

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113 - BILL LUXFORD STUDIO  
THURSDAY, MAY 24, 2018  
8:30 A.M.**

Commissioners Present: Todd Wiltgen, Chair; Jennifer Brinkman, Vice Chair; Roma Amundson; Deb Schorr; and Bill Avery

Others Present: Kerry Eagan, Chief Administrative Officer; Ann Ames, Deputy Chief Administrative Officer; Dan Nolte, County Clerk; and Nicole Barrett, 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 May 23, 2018.*

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:30 a.m.

**1. APPROVAL OF STAFF MEETING MINUTES FOR MAY 17, 2018**

**MOTION:** Brinkman moved and Amundson seconded approval of the May 17, 2018 Staff Meeting minutes. Amundson, Brinkman, and Wiltgen voted yes. Schorr abstained from voting. Avery was absent. Motion carried 3-0, with one abstention.

Avery entered the meeting at 8:31 a.m.

**2. TRABERT HALL SALE –** Kerin Peterson, Facilities & Properties Director, David Derbin, Deputy County Attorney; and Jen Holloway, Deputy County Attorney

**MOTION:** Amundson moved and Brinkman seconded to enter Executive Session at 8:32 a.m. for the purpose of protecting the public interest.

The Chair said it has been moved and seconded that the Board enter Executive Session.

**ROLL CALL:** Brinkman, Schorr, Avery, Amundson and Wiltgen voted yes. Motion carried 5-0.

The Chair restated the purpose for the Board entering Executive Session.

**MOTION:** Amundson moved and Avery seconded to exit Executive Session at 9:03 a.m. Schorr, Avery, Amundson, Brinkman and Wiltgen voted yes. Motion carried 5-0.

**3. HUMAN RESOURCES PAYROLL SYSTEM –** Steve Henderson, Chief Information Officer, Information Services (IS); and Dennis Meyer, Budget and Fiscal Officer

Steve Henderson, Chief Information Officer, Information Services (IS), and Dennis Meyer, Budget and Fiscal Officer, provided a quick status update on the implementation of the new Human Resources Payroll System. The project is officially underway with signed contracts and identification of the project manager for the software company, Denovo. Originally the target implementation date was December 31, 2018, but Henderson indicated that due to the contract delays that goal may be elusive, in which case the Plan B date is March 31, 2019.

Wiltgen inquired about the funding determination, to which Meyer explained the implementation costs are included in the current fiscal year budget. These funds will carry over into the next year. Moving forward, the maintenance costs will be included in the County Clerk's budget. Meyer pointed out that the overall costs are split with the City based off of full-time equivalency (FTE) employee counts.

Amundson brought forth a concern from the Public Building Commission (PBC) as to where seven people will sit to administer the new program. Henderson responded that Brandon Kauffman, City of Lincoln Finance Director, is working with the PBC on this issue.

Henderson also introduced the new County/City project manager for the project, Skip Philson, who will oversee the implementation. Schorr asked Philson what other projects he has spearheaded. He responded that he was involved with the State of Nebraska's implementation of the JD Edwards system in 2003. Henderson said that project also included an accounting component and was much larger in scale.

Schorr also inquired as to any unique risks the County has with the new system. Philson indicated that thus far he has thought of two: the staffing schedules with Information Services (IS) employees because they will be continuing their established workload and working on the implementation project, as well as the challenge of transferring partial-year calendar year data into the new system if the December 31, 2018 goal is not met. Henderson added there is also a cultural risk of getting County employees involved and comfortable with the new system because the existing system has been in places for decades.

## **CHIEF DEPUTY ADMINISTRATIVE OFFICER REPORT**

### **A. Aetna Health Insurance Update**

Wiltgen brought forward a discussion about duties for Ann Ames, Deputy Chief Administrative Officer. Specifically the phone calls that Ames is fielding from County employees regarding issues with the health insurance provider, Aetna. Doug McDaniel, Human Resources Director, was available for the discussion. Dialogue ensued about where the calls should be directed. McDaniel stated that the process in place is for calls to be directed to Human Resources (HR) to either Paula Lueders, Human Resources Generalist, or to him directly. Absent McDaniel and Lueders, calls should be routed to Bill Thoreson, Benefits Specialist. The HR Department then compiles a weekly list of issues for Aon to resolve with Aetna. Wiltgen inquired about the number of issues employees are having with Aetna. HR will begin preparing quarterly reports for the Board regarding these.

It was noted that the biggest area of concern with Ames continuing to field calls is that she is not on the Business Associate Agreement (BAA) for the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule, thus, it becomes a compliance issue regarding protected health information (PHI). McDaniel put the Board on notice that this causes a risk to Aetna and/or Aon. Kerry Eagan, Chief Administrative Officer, suggested remedying this situation by adding an addendum to the contract to include Ames. McDaniel indicated that he does not want too many people listed on the BAA. Currently, McDaniel, Lueders and Thoreson are on the BAA along with representatives from Aetna and Aon.

At this time, Ames will continue to direct calls she receives to HR. Although she would like to get confirmation that the referred employees' issues have been resolved, this creates issues with PHI. A generic email confirming resolution of the issue is a possibility, but does create an extra step for HR. McDaniel is willing to provide said email if the Board wishes, but also assured them that his department is working diligently and following up on all employees' concerns. The consensus of the Board was that seeing the outstanding issues on the quarterly report would be sufficient.

#### **4. A. OPIOID LITIGATION**

**MOTION:** Brinkman moved and Amundson seconded to enter Executive Session at 9:23 a.m. for the purpose of discussing opioid litigation and to protect the public interest.

The Chair said it has been moved and seconded that the Board enter Executive Session.

**ROLL CALL:** Avery, Amundson, Brinkman, Schorr, and Wiltgen voted yes. Motion carried 5-0.

The Chair restated the purpose for the Board entering Executive Session.

**MOTION:** Amundson moved and Brinkman seconded to exit Executive Session at 9:44 a.m. Brinkman, Schorr, Avery, Amundson and Wiltgen voted yes. Motion carried 5-0.

#### **B. GRANT APPLICATION TO FUND ATTORNEY FOR SEXUAL ASSAULT CASES**

Pat Condon, County Attorney, shared with the Board that his department has received a Violence Against Women Act (VAWA) STOP Grant from the United States Department of Justice (DOJ) for the period from June 1, 2018 to May 31, 2019 to fund a dedicated attorney in his department to prosecute sexual assault cases where the victim is 11-years-old or older. The grant has been awarded, but they will need to hire a new attorney or forfeit the grant proceeds. It will pay \$42,863 towards the attorney position and the County will need to pay the additional costs; the full cost for a new attorney is estimated at \$82,451.

Condon explained some of the reasons an additional attorney would be advantageous in this role as providing continuity to victims, assisting with attorney burnout, easing the trial schedule for existing staff, as well as an anticipation of higher volume of cases following both the DNA testing of approximately 250 untested sexual assault kits by the State and the utilization of new DNA testing computer software.

Brinkman inquired about the sustainability of the FTE after the grant period. Condon replied that the position will be added to his budget ahead of the June 5<sup>th</sup> Budget Hearing. The need for the continuation of the position will depend on the results of the DNA testing and status of cases at the end of the year. He also stated that his department will apply for future grants if they are available.

Wiltgen stated that the Board will take action on the issue with the budget.

**C. MISCELLANEOUS EXPENDITURES ACT RESOLUTION** – Pat Condon, County Attorney; David Derbin, Deputy County Attorney; and Jen Holloway, Deputy County Attorney

Eagan distributed red-lined copies of resolutions related to the Local Government Miscellaneous Expenditures Act (Exhibit A) and noted that David Derbin and Jen Holloway, Deputy County Attorneys, performed the legal research. The issues involve travel for Extension Board Members and changes to the Wellness Program. Eagan stated that while the Miscellaneous Expenditures Resolution can be amended, the section on plaques and awards is limited to one amendment per 12 months. He requested the Board address the current needs not previously covered related to Extension Board Member travel and wellness incentives.

Derbin proposed the creation of two resolutions whereby the one addressing plaques could only be revised annually and the other as needed. Holloway provided a brief overview of the changes as shown in Exhibit A.

It was noted that Eagan would verify the deadline by which the changes need to be made to accommodate Extension Board Members' upcoming travel. Derbin pointed out that the requisite public hearing would need to be advertised.

**5. LINCOLN CONVENTION AND VISITORS BUREAU (CVB)**

**A. Use of Visitors Improvement Fund for Promotion; and**

Jeff Maul, Lincoln Convention and Visitors Bureau (CVB) Executive Director, provided a brief review of the process to move improvement funds to promotion and gave an update on the tourism growth in the County, specifically with youth sports. Maul requested that money be made available for promotion at this time (see agenda packet). Wiltgen asked if this would limit the moving of funds in the future, but Eagan stated it would not. A resolution will be prepared by Eagan for next Tuesday's County Board meeting.

**B. Visitors Promotion Committee (VPC)** – Jeff Maul, Lincoln Convention and Visitors Bureau (CVB) Executive Director

Maul stated that the terms of two Visitors Promotion Committee (VPC) members, Dave Wheaton and Amy Dickerson, are expiring. Wheaton is not eligible for reappointment, therefore, his replacement must be an individual from the hotel industry. Maul welcomed suggestions from the Board. Dickerson is eligible for reappointment and is willing to serve an additional term. It was noted the item will be scheduled on next Tuesday's agenda.

## 6. BREAK

No break was taken.

## 7. CHIEF ADMINISTRATIVE OFFICER REPORT

### A. Combined Contribution to Retirement Plan

Eagan, along with Doug Cyr, Chief Deputy County Attorney, and Joe Nigro, Public Defender, presented the recommendation from the Pension Review Committee (PRC) to increase the combined employer-employee contribution to the Lancaster County Employees Retirement Plan from 13% to 16% (see agenda packet). Discussion ensued on how this would impact and benefit county employees, the possible responses from the unions, as well as which employees would have the option to opt in versus the newer employees for whom it would be a mandatory change.

**MOTION:** Brinkman moved and Amundson seconded to move forward with the appropriate steps to implement a policy that would move the County's combined contribution from 13% to 16% for all employees and prioritize advocating the same during labor negotiations. Amundson, Brinkman, Schorr, Avery and Wiltgen voted yes. Motion carried 5-0.

### B. Informational Materials Regarding Contribution Accelerator and Change of Default Investment Option

Eagan referred the Board to the brochure in the agenda packet submitted by Crystal Vacura, Security Education Counselor, Prudential Retirement. He pointed out one correction within the document stating that contributions should raise automatically once per year until it reaches 15%, not 10%. The consensus of the Board was for Eagan to direct Vacura to move forward with the brochure via emails or mail as necessary.

### C. Claim for Review: Payment Voucher (PV) No. 228354 from the County Sheriff's Office to U.S. Bank (Credit Card) Which Includes \$6,938.44 to Newegg.com. These Charges Exceed the \$3,000.00 Amount Requiring a Purchase Order

Terry Wagner, County Sheriff, and Todd Duncan, Chief Deputy, provided a handout with cost analysis for the Forensic Recovery Devices (FRED) PC Updates (Exhibit B) and explained the claim.

Wiltgen pointed out that this is a situation that would have been avoided had there been a purchasing card. He also confirmed that a credit card issued to the Sheriff's Office was used for this purchase, not an employee's personal credit card.

Wagner assured the Board that there was no intent to thwart the County Purchasing Act and that his office researched the best prices available. The items purchased were specialty items for forensic analysis. Schorr inquired whether the items were included in the budget previously, to which Duncan confirmed that they were covered by forfeited assets.

**MOTION:** Schorr moved and Brinkman seconded to handle the claim as a regular claim. Schorr, Avery, Amundson, Brinkman and Wiltgen voted yes. Motion carried 5-0.

Wagner apologized for the error and assured that new internal procedures have been implemented in the Sheriff's Office to prevent this mistake in the future. Brinkman stated, and the Board concurred, that it is clear that the procedures in the County Clerk's office are working.

- D.** Claim for Review: Payment Voucher (PV) No. 610427 in the Amount of \$107.24 to Douglas Davis, Property Management. The County Board Has Requested a Review of All Claims over \$100.00 for Employee Reimbursement Other Than Those Related to Travel for County Business.

Kerin Peterson, Facilities & Properties Director, appeared and explained the claim. The employee went to purchase a kerosene heater from a vendor with whom he believed the Property Management Department had an agency account. Upon learning that the account no longer existed, he used his personal credit card to purchase the item. Peterson verified that the heater is on the premises and will continue to be used for County purposes.

**MOTION:** Schorr moved and Amundson seconded to handle the claim as a regular claim. Avery, Amundson, Brinkman, Schorr and Wiltgen voted yes. Motion carried 5-0.

## **OTHER BUSINESS**

Eagan mentioned that there was a third claim for review brought forth by the County Clerk's Office. The Youth Services employee withdrew the meal reimbursement request; therefore, he removed it from the agenda.

### **8. CHIEF DEPUTY ADMINISTRATIVE OFFICER REPORT**

#### **A. Aetna Health Insurance Update**

Item was moved forward on the agenda.

### **9. GENERAL ADMINISTRATIVE ITEMS**

#### **A. Lancaster County Board Legislative Retreat, Thursday, August 31<sup>st</sup> or September 6<sup>th</sup>, in the Cornhusker Bank Community Room, 8310 "O" Street**

The Board chose September 6<sup>th</sup> at 8:30 a.m. for the retreat in lieu of the Staff Meeting that day. Minette Genuchi, Administrative Assistant, Board of Commissioners, will send out "Hold the Date" cards to the Legislature. Brinkman noted that she will be late, arriving at 9:00 a.m., due to the United Way Campaign Kickoff.

#### **B. County Board Community Service Event at The Stage Theater in Hickman, Nebraska**

Schorr shared with the Board an invitation from the Hickman Stage Theater to attend an upcoming

performance. She felt it would be a nice social event for the Board to support the theatre by perhaps attending the musical "Bonnie and Clyde" in July and to have dinner in Hickman. Genuchi was to poll the Commissioners for a possible date.

## 10. DISCUSSION OF BOARD MEMBER MEETINGS

### A. Lancaster County Fairgrounds Joint Public Agency (JPA) – Wiltgen/Amundson

Amundson reported that the meeting was brief with one bill for approximately \$1,000 being approved.

### B. Lancaster County Correctional Facility Joint Public Agency (JPA) – Wiltgen/Brinkman

Wiltgen reported that they approved the bond payment. It was noted that the advance refunding of the bond and the levy reduction wouldn't be realized until January 1, 2019.

## OTHER BUSINESS

Wiltgen provided an update on his trip to Connecticut for the Healthy County Roundtable Discussion with the National Association of Counties (NACo) and Aetna. He noted there was an interesting diversity of participants. Each participant shared the most pressing issues facing their county. Wiltgen shared with the Roundtable the chronic health disparities in Lancaster County.

Brinkman exited the meeting at 10:56 a.m.

## 11. SCHEDULE OF BOARD MEMBER MEETINGS

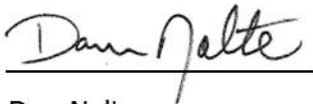
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## 12. EMERGENCY ITEMS

There were no emergency items.

## 13. ADJOURNMENT

**MOTION:** Schorr moved and Amundson seconded to adjourn the meeting at 11:00 a.m. Amundson, Schorr, Avery and Wiltgen voted yes. Brinkman was absent. Motion carried 4-0.



Dan Nolte  
Lancaster County Clerk

