attorney, has other commitments and is unable to serve.

MOTION: Workman moved and Schorr seconded approval of the appointment. Workman, Schorr and Stevens voted aye. Hudkins was absent from voting. Motion carried.

E. Lincoln-Lancaster Women's Commission Luncheon (March 7, 2003)

Item moved forward on the agenda.

F. Terrorism Coverage for Public Building Commission Property and Liability Policies

Eagan reported a recommendation from Sue Eckley, Workers' Compensation & Risk Management Manager, to decline the terrorism coverage as it is nonexistent.

MOTION: Schorr moved and Workman seconded to decline the coverage. Schorr, Stevens and Workman voted aye. Hudkins was absent from voting. Motion carried.

G. Update on County Board of Zoning Appeals Appointments

The Board scheduled appointment of Stan Matzke to the County Board of Zoning Appeals on the March 4, 2003 Board of Commissioners Meeting agenda.

H. Convention Center

The Board reviewed a statement proposed by the City regarding a new convention center (see agenda packet).

MOTION: Schorr moved and Workman seconded to decline support of the statement. Schorr, Workman and Stevens voted aye. Hudkins was absent from voting. Motion carried.

Hudkins returned to the meeting at 11:55 a.m.

I. Education Expenses for Jim Langtry, County Engineer Geographic Information Systems (GIS) Mapping Division Head (County Engineer's Budget)

Eagan said a new payment voucher (Exhibit F) in the amount of \$404.33 has been submitted (\$808.65 was originally requested).

Hudkins said uniformity is needed and suggested that the Board review education expenses as the new budget is developed.

MOTION: Workman moved and Stevens seconded approval of the reimbursement.

Schorr questioned the relevancy of course material.

ON CALL: Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

J. Meeting with Nebraska Department of Environmental Quality

Schorr and Hudkins indicated plans to meet with Michael Linder, Nebraska Department of Environmental Quality Director, at 2 p.m. to discuss the County's request for a waiver from the requirements of the Phase II storm water regulations of municipal separate storm sewer systems.

15 ADJOURNMENT

MOTION: Workman moved and Schorr seconded to adjourn the meeting at 12:20 p.m. Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk