

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, JANUARY 9, 2014
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 January 8, 2014.

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 DECEMBER 19, 2013

MOTION: Schorr moved and Amundson seconded approval of the Staff Meeting minutes of December 19, 2013. Schorr and Hudkins voted aye. Amundson and Raybould abstained from voting. Smoyer was absent from voting. Motion carried 2-0, with two abstentions.

Smoyer arrived at the meeting at 8:32 a.m.

2 ADDITIONS TO THE AGENDA

A. Meeting with Lancaster County Agricultural Society Board

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

3 LEGISLATIVE UPDATE - Gordon Kissel and Joe Kohout, Kissel/E&S Associates (Legislative Consultants)

Joe Kohout, Kissel/E&S Associates, gave a legislative update and reviewed Lancaster County's legislative priorities for 2014 (Exhibit A). He also reported that Senator Bolz has requested the County's support of her proposal to create the Nebraska Public Debt Recovery Program (see Exhibit A).

Kerry Eagan, Chief Administrative Officer, said Brandon Luetkenhaus, Government and Public Affairs Director, Nebraska Credit Union League, contacted him and said his organization wants to introduce legislation to allow County Treasurers to deposit funds with credit unions. Luetkenhaus indicated he would like to have a discussion with the Board and Andy Stebbing, County Treasurer, regarding the proposal.

Hudkins asked whether credit unions could offer the same protection as banks. Stebbing appeared and said he would like to do more research on the matter before offering an opinion, noting credit unions don't have to adhere to the same regulations as banks.

Raybould asked whether West Gate Bank works with credit unions. **NOTE:** The County has a deposit placement agreement and custodial agreement with West Gate Bank for insured "cash sweep" services. The bank places funds in deposit accounts at other banking institutions, each of which are insured by the Federal Deposit Insurance Corporation (FDIC). Stebbing said it does not.

Joe Kelly, County Attorney, appeared and discussed Senator Ashford's plans to introduce legislation related to adult corrections reform. He said he has seen a preliminary draft and said there are three areas the Board may want to focus on regarding the issue of re-entry prison reform: 1) Potential use of county jails to sanction parolees with minor violations, such as a missed drug test; 2) The need to provide space for the new probation re-entry officers; and 3) Prosecutor and public defender involvement in hearings for parolees who have violated re-entry terms. Schorr expressed concern regarding the fiscal impact to Lancaster County.

MOTION: Schorr moved and Smoyer seconded to add "monitor the implications of adult corrections reform legislation" to the list of Lancaster County's legislative priorities. Amundson, Raybould, Smoyer, Schorr and Hudkins voted aye. Motion carried 5-0.

Stebbing said Senator Coash is willing to sponsor legislation to exempt Lancaster County from the Department of Motor Vehicles' (DMV's) motor vehicle renewal letter provisions (see Legislative Bill (LB 207) if there is support from the County Board and the Lancaster County Senate delegation.

MOTION: Raybould moved and Amundson seconded to support legislation to exempt Lancaster County. Smoyer, Schorr, Amundson, Schorr and Hudkins voted aye. Motion carried 5-0.

4 NEBRASKA DEPARTMENT OF AGRICULTURE ANNUAL REPORTS -
Brent Meyer, Noxious Weed Control Superintendent

Brent Meyer, Noxious Weed Control Superintendent, gave an overview of the Noxious Weed Control Plan for 2014, noting the following goals: 1) Prevent the development of new weed infestations; 2) Provide education and public outreach on noxious and invasive weed control; and 3) Provide for ongoing management of State of Nebraska mandated noxious weeds and City of Lincoln weed abatement. He said his department is starting to see infestations of cutleaf teasel and indicated it may become necessary to designate it a noxious weed.

Hudkins suggested that Meyer work with County Engineering to train auto patrol motor grader operators to help identify weed infestations in the County.

Amundson noted she had relayed her concerns regarding a vintner who had significant loss of grapes due to a neighboring property's pesticide/herbicide application and asked whether plant susceptibility is emphasized in training. Meyer said it is, adding the contractors who provide weed control services to the County use a non-volatile herbicide product, rather than 2,4-dichlorophenoxyacetic acid (commonly known as 2,4-D), when spraying roadsides. He said his department is using the Geographic Information System (GIS) to identify noxious weed infestations and vineyards and grape growers with infestations could be given the option of taking care of the problem on their own.

MOTION: Schorr moved and Raybould seconded to authorize the Chair to sign the Nebraska Department of Agriculture Annual Reports (Noxious Weed Control Plan, Budget Report for 2013/2014, Noxious Weed Infestation Report, Activity Report, and Weed Control Authority Board Roster). Raybould, Amundson, Smoyer, Schorr and Hudkins voted aye. Motion carried 5-0.

Raybould exited the meeting at 9:17 a.m.

5 VETERAN GRAVE MARKERS medallion- Gary Chalupa, Veterans Service Officer/General Assistance Director

Gary Chalupa, Veterans Service Officer/General Assistance Director, said Richard Zierke, a Lincoln businessman, contacted him regarding a project to make sure that all the veteran graves in Calvary Cemetery, 145 South 40th Street, are marked with a flag holder by Memorial Day and has asked the County to provide all the marker/flag holders needed for the project. Chalupa explained the County has an obligation to ensure that wartime veterans graves are marked with a headstone and report to the Nebraska Department of Veteran Affairs where veterans are buried. He said some of the grave registration information is recorded on index cards and some has been entered into a database (13,315 entries).

Raybould returned to the meeting at 9:19 a.m.

Chalupa said 721 veterans are buried in Calvary Cemetery and 124 have been issued grave markers. Further research would be needed to determine which of the remaining are wartime veterans. He said the County's markers/flag holders are made of aluminum or brass and cost \$18 or \$30 each, depending on the material, and the cost of providing markers/flag holders for the project is potentially \$18,000. Chalupa said the Department of Veterans Affairs will issue a small bronze medallion, at no cost, for veterans who died after 1990 that can be affixed to the headstone indicating it is the grave of a veteran and the branch of service, however it is not a flag holder (see Exhibit B). He added Wyuka Cemetery and Lincoln Memorial Park Cemetery will pour a small concrete pad above the headstone for setting of a marker, which prevents thefts. A small piece of pipe tubing can also be set in the cement to hold a flag.

6 POTENTIAL AND PENDING LITIGATION - Richard Grabow and Brittany Behrens, Deputy County Attorneys

MOTION: Smoyer moved and Raybould seconded to enter Executive Session at 9:53 a.m. for the purpose of protecting the public interest with regards to potential and pending litigation.

The Chair restated the motion for the record.

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

MOTION: Smoyer moved and Raybould seconded to exit Executive Session at 9:59 a.m. Smoyer, Amundson, Schorr, Raybould and Hudkins voted aye. Motion carried 5-0.

WAITING PERIOD FOR COUNTY BENEFITS - Richard Grabow,
Deputy County Attorney

Richard Grabow, Deputy County Attorney, discussed a resolution that will set waiting periods for benefits for employees in the classified service. He said the resolution, which will supersede and repeal Resolutions R-01-62 and R-01-103, will establish the following policy:

- All newly hired classified employees shall be eligible for participation in the County's health, dental, vision and flexible spending account plans on the first day of the month following completion of a waiting period of 60 calendar days, as measured from the first date of employment as a classified employee.
- Any employees serving in full-time temporary appointments who accept a probationary appointment in the classified service during their temporary appointment, without a break in service, shall have their time served in the full-time temporary appointment applied to the waiting period for benefits.
- The resolution and policy will be effective upon execution and will apply retroactively to employees currently serving in a temporary appointment who may accept a full-time probationary appointment in the classified service.
- Employees appointed to full-time probationary appointments, who were serving in full-time temporary appointments at the time of receiving the probationary appointment, shall be eligible for participation in all benefit plans effective the first day of the month after application for coverage is made.

The resolution does not otherwise make employees serving in temporary appointments eligible for benefits or alter the length of the probationary period each employee must complete prior to becoming a status employee in the classified service.

In response to a question from Raybould, Grabow said the definition of a full-time employee would have to be addressed separately.

The Board will take action on the resolution at the January 14, 2014 County Board of Commissioners Meeting.

7 ECONOMIC DEVELOPMENT ACTION PLAN - Craig Eberle, Business Loan Officer, Southeast Nebraska Development District (SENDD); Dennis Meyer, Budget and Fiscal Officer

NOTE: The Southeast Nebraska Development District (SENDD) is under contract with Lancaster County to administer the County's Community Development Block Grant (CDBG) Economic Development Revolving Loan Fund (RLF).

Craig Eberle, Business Loan Officer, SENDD, said the Nebraska Department of Economic Development (NDED) has backed off its demand that municipalities/counties return monies in their RLF's to NDED or be subject to strict monitoring and suspension of any new CDBG activity. He said NDED's 2014 Proposed Annual Action Plan, which will go in effect July 1, 2014, includes language in the section related to adoption of a local reuse plan that will restrict reuse of program income to the same activities provided to the same business that was originally funded. Eberle noted there is language in the Federal Register which allows for the same activity but it does not limit it to that. He suggested the Board send NDED a letter during the comment period expressing concern that the language is too restrictive and provided a template letter (see agenda packet).

Dennis Meyer, Budget and Fiscal Officer, said he supports sending the letter to NDED.

MOTION: Smoyer moved and Schorr seconded to authorize the Chair to sign the letter to the Nebraska Department of Economic Development (NDED). Amundson, Raybould, Schorr, Smoyer and Hudkins voted aye. Motion carried 5-0.

Schorr exited the meeting at 10:14 a.m.

ACTION ITEMS

A. Nebraska Crime Commission Violence Against Women Act (VAWA) Grant Application

MOTION: Smoyer moved and Raybould seconded to authorize signature by the Chair. Smoyer, Raybould, Amundson and Hudkins voted aye. Schorr was absent from voting. Motion carried 4-0.

Schorr returned to the meeting at 10:16 a.m.

ADDITIONS TO THE AGENDA

A. Meeting with Lancaster County Agricultural Society Board

MOTION: Amundson moved and Smoyer seconded to request: 1) The Lancaster County Agricultural Society Board provide an update to the County Board on issues such as financials, Lancaster County Fair, upcoming events and selection process for the Lancaster Event Center Managing Director on a monthly basis (the fourth Thursday of every month); and 2) The Lancaster County Agricultural Society Joint Public Agency (JPA) meet on a quarterly basis. Schorr, Smoyer, Amundson, Raybould and Hudkins voted aye. Motion carried 5-0.

8 WAITING PERIOD FOR COUNTY BENEFITS - Richard Grabow,
Deputy County Attorney

Item was moved forward on the agenda.

ADMINISTRATIVE OFFICER REPORT

A. Memorandum Regarding Lobbyist and Legislative Testimony
Procedures

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

B. Pension Plan Litigation Settlement Funds (Invesco OAG/Canary Fund -
\$748.79 and \$2,709.48)

Eagan recommended the funds be deposited in the Prudential Expense Account and used for the benefit of all pension plan participants rather than trying to determine who had monies invested in the fund.

MOTION: Amundson moved and Smoyer seconded to deposit the funds in the Prudential Expense Account. Raybould, Amundson, Schorr, Smoyer and Hudkins voted aye. Motion carried 5-0.

C. 2014 Committee Assignments

Copies of Lancaster County Board Committee Assignment Options were disseminated (Exhibit C).

The Board reviewed the list of committee assignments (see agenda packet). The Chair asked that the Lincoln Partnership for Economic Development (LPED) be added to the list of committee assignments. **NOTE:** Gwen Thorpe, Deputy Chief Administrative Officer, has been representing the Board at LPED meetings.

There was consensus to have Hudkins and Smoyer continue to serve as the County Board Chair and Vice Chair, respectively, so they will retain assignments affiliated with those positions. **NOTE:** The Board will take formal action to elect officers at the January 14, 2014 County Board of Commissioners Meeting.

It was noted the Community Mental Health Center (CMHC) Advisory Committee will be disbanded, due to the transition of community behavioral health services from CMHC) to new providers, and an advisory committee affiliated with the Crisis Center will be established.

Hudkins said he would be willing to give up his assignment to the General Assistance (GA) Monitoring Committee.

Schorr said she would like to attend the Chamber Coffee. **NOTE:** Amundson and Smoyer currently serve as the Board's representatives. Raybould said she also attends representing her business interests. Brittany Behrens, Deputy County Attorney, appeared and said having a quorum present puts those Board members in attendance in a precarious situation in terms of the Open Meetings Law, i.e, they could become engaged in policy discussions. She said the County Attorney's Office has advised Board members not to put themselves in a position where someone could make the argument there is an Open Meetings Law violation.

Raybould said she would like to serve on the Railroad Transportation Safety District (RTSD).

The Chair asked Board members to prepare a list of assignments they would like to have or give up for discussion at the next Staff Meeting. It was suggested that the Board apply a "lottery system" to determine the committee assignments if Board members cannot come to an agreement.

D. Election of County Board Officers

See Item C.

E. Keno Human Services Prevention Fund Recommendations

The Board scheduled action on the recommendations on the January 14, 2014 County Board of Commissioners Meeting agenda.

9 ELECTED OFFICIALS SALARIES (2015-2018) - Doug McDaniel, Lincoln-Lancaster County Human Resources Director

It was noted Terry Wagner, Lancaster County Sheriff, submitted a letter to the Board expressing concern that the comparability study done by the Human Resources Department uses comparable counties' 2013 wages to compare to 2014 wages for Lancaster County elected officials for the Board to consider in setting salaries for 2015 (see Exhibit D). **NOTE:** The counties used for comparison in the salary survey were: Douglas County, Nebraska (includes Omaha), Linn County, Iowa (includes Cedar Rapids), Minnehaha County, South Dakota (includes Sioux Falls), Polk County, Iowa (includes Des Moines), Sedgwick County, Kansas (includes Wichita), and Shawnee County, Kansas (includes Topeka).

Doug McDaniel, Lincoln-Lancaster County Human Resources Director, said Wagner's letter is correct, adding the salary setting process is an anomaly in terms of the way compensation is normally done.

Wagner appeared and said his basic concern is that the Elected Officials Salary Committee's recommendation was not based on relevant data, adding there is no analytical data that indicates 2% is an accurate and just compensation beginning in 2015. **NOTE:** The Committee proposed a formula to stay as close as possible to an annual base increase of 2%:

For the 2015-2018 term, each elected official should receive an annual salary increase based on the following formula. If the U.S. Department of Labor Statistics Consumer Price Index (CPI) for all Urban Consumers Midwest Region, as published for the November immediately preceding each January for 2016 through 2018 is:

- A) Not less than 1.5% and not greater than 2.5% - then each elected official should receive a 2% salary increase;
- B) Less than 1.5% - then the salary increase should be 2%, minus 50% of the amount by which the CPI is less than 1.5%; and
- C) More than 2.5% - then the salary increase should be 2%, plus 50% of the amount by which the CPI exceeds 2.5%.

Raybould noted Wagner had referenced other counties in his letter and asked if he has the salary figures for their Sheriffs. Wagner said Douglas and Sarpy County will be \$121,000 and \$125,000, respectively, for the term beginning 2015.

Wagner noted the County Board has traditionally made an adjustment at the beginning of each term to get salaries in line with responsibilities and duties. That adjustment did not occur in 2010 due to economic conditions.

Raybould said three of the six counties in the array have lower salaries than Lancaster County for the sheriff position, even with an increase, and two of the three counties with higher salaries have twice the population. Wagner said population isn't the only criteria that is considered. He said Douglas County, which is in the array, has the same statutory duties and responsibilities but said he doesn't have knowledge of duties and responsibilities for the other counties, which are located in other states.

Schorr noted the Board has made market adjustments to positions in the past. She referenced the Elected Officials Salary Survey data (see Exhibit E) and projected it would cost \$25,000 to make adjustments to bring the elected officials' salaries halfway to market (midpoint). The exception would be the County Assessor/Register of Deeds, for which there is no market data.

Raybould felt comparability should reflect the total compensation package, including benefits. Wagner concurred. He said Nebraska is the only state that doesn't have defined benefits for law enforcement and said he would welcome that total compensation analysis for his office.

MOTION: Schorr moved and Smoyer seconded to add 50% of the market-based increases indicated in the 2013 Elected Officials Salary Survey in 2015 and 2017 to the 2 percent increase in 2015 and cost-of-living formula recommended by the Elected Officials Salary Committee for elected county officials, with no additional market-based adjustment for the County Assessor/Register of Deeds.

Smoyer said he would support an additional one-time increase for the County Sheriff noting the salaries for administrative positions within other local law enforcement agencies (see Exhibit D).

ROLL CALL: Smoyer, Schorr, Amundson and Hudkins voted aye. Raybould voted nay. Motion carried 4-1.

10 ACTION ITEMS

Item was moved forward on the agenda.

11 CONSENT ITEMS

There were no consent items.

12 ADMINISTRATIVE OFFICER REPORT

- A. Memorandum Regarding Lobbyist and Legislative Testimony Procedures
- B. Pension Plan Litigation Settlement Funds (Invesco OAG/Canary Fund - \$748.79 and \$2,709.48)
- C. 2014 Committee Assignments
- D. Election of County Board Officers
- E. Keno Human Services Prevention Fund Recommendations

Items A-E were moved forward on the agenda.

- F. Claims for Review (All Claims are Beyond the 90-Day Time Period):
 - Payment Voucher (PV) 426065 and PV 426066 in the Total Amount of \$383.75 to Dustin E. Bartley, Community Corrections
 - PV 426113 in the Amount of \$90.97 to John Jorgensen, Public Defender's Office
 - PV 426110 in the Amount of \$171.20 to Kristi Egger-Brown, Public Defender's Office
 - PV 426051 in the Amount of \$62.15 to Alicia B. Henderson, County Attorney's Office

MOTION: Raybould moved and Smoyer seconded to handle the claims through the regular claims process. Raybould, Schorr, Amundson, Smoyer and Hudkins voted aye. Motion carried 5-0.

G. Retirement Match

Item was held.

H. Nebraska Association of County Officials (NACO) County Board Workshop (February 5-7, 2014 in Kearney, Nebraska)

Board members were asked to notify Minette Genuchi, Administrative Assistant to the County Board, if they plan to attend so she can make reservations.

K. Community Mental Health Center (CMHC) Transition Update

Gwen Thorpe, Community Mental Health Center (CMHC) Interim Administrator, gave an update on the transition and noted the following:

- CenterPointe still has licensing issues for The Heather (community transition program) and a meeting will be scheduled with representatives of Region V and the Department of Health and Human Services (DHHS) to work through those issues.
- Lutheran Family Services (LFS) will begin supervision of the Community Support Program on January 13th.

Smoyer exited the meeting at 11:26 a.m.

- Lincoln-Lancaster County Human Resources Department will meet with staff who are moving to LFS to discuss their benefit payout options.
- Thorpe is working with Joan Anderson, Lancaster County Medical Society Executive Director, and Pam Osborne, LFS Administrator, on medical management issues.
- Information Services (IS) is working on the transfer of computers and phone equipment to LFS.

Smoyer returned to the meeting at 11:30 a.m.

- There is a plan in place for mental health commitments and individuals who are deemed not responsible by reason of insanity (NNRI).
- The Board's letter to clients is available on-site and staff are refining the mailing list so the letter can be mailed out to clients.

Amundson exited the meeting at 11:34 a.m.

There was consensus to have the CMHC Advisory Committee meet for a final time in January. Schorr asked Raybould, who serves on the Committee, whether she would be interested in serving on the advisory committee that will be established for the Crisis Center. Raybould said her preference would be to serve on the Railroad Transportation Safety District (RTSD).

Raybould inquired about outreach to consumers and their families, such as an information kiosk and open houses. Thorpe said the kiosk was delivered but has not been set up and said she will ask LFS about plans for open houses.

Thorpe noted the Board had inquired about the transfer of records and said the County will retain the client files and provide information from the files to LFS if clients give authorization.

Raybould said she would like LFS to provide an updated time line and their benchmarks, through the end of June, 2014. Hudkins said LFS has indicated that they cannot do so until licensing issues are resolved. He said Schorr contacted the Governor's Office to try to stimulate action on the part of the State.

The Board requested that LFS give the Board an update at the January 16th Staff Meeting.

Raybould exited the meeting at 11:45 a.m.

I. Employee Recognition Breakfast (May 20, 2014)

Informational only.

J. Pension Plan Document Preparation Fee (\$750.00 from Expense Account)

MOTION: Smoyer moved and Schorr seconded to authorize payment of the fee from the Prudential Expense Account. Schorr, Smoyer and Hudkins voted aye. Amundson and Raybould were absent from voting. Motion carried 3-0.

K. Community Mental Health Center (CMHC) Transition Update

Item was moved forward on the agenda.

13 PENDING

There were no pending items.

14 DISCUSSION OF BOARD MEMBER MEETINGS

A. Human Services Joint Budget Committee (JBC) - Schorr, Raybould

Schorr said the JBC approved the Keno Human Services Prevention Fund Recommendations.

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

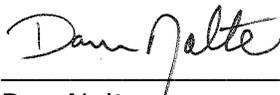
Hudkins said there was discussion on the Lincoln-Lancaster County Consolidation Task Force's recommendations.

15 EMERGENCY ITEMS AND OTHER BUSINESS

There were no emergency items or other business.

16 ADJOURNMENT

MOTION: Schorr moved and Smoyer seconded to adjourn the meeting at 11:50 a.m. Smoyer, Schorr and Hudkins voted aye. Amundson and Raybould were absent from voting. Motion carried 3-0.



Dan Nolte
Lancaster County Clerk



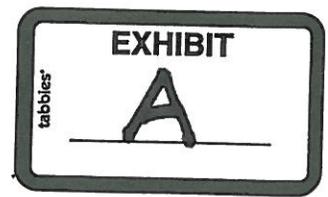


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MEMORANDUM

TO: Lancaster County Board of Commissioners

FROM: Gordon Kissel
Joseph D. Kohout

DATE: January 8, 2014

RE: Weekly Update on the 2014 Legislature

Please accept this as the first of your weekly reports for the 2014 Legislative Session. Yesterday, the Legislature convened and began the introduction of bills – including 67 new ones. Please recall that any bill that did not pass and was not otherwise disposed of remains alive for consideration during the 2014 session. We have attached the Speaker's memorandum of last Thursday outlining the plan for the first few weeks of the session.

While 67 bills were introduced, we continue to review legislation as it is filed. We expect to have a complete list of legislation introduced through this week to you by our next meeting.

2014 Lancaster County Legislative Priorities:

1. **Oppose Elimination of the Inheritance Tax:** While no bill has yet been introduced to do this, we expect it as part of one of the competing tax bills to the tax modernization committee report.
2. **Support Medicaid Expansion under the Affordable Care Act:** We expect legislation to be introduced to re-define the issue following last session. To date, it has not been introduced.
3. **Monitor the Implementation of 2013 Neb. Laws LB561:** We have been in contact with NACO and Douglas County regarding this. While no legislation has yet been introduced, we continue to work with NACO and Douglas County to develop legislation to address the issues identified jointly by Lancaster, Douglas and NACO.
4. **Eliminate the Responsibility of Counties to Pay HHS Rent – LB632:** The bill is in the Government Committee and we will be working with the committee to advance the bill.

Additional Legislative Requests:

1. **Debt Proposal:** We have attached the outline of a proposal forwarded by Senator Kate Bolz. Our support has been requested.
2. **Credit Union League Proposal:** We are aware of a request by the Credit Union League to support legislation.

Please do not hesitate to contact us with any questions you might have.

Nebraska State Legislature

GREG ADAMS
Senator

SPEAKER OF THE LEGISLATURE

District 24
831 West 4th Street
York, Nebraska 68467



Legislative Address:

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gadams@leg.ne.gov

MEMORANDUM

TO: Colleagues, Staff and Interested Persons
FROM: Speaker Greg Adams *GA*
RE: Legislative Schedule
DATE: January 2, 2014

Please find below scheduling information for the first few days of session and several key session dates thereafter. If bad weather necessitates a time change, members will be notified and the change will be announced via my office website and the Legislature's website.

January 8, 9, 10

- Convene at 10:00 a.m. and adjourn by noon or when introduced bills have been processed by the Clerk's office

January 13

- Convene at 10:00 a.m. and debate motion to adopt permanent rules
- Bill Introduction
- Begin floor debate of general file carryover legislation
- Recess for lunch until 1:30 p.m. and adjourn between 4:00 p.m. and 5:00 p.m.

January 14, 16

- Convene at 9:00 a.m. and continue debate of general file carryover legislation
- Bill Introduction
- Recess for lunch until 1:30 p.m. and adjourn between 4:00 p.m. and 5:00 p.m.

January 15

- Convene at 9:00 a.m.
- Governor's State of the State Address – 10:00 a.m.
- Bill Introduction
- Floor debate of general file carryover legislation
- Recess for lunch until 1:30 p.m. and adjourn between 4:00 p.m. and 5:00 p.m.

January 17

- Convene at 9:00 a.m.
- Chief Justice Heavican's State of the Judiciary Address-10:00 a.m.
- Bill Introduction
- Floor debate of general file carryover legislation
- Work through the lunch hour and adjourn early afternoon
- *(Tentative)* Last day to submit bill requests to Revisor of Statutes/Bill Drafting Office

January 21

- Convene at 10:00 a.m.
- Bill Introduction
- Floor debate of general file carryover legislation
- Adjourn at noon
- Public Hearings begin at 1:30 p.m.

January 22

- Convene at 9:00 a.m.
- Last day of bill introduction
- Floor debate of general file carryover legislation
- Adjourn by noon or when introduced bills have been processed by the Clerk's office

February 3

- Speaker's office will begin accepting senator and committee priority designations and requests for speaker priority designations

February 19, Prior to Adjournment

- Deadline to submit a letter to the Speaker requesting designation of a bill as a 2014 speaker priority bill

February 20, Prior to Adjournment

- Deadline for designation of committee and senator priority bills

February 21

- Speaker priority bills announced prior to adjournment

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February 28

- Tentative date to complete committee public hearings on introduced bills

March 4

- Tentative date to begin full day debate on the floor

Additionally, please note that beginning January 13th, we will begin the first day of the work week at 10:00 a.m., unless otherwise announced. The remaining days of the week we will convene session at 9:00 a.m. If you have any questions on these dates or procedures, please feel free to contact me or Laurie in my office.

2014 LEGISLATIVE PROPOSAL
Senator Kate Bolz, District #29

PUBLIC DEBT RECOVERY PROGRAM
GOVERNMENT, MILITARY, & VETERAN'S AFFAIRS COMMITTEE

In Nebraska, millions of dollars owed to local and state governments remain unpaid. The monies are often earmarked for educational funds, administrative functions, or infrastructure. When a county or agency is forced to write off these uncollected dollars, the burden falls to the taxpayer. This bill will potentially assist in ensuring and expediting recovery of both current and past monies owed by individuals to public entities.

This proposal creates the Nebraska Public Debt Recovery Program to which state agencies, municipalities, and local governmental entities can report many types of overdue payments, including, but not limited to: delinquent fees, fines, costs, orders of restitution, judgments of bonds, forfeitures, judgment orders of forfeiture, or other payments, in the amount of \$50 or more. The Program will utilize offsets or deductions of an individual's interest in state funds to satisfy the debt. It may also intercept vendor payments to satisfy debts owed to state agencies. Other examples of state funds for deduction or offset are tax refunds, lottery payouts, commercial payments, and payroll. Additionally, the individual may choose to simply pay the debt through the Program.

The local entities and state agencies must provide the individual with the appropriate due process and notification requirements before proceeding with reporting the claim. The Program must then offer a notification and repeal process for the individual before the offset or deduction occurs. Recovered funds are then forwarded to the claimant for debt satisfaction.

Proposal: The managing entity, as yet undetermined, shall promulgate rules and regulations for planning and implementation of the Nebraska Public Debt Recovery Program ("Program"), providing administrative and budgetary oversight. The Program shall serve as the primary debt recovery unit for the state and shall collect debts on behalf of state agencies, local governments, and municipalities ("claimant"). All debts owed to the State of Nebraska shall be referred to the Program unless excepted in rules promulgated by the managing entity. The Program shall satisfy claims using the following:

- 1) State tax intercepts

- 2) Lottery Winnings
- 3) State Payroll Offset (shall not be more than 25% of total payment)
- 4) State Contract Payments Offset (shall not be more than 25% of total payment)
- 5) Vendor Payments (State Agency Claims Only)
- 6) Unclaimed property
- 7) Direct one-time or periodic Payments

The promulgated rules and regulations shall include, but are not limited to:

- making sure this is no conflict with federal law
- guarantee due process of the law
- provide authority to collect a recovery fee from the claimant not to exceed 3% to reimburse the Program for the collection efforts
- provide authority to collect a recovery fee from the debtor not to exceed 5%, which may be attached to the debt, to reimburse the Program for the collection efforts

The managing entity shall:

- 1) Establish an online gateway in partnership with the Office of the Chief Information Officer to allow for secure transfer of claimant files containing required data for assisting in the collection process and to develop an online payment system for debtors
- 2) Establish a formal state debt recovery policy for use with claimant including the process for entering into an agreement with the Program to recover debt on the entities behalf (e.g. 5% collection fee) that clearly states:

a) Due Process requirements, including but not limited to:

- the claimant must have made at least two (2) documented attempts in writing to notify the debtor of the debt and that the debt may be referred to the Program if unpaid (except for debts overdue prior to the Program's inception)
- at least 90 days must have passed since the debt was incurred
- the debt must not be subject to litigation, claim, appeal or review under state or local governmental entity rules
- the Program's appeal process for the debtor

b) Claim Process, including but not limited to:

- the state agency or local governmental entity must cease collection procedures and cooperate with the Program in collecting the debt once a claim has been submitted (e.g. inform the Program if the debtor files for bankruptcy)
- debt must be \$50 or greater
- if the Program determines the debt is non-collectable after a given amount of time the claim is returned to the claimant who deals with it appropriately (ex. write-off)

c) the process for quarterly dispersal of recovered funds to the claimant

3) Determine when a claim shall be deemed uncollectible.

As part of the recovery process, the managing entity must:

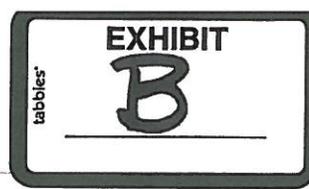
- 1) Provide notice of attempt to collect the debt (i.e. intercept tax return, deduct from state payroll) as well as notice of the appeal process for which the debtor must apply within 60 days of notice from the Program
- 2) Provide an appeal process for action on the debt
- 3) Accept debit/credit card payments for debt, interest, fees portion; **authority to adjust the debt amount to reflect cost of processing payment.**

The managing entity may:

- 1) Extend to the debtor a reasonable period of time for payment of the debt by entering into an agreement for periodic payments
- 2) Cancel the debt or cause it to be canceled if the Program finds that a debt does not exist or was claimed in error.

Cost: Currently under research in conjunction with the Legislative Fiscal Office.

Effective Date: TBD



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Army Grave marker

Page last updated Thu July 1st, 2010 at 06:32

By [Courtesy Department of Veterans Affairs](#)

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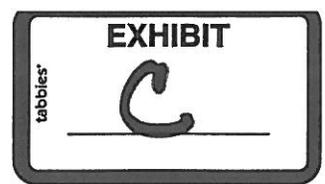


Photo Credit: [Courtesy Department of Veterans Affairs](#)

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Lancaster County Board Committee Assignment Options



Budget Monitoring Committee (once annually)
Budget Monitoring Committee (once annually)

Chamber of Commerce Coffee (monthly, first Wed 8am)
Chamber of Commerce Coffee (monthly, first Wed 8am)

Community Mental Health Center Advisory Committee (monthly, fourth Wed noon)

Corrections, serves as Board Chairperson (quarterly, Thursdays)

District Energy Corporation (quarterly, Tues/Thurs noon)
District Energy Corporation (quarterly, Tues/Thurs noon)

Emergency Medical Oversight Authority (every other month, Mon 4:00)

General Assistance Monitoring Committee (quarterly, Tues 1:30)
General Assistance Monitoring Committee (quarterly, Tues 1:30)

Information Services Policy Committee (monthly, second Thursday 1:00)

Lancaster County Fairgrounds JPA (annually)
Lancaster County Fairgrounds JPA (annually)

LIBA Budget Monitoring Committee (monthly, third Tues 7:30am)

NACO Board of Directors (quarterly, varies)

Health Department, Board of Directors (monthly, second Tues 5:00)

Human Service Joint Budget Committee (every other month, Friday 10:30)
Human Service Joint Budget Committee (every other month, Friday 10:30)

Parks and Recreation Advisory Board (monthly, second Thurs 4:00)

Public Building Commission (monthly, second Tues 1:30)
Public Building Commission (monthly, second Tues 1:30)

Railroad Transportation Safety District (quarterly, Mon/Tues, 12:45/8:15)
Railroad Transportation Safety District (quarterly, Mon/Tues, 12:45/8:15)
Railroad Transportation Safety District (quarterly, Mon/Tues, 12:45/8:15)

Region 5 Governing Board (7 times per year, Mon 8:30)

Visitors Promotion Committee (quarterly, third Monday 1:30)

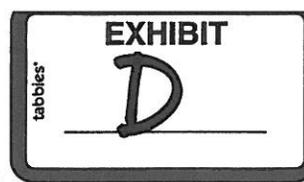
Youth Services Center Advisory Board (quarterly, fourth Tues 7:00pm)

Office of the Sheriff Lancaster County

Terry T. Wagner
Sheriff

Jeffrey J. Bliemeister
Chief Deputy

575 S. 10th Street, Lincoln, Nebraska 68508-2869
Phone (402) 441-6500 Fax (402) 441-8320



December 30, 2013

RECEIVED

DEC 31 2013

LANCASTER COUNTY
BOARD

Commissioner Larry Hudkins, Chair
Lancaster County Board of Commissioners
555 So. 10th Street
Lincoln, NE 68508

Dear Mr. Hudkins,

I am writing to provide additional information for Commissioners to consider before adopting the recommendations of the Elected Officials Salary Review Committee.

The Committee is recommending a 2% increase from 2014 to 2015 for all Lancaster County Elected Officials. As I read their meeting minutes, this recommendation was made while considering raises to other Lancaster County Employees. While I am not speaking for the other elected officials, I respectfully disagree with their recommendation as it pertains to the Office of Sheriff.

Even the comparability study done by Human Resources does not give a clear indication of what elected officials salaries should be. The study uses 2013 comparable counties' wages, compared to 2014 wages for Lancaster County Officials to set the salaries for 2015. As one can see, an entire year of increases of the comparable counties is missing in the equation. Without guessing what the comparable salaries would be for 2014, there is really no way to use the study.

For the first four of the beginning years of the term of office of the last five terms, the Board has made market adjustments to the salaries of elected officials. Below is the last year and first year of the last five terms for the Office of Sheriff:

1994	\$55,770	1995	\$60,000	7.58%
1998	\$64,477	1999	\$70,000	8.56%
2002	\$76,340	2003	\$81,000	6.1%
2006	\$90,439	2007	\$98,126	8.6%
2010	\$107,217	2011	\$107,217	0.0%

An average of these five term salary adjustments is 6.14%. This is the percentage I recommended to the Committee for the first year of the next term for the Office of Sheriff. As I have found from informally surveying the Sheriffs in other counties, my recommendation is in line with the market adjustments made there. For example, Douglas County Sheriff will receive a 6% adjustment with 4% annual increases thereafter; Sarpy County Sheriff will receive a 7.77% adjustment for 2015; the Wayne County Sheriff's salary was adjusted 10%; Hall County adjusted the Sheriff's salary 13.5%. Failure to make adjustments to the salaries of elected officials for 2015 will result in a huge disparity that will be difficult to make up.

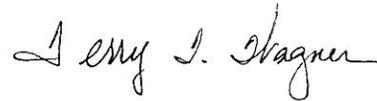
Even if one discounts the above information as irrelevant to Lancaster County, the local labor market for Law Enforcement Administrators shows more disparity. Below are the current salaries for administrative positions within local law enforcement agencies compared to the Sheriff's 2013 salary:

Sheriff	\$111,549
LPD Chief -	\$130,000 (est.)
LPD Asst. Chief -	\$121,284 (receives Merit and COLA annually)
UNL-PD Chief -	\$119,896

As is evident from the wages of the Lincoln Police Chief and UNL Chief (+16.63% and +7.5% respectively), as well as their upper management staff, the salary of the elected Sheriff has fallen far behind the local standard. It should be remembered the figures above are for 2013, there will undoubtedly be increases in these salaries for 2014, (even a modest 2.5% increase would put the Chiefs at \$133,250 and 122,893), and the 2013 comparability study shows the Lancaster County Sheriff's wage should currently be \$114,156. Since there are no private sector law enforcement officers, The realistic pool of potential candidates for the Office of Sheriff will most likely be from the management ranks of local law enforcement agencies. The salary for Sheriff will need to be comparable to these local agency administrators to attract qualified candidates.

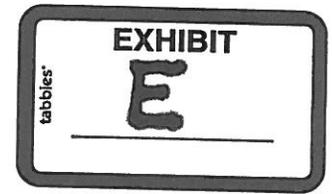
I would urge the Board to make an adjustment to the salary of the Office of Sheriff comparable to those made for past terms of office. Thank you for your consideration of this request.

Sincerely,



Terry T. Wagner
Lancaster County Sheriff

Personnel Survey



ELECTED OFFICIALS SALARY SURVEY 2013

	BOARD OF COMMISSIONERS Market Salary	CLERK OF THE DISTRICT COURT Market Salary	COUNTY ASSESSOR Market Salary	REGISTER OF DEEDS Market Salary	COUNTY ATTORNEY Market Salary
DOUGLAS (Omaha, NE) 517,110	\$36,217	\$94,263	\$109,204	\$98,481	\$156,619
LINN (Cedar Rapids, IA) 211,226	\$47,406			\$94,813	\$150,790
POLK (Des Moines, IA) 430,640	\$50,834			\$101,668	\$175,373
SEDGWICK (Wichita, KS) 498,365	\$41,859			\$78,480	\$139,313
SHAWNEE (Topeka, KS) 177,934	\$43,000			\$59,225	\$139,050
SCOTT (Davenport, IA) 168,799	\$40,100			\$80,100	\$138,700
MEAN	\$43,236	\$94,263	\$109,204	\$85,461	\$149,974
MEDIAN	\$42,430	\$94,263	\$109,204	\$87,456	\$145,051
MIDPOINT	\$42,833	\$94,263	\$109,204	\$86,459	\$147,513
LANCASTER 2013	\$38,808	\$81,366	\$115,389	\$115,389	\$137,705
\$ +/-	\$4,025	\$12,897	-\$6,185	-\$28,930	\$9,808
% +/-	10.37%	15.85%	-5.36%	-25.07%	7.12%
MIDPOINT	\$42,833	\$94,263	\$109,204	\$86,459	\$147,513
LANCASTER 2014**	\$39,584	\$82,993	\$117,697	\$117,697	\$140,459
\$ +/-	\$3,249	\$11,270	-\$8,493	-\$31,238	\$7,054
% +/-	8.21%	13.58%	-7.22%	-26.54%	5.02%

*annual amounts set to 20hrs per week for comparison.

88,628

*Lancaster County Assessor and Register of Deeds are combined.

143,986

41,208.50

** Salaries have been increased 2% based on R-09-0107 which states "Annual increase - the higher of 2% OR the increase in the U.S. Department of Labor Statistics CPI for all Urban Consumers Mid-West Region as published for November immediately preceding each January 1st, but with a maximum increase not to exceed 4%."

1500

6000

500

ELECTED OFFICIALS SALARY SURVEY 2013

	COUNTY CLERK Market Salary	COUNTY ENGINEER Market Salary	COUNTY SHERIFF Market Salary	COUNTY TREASURER Market Salary	PUBLIC DEFENDER Market Salary
DOUGLAS (Omaha, NE) 517,110	\$107,710	\$119,919	\$110,275	\$109,552	\$153,548
LINN (Cedar Rapids, IA) 211,226		\$97,517	\$124,233	\$94,813	
POLK (Des Moines, IA) 430,640	\$102,163	\$119,768	\$145,132	\$102,163	
SEDGWICK (Wichita, KS) 498,365	\$78,480	\$111,453	\$118,036	\$78,480	\$139,313
SHAWNEE (Topeka, KS) 177,934	\$61,800	\$127,500	\$89,610	\$68,560	
SCOTT (Davenport, IA) 168,799		\$105,369	\$103,500	\$80,100	
MEAN	\$87,538	\$113,588	\$115,131	\$88,945	\$146,431
MEDIAN	\$90,322	\$115,611	\$114,156	\$87,456	\$146,431
MIDPOINT	\$88,930	\$114,599	\$114,643	\$88,201	\$146,431
LANCASTER 2013	\$77,616	\$108,979	\$111,549	\$81,372	\$137,705
\$ +/-	\$11,314	\$5,620	\$3,094	\$6,829	\$8,726
% +/-	14.58%	5.16%	2.77%	8.39%	6.34%
MIDPOINT	\$88,930	\$114,599	\$114,643	\$88,201	\$146,431
LANCASTER 2014**	\$79,168	\$111,159	\$113,780	\$82,999	\$140,459
\$ +/-	\$9,762	\$3,441	\$863	\$5,201	\$5,971
% +/-	12.33%	3.10%	0.76%	6.27%	4.25%

4881.00

112,879.50

114,211.50
 85,599.50
 143,444.50
 Shawnee County Treasurer receives an additional \$15,000 of income from the State that we added to the wage.

** Salaries have been increased 2% based on R-09-0107 which states "Annual increase - the higher of 2% OR the increase in the U.S. Department of Labor Statistics CPI for all Urban Consumers Mid-West Region as published for November immediately preceding each January 1st, but with a maximum increase not to exceed 4%."

84,049
 5000

1000
 2

1000

3000

3000