

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, AUGUST 29, 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 28, 2013

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:34 a.m.

AGENDA ITEM

1 APPROVAL OF THE STAFF MEETING MINUTES OF AUGUST 22, 2013

MOTION: Raybould moved and Schorr seconded approval of the minutes of the August 22, 2013 Staff Meeting. Raybould, Schorr and Hudkins voted aye. Amundson and Smoyer were absent from voting. Motion carried 3-0.

2 ADDITIONS TO THE AGENDA

- A. Letter from Omni Behavioral Health Regarding The Heather Psychiatric Residential Rehabilitation Program (Exhibit A)
- B. Topic for Management Team Meeting
- C. Report on the Solid Waste Task Force

MOTION: Schorr moved and Raybould seconded approval of the additions to the agenda. Schorr, Raybould and Hudkins voted aye. Amundson and Smoyer were absent from voting. Motion carried 3-0.

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

Ron Sorensen, Community Mental Health Center (CMHC) Executive Director, said CenterPointe, which is to take over day rehabilitation services and the 24-hour Crisis Line, has met with the Midtown Center staff and consumers. **NOTE:** Midtown Center is a day rehabilitation program for individuals with severe mental illness. CenterPointe has also formed a committee comprised of consumers from the Midtown Center and another day rehabilitation program it operates to discuss what is occurring. He said CenterPointe has offered jobs to all of the Midtown Center staff and has made adjustments for seniority within their plan. Sorensen said CenterPointe has indicated that it is not interested in continuing the A Work Adjustment Rehabilitation Evaluation (AWARE) Program and said he will check with Lutheran Family Services (LFS) to see if they have any interest in the program. Kerry Eagan, Chief Administrative Officer, questioned whether the County is putting any funds into the program. Sorensen said only a small amount.

Smoyer arrived at the meeting at 8:39 a.m.

Sorensen said LFS, which will take over core services (day treatment, outpatient services, community support and medication management), has also met with staff. He said there are significant differences in how they operate those programs and said the advanced practice registered nurses (APRN's) have indicated they are not interested in staying if they operate the programs in that manner. He said the APRN's currently do the medication checks and registered nurses (RN's) give shots and handle the paperwork. Within LFS's system, APRN's are required to do everything.

ADDITIONS TO THE AGENDA

A. Letter from Omni Behavioral Health Regarding The Heather
Psychiatric Residential Rehabilitation Program (Exhibit A)

Hudkins felt the Board should respond to Omni's statement that it interprets the Board's silence on the funding issue to mean it endorses the financial management, and certifies the financial condition of The Heather and their request for a meeting.

Raybould said she believes there is a funding gap of approximately \$225,000.

Sorensen said it is difficult to operate the program primarily on Medicaid, which only reimburses 70 to 80 percent of costs, suggesting some providers might make up the difference with other payer sources.

Raybould said Omni is experienced in this area and questioned why they came back with such a large request for additional funding. **NOTE:** Omni has indicated it will

require an additional \$400,000 to operate the program (see August 15, 2013 Staff Meeting minutes). Schorr concurred and questioned why Omni didn't realize there was a funding issue during the bidding process.

Smoyer noted there was a lengthy process to make sure potential providers were provided with all the information.

MOTION: Raybould moved to send a letter to Region V and the Region V Governing Board encouraging them to continue to fund The Heather program at the same levels they have historically been funded.

Dennis Meyer, Budget and Fiscal Officer, appeared and said Region V has offered to take over the program if Omni withdraws and said it will be up to Region V to determine how much funding it is willing to put into the program.

Schorr questioned whether there could be liability issues if more funds were awarded, noting it could have caused others to bid differently.

The motion died for the lack of a second.

There was consensus to have the Chair; Commissioner Raybould, who serves on the CMHC Advisory Committee; Sorensen; and Gwen Thorpe, Deputy Chief Administrative Officer, meet with representatives of Region V and Omni in response to Omni's letter.

RETURNING TO ITEM 3

Sorensen reported that Region V has set aside funds for a study by the University of Nebraska-Lincoln (UNL) Public Policy Center on the effectiveness of the transition.

Thorpe noted a 60-day written notice is required to terminate the contract with TR Hepburn, Inc., d/b/a O.U.R. Homes, for The Heather. Eagan suggested the Board ask the County Attorney's Office to contact them and see if they would be willing to waive the requirement.

Thorpe reported that CenterPointe is unable to get a license for Midtown Center until their lease with the County is finalized. She said Don Killeen, County Property, manager is working with CenterPointe on the lease terms.

Thorpe said LFS is working through the qualifications to be certified as a mental health center. She said LFS has submitted their transition budget (Exhibit B), noting it does not include rent costs.

Amundson arrived at the meeting at 9:02 a.m.

Thorpe said LFS has requested a rent abatement and Killeen will need direction from the Board. She said LFS will also ask for a transition contract.

Meyer said he has asked Sorensen to provide updates on patient receivables and billing procedures.

B. Topic for Management Team Meeting

Schorr asked that discussion of the County moving to a bi-annual budget be scheduled on a Management Team Meeting agenda. Dennis Meyer, Budget and Fiscal Officer, said he will research whether it would require statutory change.

4 COUNTY CHANGE OF ZONE NO. 13014, AGRICULTURAL (AG) TO AGRICULTURAL RESIDENTIAL (AGR), NORTH 84TH STREET AND AGNEW ROAD - Sara Hartzell, Planner

Sara Hartzell, Planner, gave an overview of County Change of Zone No. 13014, Agricultural (AG) to Agricultural Residential (AGR), on property generally located at North 84th Street and Agnew Road (Exhibit C). The change of zone application is in conjunction with an associated amendment to County Special Permit No. 04058, amending the Lakewood Hills Community Unit Plan (CUP) to add one additional dwelling unit and 1.2 acres of land. She said the farmstead was split off in a 1.2 acre parcel prior to the CUP and was not included. The owners of that lot would like to increase the size of their parcel so they have at least 3 acres to meet the Nebraska Department of Environmental Quality requirements for individual wastewater treatment systems and the CUP Homeowners Association agreed to sell them enough land from the outlot to attain 3 acres. Hartzell said CUP's outlot is shown as wildlife habitat and the applicant has agreed to preserve it in that manner. Hartzell said the applicant has also agreed to remove the driveway on his property and use the existing access driveway. She said the Planning Commission has recommended approval of the change of zone and the amendment to the Lakewood Hills Community Unit Plan.

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 9:20 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: Raybould, Amundson, Smoyer, Schorr and Hudkins voted aye. Motion carried 5-0.

MOTION: Smoyer moved and Amundson seconded to exit Executive Session at 9:56 a.m. Amundson, Schorr, Smoyer, Raybould and Hudkins voted aye. Motion carried 5-0.

6 ACTION ITEMS

There were no action items.

7 CONSENT ITEMS

There were no consent items.

8 ADMINISTRATIVE OFFICER REPORT

A. Wildlife Control Contract with U.S. Department of Agriculture (USDA)

Discussion took place regarding the request for \$7,500 for Lancaster County to be part of a block of at least four counties that would contract with the USDA's Animal and Plant Health Inspection Service (APHIS) Wildlife Services Program for a wildlife specialist who would respond to calls seeking assistance with wildlife problems. The original request was for \$10,000 but it was revised with the addition of other partners.

MOTION: Amundson moved and Smoyer seconded to proceed with development of a contract with the U.S. Department of Agriculture (USDA) for a wildlife specialist's services. Smoyer, Schorr, Raybould, Amundson and Hudkins voted aye. Motion carried 5-0.

B. Douglas County Truancy Issues

Eagan said Douglas County is having issues with Nebraska's truancy law and has asked whether Lancaster County is experiencing issues as well.

Kit Boesch, Human Services Administrator, appeared and discussed Lancaster County's truancy efforts, including the Park Middle School Truancy Court. She said the law requires that students with 20 absences be sent to Juvenile Court but said Lincoln Public Schools (LPS) screens those students and provides a plan of action to the County Attorney's Office. Boesch said Sara Hoyle, Juvenile Justice Coordinator, is attending Community Plan Training today that is related to Legislative Bill (LB) 561 (Change provisions and transfer responsibilities regarding the juvenile justice system) and said if the County or State Probation is to take over case management for the truancy cases, it will need the funds to do so.

Raybould asked Boesch to explain how Park Middle School made the school social worker serve as the case manager. Boesch said it was stipulated in the grant for the pilot program and said Park Middle School found it to be so successful that it maintained the position with its own funds.

Schorr inquired about setting up Truancy Courts in other schools. Boesch said the challenge will be getting the Juvenile Court to agree and finding case workers.

Eagan asked if there is a role for Court Appointed Special Advocates (CASA). Boesch said that is a possibility. She said CASA currently works with 3a (Abuse and Neglect) cases and could take on 3b (Ungovernable and truancy) cases, but would need the funds to do so.

9 PENDING

There were no pending items.

10 DISCUSSION OF BOARD MEMBER MEETINGS

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

Hudkins said discussion focused on the County budget.

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

Hudkins reported that the JPA approved claims totaling \$582,651.17 from Wells Fargo for bank fees, Sampson Construction Company, the Construction Manager at-Risk; The Clark Enersen Partners, architects for the project; Farris Engineering for interior design work related to the warehouse; and Wiss, Janney, Elstner Associates, Inc., for mitigation consulting services. A claim from Sampson Construction was reduced by \$5,000 to increase the retainage for Lanoha Nurseries (landscaping) to \$10,000. The JPA also approved the budget for fiscal year July 1, 2013 to June 30, 2014.

- C. Meeting with the Planning Department

The meeting was cancelled.

- D. Air Pollution Control Advisory Board - Hudkins

Hudkins said they discussed new federal regulations.

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

See Item 3.

ADDITIONS TO THE AGENDA

- C. Report on the Solid Waste Task Force

Raybould said the Task Force is strongly advocating that recycling be mandatory. She said Carl Eskridge, City Council Chair, has suggested that a member of the Task Force provide an update at a City-County Common Meeting.

MOTION: Schorr moved and Amundson seconded to add reports on the Visitors Promotion Committee (VPC) Meeting and the Released and Restored Ministry to the agenda. Schorr, Smoyer, Amundson, Raybould and Hudkins voted aye. Motion carried 5-0.

- D. Visitors Promotion Committee (VPC) Meeting Report

Smoyer said they discussed new information from the Lincoln Parks and Recreation Department and Tom Lorenz, SMG General Manager, regarding the request for funds from the Visitors Improvement Fund to assist with improvements to support events at Pioneers Park, particularly events held at Pinewood Bowl. He said the VPC has recommended funding in the amount of \$103,000.

- E. Released and Restored Ministry

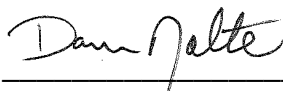
Schorr said the Released and Restored Ministry is a non-profit agency that provides programming to inmates to help prepare them for life after they are released from jail and said Keno Prevention Fund monies have been set aside for a pilot program.

11 EMERGENCY ITEMS AND OTHER BUSINESS

There were no emergency items or other business.

12 ADJOURNMENT

MOTION: Smoyer moved and Raybould seconded to adjourn the meeting at 10:32 a.m. Raybould, Amundson, Schorr, Smoyer and Hudkins voted aye. Motion carried 5-0.

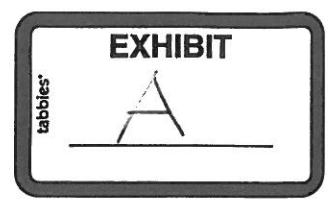


Dan Nolte
Lancaster County Clerk



OMNI Behavioral Health

~ Specialists in Community Services ~



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Omaha, NE 68117

Phone: 402/397-9866
Fax: 402/397-1404

August 26, 2013

RECEIVED

AUG 28 2013

LANCASTER COUNTY
BOARD

Mr. Larry Hudkins, Chair
Lancaster County Board of Commissioners
555 S. 10th Street, Suite 110
Lincoln, NE 68508

RE: The Heather Psychiatric Residential Rehabilitation Program

Dear Chairman Hudkins,

Thank you for your letter dated August 22, 2013 regarding OMNI Behavioral Health's intent to be the new provider of services at the Heather.

In your letter, you noted the funding concerns that OMNI Behavioral Health brought to the Lancaster County Board's attention. Does the Board share any of those concerns? OMNI is presently interpreting the Board's silence on the issue to mean it endorses the financial management, and certifies the financial condition of the Heather.

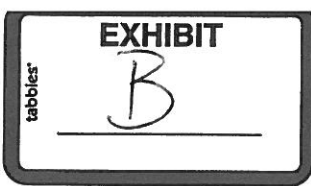
Regarding the accuracy of this interpretation, OMNI's CEO, Dr. Bill Reay, has recently requested a meeting or short series of meetings with you, at your convenience, to discuss and clarify same. At your earliest convenience, please contact Dr. Reay or myself to coordinate the meeting or meetings.

In the meantime, this letter hereby confirms that OMNI Behavioral Health maintains its intent to be the new provider of services at the Heather, and looks forward to continuing the conversation regarding the Heather, its financial condition, and maintaining continuity in the care and well-being of citizens served there as services are transitioned to OMNI.

Sincerely,

Morgan P. Kelly,
General Counsel





06/27/13

Additional Notes

EXPENSES

Personnel Services		Productivity Standard	Pay Grade	FTE	Salary	
Salaries						
Transition Manager		6 Months		0.50	80,000	40,000
CMHC Program Administrator		6 Months		0.50	90,000	45,000
Computer Tech Support		12 Months		1.00	45,000	45,000
Trainer - Profiler / Microsoft		12 Months		1.00	40,000	40,000
CQI Specialist		12 Months		1.00	45,000	45,000
Human Resources Specialist		12 Months		1.00	40,000	40,000
				<u>5.00</u>		
Employee Benefits						
Health Plans	9.35% of Salaries					23,843
Dental Plans	1.95% of Salaries					4,973
Retirement Plans	5.00% of Salaries					12,750
Workers Compensation	2.05% of Salaries					5,228
Payroll Taxes						
Payroll Taxes	7.65% of Salaries					19,508
Unemployment Taxes	1.10% of Salaries					2,805
Professional Services						
Legal Services						12,000
Transition Consulting Services						25,000
Client Record Transition Clerks	40hrs/wk for 12 wks @ \$19/hr for 6 Staff					54,720
Operating Expenses						
General Supplies						
Program Supplies						
Telephone Expenses						
Postage & Shipping						
Occupancy						
Staff Training Expenses						
Minor Equipment						
Equipment Rental & Maint						
Liability Insurance						
Printing						
Subscriptions & Publications						
Advertising & Marketing						
Staff Licensure						9,000
Organization Dues						
Other Operating Expenses						
Travel Expenses						
Travel Expenses	Estimate - Transition Staffing Room and Board					1,000
Mileage Reimbursement	Estimate - 600 miles / month at \$.50 / mile					3,600
Capital Outlays						
Fixed Asset Purchases						267,401
Other Expenses						
Professional Billing Services						
Professional Intake Services						
Indirect Administration						
Indirect Administrative Cost	IDC rate at 16.6%					115,673
Total Start Up / Transition Costs						<u><u>812,499</u></u>

FIXED ASSET PURCHASES	
Desktops for Staff	31,240
Network Printers	3,750
Telephone System - CMHC	25,914
WAN	500
Servers, Switches, Routers, SAN	67,460
Profiler Licenses	40,000
Training	6,000
Microsoft Office Licenses	7,537
Remodel / Structural Expense	50,000
Van	35,000
Total Fixed Asset Purchases	267,401

Lancaster County Mental Health Center

Transition Budget

Transition Budget Assumptions

Transition Project Manager: Assumes a full time position for six months to direct and monitor all aspects of the transition activities. The individual members of the transition team will report directly to this position.

CMHC Program Administrator: Assumes the hiring of a full time CHMC Program Administrator. This position will be heavily involved in the transition of services from the CMHC to LFS. This position will work closely with other human care organizations, funders and consumers to ensure the CMHC continues to meet the needs of the community. At the conclusion of the transition period, this position will be included in LFS' operating budget for the CMHC.

Computer Tech Support: This full time position will work directly with our 3rd Party Network Administrator (CET) in the deployment of the various computer related assets. These assets will include but not be limited to: Servers, SAN, routers, switchers, desk top units, network printers and multi - function machines.

Trainer – Pro-Filer/Microsoft: This full time position will be responsible for both the initial and on-going training the CMHC staff on the use of the electronic health record (Pro-Filer) as well as, on the use of the suite of Microsoft products such as Excel, Word and Access.

CQI Specialist: This position will work in conjunction with the Director of Quality Assurance and Compliance to ensure all of the CMHC programs develop and implement logic models and outcome measurements. This position will work with the various programs to implement the appropriate measurement tools for their respective logic models and outcome measurements. In addition, this position will ensure the appropriate LFS forms are integrated into the CMHC's workflow and that the CMHC case files meet all of the applicable HIPAA requirements.

Human Resources Specialist: This position will work with the CMHC management team, as well as with the Director of Human Resources to ensure the interviewing, hiring and on-boarding of CMHC staff is handled efficiently and appropriately.

Taxes/Benefits: The transition budget accounts for the full slate of LFS benefits and all employment related taxes for the aforementioned positions.

Legal Services: Assumes the use of approximately 120 hours of legal services during the transition to review contracts, union agreements, leases, handle employee grievances, consumer complaints, etc.

Transition Consulting Services: Assumes contracting with various professionals (Such as: accounting, benefits, records management, licensing, accreditation, etc.) to help ensure the transition is as seamless as possible.

Client Record Transition Clerks: The transition plan assumes the use of 6 clerks working 40 hours per week for 12 weeks to incorporate all of the necessary hardcopy CMHC records into LFS' electronic health record (Pro-Filer). The active consumer files will be converted first followed by the recently closed consumer files. Any consumer files closed prior to **DATE** will not be integrated into LFS' electronic health record.

Advertising and Marketing: The transition plan assumes the use of a variety of messaging methods such as: TV spots, radio spots, newsletters, text alerts, flyers, bus benches, email blasts, blogs to keep consumers and the general public informed about the transition.

Travel Expenses: The budget assumes room and board for any non-Lincoln based transition employees that periodically need to stay over night in Lincoln due to workload, attending night or early morning community based meetings, etc.

Mileage Reimbursement: The budget assumes staff reimbursement rate of 50 cents per mile for valid transition related business miles.

Indirect cost rate: The transition budget includes LFS's federally approved 16.6% rate to cover general agency administration. This rate includes but is not limited to such services as the Wide Area Network administration, Benefits administration, Property/Casualty Insurance, Continuous Quality Improvement management.

Fixed Assets:

Desktops for Staff: Assumes a thin client (or laptop), monitor, keyboard and mouse for every CMHC employee.

Network Printers: Assumes 6 networked printers strategically located throughout the CMHC facility.

Telephone System: Assumes post transition, the CMHC will not continue to use Lancaster County's telephone system and as such, will need to purchase its own system. The system will be a standard system with direct inward dial numbers and basic functionality such as call forwarding, three way calling and voicemail.

WAN: The one time cost to install the necessary telecommunications lines to include the CMHC as part of LFS' Wide Area Net (WAN).

Servers, Routers, Switches, SAN: Assumes the purchase and installation of the necessary system hardware infrastructure to enable the CMHC to be part of the LFS network. Included in this hardware purchase is the infrastructure hardware to enable the CMHC to use LFS' electronic health record(Pro-Filer).

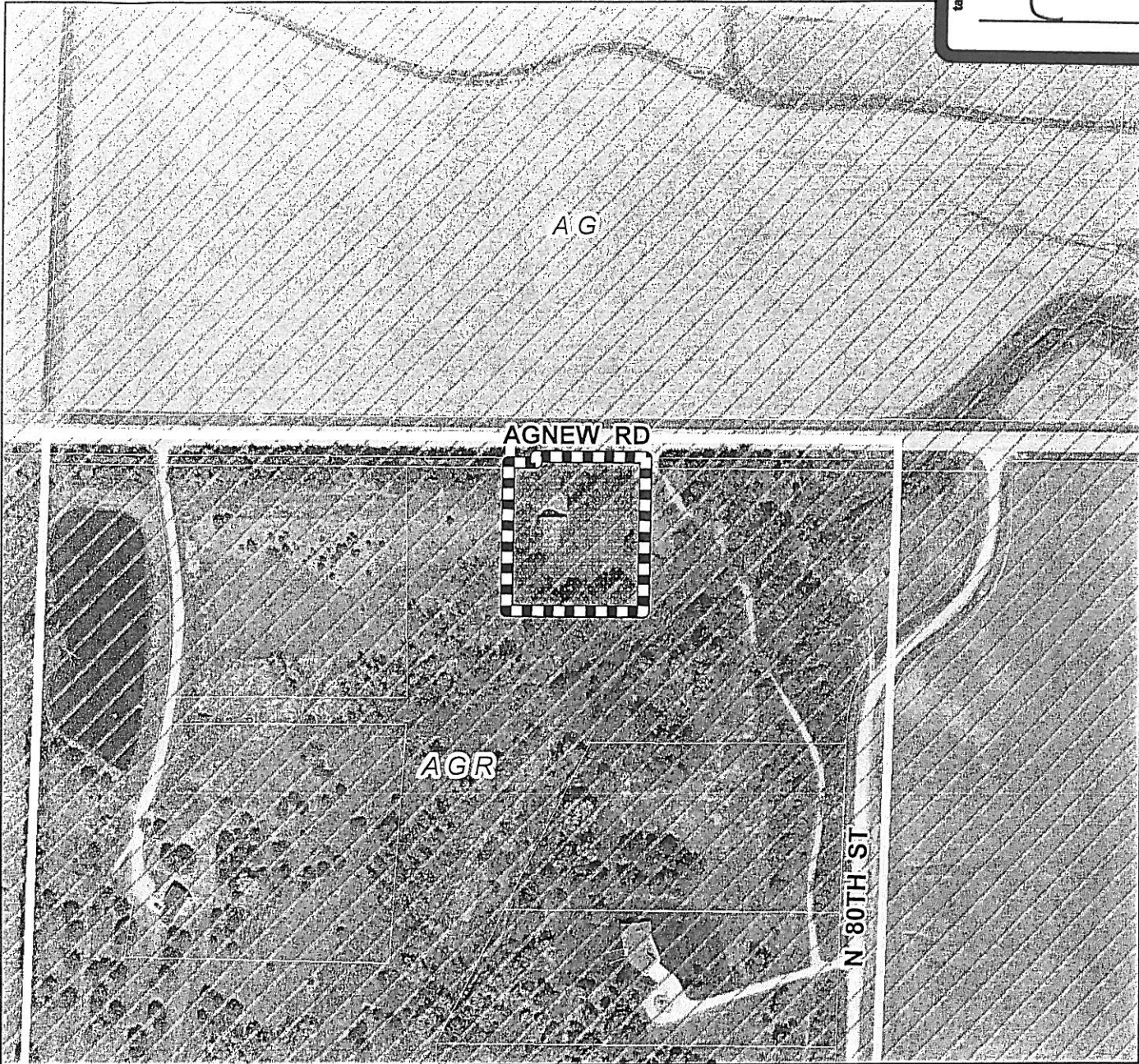
Pro-Filer Licenses: Assumes the purchase of the additional Pro-Filer licenses needed to add the CMHC staff to the electronic health record.

Training: Assumes the use of the training staff of Co-Centrix (the developer of Pro-Filer) to conduct the initial electronic health record training sessions.

Microsoft Office Licenses: Assumes the purchase of Microsoft Office licenses for the CMHC staff.

Remodel/Structural Expense: Assumes the need for minor renovation work throughout the CMHC facility. This work would include but not be limited to: painting walls, replacing ceiling tiles, upgrading floor coverings, relocating walls to improve workflow, adding an access control system, etc., etc.

Van: Assumes the purchase of a 12-passenger van to help address consumers continued transportation difficulties.

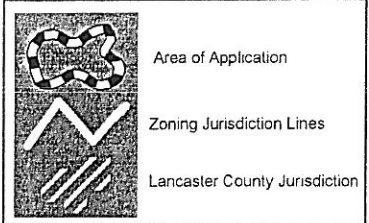
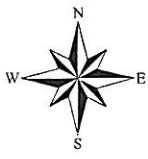


Change of Zone #: CZ13014
N 84th St & Agnew Rd
Ag to AGR

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile:
 Sec. 15 T12N R07E



2010 aerial

