

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING, ROOM 113  
THURSDAY, AUGUST 22, 2013  
8:30 A.M.**

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  
Dan Nolte, County Clerk  
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 August 21, 2013*

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:33 a.m.

**AGENDA ITEM**

**1 APPROVAL OF THE STAFF MEETING MINUTES OF AUGUST 15, 2013**

**MOTION:** Smoyer moved and Amundson seconded approval of the minutes of the August 15, 2013 Staff Meeting. Schorr, Smoyer, Amundson and Hudkins voted aye. Raybould was absent from voting. Motion carried 5-0.

**2 ADDITIONS TO THE AGENDA**

A. Policyholder Disclosure Notice of Terrorism Insurance Coverage for the Community Mental Health Center (CMHC) and Crisis Center

**MOTION:** Amundson moved and Smoyer seconded approval of the addition to the agenda. Amundson, Smoyer, Schorr and Hudkins voted aye. Raybould was absent from voting.

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

**Staffing**

Ron Sorensen, Community Mental Health Center (CMHC) Executive Director, said there are currently five open positions at CMHC, three in clerical support and two in community support, and said they have 13 temporary employees filling in. He noted productivity in the partial hospitalization program is up 73% and day rehabilitation is up 10% over last year.

**Transition**

Sorensen said Omni Behavioral Health has asked to look at CMHC's information system, so it appears that Omni has not withdrawn at this point. **NOTE:** Omni is to take over psychiatric residential rehabilitation services. Gwen Thorpe, Deputy Chief Administrative Officer, said she is working with the County Attorney's Office on a release. She said she also received a request from Omni to meet with staff.

Sorensen reported that CenterPointe, Inc. is still on track to take over the day rehabilitation services at Midtown Center and has pulled together consumers from the day rehabilitation program and their program to discuss various issues. He said many of the staff's concerns have been addressed and it appears that some will move to employment with CenterPointe. **NOTE:** CenterPointe will also take over CMHC's 24-hour Crisis Line.

Sorensen said Lutheran Family Services (LFS), which will take over CMHC's core services (outpatient counseling, day treatment, community support and medical management), continues to work with CMHC on the transition. He said staff have expressed concerns regarding some of the statements Ruth Henrichs, President and Chief Executive Officer, LFS, made at the County Board Staff Meeting on August 15<sup>th</sup> regarding CMHC and said the small programs that Henrichs said were not included in the bid document were discussed with all of the bidders at the pre-bid meeting in March.

Schorr noted Henrichs had indicated there will be fewer positions in the new structure and asked Sorensen whether he believes that will occur through attrition or elimination of positions. Sorensen said it is hard to say at this point. He said LFS bid for Region V's money, which doesn't include Medicaid, Medicare, insurance and self payment, and may not want to overstaff until it has more information about how much revenue they will be able to draw from those revenue sources.

Raybould arrived at the meeting at 8:41 a.m.

Hudkins asked what will happen if Omni withdraws. Sorensen said he has had concerns about splitting up all the services. He said he believes The Heather (psychiatric residential rehabilitation program) is a "loss leader" and will be an issue without other services providing revenues to support it. Sorensen recommended the Board consider Region V's offer to take over management of the program while a new Request for Proposal (RFP) is issued for those services. He said Region V can operate a program as long as there are no successful bidders and said he believes they could go to LFS or CenterPointe.

Schorr asked whether there are others in the community that provide similar services. Sorensen said Blue Valley Behavioral Health had expressed interest but said he doesn't know whether they submitted a bid.

Raybould asked whether Region V is obligated by Legislative Bill (LB) 1083 to make sure there is funding for the transition of those consumers from the Lincoln Regional Center (LRC) into the community or if there are other alternatives. Sorensen said there aren't many alternatives and said he believes they need to keep it in place. He noted The Heather has four not responsible by reason of insanity (NNRI) individuals that were placed there by court order. Sorensen said they would likely be returned to LRC if The Heather were closed. Raybould said the question is where those consumers could be served most cost effectively. Sorensen noted that there are situations where the State must use capacity funding to keep a program going.

**MOTION:** Schorr moved and Amundson seconded to authorize the Chair to send a letter to Omni Behavioral Health requesting a final decision by September 15, 2013 on whether Omni still plans to take over the psychiatric residential rehabilitation services.

It was noted the Region V Governing Board will meet on September 9<sup>th</sup> and will be asked to proceed with a new RFP if Omni is unable to commit to moving forward at that point. C. J. Johnson, Region V Systems Administrator, is scheduled to give an update at the September 12<sup>th</sup> County Board Staff Meeting.

Pat Kant, Personnel Coordinator, appeared and said the County must give employees represented by the American Federation of State, County & Municipal Employees (AFSCME) 15 calendar days notice if their jobs are being eliminated.

**AMENDMENT:** The maker of the motion and the seconder amended their motion to reflect a deadline of September 9, 2013.

**ROLL CALL ON THE MOTION AS AMENDED:** Raybould, Amundson, Smoyer, Schorr and Hudkins voted aye. Motion carried 5-0.

Thorpe said LFS has asked if they could retain the Community Mental Health Center name. There was no objection to the request.

Thorpe said LFS has also requested lease information for budget preparation. There was consensus to have Don Killeen, County Property Manger, negotiate the lease terms with LFS.

Raybould asked whether LFS has got back to her regarding their transitional costs, outside of rent. Thorpe said they have not, but said she and Kerry Eagan, Chief Administrative Officer, plan to meet with LFS's representatives next week. She noted LFS may also want to issue milestone press releases and said they will be provided to the County prior to release, as a courtesy.

#### **4 INTRODUCTION OF JENNIFER KULWICKI, DISTRICT COURT ADMINISTRATOR**

Troy Hawk, Clerk of the District Court, introduced Jennifer Kulwicki, the new District Court Administrator.

Kulwicki discussed her background and experience with video conferencing.

#### **5 LABOR NEGOTIATIONS** - Richard Grabow, Deputy County Attorney; Doug McDaniel, Personnel Director; Nicole Gross and Amy Sadler, Compensation Technicians

**MOTION:** Smoyer moved and Raybould seconded to enter Executive Session at 9:15 a.m. for the purpose of protecting the public interest with regards to labor negotiations.

The Chair restated the motion for the record.

**ROLL CALL:** Smoyer, Schorr, Raybould, Amundson and Hudkins voted aye. Motion carried 5-0.

**MOTION:** Amundson moved and Raybould seconded to exit Executive Session at 10:03 a.m. Raybould, Amundson, Smoyer, Schorr and Hudkins voted aye. Motion carried 5-0.

## 6 VACATION RUN-OUT - Doug McDaniel, Personnel Director

Doug McDaniel, Personnel Director, projected the cost of allowing a retiree to use accrued vacation on a bi-weekly basis until it is expired to be \$1,300 to \$1,900. He said his projection was based on an average salary of an unrepresented employee and a maximum accrual of 240 hours of vacation. McDaniel said the practice of allowing a vacation run-out for retirees began in 2000 and does not appear in the Personnel Rules. He discussed the practice with the Personnel Policy Board, at the Board's request, but they did not come to a clear conclusion, with members not having strong feelings either way. McDaniel noted that the City also allows a vacation run-out and said if the County decides to allow it to remain in place, that it be put into policy form.

Raybould said employees would still receive a payout of their vacation accrual if the vacation run-out practice were discontinued.

McDaniel said another option may be to shut off the accrual of additional vacation and sick leave during the vacation run-off. He said he does not believe the accrual of additional time (a maximum of 23 hours vacation leave and 12 hours of sick leave) is the primary issue, rather the ability to get subsidized insurance during the run-out period.

Schorr asked whether the County could eliminate the practice for new hires and "grandfather" existing employees. McDaniel felt it would be better to "sunset" it at some point in the future.

Don Thomas, County Engineer, appeared and asked that the practice be extended for several years as he has several employees counting on it as they approach retirement.

Terry Wagner, County Sheriff, expressed concern about his department's inability to hire a replacement for a retiree until they are off the books, because it would put the department over its authorized strength. McDaniel said allowances can be made for a stated retirement.

**MOTION:** Schorr moved and Amundson seconded to direct the Personnel Department to put the existing practice of a vacation run-off into policy form, with a shutoff of accrual at a date to be determined by the Personnel Department, and to forward the policy to the Personnel Policy Board. Amundson, Smoyer, Schorr, Raybould and Hudkins voted aye. Motion carried 5-0.

## **ADMINISTRATIVE OFFICER REPORT**

### **A. Elected Officials Salary Committee**

Eagan said members of the Committee have all agreed to continue to serve. He noted that Doug McDaniel will assist with facilitation and has recommended that Peggy Chantry, Compensation Coordinator, Bryan Health, serve as his replacement on the Committee.

### **7 BUDGET UPDATE (15 CENT SHARED LEVY) - Dennis Meyer, Budget and Fiscal Officer**

Dennis Meyer, Budget and Fiscal Officer, said the following documents will be scheduled on the August 27, 2013 County Board of Commissioners Meeting agenda:

- A resolution in the matter of final allocation of levy authority to all political subdivisions subject to County levy authority
- A resolution in the matter of exceeding the budgeted restricted funds limit for the 2012-2013 fiscal year by an additional 1%
- A resolution in the matter of approving the Lancaster County budget for the Fiscal Year of July 1, 2013 to June 30, 2014

In terms of the County budget, Meyer noted he had estimated a valuation increase of 3% and said valuations actually came in at 3.62%, which generates an additional \$342,000. He said he plans to move those funds back into the delinquent tax allowance which will allow the County to collect an additional 1%, which is half of what is allowed. Schorr asked whether that is preferable using those monies to increase the self-insurance fund balances. Meyer said yes, because it will allow the County to collect that money into the General Fund.

### **8 ACTION ITEMS**

There were no action items.

### **9 CONSENT ITEMS**

There were no consent items.

## **ADDITIONS TO THE AGENDA**

- A. Policyholder Disclosure Notice of Terrorism Insurance Coverage for the Community Mental Health Center (CMHC) and Crisis Center

**MOTION:** Smoyer moved and Raybould seconded to authorize signature by the Chair. Raybould, Schorr, Smoyer, Amundson and Hudkins voted aye. Motion carried 5-0.

## **10 ADMINISTRATIVE OFFICER REPORT**

- A. Elected Officials Salary Committee

Item was moved forward on the agenda.

- B. Termination of Centralized Risk and Needs Assessment Contract with Cedars Youth Services

Eagan noted the Board agreed to make early assessment specialist position a County, rather than a contract position. **NOTE:** The County was contracting with Cedars Youth Services for the position. He said the individual serving in that position was hired and a letter of termination was sent to Cedars Youth Services.

- C. Tri-County Meeting with Douglas and Sarpy Counties

There was no objection to the date proposed by Douglas County, which is hosting the event (November 18, 2013).

## **11 PENDING**

There were no pending items.

## **12 DISCUSSION OF BOARD MEMBER MEETINGS**

- A. District Energy Corporation (DEC) Tour - Schorr

Schorr said she participated in a tour of all of the DEC facilities. She said there are plans to hold an open house for the new facility that will serve the new arena.

- B. Visitors Promotion Committee (VPC) - Smoyer

Smoyer said there was a presentation on the plan to increase parking in Pioneers Park, noting the parking areas would be grass rather than pavement. He said two driving

paths would have crushed asphalt, and one would finish the picnic area loop. Smoyer said it was noted that 15% of the ticket sales for events in the park over the last two years were to individuals who live outside the Lincoln and Omaha area.

Eagan said Jeff Maul, Lincoln Convention and Visitors Bureau (CVB) Executive Director, also presented a survey on the adequacy of tourism facilities.

It was noted the Mayor did not mention the County's financial contributions to the new Pinnacle Bank Arena in his announcement that the State High School Volleyball Tournament will be returning to Lincoln for three years, beginning in 2014. The Mayor indicated in his statement that the arena was key to bringing the event back to Lincoln. There was consensus to have the Chair ask Maul to notify the Board whenever major announcements of this type are going to be made.

C. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Smoyer

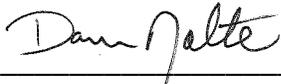
Smoyer said the County budget was the focus of the discussion.

**13 EMERGENCY ITEMS AND OTHER BUSINESS**

There were no emergency items or other business.

**14 ADJOURNMENT**

**MOTION:** Schorr moved and Smoyer seconded to adjourn the meeting at 10:52 a.m. Smoyer, Schorr, Amundson, Raybould and Hudkins voted aye. Motion carried 5-0.

  
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Dan Nolte  
Lancaster County Clerk

