

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, JUNE 27, 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
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 June 26, 2013

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:32 a.m.

AGENDA ITEM

1 APPROVAL OF THE STAFF MEETING MINUTES OF JUNE 20, 2013

MOTION: Smoyer moved and Amundson seconded approval of the minutes of the June 20, 2013 Staff Meeting. Amundson, Schorr, Smoyer and Hudkins voted aye. Raybould abstained from voting. Motion carried 4-0, with one abstention.

2 ADDITIONS TO THE AGENDA

A. Report on Nebraska Association of County Officials (NACO) Board of Directors Meeting

MOTION: Smoyer moved and Amundson seconded approval of the addition to the agenda. Raybould, Smoyer, Schorr, Amundson and Hudkins voted aye. Motion carried 5-0.

3 BUDGET UPDATE - Dennis Meyer, Budget and Fiscal Officer

Youth Services Center (YSC)

Sheli Schindler, YSC Director, appeared and said security measures have been tightened at the facility and she is comfortable holding off on the purchase of an electronic key cabinet, a \$36,000 expense. She said she had also requested an additional full-time equivalent (FTE) in the budget and said the hiring of that position can be delayed.

Hudkins noted the impact of Legislative Bill (LB) 561 (Change provisions and transfer responsibilities regarding the juvenile justice system) on YSC's budget is still unknown. Schindler said it is still not clear when reimbursement will begin.

Schindler said she has not heard back from the Nebraska Department of Health and Human Services (HHS) regarding the proposed per diem rate (see June 13, 2013 Staff Meeting minutes) and recommended that the County not contact the contract counties until it has received a response from HHS. The Board concurred with the recommendation.

Schindler asked whether the Board wants to continue the contract with Child Guidance for the provision of substance abuse evaluations for youth at YSC. There was consensus to remove it from the budget and look at funding it differently if Juvenile Probation feels the position is important.

County Treasurer

Andy Stebbing, County Treasurer, appeared and discussed the \$21,000 that was built into the Treasurer's budget for miscellaneous capital outlay items. He said these type of expenditures were budgeted for under the Miscellaneous Other line item in the past and he felt this would provide better tracking of expenditures. The capital outlay items include a ladder with side rails, cash counter machines, bar code scanners, a training program and security features.

Raybould suggested they look at leasing, rather than purchasing, the cash counter machines. Don Arp, Motor Vehicles Manager, County Treasurer's Office, appeared and said the three major companies that supply the equipment were not interested in a government lease.

Raybould asked whether the purchase could be staggered. Arp said the volume of cash that passes through the department and number of employees who are trying to balance at the end of the day indicates the need for at least two cash counter machines. He estimated the machines will save between 350 to 400 hours of staff time spent counting cash each year and said the reduction in staff time should pay for the equipment in 2.5 years.

Raybould asked whether the savings in staff time would allow the department to eliminate a position. Stebbing said they have reduced the number of full-time equivalents (FTE's) from 45 to 39 and are holding one position open. He said they are making reductions whenever possible and try to make up for the reductions with efficiencies.

Stebbing also stated he anticipates coming in under budget this year. Dennis Meyer, Budget and Fiscal Officer, noted there had been an additional appropriations to the Treasurer's Office so that statement may not be accurate.

In response to a question from Schorr, Meyer explained there is a difference between what departments are coding as capital outlay versus what should be an expense and said Liz Thanel, Accountant in the Budget and Fiscal Office, will be looking closely at how things are coded.

There was general consensus to leave the \$21,000 in the County Treasurer's budget.

Crisis Center

Scott Etherton, Crisis Center Director, appeared and discussed the agreement with Region V for the provision of emergency protective custody (EPC) services at the Crisis Center to individuals from the other counties within Region V. He said the current per diem rate is \$116, noting Region V also pays Lancaster County the sum of \$52 per individual for each day, or fraction thereof, the individual is in the care of the Crisis Center until a total of \$47,648 is utilized (see County Contract No. C-12-0411 which expires June 30, 2013). Etherton said Region V has proposed that the per diem rate for the upcoming fiscal year be \$119 per day, with a \$53 per day supplement from Region V and a cap of \$48,000.

Raybould asked the actual cost to the County to provide those services. Etherton said it varies, based on the number of individuals served and the length of time they are in the Crisis Center. He estimated the cost at \$300 per day, noting Region V also puts in around \$1,300,000 on an annual basis towards the services. Region V also returned approximately \$313,000 in unexpended revenues that was put towards the Crisis Center.

MOTION: Schorr moved and Amundson seconded to counter Region V's proposal and offer a per diem rate of \$121 per day.

FRIENDLY AMENDMENT: Amundson offered a friendly amendment to offer a per diem of \$126 per day.

The maker of the motion accepted the friendly amendment.

There was consensus to schedule discussion with C. J. Johnson, Region V Systems Administrator, on the July 11, 2013 Staff Meeting agenda of the: 1) \$500,000 that the County has pledged for each of two years for transition of community behavioral health services from the Community Mental Health Center (CMHC) to new providers; 2) Unexpended revenues; and 3) Region V match. **NOTE:** Budget discussion will also be scheduled with Dennis Keefe, Public Defender, on that date.

The maker of the motion and the seconder withdrew their amendment.

Juvenile Probation

Meyer said Lori Griggs, Chief Juvenile Probation Officer, contacted him and said Sara Hoyle, Juvenile Justice Coordinator, has indicated 15 computers may be purchased for Juvenile Probation through a grant from the Nebraska Crime Commission. He said Griggs has requested authorization to order the additional computers (six PC's and two laptops) that were in Juvenile Probation's microcomputer request to supplement those purchased through the grant to equip the new probation officers that will be on board by August 1st as a result of Legislative Bill (LB) 561 (Change provisions and transfer responsibilities regarding the juvenile justice system). He estimated the cost at \$7,000 to \$8,000.

Smoyer said he would prefer a two-week delay to allow time to talk to the state agencies that will no longer be handling juvenile justice functions and see if they would be willing to donate the computer equipment they had used to Juvenile Probation. Meyer said it may be better to explore that option for the second group of probation officers that will be brought on board this fall.

MOTION: Schorr moved and Amundson seconded to authorize the expenditure out of next fiscal year's General Fund budget. Amundson, Schorr and Hudkins voted aye. Smoyer and Raybould voted nay. Motion carried 3-2.

Meyer said he will contact members of the Budget Monitoring Committee and ask them to meet on July 23, 2013 to review the budget.

4 FUNDING FOR FOUR HOMELESS PRETRIAL PLACEMENTS - Kim Etherton, Community Corrections Director; Renee Felder, Case Manager, Jail Diversion Program; Sarah Virchow, Case Manager, Pre-Trial Release Program

Kim Etherton, Community Corrections Director, discussed the Pretrial Release Homeless Program and presented a summary of participants and an analysis of costs (electronic monitoring, rent and drug testing confirmation (DTC) versus jail) (Exhibit A). She said the grant that funded the program has expired and requested funding (\$23,680) to keep four beds available.

Schorr inquired about the number of participants in the Mental Health Jail Diversion Program, noting the two programs are tied together. Renee Felder, Case Manager, Jail Diversion Program, said there are currently twelve participants in the program. Etherton said screening numbers are significantly higher.

Raybould asked Etherton whether she has looked at alternative revenue sources, noting the Veterans Administration is providing assistance to homeless veterans. Etherton said Veterans Services has an outreach worker that does screening at the jail and connects veterans to resources. She said Community Corrections has not seen a lot of veterans at this point.

In response to a question from Amundson, Etherton said she will continue to look for other grant opportunities.

Felder said the program is the last resort for many individuals.

Schorr asked the length of the average stay in the program. Etherton estimated it at three to six months. She said a lot depends on the trial process.

It was noted some of the participants had been booked in the jail multiple times for offenses and the program has helped save on those costs. Sarah Virchow, Case Manager, Pre-Trial Release Program, said one individual had been booked in 118 times. She said he is now employed and addressing his alcohol problems. Felder added that individuals who have a stable place see improvements in other aspects of their lives.

MOTION: Amundson moved and Raybould seconded to provide \$23,680 for four homeless pretrial placements. Raybould, Smoyer, Schorr, Amundson and Hudkins voted aye. Motion carried 5-0.

5 COMMUNITY MENTAL HEALTH CENTER (CMHC) ADVISORY COMMITTEE ROLE IN MONITORING CMHC TRANSITION - Ron Sorensen, Community Mental Health Center (CMHC) Executive Director

Ron Sorensen, Community Mental Health Center (CMHC) Executive Director, said the CMHC Advisory Committee took action to form an ad hoc committee to monitor the process of transitioning community behavioral health services from the Community Mental Health Center (CMHC) to new providers. He said C. J. Johnson, Region V Systems Administrator, has informed him he has talked to the University of Nebraska-Lincoln (UNL) Public Policy Center about monitoring the process. Sorensen said the CMHC Advisory Committee plans to have a small contingent talk to Region V and the Public Policy Center and share what the Committee would like to see evaluated.

Raybould said consumers need assurances that their ideas and proposals are being incorporated in the assessment tools. She added that the CMHC Advisory Committee would like to serve as a resource and make sure the transition is a success.

Schorr questioned whether there will be a need for the CMHC Advisory Committee to exist after the transition. Sorensen said the Crisis Center will be required by the Commission on Accreditation of Rehabilitation Facilities (CARF) to have an advisory group but the makeup of the group may be different, due to the nature of the Crisis Center. He said the new providers will need to be accredited, if they are not already, and will have advisory groups of their own.

There was consensus to schedule discussion with Scott Etherton, Crisis Center Director, on structuring the Crisis Center advisory group. Sorensen agreed to research how the CMHC Advisory Committee was created.

At the request of Commissioner Raybould, J Rock Johnson, consumer advocate, appeared and said the consumers generally comprise half to two thirds of an advisory body. Sorensen said he believes that is a state requirement. Johnson said she would be willing to develop more information on how an advisory body would look going forward.

6 ACTION ITEMS

There were no action items.

7 CONSENT ITEMS

There were no consent items.

8 ADMINISTRATIVE OFFICER REPORT

A. Retirement Match Plan Amendment Update

Eagan said he and Doug Cyr, Chief Administrative Deputy County Attorney and a member of the Pension Review Committee (PRC), spoke to Prudential regarding the retirement match plan amendment to provide flexibility in the pension match. He said the plan document must be restated to the Internal Revenue Service (IRS) every five years and the County could wait until it is due (January 31, 2014) or restate the plan using a volume submitter plan document, which will track IRS changes and move it to a six-year cycle. Eagan said Prudential has indicated it would be willing to waive its fees.

In response to a question from Raybould, Eagan said the Fraternal Order of Police (FOP), Lodge 32 (Correctional Officers) is the only bargaining group that has agreed to reduce the County's pension match from 1.5 to 1 to 1 to 1. He said it affects new hires for that group.

Raybould asked what the Board needs to do to make sure any new hires are adjusted. Eagan said it would require the plan amendment, noting it would be retroactive to the beginning of the plan year.

Eagan noted there are policy considerations such as whether to reduce the retirement match for the unrepresented employees even though a reduction has not been negotiated with the other bargaining groups.

MOTION: Raybould moved to approve the change to the plan, to be effective July 1, 2013, with a match reduction from 1.5 to 1 to 1 to 1.

The motion died for the lack of a second.

MOTION: Schorr moved and Raybould seconded to notify Prudential to proceed with the plan amendment. Schorr, Smoyer, Amundson, Raybould and Hudkins voted aye. Motion carried 5-0.

MOTION: Raybould moved to indicate that the effective date will be July 1, 2013 for all new hires.

The motion died for the lack of a second.

B. Set Date of Pension Investment Review

The Board tentatively scheduled the pension investment review on August 22, 2013.

C. Meeting with Lincoln Sports Foundation Board of Directors Regarding the Abbott Motocross Track

Eagan said he and Dennis Meyer, Budget and Fiscal Officer met with the Lincoln Sports Foundation Board of Directors and recounted the history of the motocross project, stating the Abbott Board appeared to be "in the dark" about the project. **NOTE:** The Lower Platte South Natural Resources District (NRD) and Lancaster County were co-applicants, on behalf of the Ethel S. Abbott Charitable Foundation, for federal assistance from the Recreational Trails Program for the purpose of constructing a motocross facility on land owned by the Abbott Foundation and Lincoln Sports Foundation in the vicinity of 7600 North 70th Street. Eagan said he explained that additional infrastructure will be needed if they want to make it the type of track that will attract regional and national events.

Schorr suggested the Board schedule a tour of the facility.

D. Management Team Meeting Agenda (July 11, 2013)

There was consensus to schedule: 1) A presentation by Richard Grabow, Deputy County Attorney, on the Nebraska Supreme Court decision regarding the Blakely vs. County of Lancaster lawsuit; and 2) Roundtable discussion.

9 PENDING

There were no pending items.

10 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Lincoln Independent Business Association (LIBA) Monthly Meeting - Schorr

Schorr said discussion focused on the transition of community behavioral health services from the Community Mental Health Center (CMHC) to new providers, the new Lancaster County Adult Detention Facility (LCADF) and the County's budget deficit.

ADDITIONS TO THE AGENDA

- A. Report on Nebraska Association of County Officials (NACO) Board of Directors Meeting

Schorr said it was a joint meeting with the Multi-County Information and Programming Services (MIPS) Board of Directors. She noted that MIPS provides 87 counties in Nebraska with custom written software, hardware, product support, networking, and consulting services. Schorr said Blue Cross and Blue Shield of Nebraska (BCBS) gave a presentation on the impact of the Affordable Care Act and the possibility of NACO becoming self-funded.

RETURNING TO ITEM 10

- B. Lancaster County Correctional Facility Joint Public Agency (JPA) - Hudkins, Smoyer

Hudkins said they approved claims totaling \$155,313.29 from Wells Fargo for bank fees; Sampson Construction Company, the Construction Manager at-Risk; and Becker Construction, Inc. for services related to the warehouse.

- C. Planning Meeting with Marvin Krout, Planning Director; and Sara Hartzell, Planner - Hudkins, Smoyer

Hudkins said they discussed County Change of Zone No. 12038, a request for a change of zone from Agricultural (AG) District to Agricultural Residential (AGR) District on property at Northwest 126th Street and West Bluff Road and said they asked the

Planning Department to research the lot sizes of other residential developments in that area.

D. Solid Waste Task Force - Raybould

Raybould said the Task Force is finalizing its recommendations on what it would like to see implemented and how to extend the life of the landfill. Information will be presented to the public at an open house. She said one of the issues yet to be determined is whether recycling should be mandatory for commercial, industrial and residential locations.

E. Community Mental Health Center (CMHC) Advisory Committee - Raybould

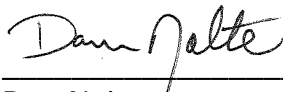
Raybould said discussion was focused on formation of an ad hoc committee to monitor the transition of community behavioral health services from the Community Mental Health Center (CMHC) to new providers (see Item 5). She said several of the consumers felt a support group is needed and it was suggested that peer support be brought in on a temporary basis to work with the consumers on their concerns.

11 EMERGENCY ITEMS AND OTHER BUSINESS

There were no emergency items or other business.

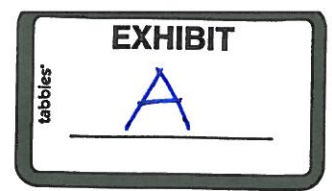
12 ADJOURNMENT

MOTION: Schorr moved and Smoyer seconded to adjourn the meeting at 10:30 a.m. Raybould, Amundson, Smoyer, Schorr and Hudkins voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk





Pretrial Release Homeless Program

Total Participants

Year 1	04/2011-03/2012	37 in the program
Year 2	04/2012-02/2013	29 in the program*
Total	04/2011-20/2013	66 in the program

* applicants were not accepted after December 1, 2012 to accommodate grant ending.

Data on Successful Participants

Year 1	12 defendants	2586 days
Year 2*	10 defendants*	1407 days
Total	22 defendants	3993 days

*2 additional participants completed the program since the final report. Three remain in Pretrial status.

Cost Analysis	Homeless Project	Jail
Electronic Monitoring	\$420	NA
Rent	\$5400	\$16,425
DTC	\$100	NA
Total per person	\$5920	\$16,425
<u>Total x 4</u>	<u>\$23,680</u>	<u>Total x4</u>
		\$65,700

Cost Benefit is about **\$42,020**
 10,000 per defendant for
 one year.