

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113 - BILL LUXFORD STUDIO
THURSDAY, MARCH 15, 2018
8:30 A.M.**

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

Commissioners Absent: Jennifer Brinkman, Vice Chair

Others Present: Kerry Eagan, Chief Administrative Officer; Ann Ames, Deputy Chief Administrative Officer; and Ann Taylor, County Clerk's Office

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 March 14, 2018.

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:30 a.m.

1. APPROVAL OF STAFF MEETING MINUTES FOR MARCH 8, 2018

MOTION: Schorr moved and Avery seconded approval of the March 8, 2018 Staff Meeting minutes. Amundson, Schorr, Avery and Wiltgen voted yes. Brinkman was absent. Motion carried 4-0.

2. LEGISLATIVE UPDATE – Joe Kohout, Brennen Miller, and Gordon Kissel, Kissel, Kohout, ES Associates, LLC (Legislative Consultants)

Joe Kohout, Kissel, Kohout, ES Associates, LLC, provided a legislative update, legislative bill summaries and Amendment (AM)1809 to Legislative Bill (LB)158 (Change provisions relating to appointment of counsel for juveniles) (Exhibits A-D).

Kohout discussed the fiscal note and AM2092 to LB841, the Judiciary Committee's omnibus corrections bill (Exhibits E & F). He cited language in Section 20 of AM2092 that deals with individuals who commit assaults of protected individuals, such as correctional officers and health care workers, inside correctional facilities operated by the Department of Correctional Services. It states the person alleged to have committed the assault will be arrested by the Nebraska State Patrol and transported to the county correctional facility in the county that will have jurisdiction over the alleged assault. There is an exception for persons currently serving a sentence for a Class I or Class IA felony because those individuals cannot leave the State facility. Kohout said concerns have been raised by Brad Johnson, Lancaster County Corrections Director; Pat Condon, acting Lancaster County Attorney; and the Nebraska Association of County Officials (NACO) that it could incentivize bad behavior and create classification issues.

Johnson appeared and said these individuals will need to be placed in special management, the highest security level, for which there are a limited number of beds.

Wiltgen said Tim Hruza, Judiciary Committee Legal Counsel, informed him the language was included at the request of Senator Bob Krist on behalf of the Department of Correctional Services union. He added compensation is not being considered because counties are considered an extension of the State.

MOTION: Schorr moved and Amundson seconded to oppose Amendment (AM)2092. Schorr, Avery, Amundson and Wiltgen voted yes. Brinkman was absent. Motion carried 4-0.

Brennen Miller, Kissel, Kohout, ES Associates, LLC, gave an update on LB870 (Provide for room confinement for juveniles as prescribed). He said Boys Town has raised concerns about the bill and it was not advanced.

Kohout said Senators John McCollister and Mike Groene continue to have discussions on LB776 (Provide requirements for inmate access to telephone or videoconferencing systems in county and city jails). He noted both senators have amendments pending and said it will be up to them which version to pursue. Kerry Eagan, Chief Administrative Officer, asked whether language was included that any excess must be used for inmate programs. Kohout said no, although that issue has been raised with both senators.

Kohout also reported that Nebraska Appleseed and others have launched a petition drive on the issue of Medicaid expansion.

3. COURTHOUSE PLAZA FURNITURE – Bob Walla, Purchasing Agent; Dennis Meyer, Budget and Fiscal Officer

Discussion took place on funding the purchase of furniture for Courthouse Plaza which was recently renovated for use by the Public Defender's Office. Dennis Meyer, Budget and Fiscal Officer, said the Building Fund is typically used to fund furniture purchases and said the purchase would come out of this year's budget.

Bob Walla, Purchasing Agent, said his department solicited bids for office furniture and chairs for the training room. He said the lowest office furniture bid was rejected because it did not meet specifications. The next lowest bid came in at \$18,867. Walla said the chair bid came in at \$8,456 and said he is waiting on recommendations from Joe Nigro, Public Defender, and the consultant that is assisting with furniture selection.

Nigro appeared and said he is not sure the bid for the chairs was correct and said he and the consultant will need to review it further. Walla said the Purchasing Department will need to issue a new bid if the bid was not correct.

Wiltgen asked whether there is surplus furniture that could be used. Walla said there is not.

Schorr asked whether the training room will be available for other county agencies to use. Nigro indicated that it will.

DEPUTY CHIEF ADMINISTRATIVE OFFICER REPORT

A. Accessory Dwelling Units (ADU) Discussion

Ann Ames, Deputy Chief Administrative Officer, asked how the Board would like to proceed with forming a working group to look at accessory dwelling units (ADU) issues and options. She said Tom Cajka, Planner II, Lincoln/Lancaster County Planning Department, has suggested the Board consider appointing Christy Joy, Lincoln/Lancaster County Planning Commissioner; a homebuilder, a realtor, a representative of the agricultural community; and an acreage owner.

Wiltgen said he talked to representatives of the Home Builders Association of Lincoln and Realtors Association of Lincoln and suggested they identify individuals within their organizations who may want to serve.

It was noted Schorr had previously suggested appointment of Bernie Heier, former Lancaster County Commissioner, and she said she will contact him to see if he is interested in serving.

There was consensus to have Ames issue a press release regarding formation of the working group indicating interested parties should send their resumes to Cajka. A 10-day period for resume submission was established.

4. RETURN ON SALE OF TRABERT HALL – Kerin Peterson, Facilities & Properties Director; Jason Pickerel, Great Plains Appraisal, Inc.

Kerin Peterson, Facilities & Properties Director, reported the highest bid received at the sale of County property at 2202 South 11th Street (Trabert Hall) conducted on March 8th was \$800,000. Seven groups of individuals toured the building prior to the sale and most of those groups were represented at the sale. She said several individuals, including the top two bidders, disagreed on the highest and best use of the building, which was listed as office use in the appraisal. They felt some type of residential application was the best use which makes a difference in the price.

Schorr asked Jason Pickerel, Great Plains Appraisal, Inc., who performed the appraisal, if he has an explanation for discrepancy between the bid amount and the value he placed on the property (\$2,025,000). Pickerel said it appeared that most of attendees were residential developers and said in his appraisal report he anticipated that there would be a demand for office finish and office investors would be part of the auction. He said they are apparently looking at it as a shell structure and felt that was the reason for the discrepancy.

Wiltgen noted that the County had the property re-zoned with a historical designation which was intended to achieve the highest and best use. Peterson said one group, which was not awarded the sale, was looking at it from a historic preservation perspective with tax credits to be used as part of a residential development.

Eagan explained the Board can either accept the bid or reject all bids because they are substantially below fair market value. The Board would then be free to proceed in selling the building in the best interest of the County.

Amundson and Avery indicated they favor a use that would be for the public good. Amundson said CenterPointe, Inc., a local non-profit agency specializing in co-occurring mental health and addiction treatment for low income and homeless people, has come up with a proposal for the building's use that would benefit the County immensely and felt the County should enter into negotiations with them.

Eagan said, if the Board rejects the bid and negotiates with a buyer, it would have some leverage in how the property is developed, such as for human services purposes. Wiltgen pointed out the Board could also list the property with a real estate agent and market it as a commercial space.

Dennis Meyer, Budget and Fiscal Officer, appeared and reminded the Board of the intent to use some of the proceeds from the sale to fund the building costs (\$1,100,000) of the Emergency Operations Center (EOC) and said there could be cash flow issues.

The Board scheduled action on the March 20th County Board of Commissioners Meeting agenda to reject all bids received during the public sale of the property and further discussion of the process going forward on the March 22nd County Board Staff Meeting.

NOTE: Topher Hansen, President and Chief Executive Officer (CEO), CenterPointe, Inc., was also present for the discussion.

DISCUSSION OF BOARD MEMBER MEETINGS

B. Parks & Recreation Advisory Board – Schorr

Schorr said they approved recommendations regarding adoption of the Pioneers Park Bridle Path Action Plan and amending the master plan for Jensen Park to include the opportunity for outdoor pickleball courts.

5. UPDATE ON PAYMENT CLEARINGHOUSE CONTRACT FOR NEW SOFTWARE – Scott Etherton, Mental Health Crisis Center Director

Scott Etherton, Mental Health Crisis Center Director, said he was notified this morning that TriZetto, the proposed payment clearinghouse for the Crisis Center's new software, has assigned the issues raised by the County Attorney's Office regarding the proposed agreement to their attorneys.

Etherton said he contacted the State to ask how they utilize payment clearinghouses and was told they do not submit claims through commercial payment clearinghouses as they are one of the payors. Schorr suggested Etherton also check with Douglas County to see how they process claims. Etherton said he also checked with other payment clearinghouses and learned not all process both outpatient and inpatient claims. Some also require submission of a minimum number of claims each month.

Etherton noted the Crisis Center was scheduled to "go live" with the Credible electronic health records (EHR) software the beginning of March but was unable to do so because the payment issue wasn't resolved and the upload of information to the State's system isn't in place yet. He pointed out the County is paying Heartland Community Health Network, Inc. \$4,800 a month to maintain the

existing NextGen EHR software and said that contract will need to be extended if delays extend into April.

Wiltgen stressed the need to get the issues resolved quickly and indicated plans to meet with Etherton and the County Attorney's Office early next week to work on it.

6. LANCASTER COUNTY ENGINEER REPORT

A. Bridge Postings – Pam Dingman, County Engineer; Chad Packard, Bridge Engineer, County Engineering

Pam Dingman, County Engineer, and Chad Packard, Bridge Engineer, discussed new bridge posting regulations. Packard said the standard signs are no longer representative of all the trucks on the road. Dingman said this is the "first wave" of new ratings and said County Engineering will have to re-rate all the bridge structures that are posted. She said the bridge posting will now become what is the lowest tolerable axle weight and estimated that 30-40 signs will need to be changed out.

Dingman said there will also be a new sign: Emergency Vehicle Axle Weight Limit. She said she recently met with Lancaster County Mutual Aid to discuss bridge load ratings and offered to help the volunteer fire departments calculate their axle weights so they know what bridges their vehicles can go on. She said grain and cattle trucks are also an issue because of their weight and said if the public has questions about load ratings they can contact County Engineering.

In response to a question from Wiltgen, Packard said the Nebraska State Patrol Carrier Enforcement Division is responsible for enforcement. They are also responsible for education.

Additional information regarding changes to bridge posting signs and load rating of specialized hauling vehicles was disseminated (Exhibit G).

B. County Engineering Shop in Hickman, Nebraska – Pam Dingman, County Engineer; Jim Shotkoski, Right-of-Way Manager, County Engineering

Dingman noted the Board has asked her to look into surplusizing the County Engineering Shop in Hickman and said she and Commissioner Schorr met with City of Hickman representatives earlier in the week to discuss the issue. She said Hickman feels the building is an eyesore and has asked the County to consider giving them the building.

Jim Shotkoski, Right-of-Way Manager, County Engineering, said he has appraised the building at \$55,000. He said the building is a nominal improvement and said it is basically a land value appraisal.

Wiltgen reported that he, Dingman and Eagan met with City of Waverly officials yesterday to discuss the Waverly Engineering Shop and said Waverly also requested a donation of that building.

Dingman said the Village of Bennet has also expressed concerns about the Engineering Shop in its community. She said all three buildings were built during the Works Progress Administration (WPA) era. Wiltgen stressed the need for consistency in how these buildings are addressed.

Schorr noted there has been discussion about trying to preserve the stone that was used to build these structures and moving it to the County's rock quarry.

Amundson said the County may need to address soil contaminates which could impact the value. Dingman said County Engineering reports and documents any spills.

Wiltgen felt consideration should also be given to whether to replace the buildings. Dingman said a study of whether County Engineering shops in the outlying communities should be relocated has not been conducted yet. Wiltgen questioned whether the Board should wait for the results of the study before proceeding. Dingman said the Hickman Engineering Shop is only being used for storage and said she is willing to go forward with surplusing it.

Avery questioned whether the buildings have any historic value. Wiltgen felt it was doubtful, noting there are hundreds of similar buildings across the State.

Wiltgen questioned whether the County should just remove the stone, demolish the buildings and market them as land. Amundson felt that could make them more valuable. Schorr pointed out there may be entities interested in converting the buildings to another use.

There was consensus to proceed with surplusing the Hickman County Shop, with stipulations regarding removal of the stone.

ACTION ITEM

- A. Resolution No. R-18-0019 In the Matter of Approval of Official Bond of Patrick Condon, Lancaster County Attorney

Eagan noted there has been a revision to the date of the bond in the resolution (see Exhibit H for revised document).

MOTION: Amundson moved and Avery seconded to approve the resolution. Avery, Amundson, Schorr and Wiltgen voted yes. Brinkman was absent. Motion carried 4-0.

NOTE: Pat Condon will be sworn into office as the Lancaster County Attorney later in the day.

7. BREAK

No break was taken.

DISCUSSION OF BOARD MEMBER MEETINGS

- C. Human Services Joint Budget Committee (JBC) – Schorr

Schorr said they discussed the application process and on-going issues involving The Bridge Behavioral Health (alcoholism and drug treatment program).

Amundson exited the meeting at 10:25 a.m.

8. FISCAL YEAR (FY) 2016-2017 AUDIT – Andi Willems, Manager, Allen, Gibbs & Houlik (AGH), LLC

Andi Willems, Manager, Allen, Gibbs & Houlik (AGH), LLC, presented the audit of the County's basic financial statements for the fiscal year that ended June 30, 2017 and a required communications letter. She noted adoption of a new accounting standard in the current year, Governmental Accounting Standards Board (GASB) 77 for tax abatement disclosures, and said it did not affect the financial statements but increased reporting transparency. Willems said there were three accounting estimates this year but no changes from the prior year in the number or the amounts. There was one uncorrected misstatement on the fund level for a receivable that went beyond the 60-day period. She said it was a timing issue and there are no concerns. Willems said it is an unmodified opinion, which is the highest level of that the financial statements prepared and audited are free of any material misstatements.

Amundson returned to the meeting at 10:29 a.m.

Willems said there was also an unmodified opinion in the audit of the grant funds the County receives. The grants tested this year were Child Support Enforcement and the Equitable Sharing Program.

Avery inquired about a reference to management judgements and accounting estimates at the Mental Health Crisis Center. Willems explained it is the allowance for doubtful accounts.

9. ACTION ITEM

- A. Resolution No. R-18-0019 In the Matter of Approval of Official Bond of Patrick Condon, Lancaster County Attorney

Item was moved forward on the agenda.

10. DEPUTY CHIEF ADMINISTRATIVE OFFICER REPORT

- A. Accessory Dwelling Units (ADU) Discussion

Item was moved forward on the agenda.

11. DISCUSSION OF BOARD MEMBER MEETINGS

- A. Information Services Policy Committee (ISPC) – Brinkman

Meeting was cancelled.

- B. Parks & Recreation Advisory Board – Schorr
- C. Human Services Joint Budget Committee (JBC) – Schorr

Items B and C were moved forward on the agenda.

D. Region V Meetings – Wiltgen

Wiltgen indicated he was unable to attend the meetings.

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

Amundson said they discussed several topics including the security system plan for the Justice and Law Enforcement Center and temporary space for implementation of the new payroll system.

F. County Board Chair/Vice Chair Meeting with Mayor – Wiltgen

Wiltgen said discussion focused on issues related to The Bridge Behavioral Health and the future of Wilderness Park.

G. General Assistance (GA) Monitoring Committee – Wiltgen

Wiltgen said they received updates on the Health 360 Integrated Care Clinic and Bluestem Health, formerly known as People's Health Center.

H. Lancaster County Mental Health Crisis Center Advisory Board – Avery

Avery said lock issues are still unresolved. He said they also discussed the Credible Behavioral Health (electronic health records) contract and an upcoming audit.

12. SCHEDULE OF BOARD MEMBER MEETINGS

Informational only.

13. EMERGENCY ITEMS

There were no emergency items.

14. ADJOURNMENT

MOTION: Schorr moved and Amundson seconded to adjourn the meeting at 10:49 a.m. Amundson, Schorr, Avery and Wiltgen voted yes. Brinkman was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk

