

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, APRIL 10, 2003
8:30 A.M.**

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

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 Chair opened the meeting at 8:46 a.m.

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, APRIL 3, 2003 AND MINUTES OF AGENCY TOURS ON TUESDAY, APRIL 8, 2003

Stevens requested the following corrections to the Staff Meeting minutes of Thursday, April 3, 2003:

- * Item 5, Page 3, Paragraphs 2 and 3 - Change 0.20% to 20%
- * Item 6, Page 6, Paragraph 11- Change 0.20% to 20%
- * Item 7, Page 9, Paragraph 1 - Change 0.03% to 3%

MOTION: Hudkins moved and Workman seconded approval of Staff Meeting minutes of April 3, 2003, with the noted corrections, and minutes of agency tours on April 8, 2003. Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

A. Request for Proposal (RFP) for Vision Insurance Provider

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

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

Gordon Kissel, Legislative Consultant, gave a legislative update (Exhibit A).

Hudkins expressed concern regarding the determination process in LB 754 (provide criteria to recognize livestock friendly counties and change requirements for livestock waste control facilities relating to zoning).

Kissel said an amendment proposed by Senator Beutler will give counties more flexibility at the end of the determination process, which may lessen the concerns expressed by the Nebraska Association of County Officials (NACO). He added that Senator Bromm (the bill's sponsor) is sensitive to counties' concerns and may present a clarifying amendment on Select File.

Stevens referred to LB 724 (adopt the Nebraska Behavioral Health Reform Act) and said it is his understanding that there has been a movement on the part of Regional Centers to start new outpatient services.

Kissel said that has been discussed. He said Senator Jensen believes the State can save \$60 million annually by closing the Regional Centers. Those funds could then be used for community based services.

Kit Boesch, Human Services Administrator, appeared regarding LB 454 (authorize drug court programs) and said funding is a crucial component as Lancaster County's Adult Drug Court is only funded through 2004.

Amy Prenda, Director of Legal Research and Analysis for Kissel/E&S Associates, said the Nebraska Association of County Officials (NACO) is working with Senator Smith on an amendment to reduce fees in LB 452 (change penalties and provide late fees for failure to register a motor vehicle). She asked whether such an amendment would address the Board's concerns.

Board consensus was to remain in opposition to the bill.

ADDITIONS TO THE AGENDA

A. Request for Proposal (RFP) for Vision Insurance Provider

Georgia Glass, Personnel Director, appeared and recommended that the City and County enter into a joint Request for Proposal (RFP) for a vision insurance provider.

MOTION: Hudkins moved and Workman seconded to direct the Purchasing Department to proceed with a joint Request for Proposal (RFP) for a vision insurance provider. Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

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

MOTION: Workman moved and Stevens seconded to enter Executive Session at 9:10 a.m. for discussion of labor negotiations and potential litigation. Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

MOTION: Hudkins moved and Stevens seconded to exit Executive Session at 10:05 a.m. Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

5 **FLOOD PLAIN TASK FORCE REPORT** - Nicole Fleck-Tooze, Public Works/Utilities Special Projects Administrator; Mike Merwick, Building & Safety Director; Don Thomas, County Engineer

Item dropped from the agenda.

6 **ALTERNATIVES TO INCARCERATION POSITION** - Georgia Glass, Personnel Director

Georgia Glass, Personnel Director, said applications are still being accepted for the position and suggested that interviews be scheduled on May 2, 2003.

Glass noted that the issue of whether this will be a separate department has not been decided. She said Warren Cook, Coordinator of Adult Offender Services, recommends the position report directly to the Board, at least initially, and that an internal Justice Management Council be set up to deal with internal issues, balancing of county budget dollars used for justice services and to set overall justice services policies and procedures for the County.

The Board concurred with Cook's recommendation.

The Board scheduled viewing of a jail video on the April 17, 2003 Staff Meeting agenda and invited Kit Boesch, Human Services Administrator; Mike Thurber, Corrections Director; and Dennis Banks, Lancaster County Juvenile Detention Center Director, to attend.

**7 JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT (JAIBG)
SUBMITTAL - Kit Boesch, Human Services Administrator**

Kit Boesch, Human Services Administrator, distributed Juvenile Accountability Incentive Block Grant (JAIBG) 2003-2004 and a handout detailing twelve purpose areas (Exhibit B). She said the Assessment Center did not fit with the priorities so the JAIBG funding request for the Juvenile Drug Court was increased, reducing the County funding request for that program from \$100,000 to \$75,000. Boesch also noted that: 1) No increases are requested for Project H.I.R.E (job training program) and the Screener/Case Manager; 2) \$15,000 for the Juvenile Justice Coordinator is in the Human Services budget but is counted as match; and 3) Evening Reporting Center rate is now the same as the other graduated sanctions (\$50 per day). She said the total funding request is \$230,709, which is \$35,081 less than last year, and said the decrease is due to a population formula, not performance. Boesch requested authorization to submit the JAIBG funding request, noting a 10% match is required.

MOTION: Stevens moved and Hudkins seconded approval of the request for Juvenile Accountability Incentive Block Grant (JAIBG) funding. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

Boesch also reviewed the following documents:

- * Overview of the Lancaster County Juvenile Justice System (Exhibit C)

Boesch noted a total juvenile justice budget request of \$7,414,600 for 2003-2004 (\$4,701,234 in County funding and \$2,713,366 from other sources), an increase of \$638,846 over last year. The increase is due to: 1) Families First & Foremost (F³) will only fund mental health needs; 2) Juvenile Accountability Incentive Block Grant (JAIBG) funds decreased \$35,000; 3) Crime Commission grants decrease funding each year with the expectation that counties will step up to continue; 4) General operation costs of a new Lancaster County Juvenile Detention Center/Youth Assessment Center (YAC) facility; and 5) Increased request in the graduated sanctions programs.

Workman noted that 68% of the youth who went through graduated sanctions programs last year had no further involvement with law enforcement and asked Boesch to check the recidivism rate for youth offenders that did not go through those programs.

* Juvenile Justice Funding - Lancaster County, Nebraska; 2003-03 to 2003-04; County Cash Funds Only (Exhibit D)

Stevens noted errors in the arithmetic.

Boesch agreed to refigure the columns and will resubmit the data.

8 JUVENILE DETENTION COORDINATOR - Dennis Banks, Lancaster County Juvenile Detention Center Director

Dennis Banks, Lancaster County Juvenile Detention Center Director, reported the resignation of the juvenile detention coordinator and requested authorization to recruit and hire a replacement.

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

Banks also reported on a possible solution to the ongoing problem of door frames separating from the block jambs in the Juvenile Detention Center.

The Board asked Banks to report back every thirty days on warranty items.

9 POTENTIAL LITIGATION - Mike Thew, Chief Deputy County Attorney

See Item 4.

10 ACTION ITEMS

- A. Hiring Requests from County Engineer:
 - 1. Engineering Technician II
 - 2. Equipment Mechanic II

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

B. Hiring Request from Lancaster Manor for a Social Worker

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

C. Hiring Request from Community Mental Health Center for a Clerk Typist I

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

D. Gambling Study Proposal (County Share - \$2,250)

Kit Boesch, Human Services Administrator, recommended that interns be hired through the University of Nebraska at Lincoln (UNL) to research the data and write the document. She noted insurance requirements for independent contractors and asked whether these could be waived with a letter of understanding.

Stevens suggested that the interns be encouraged to conduct a gambling study on their own and sell the County the results.

Kerry Eagan, Chief Administrative Officer, recommended hiring the interns as temporary employees.

Heier suggested that the County give its share to the City and ask it to contract for the study.

MOTION: Heier moved and Workman seconded approval of funding in the amount of \$2,250 out of the Keno Fund. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

The Board asked Boesch to work with the City and the University of Nebraska at Lincoln (UNL) to find a solution.

E. Microcomputer Request, C#2003-088, from the County Attorney for \$3,188.75 from the County Attorney's Budget for One (1) Compaq EVO Pentium IV, One (1) 17" Monitor, One (1) Printer and Software

MOTION: Hudkins moved and Stevens seconded approval. Stevens, Heier, Hudkins and Schorr voted aye. Workman voted no. Motion carried.

F. Use of Credit Bureau Service by Indigent Screener

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

11 ADMINISTRATIVE OFFICER REPORT

A. Engine Brakes

Dave Johnson, Deputy County Attorney, appeared and said a legal opinion on the issue of engine (jake) brakes has not been completed. He added that a Nebraska Supreme Court decision that addressed the County's ability to implement laws and regulations through resolutions makes enforcement difficult.

In response to a question from Hudkins, Johnson explained that the County can not use the Public Safety and Health Welfare laws for enforcement within the villages one mile zoning jurisdictions or within the City's three mile zoning jurisdiction. He said the situation referred to in the opinion request also does not meet Manual on Uniform Traffic Control Devices (MUTCD) criteria. Johnson suggested that the villages look at using their zoning authority outside their city limits and powers granted through their village ordinances.

Hudkins asked Johnson to look at whether the County could pay for the signage.

B. Defensive Driving Course at Lancaster Manor

Larry Van Hunnik, Lancaster Manor Administrator, appeared and requested authorization to pay for a defensive driving course for the two or three staff members who transport residents on an ongoing basis. He estimated the cost at \$40 per course.

MOTION: Hudkins moved and Workman seconded approval of the expense on an ongoing basis. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

C. Visitors Promotion Advisory Committee Stationery

Stevens suggested use of generic letterhead that could be customized by individual departments on their printers.

MOTION: Workman moved and Hudkins seconded approval of an upgrade of stationery for the Visitors Promotion Advisory Committee. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

D. Legal Opinion Request Regarding Charging for Employee Parking (Tax Consequences)

Eagan submitted a draft of a letter to the County Attorney requesting a legal opinion on the taxable status of Public Building Commission parking lots used for paid employee parking (Exhibit E). He noted a request to change the first sentence to read as follows:

The Public Building Commission has requested the County Board and City Council to explore the possibility of requiring City and County employees to pay for the privilege of parking in certain parking lots under its control.

MOTION: Workman moved and Hudkins seconded approval of the letter with that change. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

12 DISCUSSION OF BOARD MEMBER MEETINGS

A. Lancaster Manor Advisory Committee - Hudkins

Hudkins said Larry Van Hunnik, Lancaster Manor Administrator, plans to contest a citation from the Nebraska Department of Health and Human Services for a safety infraction.

MOTION: Hudkins moved and Workman seconded to support Larry Van Hunnik, Lancaster Manor Administrator, as he contests the alleged violation. Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

B. Monthly Meeting with Mayor Wesely - Heier, Stevens

Stevens said Mayor Wesely agrees that there should be public hearings and more discussion on closure of Old Cheney Road at Highway 77. He said the Mayor also offered a new draft statement proposed by the City regarding a new Convention Center.

MOTION: Stevens moved and Schorr seconded to direct Kerry Eagan, Chief Administrative Officer, to draft a letter to Mayor Wesely indicating that the Board is not inclined to support a new Convention Center without additional public input and information on how it would be financed. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

C. Parking Committee - Workman

Workman said the proposal to charge employees for parking was discussed.

D. Parks & Recreation Advisory Board - Schorr

Schorr reported that the first round of funding from the Lincoln Cares Program will be used to air condition the Ager Indoor Playground in Antelope Park and to provide scholarships to youth from low-income families for use in Parks and Recreation programs.

E. Joint Budget Committee - Stevens, Workman

Stevens said concerns regarding the Indian Center were discussed and said the contract with the Indian Center may be rewritten, with reassignment of some duties.

Stevens reported that Urban Development has 14 permanent housing vouchers available as part of a Housing and Urban Development (HUD) grant for single occupancy housing units. He said Cornhusker Place is looking at providing single occupancy housing but does not qualify for these vouchers because it will not be providing permanent housing.

F. Hometown Security Study Committee - Hudkins

Hudkins said the war in Iraq prompted a move to High Alert Status for terrorist attacks.

G. Public Building Commission - Hudkins, Workman

Hudkins said a proposal to charge for employee parking in the new parking garage and underneath the County/City Building was discussed. He said a charge of \$1.23 per square foot was added to rent to cover employee and public parking costs.

Hudkins reported on possible solutions to traffic concerns related to enlargement of the Lincoln/Lancaster County Health Department campus on 31st & "N" Streets. He said a health clinic on 17th & "N" Street will also be assessed for suitability as an additional location for the Health Department.

13 ADJOURNMENT

MOTION: Stevens moved and Schorr seconded to adjourn the meeting at 11:38 a.m. Schorr, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk