

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
THURSDAY, NOVEMBER 17, 2005  
8:30 A.M.**

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

Commissioners Absent: Larry Hudkins, Chair

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

The Vice Chair opened the meeting at 8:30 a.m.

**AGENDA ITEM**

**1 APPROVAL OF THE STAFF MEETING MINUTES OF THURSDAY,  
NOVEMBER 3, 2005**

**MOTION:** Stevens moved and Heier seconded approval of the Staff Meeting minutes dated November 3, 2005. Heier, Workman, Schorr and Stevens voted aye. Motion carried.

**2 ADDITIONS TO THE AGENDA**

- A. Personnel Policy Board Vacancy
- B. Community Mental Health Center Advisory Committee Appointment (Exhibit A)
- C. Staff Christmas Luncheon
- D. Tourism Grant

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

**3 PENDING LITIGATION** - Doug Cyr, Chief Administrative Deputy County Attorney; Sue Eckley, Workers' Compensation & Risk Management Manager

Doug Cyr, Chief Administrative Deputy County Attorney, gave an overview of a workers' compensation claim filed by Marilyn Ross.

The Board authorized Cyr to make a settlement offer of \$7,000.

**ADDITIONS TO THE AGENDA**

B. Community Mental Health Center Advisory Committee Appointment (Exhibit A)

The Board scheduled the item on the Tuesday, November 22, 2005 Board of Commissioners Meeting agenda.

C. Staff Christmas Luncheon

The Board scheduled a Christmas luncheon for staff on December 1, 2005.

Stevens stated that he and his wife would like to host a dinner for Board members and office staff on December 13, 2005.

D. Tourism Grant

Heier said he would like an explanation as to why the Lincoln Convention & Visitors Bureau's (CVB's) application for a tourism grant to fund marketing of Americruise, a tour of vintage vehicles, was unsuccessful.

Schorr said she will follow-up and will report back privately.

**ADMINISTRATIVE OFFICER REPORT**

B. Reappointment of Norma Agena to the Sheriff's Office Merit Commission

The Board scheduled the item on the Tuesday, November 22, 2005 Board of Commissioners Meeting agenda.

C. Drug Card Press Release

Board consensus was to hold a press conference and issue a press release on the Lancaster County Prescription Discount Card (Exhibit B). The press conference will be held Tuesday, November 22, 2005 at a local pharmacy or the Lincoln-Lancaster County Health Department.

### **ADDITIONS TO THE AGENDA**

**MOTION:** Heier moved and Workman seconded to add discussion of resolutions related to Conestoga Lake Estates to the agenda. Heier, Workman, Schorr and Stevens voted aye. Motion carried.

Kristy Mundt, Deputy County Attorney, noted that the Board had directed the County Attorney's Office to revise the resolutions regarding Preliminary Plat No. 05012 and Special Permit No. 05033 to add two new conditions: A) Redraw the lots lines for four, five and six reducing the lots from 15 to 14; and B) The existing fence on the east, west and north property lines be improved to the satisfaction of the applicant and the existing landowners, at the sole expense of the applicant. She said the two landowners should work out the fencing issue between themselves and said the Board does not want to be in the position of arbitrating the matter.

**4 FARMSTEAD SETBACKS AND FRONTAGE RESOLUTION** - Chuck Zimmerman and Terry Kathe, Building and Safety; Kristy Mundt, Deputy County Attorney

Chuck Zimmerman and Terry Kathe, Building and Safety, presented a draft resolution relating to the application of setback requirements in the Lancaster County Zoning Resolution to any building used as a residence on a farmstead of twenty acres or more, with an effective date of January 1, 2006 (Exhibit C).

In response to a question from Workman, Zimmerman said "clean-up legislation" is needed to extend enforcement to the City's three-mile zoning jurisdiction.

**5 LANCASTER MANOR COMPUTER EXPENSES** - Larry Van Hunnik, Lancaster Manor Administrator; Doug Thomas, Information Services Director; Dave Kroeker, Budget and Fiscal Officer

Doug Thomas, Information Services Director, presented Lancaster Manor Migration/Upgrade Cost Summary (Exhibit D).

Larry Van Hunnik, Lancaster Manor Administrator, noted that the Board had authorized the transfer of the Lancaster Manor's mainframe and an upgrade of the computer system and asked that the County funds be the source of payment for the migration and labor costs.

Dave Kroeker, Budget and Fiscal Officer, recommended keeping the costs of running the facility with Lancaster Manor and to supplement its budget, if needed.

**MOTION:** Stevens moved and Workman seconded to have costs associated with migrating and updating the computer equipment at Lancaster Manor charged to Lancaster Manor. Heier, Workman, Schorr and Stevens voted aye. Motion carried.

## **ADMINISTRATIVE OFFICER REPORT**

### A. Martin Family Prairie

It was noted that Lancaster County was part of a Nebraska Environmental Trust grant to purchase the Martin Prairie west of Pioneers Park. General discussion took place as to whether to request inclusion on the deed to the property and include it on the County's fixed asset list or to consider the County's share of the grant match a contribution. There was general consensus to consider it a contribution.

Stevens said he will discuss the matter further with Terry Genrich, Parks & Recreation Natural Resources Manager, and will report back if there are any concerns.

### D. Indirect Costs Contract with Maximus

Kroeker said he is pleased with the services provided by Maximus and recommended continuing the contract. He will contact the County Attorney's Office and see if a new contract is required.

Heier exited the meeting at 10:06 a.m.

- 6 **A) COUNTY FINAL PLAT NO. 05094, WYNDHAM PLACE 2<sup>ND</sup> ADDITION, NORTH 176<sup>TH</sup> AND HOLDREGE STREETS; AND 2) COUNTY BOARD OF ZONING APPEALS NO. 05002, PARKING VARIANCE FROM 209 TO 12 STALLS AT 290 SOUTH 134<sup>TH</sup> STREET**  
- Mike DeKalb, Planning Department

### **A) County Final Plat No. 05094**

Mike DeKalb, Planning Department, gave an overview of County Final Plat No. 05094, a request for two lots and one outlot on property generally located at North 176<sup>th</sup> and Holdrege Streets, more specifically Knotting Drive and North 179<sup>th</sup> Street (Exhibit E). He said the applicant is combining two of the lots that were approved in the community unit plan, special permit and plat (now shown as Lot 2) and is moving one of the lots to what was the outlot and platting a portion of the outlot that includes the dam and the lake for a house. DeKalb said the County Engineer has agreed to provide the residential driveway access to Holdrege Street. Planning Staff and the Planning Commission have recommended conditional approval of the final plat.

In response to a question from Schorr, DeKalb said a final plat can be replatted. He noted that final plats will be approved by the Planning Director in the future and will not come before the Board, unless they are appealed.

Stevens said he views this as a substantial change to the original community unit plan and plat and said it violates the original intent of the lots accessing off Knotting Drive. He added that he does not want the Planning Director to have final say on these types of changes.

DeKalb suggested that the Board notify the Planning Department if it wants to place boundaries on what the Director can approve in terms of plats or amendments to community unit plans.

Workman said buyers of the other lots may have assumed common use of the lake and asked how many lots have been sold.

DeKalb said he is unsure of the number.

Heier returned to the meeting at 10:29 a.m.

## **B) County Board of Zoning Appeals No. 05002**

DeKalb gave an overview of County Board of Zoning Appeals No. 05002, a request for a variance of the parking required from 209 stalls to 12 stalls on property at 290 South 134<sup>th</sup> Street (Section 7.007 of the Lancaster County Zoning Resolution requires 209 parking spaces for a 41,700 square foot building) (Exhibit F). He said the Board of Zoning Appeals has recommended approval of the variance request.

Stevens expressed concern that this is a substantial change from what was originally proposed.

**7 SALARY COMPARABILITY AND NEW POSITION FOR SAFETY AND TRAINING DEPARTMENT** - Don Taute, Personnel Director; John Cripe, Classification and Pay Manager; Doug Cyr, Chief Administrative Deputy County Attorney; Sue Eckley, Workers' Compensation & Risk Management Manager

John Cripe, Classification and Pay Manager, said the Personnel Department has reviewed the Workers' Compensation & Risk Management Manager classification and has concluded that it should be increased by two pay grades: E26 (\$45,350 - \$59,871) to E28 (\$49,637 - \$65,880) ( Exhibit G).

Sue Eckley, Workers' Compensation & Risk Management Manager, and Doug Cyr, Chief Administrative Deputy County Attorney, said they believe the E30 Pay Grade would be more appropriate (\$54,525 - \$72,542) (See Exhibit G).

Don Taute, Personnel Director, asked for direction from the Board on which pay grade to take to the Personnel Policy Board.

Stevens suggested it may be appropriate to have the position classified a director or be made part of the County Attorney's Office.

**MOTION:** Heier moved to move Sue Eckley, Workers' Compensation & Risk Management Manager, to the E28 Pay Grade, Step 6, with a review of the position as a director, and under that same consideration, to talk to the County Attorney's Office to see if her position should be supervised by the County Attorney's Office.

Schorr explained that if Eckley is named a director she would be supervised by the County Board.

Heier withdrew the later part of his motion dealing with supervision and clarified that his motion would give consideration to placing her under the supervision of the County Attorney's Office.

Kerry Eagan, Chief Administrative Officer, said the Personnel Policy Board will not address that issue.

Heier withdrew his motion.

**MOTION:** Heier moved and Workman seconded to give direction to move Sue Eckley, Workers' Compensation & Risk Management Manager, to the E28 Pay Grade, Step 6. Heier, Workman, Schorr and Stevens voted aye. Motion carried.

There was general consensus to look at the position again at the time the Board evaluates department directors.

Eckley said she will provide the Personnel Department with a job description for the new position that she has requested.

Cripe gave a brief explanation of the job creation process.

**8 ADDENDUM TO AMERICAN FEDERATION OF STATE, COUNTY & MUNICIPAL EMPLOYEES (AFSCME) CONTRACT FOR RETIREMENT INCENTIVE - Tom Fox, Deputy County Attorney**

Tom Fox, Deputy County Attorney, gave a brief overview of an addendum to the American Federation of State, County & Municipal Employees (AFSCME) contract to establish a temporary retirement incentive. The addendum will be scheduled on the Tuesday, November 22, 2005 Board of Commissioners Meeting agenda.

**ADDITIONS TO THE AGENDA**

**A. Personnel Policy Board Vacancy**

Fox said employees elected Roger Runyon as their representative to the Personnel Policy Board in October, 2005. Runyon withdrew after he was elected, but before he was officially appointed, and later passed away. He said that leaves a question as to how an appointment should be made. Fox said AFSCME and the Employees Advisory Team (EAT) would like to appoint Georgia Glass, who placed second in the voting. He said Personnel Policy Bulletin 2005-1 provides an election procedure and advised the Board to send a letter to AFSCME and EAT indicating a willingness to hold an election in accordance with that policy. Fox said if AFSCME and EAT want to deviate from that policy, they need to send the Board a letter waiving the rules in the manner of the appointment and waiving their rights to grievance or appeal of the appointment.

The Board asked Fox to send a letter to AFSCME and EAT, as outlined, and to draft changes to the policy to address special circumstances such as this.

**9 ACTION ITEMS**

- A. Request from Kit Boesch, Human Services Administrator, to Attend Office of Juvenile Justice and Delinquency Prevention (OJJDP) Conference in Washington D.C. (January 9-12, 2006)

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

- B. Selective Overtime Enforcement Mini-Grant Application and Award for Sheriff from the Nebraska Office of Highway Safety (NOHS)

**MOTION:** Stevens moved and Workman seconded approval, with signature by the Vice Chair. Schorr, Workman, Heier and Stevens voted aye. Motion carried.

## 10 ADMINISTRATIVE OFFICER REPORT

- A. Martin Family Prairie
- B. Reappointment of Norma Agena to the Sheriff's Office Merit Commission
- C. Drug Card Press Release
- D. Indirect Costs Contract with Maximus

Items A, B, C and D were moved forward on the agenda.

- E. Continuum Contract

**MOTION:** Workman moved and Schorr seconded to continue the original contract with Continuum without the addendum to add web-based work/life services. Heier, Workman and Schorr voted aye. Stevens voted no. Motion carried.

- F. Lincoln-Lancaster County Ecological Advisory Committee (EAC) Appointments

The Board scheduled reappointment of the following individuals to the Lancaster County Ecological Advisory Committee:

- ▶ Cyril Bish, term to expire December 31, 2006
- ▶ Val Bohaty, term to expire December 31, 2006
- ▶ Marge Davenport, term to expire December 31, 2006
- ▶ Dennis Schroeder, term to expire December 31, 2006
- ▶ Kay Kottas, term to expire December 31, 2007
- ▶ Marilyn McNabb, term to expire December 31, 2007
- ▶ Richard Slama, term to expire December 31, 2007

- G. Claim for Review from Industrial Services



Board consensus was to place the questionable claim from Industrial Services under Claims for Review on the Tuesday, November 29, 2005 Board of Commissioners Meeting agenda (the total claim is \$1,555.19 and includes a fuel surcharge carry-forward in the amount of \$128.83 and a current fuel surcharge in the amount of \$74.36).

#### H. Proceeds from Sale of Surplus Property

Board consensus was to allow the proceeds of the sale of surplus property at 7000 North 27<sup>th</sup> Street (\$2,000) to be placed in the General Fund.

#### I. United Way Awards

Cori Beattie, County Board Administrative Secretary, appeared and presented a report comparing United Way contributions by department (Exhibit H).

There was general consensus to distribute \$150 in incentive awards as follows:

- ▶ \$50 to the coordinator of the department with the largest increase in the number of donors
- ▶ \$50 to the coordinator of the department with the largest percentage increase in dollars
- ▶ \$50 to the to the coordinator of the department with the largest amount raised

#### J. Post Employment Health Plan (PEHP) Request from Dennis Banks, Youth Services Center Director

Eagan said Banks has offered consultation services to the County and has asked that funds from his sick leave balance be contributed to his PEHP account as compensation. Nationwide Retirement Solutions (NRS) has indicated that doing so would jeopardize PEHP's tax deferral status.

### **11 DISCUSSION OF BOARD MEMBER MEETINGS**

#### A. Monthly Meeting of the County Board Chair/ Vice Chair and Mayor - Hudkins, Schorr

Schorr said discussion focused on the proposed sale of the "K" Street Complex.

#### B. Arena Task Force - Schorr

No meeting.

C. Parks and Recreation Advisory Committee - Stevens

Stevens said the committee discussed a proposal for an archery range at Boosalis Park.

D. Public Building Commission - Hudkins, Workman

Workman said discussion focused on the following: 1) Lincoln-Lancaster County Health Department expansion project; 2) Purchase of Courthouse Plaza Building; 3) Proposed sale of the "K" Street Complex.

E. Board of Health - Hudkins

No report.

F. Region V Governing Board - Schorr

Schorr said there was a presentation on Drug Court.

G. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Stevens

Stevens said discussion focused on the report from the Community Student Housing Task Force (the task force analyzed Lincoln Public Schools classroom and building needs for the next ten years).

H. General Assistance (GA) Monitoring Committee - Stevens, Schorr

Schorr said proposed revisions to the GA Guidelines were discussed. She noted receipt of a legal opinion that states that the County cannot require GA clients to submit to drug testing.

## **12 EMERGENCY ITEMS AND OTHER BUSINESS**

Heier presented correspondence from Kit Boesch, Human Services Administrator, relating to juvenile justice funding priorities (Exhibit I).

**13 ADJOURNMENT**

**MOTION:** Workman moved and Heier seconded to adjourn the meeting at 12:00 p.m. Heier, Workman, Schorr and Stevens voted aye. Motion carried.

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Bruce Medcalf  
Lancaster County Clerk