

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, JANUARY 15, 2009
8:30 A.M.**

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

Commissioners Absent: Bernie Heier, Vice Chair
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
and Interim Lancaster Manor Administrator
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Ann Taylor, County Clerk's Office

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

AGENDA ITEM

LEGISLATIVE UPDATE - Gordon Kissel and Kristin Crawford, Kissel/E&S Associates (Legislative Consultants)

Gordon Kissel, Legislative Consultant, presented a legislative update (Exhibit A).

Hudkins arrived at 8:34 a.m.

Larry Dix, Nebraska Association of County Officials (NACO) Executive Director, appeared and discussed Legislative Bill (LB) 218 (Change, eliminate and provide state aid to various political subdivisions). The bill sets parameters for state aid to counties, tied to valuation, in the range of \$10 million (the amount of state aid currently provided to counties) to approximately \$16 million. Each county shall receive at least \$30,000 as a base amount. He said the bill also repeals jail reimbursement and said he will propose a two-year sunset provision, instead.

Kerry Eagan, Chief Administrative Officer, gave a brief overview of LB 5 (Eliminate a restriction and a penalty on trapping wildlife in county road rights-of-way).

MOTION: Hudkins moved and Schorr seconded to oppose Legislative Bill (LB) 5.

Hudkins, who was caught in a wildlife trap in a ditch near his farm, said he would be willing to testify on the bill.

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

Hudkins said there are rumors a County Assessor and the Tax Department will introduce a bill to counter last year's LB 777 (Redefine agricultural land and horticultural land for property tax purposes).

Dix said nothing has been introduced, to date.

Terry Wagner, Lancaster County Sheriff, appeared and requested support for LB 273 (Change sheriff's fee and handgun certificate fees).

MOTION: Schorr moved and Hudkins seconded to support Legislative Bill (LB) 273. Schorr, Hudkins and Stevens voted aye. Motion carried.

There was also Board consensus to ask a representative of the Corrections Department to testify in support of LB 173 (Provide for relabeling and redispensing of prescription drugs at certain correctional facilities).

Eagan noted the NACO Board will meet to discuss legislative priorities on January 16th. He added Commissioner Heier, the County's NACO Board representative, will not be able to attend.

Hudkins agreed to attend in his place.

1 APPROVAL OF THE STAFF MEETING MINUTES, THURSDAY, JANUARY 8, 2009

MOTION: Schorr moved and Hudkins seconded approval of the January 8, 2009 Staff Meeting minutes. Schorr, Hudkins and Stevens voted aye. Motion carried.

2 ADDITIONS TO AGENDA

- A. Additions to Lancaster Manor Update:
 - 1. Electrical System Repairs
 - 2. Art Project
- B. February 12, 2009 Staff Meeting and Management Team Meeting

- C. Request for Clarification of the Request for Paving of Southwest 40th Street, South of "O" Street
- D. Pension Plan Update

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

3 LEGISLATIVE UPDATE - Gordon Kissel and Kristin Crawford, Kissel/E&S Associates (Legislative Consultants)

Item was moved forward on the agenda.

4 UNCLASSIFIED EMPLOYEE SALARIES - Mark Koller, Personnel Director; John Cripe, Classification and Pay Manager

John Cripe, Classification and Pay Manager, presented Directors Salary Information 2009 , which reflects a proposed 2.5% increase for directors, with the exception of Travis Parker, who was recently appointed Community Mental Health Center Deputy Director; a \$24,000 market adjustment to the base salary for Gwen Thorpe, Deputy Chief Administrative Officer; because she is serving as Interim Lancaster Manor Administrator; and \$2,000 market adjustments to the base salaries of Dennis Meyer, Budget and Fiscal Officer; Kim Etherton, Community Corrections Director; Doug Ahlberg, Emergency Management Director; Gary Chalupa, Veterans Service Officer/General Assistance Director; and Michelle Schindler, Youth Services Center (YSC) Director (Exhibit B).

Schorr asked Cripe to add a footnote indicating that Parker was recently appointed to the position and that his salary will be re-evaluated in six months.

Stevens suggested a market adjustment for the Chief Administrative Officer.

Board consensus was to make a \$2,000 market adjustment to the Chief Administrative Officer's base salary.

District Court Judge Jeffre Cheuvront, appeared and discussed the District Court Judges' recommendation that District Court Bailiffs receive salaries equivalent to Paralegal II's (\$25.699 per hour or \$53,453.92 annually) (see agenda packet).

Cripe suggested incremental increases of \$1,600 per year, over a three-year period, in addition to a 2.5% increase.

In response to a question from Hudkins, Cripe said there isn't a market test for the Bailiffs.

Board consensus was to provide a \$1,200 market adjustment this year and to indicate the intent to increase the bailiff's salaries over time to be comparable with the Paralegal II's.

Cripe said he supports the request from Michelle Schindler, Youth Services Center (YSC) Director, to appoint a deputy (see Item 15G) and suggested a salary in the range of \$70,000 to \$75,000.

Stevens suggested a market adjustment would also be appropriate for Rick Ringlein, Assistant Veterans Service Officer/Assistant General Assistance Director.

Gary Chalupa, Veterans Service Officer/General Assistance Director, appeared in support of an increase for Ringlein.

There was Board consensus to make a \$1,000 market adjustment to Ringlein's base salary and to indicate the intent to evaluate deputy directors' salaries next year.

Cripe noted he had been asked to do a salary survey for nursing home administrators and referenced a salary survey conducted by the Nebraska Health Care Association, Inc. He said the survey indicated the maximum salary for the Omaha metro area was \$115,000. The maximum salary for all nursing homes in Nebraska was Lancaster Manor's administrator (\$149,000). The maximum salary for facilities with 150 or more beds was \$101,000.

The Board reviewed salary recommendations submitted by the County Attorney and Public Defender for Attorneys I and II and the County Sheriff for Sheriff Captains.

NOTE: The County Attorney submitted options for an overall increase of 3.75% or 4.02% (Exhibit C). The Public Defender submitted options for an overall 3.70% or 4.00% increase (see agenda packet). The County Sheriff submitted options for an overall increase of 3.01% and 3.5% (see agenda packet and Exhibit D).

Schorr suggested the Board be consistent in the percentage increase for the three groups, noting that has been the practice for the past several years.

Board consensus was ask the County Attorney, Public Defender and County Sheriff to revise their salary recommendations to reflect an overall increase of 3.7%.

NOTE: The Board will take formal action on the salary increases at the January 20, 2009 Board of Commissioners Meeting.

**5 REGION V GRANT REQUEST FOR A) JUVENILE ASSESSMENTS;
AND B) ADULT DRUG COURT** - Kit Boesch, Human Services
Administrator; Sara Hoyle, Juvenile Justice Coordinator; Michelle
Schindler, Youth Services Center (YSC) Director; Kim Etherton,
Community Corrections Director

Region V Grant Request for Juvenile Assessments

Sara Hoyle, Juvenile Justice Coordinator, requested authorization to submit a grant application to Region V for \$70,000 for a 12-month pilot program to provide crisis management and care coordination of youth. An Emergency Services Coordinator, who is a Region V employee, will be located at the Assessment Center to assist families who are in crisis.

Boesch said C. J. Johnson, Program Administrator for the Region V Mental Health, Alcoholism & Drug Abuse Program, is willing to look at continuing funding, if the program is successful.

Michelle Schindler, Youth Services Center (YSC) Director, said she likes the idea of having different agencies at the Assessment Center. She also indicated plans to move a Cedars Youth Services' employee, who is involved with the Centralized Assessment Project, over to the Assessment Center.

MOTION: Schorr moved and Hudkins seconded to authorize submission of the grant application. Schorr, Hudkins and Stevens voted aye. Motion carried.

Region V Grant Request for Adult Drug Court

Kit Boesch, Human Services Administrator, requested authorization to submit a grant application to Region V for a 12-month pilot program that will use components of the Delta Model for drug addiction, as part of the Adult Drug Court curriculum. The amount requested is \$25,000, with no match required. She said there may be potential for an expansion grant, if the pilot program is successful.

Kim Etherton, Community Corrections Director, said the program will pair Drug Court participants with volunteer role models in the community and have them engage in activities.

MOTION: Hudkins moved and Schorr seconded to authorize submission of the grant application. Hudkins, Schorr and Stevens voted aye. Motion carried.

ADMINISTRATIVE OFFICER REPORT

G. Correspondence from Michelle Schindler, Youth Services Center (YSC) Director, Regarding Staff Reorganization

Michelle Schindler, Youth Services Center (YSC) Director, said she would like to reassign Annette Thompson, Juvenile Detention Coordinator (JDC), to the position of Deputy Director. She said she does not anticipate a fiscal impact.

MOTION: Schorr moved and Hudkins seconded to allow Michelle Schindler, Youth Services Center (YSC) Director, to appoint a deputy director. No vote was taken.

The Board will take formal action on the appointment and will set the salary at the January 20, 2009 Board of Commissioners Meeting.

Kim Etherton, Community Corrections Director, appeared and said she will be working with the YSC on a protocol for youth who are going through the adult court system.

6 A) TREASURER TAX SYSTEM; AND B) ENTERPRISE ONE (COUNTY FINANCIAL SYSTEM) UPDATE - Dennis Meyer, Budget and Fiscal Officer

A) Treasurer Tax System

MOTION: Schorr moved and Hudkins seconded to enter Executive Session at 10:25 a.m. for discussion of potential litigation. Schorr, Stevens and Hudkins voted aye. Motion carried.

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

B) Enterprise One (County Financial System) Update

Dennis Meyer, Budget and Fiscal Officer, said the agreement with iXTEND Inc. for computer consulting services and the installation of the upgrade to the Enterprise One Financial Multi-Foundation environment software needs to be amended to provide for an additional 100 hours. **NOTE:** The hours will be capped. The additional cost is \$16,000.

Terry Lowe, Information Services Project Manager, appeared and said the cost is reasonable.

MOTION: Hudkins moved and Schorr seconded to authorize the additional hours and direct Dennis Meyer, Budget and Fiscal Officer, and the County Attorney's Office to prepare an amendment to the contract. Schorr, Stevens and Hudkins voted aye. Motion carried.

7 LINCOLN RADIOLOGY CONTRACT - Gary Chalupa, Veterans Service Officer/General Assistance (GA) Director; Tom Fox, Deputy County Attorney

Gary Chalupa, Veterans Service Officer/General Assistance (GA) Director, reported difficulty in securing reimbursements from Lincoln Radiology for GA clients who have been approved for Medicaid. He recommended that Lincoln Radiology be given two more weeks to work on the problem, and if it is not resolved, to give them notice of termination.

8 JAIL FINANCE UPDATE - Scott Keene, Ameritas Investment Corporation; Lauren Wismer and Lisa DeBuse, Gilmore & Bell PC (Bond Counsel)

Scott Keene, Ameritas Investment Corporation, said the municipal bond market has continued to improve and said if the jail bond issue were to go to market today, it would probably have an interest rate of 3.95%. He recommended the Board proceed with the plan to have a competitive sale at 10:30 a.m. on January 22nd. Keene said he and Lauren Wismer, Bond Counsel, will monitor the sale from the County Board's Office and will report the winning bid to the Board at the Staff Meeting and ask for approval. He also reported that Moody's has assigned a credit rating of AA1 for the bond issue and said a strong rating is also anticipated from Standard & Poor's.

Schorr asked Keene to update the Mayor and the Chair of the City Council as well.

9 ACTUARIAL CONTRACT WITH MILLIMAN, USA - Tom Fox, Deputy County Attorney; Sue Eckley, County Risk Manager

Tom Fox, Deputy County Attorney, asked whether the Board wants to include an actuarial study in the addendum to Milliman's contract for consulting services.

Sue Eckley, County Risk Manager, said Milliman has provided this service for the past two years and said she has been satisfied with their work.

MOTION: Hudkins moved and Schorr seconded to accept the recommendation and schedule the addendum on the January 20, 2009 Board of Commissioners Meeting agenda. Schorr, Hudkins and Stevens voted aye. Motion carried.

10 A) LANCASTER MANOR ELEVATORS; AND B) BARIATRIC BEDS -
Gwen Thorpe, Interim Lancaster Manor Administrator

A) Lancaster Manor Elevators

Gwen Thorpe, Interim Lancaster Manor Administrator, said O'Keefe Elevator Company, Inc. has submitted a proposal with two options for elevator security: 1) Install security touch pads in each elevator (\$6,315.00, plus applicable taxes); or 2) Install a key switch in each elevator (\$2,813.00, plus applicable taxes). She indicated a preference for Option 1.

MOTION: Hudkins moved and Schorr seconded to authorize installation of security touch pads in the elevators. Hudkins, Schorr and Stevens voted aye. Motion carried.

B) Bariatric Beds

Thorpe said Lancaster Manor had to rent a bariatric bed for an admission and has been given the option of purchasing the bed and mattress at a cost of \$1,810. She said there may be a need for more bariatric beds in the future and said they will be added to the bed bid.

MOTION: Schorr moved and Hudkins seconded to authorize purchase of the bariatric bed. Schorr, Hudkins and Stevens voted aye. Motion carried.

ADDITIONS TO THE AGENDA

A. Additions to Lancaster Manor Update:

1. Electrical System Repairs

Thorpe said the electrical equipment move will take place on January 16th and said a ten hour outage, beginning at 6:30 p.m., is anticipated. Final work on the system will be completed on January 23rd, with brief outages anticipated. Backup generators will be in place on both dates.

Thorpe was asked to notify the Board when the work on January 16th is complete.

2. Art Project

Thorpe reported on an offer for additional donations of art for Lancaster Manor.

Hudkins suggested Thorpe consult Don Killeen, County Property Manager, and John Hendry, City Attorney and Attorney for the Public Building Commission (PBC).

11 SHARED EMPLOYEE - Dave Shively, Election Commissioner; Sue Kirkland, Clerk of the District Court

Dave Shively, Election Commissioner, said the employee his office shares with the Clerk of the District Court has given notice. He said the Clerk of the District Court is no longer in need of the position and said his office has need for additional hours to assist the Jury Commissioner. Shively suggested that the position be cut back to six hours.

Copies of Jury Commission Statistics 2006-2008 were distributed (Exhibit E).

MOTION: Schorr moved and Hudkins seconded to reallocate the shared employee to the Election Commissioner's oversight, at a six (6) hour position. Hudkins, Stevens and Schorr voted aye. Motion carried.

ADDITIONS TO AGENDA

B. February 12, 2009 Staff Meeting and Management Team Meeting

The Board canceled the February 12, 2009 Staff Meeting and moved the Management Team Meeting to February 19, 2009.

C. Request for Clarification of the Request for Paving of Southwest 40th Street, South of "O" Street

Board consensus was to schedule discussion with Roger Figard, City Engineer, and Don Thomas, County Engineer.

Hudkins suggested it may be beneficial to include Don Killeen, County Property Manager, and the jail architects in the discussion.

D. Pension Plan Update

Eagan said the conversion of pension funds from Nationwide Retirement Solutions (NRS) to Prudential is complete. He said questions remain as to whether former employees who aren't drawing on their pensions received notification.

12 ADMINISTRATIVE SERVICES AGREEMENT WITH BLUE CROSS/BLUE SHIELD -Brett Young, Blue Cross/Blue Shield Account Executive; Kristy Bauer, Deputy County Attorney; Bill Kostner, City Risk Manager

Brief discussion took place regarding the agreement. **NOTE:** The agreement will be scheduled on the January 20, 2009 Board of Commissioners Meeting agenda for action.

13 PENDING LITIGATION - Bill Peters, Board of Equalization's Attorney for Greenbelt Litigation

MOTION: Schorr moved and Hudkins seconded to enter Executive Session at 11:47 a.m. for discussion of pending litigation. Schorr, Hudkins and Stevens voted aye. Motion carried.

MOTION: Schorr moved and Stevens seconded to exit Executive Session at 12:05 p.m. Stevens, Schorr and Hudkins voted aye. Motion carried.

14 ACTION ITEMS

A. Records Storage Extension Request from City Public Works/Utilities

MOTION: Schorr moved and Hudkins seconded to grant a one-year extension for City Public Works/Utilities. Hudkins, Stevens and Schorr voted aye. Motion carried.

15 ADMINISTRATIVE OFFICER REPORT

A. Village Meeting Notice and Planning Director Conflict (February 19, 2009)

The Board postponed the meeting until March 12th.

B. Nebraska Association of County Officials (NACO) County Board Workshop (February 11-12, 2009 in Kearney, Nebraska)

Informational only.

C. Human Services Request for Personal Digital Assistants (PDA's)

Item was held.

D. Comprehensive Plan Annual Review

The Board did not have any text amendments at this time.

E. Boat and Recreational Vehicle Storage in Agricultural (AG) Zoning District

Stevens suggested the Board request a text amendment to allow a special permit for recreational vehicle storage facilities.

Hudkins said he would prefer a business provision.

F. Legal Review of Deferred Compensation Plan and Agreement

MOTION: Hudkins moved and Schorr seconded to have Janis Winterhoff, a partner in the Omaha law firm Kutak Rock, L.L.C., perform a legal review of the deferred compensation plan and agreement, with payment from the revenue sharing funds. Hudkins, Schorr and Stevens voted aye. Motion carried.

G. Correspondence from Michelle Schindler, Youth Services Center (YSC) Director, Regarding Staff Reorganization

Item was moved forward on the agenda.

16 DISCUSSION OF BOARD MEMBER MEETINGS

A. Board of Health - Schorr

Schorr said there will be a series of community forums related to public health issues.

B. Keno Human Services Prevention Fund Advisory Committee - Schorr

Schorr said the meeting was cancelled, due to the lack of a quorum.

17 ADJOURNMENT

MOTION: Schorr moved and Hudkins seconded to adjourn the meeting at 12:20 p.m. Schorr, Stevens and Hudkins voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk