

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, JANUARY 4, 2001
8:15 A.M.**

Commissioners Present: Kathy Campbell, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Bob Workman

Commissioners Absent: Linda Steinman

Others Present: Kerry Eagan, Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk
Ann Taylor, County Clerk's Office

AGENDA ITEM

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY,
DECEMBER 14, 2000**

MOTION: Workman moved and Hudkins seconded approval of the Staff Meeting minutes of December 14, 2000. Workman, Hudkins, Heier and Campbell voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Information Services Policy Committee (Board Member Meeting Report)
- B. Potential Litigation
- C. Lancaster Manor Debt Service Payment for January 15, 2001

MOTION: Heier moved and Workman seconded approval of the additions to the agenda. Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

3 ADMINISTRATION OF OATH TO LARRY HUDKINS AND BERNIE HEIER - City-County Chambers

The oath of office was administered to Commissioners Hudkins and Heier.

4 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant

Gordon Kissel, Legislative Consultant, reviewed a list of the Nebraska Legislature committee assignments (Exhibit A) and *Lancaster County Legislative Contacts* (Exhibit B).

The Board requested that the list of contacts be amended to assign Senator Schimek to Commissioner Hudkins and Senator Hudkins to Commissioner Steinman.

Kissel said it may be beneficial to introduce a specific bill on the appropriations to the Nebraska Department of Health and Human Services (HHS) for juvenile justice, in addition to LB 652 (which provides for a juvenile correctional facilities master plan and payment of juvenile boarding costs by the State), to ensure a hearing on that issue before the Nebraska Legislature's Appropriations Committee. He noted that Senator Thompson will reintroduce LB 652 today. There has been no response from the Governor's Office or HHS on the bill as yet, but a number of the senators have made it clear that they want the issue resolved.

Kissel said Senator Hudkins will introduce a bill on mental health (Exhibit C). He said a number of coalitions (hospitals and behavioral health) plan to look Medicaid rates, financing and the role of the Regions.

Eagan said a bill is being drafted to address the County's inability to expend county funds for paving roads within incorporated city limits. He said the proposed language will permit the County to enter into interlocal agreements with cities and villages for improvements to roads classified as other arterials and major arterials.

Don Thomas, County Engineer, appeared and said the proposed language will not address every problem, such as those situations where a substation is located within a village and local streets are impacted by the County's equipment accessing the substation or where a street is an extension of a state spur. He said he had hoped that the language would allow the County to assist with roads that are extensions of existing County roads. Thomas said if the language is broadened to include local roads, the County could still refuse to provide assistance if it did not perceive an interest.

Heier asked whether inclusion could be extended to a Sanitary Improvement District (S.I.D.), such as Walton.

Campbell said S.I.D.'s have the ability to tax and contract for maintenance.

Board members expressed concern that the proposed language is too restricting and asked for further refinement of the bill.

5 LABOR NEGOTIATIONS - John Cripe, Classification and Pay Manager;
Diane Staab, Deputy County Attorney

MOTION: Hudkins moved and Heier seconded to enter Executive Session at 9:03 a.m. for discussion of labor negotiations. Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

MOTION: Hudkins moved and Heier seconded to exit Executive Session at 9:23 a.m. Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

6 JUVENILE EVALUATIONS; FAMILIES FIRST & FOREMOST (F³) CONTRACT WITH NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES - Sheryl Schrepf, Families First & Foremost (F³) Grant Director; Gus Hitz, Assessment Center Director

Families First & Foremost (F³) Contract with Nebraska Department of Health and Human Services

Hudkins said he and Dave Kroeker, Budget & Fiscal Officer, had recently reviewed County finances and discovered that Families First & Foremost (F³) is overdrawn \$321,194 into the County General Fund, with additional vouchers submitted totaling \$66,000. He said the Nebraska Department of Health and Human Services (HHS) has informed him that their contract with F³ expired the end of June, 2000. The State made prospective payments for the months of July and August, but no further payments were made. Hudkins asked why the County was not apprised of this situation.

Sheryl Schrepf, Families First & Foremost (F³) Grant Director, said she had assumed that HHS had been continuing prospective payments until a new contract was signed and was not apprised of the situation until two weeks ago. She said the two parties have been working on the contract, noting one issue that had caused the delay was whether to fund the family organization through this contract. Schrepf distributed copies of *Amendment to: State of Nebraska Department of Health and Human Services Contract Number 7507* (extending the contract into 2003 and folding in the family organization) and a summary of F³ grant funds (Exhibits D & E).

Campbell asked how Schrepf will be able to track whether funds are being received from the State.

Kroeker said she will need to read the financial reports issued by the County Clerk's office. He added that the County Treasurer also sends a receipt to the agency when payment is received.

In response to a question from Hudkins, Schrepf said the Conveners Group probably needs to spend more time reviewing the financial reports.

MOTION: Hudkins moved and Heier seconded to require Sheryl Schrepf, Families First & Foremost (F³) Grant Director, to contact either Dave Kroeker, Budget & Fiscal Officer, or Kerry Eagan, Chief Administrative Officer, before drawing down additional funds, until such time as the Nebraska Department of Health and Human Services is current with funding of the F³ Grant Program. Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

Brief discussion took place on the future of the Assessment Center, with Gus Hitz, Assessment Center Director, stating that the Assessment Center is conceptually and philosophically different from the detention center.

Campbell said any change should be based on recommendation from the Conveners Group (comprised of representatives of the four grant partners - Lancaster County, State of Nebraska, Region V and the parents).

In response to a question from Hudkins, Schrepf said the members of the Region V Governing Board plan to attend the Conveners Group meeting scheduled for January 22, 2001.

Hudkins said Region V has suggested that it can provide wraparound services at less cost than F³.

Schrepf said there is not a significant difference in costs. She added that the F³ grant is not entirely about costs, rather it is a competency and a community based effort.

Campbell added that Region V does not deal with juvenile justice, which is a crucial component.

Juvenile Evaluations

Schrepf distributed copies of *Intergovernmental Memorandum of Agreement* (Exhibit F). She said the State Statutes allow 10 days for residential evaluations and 15 days for non-residential evaluations and recommended that this language be included in the agreement. The agreement also states that the targeted time frames are 7 working days for residential evaluations and 7-10 working days for non-residential evaluations from the time of referral to Families First & Foremost (F³) from the Nebraska

Department of Health and Human Services (HHS).

Hitz said HHS has requested two changes to the agreement:

- O Page 3, Number 15 - Add a sentence stating that the provider agrees to prepare a written report within 5 working days.

Dave Johnson, Deputy County Attorney, said the agreement should also indicate who the report is to be made to.

- O Page 4, Section B, Number 5 - Eliminate entirely, due to the recent Nebraska Supreme Court decision that held that the State of Nebraska is responsible for payment of the cost of detention of a juvenile awaiting an evaluation.

Johnson recommended inclusion of language to require HHS to pay Lancaster County its standard rate as long as the juvenile is in the county facility. He also suggested inclusion of an attachment defining the *agreed upon standard rates for services*, as referred to on Page 3, Number 12.

Schrepf said F³ is still working on this pricing and wants to develop its own rate structure.

Campbell noted that the State has agreed that savings realized may be reinvested in programs.

Johnson referred to the Transportation Section (Pages 13 and 18 of Attachment B) and said the lower mileage reimbursement rate is probably based on the fact that HHS is paying Lancaster County \$21,521.25 per month.

7 PENDING LITIGATION - Dave Johnson, Deputy County Attorney

MOTION: Heier moved and Workman seconded to enter Executive Session at 10:17 a.m. for discussion of pending and potential litigation. Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

MOTION: Hudkins moved and Heier seconded to exit Executive Session at 11:04 a.m. Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

8 UPDATE ON UNITED HEALTHCARE INSURANCE CARDS - James Watson, Phil Barager and Eileen Parker, United HealthCare

James Watson, United HealthCare, said employees enrolled in United HealthCare's Health Maintenance Organization (HMO) and Preferred Providers Organization (PPO) plans have not received their identification cards, although coverage became effective on January 1, 2001. There has also been a problem with verification of pharmaceutical coverage for those employees enrolled in the HMO plan. He said pharmacies in the Lincoln area have been contacted regarding the problem and the \$8/\$18 prescription co-pay system should be operational by the first of next week. Until that time, steps are being taken to manually input employees into the system and a \$5/\$10 prescription co-pay will be assessed in the interim. Watson said letters explaining the situation will be mailed to employees enrolled in the HMO and PPO plans this afternoon (Exhibit G).

Hudkins asked why the identification cards were not issued prior to the effective date of the plan.

Eileen Parker, United HealthCare, said the enrollment information was not received until December 15, 2000.

Watson said the volume of enrollment across the country also contributed to the delay in issuance. He added that the identification cards are being printed and employees should receive them by the middle of next week.

Hudkins said the Personnel Department has issued a memorandum to employees listing the group numbers to use with their social security number to access benefits, but said he knew of an instance on Tuesday in which the number was rejected by a pharmacy.

Watson said that problem should be corrected now that the pharmacies have all been contacted. He said eligibility may be confirmed by calling the toll free Customer Service number and local numbers have been provided to assist with getting prescriptions filled.

Ron Busch, Director of Personnel Services for Lancaster Manor, appeared and reported problems accessing the toll free numbers that have been provided.

Terri Gardner, American Federation of State, County & Municipal Employees (AFSCME), appeared and said UnitedHealthcare's Customer Service Department had informed her this morning that manual entry is not taking place and that policy coverage begins and ends on January 1, 2001. She added that the pharmacies are still having difficulty with the new group numbers.

Heier said that he and Gwen Thorpe, Deputy County Clerk, had just tried the numbers provided and had difficulty getting through.

Bill Thoreson, Benefits Specialist, said employees received a memorandum from the Personnel Department this morning that provided his and Parker's phone numbers to assist with accessing benefits.

Candy Hunt, County Engineering, appeared and said an employee in her department had tried to call the local number listed in the HMO benefit book and was told it had been disconnected.

Watson agreed to follow-up on that matter.

Busch inquired about reimbursement for those employees who have had to pay out-of-pocket for prescriptions.

Thoreson said the receipt may be returned to the pharmacy for a refund.

Gwen Thorpe, Deputy County Clerk, reported that she had tried the phone numbers again and UnitedHealthcare's representatives were very helpful.

ADDITIONS TO THE AGENDA

B. Potential Litigation

MOTION: Hudkins moved and Workman seconded to enter Executive Session at 11:27 a.m. for discussion of pending and potential litigation. Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

MOTION: Hudkins moved and Heier seconded to exit Executive Session at 11:42 a.m. Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

C. Lancaster Manor Debt Service Payment for January 15, 2001

Dave Kroeker, Budget and Fiscal Officer, distributed copies of an opinion from Ralene K. Klostermeyer, Corporate Trust Officer for Wells Fargo Bank Nebraska, National Association, which states that if there is ever a shortage of funds in the 1998 Bond Fund, the debt service payment may be taken out of Bond Reserve Fund (Exhibit H). This fund may be replenished after 90 days. He said the opinion also states that this would not be a reportable event.

Kroeker said there is a \$300,000 debt service payment due on January 15, 2001 and if the Bond Reserve Fund is tapped it will be necessary to sell a portion of a \$654,000 Treasury Note that matures on June 30, 2002. He recommended just making the debt service payment and allowing the Lancaster Manor Fund to go into a negative balance, since a reimbursement check is anticipated within the next two weeks.

MOTION: Hudkins moved and Heier seconded to allow the payment to be made out of the Lancaster Manor funds. Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

9 ACTION ITEMS

A. Reset Mid-Year Budget Review

The Mid-Year Budget Review was rescheduled for January 31, 2001.

B. Ratify Inclusion of Insert with January 4, 2001 Paychecks Regarding Health Insurance

MOTION: Heier moved and Workman seconded to ratify inclusion of an insert with the January 4, 2001 paychecks regarding health insurance. Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

C. Letter of Support for Lincoln/Lancaster County Convention & Visitors Bureau Bid to Host Nebraska Association of County Officials (NACO) Annual Convention

Campbell said the Lincoln/Lancaster County Convention and Visitors Bureau has asked for a letter of support for Lincoln to serve as the host community for the Nebraska Association of County Officials (NACO) annual convention (Exhibits I & J).

Board consensus to approve the letter of support, to be signed by all of the Commissioners, with additional mention of the Lancaster County Agricultural Society's Event Center.

10 CONSENT ITEMS

A. Vacation Request from Kerry Eagan, Chief Administrative Officer, for January 5 and 8, 2001

B. Microcomputer Requests:

1. C#2000-418, \$1,042.16 from the County Assessor's Budget for 21" Monitor and 6 Mice
2. C#2000-409, \$718.96 from the County Assessor's Budget for Digital Camera

MOTION: Hudkins moved and Heier seconded approval of the Consent Items. Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

11 ADMINISTRATIVE OFFICER REPORT

A. Chief Deputy Salaries

The Board reviewed the salary recommendations for the chief deputies (see agenda packet). It was noted that Kelly Moore Guenzel Handlos, District Court Clerk, has submitted a salary recommendation of \$52,250 for Ellie Carrico, Deputy District Court Clerk.

NOTE: The Board will set these salaries at the January 9th County Board of Commissioners Meeting.

B. Partial Vacation of Leavitts Subdivision (Juvenile Detention Facility)

MOTION: Hudkins moved and Workman seconded to authorize Kerry Eagan, Chief Administrative Officer, to submit a request to the Planning Department for the partial vacation of Leavitts Subdivision, based on a written explanation provided by Doug Cyr, Deputy County Attorney. Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

C. Agreement with Employees for Use of Flex Convenience Card

Diane Staab, Deputy County Attorney, explained that by signing the agreement, the employee authorizes Lancaster County to deduct any charges paid for non-qualified expenditures from his/her paycheck (Exhibit K).

Bill Thoreson, Benefits Specialist, noted that the employee will have the right to appeal before the deduction is made.

MOTION: Heier moved and Hudkins seconded to approve the agreement with employees for use of the Flex Convenience Card. Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

Thoreson said the cards will be mailed to employees once they have signed the agreement.

D. Nebraska Supreme Court Decision, In Regards: Interest of Marie E, Lancaster County V. Office of Juvenile Services

Dave Johnson, Deputy County Attorney, said the Nebraska Supreme Court recently issued an opinion that held that the State of Nebraska is responsible for payment of the cost of detention of a juvenile awaiting an evaluation. He noted that Judy Foote, Attention Center, has been submitting claims for payments all along to the Nebraska Department of Health and Human Services (HHS).

MOTION: Hudkins moved and Heier seconded to authorize Dave Johnson, Deputy County Attorney, to send a letter to Sam Kaplan, Nebraska Department of Health and Human Services, with regards to the process by which the County will receive payment, with carbon copies to Senator Jensen, Chair of the Nebraska Legislature's Health and Human Services Committee; Ron Ross, Nebraska Department of Health and Human Services Director; and Dave Kroeker, Lancaster County Budget and Fiscal Officer. Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

E. County Representative on Workforce Improvement Task Force

Campbell said Mayor Wesely has indicated that a County representative is no longer needed.

F. Comprehensive Plan Workshops

The Board reviewed the schedule of Comprehensive Plan Workshops (see agenda packet) and asked that the Planning Department provide a separate presentation for the Board.

Heier requested an update on the Stevens Creek Basin Initiative Task Force.

G. Meeting with Mayor Wesely on January 4, 2001

Board members suggested the following discussion topics:

- Emergency Medical Services (EMS)
- Beltway Selection

The Board also requested a list of who has received copies of the Environmental Study.

H. Appointment of Kerry Eagan, Chief Administrative Officer, to Entertainment Study Advisory Committee

MOTION: Heier moved and Workman seconded approval of the appointment of Kerry Eagan, Chief Administrative Officer, to the Entertainment Study Advisory Committee. Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

12 DISCUSSION OF BOARD MEMBER MEETINGS

A. Monthly Meeting with Mayor Wesely - Campbell, Steinman

Report was given at the December 14th Staff Meeting.

B. Parks & Recreation Advisory Board - Workman

Workman said the *Narrative Report of the Results of a Study of Public Opinions Regarding Parks & Recreation Services and Facilities* was received. He also reported that alcohol was approved for special events on the City's golf courses.

C. Lancaster County Fairgrounds Joint Public Agency - Heier, Workman

Heier said \$1,750,009 was paid out for expenditures.

Workman reported that the land option has been exercised for the remaining 125 acres of property on the southeast corner of 84th Street and Havelock Avenue.

Hudkins said the Lancaster County Agricultural Society had anticipated future commercial development on that intersection but the Planning Department has indicated that there may be problems with zoning.

The Board asked Leon Meyer, Managing Director of the Event Center, to provide a briefing at a future Staff Meeting and a list of bookings.

D. Information Services Policy Committee

Workman said Information Services is looking at the possibility of an Internet Protocol (IP) Phone System. He said this technology has considerable savings potential.

Workman also reported on the Council Automation Project (CAP), the installation of home circuits for the City Council members who desire remote access.

13 EMERGENCY ITEMS AND OTHER BUSINESS

Dennis Keefe, Public Defender, appeared and introduced Catherine Rech, Defense Eligibility Technician.

14 ADJOURNMENT

By direction of the Chair, the meeting was adjourned.

Bruce Medcalf
Lancaster County Clerk