

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, FEBRUARY 5, 2009
8:30 A.M.**

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

Commissioners Absent: Bernie Heier, 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
Susan Starcher, County Clerk's Office

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

AGENDA ITEM

**1 APPROVAL OF THE STAFF MEETING MINUTES, THURSDAY,
JANUARY 29, 2009**

MOTION: Schorr moved and Hudkins seconded approval of the January 29, 2009 Staff Meeting minutes. Hudkins, Schorr and Stevens voted aye. Motion carried.

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

Gordon Kissel, Legislative Consultant, gave a legislative update (Exhibit A). He also discussed the following legislative bills: LB 33 (Change county zoning provisions with respect to density of population); LB 218 (Change, eliminate and provide state aid to various political subdivisions); and LB 273 (Change sheriffs fees and handgun certificate fees).

Kissel also presented Bills of Interest Report (Exhibit B).

Judy Halstead, Resource and Program Development Coordinator, Lincoln/Lancaster County Health Department, appeared and presented a draft of a letter of opposition to LB 611 (Amend the Nebraska Clean Indoor Air Act to provide cities, villages and counties the authority to regulate smoking) (Exhibit C).

MOTION: Hudkins moved and Schorr seconded to: 1) Direct Gordon Kissel, Legislative Consultant, to relay the objections of Lancaster County; and 2) Send the letter of opposition to the Chair of the Health and Human Services Committee and include signature by the County Board Chair. Schorr, Hudkins and Stevens voted aye. Motion carried.

Kissel also discussed LB 553 (Change certain property tax valuation protest procedures). He recommended the Board not take a position at this time.

2 ADDITIONS TO THE AGENDA

None were stated.

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

Item was moved forward on the agenda.

ACTION ITEMS

A. Post Employment Health Plan (PEHP) Ballots

MOTION: Hudkins moved and Schorr seconded to authorize Kerry Eagan, Chief Administrative Officer, to cast an affirmative vote on the Post Employment Health Plan (PEHP) amendment.

Eagan said Prudential will assist the County in finding a new PEHP plan.

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

ADMINISTRATIVE OFFICER REPORT

A. Claim for Review, Lancaster Manor PV#205688 to Aladdin Temp-Rite, dated January 26, 2009, in the Total Amount of \$1,847.40 (Claim Exceeds the Amount Requiring a Purchase Order)

Gwen Thorpe, Interim Lancaster Manor Administrator, gave an overview of the claim.

MOTION: Hudkins moved and Schorr seconded to handle the claim through the regular claims process. Hudkins, Stevens and Schorr voted aye. Motion carried.

B. Mid-Year Budget Retreat Agenda

Informational only.

C. Arbor Road Update (Abbott Sports Complex Motocross Track)

Eagan said preliminary engineering work on Arbor Road is completed.

MOTION: Hudkins moved and Schorr seconded to authorize Don Thomas, County Engineer, to proceed to the next phase. Hudkins and Schorr voted aye. Stevens voted no. Motion carried.

In response to a question from Stevens, Eagan said problems with right-of-way acquisition are not anticipated.

D. Office Phone Upgrade for Commissioner Heier

Cori Beattie, Deputy County Clerk, suggested the Board of Commissioners upgrade to Meridian phones in those offices which currently have older models.

Minette Genuchi, Administrative Assistant, was asked to look into the costs. Eagan will report back with the information at the February 19, 2009 Staff Meeting.

4 AFFIDAVIT REGARDING UNAPPROVED PROTECTIVE COVENANTS ON COUNTY PROPERTY (ACTION REQUIRED) - Doug Cyr, Chief Administrative Deputy County Attorney

Doug Cyr, Chief Administrative Deputy County Attorney, presented the affidavit (Exhibit D), explaining protective covenants were filed on an incorrect section.

MOTION: Schorr moved and Hudkins seconded to authorize either the Chair or Vice Chair to sign the affidavit. Schorr, Hudkins and Stevens voted aye. Motion carried.

RETURNING TO ITEM 11B

Eagan suggested discussion of the Records Center long-range plan be delayed until another time and said it may be more appropriate to schedule discussion with Don Killeen, County Property Manager, at a Staff Meeting.

The Board concurred with Eagan's suggestion.

RETURNING TO ITEM 11C

Don Thomas, County Engineer, appeared and said an appraisal will be the next step, followed by right-of-way acquisition.

ALTERNATE FOR SOUTHEAST REGIONAL EMERGENCY MANAGEMENT GOVERNANCE BOARD - Doug Ahlberg, Emergency Management Director

Doug Ahlberg, Emergency Management Director, indicated the need for an alternate for the Southeast Regional Emergency Management Governance Board and suggested appointment of Kerry Eagan, Chief Administrative Officer.

MOTION: Schorr moved and Hudkins seconded to appoint Kerry Eagan, Chief Administrative Officer, as alternate for the Southeast Regional Emergency Management Governance Board. Hudkins, Stevens and Schorr voted aye. Motion carried.

GABLE CONSULTING CONTRACT - Mike Thew, Chief Deputy County Attorney; Tom Fox Deputy County Attorney; Tom Fox, Deputy County Attorney; Gwen Thorpe, Deputy Chief Administrative Officer and Interim Lancaster Manor Administrator

Tom Fox, Deputy County Attorney, gave an overview of the contract. He said there are concerns related to insurance coverage (Gable Consulting has adequate insurance coverage but a sub-contractor does not) and asked whether the Board wants to waive the requirement.

In response to a question from Mike Thew, Chief Deputy County Attorney, Fox said the insurance indemnifies the County.

Thew said if that is the case, he does not see a problem.

5 POTENTIAL LITIGATION - Mike Thew, Chief Deputy County Attorney; Tom Fox Deputy County Attorney

MOTION: Schorr moved and Hudkins seconded to enter Executive Session at 9:20 a.m. for discussion of potential litigation. Hudkins, Stevens and Schorr voted aye. Motion carried.

MOTION: Schorr moved and Hudkins seconded to exit Executive Session at 9:37 a.m. Schorr, Stevens and Hudkins voted aye. Motion carried.

6 ALTERNATE FOR SOUTHEAST REGIONAL EMERGENCY MANAGEMENT GOVERNANCE BOARD - Doug Ahlberg, Emergency Management Director

Item was moved forward on the agenda.

7 LANCASTER MANOR UPDATE - Gwen Thorpe, Interim Lancaster Manor Administrator

Gwen Thorpe, Interim Lancaster Manor Administrator, said a long outstanding bill to Lancaster Manor has been paid in full (\$30,835). She also reported the following:

- The Director of Nursing and Infection Nurse and the In-Service Nurse attended in-service training through Nebraska Health Care Association, Inc. The possibility of referrals from the Beatrice State Developmental Center was discussed.
- Progress is being made on billings.
- Final work on the electrical system has been scheduled.
- The Management Team will discuss the issue of termination of placement at Lancaster Manor, due to non-payment.
- The Medicaid add-on for the period of January, 2008-June, 2008 has been submitted (\$550,000). The State has indicated Lancaster Manor owes for the period of mid 2007 through the end of 2007 (the amount has not been determined).

Thorpe said she is still looking at Tabitha Health Care Services' billing software and will have more information at the Mid-Year Budget Retreat.

DISCUSSION OF BOARD MEMBER MEETINGS

A. Lancaster Manor Advisory Committee - Hudkins

Hudkins said there was a decision to submit a letter to the County Board recommending that Lancaster Manor not be sold.

B. Keno Prevention Fund Advisory Committee - Schorr

Schorr said available funds total \$82,272 and \$79,000 was allocated. The balance will be carried forward. She said Kit Boesch, Human Services Administrator, will provide the Board with a list of funded agencies.

C. Access to Health Care Community Forum - Schorr

Schorr said the focus was on addressing the health care needs of the poor and uninsured in the community.

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

No report.

E. Lincoln Partnership for Economic Development - Stevens

No report.

OTHER BUSINESS

Stevens reported on his attendance at the Chamber Coffee. He said items of discussion included the jail bond issue, property assessment process, Tax Incremental Financing (TIF) and the stimulus bill.

8 GABLE CONSULTING CONTRACT - Tom Fox, Deputy County Attorney; Gwen Thorpe, Deputy Chief Administrative Officer and Interim Lancaster Manor Administrator

Item was moved forward on the agenda.

9 PENSION REVIEW COMMITTEE (PRC) RECOMMENDATION REGARDING SEGAL ADVISORS PROPOSAL - Kerry Eagan, Chief Administrative Officer and Pension Review Committee (PRC) Member

Kerry Eagan, Chief Administrative Officer and Pension Review Committee (PRC) member, said it was the consensus of the PRC that the proposal is too broad and that it would be better to require the services of Segal Advisors at the rate of \$300, per hour. The PRC has also made the following recommendations:

1. Ask Segal Advisors to review and update the investment policy
2. Ask Prudential to provide an annual performance review of the funds, based on the investment policy
3. Ask Segal Advisors to evaluate the annual performance review provided to the County by Prudential

Doug Cyr, PRC member, appeared and offered the following recommendations:

1. Require Segal Advisors to annually review the financial strength of Prudential (Pension Plan Provider)
2. Require Segal Advisors to provide an estimate of the annual amount it will cost the County for the requested services.

Cyr also suggested the County enter into a contract with Segal Advisors for \$300 per hour, up to a specific amount.

MOTION: Schorr moved and Hudkins seconded to: 1) Approve the recommendations of the Pension Review Committee (PRC) and include the recommendations suggested by Doug Cyr, a member of the Pension Review Committee (PRC); and 2) Ask Kerry Eagan, Chief Administrative Officer and a member of the Pension Review Committee (PRC), and the County Attorney's Office to negotiate a contract amount with Segal Advisors. Stevens, Schorr and Hudkins voted aye. Motion carried.

10 ACTION ITEMS

- A. Post Employment Health Plan (PEHP) Ballots

11 ADMINISTRATIVE OFFICER REPORT

- A. Claim for Review, Lancaster Manor PV#205688 to Aladdin Temp-Rite, dated January 26, 2009, in the Total Amount of \$1,847.40 (Claim Exceeds the Amount Requiring a Purchase Order)
- B. Mid-Year Budget Retreat Agenda
- C. Arbor Road Update (Abbott Sports Complex Motocross Track)
- D. Office Phone Upgrade for Commissioner Heier

12 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Lancaster Manor Advisory Committee - Hudkins
- B. Keno Prevention Fund Advisory Committee - Schorr
- C. Access to Health Care Community Forum - Schorr
- D. Lincoln-Lancaster County Ecological Advisory Committee (EAC) - Heier
- E. Lincoln Partnership for Economic Development - Stevens

13 OTHER BUSINESS

Items 10, 11, 12 and 13 were moved forward on the agenda.

14 ADJOURNMENT

MOTION: Schorr moved and Hudkins seconded to adjourn the meeting at 10:23 a.m. Hudkins, Schorr and Stevens voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk