

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, SEPTEMBER 28, 2006
8:30 A.M.**

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

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Trish Owen, Chief Deputy County Clerk
Melissa Koci, County Clerk's Office

The meeting of the Board of Commissioners was called to order at 8:30 a.m.

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, SEPTEMBER 21, 2006

MOTION: Stevens moved and Heier seconded approval of the Staff Meeting minutes dated September 21, 2006. Stevens, Workman, Heier and Schorr voted aye. Hudkins was absent from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- a. NACO Legislative Conference in Kearney
- b. Swimming Pool Regulations in Lancaster County
- c. Execute Attachment to Agreement between Lower Platte South NRD and the Lincoln Sports Foundation

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

Commissioner Hudkins entered at 8:33 a.m.

3 POST EMPLOYMENT HEALTH PLAN FOR ELECTED OFFICIALS - Dennis Keefe, Public Defender; Gary Lacey, County Attorney; Tom Fox, Deputy County Attorney

Dennis Keefe, Public Defender, appeared and distributed documentation regarding a Post Employment Health Plan for Elected Officials (Exhibit A). Keefe said elected officials do not earn sick leave and he believed the easiest solution would be to select a dollar figure for each year of service that would only be paid into the account upon retirement or death. He recommended the contribution be \$1,500 per year of service or pro rata share thereof, which is substantially less than the hourly rate of most elected officials multiplied by the 55% of the maximum accumulated sick leave figure used for other employees.

Keefe's suggestion would be to amend the Resolution regarding benefits to elected officials and then establish a separate PEHP plan for elected officials as it has been done for all other classes of employees.

Hudkins asked Keefe if he calculated the average County employee and if the \$1,500 would be comparable to what most would earn.

Eagan indicated it would be less than the average annual contribution, but most other employees get accumulated sick leave balances with huge pay outs at the end.

Eagan asked if it would be retroactive, or if it would be going forward.

Keefe said it would apply to the number of years an elected official has been employed, but the money wouldn't be paid until the person retires.

Don Taute, Personnel Director, appeared and said there are two separate types of PEHP accounts. He said a regular classified employee or unrepresented and unclassified employees receive \$25 per pay period, which goes into a universal account and can be used to cover health insurance premiums, office co-pays or any out-of-pocket expenses that may incur for medical or health related reasons. Taute noted the premium account only comes into being when a person retires or dies and 55% of the accrued sick leave balance of the employee is then paid into the premium PEHP account and can only be used for health premiums.

Stevens indicated the County should contribute \$125 a month for each elected official according to the proposal. He said it should be budgeted as part of Keefe's salary because it is a guarantee that when an elected official leaves office, it should be budgeted for on a monthly basis if they meet the requirements.

Stevens noted he would not be in favor of the plan, unless there was no retroactivity and it was age based and the minimum age would be 62, because that is retirement age and a person can apply for social security and medicare.

Hudkins noted the elected officials are not capturing any sick leave that was accrued and he believes the plan is a good idea and the Board should pursue it.

Workman said he would be opposed to any elected official no longer serving and believes it should be with 8 minimum years of service.

MOTION: Heier moved and Hudkins seconded to direct the County Attorney to continue the research and come back to the Board at a later time. Heier, Workman, Hudkins and Schorr voted aye. Stevens voted no. Motion carried.

4 JUVENILE LEGAL SERVICES CONTRACT - Dennis Keefe, Public Defender

Keefe distributed documentation regarding an additional contract in Juvenile Court (Exhibit B). He indicated the Indigent Defense Advisory Committee is also recommending an additional contract with Attorney's Marcia Little and Elizabeth Stearns because of the 165 new appointments made outside the contracts in 2005. Keefe said the contracts are cheaper, however the cost savings of the contracts in the first year are not as great as in subsequent years.

Heier asked Keefe if the Board receives an itemized accounting of the Attorney's time and appointments and if not, he would like to receive a copy.

Stevens asked if they would hire the person right away and if it has been budgeted.

Hudkins asked Keefe if he would be willing to put a clause in the contract that states the Attorney will have a person-to-person contact after the first arraignment.

Workman said a more detailed accounting of the charges should also maybe go into the contract.

Heier said his concern is how an Attorney goes to court and represents a child when he hasn't seen or talked to the child, until the day the child appears in court.

MOTION: Stevens moved and Workman seconded to authorize the Public Defender to move forward on the additional contract, effective November 1, 2006. Workman, Stevens, Hudkins, Heier and Schorr voted aye. Motion carried.

Workman asked Gwen Thorpe to find out from Dave Kroeker the County's liability if the PEHP was applied to current elected officials.

5 FLEXIBLE EMPLOYEE BENEFITS PROVIDERS - Daryl Bell, Milliman USA; Bill Kostner, City Risk Manager

Daryl Bell, Milliman USA appeared and distributed documentation regarding the Flexible Savings Account Administrator Comparison (Exhibit C). Bell discussed the Pay Flex Options and the NACO Flexible Spending Options and indicated both companies can submit claims by fax and mail and the forms can be found online. He said they both have fast turnaround times, automatic deposit and online participant accounts. Bell noted NACO is a little cheaper, however they do not have a debit card.

Bill Kostner, City Risk Manager, appeared and said it does take some time to get everything in line for open enrollments, which will begin in a couple of weeks. He does not believe there is enough time to enter into a new contract for the 2007 year. Kostner said they are thinking about doing an RFP next year and he encouraged the Board to look into doing that next year.

MOTION: Hudkins moved and Workman seconded to authorize Personnel to renegotiate another year's contract with Payflex. Stevens, Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

6 INSURANCE RENEWALS - Tom Champoux, UNICO; Sue Eckley, County Risk Manager

Tom Champoux, UNICO, appeared and discussed the Coverage/Cost Comparison Worksheet stating that there is an overall increase of 8%. He briefly went over the Princeton and Genesis figures and indicated Genesis is an admitted carrier and with Option 3, if they change the retention to \$500,000 on the General Liability and exclude the terrorism, the renewal amount will be \$245,650. On the Worker's Compensation coverage, the increase is 4.8%, but there would be a reduction if there was change in the retention to \$650,000.

Sue Eckley, County Risk Manager, appeared and indicated she is comfortable with the \$600,000 retention, however next year she would like to look more closely at the premiums.

Champoux said the insurance for the County's vehicles is going up 9.1%, but if the deductibles go to \$1,000 instead of \$250, the County will save \$19,198 total.

The Board agreed on Option 3 with Genesis and chose to delete the Terrorism Coverage and change the automobile deductible to \$1,000 instead of \$250.

MOTION: Hudkins moved and Workman seconded to authorize the Chair to sign the Client Authorization to Bind Coverage and the Terrorism Rejection Liability Forms (Exhibits D & E). Heier, Workman, Hudkins, Stevens and Schorr voted aye. Motion carried.

Heier said they should look at insuring themselves next year.

7 (A) FLU SHOTS FOR COUNTY EMPLOYEES; AND (B) RISK MANAGEMENT SPACE - Sue Eckley, County Risk Manager

Eckley reported the flu shots were paid for last year out of the Wellness funds and this year the shots are \$20 charge per person.

MOTION: Hudkins moved and Heier seconded to approve the flu shots for county employees at no cost and take it out of the Wellness funds.

Stevens offered a friendly amendment to ask for a \$5 co-pay per employee.

The amendment was not discussed.

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

Eckley reported she was not being charged for a conference room that she has been utilizing and will soon have to pay \$101.38 a month for rent of the room if she keeps it. She is asking for additional space for the part-time employee that is going to be hired which will cost \$131.75 for a north room. The monthly amount will go up to \$428.26, which is an annual amount of \$5,139.13. Eckley noted if they moved from the interior conference room to the east side of the building, it would be a secure locked conference room used by herself and her assistant.

MOTION: Hudkins moved and Heier seconded approval of the additional space. Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

8 PENDING LITIGATION - Kristy Mundt, Deputy County Attorney

MOTION: Workman moved and Hudkins seconded to enter into Executive Session for the purpose of discussing Pending Litigation at 10:24 a.m. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

MOTION: Heier moved and Workman seconded to exit Executive Session at 10:34 a.m. Heier, Stevens, Hudkins, Workman voted aye. Schorr was absent from voting. Motion carried.

9 (A) SUPPORT FOR CONSTITUTIONAL AMENDMENT NO. 2; AND (B) COMMUNITY MENTAL HEALTH CENTER ACCESS RAMP - Dean Settle, Community Mental Health Center Director; Don Killeen, Property Manager

Kerry Eagan, Chief Administrative Officer, distributed a Resolution regarding Support for Constitutional Amendment No. 2 (Exhibit F) and indicated it would go on Tuesday's agenda.

Don Killeen, Property Manager, appeared and indicated he received a copy of the draft design of the Community Mental Health Center's access ramp and believes the concept is fine, however he noted the property line is close to the sidewalk and would require a permanent easement.

10 ACTION ITEMS

- a. Common Meeting Agenda Items (October 3, 2006)

Eagan reported they will be receiving an update on the Long Term Transportation Plan.

12 ADMINISTRATIVE OFFICER REPORT

- a. Agenda Items for Meeting with LPS, City Council and County Board (October 3, 2006)

Hudkins would like to know the location of the new high school in northwest Lincoln.

Stevens suggested discussing TIF Financing, under what conditions it should be used, and what the impact is. When the City does something that impacts many taxing entities, what sort of relief does the School District get when the City adopts a lower tax base.

- b. Cost of Benefits Video (\$281)

Eagan said Cripe will come back to the Board on another date to discuss the video.

- c. Comprehensive Plan/Long Range Transportation Plan Hearing Date (November 13 or 14, 2006)

The Board discussed having the Comprehensive Plan and Long Range Transportation Plan Public Hearings on the same date, but at different times, which will be discussed more at the Commons Meeting.

14 DISCUSSION OF BOARD MEMBER MEETINGS

- a. **NACO Leasing Corporation Board - Workman**

Workman reported there are 5 companies that are bidding on the bonding agent for NACO's Leasing Program.

- b. **LIBA Monthly Meeting - Stevens**

Stevens reported they discussed the jail and where inmates are dropped off after release and they also talked about drag strips.

- c. **DLA Board of Directors Meeting - Stevens**

Stevens did not attend the meeting because of the LIBA Monthly Meeting.

- d. **Community Mental Health Center Advisory Committee Meeting - Stevens**

Stevens did not attend the meeting because he attended a funeral.

2 ADDITIONS TO THE AGENDA

- a. NACO Legislative Conference in Kearney

Workman reported the meeting in Kearney is on October 5th and he will not be able to attend the JVC Committee. He wondered if anyone would be willing to go in his place.

- b. Swimming Pool Regulations in Lancaster County

Workman reported he received a call from a constituent regarding regulations of swimming pools outside the 3-mile and in the County. He said he is going to look into it further because of the safety of children.

- c. Execute Attachment to Agreement between Lower Platte South NRD and the Lincoln Sports Foundation

Eagan reported there should have been an Attachment #2 included with the contract and it wasn't and it needs to have the Chair's signature.

MOTION: Stevens moved and Workman seconded to authorize the Chair to sign the agreement. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

15 ADJOURNMENT

MOTION: Heier moved and Stevens seconded to adjourn the meeting at 11:05 a.m. Hudkins, Stevens, Heier, Workman and Schorr voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk