

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, MARCH 6, 2003
8:15 A.M.**

Commissioners Present: Larry Hudkins
Bob Workman
Deb Schorr

Commissioners Absent: Bernie Heier, Chair
Ray Stevens, Vice Chair

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

The Staff Meeting was called to order at 8:18 a.m.

Due to the absence of the Chair and Vice Chair, Commissioner Hudkins assumed direction of the meeting.

AGENDA ITEM

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY,
FEBRUARY 27, 2003**

MOTION: Workman moved and Schorr seconded approval of the Staff Meeting minutes of February 27, 2003. Schorr, Workman and Hudkins voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. C#2003-080, \$787.50 from the County Assessor/Register of Deeds Budget for Two (2) Digital Cameras (Exhibit A)
- B. Set Date to Meet with Pension Plan Consultant
- C. Appointment of Mike Reddish to the Juvenile Detention Center Advisory Committee (Exhibit B)

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

ADDITIONS TO THE AGENDA

- A. C#2003-080, \$787.50 from the County Assessor/Register of Deeds Budget for Two (2) Digital Cameras (Exhibit A)

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

- B. Set Date to Meet with Pension Plan Consultant

The Board scheduled a report by the Pension Plan Consultant on the March 27, 2003 Staff Meeting agenda.

- C. Appointment of Mike Reddish to the Juvenile Detention Center Advisory Committee (Exhibit B)

The Board scheduled the item on the March 11, 2003 Board of Commissioners Meeting agenda.

3 COMMISSIONER MEETING REPORTS

- A. Lincoln-Lancaster County Ecological Advisory Committee (EAC) - Heier

No report.

- B. Lincoln Partnership for Economic Development (LPED) - Heier

No report.

- C. Railroad Transportation Safety District (RTSD) - Hudkins, Stevens, Schorr

Hudkins said a preliminary budget was presented.

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

Amy Prenda, Director of Legal Research and Analysis for Kissel/E&S Associates, presented a legislative update (Exhibit C).

Norm Agena, County Assessor/Register of Deeds, appeared and explained the ramifications of an amendment that was attached to LB 539 (change the assessment definition of agricultural and horticultural land).

MOTION: Workman moved and Schorr seconded to oppose LB 539 and to direct the lobbyist to oppose the bill. Schorr, Workman and Hudkins voted aye. Motion carried.

Hudkins asked whether the Board should take a position on LB 135 (change the allocation of the Highway Trust Fund).

Prenda said the Nebraska Association of County Officials (NACO), League of Municipalities, Nebraska Department of Roads, and Professional Engineers Coalition all oppose taking money out of the Highway Trust Fund to fund the General Fund.

MOTION: Schorr moved and Workman seconded to join the coalition that opposes transferring funds out of the Highway Trust Fund. Workman, Schorr and Hudkins voted aye. Motion carried.

Kerry Eagan, Chief Administrative Officer, said LB 754 (provide criteria to recognize livestock friendly counties and change requirements for livestock waste control facilities relating to zoning) shifts the burden of proof to the local zoning authority.

MOTION: Workman moved and Schorr seconded to oppose LB 754. Schorr, Workman and Hudkins voted aye. Motion carried.

Eagan said the County's language to increase hotel representation on the Visitors Promotion Advisory Committee (VPAC) was attached to LB 99 (change provisions relating to the Nebraska Visitors Development Act). The bill is not expected to advance and there has been discussion of whether to attach the language to LB 726 (change lodging tax provisions). He said the hotel industry was surveyed regarding the proposed 2% increase in the lodging tax (to be used for improvement of capital facilities for tourism) and those responding opposed the increase. Eagan questioned whether LB 726 is the proper "vehicle" for the County's language.

Prenda said there are other bills that are not as contentious. She said one is LB 385 (change grant approval conditions relating to the Local Civic, Cultural and Convention Center Financing Act), but said there could be some question as to whether the County's language is germane.

MOTION: Schorr moved and Workman seconded to seek amendment of LB 385 to include the County's language. Workman, Schorr and Hudkins voted aye. Motion carried.

Schorr said Hickman's Mayor has expressed concern regarding LB 335 (change annexation provisions relating to certain Class III school districts).

Hudkins said the Board wants to insure that the rural districts, as well as the City, are treated fairly. He also noted that Dan Alberts, Lincoln Independent Business Association (LIBA), has objected to Marvin Krout, Planning Director, testifying at the hearing on the bill.

- 5 **OFFICE OF JUVENILE SERVICES (OJS) CONTRACT; SECURE CARE CONTRACT WITH NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)** - Dennis Banks, Lancaster County Juvenile Detention Center Director; Michelle Schindler, Lancaster County Juvenile Detention Center Deputy Director; Judy Foote, Lancaster County Juvenile Detention Center; Sheryl Schrepf, Families First & Foremost (F³) Director; Dave Johnson, Deputy County Attorney; Ron Ross, Nebraska Department of Health & Human Services (HHS) Director; Dawn Swanson, HHS Office of Protection & Safety Administrator

Office of Juvenile Services (OJS) Contract

Dennis Banks, Lancaster County Juvenile Detention Center Director, said Seward County disagrees with the State's interpretation of the start and end dates for Office of Juvenile Services (OJS) evaluations ordered by the Court and has refused to pay Lancaster County for a portion of the cost of housing its juveniles at the Youth Services Center while the evaluations are conducted. (Exhibit D) Lancaster County has had to absorb this difference (\$12,000).

Sheryl Schrepf, Families First & Foremost (F³) Director, said the difference primarily reflects two cases. One involved a referral over the holidays and a psychiatric evaluation was ordered in the other case, which caused a delay.

Dawn Swanson, Nebraska Department of Health & Human Services (HHS) Office of Protection & Safety Administrator, said the State Statutes do not specify the start and end dates, but said HHS has received a legal interpretation of those dates.

Dave Johnson, Deputy County Attorney, said the State isn't responsible for the first ten days of pre-evaluation detention costs. He suggested further discussion with Seward County and said it should be pointed out that Seward County is benefitting from less time spent on evaluations. Johnson added that if the issue can not be resolved, an option would be to adjust the per diem rate.

In response to a question from Schorr, Judy Foote, Lancaster County Juvenile Detention Center, said other counties have also refused to pay but said the problem is greatest with Seward County because it places more youth in the facility.

Schrepf noted that there is frequently consultation between F³ and the evaluator before the evaluation is submitted to the Court.

Swanson said the State considers consultation to be part of the evaluation if the contractor is still working on a finished product.

Board consensus was to convene the appropriate parties and make an effort to resolve the issue.

Secure Care Contract with Nebraska Department of Health & Human Services (HHS)

Banks distributed Summary of Options for Charging Nebraska Department of Health & Human Services (HHS)/Office of Juvenile Services (OJS) to House Youth at the Juvenile Detention Center (Exhibit E).

Foote noted that the number of placements will be capped at eleven.

Ron Ross, HHS Director, said the State would like to proceed on a one year trial basis, but acknowledged that there may be cuts to the OJS and HHS budgets that could impact funding of this program.

Banks indicated that it will take approximately two months to hire and train the necessary staff.

Workman suggested getting the contracts ready to go, but delaying implementation until July 1, 2003 when more is known about the State's budget situation.

Ross said his agency has some funds left in this year's budget that could be used to assist with that expense.

Michelle Schindler, Lancaster County Juvenile Detention Center Deputy Director, suggested that consideration be given to holding a limited number of the Kearney facility youth in the Juvenile Detention Facility, in the interim. She said this would help the State to meet its immediate needs.

Swanson said the State would be very interested in such an arrangement.

Ross said the State is very pleased with the success of the Integrated Care Coordination Unit (ICCU) contract and asked whether this might be an appropriate time to consider moving F³ to Region V.

Board consensus was that it would be appropriate to explore transfer of the program to Region V.

Ross said it is the State's intent to use the margin between costs and the reserve fund to fund infrastructure in other parts of the state.

Schorr asked whether the excess funds could also be used to expand services to youth in Lancaster County.

Ross said the first priority is to "bring up" the rest of the state. He said serving additional youth is next in priority, noting Region I is considering whether to move all of its out-of-home placements to the ICCU contract.

6 CRISIS CENTER DOCTORS AND NURSES; EMERGENCY PROTECTIVE CUSTODY (EPC) AT BRYAN/LGH HEALTH SYSTEM -
Dean Settle, Community Mental Health Center Director; Judy Tannahill,
Administrative Services Officer for the Community Mental Health Center

Crisis Center Doctors and Nurses

Dean Settle, Community Mental Health Center Director, said the contract with Bryan/LGH Health System for psychiatric nurses will expire on June 30, 2003 and said he has been notified that there will be an increase of approximately \$100,000 in the nursing contract (an increase in the hourly rates from \$33 to \$45 per hour and the addition of administration costs).

Settle distributed a handout detailing nursing service costs for the Out Patient Clinic and Crisis Center (Exhibit F). He recommended separating the contract into two parts: 1) Hire two nurses for the Out Patient Clinic; and 2) Find an source in the community that is willing to put together a nurse pool for the Crisis Center.

MOTION: Workman moved and Schorr seconded to authorize Dean Settle, Community Mental Health Center Director, to investigate other sources for the nursing contract and to bring back a projection of costs for hiring two nurses for the Out Patient Clinic. Schorr, Workman and Hudkins voted aye. Motion carried.

Emergency Protective Custody (EPC) at Bryan/LGH Health System

Settle said it appears that Bryan/LGH Health System wants services to “pay their way” and to be paid up-front for EPC’s. He said Bryan/LGH Health System bills for EPC’s and post-commitment patients and receives some third party paid revenues, but has not accepted reimbursement from the State for individuals served in a post-commitment capacity.

7 POTENTIAL LITIGATION

MOTION: Workman moved and Schorr seconded to enter Executive Session at 10:18 a.m. for discussion of potential litigation. Schorr, Workman and Hudkins voted aye. Motion carried.

MOTION: Workman moved and Schorr seconded to exit Executive Session at 10:24 a.m. Schorr, Workman and Hudkins voted aye. Motion carried.

8 SHERIFF MINI GRANTS - Bill Jarrett, Chief Deputy Sheriff

Bill Jarrett, Chief Deputy Sheriff, requested authorization to expend \$3,864 from Safety Training Option Program (STOP) proceeds as match for two mini-grants from the State. He said \$1,200 will be used to purchase two (2) radar units and \$2,664 used to purchase four (4) in-car cameras.

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

9 EXPANDING COUNTY HEALTH INSURANCE COVERAGE TO INCLUDE OTHER GOVERNMENTAL ENTITIES - Bill Kostner, City Risk Manager; Jennifer Graber and Craig Currier, Marsh USA, Inc.

Craig Currier, Marsh USA, Inc., gave an overview of the Lancaster County Public Entity Feasibility Study (Exhibit G).

The Board concluded that it would not be feasible to include other governmental entities in the County’s health insurance plan at this time.

MOTION: Workman moved and Schorr seconded to direct either the Chief Administrative Officer or Deputy Chief Administrative Officer to write a letter to Doug Rix, Waverly City Administrator/Clerk, informing him of the Board's decision and to copy Ron Melbye, Waverly Mayor. Workman, Schorr and Hudkins voted aye. Motion carried.

10 JOINT RECEPTIONIST SPACE - Don Killeen, County Property Manager; John Kay, Sinclair Hille & Associates Inc.; Cori Beattie, County Board Administrative Secretary

John Kay, Sinclair Hille & Associates Inc., presented three options for remodel of County Commissioners and City Council space (Exhibit G).

The Board requested the following revisions to Option 2: 1) Move the reception area to the west; 2) Move the information desk to the west; and 3) Eliminate the door from the reception area into the Visitors Meeting Room.

Eagan distributed FY 04 Budget Information, Excluded Clerk Typist II for City Council/County Board (Exhibit I).

11 ACTION ITEMS

- A. Nebraska Association of County Officials (NACO) Southeast District Meeting (March 13, 2003)

It was noted that Commissioners Heier, Hudkins, Workman and Schorr plan to attend.

- B. Appreciation Letter to Joe Selig, Senior Associate Athletic Director for External Operations at the University of Nebraska at Lincoln (UNL), for Use of Memorial Stadium and Assistance of Staff

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

- C. Invitation to Attend Southeast Area Clerks' Association Meeting (April 9, 2003)

Eagan said the Chair has been asked to be guest speaker at the event.

- D. Hiring Requests:
 - 1. Request from County Engineer to Fill Two (2) Laborer Positions
 - 2. Request from County Treasurer to Fill a Drivers License Clerk Position
 - 3. Request from County Attorney to Fill Client Services Associate Position

Gwen Thorpe, Deputy Chief Administrative Officer, noted that the hiring request from the County Engineer includes an equipment operator.

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

- E. Request from Norm Agena, County Assessor/Register of Deeds, for Reimbursement of \$900 for Cost of Appraisals for the Homes of the County Assessor/Register of Deeds and Chief Deputies

MOTION: Workman moved and Schorr seconded approval of the reimbursement from the Board of Equalization Budget. Workman, Schorr and Hudkins voted aye. Motion carried.

12 ADMINISTRATIVE OFFICER REPORT

- A. Department Tours

Thorpe said the tour of Trabert Hall will need to be rescheduled.

- B. Employee Recognition Awards

Item held.

- C. Lincoln/Lancaster County Board of Health Appointments

The Board scheduled the item on the March 11, 2003 Board of Commissioners Meeting agenda.

- D. Building and Safety Department Interviews

It was noted that Eagan will be involved in the interview process.

- E. Lincoln-Lancaster Women's Commission Appointments

The Board scheduled the item on the March 11, 2003 Board of Commissioners Meeting agenda.

F. Recommendations from the Indigent Defense Screener Committee

Information was included in the agenda packet.

G. Workplace Partnership for Life Program

Information was included in the agenda packet.

H. Commissioner Microcomputer Requests

Eagan said the microcomputer requests will be taken into account when preparing the budget.

I. Acreage Study Status Report and Resource Committee

Hudkins asked that concerns regarding committee membership be relayed to the Planning Department.

J. Employee Recognition Program for Lancaster County Juvenile Detention Center

The Board scheduled the item on the March 11, 2003 Board of Commissioners Meeting agenda.

K. Request for Rehearing on Change of Zone 210

Dave Johnson, Deputy County Attorney, reported a request from Peter Katt representing Jack Duke, applicant, requesting rehearing of Change of Zone 210.

Board members indicated that they were not interested in reconsidering the matter.

Johnson noted that the Building and Safety Department is pursuing investigation of Mr. Duke's placement of a manufactured home on his property.

NOTE: Peter Katt was also in attendance.

13 ADJOURNMENT

MOTION: Workman moved and Schorr seconded to adjourn the meeting at 11:08 a.m. Schorr, Workman and Hudkins voted aye. Motion carried.

Bruce Medcalf
County Clerk