

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
TUESDAY, OCTOBER 8, 2013**

**11:15 A.M. OR IMMEDIATELY FOLLOWING COMPLETION OF THE REGULARLY
SCHEDULED COUNTY BOARD OF COMMISSIONERS MEETING**

Commissioners Present: Larry Hudkins, Chair
 Brent Smoyer, Vice Chair
 Deb Schorr
 Jane Raybould
 Roma Amundson

Others Present: Kerry Eagan, Chief Administrative Officer
 Gwen Thorpe, Deputy Chief Administrative Officer
 Cori Beattie, Deputy County Clerk
 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 October 7, 2013.

The Chair noted the location of the Open Meetings Act and opened the meeting at 11:18 a.m.

AGENDA ITEM

1 APPROVAL OF THE STAFF MEETING MINUTES OF OCTOBER 3, 2013

MOTION: Raybould moved and Amundson seconded approval of the Staff Meeting minutes of October 3, 2013. Amundson, Raybould, Schorr and Hudkins voted aye. Smoyer was absent from voting. Motion carried 4-0.

2 A) HOMELESS SPECIAL NEEDS PROGRAM AND PROJECTS FOR ASSISTANCE IN TRANSITION FROM HOMELESSNESS (PATH) GRANT; B) SOFTWARE FOR DIVERSION SERVICES SAFETY TRAINING OPTION PROGRAM (STOP); AND C) DRUG COURT COORDINATOR SALARY - Kim Etherton, Community Corrections Director

A) Homeless Special Needs Program and Projects for Assistance in Transition from Homelessness (PATH) Grant

Kim Etherton, Community Corrections Director, said the County's Projects for Assistance in Transition (PATH) grant is expiring and applications for new funding must be submitted to Region V by October 9th. She noted there is currently one individual at the Community Mental Health Center (CMHC) performing both homeless and special needs outreach.

Smoyer arrived at the meeting at 11:21 a.m.

Etherton said if Community Corrections does not receive the PATH grant the homeless piece will go to another entity and asked whether the Board would want her department to continue the special needs piece. She said it is currently funded through Human Services, which receives both City and County funding.

The item was held for further clarification of funding.

B) Software for Diversion Services Safety Training Option Program (STOP)

Etherton said Eric McMasters, Diversion Services, Inc., has offered to sell his Safety Training Option Program (STOP) software to the County for \$30,000. **NOTE:** Community Corrections will be taking over that function from Diversion Services, Inc. on January 1, 2014. The software does not allow individuals to register or make payments online at this time. She said Information Services (IS) has indicated it can develop a software program that includes those features for an amount not to exceed \$22,000 and can have the software ready in six weeks. IS can also write the program to interface with Criminal Justice Information Services (CJIS).

Joe Kelly, County Attorney, appeared and said revenues from STOP will be used to pay for pre-trial diversion (City and County) and check collection (County only).

MOTION: Schorr moved and Smoyer seconded to: 1) Authorize Kim Etherton, Community Corrections Director, to proceed with development of Safety Training Option Program (STOP) software through Information Services (IS); and 2) Reject the software offer from Eric McMasters, Diversion Services, Inc. Smoyer, Schorr, Amundson, Raybould and Hudkins voted aye. Motion carried 5-0.

RETURNING TO ITEM 2A

Kit Boesch, Human Services Administrator, appeared and explained that the Joint Budget Committee (JBC) provided funding for the Special Needs Program at one time, but no longer does. She thought funding may now come directly from the City. Dennis Meyer, Budget and Fiscal Officer, appeared and said funding may be through the Community Mental Health Center (CMHC). He said he will check and report back to the Board.

Smoyer exited the meeting at 11:34 a.m.

MOTION: Amundson moved and Raybould seconded to: 1) Authorize Kim Etherton, Community Corrections Director, to apply for the Projects for Assistance in Transition (PATH) grant, with signature by the Chair; and 2) Authorize Kit Boesch, Human Services Administrator, to submit a letter of support on behalf of the County. Raybould, Schorr, Amundson and Hudkins voted aye. Smoyer was absent from voting. Motion carried 4-0.

C) Drug Court Coordinator Salary

Etherton requested authorization to start Landon Parks, the new Drug Court Coordinator, at Step II of the salary range for that position. Parks had previously served as a Supervision Officer.

Kerry Eagan, Chief Administrative Officer, said the Personnel Director, has requested a direction from the Board.

MOTION: Schorr moved and Raybould seconded to approve the request. Schorr, Raybould, Amundson and Hudkins voted aye. Smoyer was absent from voting. Motion carried 4-0.

3 COUNTY-WIDE CONSOLIDATION PURCHASES - Bob Walla, Assistant Purchasing Agent

Bob Walla, Assistant Purchasing Agent, said he has been looking at purchasing patterns for the City, County and Public Building Commission (PBC) and would like department heads to submit information regarding anticipated purchases of \$3,000 to \$5,000 as they develop their budgets. There will be a shared file for departments to enter their information. He said the information will allow Purchasing to combine purchases of similar products to reduce the work and costs associated with multiple bids or quotes. It may also result in better pricing.

Board consensus was to schedule discussion of consolidated purchases on a Management Team Meeting agenda.

4 COMMUNITY MENTAL HEALTH CENTER (CMHC) UPDATE - Gwen Thorpe, Deputy Chief Administrative Officer; Ron Sorensen, Community Mental Health Center (CMHC) Executive Director

Ron Sorensen, Community Mental Health Center (CMHC) Executive Director, said CenterPointe, Inc. and Blue Valley Behavioral Health have submitted letters of intent to submit proposal to Region V to take over psychiatric residential rehabilitation services from CMHC. Responses to the Request for Proposal (RFP) are due October 11th.

Sorensen said the transition of day rehabilitation services to CenterPointe has gone well. He noted CenterPointe will also be taking over the 24-hour Crisis Line and said he anticipates that transition will be completed in a month or so.

Sorensen said Lutheran Family Services (LFS), which is taking over core services (outpatient counseling, day treatment, community support and medication management) will meet with CMHC's Management Team on Wednesday and try to work through some of the remaining issues.

Raybould asked where LFS is in terms of making offers of employment to staff. Sorensen said he does not know but said it is part of their plans. Gwen Thorpe, Deputy Chief Administrative Officer, said LFS has received information on the number of clients per program, per payor source, which will help them determine staffing needs. Raybould felt LFS should communicate their time line. Thorpe said they've done that with the contract.

Brittany Behrens, Deputy County Attorney, appeared and said the contract simply outlines the transition functions and services that LFS will be performing and providing. It also outlines funding committed by the County and Region V as payment of the performance of those transition services but does not outline specific dates. Behrens said she has received comments back from LFS on the contract language she proposed and said none are problematic. She said she has yet to receive any comments back from Region V. Schorr suggested that Commissioner Smoyer, who serves on the Region V Governing Board, follow-up with Region V. Sorensen said he will also contact Linda Wittmuss, Associate Regional Administrator, Region V.

In response to a question from Hudkins, Thorpe said Region V has administratively closed a number of files in the electronic records system and said she believes it is imperative to get started on the paper records. She noted some staff were not aware of the records retention schedule. The Board encouraged Sorensen to move the paper records out of the facility to storage.

DISCUSSION OF BOARD MEMBER MEETINGS

B. Meeting with Mayor - Hudkins, Smoyer

Hudkins said they discussed appointments to the Lincoln-Lancaster County Planning Commission.

ADMINISTRATIVE OFFICER REPORT

A. Resignation of Don Thomas, County Engineer

The Chair suggested the Board follow the same process as when Sue Kirkland, former Clerk of the District Court, resigned her position.

Smoyer returned to the meeting at 12:02 p.m.

There was consensus to: 1) Schedule acceptance of Thomas' resignation on the October 15, 2013 County Board of Commissioners Meeting agenda; 2) Issue a press release indicating that the deadline for applications will be October 31st; and 3) Schedule interviews on November 14th.

5 YOUTH SERVICES CENTER (YSC) CONTRACT WITH STATE PROBATION ADMINISTRATION FOR DETENTION SERVICES - Brittany Behrens, Deputy County Attorney; Sheli Schindler, Youth Services Center (YSC) Director

Brittany Behrens, Deputy County Attorney, said State Probation Administration's current position regarding the Youth Services Center (YSC) detention services contract is that they will not contribute or pay any of the medical costs. **NOTE:** A 50/50 split of the medical costs had previously been discussed. State Probation Administration had also indicated at one point that they would be willing to pay medical costs for a six month period.

In response to a question from Hudkins, Behrens said the primary payor of medical costs should be the parents and said Probation will make every effort to obtain insurance information.

Behrens said in terms of transportation, they have agreed that Lancaster County would only be responsible for transport to and from Lancaster County courts and in emergency medical cases.

Behrens said the other issue that has been extensively discussed involves adjudicated, pre-disposition youth who are out in the community and being supervised by Probation. She said they disagree on the intent of language in Section 55 of Legislative Bill (LB) 561, which changed provisions and transferred responsibilities regarding the juvenile justice system, in terms of who should be responsible for the detention costs for youth who violate conditions of release or are returned to detention.

Corey Steel, Deputy Administrator, State Probation Administration, appeared and explained that LB 561 outlines two specific purposes for Probation to pay detention: 1) If there is a violation of their terms and conditions of probation; and 2) Upon disposition and awaiting placement into a facility. He said the home detention population was always a County responsibility. Steel said the intent of LB 561 is to provide funding for service delivery to the population that had been in the care and custody of the Office of Juvenile Services (OJS). He said conditional release, home detention supervision is not a term of probation. Behrens disagreed, noting the language states "alleged violation of probation" with no terms and conditions. She said they don't agree on the intent of the Legislature or that the language, as written, is clear.

Sheli Schindler, Youth Services Center (YSC) Director, noted the loss of reimbursement as a result of LB 561, i.e., OJS status offenders (\$141,000), OJS evaluations (\$821,000), and OJS commitments and violations of parole (\$693,000).

Raybould remarked that compounding the loss of reimbursements are the costs for the new juvenile probation officers that are a result of LB 561.

Schorr suggested a 50/50 split on medical costs and the costs for violators of conditional release until there is legislative clarification.

Kerry Eagan, Chief Administrative Officer, said medical has always been a cost of detention and LB 561 states Probation will pay the costs of detention.

Schindler said medical costs should decrease for both the County and State as youth are enrolled in Medicaid or the insurance under the Affordable Care Act but YSC will need additional staff to process the billings. Steel noted the Court can also order the parents to pay for all medical care and costs.

In response to a question from Schorr, Schindler estimated there are 20 post-adjudicated, pre-disposition youth are served per day in the facility that are not covered by a violation of Probation. Some are also getting an evaluation. **NOTE:** The average daily population is 54.

MOTION: Schorr moved and Amundson seconded to direct the County Attorney's Office to send a letter to Ellen Brokofsky, State Probation Administrator, outlining Lancaster County's proposal of a 50/50 split on medical costs and violators of conditional release, stipulating to the previous agreement on transport, with an interim six (6) month contract, and a one-week deadline for response. Schorr, Smoyer, Amundson, Raybould and Hudkins voted aye. Motion carried 5-0.

NOTE: Also present for the discussion were: Annette Thompson, YSC Deputy Director; Lori Griggs, Chief Juvenile Probation Officer; Sara Hoyle, Juvenile Justice Coordinator; and Jeanne Brandner, Assistant Deputy Administrator, State Probation Administration.

6 ACTION ITEMS

There were no action items.

7 CONSENT ITEMS

There were no consent items.

8 ADMINISTRATIVE OFFICER REPORT

A. Resignation of Don Thomas, County Engineer

Item was moved forward on the agenda.

B. Correspondence to Juvenile Court Judges Regarding Detention of Probation Youth at Youth Services Center (YSC)

The Board reviewed a draft letter (Exhibit A) and suggested deletion of the phrases "the number" and "being served" in the first sentence of the second paragraph.

MOTION: Raybould moved and Smoyer seconded approval of the letter, with the noted corrections. Raybould, Amundson, Smoyer, Schorr and Hudkins voted aye. Motion carried 5-0.

C. Posting of Lancaster County Agricultural Society Director Position on County Website

NOTE: The position is actually the Lancaster Event Center Managing Director.

Thorpe said Amundson had suggested posting of the position on the County's website and said the Web Committee is concerned that posting a position for an outside agency on the County's website could set a precedent. She said the County has an interest in management of the Event Center, due to its participation in the Lancaster County Agricultural Society Joint Public Agency (JPA) and joint issuance of bonds for the facility.

It was also noted there is a link on the County's website to the Event Center under the links to local, state, national web sites. Eagan said the Agricultural Society has indicated that the position has been posted in a number of places.

Amundson, who serves on the Selection Committee, felt there should be a more evident link on the County's website.

Schorr suggested inclusion under the "hot button" feature.

Thorpe said Doug Cyr, Chief Administrative Deputy County Attorney, has cautioned against use of County resources for a non-county purpose. She added it is a policy decision for the Board.

Amundson said she also believes the Event Center is a regional facility which goes beyond the scope of Agricultural Society in the state statutes and suggested consideration of a new model for management.

Raybould exited the meeting at 12:56 p.m.

There was consensus to schedule discussion with the Agricultural Society Board and other interested parties in the community, such as Jeff Maul, Lincoln Convention and Visitors Bureau (CVB) Executive Director, on a potential new management paradigm, which could change the job description and salary.

9 PENDING

There were no pending items.

10 DISCUSSION OF BOARD MEMBER MEETINGS

A. Public Building Commission (PBC) Meeting with Mayor - Hudkins

Meeting was cancelled.

B. Meeting with Mayor - Hudkins, Smoyer

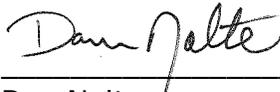
Item was moved forward on the agenda.

11 EMERGENCY ITEMS AND OTHER BUSINESS

There were no emergency items or other business.

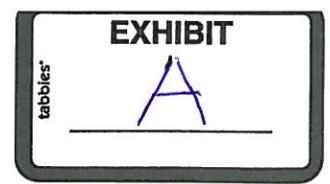
12 ADJOURNMENT

MOTION: Schorr moved and Smoyer seconded to adjourn the meeting at 1:00 p.m. Schorr, Smoyer, Amundson and Hudkins voted aye. Raybould was absent from voting. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk





DRAFT

October 8, 2013

Honorable Reggie Ryder
Juvenile Court
Justice & Law Enforcement Center
575 S. 10th Street, Room 413
Lincoln NE 68508

Re: Lancaster County's Commitment to Juvenile Justice

Dear Judge Ryder:

The passage of LB561 has laid the ground work to implement many positive changes to the juvenile justice system. The Lancaster County Board of Commissioners believe community-based treatment is more effective than incarceration, and the Board strongly supports the move in this direction. However, LB561 also creates a number of uncertainties with regard to state and county responsibilities. As you are aware, the County is now negotiating with Probation Administration to resolve some of these questions with regard to the cost of detention.

Please be assured ~~the number~~ the County Board is considering the best interests of the youth ~~being served~~ in these negotiations. The Board has long maintained that a strong partnership between the State and County is essential to an effective juvenile justice system. Lancaster County will continue to devote adequate resources not only to meet its statutory responsibilities, but also to improve our array of juvenile programs. At the same time, it is just as important for the State to meet its funding responsibilities. Otherwise, the partnership is less effective and costs are unfairly shifted to the property tax payers of Lancaster County.

Sincerely,

Larry Hudkins, Chair
Lancaster County Board of Commissioners

cc: Judge Linda Porter
Judge Roger Heideman
Judge Toni Thorson
Alicia Henderson, Chief Deputy County Attorney