

# **BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS**

## **MONDAY, MAY 18, 2009**

8:10 a.m. (Commission Chamber)

-Convene

-Consider the approval of the minutes for May 6 and May 11, 2009

## **CONSENT AGENDA**

(1) (a) Consider approval of Commission Orders

## **REGULAR AGENDA**

(2) Consider Lone Star Lake skiing dates for 2009 (Public Works)

(3) Consider approval of the 2009-2010 Health Insurance Plan Renewal (Pam Madl)

(4) Presentation by the County departments (Maintenance)-No backup

(5) Other Business

(a) Consider approval of Accounts Payable (if necessary)

(b) Appointments

(c) Miscellaneous

(d) Public Comment

(6) Adjourn

## **WEDNESDAY, MAY 20, 2009**

Meet at 5:00 p.m.

-Executive Session for the purpose of consultation with County Counselor on matters, which would be deemed, privileged under the attorney-client relationship. The justification is to maintain attorney client privilege on a matter involving Douglas County.

## **MONDAY, MAY 25, 2009**

-No Commission Meeting in observance of Memorial Day

## **WEDNESDAY, MAY 27, 2009**

-Consider approval of Consent Decree with Mid-States Materials, LLC, dealing with Mid-State's quarry in western Douglas County and CUP-7-2-90, CUP-6-6-02, and CUP-12-09-06.

## **MONDAY, JUNE 1, 2009**

-Consider acquisition of two ambulances (Pam Madl)

-Presentation by the County departments (Sheriff, Emergency Communications and Youth Services) No backup

-Presentation by Courts (District Court, Court Trustee, Community Corrections; Citizen Review Board)

## **WEDNESDAY, JUNE 3, 2009**

## **MONDAY, JUNE 8, 2009 (Light Agenda)**

**WEDNESDAY, JUNE 10, 2009**

-Joint session with Baldwin City Planning Commission, City Council and Douglas County Commission regarding draft Baldwin Zoning and Planning Regulations (in Baldwin City)

**FRIDAY, JUNE 12, 2009**

12:00-2:00 p.m. – Special lunch session with Planning Commission, City Commission and Board of County Commissions during Planning Commission training (City Hall)

**MONDAY, JUNE 15, 2009**

**WEDNESDAY, JUNE 17, 2009**

**MONDAY, JUNE 22, 2009**

**WEDNESDAY, JUNE 24, 2009**

**MONDAY, JUNE 29, 2009**

**WEDNESDAY, JULY 1, 2009**

**MONDAY, JULY 6, 2009**

**WEDNESDAY, JULY 8, 2009 (Light Agenda)**

**MONDAY, JULY 13, 2009**

Public Hearing for the annexation of the former Farmland Industries property

**WEDNESDAY, JULY 15, 2009**

Public Hearing for Farmland Annexation

**MONDAY, SEPTEMBER 7, 2009**

-No Commission Meeting in Observation of Labor Day

**MONDAY, SEPTEMBER 21, 2009 (Light Agenda)**

*Note: The Douglas County Commission meets regularly on Mondays at 8:10 A.M. and Wednesdays at 6:35 P.M. at the Douglas County Courthouse. Specific regular meeting dates that are not listed above have not been cancelled unless specifically noted on this schedule.*



## DOUGLAS COUNTY PUBLIC WORKS

1242 Massachusetts Street  
Lawrence, KS 66044-3350  
(785) 832-5293 Fax (785) 841-0943  
dgcopubw@douglas-county.com  
www.douglas-county.com

**Keith A. Browning, P.E.**  
Director of Public Works/County Engineer

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### MEMORANDUM

To : Board of County Commissioners

From : Keith A. Browning, P.E., Director of Public Works/County Engineer *KAB*

Date : May 8, 2009

Re : Consider request to apply herbicide to leafy pondweed at Lone Star Lake

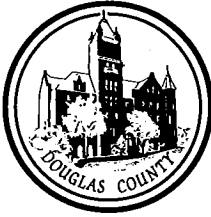
The cabin owners in the southwest arm of Lone Star Lake have requested we treat the leafy pondweed with herbicide (Aquathol-K), as we have done the last three years. Leafy pondweed is prolific this time of year, and interferes with use of docks and general lake recreation. We have treated the pondweed in the past with the approval of Richard Sanders, Kansas Dept. of Wildlife & Parks (KDWP) Fisheries Biologist, who also accompanies us during the application (in fact, we use his boat). The previous BOCC approved us applying the herbicide if the cabin owners pay for the cost of the chemicals. The herbicide cost for applying only around the docks is less than \$1,000. We typically apply the herbicide in mid-May. Typically this pondweed is a problem in the spring, then will wilt back naturally as the water temperature rises in late June.

In January 2009, the 6th Circuit Court ruled that, under the Clean Water Act (CWA), the EPA should require an NPDES permit for application of pesticides in water. Previously, the EPA had ruled that properly applied pesticides are exempt from the CWA's permitting requirements. This court ruling is causing many agencies to re-think the practice of applying aquatic herbicides. KDHE, who administers NPDES permits in Kansas, told us they are reviewing the court ruling to determine whether it means they should change their procedures. As of now, however, they are still not requiring an NPDES permit for use of herbicides by a licensed applicator.

Richard Sanders feels we should not apply the herbicide this year. Richard said since we have treated the pondweed the last three years, he feels we should take a year off and see how the pondweed reacts this year. I also think the recent court ruling is causing KDWP to reconsider its practices regarding the use of herbicides.

Based on this information, Craig Weinaug has directed us not to apply herbicide to pondweed this year. The LSL Cabin Owners Association requests the BOCC overrule that administrative directive.


Action Required: Consider request from Lone Star Lake Cabin Owners Association for Public Works to apply herbicide to leafy pondweed in the southwest arm of Lone Star Lake.



## DOUGLAS COUNTY ADMINISTRATIVE SERVICES

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Lawrence, KS 66044-3064  
(785) 832-5329 Fax (785) 832-5320  
www.douglas-county.com

**Pamela J. Madl**  
Assistant County Administrator

TO: BOARD OF COUNTY COMMISSIONERS  
FROM: PAM MADL   
SUBJECT: 2009-2010 HEALTH INSURANCE RENEWAL  
DATE: 5/14/2009

### 2008-2009 EXPERIENCE

Our total paid claims for 2008-2009 as of March decreased by \$497,366 (10.6%) from the previous year, which means we had a relatively good year from a utilization standpoint. In 2007-08 we had five individuals reach the maximum claims point (which means claims after that went to our reinsurer); this year we have not yet had anyone reach that point. The breakdown by type of claim in 2008-09 is as follows:

<u>Type of Claim</u>	<u>% Change</u>
Medical	-15.83%
Pharmacy	10.55%
Dental	-1.64%

### FIXED COSTS FOR 2009-2010 PLAN YEAR

The best quote we received for renewal of our "umbrella" coverage (reinsurance) was an 18.8% increase, for an additional cost of \$62,330. However, ING offered an alternative quote: by increasing our specific stop loss level from \$125,000 per person to \$150,000, we were able to maintain the reinsurance at no additional cost. Essentially, three individuals would have to reach the specific stop loss level before this move would not be cost effective. The continuing rates are listed below:

Type of Coverage	\$ Amount per employee per month
<b>SPECIFIC STOP LOSS</b>	
<i>Employee</i>	\$27.42
<i>Family</i>	\$60.15
<b>AGGREGATE STOP LOSS</b>	\$2.65

Our administrative fees for our third party administrator (FMH) and related services also remain the same through our contractual agreement:

Type of Fee	\$ Amount per employee per month
Medical/Dental Per Employee	\$13.85
PHP PPO Network Fee	12% up to \$15
Precertification/UR	\$2.00
Large Case Management	\$1.00

**PHARMACEUTICALS**

This year we solicited proposals for our Pharmaceutical plan. We received 4 proposals, including a proposal from our current provider RESTAT. Two of the proposals, RESTAT and MedTrak, were very close in pricing and services. Willis/HRH staff assisted us in preparing the summary of the proposals and in the evaluation. It seemed clear to us that staying with RESTAT was the best decision, particularly because some of their fees appear to be slightly less and they have guaranteed no rate increase for a period of 5 years. Medtrak agreed to no rate change for 2010, but the following 3 years' increases ranged from 5% to 7.5%.

**ANTICIPATED CLAIM COSTS FOR 2009-2010 PLAN YEAR**

The reinsurance predicts that our expected claims costs for 2009-2010 will be \$506,931 more than the current year.

**RECOMMENDED PLAN CHANGES**

In 2008-09, the following changes were made to the health insurance plan:

- *Changed plan reinsurance carrier to ING.*
- *Changed plan network to Freedom Network.*
- *Added a benefit for colonoscopies.*
- *Increased the employee and employer premiums BY 10.7%.*

Based on the anticipated claim levels for 2009-2010, it is recommended that our premium levels increase by about 9.25%, as follows:

FULL PREMIUM			
	Current Rates	2008-2009 Proposed Rates	Monthly Increase
Employee Only	\$497	\$543	\$46
Employee + 1	\$972	\$1,062	\$90
Family	\$1,390	\$1,518	\$128

The following table identifies the rate increases passed on to the employee for 2008-2009.

EMPLOYEE PREMIUM - DOUGLAS COUNTY				
	2007-2008 Rates	2008-2009 Rates	2008-2009 Increase Per Pay Period	2008-2009 Increase Per Month
Employee Only	\$26	\$29	\$1.39	\$2.78
Employee + 1	\$165	\$183	\$8.83	\$17.66
Family	\$229	\$254	\$12.25	\$24.50

Due to the economic conditions and the fact that employees will not be receiving the usual pay increases in 2009, the health insurance committee recommends that the employees not experience an increase in premiums, and that the County accept the additional \$500,000 claims cost through the budgeting process.

### HEALTH INSURANCE BANK ACCOUNTS

There are two accounts associated with the health insurance plan: an operational account from which claims are paid and a reserve account. As of April 30<sup>th</sup>, the account balances are \$259,001 and \$2,778,762, respectively. Additionally, there is \$2,500,000 remaining in the 2009 budget to be transferred to the operations account for payment of claims.

### SUMMARY

This has been a very good year for our health insurance plan, and the increase in claims costs predicted by our reinsurer is mostly attributable to inflation within medical and pharmaceutical costs. The plan seems to be working well, and the health insurance committee recommended that no changes be made.

### RECOMMENDED MOTION

The health insurance committee recommends that the 2009-2010 Health Insurance Plan be renewed with no changes to the benefits, no increase in premium cost to the employee, acceptance of the reinsurance proposal of \$150,000 specific stop loss level, and renewal of our pharmaceutical third party agreement with RESTAT.

Thank you for consideration of the recommendations suggested above.

Pjm