

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, AUGUST 24, 2006
8:30 A.M.**

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

Commissioners Absent: Bernie Heier

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

The Chair opened the meeting at 8:31 a.m.

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, AUGUST 17, 2006 AND MONDAY, AUGUST 21, 2006

MOTION: Stevens moved and Hudkins seconded approval of the Staff Meeting minutes dated August 17 and 21, 2006. Hudkins, Stevens, Workman and Schorr voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

A. Correspondence from Dean Settle, Community Mental Health Center Director, Regarding Candidate Tour of Community Mental Health Center (CMHC) (Exhibit A)

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

ADMINISTRATIVE OFFICER REPORT

A. Capital Humane Society Building

Item was dropped from the agenda.

B. Bryan/LGH Health System Agreement Update

Schorr said Bryan/LGH Health System has agreed to prioritize the County's project.

Kerry Eagan, Chief Administrative Officer, said Bryan/LGH has also indicated plans to meet next week regarding the settlement.

C. Southwest Village Development (Denton Road Detour)

Eagan said Don Thomas, County Engineer, does not believe the proposal adequately addresses the traffic that will be detoured off Denton Road (see correspondence in the agenda packet).

Hudkins concurred, stating Denton Road is a major "farm to market" road for that part of the County.

MOTION: Hudkins moved and Workman seconded to send a letter to Public Works/Utilities, Planning Department and the Mayor outlining the concerns that Don Thomas, County Engineer, has raised regarding the project; noting the objections to the roundabout; and stating that the County Board is not opposed to the new Denton Road alignment but believes it should be in place, and opened, before closing West Denton Road. Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

3 SOIL EXCAVATION MONITORING AND ENFORCEMENT - Mike DeKalb, Planning Department; Mike Merwick, Building & Safety Director; Glenn Johnson, Lower Platte South Natural Resources District (NRD) General Manager; Ronald Asch and Bruce Clendenin, Nebraska Department of Environmental Quality (NDEQ)

Discussion took place regarding monitoring and enforcement of special permits for soil excavation. Mike DeKalb, Planning Department; Mike Merwick, Building & Safety Director; Glenn Johnson, Lower Platte South Natural Resources District (NRD) General Manager; and Ronald Asch and Bruce Clendenin, Nebraska Department of Environmental Quality (NDEQ) , described the role of their department/agency in the process.

In response to a question from Workman, Johnson said any site with a land disturbance greater than one acre within the City, and within the City's three-mile zoning jurisdiction, must file for a National Pollutant Discharge Elimination System (NPDES) Permit and file a notice of intent with the NRD and a Soil and Water Pollution Prevention Plan (SWPP). He said if the land is outside the City's three-mile zoning jurisdiction and meets the same requirements, they must file with NDEQ.

Workman asked whether the filing requirements were met on a site at 40th and Waverly Road.

Merwick said he will check with Nicole Fleck-Tooze, Public Works/Utilities, and report back.

Stevens asked whether any of the agencies looked at the site on North 56th Street/Highway 77 between Branched Oak Road and Davey Road associated with County Special Permit No. 060350 before submitting comment.

DeKalb said he did and said his department included the other permits in the list of conditions.

Stevens asked whether any of the agencies would have inspected the site during the course of the three-year permit to see if the owner was adhering to the special permit conditions.

Merwick said his department would have periodically checked on the site.

It was noted that most inspections are complaint driven.

Workman suggested a requirement that a sign be posted with a phone number for complaints and the contractor's name and phone number.

Stevens asked whether there is a check for compliance if there is an extension or renewal of the special permit

DeKalb indicated there is.

Schorr asked whether there is enforcement related to steep drop-offs and not returning appropriate cover to the ground.

DeKalb said probably not.

Hudkins said ag land valuation is one incentive for making sure the land is returned to an agricultural state.

Johnson added that the NPDES permit remains in place until the land is stabilized.

Workman asked whether a dirt mining permit is required for a construction project.

DeKalb said not if the primary purpose is site preparation.

4 PAYFLEX CONTRACT - Bill Kostner, City Risk Manager; Kevin Hitzemann, PayFlex Systems USA, Inc.

Kevin Hitzemann, PayFlex Systems USA, Inc., gave an overview of services provided to the County related to administration of employee Flexible Spending Accounts.

Workman suggested that the County look at similar services offered by the Nebraska Association of County Officials (NACO) before renewing the contract with PayFlex.

5 RENEWAL OF DENTAL INSURANCE ADMINISTRATION CONTRACT WITH AMERITAS - Bill Kostner, City Risk Manager; Tom Fox, Deputy County Attorney

Tom Fox, Deputy County Attorney, said the contract with Ameritas for dental insurance administration will expire December 31, 2006 and said Ameritas is willing to renew the contract at the present rates.

Bill Kostner, City Risk Manager, said there will be a 9% increase in the Ameritas/EyeMed Vision Plan premiums, a cost that will be paid by employees enrolled in the plan. He said this is the final year of the three-year contract and advised that the County go out for a Request for Proposals (RFP) next year.

6 MEDICARE ELECTRONIC ENROLLMENT FORM FOR COMMUNITY MENTAL HEALTH CENTER (CMHC) - Tom Fox, Deputy County Attorney

Tom Fox, Deputy County Attorney, gave a brief explanation of the item.

The Board scheduled action on the Tuesday, August 29, 2006 Board of Commissioners Meeting agenda.

FINAL BUDGET ADJUSTMENTS - Dave Kroeker, Budget and Fiscal Officer

Dave Kroeker, Budget and Fiscal Officer, presented the following (Exhibits C & D):

- ▶ Lancaster County, Allocation of Levy 2005-06 (Actual Values)
- ▶ Lancaster County, Allocation of Levy 2006-07 (Estimated Values Using 14.30% Increase for County-Wide Districts and 14.30% for Rural Library)

- ▶ Lancaster County, Allocation of Levy 2006-07 (As of 8/22/06 Using Certified Values)
- ▶ FY06 Tax & Levy Information on Lancaster County Fire Districts (As of 8/23/05 Using 2005 Certified Values)
- ▶ FY07 Tax & Levy Information on Lancaster County Fire Districts (As of 8/7/06 Using Estimated Values with a 13.0% Increase Over 05 Values for Lancaster and 6% for Other Counties)
- ▶ FY07 Tax & Levy Information on Lancaster County Fire Districts (As of 8/22/06 with Certified Values)
- ▶ Railroad Transportation Safety District (RTSD) in Lancaster County, Property Tax Recap

Kroeker said the RTSD will net \$4,350,000, plus a 2% collection fee (a rate of .024587). He said Roger Figard, City Engineer, is in agreement with this amount.

- ▶ Lancaster County, Allocation of Levy 2006-07 (As of 8/22/06 Using Certified Values)

Kroeker reported an error in the calculation for the Lancaster County Agricultural Society which will slightly reduce the amount for the Rural Fire Districts. The Malcolm and Raymond Rural Fire Districts have requested the maximum available.

- ▶ FY07 Tax & Levy Information on Lancaster County Fire Districts (As of 8/22/06 with Certified Values)
- ▶ Notice of Special Hearing to Set Final Tax Request (Lancaster County)
- ▶ Notice of Special Hearing to Set Final Tax Request (Lancaster County Rural Library)
- ▶ Nebraska Revised Statute §77-1601.02 Property Tax Request, Procedure
- ▶ Lancaster County Agricultural Society, Capital Projects for the Fiscal Year Ended November 30, 2006 & 2007

MOTION: Hudkins moved and Workman seconded to accept the recommendations of the Budget and Fiscal Officer and to schedule a resolution on final allocation of levy authority to all political subdivisions subject to county levy authority on the Tuesday, August 29, 2006 Board of Commissioners Meeting agenda. Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

There was also Board consensus to set a public hearing on Tuesday, September 5, 2006 to set the final tax request at a different amount than last year.

7 WORKERS COMPENSATION CLAIM UPDATE - Sue Eckley, Workers' Compensation & Risk Management Manager; Larry Van Hunnik, Lancaster Manor Administrator

Sue Eckley, Workers' Compensation & Risk Management Manager, gave an overview of a claim involving an employee at Lancaster Manor.

8 MEAL REIMBURSEMENT POLICY - Tim Genuchi, Accounting Operations Manager for the County Clerk's Office

General discussion took place regarding the meal reimbursement policy with consensus to not make changes at this time and to review the policy again in one year.

Hudkins exited the meeting at 10:53 a.m.

9 LINWELD ECONOMIC DEVELOPMENT PROJECT - Troy Gagner, Economic Development Coordinator

Troy Gagner, Economic Development Coordinator, said Linweld, Inc. is being bought out but will stay intact as an operating company. Linweld is seeking the County's consent to the purchase and waiver of a provision to call the Community Development Block Grant (CDBG) loan. He said Linweld's obligation to pay the agreed loan payments to Lancaster County shall remain in force.

MOTION: Stevens moved and Workman seconded to authorize signature by the Chair on the acknowledgment and agree to the revised agreement. Stevens, Workman and Schorr voted aye. Hudkins was absent from voting. Motion carried.

Stevens requested a list of the entities that have applied for Tax Incremental Financing (TIF) in the last two years and the amounts.

Schorr asked Gagner whether the County can continue to fund membership in Lincoln Partnership for Economic Development (LPED) out of economic development funds.

Gagner said he has not received a definitive answer from the State but does not think the County can do so unless it can demonstrate that LPED's activities are benefitting low to moderate income employees.

10 FINAL BUDGET ADJUSTMENTS - Dave Kroeker, Budget and Fiscal Officer

Item was moved forward on the agenda.

11 ADMINISTRATIVE OFFICER REPORT

- A. Capital Humane Society Building
- B. Bryan/LGH Health System Agreement Update
- C. Southwest Village Development (Denton Road Detour)

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

- D. Alternative for Fairground Joint Public Agency (JPA) Meeting (September 5, 2006)

Schorr agreed to represent the Board, as an alternate, at the meeting and asked that the meeting be scheduled for 9:00 a.m.

It was also suggested that at City-County Common Meeting, scheduled for 9:30 a.m. that day, be cancelled.

- E. Purchase of In-Car Video Systems for Sheriff's Office (\$39,960)

Item held until later in the meeting.

12 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Visitors Promotion Advisory Committee - Stevens

Stevens said room nights and bid fees were discussed.

- B. Keno Advisory Committee - Workman, Stevens

No report.

ADDITIONS TO THE AGENDA

- A. Correspondence from Dean Settle, Community Mental Health Center Director, Regarding Candidate Tour of Community Mental Health Center (CMHC) (Exhibit A)

The Board had no objection to Settle's plans to invite Unicameral candidates to tour CMHC and to provide education about the following issues: 1) Behavioral health reform; 2) Funding of mental health jail diversion; and 3) Community-based funding for treatment and rehabilitation of sex offenders.

ADMINISTRATIVE OFFICER REPORT

E. Purchase of In-Car Video Systems for Sheriff's Office (\$39,960)

Deputy Jerry Witte appeared and said he has researched in-car video systems and could only find two companies that offer in-car digital cameras with DVD writing capability. He said there are specific differences between the two systems and said the department opted to go with the company that the University of Nebraska at Lincoln (UNL) Police Department is using. Witte said digital video systems are not available on the State bid but the State will reimburse the purchase of up to six cameras. The Sheriff's Office is asking for eight cameras for the upcoming fleet at a cost of \$39,960. Six must be purchased prior August 31, 2006 (the deadline for funding and the end of the State's fiscal year) and the remaining two will be purchased after September 1, 2006 when additional funds become available from the State. He said he has been working with Bob Walla, Assistant Purchasing Agent, on the purchase and has provided him with equipment specifications and a sole source letter from the company, as requested.

Vince Mejer, Purchasing Agent, appeared and said he thinks the purchase needs to be bid. He estimated that the bidding process will take 30 days.

Bill Jarrett, Chief Deputy Sheriff, appeared and said the Sheriff's Office has often used a sole source to purchase items.

Terry Wagner, Lancaster County Sheriff, appeared and said the department is not trying to circumvent the Purchasing System.

Eagan said the County could enter into a special purchase, as there would be significant savings to the County.

MOTION: Stevens moved and Workman seconded to direct Kerry Eagan, Chief Administrative Officer, to schedule the following items on the Tuesday, August 29, 2006 County Board of Commissioners Meeting agenda:

- 1) Reconsideration of the purchase of eight WatchGuard DV-1 digital in-car video systems, at a cost of \$39,960 (New Business Item 5K from the August 22, 2006 Board of Commissioners agenda)
- 2) Consideration of a special purchase of eight WatchGuard DV-1 digital in-car video systems, in the amount of \$39,960

Stevens suggested that the Purchasing Department conduct an Internet search, prior to the Tuesday County Board of Commissioners Meeting, to see if there are viable alternatives.

ROLL CALL: Workman, Stevens and Schorr voted aye. Hudkins was absent from voting. Motion carried.

13 ADJOURNMENT

MOTION: Stevens moved and Workman seconded to adjourn the meeting at 11:55 a.m. Workman, Stevens and Schorr voted aye. Hudkins was absent from voting. Motion carried.

Bruce Medcalf
Lancaster County Clerk