

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING, ROOM 113  
THURSDAY, DECEMBER 3, 2009  
8:30 A.M.**

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

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 Chair opened the meeting at 8:33 a.m.

**AGENDA ITEM**

**1 APPROVAL OF THE STAFF MEETING MINUTES, TUESDAY  
DECEMBER 1, 2009**

**MOTION:** Hudkins moved and Schorr seconded approval of the December 1, 2009 Staff Meeting minutes. Hudkins, Workman, Heier, Stevens and Schorr voted aye. Motion carried

**2 ADDITIONS TO THE AGENDA**

A. Second Notice from the Nebraska Department of Economic Development Requesting the Return of Community Development Block Grant (CDBG) Program Income Funds (Exhibit A)

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

**3 JAIL CONSTRUCTION UPDATE** - Chuck Richter, Sampson Construction Company; Greg Newport, The Clark Enersen Partners; Mike Thurber, Corrections Director

Chuck Richter, Sampson Construction Company, said work continues on the footings, underground plumbing and the waterline loop. He also reported that bids for the District Energy Corporation's (DEC's) well field will be accepted on December 8<sup>th</sup> and said concrete for DEC's fuel containment pad has been poured.

Mike Thurber, Corrections Director, commended Krishna Amancherla, DEC Project Manager, for his work in securing a \$5,000,000 grant (federal stimulus money) to help fund a geothermal ground-source loop field system for the jail.

In response to a question from Workman, Richter said the pre-cast concrete cells should be shipped to the site in January.

**4 LEGISLATIVE UPDATE** - Gordon Kissel and Joe Kohout, Kissel/E&S Associates

Joe Kohout, Kissel/E&S Associates, gave an update on the Legislature's Special Session. He said there were cuts to county jail reimbursement but said a county aid formula that is to go in effect at the end of the biennium is still in place.

In response to a question from Stevens, Kohout said the Legislature gave itself the authority to look at agency cash funds with every biennial budget.

Hudkins said the State is the custodian of those funds, but stressed they are not state funds.

Kohout said the Appropriations Committee appears to be cognizant of that.

Gordon Kissel, Kissel/E&S Associates, reported that he recently met with State Senator Colby Coash to discuss Lancaster County's legislative priorities.

**ADDITIONS TO THE AGENDA**

- A. Second Notice from the Nebraska Department of Economic Development (NDED) Requesting the Return of Community Development Block Grant (CDBG) Program Income Funds (Exhibit A)

Kerry Eagan, Chief Administrative Officer, said it is possible Richard Baier, NDED Director, did not see the County's written response to the first notice before sending the second notice.

Heier said he will contact Baier directly.

### **ACTION ITEMS**

A. Payroll Insert for December 10, 2009 Regarding Legislative Bill (LB) 551

Item was held for additional information (see Page 4 for further discussion).

**5     A) WORKERS COMPENSATION ORIENTATION FOR NEW  
EMPLOYEE PACKET; AND B) PAYROLL INSERT FOR DECEMBER 10,  
2009 (SMOKING CESSATION PROGRAM) - Sue Eckley, County Risk  
Manager**

#### **A) Workers Compensation Orientation for New Employee Packet**

Sue Eckley, County Risk Manager, requested authorization to include workers' compensation information in the new employee packets.

There was no objection to the request.

#### **B) Payroll Insert for December 10, 2009 (Smoking Cessation Program)**

Stevens pointed out there is a typographical error in the second sentence of the fifth paragraph (see agenda packet).

**MOTION:** Stevens moved and Workman seconded to authorize the payroll insert. Schorr, Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

### **ACTION ITEMS**

B. Microcomputer Request C#59116, \$1,105.55 from Corrections Budget for HP3005 Printer

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

C. Nebraska Crime Commission Grant Application with Revised Budget (\$159,441)

**MOTION:** Stevens moved and Hudkins seconded to authorize signature by the Chair, provided Rhonda Ryan, County Grants Coordinator, concurs. Schorr, Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

## **ADMINISTRATIVE OFFICER REPORT**

### **A. Management Team Meeting for January 14, 2010**

The Board decided to move the meeting to January 21, 2010.

### **B. Visitor Improvement Fund Grant Extension for Spring Creek Prairie Audubon Center**

Eagan said the Spring Creek Prairie Audubon Center has requested a two-month extension of their Visitor Improvement Fund Grant to complete development of their website and a marketing plan. **NOTE:** The project was to have been completed by December 1, 2009.

**MOTION:** Stevens moved and Workman seconded to grant the extension.

Eagan said the County Attorney's Office will need to draft an addendum to the contract.

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

### **C. County Board Officers for 2010**

There was general consensus to schedule election of County Board Officers on the December 15, 2009 County Board of Commissioners Meeting agenda.

### **D. Nebraska Association of County Officials (NACO) Board Meeting (December 9, 2009 at 2:00 p.m.)**

Heier, the Board's NACO representative, invited the other members of the Board to the meeting and said he will make introductions at that time.

## **RETURNING TO ITEM 10A**

Bill Kostner, City Risk Manager, appeared and gave an overview of legislation that allows medical and prescription drug coverage for dependent children to be extended to age 30, if certain criteria is met (see Exhibit B). He said employees opting for the coverage would pay 100% of the premium for the covered dependent.

Stevens expressed concern regarding the County's exposure, since the plan is self-funded.

Kostner said he will check to see whether Blue Cross Blue Shield of Nebraska, administrators of the plan, can make any projections. He will also ask them to track the impact.

Hudkins asked whether the City had "weighed in" on the legislation.

Kostner said his office reviewed the legislation but didn't believe there would be significant exposure.

Hudkins asked Kostner to apprise the Board in the future if there is legislation that could potentially impact the County.

**MOTION:** Stevens moved and Hudkins seconded approval of the payroll insert. Hudkins, Workman, Schorr, Stevens and Heier voted aye. Motion carried.

**6 COUNTY SPECIAL PERMIT NO. 09024, EXPANDED HOME OCCUPATION, HIGHWAY 77 AND HICKMAN ROAD** - Mike DeKalb, Planner

Mike DeKalb, Planner, gave an overview of County Special Permit No. 09024, a request for expansion of a home occupation for the purpose of outdoor storage of boats and recreational vehicles (RV's), mini storage, garage storage and retail sales of trailers, on property approximately one-half mile south of the corner of Hickman Road and Homestead Expressway/Highway 77 (Exhibit C). He noted an existing driveway will serve as access to the property. DeKalb said Planning staff and the Planning Commission have recommended denial of the all of applicant's waiver requests, except dropping the lot area to 7.42 acres, and have recommended conditional approval, based upon a concept plan that was reworked by staff and the applicant.

In response to a question from Workman, DeKalb said retail sales will be limited to individuals who have a vehicle or trailer stored on the property and decide to list it for sale.

**7 NEBRASKA HORSE PARK UPDATE** - Terry Fairfield, University of Nebraska at Lincoln (UNL) Foundation

Item was dropped from the agenda.

**ADMINISTRATIVE OFFICER REPORT**

E. Update on Post Employment Health Plan (PEHP) Negotiations with Nationwide Retirement Solutions (NRS)

Eagan said Kelly Bush, Public Safety Consultants, LLC, has informed him that Nationwide Retirement Solutions (NRS) requires written confirmation that the Board has authorized Bush to enter into initial negotiations with NRS to allow current Voluntary Employee Beneficiary Association (VEBA) assets to freely transfer to an Internal Revenue Service (IRS) Code, Section 115 Trust. Eagan agreed to draft a letter of confirmation for the Chair's signature.

F. Staff Meeting on December 10, 2009

Board consensus was to cancel the meeting, due to attendance at the Nebraska Association of County Officials (NACO) Annual Conference in Lincoln.

**DISCUSSION OF BOARD MEMBER MEETINGS**

A. Lancaster Manor Advisory Committee - Schorr

Schorr said Gwen Thorpe, Interim Lancaster Manor Administrator, briefed them on staffing changes. She also informed them that the Assistant Director of Nursing has resigned and said a contract is in place with Eastmont Towers (nursing home) for those services. Schorr said one of the committee members had specific questions regarding the Nebraska Department of Health and Human Services (HHS) annual review and met later with Thorpe to discuss them.

B. Lincoln Independent Business Association (LIBA) Monthly Meeting - Heier, Schorr

Schorr said Lancaster Manor was discussed.

**8 PROJECTS UNDER NEB. REV. STAT. §23-120(3) - Dennis Meyer, Budget & Fiscal Officer**

Dennis Meyer, Budget & Fiscal Officer, said a resolution will be scheduled on the December 8, 2009 County Board of Commissioners Meeting agenda to declare projects under Nebraska Revised Statute §23-120, as amended, and impose a levy for the costs and indebtedness for such projects. The projects include the 2004 Series Bonds, the County's portion of the Health Department bonds and the levy for the Building Fund.

**DISCUSSION OF BOARD MEMBER MEETINGS**

C. Downtown Lincoln Association (DLA) - Stevens

Stevens said Marvin Krout, Planning Director, gave a report on wayfinding (navigation) and suggested uniformity of signage. It was suggested that the City, University of Nebraska and Downtown Lincoln Association (DLA) participate in a joint study on sign design. He said a proposed hotel project on Block 68 (10<sup>th</sup> & M Street) was also discussed.

D. Lancaster County Correctional Facility Joint Public Agency (JPA) - Heier, Stevens

Stevens said they approved claims totaling \$5,200,000. The largest claim was a principal and interest payment to Wells Fargo Bank (\$3,699,490).

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

Stevens said he did not attend the meeting.

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

Heier said the meeting was cancelled.

G. Juvenile Justice Review Committee (JJRC) - Heier

Heier said grant requests are being drawn up. He said he advised them not to count on any more funds than they received last year.

H. City/County Chamber Coffee - Stevens

Stevens said it was a community consensus exercise whereby attendees broke into groups and discussed what they believe to be the City's priority needs. The top three items were: 1) The proposed arena/West Haymarket development area; 2) Infrastructure (primarily roads); and 3) Innovation Park.

## **9 POTENTIAL LITIGATION & SALE OF LANCASTER COUNTY PROPERTY (EXECUTIVE SESSION)**

**MOTION:** Schorr moved and Hudkins seconded to enter Executive Session at 9:46 a.m. to discuss potential litigation and the sale of County property. Schorr, Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

Hudkins exited the meeting.

**MOTION:** Stevens moved and Schorr seconded to exit Executive Session at 11:21 a.m. Schorr, Stevens, Workman and Heier voted aye. Hudkins was absent from voting. Motion carried.

## **10 ACTION ITEMS**

- A. Payroll Insert for December 10, 2009 Regarding Legislative Bill (LB) 551
- B. Microcomputer Request C#59116, \$1,105.55 from Corrections Budget for HP3005 Printer
- C. Nebraska Crime Commission Grant Application with Revised Budget (\$159,441)

Items A-C were moved forward on the agenda.

## **11 CONSENT ITEMS**

There were no consent items.

## **12 ADMINISTRATIVE OFFICER REPORT**

- A. Management Team Meeting for January 14, 2010
- B. Visitor Improvement Fund Grant Extension for Spring Creek Prairie Audubon Center
- C. County Board Officers for 2010
- D. Nebraska Association of County Officials (NACO) Board Meeting (December 9, 2009 at 2:00 p.m.)
- E. Update on Post Employment Health Plan (PEHP) Negotiations with Nationwide Retirement Solutions (NRS)
- F. Staff Meeting on December 10, 2009

Items A-F were moved forward on the agenda.

## **13 PENDING**

There were no pending items.

## **14 DISCUSSION OF BOARD MEMBER MEETINGS**



- A. Lancaster Manor Advisory Committee - Schorr
- B. Lincoln Independent Business Association (LIBA) Monthly Meeting - Heier, Schorr
- C. Downtown Lincoln Association (DLA) - Stevens
- D. Lancaster County Correctional Facility Joint Public Agency (JPA) - Heier, Stevens
- E. Community Mental Health Center (CMHC) Advisory Committee - Stevens
- F. Lincoln-Lancaster County Ecological Advisory Committee (EAC) - Heier
- G. Juvenile Justice Review Committee (JJRC) - Heier
- H. City/County Chamber Coffee - Stevens

Items A-H were moved forward on the agenda.

## **15     ADJOURNMENT**

**MOTION:** Workman moved and Schorr seconded to adjourn the meeting at 11:22 a.m. Workman, Stevens, Schorr and Heier voted aye. Hudkins was absent from voting. Motion carried.

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Dan Nolte  
Lancaster County Clerk