

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
COUNTY-CITY BUILDING CHAMBERS
THURSDAY, JANUARY 17, 2008
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
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Ann Taylor, County Clerk's Office

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

AGENDA ITEM

**1 APPROVAL OF THE STAFF MEETING MINUTES OF THURSDAY,
JANUARY 10, 2008**

MOTION: Stevens moved and Heier seconded approval of the Staff Meeting minutes dated January 10, 2008. Stevens and Workman voted aye. Heier abstained from voting. Hudkins and Schorr were absent from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Microcomputer Request 2008-029, \$837.54 from County Attorney's Budget for Five (5) LabelWriters
- B. Jail

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

3 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant

Gordon Kissel, Legislative Consultant, presented a legislative update (Exhibit B). He also gave an overview of LB 979 (change county building levy tax provisions).

Kerry Eagan, Chief Administrative Officer, said LB 773 (Change unclassified county service position provisions relating to bailiffs) needs to be clarified. He also indicated that LB 793 (Change which county pays for costs of emergency protective custody and proceedings) could be problematic.

Schorr arrived at the meeting at 8:35 a.m.

Brief discussion took place regarding whether LB 963 (require verification of lawful presence in the United States to received public benefits) would impact General Assistance (GA).

There was also Board consensus to send a memo to the elected officials and department heads indicating that if they send out a fiscal note for Lancaster County they should do so by email, with a copy to the Board.

ACTION ITEMS

- A. Microcomputer Requests:
 - 1. C#2008-021, \$264.62 from Microcomputer Fund for a 19" LCD Monitor for County Attorney
 - 2. C#2008-027, \$1,975.83 from Microcomputer Fund for a PC, 19" LCD Monitor, Etc. for Juvenile Court
 - 3. C#2008-025, \$3,692.14 from Microcomputer Fund for Two (2) PC's, Two (2) 19" Monitors, Software, Etc., for Community Corrections

Item was held for additional information regarding the difference in cost between 17" and 19" monitors.

ADDITIONS TO THE AGENDA

- A. Microcomputer Request 2008-029, \$837.54 from County Attorney's Budget for Five (5) LabelWriters

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

ADMINISTRATIVE OFFICER REPORT

B. Visitors Promotion Committee (VPC) Appointment (Steve Hilton, Embassy Suites)

The Board scheduled the item as a special presentation on the January 29, 2008 Board of Commissioners Meeting agenda.

C. Commissioners' Award of Excellence Committee Appointment

Board consensus was to appoint Gwen Thorpe, Deputy Chief Administrative Officer, to a full term on the committee.

RETURNING TO ACTION ITEMS

Cori Beattie, Deputy County Clerk, reported that the difference in cost between a 17" and 19" monitor is \$31.

Hudkins arrived at the meeting at 8:55 a.m.

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

ADMINISTRATIVE OFFICER REPORT

D. Youth Services Center (YSC) Connectivity

Eagan said Doug Thomas, Information Services Director, has indicated that a wireless connection should meet the facility's need (an increase from 5 megabits to 54 megabits). He estimated the cost at \$8,000 to \$9,000. It was noted that the long term solution may be a connection to a fiber network owned by Unite (telecommunications carrier).

Board consensus was to schedule further discussion of the issue on the Mid-Year Budget Retreat agenda.

Thorpe suggested that the discussion include whether to proceed with hiring an information technology consultant.

4 CONSTRUCTION MANAGER AT RISK REQUEST FOR PROPOSALS (RFP) - Vince Mejer, Purchasing Agent; Mike Thurber, Corrections Director

Vince Mejer, Purchasing Agent, reported that only one proposal was received, from John Sampson of Sampson Construction. He requested authorization to proceed with negotiations.

MOTION: Heier moved and Schorr seconded to authorize Vince Mejer, Purchasing Agent, to begin negotiations with Sampson Construction to serve as Construction Manager at Risk for the jail project. Schorr, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

Mike Thurber, Corrections Director, said Bob Jarrett, Maintenance/Construction Manager for Corrections, will provide oversight for the department. There will also be a transition coordinator.

Mejer recommended that Jarrett be involved in the plans from the beginning.

The Board asked Andre Mick, Lincoln Independent Business Association (LIBA), who was in attendance, to relay to her organization the Board's willingness to discuss the issues raised in their letter and to indicate that Mejer and Thurber will also be available to answer questions.

5 VIDEO ARRAIGNMENT AND CONFERENCING - Mike Thurber, Corrections Director

Discussion took place regarding plans to include video arraignment, visitation and conferencing in the new jail facility. Mike Thurber, Corrections Director, reported that the judges have agreed to use video technology for first appearance arraignments.

Dennis Keefe, Public Defender, appeared and indicated that his office is interested in the video conferencing component.

A pilot project was discussed with Board consensus to not pursue that option or to travel to other facilities to view the technology. Instead Thurber was asked to consult the architect and to bring back cost estimates for doing video arraignments in the existing facility.

ADDITIONS TO THE AGENDA

B. Jail

Discussion took place regarding plans to visit the Polk County, Iowa jail.

Thurber said PSA-Dewberry (the primary partner for design of the facility) will likely want the Board to tour a couple of other facilities in the spring.

6 INTRODUCTION OF GREG MACLEAN, CITY PUBLIC WORKS/UTILITIES DIRECTOR

Greg MacLean, City Public Works/Utilities Director, introduced himself to the Board and discussed his education and experience.

RETURNING TO ITEM 2B (JAIL DISCUSSION)

Stevens noted that the jail is no longer at capacity and questioned whether the jail project could be scaled back to meet 10 year, rather than 20 year, population projections. **NOTE:** The consultants based the 776-bed jail concept on 25 year population projections.

Thurber explained that there is typically a reduction in the jail population this time of year, but said it could also be an indication of the effectiveness of alternatives to incarceration.

Stevens suggested that it may be premature to move ahead with some of the contracts related to the construction until the Board figures out how to finance the project. He also suggested that the County pursue a contract with the U.S. Marshals Service (USMS).

Thurber said that option was explored but USMS suspended their Cooperative Agreement Program (CAP) Program in 2004 (the program provided capital investment funding in exchange for guaranteed bed space for USMS detainees). He said USMS has expressed interest in utilizing the new facility.

Heier noted, for the record, that the Board has not committed to building a \$94 million jail (the projected cost of the facility).

Discussion followed with suggestions to: 1) Request variances of the overall design; 2) Look at building a smaller jail and continue to utilize the existing jail; 3) Phase the construction; and 4) Have Dennis Meyer, Budget and Fiscal Officer, indicate how much the County can afford, denoting different dollar amounts and different bond terms.

7 LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT (NRD) HAZARD MITIGATION GRANT PROGRAM - Doug Ahlberg, Emergency Management Director

Doug Ahlberg, Emergency Management Director, gave an overview of the Lower Platte South NRD Multi-Jurisdictional Hazard Mitigation Plan (Exhibit C).

Brief discussion also took place regarding concerns that the Rural Emergency Medical Response Ad Hoc Committee will not have a final recommendation regarding a new system by the June 1, 2008 deadline.

MOTION: Hudkins moved and Stevens seconded to authorize a letter to be sent to the Rural Emergency Medical Response Ad Hoc Committee offering the assistance of Dennis Meyer, Budget and Fiscal Officer; and Doug Ahlberg, Emergency Management Director, with copies to the rural fire district chiefs and Mayor Chris Beutler. Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

8 PENDING AND POTENTIAL LITIGATION - Mike Thew, Chief Deputy County Attorney; Tom Fox, Deputy County Attorney

MOTION: Heier moved and Schorr seconded to enter Executive Session at 10:21 a.m. for discussion of pending and potential litigation. Schorr, Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

MOTION: Stevens moved and Heier seconded to exit Executive Session at 10:57 a.m. Schorr, Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

9 LANCASTER MANOR FIRE SUPPRESSION BID UPDATE - Bob Walla, Assistant Purchasing Agent; Tom Fox, Deputy County Attorney

Bob Walla, Assistant Purchasing Agent, noted that the Board approved a contract in October with NECO Security Company for replacement of the fire panel and additional equipment at Lancaster Manor. He said NECO failed to meet the requirements for submission of a Performance and Payment Bond, as required by State law for all construction projects, and the project was rebid. Walla recommended that NECO be declared an irresponsible bidder and banned from bidding any County projects for a period of time, in accordance with Paragraph 18 of the Lancaster County Purchasing Manual.

Tom Fox, Deputy County Attorney, explained that action could be taken at this time or the next time NECO submits a bid.

Board consensus was to schedule action on the January 22, 2008 Board of Commissioners Meeting to: 1) Declare NECO Security Company an irresponsible bidder and to disqualify them from receiving any business from the County for a three-year period, pursuant to Paragraph 18 of the Lancaster County Purchasing Manual; and 2) Award a bid to Electronic Contracting Company for a fire suppression system at Lancaster Manor.

10 ACTION ITEMS

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Item was moved forward on the agenda.

11 ADMINISTRATIVE OFFICER REPORT

- A. Committee Assignments

No changes were made to the committee assignments.

- B. Visitors Promotion Committee (VPC) Appointment (Steve Hilton, Embassy Suites)
- C. Commissioners' Award of Excellence Committee Appointment
- D. Youth Services Center (YSC) Connectivity

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

- E. Lancaster Manor Director Salary

Stevens noted that the Board excluded a salary increase for Ron Fetters, Lancaster Manor Administrator, from the resolution setting the annual salary increases for Directors, Assistant Directors, Psychiatrists, Sheriff Captains, Bailiffs, the Child Support Referee and Attorneys for the 2008 calendar year at the January 15th County Board of Commissioners Meeting, at his request, and agreed that further discussion of the matter was needed. He said Fetters was hired as a temporary employee less than one year ago, at which time extra consideration (a housing allowance and per diem) was given to his salary. The extra consideration was incorporated into his salary when he was permanently hired. He questioned whether it was appropriate to give Fetters the same percentage increase as the other directors since he has been with the County less than one year.

Don Taute, Personnel Director, appeared and said he obtained information from a salary survey of Nebraska nursing homes that the Nebraska Health Care Association, Inc. (NHCA) conducted in 2007. There were three responses from nursing homes with more than 150 beds and the highest salary was \$115,600 (this is the amount that was paid to Lancaster Manor's former administrator). The highest reported salary in the survey was \$11,099 per month (equates to approximately \$133,000 annually) which was the salary paid to the administrator of a facility with 0-50 beds.

Hudkins suggested the need for a regional survey. He also noted Fetters' achievements since assuming the position, which include Medicare certification for the facility, and recommended that the Board award him a 3.5% increase, at a minimum.

MOTION: Hudkins moved and Workman seconded to schedule action on the January 22, 2008 County Board of Commissioners Meeting agenda to grant Ron Fetters, Lancaster Manor Administrator, a 3.5% salary increase.

Hudkins encouraged members of the Board to contact Pat Snyder, NHCA Executive Director, and to ask for information regarding regional salaries and administration on a per bed basis.

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

- F. Correspondence from Lincoln Independent Business Association (LIBA) Regarding Construction Manager at Risk and Project Manager for Jail Construction

See Item 4.

- G. Informational Meetings Regarding Nebraska Public Power District (NPPD) Transmission Line Route

Informational only.

12 DISCUSSION OF BOARD MEMBER MEETINGS

A. Information Services Policy Committee - Hudkins

Hudkins said the Youth Services Center (YSC) connectivity was discussed. He said Doug Thomas, Information Services Director, recommended that connectivity for the Motor Vehicles Services Facility and the Election Commissioner's Office on North 46th Street also be reviewed.

B. Parks Advisory Board - Stevens

No report.

C. Monthly Meeting of County Board Chair/Vice Chair and Mayor - Workman, Schorr

Workman and Schorr reported discussion of the following: 1) Rural ambulance service; 2) Economic Development Aide (County has been asked to contribute \$35,000 to \$40,000 annually to the cost); 3) Affirmative Action Officer (Position will now be 3/4 time and the County has been asked to contribute \$11,550 annually to the cost); 4) A joint firing range facility; 5) Paving projects (Denton, Alvo and Yankee Hill Roads); and 6) Legislative priorities.

Board consensus was to schedule discussion of the funding requests for the Economic Development Aide and Affirmative Action Officer on the Mid-Year Budget Retreat agenda.

D. District Energy Corporation - Heier

Heier said the District Energy Corporation will develop plans to provide heating and cooling to the proposed jail and arena.

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

Schorr reported that pharmacy costs are at a record low amount. She said the Committee is working on a drug formulary and proposed revisions to the GA Guidelines.

F. Joint Budget Committee (JBC) Special Meeting - Stevens, Schorr

Stevens said United Way of Lincoln and Lancaster County is moving to a two-year funding cycle and the JBC discussed whether to also move to a two-year plan.

13 ADJOURNMENT

MOTION: Stevens moved and Heier seconded to adjourn the meeting at 11:58 a.m. Schorr, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk