

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, NOVEMBER 7, 2013
8:30 A.M.**

Commissioners Present: Larry Hudkins, Chair
Brent Smoyer, Vice Chair
Deb Schorr
Jane Raybould
Roma Amundson

Others Present: Gwen Thorpe, Deputy Chief Administrative Officer
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk

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 November 6, 2013.

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:31 a.m.

AGENDA ITEM

1 APPROVAL OF THE STAFF MEETING MINUTES OF OCTOBER 31, 2013

MOTION: Smoyer moved and Amundson seconded approval of the Staff Meeting minutes of October 31, 2013.

Gwen Thorpe, Deputy Chief Administrative Officer, noted that although she was listed as being attendance, she was not at the meeting.

Hudkins restated the motion, citing the correction.

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

2 ADDITIONS TO THE AGENDA

- A. Quiet Zone Request from the Village of Denton
- B. Request to Remove Item 10a (Legislative Priorities) from the Agenda

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

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

Ron Sorensen, Community Mental Health Center (CMHC) Director, noted that Lutheran Family Services (LFS) has appointed Pamela Osborne to oversee the transition. Copies of a related press release from LFS were distributed (**Exhibit A**). Sorensen said they continue to work on transitioning with employees and consumers, as well as on licensing issues. He added he is very optimistic with the future progress of the transition now that Ms. Osborne has been designated to lead the charge. Thorpe added that the County Personnel Department will soon begin meeting with employees.

Sorensen said CenterPointe has opened its crisis line which will run parallel to the existing line until everyone is informed of the change.

With regard to licensing for The Heather, Brittany Behrens, Deputy County Attorney, noted the County Board approved the contract at its meeting on November 5th.

Sorensen mentioned Medicaid's service definition of psychiatric residential rehabilitation is causing a few issues regarding the number of beds which can be made available. Medicaid only allows 8-10 beds, although, Lancaster County was grandfathered in at 15 beds. He indicated the program could not be run with fewer beds and said CenterPointe hopes to work through this issue during the licensing process. Additionally, space for the program is a concern as both CenterPointe and O.U.R. Homes are not comfortable using the existing O.U.R. facility long-term. Other options are being pursued. Schorr suggested they contact REOMA (Real Estate Owners and Managers Association) about potential rental opportunities.

Schorr asked that Ms. Osborne be introduced at a future County Board meeting.

ACTION ITEMS

- A. Nebraska Association of County Officials (NACO) Ballot

MOTION: Schorr moved and Amundson seconded to authorize Hudkins to serve as NACO delegate and Schorr to serve as alternate. Amundson, Raybould, Smoyer, Schorr and Hudkins voted aye. Motion carried 5-0.

ADMINISTRATIVE OFFICER REPORT

- A. Legislative Priorities

This item was removed from the agenda (see Agenda Item 2).

- B. Mid-Year Budget Retreat Location - Lincoln-Lancaster County Health Department - January 31, 2014, 8:00 a.m. to 4:00 p.m.

Minette Genuchi, Administrative Assistant to the County Board, noted the actual meeting date is Thursday, January 30, 2014. The general consensus was to proceed with the meeting arrangements as outlined.

- C. Management Team Meeting Agenda (Thursday, November 14th)

Thorpe indicated the only agenda item is a presentation by Bob Walla, Assistant Purchasing Agent, regarding consolidated purchases. The general consensus was to proceed with the meeting and to include a roundtable discussion if time permits.

- D. County Engineer Interviews (Thursday, November 14th)

Thorpe said four applications were received. The meeting was scheduled to begin at 1:30 p.m., in Room 214 of the County-City Building, with a preliminary discussion on the process. Interviews would follow in 30-minute increments starting at 2:00 p.m., with time remaining at the end for final discussion. It was noted the County Clerk's Office would prepare an agenda and staff the meeting which is open to the public.

- E. Agenda Items for Meeting with Agricultural Society Board on Thursday, November 14, 2013

Amundson said she is attending an Agricultural Society meeting tonight and would communicate agenda items to the County Clerk's Office on Friday. **Note:** The joint meeting will be held at the Lancaster Event Center beginning at 6:30 p.m.

F. Common Meeting Agenda (Monday, December 9, 2013, 12:45 p.m.)

Genuchi said the following items have been scheduled: Presentation on Solid Waste Task Force recommendations; Election of Chair/Vice Chair and 2014 Meeting Schedule.

4 TRABERT HALL AND OLD ATTENTION CENTER APPRAISALS - Don Killeen, County Property Manager

Don Killeen, County Property Manager, said preliminary appraisal figures have been received: \$900,000 for Trabert Hall (using sales approach) and \$560,000 for the old Attention Center (using income approach). He felt these values were "minimums" and indicated he would work with the appraisers to refine the figures.

Killeen noted that of the four properties recently appraised (Community Mental Health Center (CMHC), Midtown Center, Trabert Hall and the old Attention Center), the total value would be approximately \$5,500,000.

Raybould inquired if the lease with CenterPointe for use of the old Attention Center includes an option to buy or a right of first refusal. Killeen said neither are currently included. Raybould asked if the lease could be amended. Behrens said she was not familiar enough with the building's current use or lease arrangement as to comment on whether the surplus property procedures would have to be followed. She said the previous legal opinion dealt solely with the CMHC and Midtown Center buildings, although, the same statutes would apply to these properties as well. If it was deemed there is no longer a County purpose, the sale would have to go through the surplus property process.

MOTION: Schorr moved and Amundson seconded to request a legal opinion from the County Attorney regarding the potential sale of Trabert Hall and the old Attention Center with regard to the surplus property statutes. Smoyer, Schorr, Raybould, Amundson and Hudkins voted aye. Motion carried 5-0.

Schorr added that the revenue from the sale of the four properties mentioned above would be a nice down payment on the renovations of the old jail (605 S. 10th Street).

Raybould inquired if the old Attention Center could be used for residential rehabilitation. Killeen said the building is already fully utilized for CenterPointe's other key programs. Schorr noted the building was previously remodeled to accommodate their inpatient treatment program.

In response to Raybould's inquiry regarding the County's ability to reject a bid during the surplus property process, Behrens said State Statutes specifically state that the Board has the ability to reject a bid and negotiate a sale, which is in the best interest of the County, outside of the bid process.

Raybould asked about the parking lot agreement for Trabert Hall. Behrens said this was included in the sale of Lancaster Manor as a permanent easement. Additionally, Killeen noted the building is not listed on any historical registry.

ADDITIONS TO THE AGENDA

A. Quiet Zone Request from the Village of Denton

Schorr said the Village of Denton has submitted a request to begin the process for a quiet zone. She noted there are two crossings - one inside and one outside the Village limits. Roger Figard, City Engineer, will be arranging a preliminary meeting with Denton and the County Engineer to begin the process. She anticipated the item would be before the Railroad Transportation Safety District (RTSD) in December.

DISCUSSION OF BOARD MEMBER MEETINGS

A. Region V Governing Board

Smoyer indicated they approved various contracts and discussed the budget, LB 561 and the CMHC transition.

B. Chamber Coffee

Smoyer said standard reports were provided, including the City's recycling program. Discussion was also held on a potential future Lincoln Public Schools bond issue.

C. County Government Day

Amundson thanked Genuchi for organizing the event which included a video on the American flag, department tours and a mock County Board meeting. She said about 50 students attended. Senator McGill spoke at the luncheon on the importance of being involved in government and provided a strong message on anti-bullying.

D. Lincoln Partnership for Economic Development

Thorpe said Bradley Walker gave a presentation on "Innovation in Lincoln." Raybould said Dr. Steve Joel, Superintendent, Lincoln Public Schools, also provided an update on the Career Academy.

5 POTENTIAL LITIGATION - Brittany Behrens, Deputy County Attorney; Don Thomas, County Engineer; Doug Pillard, Design Division Head, County Engineering; and Virgil Dearmont, Bridge Division Head, County Engineering

MOTION: Smoyer moved and Raybould seconded to enter Executive Session at 9:19 a.m. for the purpose of protecting the public interest with regards to potential litigation.

The Chair restated the motion for the record.

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

Amundson exited the meeting at 9:41 a.m.

MOTION: Smoyer moved and Schorr seconded to exit Executive Session at 9:44 a.m. Smoyer, Schorr, Raybould and Hudkins voted aye. Amundson was absent from voting. Motion carried 4-0.

Amundson returned to the meeting at 9:45 a.m.

6 OUT OF STATE TRAVEL REQUEST - Andy Stebbing, County Treasurer; Bill Jarrett, Chief Deputy County Treasurer

Andy Stebbing, County Treasurer, requested approval for Michelle Raphael, Accountant/Auditor, County Treasurer's Office, to attend the Windy City Summit in Chicago, IL, May 7-9, 2014. He added she has been asked to be a guest speaker and would provide Lancaster County's perspective on the use of Universal Payment Identification Code (UPICs) to streamline payments and mitigate fraud. For her participation, she would receive a free registration. Stebbing estimated the County would be responsible for approximately \$800 in related travel expenses.

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

Stebbing confirmed the funds are available in the County Treasurer's budget.

7 JUVENILE DETENTION SERVICES CONTRACT WITH STATE PROBATION ADMINISTRATION - Brittany Behrens, Deputy County Attorney; Michelle Schindler, Youth Services Center Director; Melissa Hood, Administrative Aide, Youth Services Center

Michelle Schindler, Youth Services Center (YSC) Director, distributed a handout addressing the Fiscal Year 2013-14 Per Diem Proposal (**Exhibit B**).

Schindler provided a brief overview of Exhibit B. She said one month's data under LB 561 has been compiled. There were 563.25 care days in October for youth under all probation categories. Using a per diem of \$276, this equals a total monthly reimbursement of \$155,457 or \$1,865,484 annually. Taking into consideration only 109.5 care days for probation violations (the population Probation has agreed to pay for), revenue would drop to \$30,222/month or \$362,664/year. Schindler noted this would yield a projected annual revenue loss of \$1.5 million based on very raw data.

In calculating the \$276 per diem, Schindler said they considered the following: YSC 2014 adopted budget; projected education/school lunch revenue; indirect costs and depreciation; and fiscal year 2013 care days.

With regard to medical costs (Exhibit B, page 1), Schindler said the YSC does do some transports and has that information but, previously, the State would transport youth to medical or dental appointments and bill directly for which there is no data. She said they were able to get a pharmacy figure of \$70,000 based on last year's usage and calculated Probation costs at both 30% (\$21,000) and 50% (\$35,000). Average numbers for different types of medical visits were also obtained from the U.S. Department of Health and Human Services (Exhibit B, page 3) and were utilized in calculating the \$276 figure. With regard to the 31/69 split, Schindler clarified that the County would be picking up 69% of the costs and the State 31%.

Schindler provided additional per diems based on different revenue amounts: \$910 (with \$1,000,000 projected revenue) and \$583 (with \$500,000 projected revenue and a 50/50 split).

Schindler said Exhibit B, page 4 includes historical per diem data. She noted that the contract with the State could be arranged similarly to the City's whereby adjustments could be made at the end of the year to compensate for over/under payment. Another option would be to include a medical line item in next year's budget, although, this would cause the YSC to operate in arrears and would possibly require a significant increase in the per diem.

Schorr indicated that it seems the number one concern is the population numbers. Behrens noted LB 561 explicitly says Probation is responsible for detention costs of juveniles who are detained on an alleged violation of probation. It is this language that Probation is basing their position on as counties have always paid for these pre-disposition, county kids. The issue is this population used to be much smaller because most were State wards under the Office of Juvenile Services (OJS). Behrens said Probation is accurate in saying the County used to pay for these kids but now the

population has tripled under LB 561. The County's argument is, "Was it the intent of the legislation that when kids are supervised by Probation, i.e., home detention, electronic monitoring or some other conditional release (pre-disposition, not on probation), to make them the financial responsibility of the County if they violate probation?" The State feels this language is only specific to kids post-disposition, placed on probation - not supervised by Probation. Schindler said this is what needs to be legislatively addressed.

Schorr asked that this issue, in addition to Medicaid expansion and Corrections, be addressed next week with the County Lobbyists.

In response to Raybould's inquiry, Behrens said Probation previously stated in a draft document that they would pay a rate of \$275 and that an increase in per diem would be their only consideration. Raybould felt for future negotiations all of the per diem numbers (\$276, \$583 and \$910) should be presented so the State understands the gravity of the situation. Schindler said they will continue to track all billing categories and reimbursements in case retroactivity is approved by the Legislature.

Raybould asked who will be tracking and billing for medical. Schindler said her staff could do this initially with the help of on-call clerical staff. This would allow them to better assess the workload before hiring a full-time employee.

Behrens sought consensus on a per diem amount to present to Probation. Schindler thought the best approach would be to propose a per diem of \$276 since that was what they could project based on current data and then pursue a legislative change to include retroactivity on the billing. It was noted Probation would likely not support a per diem of \$583 and would lobby hard against being responsible for any medical costs retroactive to October 1, 2013. The consensus was to postpone a decision until next week in order to seek guidance from the Lobbyists.

8 ACTION ITEMS

- A. Nebraska Association of County Officials Ballot

Item moved forward on the agenda.

9 CONSENT ITEMS

There were no consent items.

10 ADMINISTRATIVE OFFICER REPORT

- A. Legislative Priorities

- B. Mid-Year Budget Retreat Location - Lincoln-Lancaster County Health Department - January 31, 2013, 8:00 a.m. - 4:00 p.m.
- C. Management Team Meeting Agenda (Thursday, November 14th)
- D. County Engineer Interviews (Thursday, November 14th)
- E. Agenda Items for Meeting with Agricultural Society Board on Thursday, November 14, 2013
- F. Common Meeting Agenda (Monday, December 9, 2013, 12:45 p.m.)

Items A-F were moved forward on the agenda.

11 PENDING

There were no pending items.

12 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Region V Governing Board - Smoyer
- B. Chamber Coffee - Smoyer
- C. County Government Day - Amundson
- D. Lincoln Partnership for Economic Development - Thorpe

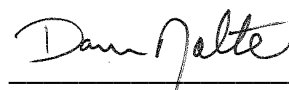
Items A-D were moved forward on the agenda.

13 EMERGENCY ITEMS AND OTHER BUSINESS

There were no emergency items or other business.

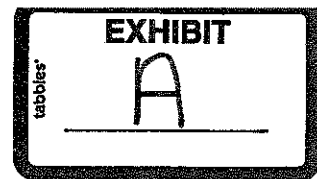
14 ADJOURNMENT

MOTION: Smoyer moved and Amundson seconded to adjourn the meeting at 10:15 a.m. Schorr, Smoyer, Amundson, Raybould and Hudkins voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk





Lutheran Family Services

For Immediate Release

November 4, 2013 – Lutheran Family Services of Nebraska (LFS) has named **Pamela Osborne**, LIMHP, LCSW, MBA-HCA to a new position as Southeast Region Behavioral Health Administrator. In this role, Osborne will oversee and administer the delivery of services provided currently by the Community Mental Health Center (CMHC) of Lancaster County.

Osborne brings a wealth of knowledge and experience to this position, both as an administrator and as a clinician. She most recently served as Director of Quality Assurance and Compliance for Lutheran Family Services of Nebraska. She is a Licensed Independent Mental Health Practitioner and a Licensed Mental Health Practitioner/Certified Masters Social Worker. She is licensed as a social worker both in independent and clinical settings. Osborne is also a Certified Clinical Trauma Professional.

Osborne has earned two Master's Degrees: Business Administration – Healthcare Administration and Social Work. She received her Bachelor's Degree from the University of Nebraska-Lincoln.

Osborne has held positions at Alegent Creighton-Health, Uta Halee/Cooper Village and the America World Adoption Association in Florida. She owned and operated her own counseling business, *Convenient Counseling* in Omaha, for four years. She has over twenty years of experience with Quality Assurance processes and regulatory compliance, as well as 14 years of administrative involvement, including strategic planning, process improvement and supervision of both clinical and non-clinical staff.

In October, the Region V Governing Board, the Lancaster County Board of Commissioners and Lutheran Family Services signed a contract to begin transitioning service delivery from the CMHC to LFS. LFS will provide outpatient counseling, day treatment, medication management and community support services. Osborne has been an integral part of the team working on this transition. Her influence will continue and expand in her new role.

Lutheran Family Services of Nebraska is a 121-year-old statewide, community-based human care organization. LFS seeks safety, hope and well-being for all people through three core areas of competency: children services, behavioral health and community services. On any given day, LFS has open case files on over 2,000 children – and in 2012, served over 5,200 behavioral health clients statewide.

Contact:

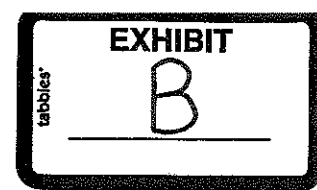
Bev Carlson, APR

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Director of Public Relations

Safety, Hope and Well-Being for All People



Adopted 2014 budget
 Projected 2014 Education/School Lunch Revenue
 Indirect/Depreciation
 * FY13 care days

Medical (past experience)

* assumes 30% of pharmacy costs are Probation	\$21,000.00
50% of pharmacy costs are Probation	\$35,000.00
* 1 seven day hospitalization @ \$20,000 each (hospital and staff)	\$20,000.00
* 3 stays in CAPS at 5 days @ \$12,000 each stay (hospital and staff)	\$12,000.00
* 15 Emergency room visits at @ \$2,300 a visit (ER and staff)	\$34,500.00
* 7 doctor's office visits (doctor, labs, and staff)	\$1,800.00
* 1 dentist office visit (dentist and staff)	\$2,100.00
* 4 psychiatrist office visits (doctor and staff)	\$1,000.00
* 5 court ordered supervised off-site evaluations (staff only)	\$1,500.00
* 10 other off-site court ordered supervised transportation (staff only)	\$1,500.00

Per Diem \$276
 Projected FY14 care days 1121
 Total Revenue \$309,000 (31%/69% split)

- Projected 1 Million Revenue that included violations of home detention would require per diem to be \$910.00.
- Projected \$500,000 Revenue (50/50 split) would require the per diem to be \$583.00.
- For every \$100,000 of expenses, our per diem increases by about \$5.00 per day (dependant on care days, higher care days equals lower per diem)

Adjust CC and City contracts to require full medical

Fiscal Year 2013 – 2014 Per Diem Proposal

October 2013 billing for all probation categories totaled 563.25 care days. Here's the breakdown of those care days...

- 109.5 days for violations of probation (population probation has agreed to pay for)
- 70 days for violation of home detention/electronic monitor
- 133.25 days for violations of home detention
- 250.5 days for drug court kids

Per Diem at \$276 revenue would be \$155,457 for all categories (\$30,222 for probation violators). If this month is typical, the year would yield \$362,664 in revenue for probation violators. If all categories were paid in full, the year would yield \$1,865,484.

Estimated Medical Costs

Off-Site Supervision and Services	Per visit
Primary Physician Visit (Doctor fee + labs) 2 hours	\$200.00
Psychiatrist (1st visit - 3 hours)	\$150.00
Psychiatrist (follow-up visit - 2 hours)	\$75.00
Dental (minor procedure - 2 hours)	\$600.00
Dental (major procedure- 3 hours)	\$2,000.00
*Emergency Room Visit - 3 hours	\$2,168.00
*Hospital (admitted @ \$1800 per day) - 7 day stay	\$12,600.00
*CAPS (hospital 5 day stay @ \$1800 per day)	\$9,000.00

Dental are estimates.

All other medical expenses are Nebraska or United States averages provided by the Becker Hospital Review or the US Department of Health and Human Services Medical Expenditure Panel Survey (MEPS).

FY13 Historical Per Diem Calculation	
FY12/13 Expenditure Budget (with additions)	\$6,001,236.00
Less Projected Education Program Reimbursed	\$899,188.00
Less School Lunch Program Reimbursed	\$91,115.00
Plus Indirect Costs (FY12)	\$209,483.00
Plus Depreciation (FY11)	\$203,545.00
Total	\$5,423,961.00
FY11 Care Days	19,943.75
Proposed Per Diem Rate for FY13/14	\$272.00

FY13 Historical Per Diem Calculation	
FY12/13 Expenditure Budget (without additions)	\$5,675,395.00
Less Projected Education Program Reimbursed	\$899,188.00
Less School Lunch Program Reimbursed	\$91,115.00
Plus Indirect Costs (FY12)	\$209,483.00
Plus Depreciation (FY11)	\$203,545.00
Total	\$5,098,120.00
FY11 Care Days	19,943.75
Proposed Per Diem Rate for FY13/14	\$256.00