

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, OCTOBER 25, 2007
8:30 A.M.**

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

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Cori Beattie, Deputy County Clerk
Ann Taylor, County Clerk's Office

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

AGENDA ITEM

**1 APPROVAL OF THE STAFF MEETING MINUTES OF THURSDAY,
OCTOBER 18, 2007**

MOTION: Stevens moved and Hudkins seconded approval of the Staff Meeting minutes dated October 18, 2007. Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Proposal to Establish Advanced Life Support (ALS) Ambulance Districts, Rural Emergency Medical Response Ad Hoc Committee and Letter from Mayor Chris Beutler Regarding Costs Associated with Lincoln Fire and Rescue (LFR) Serving the Rural Fire Districts (Exhibit A)
- B. Downtown Lincoln Association (DLA) Meeting
- C. Damage to Lancaster Manor from a Vehicle Collision

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

3 REPORT FROM SEGAL ADVISORS REGARDING LANCASTER COUNTY EMPLOYEES RETIREMENT PLAN AND DEFERRED COMPENSATION PLANS WITH NATIONWIDE RETIREMENT SOLUTIONS (NRS) - Frank Picarelli, Segal Advisors

Frank Picarelli, Segal Advisors, presented Lancaster County, Nebraska, Employees Pension Programs, 401(a) and 457 Plans, Initial Pension Plan Review (Exhibit B):

- * Review of Plan Expenses and Services
- * Investment Fund Structure

Picarelli made the following recommendations regarding the investment structure:

- * Stable Value - Retain One Option
 - * Fixed Income - Consolidate to Single Best-in-Class Core Bond Fund
 - * Balanced - Retain Asset Class or Map to Lifecycle Funds
 - * Large Cap Value - Retain Asset Class
 - * Large Cap Blend - Maintain Passive and Active Strategy Best-in-Class Offering
 - * Large Cap Growth - Retain Asset Class
 - * Mid Cap Value - Retain Asset Class
 - * Mid Cap Blend - Retain and Add a Mid Cap Blend Index Fund, Active/Passive Strategy, Vanguard Mid Cap Index (10-20 Basis Points)
 - * Mid Cap Growth - Retain Asset Class
 - * Small Cap Value - Retain Asset Class
 - * Small Cap Blend - Retain and Add a Small Cap Blend Index Fund, Active/Passive Strategy, Vanguard Small Cap Index (10-20 Basis Points)
 - * Small Cap Growth - Retain One Option
 - * International/Global - Offer One International Fund and One Global Fund
 - * Lifecycle/Target-Date - Consideration of Lifecycle Retirement Date Products
 - * Socially Responsive - Retain Asset Class
- * Investment Management Fees

Picarelli discussed fund reimbursements and management fees and offered a conservative estimate that Nationwide Retirement Solutions (NRS) receives \$500,000 in profits from the plan.

- * Revenue Sharing/Share Class Fee Analysis

Picarelli said he believes there are opportunities for the County to negotiate a lower class share with some of the funds. He also recommended that the County request a favored nation clause in the contract on the general account product (it would require NRS to disclose rates they are giving to similar-sized plans).

- * Contract Review/Observations

Picarelli offered the following recommendations:

- * Have NRS conduct a participant survey to identify any plan deficiencies and possible enhancements
 - * Have NRS come in on a periodic basis and explain how they determine the Fixed Fund rate
 - * Enhance on-site service support
 - * Explore feasibility of automatic enrollment using Lifecycle Funds as the default investment option
 - * Have NRS follow-up with participants if the Stable Value Account is the default investment option
 - * Have NRS follow-up with participants that are 100% invested in one fund
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- * Industry Best Practices
 - * Possible Plan Enhancements
 - * Consideration to Renegotiate/Request for Proposals (RFP)

Kerry Eagan, Chief Administrative Officer and member of the Pension Review Committee (PRC), reported on a recommendation from the committee to terminate the County's contract with NRS for provision of administrative and investment product services.

It was noted that the current contract is for a five year period commenced in 2003, with automatic renewal for two successive five year terms.

There was general consensus to have Picarelli negotiate changes with NRS. The Board would have the option to give notice of termination if negotiations are unsuccessful.

Eagan suggested a one week delay to: 1) Allow the PRC an opportunity for further review and recommendation; and 2) Review the terms of the contract with Segal Advisors.

4 MEDICAL CLAIM AGAINST SHERIFF'S OFFICE -Terry Wagner, Lancaster County Sheriff; Mike Thew, Chief Deputy County Attorney

Terry Wagner, Lancaster County Sheriff, gave an overview of the claim which relates to medical costs for an individual in custody (\$14,971.85). He said the individual advised hospital personnel that he had insurance, which proved to be fraudulent. Wagner noted that the Sheriff's Office does not receive the Medicaid rate for hospital care.

Mike Thew, Chief Deputy County Attorney, said the Sheriff's Office and Youth Services Center were overlooked in the contract with Bryan/LGH Medical Center for the provision of medical services (C-07-0337). He said the County has a responsibility to pay the claim and said BryanLGH has indicated a willingness to work with the County on the rate issue.

MOTION: Heier moved and Hudkins seconded to: 1) Authorize payment of the bill, after further negotiation of the amount; and 2) Direct the County Attorney's Office to draft an amendment to the contract with Bryan/LGH Medical Center for the provision of medical services to include all county agencies. Stevens, Schorr, Heier, Hudkins and Workman voted aye. Motion carried.

ADMINISTRATIVE OFFICER REPORT

A. Internet Crimes Against Children Grant

Wagner said the grant will be used to purchase computer forensic software, training for the software and security equipment for a new forensic computer laboratory to be used by both the Sheriff's Office and the Lincoln Police Department. He said no match is required.

The Board scheduled action on the October 30, 2007 Board of Commissioners Meeting agenda.

5 CARDWELL BRANCH WATERSHED PLAN, COMPREHENSIVE PLAN AMENDMENT NO. 07001 - Nicole Fleck-Tooze, Public Works/Utilities Special Projects Administrator; Devin Biesecker, Public Works/Utilities Watershed Management Engineer; Sara Hartzell, Planning Department

Devin Biesecker, Public Works/Utilities Watershed Management Engineer, gave a Power-Point presentation on the Cardwell Branch Watershed Plan (Exhibit C).

In response to a question from Stevens, Biesecker said the estimates do not include acquisition of conservation easements.

The County Board will hold a public hearing on Comprehensive Plan Amendment No. 07001, requested by the Director of the Public Works and Utilities and the General Manager of the Lower Platte South Natural Resources District (NRD) to amend the 2030 Lincoln-Lancaster County Comprehensive Plan to adopt the proposed Cardwell Branch Watershed Master Plan, including associated amendments to the Future Land Use Map designating "opportunity areas" as "green space" and "environmental resources", on November 6, 2007.

6 COUNTY SPECIAL PERMIT NO. 07043, AGRICULTURAL CHEMICAL STORAGE FACILITY BETWEEN SOUTHWEST 2ND AND SOUTHWEST 14TH STREETS ON HALLAM ROAD - Mike DeKalb, Planner

Mike DeKalb, Planner, gave an overview of County Special Permit No. 07043, a request by the Farmers Cooperative in Dorchester for authority to operate a facility for the commercial storage or sale of fertilizer or toxic or flammable agricultural chemicals on property near Southwest 14th Street and West Hallam Road (Exhibit D). Planning staff and the Planning Commission have recommended conditional approval of the special permit.

7 A) NON-FUNCTIONING MOBILE OPERATIONS CENTER; AND B) EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) SUPPLEMENTAL GRANT AWARD - Doug Ahlberg, Emergency Management Director

A) Non-Functioning Mobile Operations Center

Doug Ahlberg, Emergency Management Director, proposed that the County sell a 1983 Dodge Sportsman to Nemaha County for the sum of \$1.00. The vehicle was used as a mobile operations center, but is no longer needed. He said Nemaha County has a need for a mobile operations center, but does not have the financial resources to purchase one.

In response to a question from Stevens, Ahlberg said Nemaha County would like to assume ownership but would allow Lancaster County to use the vehicle, if needed.

MOTION: Hudkins moved and Schorr seconded to approve transfer of the vehicle to Nemaha County for the sum of \$1.00. Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

B) Emergency Management Performance Grant (EMPG) Supplemental Grant Award

Ahlberg said the County has been awarded a supplemental grant for Fiscal Year 2007 from the United States Department of Homeland Security Emergency Management Performance Grant (EMPG) in the amount of \$20,312.

MOTION: Stevens moved and Schorr seconded to authorize the Chair to sign the sub-grant award agreement.

Eagan recommended that the Board take action at a County Board of Commissioners Meeting instead.

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

The item was scheduled on the October 30, 2007 Board of Commissioners Meeting agenda.

ADDITIONS TO THE AGENDA

- A. Proposal to Establish Advanced Life Support (ALS) Ambulance Districts, Rural Emergency Medical Response Ad Hoc Committee and Letter from Mayor Chris Beutler Regarding Costs Associated with Lincoln Fire and Rescue (LFR) Serving the Rural Fire Districts (Exhibit A)

Proposal to Establish Advanced Life Support (ALS) Ambulance Districts

Ahlberg presented a map of proposed Advanced Life Support (ALS) Ambulance Districts (Exhibit E) and said they could be a revenue generating mechanism for the rural fire districts.

Rural Emergency Medical Response Ad Hoc Committee

Ahlberg said he met with the rural fire districts and said they feel the ad hoc committee should be comprised of representatives of the rural fire districts. He and Dan Wright, Deputy Fire Chief, have forwarded the names of individuals who have expressed interest in serving on the committee to Greg Hall, who was appointed Chair.

Schorr noted there are significant financial issues and suggested that it would be beneficial to have Dennis Meyer, Budget and Fiscal Officer, serve on the committee.

Ahlberg said he, Meyer and Wright have all offered to serve on the committee or act as advisors.

Letter from Mayor Chris Beutler Regarding Costs Associated with Lincoln Fire and Rescue (LFR) Serving the Rural Fire Districts

Extensive discussion took place regarding the letter from the Mayor (see Exhibit A). Ahlberg, Wright and Denise Pearce, Administrative Assistant to the Mayor, participated in the discussion. **NOTE:** The letter stated that the Emergency Medical Services (EMS) budget office has calculated a \$180,000 loss associated with serving the rural fire districts each year. The Mayor proposed that the City of Lincoln subsidize \$120,000 of that amount and the County Board pay the City \$60,000 to cover the remaining portion of the loss. The agreement would continue until August 31, 2008, the end of the City's 2007-2008 budget year. Service would continue along the same lines as currently exists until that date. The Mayor stated that Lincoln Fire and Rescue (LFR), Emergency Management and the State will continue to work with the rural fire districts to find a joint solution for a new system and proposed that the City and County set June 1, 2008 as the deadline for a final recommendation, giving all parties a three-month transition into whatever is envisioned for the future.

Heier noted that the rural fire districts have questioned that accounting and suggested the need for an audit.

Wright said EMS billing is a complex issue and said his department would be more than willing to explain how the figures were calculated.

MOTION: Heier moved and Hudkins seconded to request either an audit, by Dennis Meyer, Budget and Fiscal Officer, or an outside audit firm, or an explanation of the accounting so that there is a reasonable agreement between the Rural Fire Districts, Lincoln Fire and Rescue (LFR) and the Mayor's Office about the figures that are being used as the basis for the funding request.

Hudkins said the rural fire districts' figures do not correspond with those of LFR and said the rural fire districts do not believe there has been sufficient follow-up on the part of LFR in terms of collecting the insurance portion of the ambulance bills. He also stated his belief that it was inappropriate to hold the discussion without Jim Densberger, Lancaster County Firefighters Association, being present to represent the rural fire districts.

Schorr said the \$180,000 figure is not representative of past billings, rather an estimation of what it would cost to serve the rural fire districts for the coming year.

Stevens expressed concern that LFR could decide to no longer service the rural areas and said he is willing to approve the funding request to ensure there is ambulance coverage while a plan for the future is worked out.

Hudkins said he would like the ad hoc committee to make recommendation on what the County should pay.

ROLL CALL: Workman, Heier and Hudkins voted aye. Schorr and Stevens voted no. Motion carried.

MOTION: Schorr moved and Stevens seconded to direct Dennis Meyer, Budget and Fiscal Officer, and the County Attorney's Office to begin the process of developing a contract with the Mayor's Office to authorize payment of \$60,000 from the County to assist in subsidizing service from Lincoln Fire and Rescue (LFR) into the rural fire districts until August 31, 2008.

Hudkins asked Schorr whether she would be willing to reword her motion to indicate up to \$60,000.

Schorr said no.

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

8 BOARD OF CORRECTIONS QUARTERLY MEETING - Mike Thurber, Corrections Director

(Separate minutes).

9 LANCASTER MANOR ISSUES - Ron Fetters, Lancaster Manor Interim Administrator; Ken Kuszak, Microcomputer/Network Support Coordinator for Information Services; Vince Mejer, Purchasing Agent

A. Computer

Ron Fetters, Lancaster Manor Interim Administrator, asked how to proceed with the purchase of computer equipment that was approved in the budget (10 flat screen monitors and 10 wireless keyboards).

Eagan explained the protocol.

B. Nurse Call System

Fetters said the nurse call system is no longer functional and said there is no back-up system.

Ken Kuszak, Microcomputer/Network Support Coordinator for Information Services, said the County does not have the installation disk for the software and the man who sold the system to the facility many years ago is no longer living.

Fetters recommended that the County purchase a new system, estimating the cost at \$120,000. He said the balance of funding could come from the Renewal and Replacement Fund, with the remainder out of operating funds.

C. Phone System

Fetters said the phone system is antiquated and Windstream Communications is experiencing difficulty in making repairs. He said the cost of a new system is estimated at \$40,000.

Kuszak noted that his department is preparing bid specifications for Voice over Internet Protocol (VoIP) which could be an option.

Gwen Thorpe, Deputy Chief Administrative Officer, cited Health Insurance Portability & Accountability Act (HIPAA) concerns.

Vince Mejer, Purchasing Agent, said the Request for Proposals (RFP) could include a standard Centrex/Nortel system and a VoIP system. Bidders could be asked to explain how the VoIP system is HIPAA compliant.

MOTION: Hudkins moved and Stevens seconded to direct the Purchasing Department to put out a Request for Proposals (RFP) on the nurse call system and a dual RFP for the phone system, a standard Centrex/Nortel system and a Voice over Internet Protocol (VoIP) system. Hudkins, Heier, Stevens, Schorr and Workman voted aye. Motion carried.

Heier exited the meeting at 12:10 p.m.

D. Patient Lifts

Fetters requested authorization to purchase two patient lifts at a cost of \$4,000 each.

MOTION: Hudkins moved and Stevens seconded to authorize the purchase, with funding from the Operating Budget.

The Purchasing Department will solicit informal bids, in accordance with the Purchasing Act.

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

Heier returned to the meeting at 12:12 p.m.

Fetters also presented a financial statement for September, 2007 (Exhibit F).

ADDITIONS TO THE AGENDA

C. Damage to Lancaster Manor from a Vehicle Collision

Fetters reported on a hit-and-run collision that damaged the brick exterior of the building. He noted that the County has a \$5,000 insurance deductible.

10 PUBLIC DEFENDER DATA SYSTEM CONTRACT - Dennis Keefe, Public Defender; Tom Fox, Deputy County Attorney

Dennis Keefe, Public Defender, gave an update on development of the case management system.

Tom Fox, Deputy County Attorney, cited issues regarding the contract: 1) Waivers of the warranties and liabilities; and 2) Limitation on remedies and damages.

11 SHANAHAN BROTHERS CONSTRUCTION, INC. CONTRACT, PART 2 OF PROJECT NO. 07-29 - Tom Fox, Deputy County Attorney; Don Thomas, County Engineer; Doug Pillard, County Engineering Design Division Head, Jim Plouzek, Road Construction Division Head

MOTION: Heier moved and Hudkins seconded to enter Executive Session at 12:36 for discussion of potential litigation. Schorr, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

MOTION: Stevens moved and Heier seconded to exit Executive Session at 12:56 a.m. Schorr, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

12 ADMINISTRATIVE OFFICER REPORT

A. Internet Crimes Against Children Grant

Item was moved forward on the agenda.

B. Correspondence from Design Associates Regarding Havelock Avenue Driveway for Lancaster Events Center

Eagan said Alan Wood, Lancaster County Agricultural Society Counsel, has requested an opportunity to address the issue at the next Staff Meeting.

ADDITIONS TO THE AGENDA

B. Downtown Lincoln Association (DLA) Meeting

Stevens reported on a proposal for a free downtown shuttle bus.

13 DISCUSSION OF BOARD MEMBER MEETINGS

A. Lancaster County Fairgrounds Joint Public Agency (JPA) - Hudkins, Heier

Heier reported payment of expenditures.

Hudkins said the Havelock Avenue driveway for the Lancaster Events Center was discussed. He also reported award of bid to Hampton Construction for the Lancaster Event Center Phase II Project, provided it agrees to the floodplain provisions.

B. Youth Services Center Advisory Committee - Heier

No report.

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

Stevens said CMHC is applying for a grant to expand the Sex Offender Program. He also reported on a concept called a "living room" (CMHC would work with a local hospital to provide a supervised "cooling down" space for individuals with mental illness in an effort to reduce Emergency Room and Crisis Center admissions).

14 ADJOURNMENT

MOTION: Schorr moved and Stevens seconded to adjourn the meeting at 1:05 p.m. Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk