

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, FEBRUARY 11, 2010
8:30 A.M.**

Commissioners Present: Ray Stevens, Vice Chair
Bob Workman
Deb Schorr

Commissioners Absent: Bernie Heier, Chair
Larry Hudkins

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

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

AGENDA ITEM

1 APPROVAL OF THE STAFF MEETING MINUTES, THURSDAY, FEBRUARY 4, 2010

MOTION: Schorr moved and Workman seconded approval of the February 4, 2010 Staff Meeting minutes. Schorr, Stevens and Workman voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

A. Potential Closing on Lancaster Manor Real Estate

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

3 LEGISLATIVE UPDATE - Joe Kohout, Kissel/E&S Associates (Legislative Consultant)

Joe Kohout, Legislative Consultant, gave a legislative update (Exhibit A).

Kerry Eagan, Chief Administrative Officer, noted receipt of a letter from Dan Nolte, County Clerk, expressing concerns regarding Legislative Bill (LB) 972 (Change a date related to certain political subdivision budget filings). He said he has asked Kohout to research it further.

Schorr expressed concern regarding a change in policy at the State level related to counting the unborn as people for purposes of Medicaid eligibility. The change affects the ability to apply for assistance, including pre-natal care for low-income women and their unborn children. A secondary issue involves prenatal care for illegal immigrants. She said there are implications for the County, as many who no longer qualify for Medicaid may seek assistance from General Assistance (GA) and other agencies that provide care at the local level.

Kohout said lawmakers are working to address the issue.

Schorr suggested the Board send a letter to the State expressing concern regarding the policy change. She said if the Board would prefer to have more information before sending a letter, Judy Halstead of the Lincoln/Lancaster County Health Department is well versed on the issue and would be available next week to provide additional details.

Board consensus was to hold off on sending a letter and to schedule further discussion with Halstead and Kohout on the February 18th Mid-Year Budget Retreat agenda.

4 SICK LEAVE ACCRUAL AND PAYOUT - John Cripe, Classification and Pay Manager

John Cripe, Classification and Pay Manager, said he has calculated the financial impact of implementing a proposal by Terry Wagner, Lancaster County Sheriff, to increase the sick leave maximum accrual for unrepresented employees and give them a higher prorated payout of accumulated sick leave into the Post Employment Health Plan (PEHP) at retirement or death (see agenda packet). He said increasing the sick leave payout from 55% to 60%, as Wagner has suggested, will increase the County's exposure by \$159,000, based on current balances. Exposure based on 100% payout of all sick leave available for unrepresented employees is \$8,739,000. He said "stair stepping" the payout by years of service makes the cost \$4,811,000, which is more than double the County's current exposure. The average age of employees in this group is 47½ years. The average length of service is 13½ years and sick leave balances average 670 hours.

Bill Jarrett, Chief Deputy Sheriff, appeared and said those costs would be offset with savings from retirements.

Schorr questioned the logic behind the proposed changes.

Jarrett said the idea is to promote retirement.

Eagan said unrepresented employees received a lower salary increase than those represented by a union last year and said this is a way for the Board to show the unrepresented employees that they are appreciated in a way that doesn't have an immediate fiscal impact. He added that the Employees Advisory Team (EAT) is advocating for increases in payouts.

Cripe said the City went to unlimited accrual for employees and is paying 50% out upon retirement. There is no payout for separation from service. He noted there is a proposal to increase the payout to 60% for one group.

Jarrett said he supports removing the accrual cap.

Cripe said if the intent is to reward long-term employees, then retain the cap and tier the payouts, limiting them to death or retirement. He also suggested a review of accruals, on an annual basis.

Gwen Thorpe, Deputy Chief Administrative Officer, asked whether the City's plan has had an effect on sick leave abuse.

Cripe said he believes it has in certain groups. He said the City provided an incentive for one group by putting cash into employees PEHP accounts if they did not use sick leave. Cripe said he believes there would be value in providing an incentive for employees who are at maximum accrual.

Workman asked Cripe to prepare a spreadsheet or graph showing the different scenarios.

Discussion also took place on Wagner's suggestion that the Board allow employees who opt to take a "voluntary furlough" to add furlough days to vacation days without any loss of accumulated sick or vacation time during their absence.

Schorr expressed concern that there could be overtime issues.

Cripe said an alternative to furloughs would be to move to a 36-hour work week. He said employees could also be asked to reduce their hours to part-time status.

**5 UPDATE ON GEOGRAPHIC INFORMATION SYSTEMS (GIS)
WEBSITE - Jeff McReynolds, GIS Program Manager**

Jeff McReynolds, GIS Program Manager, gave a presentation on the new GIS website, highlighting specific features.

It was suggested that McReynolds also give presentations to the Super Common (City Council/County Board/Lincoln Board of Education/Mayor) and the County's cities and villages to see if they are interested in having information on the website.

**6 MILLIMAN USA ACTUARIAL STUDY FOR WORKERS
COMPENSATION AND GENERAL LIABILITY - Sue Eckley, County Risk
Manager**

Sue Eckley, County Risk Manager, noted a question was raised at the February 4th Staff Meeting whether pricing for the study could be reduced since there was a recent reduction in the number of County employees. She explained that the analysis is for 2009 and said the pricing could be negotiated next year. **NOTE:** The County is in the process of going out for a Request for Proposals (RFP) for a benefits consultant. Eckley noted that claims for Lancaster Manor will remain the County's until they are closed out. She said two of them are lifetime claims.

Stevens asked that Eckley provide a quarterly update on claims.

Eckley also stated the County's self-insured permit and in-lieu of premium tax will be less next year, due to the reduction in employees.

**7 CONTRACT WITH CITY OF LINCOLN FOR DEPUTY EMERGENCY
MANAGER - Tom Fox, Deputy County Attorney**

Tom Fox, Deputy County Attorney, said the contract is for Mark Hosking, Bio-Terrorism Pandemic Coordinator for the Lincoln-Lancaster County Health Department, to serve as a back-up for Doug Ahlberg, Emergency Management Director, when he is unavailable. He said Hosking will be an independent contractor and will be paid \$5,000 per year. Fox said Hosking does not have the required liability insurance and asked whether the Board is willing to waive the requirement.

It was noted that Hosking has been performing these duties since June, 2009.

Stevens questioned whether it would be better to contract with the City for the service.

Doug Cyr, Chief Administrative Deputy County Attorney, appeared and suggested the Board look at how many hours Hosking is spending on these duties to assess whether the proposed rate is reasonable.

Workman said an alternative would be to pay Hosking for on-call status.

Eagan explained that Hosking is there at times other than emergencies and is viewed as the Deputy Emergency Management Director.

MOTION: Workman moved to direct Tom Fox, Deputy County Attorney, to discuss wording with Doug Ahlberg, Emergency Management Director, that would allow Mark Hosking to be paid on an on-call basis, at a rate of \$100 per week, for 50 weeks per year.

Following additional discussion, the maker of the motion withdrew his motion.

Sue Eckley, County Risk Manager, appeared and said if Hosking is injured while working for the County, the City will have the right to subrogate the claim to the County.

Board consensus was to schedule further discussion with Ahlberg.

8 POTENTIAL LITIGATION - Doug Cyr, Chief Administrative Deputy County Attorney

MOTION: Schorr moved and Workman seconded to enter Executive Session at 10:05 a.m. for the purpose of protecting the public interest with regards to potential litigation.

NOTE: It was later clarified that the matter involved pending, not potential, litigation.

MOTION: Workman moved and Schorr seconded to exit Executive Session at 10:11 a.m. Workman, Stevens and Schorr voted aye. Motion carried.

ADDITIONS TO THE AGENDA

A. Potential Closing on Lancaster Manor Real Estate

Eagan said Abbie Widger, an attorney with the law firm of Johnson, Flodman, Guenzel & Widger, will give an update on the progress of the sale at the February 25th Staff Meeting.

9 ACTION ITEMS

A. Microcomputer Requests:

1. C#60477, \$2,516.56 for a 19" Monitor; Two (2) Scanners and a Duplicator for the County Attorney from the Drug Forfeiture Fund

2. C#60621, \$1,600.32 for a Laptop, etc. for the County Attorney from the County Board Development Fund

Eagan said the Microcomputer Fund is the more appropriate funding source for Microcomputer Request C#60621.

MOTION: Workman moved and Schorr seconded approval of the microcomputer requests, with the noted change in funding source for Microcomputer Request C#60621. Schorr, Stevens and Workman voted aye. Motion carried.

10 CONSENT ITEMS

There were no consent items.

11 ADMINISTRATIVE OFFICER REPORT

A. Keno Human Services Prevention Fund Round 31 Summary

Schorr said the Joint Budget Committee (JBC) reviewed the Keno Human Services Prevention Fund Round 31 grant requests and made funding recommendations. She said the requests total \$78,000 but only \$33,000 are available.

The Board scheduled action to accept the recommendations on the February 16, 2009 County Board of Commissioners Meeting agenda.

B. Mid-Year Budget Retreat Agenda

The Board added the following items to the agenda: 1) Sick leave report; and 2) Discussion of a policy change at the State level related to counting the unborn as people for purposes of Medicaid eligibility.

C. Invitation to Lincoln Saltdogs Baseball Game

Item was held.

D. Request from Nebraska Association of County Officials (NACO) for Commissioner Schorr to serve on County Government Efficiency Committee

MOTION: Workman moved and Stevens seconded to allow Commissioner Schorr to serve on the committee. Workman, Stevens and Schorr voted aye. Motion carried.

12 PENDING

There were no pending items.

13 DISCUSSION OF BOARD MEMBER MEETINGS

A. Nebraska Innovation Zone Commission (NIZC) - Hudkins

Meeting was cancelled.

B. Meeting with the Mayor - Heier, Stevens

Stevens said discussion focused on the proposal for a bridge over Highway 34 at Northwest 12th Street; Southwest 40th Street viaduct project; legislation, potholes in the City and the arena project.

C. Public Building Commission's (PBC's) Meeting with the Mayor

No report.

D. Public Building Commission (PBC) Meeting - Hudkins, Schorr

Schorr said they approved change orders totaling thousands of dollars related to finishes in the Personnel Department's new office space and received updates on how work is progressing on the third floor of the County City Building and the 9th & J Street Building and on projects for the Juvenile Court and the County Attorney's Office. She also reported plans to purchase a new recording system for the City Council/County Commissioners Hearing Room, reactivate the Security Committee, and put together a Request for Qualifications (RFQ) for ways to utilize the old jail building.

E. Air Pollution Control Advisory Committee - Hudkins

No report.

14 EMERGENCY ITEMS AND OTHER BUSINESS

Schorr reported on the Board of Health meeting. She said they discussed a change in policy at the State level related to counting the unborn as people for purposes of Medicaid eligibility (see Item 3) and had a presentation on the Walk Ability Study.

15 ADJOURNMENT

MOTION: Schorr moved and Workman seconded to adjourn the meeting at 10:33 a.m. Workman, Stevens and Schorr voted aye. Motion carried.

Dan Nolte
Lancaster County Clerk