

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
THURSDAY, AUGUST 28, 2003  
8:15 A.M.**

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

Commissioners Absent: Bob Workman

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 8:20 a.m.

**AGENDA ITEM**

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, AUGUST 21, 2003**

**MOTION:** Stevens moved and Schorr seconded approval of the Staff Meeting minutes of August 21, 2003. Stevens, Schorr and Heier voted aye. Hudkins was absent from voting. Motion carried.

**2 ADDITIONS TO THE AGENDA**

- A. Election of County Board Officers
- B. Holiday Calendar
- C. September Management Team Meeting
- D. Smoking Ban
- E. Hiring Requests:
  - 1. Sheriff's Deputies (Two)
  - 2. Mental Health Specialist
- F. Special Designated License Procedure

- G. Annexation
- H. Natural Gas Pricing Resolution

**MOTION:** Stevens moved and Schorr seconded approval of the additions to the agenda. Schorr, Heier and Stevens voted aye. Hudkins was absent from voting. Motion carried.

### **3 COMMISSIONER MEETING REPORTS**

- A. Nebraska Association of County Officials (NACO) Board - Workman

No report.

- B. Lincoln Independent Business Association (LIBA) Monthly Meeting - Heier, Schorr

Schorr said discussion focused on the Planning Commission.

- C. Downtown Lincoln Association (DLA) Board - Stevens

Stevens said downtown parking and the 12<sup>th</sup> Street Arts Corridor were discussed.

Hudkins arrived at 8:25 a.m.

- D. Community Mental Health Center (CMHC) Advisory Committee - Stevens

Stevens said there was a presentation on the Community Mental Health Center's budget and the recent organizational climate study.

### **4 MODIFICATION OF SUBDIVISION PAVING RESOLUTION - Don Thomas, County Engineer**

Don Thomas, County Engineer, said a subdivision at 148<sup>th</sup> and Holdrege Street is considering formation of a paving district to pave Plumridge Road, the main road within the subdivision. He suggested that the Board exempt the subdivision from County Resolution 01-23 (requires requests for paving of subdivision streets to include all connecting side streets, the subdivision border and cul de sacs). Thomas said the subdivision was formed prior to 1979, when regulations regarding maintenance and standards were developed.

Board consensus was to accept the recommendation.

Thomas will notify the subdivision and suggest that, if there is interest, it submit a paving district for tentative approval, which should help the subdivision to determine costs and decide whether to proceed.

### **ADDITIONS TO THE AGENDA**

#### **A. Election of County Board Officers**

The Board will elect new County Board officers at the January 6, 2004 Board of Commissioners Meeting.

#### **B. Holiday Calendar**

The Board will not hold any meetings from December 23, 2003 until January 6, 2004.

#### **C. September Management Team Meeting**

The Board cancelled the September Management Team Meeting.

- 5     A) HIRING REQUEST FOR OUTPATIENT CLINICIAN I, MENTAL HEALTH SPECIALIST AND MANAGED CARE SPECIALIST; B) STATE PUBLIC POLICY GROUP CONTRACT, DISTANCE LEARNING CONTRACT AND ALLTEL DIRECTORY ADVERTISING LISTING CONTRACT; AND C) UPDATE ON LB 710 AND LB724 - Dean Settle, Community Mental Health Center Director**

#### **A) Hiring Request for Outpatient Clinician I, Mental Health Specialist and Managed Care Specialist**

Dean Settle, Community Mental Health Center Director, said he budgeted for all three positions (the Outpatient Clinician I position is funded through tobacco settlement funds).

**MOTION:**     Hudkins moved and Stevens seconded approval of all three positions.

The Board asked Settle to indicate that experience will be considered in lieu of, or to supplement, education when listing positions. A revision of the job description for the Crisis Center Program Manager position was also suggested.

**ROLL CALL:**     Heier, Hudkins, Stevens and Schorr voted aye. Motion carried.

## **B) State Public Policy Group Contract; Distance Learning Contract and Alltel Directory Advertising Listing Contract**

Settle said the State Public Policy Group Contract, relating to statistical evaluation of the Mental Health Jail Diversion Grant, is ready to be scheduled for Board action.

Settle said the Distance Learning Contract relates to an offer by Eli Lilly and Company (a pharmaceutical company) to provide a satellite dish and satellite-fed continuing education for staff at no cost to the County. He said the County Attorney's Office requested several changes to the contract but there has been no response from Eli Lilly and Company, to date.

Settle said the Alltel Directory Advertising Listing Contract has been revised with annual cost savings of \$744 projected.

## **C) Update on LB 710 and LB724**

Settle said suggestions regarding LB 710 (revise the Nebraska Mental Health Commitment Act) will be forwarded to Gordon Kissel, Legislative Consultant; Rich Lombardi, lobbyist for the Nebraska Behavioral Health Organization; and Senators Jensen and Byars.

Settle also provided an update on LB 724 (adopt the Nebraska Behavioral Health Reform Act and change release provisions for committed persons) (Exhibit A).

### **ADMINISTRATIVE OFFICER REPORT**

- E. Review of Questionable Claims: Payment Voucher 784-8081, Mileage Claim of \$216.90 from Wendy Blum, Community Mental Health Center; and Payment Voucher 782-4186, Parking and Mileage Claim of \$107.07 from Renee Dozier, Juvenile Mental Health

Settle advocated payment of Wendy Blum's claim and said he will speak to her about submitting claims in a timely manner.

It was noted that Renee Dozier, Juvenile Mental Health, has withdrawn her claim. The Board asked that Dozier resubmit the claim.

**6 JUSTICE COUNCIL COORDINATOR DUTIES** - Kit Boesch, Human Services Administrator; Kim Etherton, Community Corrections Director; and Steve Rowoldt, Chief Probation Officer in County Court Probation

Kit Boesch, Human Services Administrator, restated her proposal for a Justice Council Coordinator. She said an Assistant Human Services Administrator position has also been suggested as a way to free up time for her to address juvenile justice system matters. Boesch said it would not address the need for planning, coordination, fund raising, legislation and programming for the adult criminal justice system.

Kim Etherton, Community Corrections Director, indicated that she would be willing to take on that piece.

Boesch noted that the Board had also asked what role LB 46 (change and adopt provisions relating to corrections, probation and parole) would play.

Steve Rowoldt, Chief Probation Officer in County Court Probation, provided an excerpt from LB 46 (Exhibit B), noting the intent to: 1) Establish community-based facilities and programs for adult felons; 2) Encourage the use of such facilities and programs by the sentencing courts and Board of Parole as alternatives to incarceration in order to reduce prison overcrowding and to enhance offender supervision in the community; 3) Promote the rehabilitation of offenders by making the community-based facilities and programs available to probationers and parolees; and 4) Reducing reliance upon incarceration as a means of managing non-violent offenders. He said the State's target populations will be sexual assault, domestic abuse and substance abuse. Rowoldt also distributed information regarding Felony Pre-Sentence Investigations (PSI's) (Exhibit C) and estimated that \$375,000 to \$400,000 in fees will be collected in Lancaster County as a result of the legislation. He said consideration needs to be given to development of programs that will bring those funds back to the County.

Etherton said she sees this as essential to the work she will be doing and is willing to develop programs to address those populations.

Kerry Eagan, Chief Administrative Officer, recommended taking a look at the vocational rehabilitation component and the County's General Assistance Program. He also suggested review of the philosophy behind the Justice Council.

Schorr suggested a separation of the juvenile and adult components.

Boesch recommended that the Board revise the contract with Ann Hobbs to have her split her time between the juvenile and adult justice systems and to have her establish baseline data on the adult justice system. She said the \$30,000 contract is funded through LB640 and Juvenile Accountability Incentive Block Grant (JAIBG) funds, which are juvenile related, and recommended that the County fund \$15,000 of the contract and shift the JAIBG funds to increase the job responsibilities for Corey Steele, Juvenile Detention Expediter.

Brief discussion took place regarding Boesch's job responsibilities.

Boesch said she was hired as Human Services Administrator but said her job has evolved to take on duties related to the Justice Council and the juvenile and adult justice systems. She said she would be willing to continue with the human services and juvenile justice systems components but would like to have a deputy.

Hudkins suggested that the Board revisit the idea of a deputy at mid-year.

Heier concurred and said he does not see changes at this time.

Stevens said he believes the juvenile justice system needs more coordination and expressed concern that there could be a loss of momentum and functions.

Schorr said departments have not expressed support for a coordinator, rather a need to work together in a more organized manner.

Boesch said she will focus primarily on human services from this point on and will address juvenile justice related matters as time permits.

**7 SPECIAL EVENT GUIDELINES** - Bruce Medcalf, County Clerk; Trish Owen, Chief Deputy County Clerk

Trish Owen, Chief Deputy County Clerk, presented revised Lancaster County Guidelines for Obtaining and Amusement License (Exhibit D), noting the differential between timely filed and not timely filed.

Hudkins asked the County Attorney's Office to check whether the \$10 permit fee is set by statute.

Heier asked whether there is a provision for waiver.

Owen said there is an ability to waive the requirements, provided statutory publication requirements are met. She stressed the need for consistency.

Owen said the term "amusement license" is also confusing and suggested changing the name to "public gathering permit".

## **ADDITIONS TO THE AGENDA**

### **F. Special Designated License Procedure**

Owen recommended that differential between timely filed and not timely filed be added to the special designated license process as well.

### **8 EXECUTIVE SESSION (PENDING LITIGATION) - Dave Johnson, Deputy County Attorney**

**MOTION:** Hudkins moved and Schorr seconded to enter Executive Session at 10:47 a.m. for discussion of pending litigation. Hudkins, Stevens, Heier and Schorr voted aye. Motion carried.

**MOTION:** Stevens moved and Hudkins seconded to exit Executive Session at 10:58 a.m. Hudkins, Stevens, Heier and Schorr voted aye. Motion carried.

### **9 A) TAX DIFFERENCE PUBLIC HEARING; AND B) DOCUMENT ARCHIVE WRITER FINANCING - Dave Kroeker, Budget and Fiscal Officer**

#### **A) Tax Difference Public Hearing**

Board consensus was to set the public hearing relating to setting of the final tax request at a different amount than the prior year tax request on September 9, 2003 (Exhibit E).

#### **B) Document Archive Writer Financing**

Dave Kroeker, Budget and Fiscal Officer, recommended that financing of the document archive writer be through a Nebraska Association of County Officials (NACO) lease, rather than a bond issue.

The Board concurred with the recommendation.

## 10 ACTION ITEMS

- A. Payroll Insert Request from Safety and Training (Safety Flyer) for September 11, 2003

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

- B. Microcomputer Request C#2003-281, \$3,339.63 from County Assessor's Budget for Ten (10) Microsoft Office XP PRO Licenses

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

## 11 ADMINISTRATIVE OFFICER REPORT

- A. LR 91 (Ordinance Powers for Counties)

Eagan said the Nebraska Legislature's Government, Military and Veterans Affairs Committee is conducting an interim study to look at granting counties the authority to enact ordinances and has requested a list of the top ten to twenty behaviors that the County would like to regulate.

The Board agreed to develop a list and to forward it to the Committee.

- B. Bailiff and Child Support Referee Salaries

Eagan distributed current salary information (Exhibit F). He said the judiciary has asked that bailiffs receive the same package of merit and cost of living increases negotiated with the unions (an additional \$3,000 is requested for the bailiff in the Juvenile Court who assumed additional administrative and supervisory responsibilities). A greater increase is requested for the child support referee.

**MOTION:** Hudkins moved and Heier seconded to award a 3 percent increase to the bailiffs and child support referee.

Brief discussion took place with consensus to request additional information.

The maker of the motion and the seconder withdrew their motion.



### C. Early Retirement Update

Eagan said the Personnel Department has held meetings with employees eligible for early retirement to discuss incentives for early retirements. He said the employees have indicated they would like to see an incentive of \$30,000.

Stevens suggested exploration of whether the County could continue to make monthly contributions to early retirees' Post Employment Health Plan (PEHP) until they reach age 65.

### D. Emergency Medical Services (EMS) Ambulance Oversight Board

Eagan said the Ambulance Oversight Board will not change but administrative services will move to the Lancaster County Medical Society.

- E. Review of Questionable Claims: Payment Voucher 784-8081, Mileage Claim of \$216.90 from Wendy Blum, Community Mental Health Center; and Payment Voucher 782-4186, Parking and Mileage Claim of \$107.07 from Renee Dozier, Juvenile Mental Health

Item moved forward on the agenda.

### F. Pension Review Committee Report

Eagan reported the following recommendation from the Pension Review Committee (PRC):

- Add the Gartmore Destination Funds to the investment array for the newly combined 401(a) and 457 plan with the following disclaimer:
  - ▶ The PRC was not provided with any information on competing lifestyle funds and therefore was not able to make a meaningful comparison of the Gartmore Destination Funds to the competing funds
  - ▶ The PRC made the recommendation to include the destination funds primarily based on the advice of Rod Crane from Segal Advisors
  - ▶ The County should continue negotiating with Nationwide Retirement Solutions (NRS) for the purpose of receiving information on other lifestyle funds and possibly the option of investing in lifestyle funds different from Gartmore
  - ▶ A request should be made to Segal Advisors for additional information on competing lifestyle funds

Eagan presented a suggested mapping schedule from NRS for eliminated funds in the combined 401(a) and 457 program (Exhibit G). He said a 30-day enrollment period prior to implementing the mapping schedule is recommended to allow plan participants the opportunity to select the new funds they want in their retirement portfolios.

Board consensus was to proceed with those recommendations.

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

##### D. Smoking Ban

Item will be scheduled for discussion on a City-County Common agenda.

##### E. Hiring Requests:

###### 1. Sheriff's Deputies (Two)

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

###### 2. Mental Health Specialist

See Item 5A.

##### F. Special Designated License Procedure

See Item 7.

##### G. Annexation

Stevens said he attended a meeting at the Southwest Rural Fire District Station on proposed annexation of that area.

Hudkins requested an update on the closing of Old Cheney Road at Highway 77.

##### H. Natural Gas Pricing Resolution

Heier said correspondence was received from the Stanton County Commissioners urging the Board to subject all requests for increases in rates and other charges to consumers by natural gas suppliers to serious scrutiny (Exhibit H).

## 12 ADJOURNMENT

**MOTION:** Schorr moved and Hudkins seconded to adjourn the meeting at 11:35 a.m. Hudkins, Stevens, Heier and Schorr voted aye. Motion carried.

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Bruce Medcalf  
Lancaster County Clerk