

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, JULY 5, 2007
8:30 A.M.**

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

Commissioners Absent: Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dan Nolte, County Clerk
John Glynn, Deputy County Clerk
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:30 a.m.

AGENDA ITEM

1 APPROVAL OF MINUTES OF THE STAFF MEETING MINUTES OF THURSDAY, JUNE 28, 2007

MOTION: Heier moved and Hudkins seconded approval of the Staff Meeting minutes dated June 28, 2007. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

A. Letter from the Nebraska Association of County Officials (NACO)
Regarding the Possibility of Having All Counties Subject to Audit by the
State Auditor's Office at Some Point Within A Specified Time Frame

MOTION: Schorr moved and Heier seconded approval of the addition to the
Hudkins, Heier, Schorr and Workman voted aye. Motion carried.

3 BUDGET WORK SESSION - Dennis Meyer, Budget and Fiscal Officer

Dennis Meyer, Budget and Fiscal Officer, presented Lancaster County, Property Tax Funded Budgets, FY08 Requested Compared to FY07 Adopted (Exhibit B).

Hudkins asked Meyer to revise the document to show what the total would be if funding of The Heather (a community transition program) and the Lincoln-Lancaster Women's Commission and the additional requests from the County Attorney and County Sheriff were eliminated. Meyer was also asked to show revenues.

ADMINISTRATIVE OFFICER REPORT

E. Mental Health Residential Services Agreement

Discussion took place with C. J. Johnson, Program Administrator for the Region V Mental Health, Alcoholism & Drug Abuse Program; and Travis Parker and Judi Tannahill, Community Mental Health Center (CMHC), regarding the Board's plans to terminate the mental health residential services agreement with O.U.R. Homes/The Heather. It was noted that Region V has offered to continue to fund the County's portion of the program.

Johnson said The Heather budget is \$750,006 (a discrepancy of approximately \$178,000 was noted). He said the County's portion is \$289,976 and said his understanding was that the County planned to discontinue funding \$230,000 of that amount and the remainder would be pro-rated. Johnson said Region V provides funding in the amount of \$61,430 and Medicaid funds \$398,600. The funds that the County puts into The Heather serves as match for the Medicaid funding. Johnson said he was told that part of the reason the County was discontinuing funding was because of concerns that out-of-county individuals were accessing The Heather. He explained that 72% of the individuals that go there are from Lancaster County and are coming out of the Lincoln Regional Center (LRC). It was noted that CMHC controls who enters the program. Johnson said The Heather is an integral part of the overall emergency system and provides a way to transition LRC patients back into the community and open up beds at LRC. He said that allows individuals who are inpatient commitments to move from the Crisis Center to LRC and eliminates the need to utilize Bryan/LGH. Johnson noted that \$1.1 million in state funds go to operate the Crisis Center and said the State could decide to counteract and pull that funding.

Hudkins said he believes that the program is a state, not a county, responsibility.

Johnson said he will be meeting with Dean Settle, CMHC Director; Scot Adams, the Nebraska Department of Health and Human Services (HHS), and a representative of LRC to look at the program and asked that the Board delay a decision to discontinue funding until after that meeting.

Parker said Wendy Andorf, Program Manager, maintains that the County's funds are going towards treatment, not residential services. He also pointed out that Douglas and Lancaster County are "magnets" for individuals from other counties because of the services they have available.

Kerry Eagan, Chief Administrative Officer, said it is not an Emergency Protective Custody (EPC) function and questioned whether the County has legal authority to cover costs for residents of other counties.

Johnson agreed that is a topic for further discussion. He asked the Board to consider to fund at least \$131,478 for this year, which would leave the County in control.

RETURNING TO BUDGET WORK SESSION

Brief discussion took place regarding whether to fund the Lincoln-Lancaster Women's Commission.

ADDITIONS TO THE AGENDA

- A. Letter from the Nebraska Association of County Officials (NACO) Regarding the Possibility of Having All Counties Subject to Audit by the State Auditor's Office at Some Point Within A Specified Time Frame

MOTION: Hudkins moved and Schorr seconded to direct Commissioner Heier, the Nebraska Association of County Officials (NACO) representative, to convey that the County Board does not support the proposed plan. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

4 BLUE CROSS/BLUE SHIELD (BCBS) RENEWAL PROPOSAL - Ron Cornwell and Leisa Futo, Milliman USA; Bill Thoreson, Benefits Specialist

Ron Cornwell and Leisa Futo, Milliman USA, presented 2008 Medical and Dental Premiums, Lancaster County (Exhibit C), noting the following:

- * Trends
- * Pricing
- * Premium Equivalencies
- * Plan Options (See Exhibit D)
 1. Serious Mental/Outpatient Mental Illness Drug & Alcohol (MIDA)=20 Calendar Year Visits - Preferred Providers Organization (PPO) \$15
 - * Remove testing from endorsement and pay subject to deductible/co-insurance

The Board opted not to change the coverage.

2. Hyperhidrosis Exclusion
 - * Remove this exclusion

The Board approved the change.

3. Gynecomastia Exclusion
 - * Remove this exclusion

The Board approved the change.

4. Inpatient Physical Rehabilitation up to 60 Days per Calendar Year
(Reviewed by Case Management and they will approve benefits based on medical necessity and policy guidelines of the patient)
 - * Remove 60 day maximum

The Board approved the change.

5. Ambulance Services Subject to Preferred Deductible/Co-Insurance
 - * Pay non-preferred services subject to non-preferred deductible/co-insurance

The Board opted not to change the coverage.

6. Outpatient Cardiac or Pulmonary Rehabilitation
 - a. Remove co-pay and pay subject to deductible/co-insurance per contract language (or)
 - b. Remove co-pay and pay at 100%

The Board opted for 6b.

7. Oral Surgery and Dentistry
 - * Pay impacted teeth subject to deductible/co-insurance per contract language

The Board approved the change.

8. Diabetic Education: Number Dollars Maximum/PPO=\$15 Co-Pay & Non-Deductible/Co-Insurance
 - a. Remove co-pay and pay PPO subject to deductible/co-insurance (or)
 - b. Removed co-pay and pay PPO at 100%

The Board opted for 8b.

9. Office visit lab charges
 - a. Set system to pay all lab done within PPO provider office and all lab done in independent PPO lab facility or PPO hospital setting to pay at 100% (BCBS rate impact estimate +1%) (or)
 - b. Same as 9a, but include x-ray as well (BCBS rate impact estimate +2%)

The Board opted not to change the coverage.

* Stop-Loss Analysis

Cornwell said the County's reserves are high, according to the national model, and recommended that they be spent down. He also asked whether the Board wants to retain its aggregate coverage, stating there is only a 0.4% chance that the County will use it (annual premium cost is \$30,000).

MOTION: Hudkins moved and Schorr seconded to eliminate the aggregate coverage. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

Bill Thoreson, Benefits Specialist, noted that the changes will take place at renewal (effective date of January 1, 2008).

5 COUNTY ATTORNEY/PUBLIC DEFENDER CASE MANAGEMENT SYSTEM CONTRACT - Tom Fox, Deputy County Attorney; Dennis Keefe, Public Defender

Item was dropped from the agenda.

6 A) COUNTY SPECIAL PERMIT NO. 143A, EXTENSION OF WIRELESS FACILITY, SOUTHWEST 86TH STREET AND HIGHWAY 33; AND B) COUNTY SPECIAL PERMIT NO. 07019, BROCK ESTATES COMMUNITY UNIT PLAN, NORTHWEST 17TH STREET AND RAYMOND ROAD - Mike DeKalb, Planning Department

A) County Special Permit No. 143A

Mike DeKalb, Planning Department, gave an overview of County Special Permit No. 143A, requested by US Cellular, to allow extension of existing 180' tall tower to 225' for wireless facilities on property 1/4 mile south of the intersection of Southwest 86th Street and West Roca Road (Highway 33) (Exhibit E). He noted that the applicant has also requested a waiver of the fall zone to 100 feet to the south property line. Strobe lighting will be limited to daytime use only. Planning staff and the Planning Commission have recommended conditional approval.

B) County Special Permit No. 07019

DeKalb gave an overview of County Special Permit No. 07019, Brock Estates Community Unit Plan, a community unit plan for four residential acreage lots on property located at Northwest 12th Street and West Raymond Road (Exhibit F). Planning staff and the Planning Commission have recommended conditional approval.

7 JUVENILE COURT BAILIFF SALARY FOR FAMILY DRUG COURT DUTIES - Juvenile Court Judge Linda Porter; Tom Fox, Deputy County Attorney

Tom Fox, Deputy County Attorney, discussed the contract with the State's Administrative Office of the Courts for administration of the Lancaster County Family Drug Court through the Juvenile Court Bailiff II assigned to that court. He said the State will pay the County an amount not to exceed \$11,254.88 to cover the bailiff's additional salary, withholding and benefits for performing the administrative functions. Fox noted that if the funding is eliminated and the bailiff continues to perform those functions, it could be problematic to cut her pay back.

Juvenile Court Judge Linda Porter said the bailiff understands that the additional compensation is contingent upon the State's funding. She added that the duties could also be reassigned, should the funding be eliminated.

Fox noted that the bailiff has been performing these duties for two and a half years and said there is funding available through the State to provide compensation back to the beginning of last fiscal year. He said it would be a "pass through" of funds and a separate contract would be required.

ACTION ITEMS

C. Agreement with Lincoln Airport Authority for Noise Testing at the Lincoln Airport

Fox said the Lincoln-Lancaster County Health Department would like to use one of the Lincoln Airport's runways to stage a drag race (the department needs the sound of two vehicles racing to perform noise tests at the site of a proposed drag strip and to help develop noise standards for motor sports facilities in the County). He said the Lincoln Airport Authority has submitted a license agreement and has indicated that it wants to be held harmless for anything that might occur during the testing.

Scott Holmes, Environmental Health Division Chief, appeared and said the City Attorney's Office has safety concerns.

Fox said although the Health Department is a joint department, the City controls the department's workers compensation and liability insurance.

MOTION: Hudkins moved and Heier seconded to: 1) Apprise the Mayor's Office of the issue and request permission for the Lincoln-Lancaster County Health Department to proceed with the noise testing at the Lincoln Airport; 2) Direct the County Attorney's Office to work with the City Attorney's Office to address safety concerns; and 3) Develop an agreement with the Lincoln Airport Authority, with a hold harmless clause, subject to approval by the County Attorney's Office. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

8 A) JUVENILE COURT COURTROOM; AND B) PURCHASE OF LAND (EXECUTIVE SESSION) - Don Killeen, County Property Manager

A) Juvenile Court Courtroom

Don Killeen, County Property Manager, said the Child Support Referee's office and courtroom will be converted for use by the Juvenile Court. The Child Support Referee will move into extra offices assigned to the District Court and a storage room will be converted into a temporary hearing room for the Child Support Referee.

In response to a question from Workman, Killeen said he does not believe the changes will significantly impact security.

B) Purchase of Land

MOTION: Heier moved and Hudkins seconded to enter Executive Session at 10:41 a.m. to discuss the purchase of real estate. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

MOTION: Schorr moved and Hudkins seconded to exit Executive Session at 11:07 a.m. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

MOTION: Heier moved and Schorr seconded to enter into negotiations with West O Properties to purchase 37.4 acres at the southeast corner of the intersection at Southwest 40th and "O" Streets for the purposes of constructing a new Lancaster County Correctional Facility. Hudkins, Heier, Schorr and Workman voted aye. Motion carried.

9 NEW DEPUTY SHERIFF FOR JUVENILE COURT - Terry Wagner, Lancaster County Sheriff; Bill Jarrett, Chief Deputy Sheriff

Terry Wagner, Lancaster County Sheriff, presented a letter requesting authorization to hire one additional deputy for court security duties (Exhibit G). He noted the hiring/training cycle for new employees and said the next available Basic Training Class at the Nebraska Law Enforcement Training Center begins August, 2007. Paperwork to secure a spot in that class would need to be submitted by July 15th. The next class will not take place until January, 2008.

Hudkins asked whether the part-time, retired law enforcement officers who serve as security officers at the front-door checkpoint could augment the court security force, since they already have the necessary training.

Wagner said no, due to an existing agreement with the Fraternal Order of Police that the department would not supplant the complement of deputy sheriffs with those security officers.

MOTION: Heier moved and Workman seconded to approve the hiring of a new deputy for court security duties.

Discussion followed and Heier called the question.

ROLL CALL: Heier and Workman voted aye. Hudkins and Schorr voted no. Vote tied. Motion failed due to the lack of a majority.

10 ACTION ITEMS

A. Payroll Insert for July 12, 2007 (Safety Flyer)

MOTION: Schorr moved and Hudkins seconded approval. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

B. Microcomputer Request, \$15,477.26 from Lancaster Manor Budget for Two (2) Servers, Licenses, Software

MOTION: Heier moved and Hudkins seconded approval. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

C. Agreement with Lincoln Airport Authority for Noise Testing at the Lincoln Airport

Item was moved forward on the agenda.

11 ADMINISTRATIVE OFFICER REPORT

A. Annual Investment Review

Board consensus was to schedule the item on the August 30th Staff Meeting agenda.

B. Cost of Noise Testing

MOTION: Schorr moved and Hudkins seconded to send a letter to Greg Sanford indicating that he will be required to pay the costs of noise testing on his property at Highway 77 and Branched Oak Road, related to the application for County Special Permit No. 06051. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

C. Nebraska Association of County Officials (NACO) Meeting with Governor (August 2, 2007)

Heier indicated plans to attend if the meeting is scheduled in the morning and if his presence is not required at the Staff Meeting.

D. Claim for Review, PV 12769, \$5,250 for Translation Services for County Extension

Barb Ogg, County Extension, appeared and discussed the claim. **NOTE:** The claim is related to translation of a cockroach control manual (Exhibit H).

MOTION: Schorr moved and Heier seconded to consider the translation services to be under the auspices of professional services and to handle the claim as a regular claim at the July 10, 2007 County Board of Commissioners Meeting. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

E. Mental Health Residential Services Agreement

Item was moved forward on the agenda.

12 DISCUSSION OF BOARD MEMBER MEETINGS

A. Visitors Promotion Committee (VPC) - Schorr

Schorr said Alan Wood, Lancaster County Agricultural Society Counsel; Ron Snover, Lancaster Event Center Managing Director; and Bruce Bailey, Design Associates of Lincoln, Inc., gave a presentation on the scaled down version of Lancaster Event Center Phase II and requested \$.5 million from the Visitors Improvement Fund to offset the amount that they will be requesting from the County Board. She said concerns were expressed about depleting the fund all in one year. There were also suggestions to wait for the results of the legislative study on the State Fair and to use the funds for capital construction costs for a new arena. The VPC will make its recommendation regarding the funding request by July 16th.

13 ADJOURNMENT

MOTION: Schorr moved and Heier seconded to adjourn the meeting at 12:11 p.m. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk