

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113 – BILL LUXFORD STUDIO  
TUESDAY, SEPTEMBER 19, 2017  
10:30 A.M. OR IMMEDIATELY FOLLOWING THE CONCLUSION  
OF THE LANCASTER COUNTY BOARD MEETING**

Commissioners Present: Todd Wiltgen, Chair; Bill Avery, Vice Chair; Roma Amundson, Jennifer Brinkman and Deb Schorr

Others Present: Kerry Eagan, Chief Administrative Officer; Ann Ames, Deputy Chief Administrative Officer; Dan Nolte, County Clerk; and Cori Beattie, Deputy County Clerk

*Advance public notice of the Board of Commissioners Staff Meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska web site and provided to the media on September 15, 2017.*

The Chair noted the location of the Open Meetings Act and opened the meeting at 10:34 a.m.

**1. APPROVAL OF THE STAFF MEETING MINUTES FOR SEPTEMBER 7, 2017**

**MOTION:** Brinkman moved and Amundson seconded approval of the minutes. Amundson, Avery, Brinkman and Wiltgen voted yes. Schorr abstained from voting. Motion carried 4-0 with one abstention.

**2. LABOR NEGOTIATIONS** – Doug McDaniel, Lincoln-Lancaster County Human Resources Director; and Kristy Bauer, Deputy County Attorney

**MOTION:** Schorr moved and Brinkman seconded to enter Executive Session at 10:35 a.m. for the purpose of protecting the public interest with regards to labor negotiations.

The Chair said it has been moved and seconded that the Board enter into Executive Session.

**ROLL CALL:** Brinkman, Schorr, Avery, Amundson and Wiltgen voted yes. Motion carried 5-0.

The Chair restated the purpose for the Board entering into Executive Session.

Amundson exited the meeting.

**MOTION:** Schorr moved and Brinkman seconded to exit Executive Session at 10:51 a.m. Avery, Schorr, Brinkman and Wiltgen voted yes. Amundson was absent. Motion carried 4-0.

**3. CHANGE OF ZONE #17025 FROM AG AND I TO B AT HIGHWAYS  
2 AND 43** – Steve Henrichsen, Development Review Manager, Lincoln-Lancaster  
County Planning Department

Steve Henrichsen, Development Review Manager, Lincoln-Lancaster County Planning Department, provided an overview of Change of Zone #17025.

Amundson returned to the meeting at 10:52 a.m.

Henrichsen explained that Casey's is in the process of selling property (located at the Bennet Corner - Highway 2 and Highway 43), to Doug Derscheid who may want to subdivide it for commercial use in the future. Henrichsen clarified that the whole lot would change to B (Business) zoning. He added while Mr. Derscheid was not in a position to move forward with a preliminary plat at this time, he is agreeable to signing a zoning agreement prior to the Change of Zone being approved. The agreement includes the following conditions: (1) zoning for Casey's would change to B (Business); (2) there would be no new access to Highway 43; (3) a preliminary plat would be required before a building permit or final plat; and (4) the existing access to Highway 43 would be shared.

With those conditions in place, Henrichsen noted the County Engineer, Planning Department and Planning Commission recommended approval. It was noted the public hearing before the County Board will be on October 3, 2017.

**4. 11:00 A.M. – OFFICE EQUIPMENT PURCHASES** – Cori Beattie, Deputy County Clerk

Cori Beattie, Deputy County Clerk, updated the Board on the purchase of office furniture which was not included in the Clerk's 2017-18 budget. She said she spoke to Dennis Meyer, Budget and Fiscal Officer, who recommended the funding come out of the Clerk's budget now and then be addressed through an additional appropriation at year end. Beattie estimated the total cost to be \$2,300.

**DISCUSSION OF BOARD MEMBER MEETINGS**

A. Region V Services Governing Board – Wiltgen

Wiltgen noted Region V continues to lose money due to changes in State reimbursements, thus, they are looking for ways to offset costs such as changes to employee health insurance.

**DISCUSSION OF OTHER MEETINGS ATTENDED**

Wiltgen also reported on the Region V Systems Governing Board meeting. He said during a discussion on potential funding issues with The Bridge Behavioral Health, C.J. Johnson, Region V Systems Executive Director, indicated that The Bridge was not at risk of losing funding from the Region which was contrary to comments made by others at the September 7, 2017 staff meeting. Wiltgen noted he will be meeting with Sheri Dawson, Director, Division of Behavioral Health, Nebraska Department of Health and Human Services (HHS), tomorrow on another matter and planned to bring up this issue.

Wiltgen said a presentation was also given by Behavioral Health staff on the strengths and weaknesses of the different Regions. It was noted that Region V's strength is the number of available services and its weakness is high utilization of the Regional Center. Wiltgen added it might be beneficial for the County Board to have a similar presentation in the future.

B. Human Services Joint Budget Committee (JBC) – **CANCELLED**

C. Public Building Commission (PBC) Chair Meeting with Mayor – Amundson

Amundson said they discussed the new 911 Center (opening December 1<sup>st</sup>) and a consulting agreement with Don Killeen, Facilities and Properties Director, effective upon his retirement. Brinkman clarified that the contract would be for one year in an amount not to exceed \$49,500.

D. Lancaster County Correctional Facility Joint Public Agency (JPA) – Wiltgen/Avery

Wiltgen said the levy and budget were adopted.

E. County Board Chair/Vice Chair Meeting with Mayor – **CANCELLED**

F. Railroad Transportation Safety District (RTSD) – Wiltgen/Brinkman

Brinkman said the budget was adopted and project updates were presented. She added the consultant was selected for the 33<sup>rd</sup> & Cornhusker subarea plan. There was also discussion on relocating the Hobson Yard line with Amtrak. She noted a meeting will be held later this month with BNSF Railway and local representatives to discuss the issue. Schorr indicated she will be attending. In other business, Brinkman said the Wittstruck Road project has been delayed and work continues on the Jamaica Trail/Rock Island Trail connection over the railroad tracks south of Densmore Park.

G. Public Building Commission (PBC) – Amundson/Brinkman

Amundson said they discussed the Combined Charities Campaign Fair, the 911 Center opening, handicap parking for Courthouse Plaza, 2010 bond refinancing and relocation of Aging Services to the old Election Office (9<sup>th</sup> & J Street).

H. Lincoln-Lancaster County Board of Health – Avery

Avery said he was unable to attend.

I. Lancaster County Mental Health Crisis Center Advisory Board – **CANCELLED**

J. Lancaster County Fairgrounds Joint Public Agency (JPA) – Wiltgen/Amundson

Wiltgen said a public hearing was held on the budget and it was adopted. He added \$250,000 in savings from bond refinancing continues to be held.

K. Nebraska Association of County Officials (NACO) Southeast District Meeting – Wiltgen/Avery

Avery said the County Board session included presentations from David Cary, Lincoln-Lancaster County Planning Department Director, on "Our Town" and Renee Fry, OpenSky Policy Institute Executive Director. There was also an update on NACO's budget and the elected officials' salary study.

L. Information Services Policy Committee (ISPC) – Wiltgen

Wiltgen said the County's website was discussed. As a side note, he said he also met with Dennis Meyer and Steve Henderson, Chief Information Officer, City of Lincoln Information Services, about the website. Henderson indicated that IS staff had been busy working on other projects (online payments and the General Assistance system). Wiltgen said he relayed to Henderson that the website update is a priority to the County Board.

The CJIS (Criminal Justice Information Services) rewrite was also discussed. Wiltgen noted he and City Council Member Jane Raybould both had concerns about the cost of the rewrite (\$2,000,000), the timeframe for completion (12 man-years or three years if four full-time people are assigned to the project) and the cost allocation. It was noted the CJIS system was at least 30 years old and is only used by City, County and University of Nebraska law enforcement agencies. It was also noted that CJIS cannot integrate with the state or federal systems. Wiltgen felt there may be other programs which are more functional and less expensive. Cyber liability was also discussed.

## **5. LEGISLATIVE UPDATE – Joe Kohout and Jonathan Bradford, Kissel/E&S Associates**

Joe Kohout, Kissel/E&S Associates, briefed the Board on some issues which he thought may be brought up at Thursday's Fall Legislative Retreat.

He said behavioral health funding will likely be discussed, including what can be done to get more people out of jail and into the Regional Center. He said he, Schorr, Wiltgen and Eagan will be meeting with Sheri Dawson from HHS on Wednesday and an update can be provided to the group at the Retreat.

Kohout mentioned an interim study hearing was held last week in front of the Judiciary Committee regarding deferred judgement probation. Joe Nigro, Lancaster County Public Defender, and Pat Condon, Chief Deputy Lancaster County Attorney, were both in attendance. He noted there was some interesting engagement between Senator Patty Pansing Brooks and Condon about whether or not county attorneys have some role in correctional facility overcrowding, vis-à-vis, what offenses individuals are being charged with.

In response to Schorr's inquiry, Kohout explained that the idea of deferred judgment probation is to expand the list of offenses eligible for a pre-judgment probationary process whereby charges could be dismissed, thus, eliminating the need for an individual to serve a sentence. He also confirmed that one could go through probation without having a guilty judgment against them.

Kohout noted that he forwarded a copy of his notes from the hearing to Eagan if anyone was interested.

It was also noted that there may be some discussion on outpatient treatment for restoration of competency in order for an individual to stand trial. Eagan said statutes require treatment to be provided at the Regional Center, which is often full, and the thought is there are a number of people who could be safely treated by community providers. Wiltgen said there is a similar concern with post-adjudicated juveniles who are the State's responsibility but there are no subacute care providers. Kohout said he is fearful that whatever the State looks to do, they will not do so with their resources as they are experiencing a revenue shortfall. He cautioned the Board that this issue could become an unfunded mandate and recommended it be brought up at the Retreat.

## **6. ACTION ITEMS**

### **A. State Juvenile Detention Alternatives Initiative (JDAI) Committee Letter**

Amundson asked if there were any suggestions or corrections to the letter. She explained that this step is necessary prior to the assessment and formal application. Brinkman requested a copy of the minutes referenced in the letter. Minette Genuchi, County Board Administrative Assistant, indicated that they were previously emailed but she could resend them.

Schorr recommended that the letter reference the availability of resources at the national level in addition to the state level. Amundson said the letter could mention the Ann E. Casey Foundation. Wiltgen agreed that this was important.

It was also suggested to change the word "answers" to "response" in the first sentence of paragraph two.

Wiltgen questioned whether the Juvenile Justice Steering Committee (JJSC) should be made a standing committee of the County Board. Eagan noted that Sara Hoyle, Human Services Director, formed the JJSC, a working group of key players in the juvenile justice system who are making day-to-day decisions sometimes involving specific youth. It was not initially designed as an advisory committee to the County Board and was not intended to be a public meeting. Eagan added that the Juvenile Justice Review Committee (JJRC) is advisory to the Board.

Schorr pointed out that the letter references the JJSC as the JDAI connection. Eagan said there should be a future discussion about this because the JDAI Committee may be more involved with policy and serve in a more advisory capacity than the JJSC. Brinkman added that the makeup of the JDAI Committee could be very similar to the JJSC. Wiltgen said these details can be finalized once the JDAI process is farther along.

## **7. CHIEF ADMINISTRATIVE OFFICER REPORT**

### **A. Director Evaluation Memo**

Eagan said the memo is a follow-up to the discussion with Doug McDaniel, Human Resources Director, at the September 7, 2017 staff meeting. He noted conducting 10 evaluations in two weeks (20 minutes each) would be a tall order. Amundson suggested scheduling evaluations toward the end of staff meetings and allowing directors to make their presentation with no time constraint. Schorr recommended scheduling one evaluation per week.

Brinkman exited the meeting at 11:43 a.m.

The consensus was to schedule one evaluation per week and allow up to 45 minutes per evaluation. No other changes to the memo were offered.

### **B. Elected Officials Salary Committee Update**

Eagan confirmed that he will be the facilitator. Others who agreed to serve on the Committee are: Kathy Campbell, former Lancaster County Commissioner and State Senator; Judy Halstead, former Director of the Lincoln-Lancaster County Health Department; Pat Kant, former Human Resources

Coordinator for the Lincoln-Lancaster County Human Resources Department; Steve Eicher, former Human Resources Director for Pfizer; Jim Gordon, Attorney; Pat Kahm, Professional Resources Management, Inc.; and Sam Seever, former Vice President of Legal Services for MDS Pharma Services.

## 8. DISCUSSION OF OTHER MEETINGS ATTENDED

- A. Juvenile Justice Steering Committee (JDAI) Discussion – Amundson

See item 6A.

- B. Cyber Liability Meeting – Wiltgen

Wiltgen said the meeting included Sue Eckley, County Risk Manager; Dennis Meyer and Steve Henderson. A presentation by the insurance provider was proposed for next Thursday's staff meeting. Eagan said it will be difficult to get a potential provider to attend. Wiltgen felt it is important as there are a lot of questions about what the insurance covers. Eagan said he would touch base with Wiltgen about the issue after the meeting.

## 9. DISCUSSION OF BOARD MEMBER MEETINGS ATTENDED

- A. Region V Services Governing Board – Wiltgen
- B. Human Services Joint Budget Committee (JBC) – **CANCELLED**
- C. Public Building Commission (PBC) Chair Meeting with Mayor – Amundson
- D. Lancaster County Correctional Facility Joint Public Agency (JPA) – Wiltgen/Avery
- E. County Board Chair/Vice Chair Meeting with Mayor – **CANCELLED**
- F. Railroad Transportation Safety District (RTSD) – Wiltgen/Brinkman
- G. Public Building Commission (PBC) – Amundson/Brinkman
- H. Lincoln-Lancaster County Board of Health – Avery
- I. Lancaster County Mental Health Crisis Center Advisory Board – **CANCELLED**
- J. Lancaster County Fairgrounds Joint Public Agency (JPA) – Wiltgen/Amundson
- K. Nebraska Association of County Officials (NACO) Southeast District Meeting – Wiltgen/Avery
- L. Information Services Policy Committee (ISPC) – Wiltgen

Items 9A-L were moved forward on the agenda.

- M. Lincoln Parks and Recreation Advisory Board – Schorr

Schorr said she was unable to attend.

Avery exited the meeting at 11:49 a.m.

- N. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee – Amundson

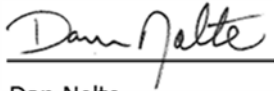
Amundson said they discussed changing the Committee's name, CJIS, The Bridge and the downtown library.

## 10. EMERGENCY ITEMS

There were no emergency items.

## 11. ADJOURNMENT

**MOTION:** Schorr moved and Amundson seconded to adjourn the meeting at 11:51 p.m. Amundson, Schorr and Wiltgen voted yes. Avery and Brinkman were absent. Motion carried 3-0.



Dan Nolte  
Lancaster County Clerk

