

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, JUNE 18, 2009
8:30 A.M.**

Commissioners Present: Bernie Heier, Chair
Larry Hudkins
Deb Schorr

Commissioners Absent: Ray Stevens, Vice Chair
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
and Interim Lancaster Manor Administrator
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:33 a.m.

AGENDA ITEM

1 APPROVAL OF THE STAFF MEETING MINUTES, THURSDAY, JUNE 11, 2009

MOTION: Schorr moved and Hudkins seconded approval of the June 11, 2009 Staff Meeting minutes. Hudkins, Schorr and Heier voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

None were stated.

3 NEW CORRECTIONAL FACILITY UPDATE - Chuck Richter and Craig Gies, Sampson Construction Company, Inc.; Greg Newport, The Clark Enersen Partners

Chuck Richter, Sampson Construction Company, Inc., said four addendums have been issued on the project since last week, for a total of twelve. He noted the bid deadline is 2:00 p.m. today and said there has been a lot of interest in the project. Plans for the building permit will be submitted to the Building and Safety Department on Friday.

In response to a question from Schorr, Greg Newport, The Clark Enersen Partners, said they have been reviewing the project with Building and Safety for the past three months and said he doesn't foresee any issues.

It was also reported that: 1) The groundbreaking ceremony for the new correctional facility will be on July 14, 2009 at 11:00 a.m.; and 2) The address for the facility will be 3801 West "O" Street.

11 ACTION ITEMS

- A. Letter of Support for Lincoln Action Program (LAP) Grant Application (Head Start Expansion)

MOTION: Schorr moved and Hudkins seconded to authorize signature by the Chair. Hudkins, Schorr and Heier voted aye. Motion carried.

- B. Microcomputer Request C#55341, \$1,714.00 from County Treasurer's Budget for a Network Printer, Tray, Etc.

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

- C. Letter of Support for Victim/Witness Unit Grant Application to State Crime Commission Under Victims of Crime Act

MOTION: Schorr moved and Hudkins seconded to authorize signature by the Chair. Hudkins, Heier and Schorr voted aye. Motion carried.

- D. Pension Plan Modification for Addition of IncomeFlex

Kerry Eagan, Chief Administrative Officer, recommended the Board exclude IncomeFlex (a new retirement plan option that features a guaranteed minimum withdrawal benefit for plan participants who are at least 50 years of age) from pre-distribution and GoalMaker (401K asset allocation service).

The Board concurred with the recommendation.

- E. Meeting with the City Regarding the Post Employment Health Plan (PEHP)

Eagan said he will set up a meeting next week with City representatives to discuss having the City join the County in establishing a Voluntary Employee Beneficiary Association (VEBA) trust for the Post Employment Health Plan (PEHP) (see June 11, 2009 Staff Meeting minutes).

Heier said he spoke to Jon Edwards, Assistant Legal Counsel for the Nebraska Association of County Officials (NACO), to see whether NACO would be willing to facilitate the sponsoring of a VEBA. He said Edwards will check, but indicated few Nebraska counties have a PEHP.

13 ADMINISTRATIVE OFFICER REPORT

A. County Board Administrative Aide Position

Eagan said there were five finalists for the position, including Minette Genuchi who serves as administrative aide on a temporary basis.

Board consensus was to have Schorr, Eagan and Thorpe interview the finalists.

B. 2009 Federal Fly-Back (August 20, 2009 at the Strategic Air & Space Museum in Ashland, Nebraska)

Hudkins said he would like to attend the event. It was noted that Commissioner Stevens has also expressed interest in attending.

MOTION: Schorr moved and Hudkins seconded to authorize attendance by up to two County Commissioners. Schorr, Heier and Hudkins voted aye. Motion carried.

C. County Board of Zoning Appeals Appointment

Heier said Harold Klein declined appointment (see June 4, 2009 Staff Meeting minutes). He nominated Jim Haberlan instead, stating Haberlan is willing to serve.

Board consensus was to schedule Haberlan's appointment on the June 23, 2009 County Board of Commissioners Meeting agenda.

DISCUSSION OF BOARD MEMBER MEETINGS

A. Parks & Recreation Advisory Board - Stevens

No report.

B. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Heier

Heier said they discussed former City Councilman Dan Marvin's appointment as coordinator of the City's effort to build a new arena west of the downtown Haymarket District and the City's proposed One-Stop Development Services Center. He said he was asked why the County pays the full insurance premium for employees opting for single coverage and said he believes the Board should look at this issue.

Hudkins said he would also like to look at the issue of insurance for part-time employees.

4 SYSTEMS FURNITURE FOR DISTRICT COURT LAW CLERKS -
District Court Judge John Colborn; Bob Walla, Assistant Purchasing Agent

District Court Judge John Colborn said the District Court has hired two full-time law clerks and said they could use workstations rather than the counters and shelves that were used by the part-time law students. He submitted a drawing of the proposed work space was submitted (Exhibit A). Judge Colborn explained that four workstations were requested in anticipation of future expansion but said that number could be reduced to three for now. **NOTE:** All Makes Office Equipment has submitted a quote of \$7,628.32 for four workstations.

Schorr asked whether the cost was included in the budget request.

Colborn said no, as they had intended to use surplus systems furniture. He said there is apparently heavy demand for the furniture and said they were told none is available at this time.

Schorr suggested that the request be modified to two workstations, noting there are a number of immediate needs. She also suggested the Board consider the request as part of the budget process.

Bob Walla, Assistant Purchasing Agent, agreed to solicit quotes for the furniture.

5 RECORDS RETENTION EXTENSION REQUEST (COURT EXHIBITS)
- District Court Judge John Colborn; Diane Hughes, Court Reporter; Brian Pillard, Records & Information Manager

Item was dropped from the agenda.

6 BUDGET UPDATE - Dennis Meyer, Budget and Fiscal Officer

Dennis Meyer, Budget and Fiscal Officer, said budget figures are down \$1,500,000 to \$2,500,000 over last year's tax requests. He said the General Fund balance was down \$500,000 at the end of May but reminded the Board the fund was used to pay some of the jail architect's fees.

In response to a question from Hudkins, Meyer said it has not been necessary to inject any funds from the General Fund into Lancaster Manor this year.

Discussion took place regarding the budget requests and Meyer noted there weren't any significant changes. He said most of the increases were due to personnel costs and lost revenues.

Hudkins suggested the Board explore "freezing" wages, longevity pay and step increases for one year.

Schorr suggested that the Board also explore stopping Post Employment Health Plan (PEHP) contributions for one year.

Meyer was asked to assess the financial impact of those measures.

Heier said the Board should also take a look at the non-mandated services.

Meyer recommended further discussion with the Juvenile Court Judges of their proposal to let the contracts for representation of indigent parents and juveniles in Juvenile Court proceedings expire at the end of their respective terms and the Court return to a system where individual attorneys are appointed by the Juvenile Court. It was noted that one of the law firms who has a contract has given notice of termination, anticipating they will make more money through court appointment.

Board consensus was to schedule further discussion of this issue on the June 25, 2009 Staff Meeting agenda.

7 LANCASTER MANOR UPDATE - Gwen Thorpe, Interim Lancaster Manor Administrator

Gwen Thorpe, Interim Lancaster Manor Administrator, said she continues to work on staffing, energy and Purchasing issues and has begun to prepare the cost report. She said the State Auditor and members of his staff toured the facility on Wednesday and requested additional information.

Thorpe reported the census is currently 232 and said the facility is staffed for 260. She said that is due in part to covering absences related to illness, injuries and family leave.

Schorr inquired about use of temporaries.

Thorpe said they are still being used, although to a lesser rate. She said it was also discovered that the Manor does not have a contract with one of the agencies it uses.

Hudkins expressed concern regarding the census number and said he continues to receive calls from families reluctant to admit their family members to the facility until a decision is made on the future of Lancaster Manor.

Heier asked Hudkins to provide the Board with a list of those names.

Thorpe and Schorr, the Board's liaison to Lancaster Manor, both indicated a willingness to visit with those family members regarding their concerns.

Hudkins said he has been asked when the Board plans to make a decision on whether to sell the Manor.

Heier said a decision won't be made until after the public hearing on June 23rd.

Hudkins said he still believes the Board should hire a fully-licensed, experienced administrator and make every attempt to resolve the problems at the Manor. He said medications are a paramount problem and asked Thorpe whether meds are being tracked and properly billed for.

Thorpe said the staff tracks every med. She acknowledged that Medicare meds have not been billed correctly but said they are working to resolve the issue.

Hudkins asked what the Board can do to assist.

Thorpe said the Billing Team is working on the problem. She said it does not involve a large sum of money, as there are only 14 Medicare patients, but said they do need to be billed correctly.

Schorr said a more efficient computer system is part of the long-term solution.

Hudkins suggested they should be able to track it manually since it only involves 14 patients. He then inquired about the cost report and asked Thorpe how close figures are to projections.

Thorpe said they are still gathering information for the report, which is due September 30th.

Hudkins asked Thorpe whether she needs additional resources to make sure the report is done on time and correctly.

Thorpe said they are better prepared than last year and said she should know within a week whether additional help is needed.

Hudkins asked whether progress has been made on the back billings.

Thorpe said that information has been provided to the Board. She said it is her understanding almost everyone has been billed, adding some were sent collection letters and other accounts have been written off.

Hudkins stressed that the Business Office needs to stay on top of billings.

Thorpe said there has been a lot of criticism of the Business Office and said she believes they have done a good job.

Meyer said May was a "pretty good month" for the Manor, noting receipt of the annual Medicaid reimbursement from the State (\$152,000). He said the Manor gained approximately \$330,000 in May to increase the fund balance to \$650,000.

In response to a question from Hudkins, Meyer said six of the last ten months were positive and four were negative.

Hudkins asked why there is a projection that the Manor is still losing money and will lose \$3,500,000 next year.

Thorpe said that figure came from the Lancaster Manor Request for Qualifications (RFQ) Committee Report. She said that figure was based on expenses and revenues and did not include capital construction expenditures.

Hudkins asked whether the projection was based on reports that Thorpe generated.

Thorpe said it was based on budgets that the department directors prepared.

Meyer said they used March figures, a month he said "seemed to be reasonable". He added that the department directors were more involved this year in preparing the budget.

Hudkins said there has been a lot of adverse publicity and said a lot of people have the idea that the Manor is "going broke".

Schorr explained that the RFQ Committee looked at two years of history.

Hudkins questioned whether those numbers were accurate.

Meyer assured him that they were, stating they reflect what has actually been received and paid out.

Hudkins said the budget was a projection by the director and management staff.

Meyer said all of the budgets are.

Thorpe said the budgets reflect what the department directors believe is necessary to run their departments. She said her concern is the census was higher in March and that the revenue projection may be too high. Thorpe added that if funds from the Renewal and Replacement Fund had not been moved to the Manor's account the whole year would have been shown as negative.

Hudkins said he believes the Board needs to make a decision on the future of the Manor as quickly as possible.

Heier asked Hudkins whether he would be willing to put taxpayer monies into the Manor.

Hudkins said he would. He said he does not understand why the Manor does not operate at a profit given that it is paid for, does not pay taxes, can borrow funds at bond rates and lacks serious deficiencies.

8 FINAL SECURUS (EVERCOM) BILLING - Michelle Schindler, Youth Services Center (YSC) Director; Melissa Hood, Administrative Aide, YSC; Tom Fox, Deputy County Attorney

Melissa Hood, Administrative Aide, Youth Services Center (YSC), said she has reconciled the billings from Securus (Evercom) for resident telephone services at YSC and said the County owes them \$8,046.00.

Michelle Schindler, Youth Services Center (YSC) Director, said it will appear as an expenditure this year, but was shown as revenue in previous years.

MOTION: Schorr moved and Hudkins seconded to authorize the payment. Schorr, Heier and Hudkins voted aye. Motion carried.

FIRING RANGE SIMULATOR PURCHASE - Vince Mejer, Purchasing Agent; Bill Jarrett, Chief Deputy Sheriff; Tom Fox, Deputy County Attorney

Bill Jarrett, Chief Deputy Sheriff, said an anonymous donor contributed funds for a firing range simulator. He asked that Purchasing bid it as an all inclusive system stating his office researched firing range simulator systems and knows what components it wants.

Tom Fox, Deputy County Attorney, said the County must follow the County Purchasing Act. He also clarified that the donation was made to the General Fund.

Jarrett said his office is asking that it be bid as it was written and that components not be extracted.

Vince Mejer, Purchasing Agent, said it will be bid as the Sheriff's Office has requested and well as other ways. He expressed concern regarding an email he received from the Sheriff's Office stating there is only one system they will accept, regardless of who bids.

The Chair asked that the Sheriff's Office retract that statement.

In response to a question from Heier, Jarrett said the donor could request his funds back and purchase the equipment for the department himself. He said he would prefer that not happen.

Board consensus was to proceed with the bidding process.

9 OPEN DOOR INITIATIVE - Travis Parker, Community Mental Health Center Deputy Director; Brenda Rohren, MA, MFS, LIMHP, LADC

Brenda Rohren, MA, LIMHP, LADC, gave an overview of the Open Door Initiative, a collaboration of five community-based agencies (Friendship Home, Voices of Hope, St. Monica's Behavioral Health Services for Women, CenterPointe and the Community Mental Health Center) to address the needs of women, 19 years and older, who experience domestic violence, mental health concerns, and substance use issues (Exhibit B).

10 FIRING RANGE SIMULATOR PURCHASE - Vince Mejer, Purchasing Agent; Bill Jarrett, Chief Deputy Sheriff; Tom Fox, Deputy County Attorney

Item was moved forward on the agenda.

11 ACTION ITEMS

- A. Letter of Support for Lincoln Action Program (LAP) Grant Application (Head Start Expansion)
- B. Microcomputer Request C#55341, \$1,714.00 from County Treasurer's Budget for a Network Printer, Tray, Etc.
- C. Letter of Support for Victim/Witness Unit Grant Application to State Crime Commission Under Victims of Crime Act
- D. Pension Plan Notification for Addition of IncomeFlex
- E. Meeting with the City Regarding the Post Employment Health Plan (PEHP)

Items A, B, C, D and E were moved forward on the agenda.

12 CONSENT ITEMS

There were no consent items.

13 ADMINISTRATIVE OFFICER REPORT

- A. County Board Administrative Aide Position
- B. Federal Fly-Back
- C. County Board of Zoning Appeals Appointment

Items A, B and C were moved forward on the agenda.

14 PENDING

There were no pending items.

15 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Parks & Recreation Advisory Board - Stevens
- B. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Heier

Items A and B were moved forward on the agenda.

- C. Railroad Transportation Safety District (RTSD) - Stevens, Schorr

Schorr said the preliminary budget was approved (\$7,263,400). She said the Cornhusker Quiet Zone will go in effect mid July and said a quiet zone study was approved for the City of Waverly.

Schorr also reported that the RTSD's contribution to the Antelope Valley Project will be closed out this fiscal year.

Hudkins asked Schorr to check on the total amount of the RTSD's contribution.

Heier said he has asked U.S. Senator Johanns' Office to look into why the viaduct project on Southwest 40th Street is being held up.

16 ADJOURNMENT

MOTION: Schorr moved and Hudkins seconded to adjourn the meeting at 10:34 a.m. Schorr, Heier and Hudkins voted aye. Motion carried

Dan Nolte
Lancaster County Clerk