

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING, ROOM 113  
THURSDAY, DECEMBER 17, 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 8:32 a.m.

**AGENDA ITEM**

**1 APPROVAL OF THE STAFF MEETING MINUTES, TUESDAY  
DECEMBER 8, 2009**

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

**2 ADDITIONS TO THE AGENDA**

- A. Aircard for County Commissioners' Office
- B. Plaques at Lancaster Manor
- C. Standard County Business Cards
- D. Records Retention Request from Health Promotion & Outreach (Exhibit A)
- E. Salaries for Chief Deputy Elected Officials

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

**3 JAIL CONSTRUCTION UPDATE** - Chuck Richter, Sampson Construction Company; Greg Newport, The Clark Enersen Partners; Brad Johnson, Transition Coordinator

Chuck Richter, Sampson Construction Company, said they are making progress on the new jail facility, in spite of the cold weather and snow, and he said work has started on the cast-in-place walls that will create the back side of the basement.

**ADMINISTRATIVE OFFICER REPORT**

**B. Mid-Year Budget Review (February 11, 2010)**

The Board rescheduled the meeting to February 18, 2010.

**MID-YEAR BUDGET REVIEW LETTER** - Dennis Meyer, Budget and Fiscal Officer

Dennis Meyer, Budget and Fiscal Officer, appeared and requested authorization to send the Mid-Year Budget Review letter to all County departments (see agenda packet).

- MOTION:** Hudkins moved and Stevens seconded to authorize the letter, with inclusion of the following language:
- The Board is anticipating at least a 5% reduction in State aid
  - The Board asks that Fiscal Year (FY) 2011 budgets remain the same as the FY 2010 budgets
  - The date of the Mid-Year Budget Review is February 18, 2010

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

**4 PUBLIC BUILDING COMMISSION (PBC) BOND ISSUE FOR COUNTY-CITY BUILDING** - Scott Keene, Ameritas Investment Corporation; Don Killeen, County Property Manager

Scott Keene, Ameritas Investment Corporation, discussed a proposal that the Public Building Commission (PBC) refund the Series 1998 Tax Supported Lease Rental Revenue Building and Refunding Bonds and fund \$2,000,000 of County-City Building improvements (Exhibit B). He said the PBC is projected to save \$223,000 through the refunding and said the bonds will be callable, at par, after ten years. **NOTE:** The PBC has approved issuance of the bonds and the lease agreements. The approval of the County Board and City Council is also needed.

Hudkins asked whether the bonds are Nebraska tax eligible.

Keene said they are, adding they are also bank qualified.

Don Killeen, County Property Manager, said the improvement projects consist of the City Attorney's move to the County-City Building; the Juvenile Court remodel project in the Justice and Law Enforcement Center; and the Development Services Center (DSC) project on the second floor of the County-City Building, which includes relocation of Urban Development, the Mayor's Office, Public Works Administration and the Personnel Department. He said the PBC will fund approximately \$200,000 of the cost, which is estimated to be \$2,200,000.

In response to a question from Stevens, Killeen said the DSC will pay a surcharge on their rent to pay for that portion of the project. He said he does not anticipate the rental rate changing for other departments.

**COUNTY ATTORNEY'S OFFICE REMODEL** - Don Killeen, County Property Manager

Don Killeen, County Property Manager, said two bids were received for a minor renovation of the County Attorney's Office to provide offices for two additional attorneys. He said they received two bids for the construction work through the unit price contracts and recommended the County proceed with David Wood Construction, the low bidder.

**ADMINISTRATIVE OFFICER REPORT**

A. Tabitha Thank You Letter

**NOTE:** The letter thanked Emergency Management for assisting in the delivery of Tabitha's Meals on Wheels during the recent snow storm.

Doug Ahlberg, Emergency Management Director, appeared and said Emergency Management volunteers also assisted in transporting health care providers, emergency dispatchers and Corrections employees to work.

Board members expressed their appreciation to the volunteers.

F. Claims for Review, Payment Voucher Numbers 247030- 247033 and 247014-247015 from Emergency Management (Claims are Beyond the 90 Day Time Period)

Ahlberg gave an explanation of the claims.

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

**5 UNCLASSIFIED EMPLOYEE SALARIES** - Mark Koller, Personnel Director; Nicole Gross, Compensation Technician

Mark Koller, Personnel Director, presented Appointed Officials Salary Survey 2009 (Exhibit C). **NOTE:** The counties surveyed were Douglas County, Nebraska (includes Omaha), Linn County, Iowa (includes Cedar Rapids), Polk County, Iowa (includes Des Moines), Scott County, Iowa (includes Davenport), Sedgwick County, Kansas (includes Wichita), and Shawnee County, Kansas (includes Topeka). He said Douglas County, Nebraska and Linn County, Iowa did not respond to the survey. The information for those two counties is for 2008.

Heier asked whether a comparison to other governmental entities is mandatory or whether there can be a comparison to similar jobs in the community.

Koller said it is his understanding that any cases that have gone to the Commission of Industrial Relations (CIR) that involved private sector comparisons have not been successful.

Hudkins said elected officials do not fall under the CIR.

The Board scheduled additional discussion on the January 14<sup>th</sup> Staff Meeting agenda and asked that the Personnel Department continue their efforts to get current information for Douglas County, Nebraska and Linn County, Iowa. Recommendations for Attorneys I and II, Sheriff's Captains, Bailiffs, Child Support Referee and Psychiatrists will also be sought.

**NOTE:** Directors Salary Information 2009 was also presented and the Personnel Department was asked to update it for 2010 showing increases in 0.5% increments up to 2.5%.

**ADDITIONS TO THE AGENDA**

A. Aircard for County Commissioners' Office

Workman said he has been using the aircard that was purchased for the County Commissioners' Office and said it has been an invaluable tool. He suggested the Board purchase an additional aircard, estimating the cost at \$45 per month.

**MOTION:** Workman moved and Hudkins seconded to purchase an additional aircard for the County Commissioners' Office.

Kerry Eagan, Chief Administrative Officer, said Gwen Thorpe, Interim Lancaster Manor Administrator, may need an aircard for approximately a month as the Manor will lose its network connection on January 1, 2010.

Stevens asked whether aircard service could be upgraded so it could be used by Commissioners who travel out of the country.

Workman said they could look into the possibility of adding an international component.

**ROLL CALL:** Workman and Heier voted aye. Schorr, Stevens and Hudkins voted nay. Motion failed.

**6 VISITORS PROMOTION COMMITTEE (VPC) QUARTERLY REPORT  
AND RECOMMENDATIONS REGARDING VISITORS  
IMPROVEMENT FUND GRANT REQUESTS** - Jeff Maul, Lincoln  
Convention and Visitors Bureau (CVB) Executive Director; Steve Hilton,  
VPC Chair

**Recommendations Regarding Visitors Improvement Fund Grant Requests**

Steve Hilton, Visitors Promotion Committee (VPC) Chair, gave an overview of Visitors Improvement Fund grant requests, noting the VPC has recommended approval (Exhibit E):

- Lincoln Arts Council to enhance their existing website (\$10,000)

Stevens said developing a website does not expand or improve an existing visitor attraction.

Jeff Maul, Lincoln Convention and Visitors Bureau (CVB) Executive Director, said the website improvement will hopefully enhance exposure and visitation of art events and facilities within the community.

Eagan said language in the State Statutes allows the Visitors Improvement Fund to be used for promotions if attractions are deemed adequate.

Hilton added that the Board has approved grant requests for website development in the past.

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

- Lincoln Children's Museum for a new exhibit based on sound (\$10,000)

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

- Lincoln Parks and Recreation Foundation for renovation of Sherman Field (\$10,000)

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

- Updowntowners, Inc. for expansion and improvement of their website (\$10,000)

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

### **Visitors Promotion Committee (VPC) Quarterly Report**

Maul presented Lincoln Convention and Visitors Bureau (CVB), 4<sup>th</sup> Quarter Update, information regarding CVB booked room nights and a list of 2010 national events (Exhibit F).

Workman exited the meeting at 9:55 a.m.

### **7 LIDAR FLY-OVER AGREEMENT** - Jeff McReynolds, Geographic Information System (GIS) Program Manager; Nicole Fleck-Tooze, Assistant Planning Director

Jeff McReynolds, Geographic Information System (GIS) Program Manager, gave an overview of a proposed agreement between the Omaha-Council Bluffs Metropolitan Area Planning Agency, Lancaster County and the City of Lincoln to obtain digital maps for the region (Exhibit G). He noted that the United States Geological Survey (USGS), which is a funding partner, has increased its funding from \$284,000 to \$305,000. The County's share of funding is \$144,000.

### **ADDITIONS TO THE AGENDA**

B. Plaques at Lancaster Manor

Hudkins said Wayne Hart's family has asked that the plaque that was donated to Lancaster Manor in his name be returned to them. He said an employee also asked to have her name plaque that is on the donor board.

**MOTION:** Hudkins moved and Schorr seconded to allow the Lancaster Manor Interim Administrator to return name plaques or memorabilia to individuals upon request.

Schorr said she would prefer to retain that history and suggested it may be appropriate to hang the plaques in the County Board Office.

Stevens questioned whether the plaques belong to the Lancaster Manor Foundation.

Tom Fox, Deputy County Attorney, suggested the Board check with the Foundation and Hunter Management, the new owners, before returning these items.

**ROLL CALL:** Hudkins and Heier voted aye. Stevens and Schorr voted nay. Motion failed due to the lack of a majority.

#### **ADMINISTRATIVE OFFICER REPORT**

J. Lancaster Manor Transition (Gwen Thorpe, Interim Lancaster Manor Administrator)

Fox said there are documents related to the transition that will need to be signed over the holidays when the Board is not in session. He said a resolution will be scheduled on the December 22, 2009 County Board of Commissioners agenda which will allow any County Board member to execute documents related to the transition.

Gwen Thorpe, Interim Lancaster Manor Administrator, said she is willing to assist in the transition but does not want to be penalized (in terms of benefits, tenure, etc.) by taking a leave of absence. She said it is also not clear at this point how she will be paid.

Board consensus was to have the Chair, Vice Chair, Fox and Eagan work out the terms of Thorpe's employment with the Personnel Department.

In response to a question from Hudkins, Fox said all of the Manor employees have received layoff notices.

Thorpe said employees can stay on with Hunter Management, if they so choose. Their salaries will be frozen for one year and County health care benefits will continue through February. She said a number of employees have elected to retire from County employment. Most have indicated they still plan to work for Hunter Management. Thorpe said she is not sure how many have decided not to move over, which is a concern in terms of scheduling.

Thorpe said the Personnel Department is holding employee meetings to explain benefits and said Hunter Management has also indicated plans to hold meetings to explain their benefit package.

**NOTE:** See Page 13 for further discussion on this item.

**8 ELECTED OFFICIALS SALARY REVIEW COMMITTEE REPORT** - Jim Gordon, Gerry Dimon and Steve Eicher, Members of the Elected Officials Salary Review Committee

Jim Gordon, Elected Officials Salary Review Committee, presented Final Report and Recommendations of the Elected Officials Salary Review Committee (Exhibit H), noting the following salary recommendations for the 2011-2014 term:

- For 2011, no salary increase should be given for any Lancaster County elected official
- For 2012, each elected official should received a salary increase of between no less than 1% and not more than 2%, depending on the increase for U.S. Department of Labor Statistics Consumer Price Index (CPI) for all Urban Consumers Mid-West Region, as published for November immediately preceding January 1, 2012
- For 2013 and 2014, each elected official should receive an annual increase of the higher of 2% or the increase for U.S. Department of Labor Statistics Consumer Price Index (CPI) for all Urban Consumers Mid-West Region, as published for November immediately preceding each January 1<sup>st</sup>, but with a maximum increase not to exceed 4%

Gordon noted that the recommendations reflect the state of the economy.

The Board invited members of the committee to present their report and recommendations at the December 22, 2009 County Board of Commissioners Meeting.

**NOTE:** Copies of the minutes of the Committee's November 17<sup>th</sup> meeting were provided to the Board (Exhibit I). Hudkins asked that he also be provided a copy of the December 7<sup>th</sup> meeting minutes.



## **ADMINISTRATIVE OFFICER REPORT**

### **E. Right-of-Way Encroachment (Gage Road East of South 96<sup>th</sup> Street)**

The Board asked Don Thomas, County Engineer, to send a letter to the property owners notifying them of the right-of-way encroachment and asking them to sign a release assuming all liability.

### **D. Supplemental Security Income (SSI) Attorney Fees Policy**

Eagan said a payment policy for legal services related to Supplemental Security Income (SSI) General Assistance (GA) reimbursement awards to Lancaster County will be scheduled on the December 22, 2009 County Board of Commissioners Meeting agenda.

## **DISCUSSION OF BOARD MEMBER MEETINGS**

### **E. Nebraska Association of County Officials (NACO) Board Meeting - Heier**

Heier noted that he introduced members of the Lancaster County Board.

The Chair exited the meeting at 10:30 a.m. and the Vice Chair assumed direction of the meeting.

## **ADMINISTRATIVE OFFICER REPORT**

### **G. City-County Common Meeting (Tuesday, January 5, 2010)**

It was stated there are no agenda items at this time.

The Board recommended that the meeting be cancelled.

### **H. Open Meetings Complaint by James C. Buell**

Eagan said he and Mike Thew, Chief Deputy County Attorney, will formulate a response for the Chair's signature.

### **I. In Forma Pauperis Determinations**

**MOTION:** Hudkins moved and Schorr seconded to send a letter to all of the County and District Court Judges asking that the County Attorney's Office be notified of any in forma pauperis hearings so they can represent the County. Hudkins, Stevens and Schorr voted aye. Heier and Workman were absent from voting. Motion carried.

K. Records Disposal Notice to Human Services Department

Board consensus was to ask Kit Boesch, Human Services Administrator, to work with Records Management to pull specific records, authorizing the other records in the box to be destroyed (Exhibit J).

**ADDITIONS TO THE AGENDA**

D. Records Retention Request from Health Promotion & Outreach (Exhibit A)

**MOTION:** Schorr moved and Hudkins seconded to approve a longer retention of the Healthy Homes and tobacco documentation. Hudkins, Stevens and Schorr voted aye. Heier and Workman were absent from voting. Motion carried.

**EMERGENCY ITEMS AND OTHER BUSINESS**

Eagan asked whether the Board wants to hold a Staff Meeting on January 7th.

**MOTION:** Schorr moved to: 1) Hold a Staff Meeting on January 7, 2010; and 2) Cancel the County Board of Commissioners Meeting scheduled for December 22, 2009.

The maker of the motion withdrew her motion.

**MOTION:** Hudkins moved and Schorr seconded to hold a Staff Meeting on January 7, 2010. Hudkins, Stevens and Schorr voted aye. Heier and Workman were absent from voting. Motion carried.

**9 MID-YEAR BUDGET REVIEW LETTER** - Dennis Meyer, Budget and Fiscal Officer

**10 COUNTY ATTORNEY'S OFFICE REMODEL** - Don Killeen, County Property Manager

Items 9 and 10 were moved forward on the agenda.

**11 NEBRASKA CRIME COMMISSION GRANT APPLICATIONS (ACTION REQUIRED)** - Kit Boesch, Human Services Administrator; Sara Hoyle, Juvenile Justice Coordinator

Sara Hoyle, Juvenile Justice Coordinator, gave an overview of the funding requests (Exhibit K).

**MOTION:** Schorr moved and Hudkins seconded to authorize the Human Services Department to submit the grant applications to the Nebraska Crime Commission, with signature by either the Chair or Vice Chair, and to consider County match, as indicated, if the projects are funded.

Stevens asked how much was spent last year.

Hoyle said she will check and will forward him the figures.

**ROLL CALL:** Schorr, Stevens and Hudkins voted aye. Heier and Workman were absent from voting. Motion carried.

### **ADDITIONS TO THE AGENDA**

#### **C. Standard County Business Cards**

Bob Walla, Assistant Purchasing Agent, appeared and said the business cards used by County departments differ in design and cost and suggested that departments be given the option of standard business cards, as a cost saving measure.

It was suggested that this would be an appropriate topic for the next Management Team meeting.

#### **E. Salaries for Chief Deputy Elected Officials**

Eagan said he will send the elected officials a letter asking for recommendations.

## **12 ACTION ITEMS**

There were no action items.

## **13 CONSENT ITEMS**

There were no consent items.

## **14 ADMINISTRATIVE OFFICER REPORT**

- A. Tabitha Thank You Letter
- B. Mid-Year Budget Review (February 11, 2010)
- C. County Board of Commissioners Meeting (Tuesday, December 22, 2009)
- D. Supplemental Security Income (SSI) Attorney Fees Policy
- E. Right-of-Way Encroachment (Gage Road East of South 96<sup>th</sup> Street)
- F. Claims for Review, Payment Voucher Numbers 247030- 247033 and 247014-247015 from Emergency Management (Claims are Beyond the 90 Day Time Period)
- G. City-County Common Meeting (Tuesday, January 5, 2010)
- H. Open Meetings Complaint by James C. Buell
- I. In Forma Pauperis Determinations
- J. Lancaster Manor Transition (Gwen Thorpe)
- K. Records Disposal Notice to Human Services Department

Items A-K were moved forward on the agenda.

## **15 PENDING**

There were no pending items.

## **16 DISCUSSION OF BOARD MEMBER MEETINGS**

- A. Railroad Transportation Safety District (RTSD) - Workman, Stevens and Schorr

Meeting was cancelled.

- B. Monthly Meeting with Mayor - Heier, Stevens

Meeting was cancelled.

- C. Public Building Commission (PBC) - Hudkins, Workman

Hudkins said they approved change orders.

- D. Board of Health - Schorr

Meeting was cancelled.

- E. Nebraska Association of County Officials (NACO) Board Meeting - Heier

Item was moved forward on the agenda.

F. Information Services Policy Committee (ISPC) - Stevens

Stevens said they discussed Voice over Internet Protocol (VoIP), alternatives to Microsoft Office (computer software) and the use of thin client computers.

Schorr volunteered to serve as a thin client test case.

**MOTION:** Hudkins moved to allow Commissioner Schorr to serve as a thin client test case.

The maker of the motion withdrew his motion.

G. Parks and Recreation Advisory Board - Stevens

Stevens said the meeting was held in Heritage School at its new location in Pioneers Park. He said they were also shown the proposed location for an old settlers' cabin, if the City is able to acquire ownership.

H. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Stevens

Stevens said he gave an update on Lancaster Manor.

I. General Assistance (GA) Monitoring Committee - Stevens

Stevens said the budget is tracking on course. He also reported that the guidelines are being revised.

**RETURNING TO ITEM 14J**

Pat Kant, Personnel Coordinator, appeared and said the meetings with Lancaster Manor employees are going well. She said most of the employees' questions involve benefits.

Eagan suggested the Personnel Department provide Manor employees with Chad Christensen's contact information for any questions related to the Post Employment Health Plan (PEHP) with Nationwide Retirement Solutions (NRS).

Kant said 299 employees received layoff notices and releases and said all but three have returned the release forms.

Thorpe said Hunter Management has extended the deadline for submittal until today.

Schorr asked how many have opted not to retain their employment status with Hunter Management.

Kant said 18 full-time and 5 part-time employees have indicated they are not moving over. She said that could change, as employees may revoke what they have signed.

Schorr asked whether "bumping" rights came into play.

Kant said employees cannot "bump" across department or bargaining unit lines. She said the employees would be eligible for recall in other departments, except some of the classifications do not exist in other departments.

## **17 EMERGENCY ITEMS AND OTHER BUSINESS**

Item was moved forward on the agenda.

## **18 ADJOURNMENT**

**MOTION:** Schorr moved and Hudkins seconded to adjourn the meeting at 11:19 a.m. Hudkins, Schorr and Stevens voted aye. Heier and Workman were absent from voting. Motion carried.

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Dan Nolte  
Lancaster County Clerk