

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, JUNE 5, 2008
8:30 A.M.**

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

Commissioners Absent: 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 8:32 a.m.

AGENDA ITEM

1 APPROVAL OF THE STAFF MEETING MINUTES OF THURSDAY, MAY 22, 2008 AND THURSDAY, MAY 29, 2008; MINUTES OF THURSDAY MAY 15, 2008 DEPARTMENTAL BUDGET HEARINGS

MOTION: Stevens moved Heier seconded approval of the Staff Meeting minutes of May 22, 2008 and May 29, 2008 and minutes of May 15, 2008 Departmental Budget Hearings. Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

2 ADDITIONS TO AGENDA

- A. Storm Update
- B. Motocross Meeting
- C. Jail Bond Issue
- D. Chamber Coffee

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

3 CEDARS ANNUAL REPORT - Jim Blue, Cedars Youth Services Executive Director; Becky Steiner, Cedars Youth Services; Sara Hoyle, Juvenile Justice Coordinator

Becky Steiner, Cedars Youth Services, gave an overview of the Juvenile Pretrial Diversion and Graduated Sanctions Programs (Exhibits A and B).

Steiner was asked to provide data on the number of participants residing in the City versus the County.

Gwen Thorpe, Deputy Chief Administrative Officer, suggested a program on juvenile alternatives to incarceration be taped for "County Connections" on 5-City TV.

ADDITIONS TO THE AGENDA

A. Storm Update

Heier reported on flooding in the City of Hickman and Village of Panama.

Hudkins noted there was also substantial storm damage in the Unincorporated Village of Agnew.

Board members stressed their willingness to make County resources available to those communities.

B. Motocross Meeting

Kerry Eagan, Chief Administrative Officer, said he attended a meeting on Wednesday to discuss plans for a motocross track at the Abbott Sports Complex (7600 North 70th Street). He said Doug Pillard, County Engineering Design Division Head, was present and discussed paving of Arbor Road east of North 70th Street to provide access to the track. Anticipated completion is the fall of 2009.

C. Jail Bond Issue

MOTION: Stevens moved and Hudkins seconded to: 1) Send a letter to Mayor Beutler, the City Council and Public Building Commission (PBC) stating the County Board is interested in moving ahead with funding for a new jail utilizing the services of the PBC and the City's cooperation to finance the jail, with a preference for financing over a 20-year period; 2) Ask for an expeditious response, as the County is in the process of preparing the budget; and 3) Authorize signature by the Chair.

There was general consensus to try to contact Commissioner Schorr, who is on vacation, to inform her of the Board's action and preference for a 20-year financing term.

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

RETURNING TO ITEM 2B

Eagan suggested the need to have the track referenced in the Comprehensive Plan as an appropriate floodplain use and recognized as economic development by the Nebraska Innovation Zone Commission (NIZC) as part of the Interstate 80 design.

- 4 A) UNICO CONTRACT; AND B) PENDING LITIGATION** - Sue Eckley, County Risk Manager; Tom Champoux, UNICO Group, Inc.; Tom Fox, Deputy County Attorney

A) UNICO Contract

Sue Eckley, County Risk Manager, proposed the County enter into a new contract with UNICO Group, Inc. for insurance brokerage services (the contract with UNICO was executed in 1997 and has been extended several times). She said these are professional services and do not need to be bid. UNICO has proposed a base rate of \$32,000, a 10% increase.

Hudkins said he believes a 3% increase would be more appropriate.

There was general consensus to have the Eckley and County Attorney's Office negotiate a new contract with UNICO.

B) Pending Litigation

MOTION: Heier moved and Hudkins seconded to enter Executive Session at 9:25 a.m. for discussion of pending litigation. Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

MOTION: Stevens moved and Heier seconded to exit Executive Session at 9:33 a.m. Stevens, Heier, Hudkins and Workman voted aye. Motion carried.

PURCHASE OF COUNTY PROPERTY AT 831 WESTGATE BOULEVARD BY BENCHMARK BIOLABS, INC. - Dr. Timothy J. Miller, President; and Ian Kott, Benchmark BioLabs, Inc.; Mike Lang, Economic Development Advisor to the Mayor

Dr. Timothy J. Miller, President of Benchmark BioLabs, Inc., discussed his company's proposal to purchase the County's property at 831 Westgate Boulevard for \$25,000. He said they intend to construct a parking lot to serve their facilities which are set opposite each other across the lot in question.

It was noted the property, which runs underneath power lines, was appraised by a private appraisal company at \$110,000. The County held a public hearing to establish value and a public auction. Benchmark BioLabs' bid of \$25,000 was the highest bid.

Discussion followed with a suggestion to lease the land to Benchmark BioLabs and tie forgiveness of the lease to job creation.

Eagan said this situation differs from the economic development loans the County has done in the past using Community Development Block Grant (CDBG) funds because it involves surplus County property. He cited Nebraska Revised Statute § 23-107.01 which states: *If the county board receives no bids or if the bids received are substantially lower than the fair market value, the county board may negotiate a contract for sale or lease of the real estate if such negotiated contract is in the best interests of the county.*

There was general consensus to establish a purchase price of \$50,000 and to transfer the deed to Benchmark BioLabs if they agree to pay \$25,000 up-front. The County would loan the company the difference, interest free, for a five-year term and the loan would be forgivable if employment is increased by 10 to 20 percent.

Mike Lang, Economic Development Advisor to the Mayor, agreed to audit the job creation.

LABOR NEGOTIATIONS (EXECUTIVE SESSION) - Don Taute, Personnel Director; John Cripe, Classification and Pay Manager; Nicole Gross, Compensation Technician; Kristy Mundt, Deputy County Attorney

MOTION: Heier moved and Hudkins seconded to enter Executive Session at 10:13 a.m. for discussion of labor negotiations. Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

MOTION: Stevens moved and Hudkins seconded to exit Executive Session at 10:42 a.m. Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

5 AMENDMENT OF FISCAL YEAR 2007-08 BUDGET - Dennis Meyer, Budget and Fiscal Officer

Dennis Meyer, Budget and Fiscal Officer, said a resolution to transfer funds from the Contingency Fund in the General Fund to certain departments within the General Fund will be scheduled on the June 10, 2008 Board of Commissioners Meeting agenda. He said the Board will also need to schedule a public hearing to increase the appropriations for the Mental Health Fund for the continued operation of The Heather Program (a community transition program) and the County/City Property Management Fund for increases in salaries.

6 PURCHASE OF COUNTY PROPERTY AT 831 WESTGATE BOULEVARD BY BENCHMARK BIOLABS, INC. - Dr. Timothy J. Miller, President; and Ian Kott, Benchmark BioLabs, Inc.; Mike Lang, Economic Development Advisor to the Mayor

7 LABOR NEGOTIATIONS (EXECUTIVE SESSION) - Don Taute, Personnel Director; John Cripe, Classification and Pay Manager; Nichole Gross, Compensation Technician; Kristy Mundt, Deputy County Attorney

Items 6 and 7 were moved forward on the agenda.

8 ACTION ITEMS

- A. \$1,000 Grant Application to Region V on Behalf of New Americans Task Force (CLAS Grant)

MOTION: Heier moved and Hudkins seconded approval of the grant application. Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

- B. Grant Application for Supplemental State Juvenile Aid Under Legislative Bills 193 and 1014

MOTION: Hudkins moved and Stevens seconded approval of the grant application provided the match of \$40,000 is in-kind only. Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

- C. Microcomputer Requests:
1) C#47596, \$2,364.03 from the Community Mental Health Center (CMHC) Budget for Memory Upgrades and Software

Eagan noted the cost has been reduced to \$649.30.

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

2) C#47604, \$2,539.57 from the County Treasurer's Budget for One (1) Monitor and Two (2) Printers

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

9 ADMINISTRATIVE OFFICER REPORT

A. Letter to Dean Smith Regarding Farming at Southwest 40th and "O" Streets (Site of the New Jail)

Board consensus was to send a letter to Dean Smith, tenant, to clarify the terms of him farming the parcel.

B. New Employee Packet

The Board asked that discussion of the contents of the new employee packet be scheduled with Bill Kostner, City Risk Manager, and that he provide the Board with a list of contents.

10 DISCUSSION OF BOARD MEMBER MEETINGS

A. Juvenile Justice Review Committee - Heier

Heier said he was unable to attend the meeting.

B. Nebraska Association of County Officials (NACO) Budget Workshop - Heier

No report.

C. Joint Budget Committee (JBC) - Stevens, Schorr

Stevens said the committee conducted the annual review of programs and came up with tentative recommendations.

D. Lincoln-Lancaster County Ecological Advisory Committee (EAC) - Heier

Heier said a subcommittee was formed to look at mining permits.

ADDITIONS TO THE AGENDA

D. Chamber Coffee

Stevens said he reported on the budget and jail. He said Robin Eschliman, City Council, reported the City's Audit Committee is soliciting suggestions as to what areas should look at from an internal audit standpoint. Ed Zimmer, Lincoln Board of Education, said they are projecting a flat levy for next year. The Lincoln Public Schools budget has a \$5 million increase but Zimmer said state aid should cover most of the increase.

11 ADJOURNMENT

MOTION: Heier moved and Stevens seconded to adjourn the meeting at 11:23 a.m. Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk