

AGENDA

Tri-County Commissioners and Staff Annual Retreat November 18, 2013 – 8:30 a.m. Lauritzen Gardens, Omaha, NE

- 8:30 a.m. Reception and Breakfast Buffet
- 9:00 a.m. Welcome, Open Meetings Law Announcement, Facility Overview, Introductions
- 9:15 a.m. ~~Presentation from the Nebraska Chamber of Commerce on Implications of Tax Structure on Business for the State of Nebraska~~
- 9:45 a.m. Break
- 10:00 a.m. Review of Legislative Issues and Agendas
1. Lancaster County
 2. Sarpy County
 3. Douglas County
 4. NACO – Larry Dix, Executive Director
- Juvenile Justice Reform discussion (LB 561)
- 12:00 p.m. Lunch
- 1:00 p.m. Other Topics
1. Truancy Discussion
 - Lancaster County presentation
 - Douglas County presentation-Brenda Vosik, Nebraska Family Policy Forum
 2. Consolidation efforts
 - Lancaster County – City of Lincoln Consolidation Task Force
 - Douglas County/Sarpy County – 911 Regionalization Efforts
 3. Budget Discussion (Lancaster County)
 4. Strategic / Operational Planning
 5. Tax Modernization
 6. Further changes on CIR Legislation
 7. Update on County implementation of Affordable Care Act (ACA) and other health insurance issues
 8. Discussion of mental health issues

**MINUTES
TRI-COUNTY MEETING
DOUGLAS, LANCASTER AND SARPY COUNTY BOARDS
LAURITZEN GARDENS
100 BANCROFT STREET, OMAHA, NEBRASKA
MONDAY, NOVEMBER 18, 2013
8:30 A.M.**

Douglas County: Mary Ann Borgeson, County Commissioner; Clare Duda, County Commissioner; Marc Kraft, County Commissioner; Pam Tusa, County Commissioner; Patrick Bloomingdale, Chief Administrative Officer; Diane Carlson, Deputy Chief Administrative Officer; Marcos San Martin, Labor Relations Specialist; Joe Lorenz, Budget & Finance Director; Theresa Urich, Deputy County Attorney; Karen Cole, Office Manager, Administrative Services Office; Catherine Hall, Assistant County Administrator; Tom Cavanaugh, County Clerk/Comptroller; Ellen Sechser, Administrative Assistant, Douglas County Clerk's Office; Mike Kelley and Sean Kelley, Kelley & Jerram Law Firm (Douglas County Lobbyists)

Lancaster County: Roma Amundson, County Commissioner; Jane Raybould, County Commissioner; Deb Schorr, County Commissioner; Brent Smoyer, County Commissioner; Kerry Eagan, Chief Administrative Officer; Gwen Thorpe, Deputy Chief Administrative Officer; Dennis Meyer, Budget and Fiscal Officer; Ann Taylor, Lancaster County Clerk's Office; Joe Kohout, Kissel/E&S Associates (Lancaster County Lobbyist)

Sarpy County: Brenda Carlisle, County Commissioner; Don Kelly, County Commissioner; Tom Richards, County Commissioner; Jim Thompson, County Commissioner; Jim Warren, County Commissioner; Deb Houghtaling, County Clerk; Fred Uhe, Director of Community and Government Relations; Mark Wayne, County Administrator; Bonnie Moore and Mike Smith, Deputy County Attorneys; Brian Hanson, Fiscal Administrator; Tim Gay, Husch Blackwell (Sarpy County Lobbyist)

Also in attendance: Larry Dix, Nebraska Association of County Officials (NACO) Executive Director; Jon Edwards, Cuttshall & Nowka (NACO Lobbyist)

1 RECEPTION & BREAKFAST

A reception and breakfast were held, beginning at 8:30 a.m.

2 WELCOME, OPEN MEETINGS LAW ANNOUNCEMENT, FACILITY OVERVIEW, INTRODUCTIONS

Mary Ann Borgeson, Douglas County Commissioner, opened the meeting at 9:04 a.m. and announced the location of a copy of the Nebraska Open Meetings Act.

3 REVIEW OF LEGISLATIVE ISSUES AND AGENDAS

A. Lancaster County

Kerry Eagan, Lancaster County Chief Administrative Officer, discussed Lancaster County Legislative Proposals, 2014 Session and 2014 Lancaster County Legislative Priorities (Exhibits A and B).

B. Sarpy County

Fred Uhe, Sarpy County Director of Community and Government Relations, presented Sarpy County 2014 Areas of Legislative Interest (Exhibit C).

C. Douglas County

Marcos San Martin, Douglas County Labor Relations Specialist, gave an overview of Board of Commissioners, Douglas County, Nebraska, 2013-2014 Legislative Agenda (Exhibit D).

D. National Association of County Officials (NACO)

Larry Dix, NACO Executive Director, outlined 2014 NACO Legislation to Pursue (Exhibit E). He said other important issues to monitor are efforts to eliminate the Inheritance Tax and adult corrections reform, including the proposal to have counties house state inmates.

Borgeson said Douglas County has reservations about accepting state prisoners because of what happened in the past with jail reimbursement. She said Douglas County is also concerned that it may not be able to determine the classification of prisoners, who is responsible for medical costs, and whether there could be a change in state law to make housing of state prisoners mandatory. Borgeson asked the Lancaster and Sarpy County Commissioners in attendance their thoughts on the issue.

Deb Schorr, Lancaster County Commissioner, said Lancaster County would want to recoup its costs. She added that Lancaster County initially thought it might have space available in its new Adult Detention Facility but the daily population has increased and space is filling up.

Tom Richards, Sarpy County Commissioner, said the state prison holds adjudicated offenders and said it's possible those offenders could be moved into the same facility as offenders who are potential witnesses in their cases.

Dix said he believes the State will find that the number of beds the counties can provide will not be a sustainable solution to prison overcrowding, suggesting there are

only 10 jails that would even be possible candidates to hold state prisoners. He added there is also a sentiment in some parts of the State that some offenders would have a better chance of being reformed if they remained in their local jail.

Roma Amundson, Lancaster County Commissioner, said county jails are intended for certain types of prisoners and said she is concerned with potential liability if there are problems.

Borgeson said she has heard the State is holding meetings on this issue and expressed concern that counties are not "at the table." Jon Edwards, NACO Lobbyist, said the meetings have involved members of the Legislature's Appropriation and Judiciary Committee and said certain law enforcement elements have been invited. He and Joe Kohout, Lancaster County Lobbyist, both indicated it is their feeling that legislation will be introduced this year. Edwards said Senators Ashford and Mello believe that "prisoner reinvestment" will reduce costs to the State and are convinced there is a need to move forward on this.

Kohout said he is concerned that the State will become fixed on the counties with lower rates and that will become the reimbursement rate.

Clare Duda, Douglas County Commissioner, said it is critical that counties have to have the ability to say no and felt the holding of state prisoners would have to be through a contractual agreement.

Other Legislative Issues

Brief discussion took place regarding inmate phone systems and possible legislation to limit any profit. Dix said the Federal Communications Commission (FCC) is also looking at capping the amounts that can be charged. It was suggested that each of the counties be prepared to indicate how they use the revenue to benefit inmates.

4 JUVENILE JUSTICE REFORM DISCUSSION (LEGISLATIVE BILL (LB) 561)

Dix noted discussions he has had with Ellen Brokofsky, Nebraska State Probation Administrator, regarding costs associated with juvenile justice reform and said Brokofsky maintains that the State has never been responsible for medical costs associated with detention. Counties maintain they have not been responsible for those costs either. He said the actual costs have not been determined and attempts to get figures from the Nebraska Department of Health and Human Services (DHHS), from when detention services were provided to youth placed with the State's Office of Juvenile Services (OJS), have been unsuccessful. Dix said NACO, County and State Probation representatives, and members of the judiciary met recently to discuss LB 561 and said his understanding is that LB 561, going forward, will be driven by Senator Krist. He said Senator Krist wants to define costs for medical, transportation and space

in the juvenile detention facilities and told Dix if catastrophic pharmaceutical costs are the primary concern, maybe the State should create a fund to cover those costs.

Schorr said the cost for holding pre-disposition youth is a huge unknown and said the Lancaster County Board is considering increasing the daily per diem of \$276.00 to account for those costs, as well as medical and transportation costs. She asked what Douglas and Sarpy are considering in terms of daily rates. Patrick Bloomingdale, Douglas County Chief Administrative Officer, said Corey Steel, Deputy Administrator for State Probation Administration, has suggested that counties do away with the daily rate and have the State pay a certain amount each year. He said he would be leery about doing so. Schorr asked what criteria Steel had suggested. Bloomingdale said it would involve looking at what costs have been over a several year period, then try to anticipate what they will be. Dix said, "we've been down this road so many times before", with the State not appropriating sufficient funds. Theresa Urich, Douglas County Deputy County Attorney, said that happened to Douglas County with the Nebraska Juvenile Service Delivery Project (LB 985), a pilot program that was in place in Douglas County prior to LB 561. She noted there are statutes in place that stipulate if no other funds are available, the County shall appropriate a fund that will be used until other funds can be located. It was noted Douglas and Sarpy County's per diems are \$210.56 and \$220.00, respectively. Lancaster County has calculated a per diem of \$583.00 that would be needed to cover its costs. Bloomingdale said one option would be for the counties to agree to pay certain medical costs, as part of the per diem rate, if the State agrees to pay for any catastrophic costs. He said the counties could also offer the State two daily rate options, one being less if the State agrees to pick up medical and transportation costs.

MOTION: Roma Amundson, Lancaster County Commissioner, moved to offer the State a per diem rate of \$583, with a six month contract.

Bloomingdale said by throwing a number out, he doesn't want to concede the point that the counties don't feel they should pay for the medical and transportation costs.

The motion died for the lack of a second.

There was consensus for each County to determine what they believe their number is and relay it to their County Attorney. **NOTE:** The Douglas, Lancaster and Sarpy County Attorney Offices have indicated to the State that it must negotiate with all three entities at the same time.

OTHER TOPICS

H. Discussion of Mental Health Issues

Borgeson said the State took \$15,000,000 out of the Behavioral Health Regions' budgets last year (\$5,000,000 was eliminated and \$10,000,000 was placed in a "rainy

day" fund) believing individuals that they serve would sign up for insurance under the Affordable Care Act (ACA). She said the Regional Program Administrators do not believe there will be any savings this year and sent a letter to the State asking how to access the \$10,000,000 for the next budget cycle. Borgeson said the State responded that the funds are for Fiscal Year (FY) 2015. She said she and Duda met with Douglas County Community Mental Health Center staff and their Regional Program Administrator to discuss whether programs would be reduced or eliminated if those funds can't be accessed.

Borgeson noted there has also been an increase in discussion about juvenile mental health issues. She said Region 6, which includes Douglas County, has been involved in setting up school-based mental health services. Bloomingdale noted the State will pay for mental health services for juveniles under LB 561 but will not pay for the psychotropic drugs which are prescribed to them as part of that treatment.

Schorr said Lancaster County is undergoing a change in the way that it provides non-mandated community mental health services, transitioning core services (outpatient counseling, day treatment, community support and medication management); day rehabilitation services and the 24-hour Crisis Line; and psychiatric residential rehabilitation services from the Lancaster County Community Mental Health Center to new providers. Lancaster County will retain its Crisis Center, which provides custody, screening, emergency evaluation and crisis intervention to acutely mentally ill individuals, age 18 and older, who are detained under Nebraska Civil Commitment Statutes within Region V.

Borgeson said Douglas County had a consultant assess its assisted living/long-term care facility and community mental health center. She said the Douglas County Board has prioritized the consultant's recommendations, one of which is to look at services in a more business-like manner.

G. Update on County Implementation of Affordable Care Act (ACA) and Other Health Insurance Issues

Eagan said Lancaster County has done changes to its health insurance policy to prepare for the Affordable Care Act (ACA). He added that Medicaid expansion remains on Lancaster County's legislative priority list.

Brian Hanson, Fiscal Administrator, said although Sarpy County's expenditures for medical indigents is not very high it does support expansion of Medicaid. He said one of their main areas of focus is enrollment of prisoners.

Bloomingdale said Douglas County is looking at how many hours employees need to work to be covered by the County's health insurance plan and may need to start doing business differently. Eagan said Lancaster County conducted a dependent eligibility audit to make sure there was proper utilization by health insurance plan participants.

Schorr said 28 of the County's 800 employees were found to not be in compliance with the rules. Diane Carlson, Douglas County Deputy Chief Administrative Officer, asked whether Lancaster County disciplined those employees. Dennis Meyer, Lancaster County Budget and Fiscal Officer, said the County Board decided not to, adding new employees will have to provide documentation up-front to determine eligibility. Marc Kraft, Douglas County Commissioner, asked that Lancaster County provide Douglas County with additional information regarding the cost of the audit.

Bloomington said Douglas County is looking at the issue of whether to allow same sex spouses on its plan. Raybould noted the University of Nebraska has changed its coverage to "one plus." Amundson pointed out that Nebraska does not recognize same sex marriage. Ulrich said the federal government uses two primary ways of defining spouse and marriage: 1) Residency; and 2) Where the marriage was celebrated. She said recognition of same sex marriage is forced upon counties in some areas to comply with federal law, citing the Family Medical Leave Act (FMLA) as an example.

Mark Wayne, Sarpy County Administrator, said Sarpy County has few part-time employees. He added that he hasn't looked at the same sex issue.

Schorr said the Lancaster County Board voted to amend language in its health insurance plan to define spouse as the opposite sex and has asked its Personnel Department to look at all the implications of covering same sex spouses in the future.

E. Nebraska Legislature's Tax Modernization Committee

Copies of Douglas County's testimony before the Tax Modernization Committee were disseminated (Exhibit F).

Dix gave an overview of some of the ideas the Committee has discussed, including expansion of the sales tax, a low-income energy tax credit, exemption of some Social Security income, increasing the lower-income tax bracket, a one-time reimbursement to counties for unfunded mandates and property tax relief.

5 LUNCH

The meeting was recessed at 12:04 p.m. for lunch and was reconvened at 1:03 p.m.

6 OTHER TOPICS

A. Truancy Discussion

- Lancaster County Presentation - Kit Boesch, Lancaster County Human Services Administrator

Kit Boesch, Lancaster County Human Services Administrator, presented information on Lancaster County's Truancy Diversion Program (see newspaper article in Exhibit G),

which is based on the Louisville, Kentucky Truancy Court Diversion Project model. She said youth who are selected to participate in the program have extremely poor attendance and are not likely to advance to the next grade unless something is done to change their behavior. A team, comprised of a county attorney, public defender, a juvenile court judge, a school social worker, a school therapist, the school principal, and the youth and their parents, meet every other week to address the youth's truancy issues. Students participating in the program are typically 11 to 16 years old and said the results have been significant. Boesch said the program is currently in one middle school with plans to expand it to other schools. She also noted Lancaster County's efforts to work closely with the schools to address other problems, citing mentoring and tutoring programs, Community Learning Centers (CLC's), and SMART Teams in which deputy county attorneys go into Lincoln Public Schools (LPS) middle and high schools to work with issues such as child abuse and neglect.

Boesch also addressed LB 800, commonly known as Nebraska's "truancy law." The law, which was passed in 2010 and amended in 2012 (LB 933), states if a child misses 20 days or more of school (and all absences are excused), the school district may, depending on its policy, report the child to the county attorney; and if one of those 20 absences is unexcused, the school must report the child to the county attorney. She disseminated copies of the County Attorney Referral for Excessive Absences and the letter that is sent to the parent/guardian of the student (Exhibit H).

- Douglas County Presentation - Brenda Vosik, Director, Nebraska Family Forum (NFF)

Brenda Vosik, Director, Nebraska Family Forum (NFF), read a prepared statement regarding the effects of LB 800 (Exhibit I). She said NFF believes the law is fatally flawed and needs to be repealed. Vosik said it could be replaced with a law that addresses the problem of real truancy and removes law enforcement from the process of dealing with attendance issues.

Bloomington asked Vosik how to address situations where the parents are neglectful. Vosik said there are already laws in place to address neglect and mandatory attendance.

B. Consolidation Efforts

- Lancaster County - Lincoln-Lancaster County Consolidation Task Force

Eagan said the Lancaster County Board and Lincoln City Council formed the Lincoln-Lancaster County Consolidation Task Force to explore and make recommendations on possible merger or additional cooperative opportunities between the following departments:

- ▶ City Public Works & Utilities and Lancaster County Engineer's Office

- ▶ Lincoln Police Department (LPD) and Lancaster County Sheriff's Office
- ▶ City Clerk's Office and County Clerk's Office
- ▶ City Attorney's Misdemeanor Prosecution and Juvenile Divisions and the Lancaster County Attorney's Office

He said the Task Force is close to finalizing their recommendations.

- Douglas County/Sarpy County - 911/Emergency Services Regionalization Efforts

Borgeson said Douglas and Sarpy County are discussing whether to merge their 911/Emergency Services systems and form a regional system. She said governance remains an issue.

C. Lancaster County Budget Discussion

Raybould said the City of Lincoln has moved to a biennial budget and the Lancaster County Board is discussing whether it should move to the same cycle.

Bloomingtondale said it will be difficult to project revenues, expenditures and property valuations on a two-year basis, adding there would need to be an ability to make adjustments during the second year.

Eagan noted the change will require statutory authority.

D. Strategic/Operational Planning

Wayne discussed Sarpy County's strategic planning efforts (see Sarpy County 2013-2014 Strategic Plan Action Items and Performance Measures in Exhibit J). He said Sarpy County has discussed moving to performance based evaluations for some of the department heads and plans to make more use of social media.

Borgeson said Douglas County has been through two strategic planning efforts and struggled with how to prioritize spending of tax dollars.

Schorr said the Lancaster County Board felt moving to a biennial budget would give them an opportunity in the off year to spend time with directors and elected officials on strategic planning.

E. Nebraska Legislature's Tax Modernization Committee

Item was moved forward on the agenda.

F. Further Changes on Commission of Industrial Relations (CIR)

Bloomington suggested the need for "tweaks" to the statutes governing the CIR to give County Boards more discretion and flexibility during tough economic times.

Borgeson felt it would be beneficial for the Counties to have a discussion about base salaries and steps for attorney positions to try to keep them within the same range.

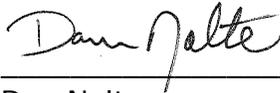
G. Update on County Implementation of Affordable Care Act (ACA) and Other Health Insurance Issues

H. Discussion of Mental Health Issues

Items G and H were moved forward on the agenda.

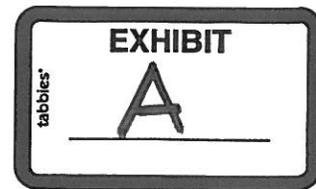
7 ADJOURNMENT

There being no further business, the meeting was adjourned at 2:48 p.m.



Dan Nolte
Lancaster County Clerk





LANCASTER COUNTY LEGISLATIVE PROPOSALS 2014 SESSION

INTRODUCTION

Three important legislative issues emerged during the 2013 session of the Unicameral which could have a major impact on county government: (1) comprehensive reform of the juvenile justice system under 2013 Neb. Laws LB 561; (2) expansion of Medicaid (LB 577) under the Affordable Care Act (ACA); and (3) formation of the Tax Modernization Committee. All three of these issues will carry forward to the 2014 legislative session.

LB 561 will make many positive changes to the juvenile justice system. Of particular interest to Lancaster County, two County legislative priorities were incorporated into the Bill: LB 86, introduced by Senator Amanda McGill, places juvenile staff secure facilities under the general oversight of the Jail Standards Board; and LB 342, introduced by Senator Colby Coash, clarifies that a custodian, guardian, or step-parent of a child does not have a right to court-appointed counsel in a juvenile court proceeding, unless such person is named in a petition alleging abuse, neglect, or termination of parental rights. Another positive change under LB 561 is the emphasis on community-based treatment instead of incarceration. Lancaster County strongly believes that providing services in the community is not only less expensive than incarceration and out-of-home placements, but also more effective.

However, Lancaster County also has serious concerns about LB 561. One of the main features of this Bill is that the Nebraska Juvenile Probation Office will assume the lead role for community supervision, evaluations, treatment, and re-entry from the Youth Rehabilitation and Treatment Centers (YRTC). This change will require the Juvenile Probation Office in Lancaster County to hire 43 new juvenile probation officers. By statute, the County is obligated to provide them with office space and equipment. Also, if the State fails to adequately fund Juvenile Probation's obligation to provide for the care, custody, education, or maintenance of a child, counties are statutorily obligated to annually appropriate a fund to pay for these services until suitable funding can be found. See Neb. Rev. Stat. §§43-284, 286, and 290.

Lancaster County will carefully monitor the implementation of LB 561, and work closely with the State and NACO in the upcoming legislative session to make any necessary changes to guarantee the success of juvenile justice reform.

The expansion of Medicaid under the ACA is another issue of great interest to Lancaster County. The County spends approximately \$2.8 million each year on medical assistance for general assistance clients. Expanding Medicaid will cover virtually all of the County's medical expenses for general assistance clients, thereby saving \$2.8 million annually for the property tax payers in Lancaster County. LB 577 will again have the County's full support.

The third significant legislative issue is the creation of the Tax Modernization Committee under LR 155. Sound tax policy calls for a balanced revenue system with diversified revenue sources, such as property tax, sales tax, and inheritance tax. In the past this has been accomplished for counties through programs such as state aid to counties and state prisoner reimbursement. But during the last several years the Legislature has eliminated these programs. Lancaster County alone lost \$3 million per year. The imbalance can become even worse if the inheritance tax is eliminated, as proposed by Governor Heineman. Last fiscal year the County collected \$8.6 million of inheritance tax, which is equivalent to a 4.3¢ property tax levy and more than 15% of the entire property tax levy. As a result, the tax system for county government is out of balance, and tremendous pressure is being placed on the local property tax. The Tax Modernization Committee provides an excellent opportunity to address this problem.

Another Lancaster County priority addressed during the 2013 legislative session was the elimination of the County's obligation to provide office and service facilities for the Nebraska Department of Health and Human Services, as such facilities existed on April 1, 1984. See Neb. Rev. Stat. §68-130. Senator Kate Bolz introduced LB 632 for the purpose of eliminating the obligation of counties to provide these facilities at no cost to the State. Although LB 632 did not advance out of committee, it will carry over for consideration during the next session. Lancaster County believes it is time to repeal this outdated form of county aid to the State.

NEW PROPOSALS

1. **Limit Workers' Compensation Awards to Retirement Age**

Rising workers' compensation costs are a concern to the County. Awards for permanent disability are expensive and can extend an indefinite period into the future. Limiting disability awards to the age of retirement would still benefit the injured worker by helping replace lost wages during wage-earning years. At retirement other revenue sources, such as social security and pensions, then become available to support the injured worker. The benefit to the County would be lower costs and a greater ability to manage workers' compensation cases.

2. **Clarify Management Right to Select Benefit Providers without Negotiating**

Recent court decisions have held that government employers cannot change providers for a benefit plan (health insurance, dental insurance, pensions, health retirement savings plans, etc.) without first negotiating with unions. See Scottsbluff Police Officers Association, Inc., F.O.P. Lodge 38 v. City of Scottsbluff, Nebraska, 282 Neb. Reports 676 (2011). The County believes this requirement infringes on a traditional management right to make such business decisions. Recently, Lancaster County changed providers for its post employment health plan after issuing an RFP and carefully analyzing the proposals with the help of a specialist. Although the data clearly indicated

the County selected the best provider, one of the unions decided to remain with the old provider. The County is now forced to maintain two plans, which creates inefficiencies, additional costs, and weakens the County's bargaining authority with existing and potential providers. The law should be clarified that government employers do not need union approval to change providers for benefit plans.

3. Increase County Treasurer's Sales Tax Collection Fee Charged to the State

Pursuant to Neb. Rev. Stat. §§77-2703(1)(i) and 77-2703(2)(d)(Reissue 2009), counties are entitled to retain a sales tax collection fee of 2.5% on the first \$3,000 of sales tax remitted each month to the State. This fee is collected separately for (a) motor vehicles, semitrailers and trailers registered with the County, and (b) motorboats registered with the County. Based on this formula, last year Lancaster County collected a fee of \$1,800. During the same year the County remitted \$30.6 million of sales tax to the State.

In contrast, the amount of time and resources devoted by the Lancaster County Treasurer's Office to collection of the State sales tax is staggering. The twenty-eight (28) clerks in the Treasurer's motor vehicle division spend more than 10% of their work day processing sales tax returns, while the four (4) supervisors spend nearly 10% of their time working on sales tax issues. This amounts to an annual expenditure by the County of \$116,473. Under these circumstances, a higher sales tax collection fee is clearly justified. (For a list of other uncompensated services provided to the State see Attachment A).

4. Extend Deadline for Issuing Greenbelt Valuation Notice

When a property owner simultaneously has a pending board of equalization valuation protest and an application for special Greenbelt valuation, it is possible that a landowner will receive conflicting valuation notices. This problem can be solved by amending Neb. Rev. Stat. §77-1345.01(2) to extend the final date for the board of equalization to send a notice of special valuation from July 22nd to August 15th.

5. Provide Flexibility with Regard to Treasurer's Obligation to Invest County Funds on a Pro Rata Basis with Banks, Capital Stock Institutions, and Qualifying Mutual Financial Institutions

Neb. Rev. Stat. §77-2314 imposes a duty on county treasurers to invest county funds on a pro rata basis with a list of banks, capital stock institutions, and qualifying mutual financial institutions, as that list is determined by the county board as of December 31. However, some of the financial entities on the list are refusing to accept county funds over the FDIC guaranteed amount because of narrow interest rate spreads and the added cost of collateral requirements. This makes it very difficult if not impossible for some treasurers to meet the pro rata requirements of §77-2314. This statute should be amended to provide treasurers with more flexibility with regard to the investment of county funds. Additionally, the treasurer should be given discretion to work with their county board to add financial entities to invest with which are not on the annual list because they are new or have a name change.

6. Update Civil Service Statutes to Anticipate Population Increase of Lancaster County

The County Civil Service Act has specific provisions which apply only to counties with a population of 150,000 to 300,000. See Neb. Rev. Stat. §§23-2517 through 2533 (Reissue 2012). Within the next few years Lancaster County's population will exceed 300,000, which could potentially make Lancaster County subject to the set of provisions under the County Civil Service Act which govern Douglas County. There are substantial differences between these two sets of statutory provisions. For example, Lancaster County sponsored legislation in 2006, which was enacted under 2006 Neb. Laws LB 808, to help facilitate the transfer of employees from the State or other political subdivisions to the County. LB 808 does not apply to counties over 300,000. Legislation is needed to clarify how the County Civil Service Act will apply to Lancaster County after it reaches a population of 300,000. The Act should also be amended to clarify how it is determined when a population threshold is reached, e.g., the most recent United States census.

7. Clarify How Funds Raised under Neb. Rev. Stat. §33-109 Can be Used to Modernize Technology Related to the Preservation and Maintenance of Register of Deeds Records

2012 Neb. Laws LB 14 created a special fund to be used exclusively for the purposes of preserving and maintaining public records in the office of the register of deeds and for modernization and technology needs relating to those records. The additional fees used to create the fund will sunset January 1, 2018. Different counties have different modernization and technology needs relating to register of deeds records. §33-109 should be clarified to allow each county to benefit fully from the fund.

PROPOSALS FROM 2013

1. Eliminate Jail Time on Appropriate Low-Level Misdemeanors

The Legislature should conduct a study on misdemeanor penalties to determine whether jail time is necessary to protect the public safety on low-level criminal offenses. The study should include both state law and city ordinances. The reduction in the County jail population could result in a significant savings.

2. Examine Allowing Pretrial Diversion for Driving While Intoxicated (DWI)

Neb. Rev. Stat. §29-3604 provides that no person charged with driving while intoxicated shall be eligible for pretrial diversion. However, Sarpy County has been allowed to continue its grandfathered DWI diversion program in spite of this blanket prohibition. The Legislature should conduct a study to examine the effectiveness of the Sarpy program and determine the feasibility of allowing other counties to offer DWI diversion. The recidivism rate of first-time DWI offenders is low. It is possible a well-run program could enhance public safety and result in a substantial savings to counties.

3. Increase the Indigent Defense Fee

Neb. Rev. Stat. §33-156 provides for a three dollar indigent defense fee which is taxed as costs for each case filed in each county court and district court, and credited to the Public Advocacy Operations Cash Fund. Pursuant to Neb. Rev. Stat. §29-3933, this Fund is used to reimburse counties for a portion of their indigent defense system expenditures. Increasing the indigent defense fee would help defray the growing cost of providing indigent defense.

4. Tax Incentives for Compressed Natural Gas (CNG)

The County is investigating the possibility of converting a portion of its motor vehicle fleet to CNG. However, conversion costs are high and state tax incentives could help speed the switch to this more efficient fuel.

5. Clarify Funding Source When Courts Assign Non-IV-D Cases to a Child Support Referee

Under Neb. Rev. Stat. §43-1610 funding for a child support referee shall be provided by the county and state to the district Court, separate juvenile court, and county court. Neb. Rev. Stat. §43-1611 provides these courts may by rule or order assign any matter regarding the establishment and collection of child, spousal, or medical support, paternity matters, and protection orders to a child support referee. However, when a child support referee is assigned non-IV-D cases federal funds may not be used to cover the cost. Since the courts have complete discretion in assigning cases to a child referee, it is possible the county may incur additional costs under the IV-D program over which it has no control. The statutes should be clarified to provide state funding will be used in this situation rather than county funding.

6. Corrections Booking Fee

A significant portion of the cost for housing inmates is incurred during the booking process. The Lancaster County Corrections Department has recommended the imposition of a booking fee to help recoup these expenses. However, legislation is needed to create statutory authority for the County to charge booking fees.

7. Increase the Cigarette Tax

The average cost per pack of cigarettes in the United States is \$1.49, and the Nebraska tax on a pack of cigarettes is only 64¢. Statistics indicate price increases on cigarettes cause adults to quit smoking and prevent teenagers from starting to smoke.

8. Clarify Election Commissioner's Responsibilities When Caucus System Used to Select Delegates to County Convention During a Presidential Election Year

Neb. Rev. Stat. §32-707 should be amended to clarify the responsibilities of the election commissioner, including that the election commissioner is taken out of the process once a political

party has chosen to use the caucus system to select delegates to the county convention in a presidential election year. The County would realize a small savings with this legislation.

OTHER EXISTING PROPOSALS

1. Review All County Fees and Raise Where Appropriate

A number of county statutory fees have not been raised for many years. Lancaster County should work with NACO to review all county fees and submit legislation proposing to raise fees which are too low or inadequate. Examples include the fee for issuing a locksmith license, marriage license, and an amusement license under Neb. Rev. Stat. §23-816.

2. Amend Neb. Rev. Stat. §29-2022 to Give Trial Courts Discretion with Regard to Sequestered Juries in Criminal Cases

Defendants in criminal cases have the right to keep a jury sequestered until a verdict is reached, regardless of the severity of the case or the actual risk the jury members may be influenced by improper contact or communications. Neb. Rev. Stat. §29-2022. When a jury is sequestered counties are responsible for paying all the costs of housing and feeding the jury members, as well as the costs of providing security. These expenses can be significant. Additionally, sequestration can result in a substantial hardship to the members of the jury. This statute should be amended to give the trial court discretion in deciding whether a jury in a criminal case should be sequestered until a verdict is reached, based on the actual potential of the jury being improperly influenced and thereby undermining the fairness of the trial.

3. Modify Strict Liability Provisions of Neb. Rev. Stat. §13-911 When a Vehicular Pursuit Is Terminated by a Law Enforcement Officer

As interpreted by the Nebraska Supreme Court, a political subdivision can be held strictly liable under §13-911 for damages to an innocent third party caused by a fleeing motorist, even after a pursuing law enforcement officer has stopped the pursuit. §13-911 should be amended to eliminate strict liability when the damages are caused by the fleeing motorist after the pursuit has been terminated by the officer. This amendment would provide an incentive to law enforcement to stop pursuits which have become dangerous to innocent third parties.

4. Increase Funding for Sex Offender Treatment and Tracking

All sex offenders are transferred to the Lincoln Regional Center prior to release from state custody. This policy results in a disproportionate number of sex offenders in our community. Since state policy is increasing the number of sex offenders in the County, additional funding should be provided by the State to address this problem.

Also, the Lancaster County Sheriff is statutorily required to register sex offenders under the Sex Offender Registration Act, Neb. Rev. Stat. §29-4004 (Reissue 2008). The Sheriff devotes a full time employee to perform this mandated function. Likewise, the Corrections Department has additional duties under §29-4007. To help defray these costs sex offenders should be required to pay a registration fee.

5. Review and Revise the Criminal Code Regarding Appropriate Use of Jail Time

LR 272 was enacted by the Legislature for the purpose of studying the fiscal impact of the criminal law on counties, especially new criminal laws and procedures. LR 272 will also examine if the criminal law is effectively addressing the problems it is trying to solve, and whether a cost-benefit analysis could be performed prior to enacting new criminal offenses and enhanced criminal procedures. Criminal offenses which carry jail time increase county costs for jails and indigent defense, and the Legislature very seldom if ever appropriates funding to assist counties with these costs. The criminal justice system continues to grow at an alarming rate, and Lancaster County could benefit from a sensible approach to the creation of new jailable offenses, as well as a review of the effectiveness of the imposition of jail time on existing offenses.

6. Clarify Who is Entitled to the Proceeds in a Tax Increment Financing Special Fund Upon Payment of All Bonds, Loans and Other Indebtedness for a Redevelopment Project

Tax increment financing is widely used by cities and villages to finance community redevelopment projects. Essentially, two land values are established for tax parcels lying within the boundaries of a project: the value of the parcel prior to redevelopment and the value of the project after redevelopment. Any property taxes collected as a result of the increase in the value of the parcel because of the redevelopment project are placed in a special fund to be used solely to pay the principal, interest, and premiums on any bonds, loans, notes, or other indebtedness incurred to finance the redevelopment project. Neb. Rev. Stat. § 18-2147(1)(b)(Reissue 2007) provides, "When such bonds, loans, notes, advances of money, or indebtedness, including interest and premiums due, have been paid, the authority shall so notify the county assessor and county treasurer and all ad valorem taxes upon taxable real property in such a redevelopment project shall be paid into the funds of the respective public bodies..."

A question has arisen regarding whether a city has the authority to amend a redevelopment project after all indebtedness has been paid, and thus continue using the proceeds in the special fund for redevelopment purposes, instead of distributing the balance of the special fund to the respective public bodies which levy on the property. Legislation is needed to clarify whether a city or village has the authority to amend a redevelopment project after the original indebtedness has been paid.

7. Clarify Inheritance Tax Rules on Treatment of Non-Children as Children for Purposes of Determining Tax Rate

Nebraska law allows a more favorable tax rate with regard to recipients with which the decedent had a close relationship resembling that of a parent and child, even though the recipient was not the actual child of the decedent. Additional clarification should be provided in the statutes for when this favorable treatment is appropriate.

8. Provide Statutory Guidance on Enforcement of Insurance Subrogation Clauses

In the case of Blue Cross and Blue Shield of Nebraska, Inc. v. Dailey, 268 Neb. 733 (2004), the Nebraska Supreme Court held a subrogation clause in the insurance contract could not be enforced against the insured under the equitable made whole doctrine. The Dailey case involved an employee covered under an insurance contract between his employer, the Nebraska Association of County Officials, and Blue Cross. The employee was injured as a result of the negligence of a third party, and subsequently recovered a one-time payment of \$1,225,000 and monthly payments of \$10,000 for life against the third party. Even though the contract clearly provided Blue Cross would be entitled to recover approximately \$794,000 it had paid on behalf of the insured for injuries caused by a third party, the Supreme Court held Blue Cross was not entitled to recover these funds because the insured had not yet been made whole for the injuries. A statutory solution is needed to provide for the enforcement of reasonable subrogation clauses to help control health insurance costs.

9. Amend Neb. Rev. Stat. §32-1203(2) to Allow Recovery of Ballot Costs

Although counties can recover from political subdivisions some of the cost of producing ballots, the cost recovery formula described in §32-1203(2) does not adequately reimburse counties for their actual costs. This section should be amended to allow counties to recover all expenses, such as the cost of programming counting machines, as well as other actual costs not addressed in the existing formula.

10. Create the Position of Magistrate

In 2009 the Legislature passed LR 183 to examine the creation of a specialized magistrate for the State's largest courts. The magistrate would have authority to issue search warrants, subpoenas, arrest warrants, summonses, and set bail. The purpose for creating this position is to help reduce jail populations, as well as reduce the need for new judges.

11. County Input in the Approval of Tax Increment Finance Districts Which Affect the County Tax Base

The Nebraska Redevelopment Act, Neb. Rev. Stat. §58-501 et seq. is intended to encourage economic growth through redevelopment of blighted and substandard areas within cities. The Act generates funds for redevelopment projects by creating tax increment financing (TIF) districts. Essentially, property tax increases within a TIF district attributable to valuation increases from redevelopment projects are deposited into a special fund and used to pay the cost of financing the projects for up to fifteen (15) years. Consequently, other taxing entities in the county where the TIF district is located lose the benefit of the property valuation increase for the entire district during the period the project is financed. In recent years there has been a sharp increase in the number of TIF districts created by the City of Lincoln. TIF districts often encompass a large area, regardless of the size or number of the individual projects within the TIF, and regardless of whether the entire district is blighted or substandard. Since the other taxing entities, including counties, are being denied essential tax revenue, they should have direct input into the establishment of TIF districts. This would help guarantee TIF districts are actually targeted to blighted or substandard areas and do not unnecessarily remove growth from the assessed valuation for other taxing entities.

12. Occupation Tax on Wineries

Neb. Rev. Stat. §53-132(4) gives authority to cities, villages and counties to charge an occupation tax on retail, craft brewery, and microdistillery licenses. However, no such authority exists for farm winery licenses. Given the growing number of farm wineries, it may be advisable to authorize an occupation tax on farm winery licenses.

13. Amend Neb. Rev. Stat. § 83-1,103.04 to Provide for the Appointment of a Private Attorney Rather than the Public Defender

When the Office of Parole Administration determines an amendment of the conditions of community supervision is necessary for an individual subject to lifetime supervision, if the person requests legal counsel and is indigent, an attorney from the public defender office is appointed. Since this proceeding is civil in nature, appointment of the public defender is not appropriate. Also, the cost of appointing a private attorney should be borne by the State.

14. Clarify How the County Visitors Improvement Fund Can be Spent

Lancaster County established the County Visitors Improvement Fund in 2005. Neb. Rev. Stat §81-1255 generally authorizes the Improvement Fund to be used to improve the visitor attractions and facilities in the county. However, if the Visitors Promotion Committee (VPC) determines visitor attractions in the county are adequate and do not require improvement the Fund can also be used to promote, encourage, and attract visitors to the county to use its travel and tourism facilities.

The implementation of this statute is cumbersome, requiring the VPC to repeatedly make specific findings regarding the adequacy of travel and tourism facilities prior to the funds being used for such worthwhile purposes as targeted promotion for large events. The statute should be amended to streamline the procedure for using the Improvement Fund for specific promotional purposes.

15. Revise Consolidation Statutes to Facilitate Governmental Mergers

A number of state laws authorize the consolidation of governmental functions, including the Interlocal Cooperation Act, the Joint Public Agency Act, and the Consolidation of Counties and Offices Act. These statutes should be reviewed and revised to remove possible barriers to potential tax saving consolidations, including mergers such as City Public Works/County Engineer and City Police/County Sheriff.

16. Review County Elected Positions

A review of existing county elected positions should be conducted by the Legislature to determine whether the positions should continue to be elected, or whether the public would be better served if the positions were appointed by the county board.

ATTACHMENT A

Lancaster County, Nebraska Services Provided to the State of Nebraska

County Treasurer	The Treasurer collects sales tax and remits to the State through the motor vehicles division. Collected \$29,238,776 in FY12 and collections fees kept by the county were \$1,800.	
West O Building	Lancaster County provides 4,075 square feet to the State for Drivers License Examiners. This includes utilities and custodial services. The cost per sq/ft at West O is \$14.88.	\$ 60,636
Motor Vehicle Building	Lancaster County provides 1,651 square feet to the State. This includes utilities and custodial services. The cost per sq/ft is \$7.47.	\$ 12,334
Register of Deeds	The Register of Deeds does all of the work required to file land records yet is required to send a portion of the documentary stamp tax to the state to fund other programs. County keeps 22.22% and the State receives 77.78%. Based on \$2 million collected - state receives \$1,555,000. (76-903)	\$ 1,555,000
Election Commissioner	Billable costs for elections are not allowed to be billed to the state. Costs are passed down to other political subdivisions but not to the state. State costs would range from 50% to 60% of billable costs. Last primary billable costs were \$356,000.	
County Court (BU 6280)	Lancaster County is required to remit certain court costs to the State. If those fees cannot be collected from defendants, the County must pay.	\$ 145,000
County Court	All County Court staff are state employees. Lancaster County pays for operating expenses, computers, and office equipment.	\$ 399,770
	Lancaster County is required to provide for office space and courtrooms. Cost includes custodial services, utilities, security, and parking. 29,195 sq/ft at a cost of \$14.72 per sq/ft. (New Courtroom is under construction)	\$ 469,654
venile Court	Juvenile Court Judges are state employees. The County pays for a Court Administrator, 3 Clerk Typists, and 4 bailiffs. (Personnel Costs)	\$ 519,554

	Lancaster County also pays for Court Appointed Attorneys, Boarding contracts, and other operating expenditures.	\$	1,053,948
	Lancaster County is required to provide for office space and courtrooms. Cost includes custodial services, utilities, security, and parking. 12,632 sq/ft at a cost of \$14.72 per sq/ft.	\$	190,623
District Court	Lancaster County is required to remit certain court costs to the State. If those fees cannot be collected from defendants, the County must pay.	\$	62,250
	District Court Judges are state employees. The County pays for a Court Administrator, 2 Law Clerks, and 8.75 bailiffs. (Personnel Costs)	\$	811,186
	Lancaster County has had a District Court Referee for many years. State Statute states the county and state should pay for the costs. IV D pays for 2/3 of the costs but the state pays zero.		
	Lancaster County also pays for Court Appointed Attorneys, juror fees, and other operating expenditures.	\$	1,110,979
	Lancaster County is required to provide for office space and courtrooms. Cost includes custodial services, utilities, security, and parking. 33,524 sq/ft at a cost of \$14.72 per sq/ft.	\$	499,954
County Sheriff	Special Services Division provides security for the courtrooms. This cost is incorporated into the cost per sq/ft in rent calculations.		
	The Civil Division is responsible for the process of writs and documents. Sheriff does receive revenue but it does not offset the cost of performing the service.		
	Register sex offenders and complete handgun registrations in the Administrative Support Division. 2 employees - does not include supervisor time.	\$	85,000
Corrections	The Jail has provided 859 DNA tests for the State over the last 2.5 years.	\$	4,500

The Jail has completed 7,175 full sets of fingerprints for the State system (NSP) over the last 2 years. \$ 33,400

The Jail has completed 22 sex offender registrations over the last 2 years. \$ 1,100

The Jail has had to answer 138 Ombudsman's request with time spent researching, interviewing, making repeated phone calls, and email contacts with the Ombudsman's office over the last 2 years. \$ 15,000

The Jail has completed approximately 18,000 warrant checks on offenders before releasing over the last 2 years. \$ 42,000

Time and staff effort to send inmate medical files to the State of Nebraska over the last 2 years. \$ 1,900

Jail Reimbursement - housing of prisoners on behalf of the State. The State's rate was only \$35 per day and funding would run out during the fiscal year. Funding ended after FY11. \$ 7,070,523
Amount billed FY00-FY11 15,696,765
Amount collected 8,626,242

Amount unable to be billed because funding ended:
FY12 1,809,255 \$ 2,478,560
FY13 - 10-31-12 669,305

Juvenile Probation

Juvenile Probation staff are state employees. Lancaster County pays for operating expenses, computers, and office equipment. This also includes contracts with the State Probation Office. The Juvenile Drug Court was funded by the State with grants but the County started funding in FY05. \$ 223,425

Lancaster County provides space for the department and the juvenile drug court. Cost includes custodial services, utilities, security and parking. 3,736 sq/ft at a cost of \$14.72 per sq/ft. \$ 60,591

Adult Probation

Adult Probation staff are state employees. Lancaster County pays for operating expenses, computers, and office equipment. This also includes a contract with the State Probation Office. \$ 149,303

	Lancaster County provides space at the Jail and office space at Trabert Hall. Cost includes custodial services, utilities, security and parking. 6,323 sq ft at a cost of \$11.75 per sq/ft at the jail and 17,572 sq ft at a cost of \$10 per sq/ft at Trabert Hall.	\$	251,816
Community Corrections	Drug Court - reimbursement for employees. Dollar amount of reimbursement has not changed over 6 years - despite Kim's request. Employee Costs - \$276,156 State Reimb - \$183,839	\$	92,317
Youth Services Center	The state does not reimburse the county for the cost of care for youth detained and/or in an alternative to detention post adjudication and beyond. The requirement is only when the youth is committed to HHS/OJS and should be adjudicated youth in juvenile court. The state should also be responsible for the cost of care for youth who are detained due to a violation of probation pre-adjudication status.	\$	715,000
General Assistance	Lease agreement with Health & Human Services - 41,267 square feet x 13.60 per sq ft. x 51.62% nonfederal share = \$289,707.55 (Included on legislative list)	\$	292,000
County Fees	A number of county statutory fees have not been raised for many years. Fees are not allowed to be increased to cover costs. A few examples: locksmith license marriage license handgun permits motor vehicle inspection fees		
Other Court Related Costs	Clerk of the District Court	\$	1,579,711
	Jury Commissioner	\$	147,694
	Mental Health Board	\$	149,170

2014 LANCASTER COUNTY LEGISLATIVE PRIORITIES

1. Oppose Elimination of Inheritance Tax

Elimination of the inheritance tax would have a devastating effect on Lancaster County. In FY 2010-11 Lancaster County collected \$6,685,528 of inheritance tax, equivalent to a 3.5¢ property tax levy and almost 14% of the entire property tax levy for that budget year. In FY 2011-12 the County collected \$8,185,277 of inheritance tax, equivalent to a 4.3¢ levy and 17% of the entire levy. Last fiscal year the County collected \$8.6 million of inheritance tax, again equivalent to a 4.3¢ property tax levy and more than 15% of the entire property tax levy

2. Support Expansion of Medicaid under the Affordable Care Act

Lancaster County expends over \$2 million a year for General Assistance medical services. If Medicaid is expanded under the Affordable Care Act, virtually all of these medical services would be covered by Medicaid.

3. Monitor the Implementation of 2013 Neb. Laws LB 561

LB 561 makes many positive changes to the juvenile justice system. Lancaster County supports the emphasis on community-based treatment instead of incarceration, and strongly believes that providing services in the community is not only less expensive than incarceration and out-of-home placements, but also more effective. However, Lancaster County also has serious concerns about LB 561. Under this Bill the Nebraska Juvenile Probation Office assumes the lead role for community supervision, evaluations, treatment, and re-entry from the Youth Rehabilitation and Treatment Centers (YRTC). The Juvenile Probation Office in Lancaster County is hiring 43 new juvenile probation officers to perform its new duties under LB 561. By statute, the County is obligated to provide these new employees with office space and equipment. Another concern is that if the State fails to adequately fund the services and programs implemented by Juvenile Probation under LB 561, then counties are statutorily obligated to annually appropriate a fund to pay for these services and programs until suitable funding can be found. See Neb. Rev. Stat. §§43-284, 286, and 290. Lancaster County will carefully monitor the implementation of LB 561. The County will work closely with the State and NACO in the upcoming legislative session to help guarantee the success of juvenile justice reform, while at the same time guarding against the shifting of State responsibilities and costs to the counties.

4. Eliminate Responsibility of Counties to Pay HHS rent (LB 632)

When the State assumed responsibility for welfare, a legislative provision was added requiring counties to maintain facilities for the Department of Health and Human Services (HHS) as they existed on April 1, 1983. See Neb. Rev. Stat. §68-130. Although some relief from this antiquated statute was provided in 2011 Neb. Laws LB 234 (allowing payment reductions for HHS space eliminated since 1983 and determining whether additional space can be eliminated), the use of local property tax to pay for HHS facilities should be eliminated in its entirety. This is especially true in light of the State's total elimination of state aid to counties. LB 632 will accomplish this purpose.

Sarpy County 2014 Areas of Legislative Interest

1. Monitor Activities and Recommendations of Legislative Tax Modernization Committee
 - a. Protect Current County Sources of Revenue (including Inheritance Tax)
 - b. Explore Additional Revenue Sources to Ease Property Tax Burden
 - c. Protect current inheritance tax structure unless State is able to provide sustainable sources of replacement revenue.
 - d. Juvenile Justice Revenue (see #2)
2. LB561 Juvenile Justice Reform
 - a. Oppose Cost Shifts to Counties
 - b. Ensure Adequate Funding for "State" Programs
 - c. Monitor Outcomes
 - d. Truancy Issues.
3. Fee Increases
 - a. Motor Vehicle Sales Tax (LB581) Commissions
 - b. Explore Options on Indexing Statutorily Set County Fees
4. Adult Corrections
 - a. Oppose Increasing Length of Sentences Being Served in County Jails
 - b. Ensure That State Efforts at Community Corrections Don't Lead to Increased County Costs
 - c. Explore Regional State/County Correctional Facilities
 - d. Equalize penalties regarding assaults on correctional officers and certified law enforcement.
 - e. Inmate phone service issues (cost recovery, etc.)
5. Property Tax Valuation Process Changes
 - a. Agricultural Land Valuation
 - b. County BOE
 - c. TERC Appeals (Timeliness, Impacts, Etc.)
6. 911
 - a. Address ability of Public Service Commission to collect surcharges from VOIP providers.
 - b. Monitor results of PSC Study resulting from our LB595.
7. County Ordinance Authority
 - a. Regulation of peddlers and solicitors
 - b. Enforcement of city regulations on nuisances in the ETJ of respective cities.
8. Changes to the Public Amusement License Statutes to make optional for counties.

Sarpy County, Nebraska
 LB 561-Issues and Impact
 November 4, 2013

	Items that were discussed during our meeting on 10/30/13	Items that were not discussed during our meeting on 10/30/13				
Item No.	Issue	Current Practice	Current Revenues	OPA Interpretation	Impact of Proposed Change	Projected Revenue Loss/Exp. Increase
1	Juvenile detained for alleged law violation	A brand new law violator is the responsibility of Sarpy Co. Sarpy Co. is not financially responsible for repeat offenders. Until October 1, HHS/OJS has been paying for juveniles in their custody at a rate of \$220 per day. Sarpy County received payments from HHS/OJS as follows: 2011 CY \$466,158, 2012 FY \$326,568 2013 YTD \$463,520 for all detained juveniles.	Average per year for all detained juveniles excluding evaluations: \$420,000	OPA does not consider all law violations a violation of probation and will only pay for certain law violators who are already on probation. Sarpy County would like clarification that OPA is financially responsible for juveniles whether they are "on probation" or "under the supervision of Probation". There should also be clarification that no filing by the Co. Attorney's office is necessary to trigger payment by OPA for juveniles in detention pursuant to 43-286.01. And there should be clarification regarding the term "alleged probation violation."	Douglas and Lancaster Counties have estimated that this category accounts for over 50% of the population in their detention centers. 50% of the three-year average in receipts would equal \$210,000. It should be noted that the census at the Juvenile Justice Center has decreased in the last few quarters. If this trend continues, the projected loss could be less.	\$ 210,000
2	Juvenile in detention during an evaluation.	Prior to LB 561, HHS/OJS paid Sarpy Co. for detention costs while the evaluation was being performed. Payments received for detention during evaluations was: 2011 CY \$201,020, 2012 CY \$94,200, 2013 YTD \$32,120 for an avg. annual cost of \$109,000.	\$ 109,000	Under LB 561, OPA has indicated that they will not pay Sarpy Co. for detention costs incurred while an evaluation is being performed. However, they stated that if the juvenile is in a non-secure setting during the evaluation, (e.g. Boys Town) they would pay the private vendor for housing costs during the evaluation. Sarpy County should not be treated less favorably than a private vendor.	If Sarpy County is not reimbursed for detention costs incurred during an evaluation, the entire \$109,000 would be lost. However, it should be noted that if the current trend of less juveniles, fewer evaluations and shorter evaluations continues, the lost revenue could be less than projected.	\$ 109,000

Sarpy County, Nebraska
 LB 561-Issues and Impact
 November 4, 2013

	Items that were discussed during our meeting on 10/30/13	Items that were not discussed during our meeting on 10/30/13				
3	Payment of medical bills for detained juvenile.	HHS currently pays for all medical costs other than routine on-site medical costs. HHS pays for all prescriptions including psychotropic drugs and also pays for mental health services.	Virtually impossible to estimate. No access to HHS records.	OPA will not pay for medical services or prescription drugs. OPA has stated that they will pay for mental health services, but that they will probably not pay for psychotropic drugs. The obligation of OPA to pay for mental health services is not currently included in LB561.	OPA expects parents to pay for medical services, but we find that: 1. Parents do not have insurance, 2. Parents refuse to file with insurance, 3. Parents refuse to file Medicaid. <u>There must be a cap on the medical expenditures Sarpy County is required to pay.</u> The exposure for just one juvenile could be over \$1MM. The cap must be cumulative for all juveniles on an annual basis. This would cover juveniles that are not filed under a 3a category that places them in the custody of HHS.	\$100,000 to \$1,000,000
4	Payment of medical bill for juveniles in group homes.	HHS currently pays for all medical costs for juveniles in group homes. HHS pays for all prescriptions including psychotropic drugs and also pays for mental health services.	Virtually impossible to estimate. No access to HHS records.	OPA will not pay for medical services or prescription drugs. OPA has stated that they will pay for mental health services, but that they will probably not pay for psychotropic drugs. The obligation of OPA to pay for mental health services is not currently included in LB561.	Since OPA will not pay for medical services, those costs incurred for juveniles in group homes may be passed on to Sarpy County as the payer of last resort. See impact from Item 3 above.	\$100,000 to \$1,000,000
5	Transportation of detained juvenile.	HHS currently pays for all transportation except for emergency medical treatment and for to and from court.	Unknown.	OPA has proposed that Sarpy Co. be responsible for all transportation including transportation to and from evaluations.	Based on census numbers from previous years, Sarpy County would have to add a staff position and purchase an additional vehicle to transport detained juveniles to all evaluations and other meetings. However, based on the trend of less detained juveniles, fewer evaluations and shorter evaluations, the cost could be less than projected.	\$ 80,000

Sarpy County, Nebraska
LB 561-Issues and Impact
November 4, 2013

	Items that were discussed during our meeting on 10/30/13	Items that were not discussed during our meeting on 10/30/13				
						Total: \$599,000- \$2,399,000

One Hundred Third Legislature - First Session - 2013

Introducer's Statement of Intent

LB581

Chairperson: Senator Galen Hadley

Committee: Revenue

Date of Hearing: March 20, 2013

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 581 restores a .5% monthly commission to counties across the state for all motor vehicle sales tax collections over \$3,000. Prior to October 1, 2002, counties received this commission in addition to the 2.5% monthly commission on the first \$3,000 of motor vehicle taxes collected by the county.

Principal Introducer: _____

Senator Sue Crawford

Inmate Telephone Information

Public security and safety

- Our system allows facility staff to control whom inmates call and when. Inmates can be restricted to preapproved numbers, or numbers can be blocked to all inmates.
- Our system reduces the inmates' ability to conduct illegal activities from correctional institutions, threaten witnesses, or contact victims
- All calls are recorded and may be monitored live or at a later time
- Investigators can track call history by inmate or called number
- Chain of custody so that recordings and data can be used as court evidence

Reduce or eliminate staff workloads

- Direct Customer Service for inmates, so inmates do not have to go through staff with their complaints and questions
- Customer service for families and families
- Automatic transfer of data from the Offender Management System – no staff action required
- Assistance on all issues 24/7 through our toll-free number
- Thorough training provided on an ongoing basis
- Payment kiosk in the jail lobby accepts cash deposits into inmate Trust funds
- Prepaid calling handled entirely by Synergy with no action from staff required
- Visitation scheduler relieves staff of the need to schedule visits manually

Flexibility to keep up with future changes in the institution and technology

- Customized reports to suit the needs of your institution
- Customized system programming throughout the contract so that if your needs change we will change with you
- Ability to quickly change the calling parameters for inmates (for example, go from open calling lists to preapproved phone numbers)
- Web-based design allows access to administrators and investigators from any location

No cost to the agency

- Commission paid to the agency on gross billed revenue from inmate calling
- No line charges, installation costs, or monthly service fees

Affordable calling for inmates and their families

- Prepaid calling allows inmates to call any number
- Prepaid calling reduces calling costs
- System capability minimizes dropped calls

Payment options

- Prepaid accounts allow inmates to connect calls to any number
- Payment kiosk in the jail lobby accepts cash and credit cards
- Webpage
- Live Customer Service 24/7

Voicemail communications

- Inmates can leave a voicemail message for Customer Service, who will reply to the inmate via voicemail as well
- Families can leave a voicemail message for an inmate
- Attorneys or Ombudsmen can leave a callback message for an inmate
- Staff can send a customized voicemail to an inmate or group of inmates
- All internal voicemail utilize automated voice—the inmate has no direct contact with a live person

Biometrics

- Inmates making calls are identified by PINs
- Voice verification authenticates the inmate making the call to prevent PIN-sharing
- Capability to utilize other biometric systems, such as iris scan, fingerprint, etc

Fully integrated system

- Interface with the Offender Management System for the automatic downloading of inmate information. No need to separately create an inmate phone account.
- Interface automatically records transfers of inmates to another facility
- Interface with the Commissary system for the transfer of funds to inmate phone accounts
- We also have to capability to provide commissary ordering over the telephone
- Capability to connect to fusion centers and other data-sharing systems

NEXT GENERATION 911 STUDY PROGRESS REPORT

October 2013

During this period, the items outlined below were accomplished:

- Discussions were held with Mission Critical Partners and the following items were developed:
 - Service provider meetings were identified and scheduled.
 - A public meeting on Governance and Service Provider issues was scheduled.
 - Agenda for Governance and Service Provider meeting was developed.

- Discussions were held with OCIO's office regarding governance, on-going GIS work, and Nebraska Regional Inter-Operability Network (NRIN).
 - Member of the NITC GIS council were in attendance as well as representatives of Douglas, Lancaster & Sarpy counties, Roads Department, Natural Resource Department, and others.

- All PSAPs were contacted either by telephone or email regarding study and PSAP questionnaire.
 - 34 of the 76 PSAPs have provided the requested information.
 - Additional contacts will be made with remaining PSAPs to try and collect the needed information.

- 49 service providers have been contacted either by email or telephone.
 - Includes ILECs, CLECs, Wireless, Public Power, Satellite, and Governmental service providers.
 - Responses have been received from 21 providers.
 - 16 providers have supplied the requested information.

- The final planned public meeting, covering governance and service provider issues, was scheduled for November 7th at the State Capitol.

- Public meetings in Scottsbluff, Grand Island, Falls City, and Norfolk were held as scheduled.

- PSAP on-site visits were held in Scottsbluff County, Region 26, Grand Island/Hall County, Douglas County, Richardson County, Dakota County, Norfolk, Sarpy County, and Buffalo County as scheduled.

- The notification list of interested parties for the next-generation 911 study was modified based on requests from interested parties.

- Efforts were continued to engage larger service providers in the study process, such as Verizon, AT&T, ILECs, and public power districts.

NEXT GENERATION 911 STUDY PROGRESS REPORT

October 2013

The process remains on schedule based on the dates shown below.

September 20, 2013	PSAP Site Visit – Lincoln/Lancaster County	Completed as Scheduled
September 20, 2013	Kick-Off Meeting at State Capitol	Completed as Scheduled
September 24, 2013	Public Meeting in Chadron	Completed as Scheduled
September 25, 2013	PSAP Site Visit – KBRC in Bassett	Completed as Scheduled
September 25, 2013	PSAP Site Visit - Valentine	Completed, Unscheduled
September 25, 2013	Public Meeting in Valentine	Completed as Scheduled
September 26, 2013	PSAP Site Visit – Keith County	Completed as Scheduled
September 26, 2013	PSAP Site Visit – North Platte/Lincoln County	Completed as Scheduled
September 26, 2013	Public Meeting in North Platte	Completed as Scheduled
September 27, 2013	PSAP Site Visit- McCook/Red Willow County	Completed as Scheduled
October 1-3, 2013	Nebraska NENA/APCO Conference	PSAPs Unavailable
October 4, 2013	PSAP Interview – Cedar County	Completed as Scheduled
October 4, 2013	PSAP Interview – Fremont/Dodge County	Completed as Scheduled
October 7, 2013	PSAP Interview – Knox County	Completed as Scheduled
October 7, 2013	PSAP Interview – Cuming County	Completed as Scheduled
October 7, 2013	PSAP Site Visit – Scottsbluff County	Completed as Scheduled
October 7, 2013	Public Meeting in Scottsbluff/Gering	Completed as Scheduled
October 8, 2013	PSAP Interview – Saline County	Completed as Scheduled
October 8, 2013	PSAP Site Visit – Region 26	Completed as Scheduled
October 8, 2013	PSAP Site Visit – Grand Island/Hall County	Completed as Scheduled
October 8, 2013	Public Meeting in Grand Island	Completed as Scheduled
October 9, 2013	PSAP Site Visit - Douglas County	Completed as Scheduled
October 9, 2013	PSAP Site Visit – Falls City/Richardson County	Completed as Scheduled
October 9, 2013	Public Meeting in Falls City	Completed as Scheduled
October 10, 2013	PSAP Site Visit – Dakota County	Completed as Scheduled
October 10, 2013	PSAP Site Visit – Norfolk	Completed as Scheduled
October 10, 2013	Public Meeting in Norfolk	Completed as Scheduled
October 11, 2013	PSAP Site Visit – Sarpy County	Completed as Scheduled
October 17, 2013	PSAP Site Visit – Buffalo County	Completed as Scheduled
October 2013	All PSAPs contacted & provided questionnaire	Completed as Scheduled
October 24, 2013	Meeting w/ Megavision	Completed as Scheduled
October 25, 2013	Meeting w/ CIO Office	Completed as Scheduled
October 30, 2013	Meeting w/ NPSC & GIS Workshop	Completed as Scheduled
November 5, 2013	Meeting w/ CenturyLink	Scheduled
November 6, 2013	Meeting w/ NPSC	Scheduled
November 6, 2013	Meeting w/ Viaero	Scheduled
November 7, 2013	Meeting on Governance & Provider Issues	Scheduled
November 12, 2013	Initial Call w/ Verizon	Scheduled
November 2013	Meeting w/ Verizon	Pending
November 2013	Meeting w/ AT&T	Pending
November 2013	Remaining Service Provider Interviews	Pending
November 30, 2013	Complete Information Gathering Phase	Scheduled
January 31, 2014	Draft Report Due to Commission	
April 1, 2014	Final Report Due to Commission	
April 4, 2014	Report Delivered to Committee	

County Ordinance Authority

23-187. Subjects regulated; power to enforce.

(1) In addition to the powers granted by section 23-104, a county may, in the manner specified by sections 23-187 to 23-193, regulate the following subjects by ordinance:

(a) Parking of motor vehicles on public roads, highways, and rights-of-way as it pertains to snow removal for and access by emergency vehicles to areas within the county;

(b) Motor vehicles as defined in section 60-339 that are abandoned on public or private property;

(c) Low-speed vehicles as described and operated pursuant to section 60-6,380;

(d) Golf car vehicles as described and operated pursuant to section 60-6,381;

(e) Graffiti on public or private property;

(f) False alarms from electronic security systems that result in requests for emergency response from law enforcement or other emergency responders; and

(g) Violation of the public peace and good order of the county by disorderly conduct, lewd or lascivious behavior, or public nudity.

(2) For the enforcement of any ordinance authorized by this section, a county may impose fines, forfeitures, or penalties and provide for the recovery, collection, and enforcement of such fines, forfeitures, or penalties. A county may also authorize such other measures for the enforcement of ordinances as may be necessary and proper. A fine enacted pursuant to this section shall not exceed five hundred dollars for each offense.

Source:Laws 2009, LB532, § 1; Laws 2011, LB289, § 2; Laws 2012, LB1155, § 1.

Public Amusement Licenses

23-813. Roadhouses; dance halls; carnivals; shows; amusement parks; license required.

No person, association, firm, or corporation shall conduct or operate any roadhouse, dance hall, carnival, show, amusement park, or other place of public amusement, outside the limits of any incorporated city or village in the State of Nebraska, without first having obtained a license from the county board of the county in which the same is to be operated. If the applicant is an individual, the application shall include the applicant's social security number. Any person, corporation, or association violating the provisions of this section shall be guilty of a Class V misdemeanor. No license shall be required for a dance in an inhabited private home to which no admission or other fee is charged.

Source:Laws 1931, c. 38, § 1, p. 131; C.S.Supp.,1941, § 26-751; R.S.1943, § 23-813; Laws 1947, c. 68, § 1, p. 219; Laws 1977, LB 40, § 92; Laws 1997, LB 752, § 80.

23-814. Roadhouses; dance halls; carnivals; shows; amusement parks; petition for license.

Before any such license shall be granted by the county board, the applicant therefor shall file a petition in the office of the county clerk of said county praying that said license be granted.

Source:Laws 1931, c. 38, § 2, p. 131; C.S.Supp.,1941, § 26-752; R.S.1943, § 23-814.

23-815. Roadhouses; dance halls; carnivals; shows; amusement parks; petition for license; notice; hearing.

Notice of said application shall be published at the expense of the applicant for two consecutive weeks in a legal newspaper of general circulation in said county and precinct, giving the time and place at which said application will be considered by the county board. After full consideration, and the hearing of remonstrants, if there be any, the county board may, in its discretion, grant or withhold said license. A renewal of such license may be granted upon application and without complying with the provisions of this section.

Source:Laws 1931, c. 38, § 3, p. 131; C.S.Supp.,1941, § 26-753; R.S.1943, § 23-815.

23-816. Roadhouses; dance halls; carnivals; shows; amusement parks; license fee.

Before any such license shall be issued by any county board, the applicant therefor shall pay into the county treasury an annual license fee of ten dollars.

Source:Laws 1931, c. 38, § 4, p. 131; C.S.Supp.,1941, § 26-754; R.S.1943, § 23-816; Laws 1953, c. 54, § 1, p. 187.

23-817. Roadhouses; dance halls; carnivals; shows; amusement parks; license; revocation; violations by licensee; penalty.

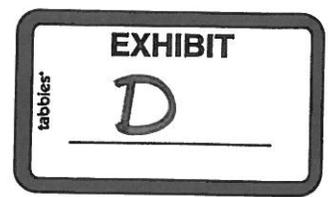
Any person, association, firm or corporation licensed under the provisions of sections 23-813 to 23-816, who shall be convicted of the violation of any law regulating such places of amusement shall have his license revoked upon order of the county board after notice of such proposed action has been given by said board and the licensee has been afforded a reasonable opportunity to appear and show cause why such action should not be had. Any person, association, firm, or corporation violating any of the provisions of said sections shall be guilty of a Class V misdemeanor, and every day upon which this violation shall continue shall be deemed a separate and distinct offense.

Source:Laws 1931, c. 38, § 5, p. 132; C.S.Supp.,1941, § 26-755; R.S.1943, § 23-817; Laws 1977, LB 40, § 93.

23-818. Roadhouse, defined.

For the purpose of sections 23-813 to 23-817, a roadhouse shall mean an inn or any other place where the public is invited to eat, drink, dance, or participate in any combination of any two or more of these activities.

Source:Laws 1949, c. 34, § 1, p. 127.



**BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, NEBRASKA
2013-2014 LEGISLATIVE AGENDA**

***SUPPORT** legislative efforts to provide statewide uniformity in the collection of 911 surcharges. LB 11 (Krist) allows counties containing a city of the metropolitan class the ability to collect the same surcharge amount per active telephone number as those counties not containing a city of the metropolitan class.*

***SUPPORT** legislative efforts to revise non-profit tax-exemption language in §77-202 and §77-202.01, to allow certain tax-exempt (non-profit/charitable/religious) buyers of real property the ability to apply for full or partial tax-exempt benefits on property purchased throughout the calendar year based on the purchase date.*

***SUPPORT** efforts to review the impacts on the juvenile justice system as a result of LB 800 (Ashford; 2010) and to make revisions as appropriate. 2009-2010 Legislative Session passed LB 800 to change methods of early intervention for children at risk and penalties for drug offenses by minors.*

***SUPPORT** efforts to revise changes made to §25-2701, et al., as a result of LB 800 (Ashford; 2010), relating to the methods of early intervention for children at risk, to require the retroactive sealing of all juvenile records.*

***SUPPORT** efforts to repeal all revisions to §79-209 made by LB 800 (Ashford; 2010) and LB 933 (Ashford; 2012) relating to child truancy and excessive absenteeism, and replace with a law that addresses real truancy as defined as being absent without permission or knowledge of a parent or guardian. Concerns have been raised about how juvenile truants are dealt with by the schools and the juvenile justice system under LB 800's new statutory language.*

***SUPPORT** the expansion of Medicaid eligibility within Nebraska. LB 577 (Campbell) amends Nebraska law to increase the number of individuals eligible for Medicaid within the state. Medicaid expansion could save counties statewide millions of dollars in medical costs annually for persons who otherwise would be eligible for County services at the property taxpayer's direct expense.*

SUPPORT funding for rehabilitative alternatives to incarceration. Metropolitan communities in Nebraska need adequate funding to implement meaningful reentry programs as alternatives to incarceration for both adult and juvenile offenders. This funding will promote rehabilitation and reduce recidivism.

SUPPORT discussion of correctional system reform alternatives - methods to accomplish reductions in overall County facility costs, incarceration costs per inmate, reducing recurring-offender inmate populations, and implementing reentry programs as alternatives to incarceration.

SUPPORT legislation to expand Counties' ordinance making authority. The concern has recently been expressed regarding door-to-door solicitors in unincorporated areas of the counties and how the counties currently do not have the authority to regulate that activity.

SUPPORT revising language in §86-437 pertaining to recordkeeping by telecommunication service suppliers for 911 surcharge collection and to add language providing a penalty if a service supplier fails to remit fee payments in the amounts required by law. Revise language that currently requires a telecommunication service supplier to maintain records of service surcharges for a period of one year, instead to maintain records for a period of five years.

SUPPORT adding exemption language in §4-110 pertaining to public benefits. Add language to the list of public benefit exemptions listed in §4-110 to allow for the burial or cremation of an unclaimed body, who is an indigent person or any other person that the disposition of whose remains has become the responsibility of the State or County.

SUPPORT revising language pertaining to public bodies covered by the Nebraska Open Meetings Act, to include that any subcommittee formed by the Nebraska Workforce Investment Board be subject to the Open Meetings Act in the same manner as other public bodies.

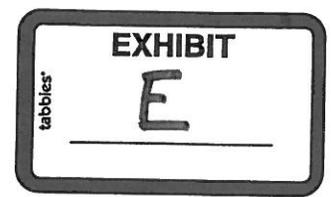
OPPOSE efforts to alter the tax-exempt status of municipal bonds. Local governments could be directly affected by increased borrowing costs if the interest earned from municipal bonds becomes taxable. Eliminating the tax-exempt status of municipal bonds will reduce the effectiveness of a critical financing tool that local governments use to build infrastructure such as bridges, maintain roads, and construct schools and

hospitals.

***OPPOSE** efforts to change any provisions of the County Visitor Promotion Fund (Nebraska Visitor's Development Act §81-3717, et al.).* LB 215 (Schilz) revises certain provisions of §81-3717; County would like to ensure that no changes affecting the purpose or use of the funds are enacted by the Legislature.

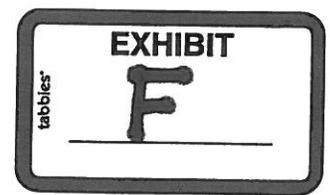
***OPPOSE** efforts to eliminate the inheritance tax.* In fiscal year 2012-13, Douglas County collected \$8.9MIL of inheritance tax. Loss of the inheritance tax would have a significant impact on the county's budget and would likely result in property tax increases.

2014 NACO Legislation to Pursue



- 1. Create a mass assessment designation for firms or individuals contracting with counties for mass assessment.** To assist with the valuation of unique or specialized property, several counties contract with firms or outside individuals who do not hold Nebraska appraisers certificates. Recently the Nebraska Real Property Appraisal Board has questioned whether contract firms and personnel are subject to the certification requirements of the Nebraska Real Property Appraiser Act. If certification is required, counties face a shortage of qualified mass appraisers. This proposal would create a separate mass assessment certification to credential persons with expertise in mass assessment but who are not licensed appraisers. Salaried county employees who conduct mass assessment are currently exempted from holding appraisers certificates and could seek a mass assessment certification to reflect their work in a mass assessment environment.
- 2. Eliminate filing a 521 with all death certificates.** In 2012, legislation was enacted to allow transfer on death deeds to serve as a method of transferring property without probate. Pursuant to the legislation, a Form 521 (Real Estate Transfer Statement) must be filed with all death certificates. Due to the complexity of the form and possible legal implications, an attorney is often hired to fill out this form. Because many estates would not otherwise require the services of an attorney, the 521 filing should be eliminated except when a death certificate is filed in conjunction with a transfer on death deed. Instead, a process similar to that used for an affidavit of probate for estates less than \$30,000 could be implemented to authenticate the transfer.
- 3. Change October 13 date for taxing entities to submit tax requests to county boards of equalization.** Schools, community colleges and other entities with taxing authority must submit their tax requests to the county board of equalization on or before October 13 each year. The county board of equalization must levy the necessary taxes on or before October 15. Because Columbus Day falls on the second Monday of October, the time frame for submitting and certifying levies is shortened by the holiday and weekend every six years. This time frame should be altered to provide additional time to process the levy requests.
- 4. Repeal coal development bond authority for counties.** Laws predating 1943 authorize counties to issue bonds not exceeding \$20,000 to defray the expenses of boring and prospecting for coal in the county. Burt, Washington, and Sarpy counties are specifically excluded from this bonding authority. These statutes, Neb.Rev.Stat. §57-106 and §57-107, are antiquated and should be repealed.
- 5. Eliminate reporting of school district collections to the State Treasurer.** County treasurers are required to provide a semiannual statement to the state treasurer of the money collected on behalf of school districts. This report is no longer needed by the state treasurer and most county treasurers no longer submit it. This requirement should be removed from state statutes.
- 6. Revise surveyor election procedures.** In counties less than 150,000, when there is a qualified surveyor within the county who will accept the office of county surveyor if elected, a county surveyor must be elected for a four-year term. This process is unlike the election or appointment laws for other county offices. The election process should be harmonized to reflect the election processes for other offices.
- 7. Redefine terms and revise records retention statutes for court records.** With the development of the Nebraska Supreme Court's JUSTICE computer system, the records required in statute for the District Court should be redefined to reflect scanned and electronic filings. The related records retention schedule should also be updated.

8. **Provide for the electronic selection of jurors.** The Douglas County District Court has a juror management program and the Nebraska Judicial Branch computer system, JUSTICE, is developing an electronic juror management program for the trial courts. Jury statutes should be updated to reflect the electronic selection process and allow for future communication with jurors through electronic devices.
9. **Harmonize LB341 and LB97 to clean up tax sales issues.** In 2013, two bills were enacted that revised tax sale statutes. LB97, which creates land banks, took effect on Oct. 1, 2013. LB341, which revises procedures and fees for tax sales certificates and treasurers deeds, takes effect on Jan. 1, 2015. Because some of the revised statutes are in conflict, legislation must be enacted to harmonize these bills before LB341 takes effect.
10. **Eliminate the termination date on modernization and preservation fees.** Legislation adopted in 2012 increased filing fees collected by registers of deeds and earmarked the additional funds for preserving, maintaining and modernizing records. The additional fees are scheduled to terminate on January 1, 2018. Because counties have ongoing funding needs in these areas, the sunset date should be removed.
11. **Revise township termination statutes to allow earlier access to township funds.** When a county has tried unsuccessfully for six months to fill two or more vacancies on a township board, it may hold a public hearing on the issue of terminating the township board. If no township residents agree to serve on the board, the township can be terminated and the funds held by the township can be used to offset expenses. Because these funds are sometimes needed to pay the township's obligations before the termination process is finished, they should be made available earlier.
12. **Clarify abandoned cemetery statutes and create procedures for reactivation.** Counties are periodically contacted about allowing burials in abandoned cemeteries. Existing state statutes do not provide for new burials in abandoned cemeteries nor do they address reactivation of abandoned cemeteries. Legislation should be enacted to address such burials and the county's obligation to continue to care for previously-abandoned cemeteries after a new burial has occurred.
13. **Limit shifting of juvenile probation costs to counties.** LB 561 (2013) shifts the supervision of juvenile offenders to the state's probation system. As new probation officers are hired to fulfill this responsibility, counties must provide office space and equipment. In addition, if the state fails to adequately fund the services and programs implemented by Juvenile Probation, counties are statutorily obligated to annually appropriate a fund to pay for these services and programs until suitable funding can be found. In some counties, Probation refuses to pay medical costs incurred by juveniles in detention facilities and the court may order counties to pay the costs. Legislation should be enacted to guard against the shifting of state responsibilities and costs for juveniles to counties.
14. **Support efforts to repeal all revisions to 79-209 made by LB800 (Ashford, 2010) and LB933 (Ashford, 2012)** relating to child truancy and excessive absenteeism, and replace with a law that addresses real truancy as defined as being absent without permission or knowledge of a parent or guardian. Because of concerns raised over that last two years about how juveniles and families are dealt with by the schools and juvenile justice system, as well as costs to the counties under LB800 and LB933, the 2010 and 2012 amendments to section 79-209 should be repealed.



**BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, NEBRASKA**

STATE TAX MODERNIZATION COMMITTEE RECOMMENDATIONS

1. *Tax Increment Financing (TIF)*: Review the current criteria and process to receive TIF. Douglas County forgoes approximately \$3.8M annually in property taxes due to TIF agreements, however, the County has no say in which projects receive TIF.
2. *Restoration of State Aid to Counties*: Restore funding for unfunded/unreimbursed state mandates for services provided by Counties. The State has reduced approximately \$4.2M in annual funding to Douglas County for direct services (includes Government Subdivision payments and Medical Insurance Transfer payments).
3. *State Office Costs*: State should reimburse the counties or bear the costs for offices and equipment leased by the County for State use. Douglas County leases thirteen locations/spaces used by DHHS, Social Services, Juvenile/Adult Probation, and the Department of Motor Vehicles at an annual cost to the County of \$541,727.
4. *Cost of the Guardian Ad Litem Program*: State should reimburse the counties or bear the costs of the GAL program. Douglas County is burdened with the \$550,000 to \$620,000 annual cost of this program.
5. *Costs of the District and Juvenile Courts*: State should reimburse the counties or bear the costs of operating the District and Juvenile Courts; annual cost of \$7.7M for Douglas County.
6. *Costs of Issuing License Plates*: State Department of Motor Vehicles should reimburse the counties or take over the complete cost and function of issuing the State license plates.
7. *Costs of Behavioral Health Services Regional Facilities*: State should fully take over the costs of operating the Division of Behavioral Health Services Regional Centers located in Hastings, Norfolk and Lincoln. Douglas County makes annual payments totaling \$270,000 to support these State activities.

8. *Costs of Criminal Fees charged to the County Attorney's Office from the District Court ('criminal filing fees')*: State should reimburse or eliminate the costs of filing fees incurred by the County Attorney's Office to prosecute crimes at the cost of approximately \$234,000 annually.

9. *§77-1311 mandates for County Assessor Offices in 2014*: State should reimburse for the costs of the statutorily mandated 'January-March pre-Board of Equalization' meeting requirement between the County Assessor and property owners, directly resulting in an additional personnel cost of \$500,000 per year.

JournalStar.com

Epilogue: Truancy diversion pilot showing success



January 07, 2013 9:00 am • By MARGARET REIST / Lincoln Journal Star

Every two weeks, the Park Middle School multipurpose room becomes a courtroom complete with judicial bench and judge, attorneys and defendants -- and their parents.

Alissa Harrison, an eighth-grader who loves photography but until recently did *not* love school, showed up like clockwork twice a month last semester -- a defendant working to change her ways.

She thinks she has, with the help of the mock courtroom and all those who took the time to make it happen: the judge and the attorneys, the counselor and therapist and principal.

“It changed me a lot,” she said. “The people there are so nice and they’re encouraging.”

And they all are convinced that the word truancy is a harbinger of trouble; that school absences gather speed, compound upon themselves like proverbial snowballs until they morph into words such as flunking and dropout.

It’s why the judge, attorneys and school officials decided to try something different: giving students who habitually skip class an alternative to juvenile court.

A \$300,000 grant from the Nebraska Crime Commission funded the pilot program at Park Middle School. The philosophy is similar to drug courts in that it uses the threat of going to court to motivate participants to get at the root of the problem and change their behavior.

It works like this: A juvenile court petition alleging habitual truancy is filed against participating students but is dismissed -- and the record sealed -- when students complete the program. Those who don't, go to court.

A therapist works with students and their families, and a school social worker helps with school-related problems and keeps tabs on grades and homework. Every other week, the students and their parents go to "court" in the multipurpose room, with Juvenile Court Judge Reggie Ryder presiding or Principal Ryan Zabawa on the bench.

The judge reviews how students have done in the interim, asks questions, seeking feedback from the students and their parents, the therapist, social worker, prosecutor and defense attorney in the room.

Instead of sentences, he doles out incentives for perfect attendance and consequences for students not toeing the line.

Although juvenile court has much the same philosophy, the process moves so slowly students often don't see consequences for their actions for months.

Those involved in the pilot program think it's working -- and an interim study bears that out.

Of the 30 students who participated in the first two groups, 86 percent -- or 24 of them -- successfully completed the program, according to a study by the Juvenile Justice Institute at the University of Nebraska at Omaha.

Students in the program showed dramatic increases in attendance while they were enrolled. Although their absences increased once they'd finished, their attendance still was better than before they'd participated. That held true for eighth-graders who moved onto high school.

For instance, 16 of the students involved in the first group had a total of 2,520 absences -- an average of 157 absences per student -- the semester before the diversion program. That dropped 80 percent -- to just 503 absences, or an average of 31 per student -- while they were in the program.

The semester after they'd finished, the number of absences spiked to 1,098, but still was 56 percent fewer than before they'd been through the program. The absences include those excused by parents or for illnesses and tardies.

The study suggested finding ways to continue to engage students after they've finished the program to help keep attendance rates up.

It also noted that some students' grades went down despite improved attendance, and suggested looking for ways to prevent that.

Social worker Tina Bouma is sold on the benefits.

“It’s just a wonderful program,” she said. “And it works.”

There’s a multitude of reasons why children don’t come to school, said Zabawa, Park principal.

“In some cases, we found it really wasn’t a student issue,” Zabawa said. “We were really working more with some parenting and stability in the home, to try to provide support for students.”

Sometimes, it was problems at school, sometimes time management issues.

In one case, Zabawa said, a girl often missed her first class because it took her a half-hour to do her hair. That was important to her, Zabawa said, so they worked on making sure she got up a half-hour earlier in the morning.

“That’s just coaching them, teaching kids to take responsibility,” he said.

The incentives for perfect attendance often were gift cards to the mall or movies, but they could be other things, too -- such as an alarm clock. Alissa -- who loves photography -- got a memory card for her camera.

Often, putting two or three heads together helps find answers to barriers keeping kids from class, Bouma said. It also lets students know there are adults they can go to when a problem arises to help them work through it.

“I think that’s huge,” she said.

Surprisingly, Bouma said, transportation rarely was a problem -- an issue officials thought would be a much bigger barrier.

For Alissa, it boiled down to this: She didn’t like school. She and her family had moved back to Lincoln from Kentucky at the beginning of her seventh-grade year, and going to a new school was tough.

“I had just moved to Lincoln, and I really didn’t have any friends, so I didn’t want to go because it wasn’t fun to me,” she said.

The threat of ending up in court scared her enough to take the diversion program seriously, and Bouma and the therapist helped her work through the school “drama” issues that had been a problem.

“It helped me a lot having them around just to talk to and open up to about all of that,” she said.

Laura Splittgerber, Alissa’s mother, said she and her daughter fought daily about going to school before she entered the diversion program. Sometimes, she’d just keep her daughter home. Alissa’s behavior overall was worrying Splittgerber.

"We were going down a bad, bad path," she said. "She was starting to take off in the middle of the night. It was heading down a bad road."

Spittgerber liked having the support of other adults.

"It's not just mom screaming that (she) needs to get to school," she said.

The pilot will be finished at the end of the year, but officials want to continue it. Sara Hoyle, the county's juvenile justice coordinator, is looking for additional grants, and organizers discovered that much of the therapist's time can be covered by Medicaid.

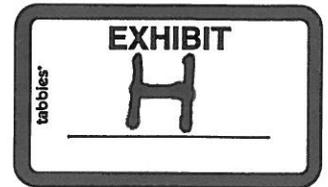
Ryder said he'd be open to expanding the program if other schools were interested, including high schools, because the ultimate goal is graduation.

Zabawa said the program gives students the resources to accomplish the first step toward that cap-and-gown goal -- getting to and staying in school.

"If they're not in school, they're not going to be successful. The first step is getting them there -- and helping them with problems in their lives."

County Attorney Referral for Excessive Absences

Lincoln Public Schools



Date: 11/11/2013

RE: Student's Legal Name: [REDACTED]
Preferred Name: [REDACTED]
Student Number: [REDACTED]
Date of Birth: [REDACTED] [REDACTED]
Parent(s)/Guardian(s): [REDACTED] [REDACTED]
Address: [REDACTED]

The indicated student has accrued at least twenty days of absences or the hourly equivalent of twenty days of absences this school year. As required by Nebraska State Law, 79-209, the student is referred to the County Attorney for their consideration. *Please mark the appropriate box.*

- The school requests additional time to work with the student prior to intervention by the County Attorney and is requesting that you not file a case in juvenile court for the reasons stated below.
- The school has used all reasonable efforts to resolve the student's excessive absenteeism without success and recommends County Attorney intervention. All absences labeled IL, PA, TR, & TD are not considered excused by this school's administration.
- The school realizes that you cannot file the case in juvenile court, as the student is under the age of 7 years or 18 or over.

Attached is the school's documentation, including a copy of attendance and other available documentation, including parent/school contacts, the student's attendance record and past attendance history and, when applicable, information regarding the nature and reasons for the absences based on home-school communication and other available documentation.

Referring Administrator's Comments:

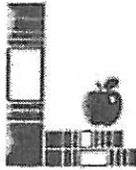
Please contact me if you have any questions about this referral.

Administrator: Dr. Mindy Roberts

Title/School: Principal/Bryan Community Focus Program at Hawthorne

Phone Number: 402-436-1308

CC: Department of Student Services



Lincoln Public Schools

The Bryan Community Focus Program • 300 South 48th • Lincoln, NE 68510 • (402) 436-1308 • (Fax) 458-3208
November 11, 2013

TO THE PARENT/GUARDIAN OF:

[REDACTED]
[REDACTED]
Lincoln, NE 68502

RE: Legal Name:

Preferred Name:

Student Number:

Birth date:

Parent/Guardian:

Home Phone:

Work Phone:

Work Phone:

Dear Lancaster County Attorney,

[REDACTED] has accumulated at least twenty days of absences or the hourly equivalent of twenty days of absences this school year. This letter is to inform you that, as required by state law, we are sending you a copy of attendance and other available documentation, including parent/school contacts, the student's attendance record and past attendance history and, when applicable, information regarding the nature and reasons for the absences based on home-school communication and other available documentation for the County Attorney's review. We have informed parents that the County Attorney may take action in those cases where he/she believes the absences are excessive and without good cause.

Please contact the attendance office or an administrator at the child's school if you have questions regarding the Lincoln Public School's attendance process or to discuss this student's attendance status. We continue to support regular and prompt attendance to school.

Sincerely,

Dr. Mindy Roberts
Principal

Enclosure: Attendance reports/documentation

CC: Parent, Student Services, file

Parents of middle and high school students may monitor their student's attendance using the Pinnacle Parent Internet Viewer.

Nebraska state law requires schools to refer every student, whether of elementary, middle or high school age, who reaches twenty absences or the hourly equivalent of twenty absences to the County Attorney, except in limited circumstances, such as documented illnesses. The school and County Attorney understand that not every referral will merit legal action.



Brenda Vosik, Director of the Nebraska Family Forum
Comments to the Tri-County Retreat
November 18, 2013

The NFF was founded almost three years ago by two Omaha parents who were concerned about the harmful effects of LB 800, the “excessive absenteeism” law passed by our legislature in 2010. From its humble beginnings of a couple of moms, our group has grown to more than 640 members, as more and more parents across the state realize how the law is hurting their children. The NFF is actively pursuing a legislative remedy for this law, and we are also active throughout the state as advocates for families that have been harmed by the law. Believe me, there are many.

A little bit of history about the law:

LB 800 was a huge 74-page bill which, in a few pages at the very end, revised Nebraska’s mandatory attendance law. It was presented and passed under the guise of stemming a truancy crisis in our state, and of helping kids who were at risk of not graduating from high school. However, if you read the law itself, you will see that the word truancy is not even part of the verbiage--it was crossed out and replaced with the words excessive absenteeism. Although opponents of the law have differing opinions about what the real agenda behind it was, we do agree on two things: There was no crisis, and this law is not about truancy. Proof of this was provided just this fall when the State Board of Education released attendance statistics for the last 15 years. Commissioner Borgeson has provided you with those statistics and you will see that since 1998, daily attendance rates have been stable in Nebraska. In 15 years, attendance by Nebraska’s K-12 students has ranged from 94.6% to 95.55% every day, less than one percentage point difference, which is an insignificant fluctuation. I want to draw your attention in particular to the school year 2009-2010. The average daily attendance rate that year was 94.7%--not the highest rate in the 15 years shown, nor the lowest.

However, that was the year that Sen. Brad Ashford suddenly and inexplicably declared that Nebraska had a “truancy crisis.” Our governor and commissioner of education joined in the cry and a law was passed making 20 days of absence, for any reason, a crime. As I said, the word “truancy” isn’t even in the law, but even worse, the effect the law is having on children who are really skipping school is not even being measured. The data that is being collected makes no distinction between kids who are skipping school and kids who are absent with legitimate reason; only absences are being measured but those numbers are presented as truancy data. You see, proponents of the law play fast and loose with the word “truancy,” using it interchangeably with the word “absenteeism,” but we all know those are two very different things. So here we are, 3 ½ years and millions of dollars later, thousands of children dragged into the juvenile justice system, and we have no idea if the kids who truly need help are being helped.

What we do know is that this law has cast a wide net over all Nebraska families and transferred day-to-day authority over our children, from their parents, to strangers such as county attorneys, social workers, and school officials.

For almost three years, we have been collecting family stories on our blog, NebraskaFamilyForum.org. If you will take the time to read those stories, I believe you will be stunned and saddened to learn of the heartache and fear that has been brought down on Nebraska's children in the name of "education." You will read about children with meningitis, mono, asthma, and autism being treated like criminals and forced to accept diversion under threat of being taken from their parents. You will read about a 12-year-old child with doctors' notes for every day missed being served a summons by the sheriff, accusing him of being a danger to the morals of himself and others. You will read about a mother with stage 4 cancer taking her children on one last trip, only to be threatened by her school district with a referral to law enforcement when she returned. You will read of sick children being Mirandized like common criminals, you will read about a sick little girl in a Douglas County courtroom, crying to her mother, "What did I do wrong?" Nebraska citizens keep coming forward with their stories every week, because the abuse of families continues even after last year's amendment. Many non-truant children are still being referred to law enforcement and thousands are being caught up in the juvenile justice system statewide.

The immediate result of the law here in Douglas County could reasonably be called chaotic. In the 2009-2010 school year, before the law took effect, the number of children prosecuted by the county attorney for truancy was 239. Those were kids who were truant according to the real definition, absent without their parents' permission. In the 2010-2011 school year, after the new law was passed, the number of referrals jumped from 239 to 3,100, a 1,180% increase. These 3,100 kids were sorted out by our deputy county attorneys in what resembles a "cattle call." At the cattle call, thousands of children, from age 6 to age 18, are questioned publicly, pressured to hand over personal medical records, assigned to monitoring, put on diversion for being ill, and offered "voluntary" services under threat of having charges filed and being removed from their home.

At the end of that first year after the law was passed, the number of kids who were filed on for actual truancy, for actually skipping school, was 244. 239 truant kids before the law, 244 after. Yet our tax dollars were spent on all this sorting and monitoring and diverting of the other 2,800 kids, many whose only "crime" was being sick. Our tax dollars are being spent paying young county attorneys to ask parents questions like, "What have you done to prevent your child from getting sick again this year?" Sick children have been removed from their homes and made wards of the state, parents have been put in jail, families have been given orders from deputy county attorneys to do things like cancel summer vacations, sign up for extracurricular activities and hire tutors, and other directives that are way outside the scope of the county attorneys' authority and have nothing to do with attendance. There are a disproportionate number of non-English speaking families and families of color in Douglas County truancy court, which is very concerning. Some of the other children we've observed in truancy court include lots of kids with asthma, a child with Downs syndrome, and even a child with only one functioning kidney.

In Lancaster County, a sick honor roll student, beloved by her teachers and peers, with not even one behavioral issue in school, was forced into Park Middle School's diversion program under a judge's threat of being taken from her parents. She was required to submit to in-home therapy for the purpose of "rehabilitating" her from her illness-related absences, and was ordered to attend bonding sessions with other "truant" children, some

of whom were truly troubled youth. Also in Lincoln, the college-educated parents of a 10-year-old autistic child were turned over to the county attorney for excused absences, charged with child neglect, and pursued by CPS even after the charges were dropped—which happened the morning of trial. You see, in Lancaster County, it's common for the County Attorney to drag out false truancy cases as long as possible and then drop them right before trial, causing enormous emotional and financial stress on the children and families. Another young girl in Lincoln with a life-threatening case of meningitis was prosecuted for truancy. After seven court dates and thousands of dollars spent by the family, the county attorney finally dropped the charges. Another non-truant Lincoln child has been prosecuted for truancy all three years since the law was passed – the last two years, the child was turned in by LPS and prosecuted before he child even hit the 20 day mark. As usual, the false charges were dropped right before trial all three years, but the intimidation worked: the child's mother missed the funeral of her own mother, who lived out of state and happened to pass away at a most inconvenient time--during the school year. I will quote this mom: "Terrified they would take my child, they stole my final goodbye."

In Sarpy County, shortly after LB 800 was passed, a mother had all four of her children taken from her home and put into foster care for two years because of absences by two of those children. [REDACTED] with serious documented illnesses. [REDACTED] She recently got [REDACTED] her children back and she cried when she told me that she feels like a terrible mother because now she sends them to school no matter how sick they are. She knows that if her son has a diabetic attack at school, CPS will be back on her doorstep for neglect, but if she keeps him home where he should be, they will be back on her doorstep with more false truancy charges. Last month, when this mother's car broke down, her 15-year-old daughter was so fearful of being taken from her home again that she walked 7 miles to school [REDACTED]—on the interstate—which was the only route she knew. If this law's intent was to terrorize children into good attendance, then indeed, you can call it a smashing success.

Last week, I was given a copy of an attendance letter sent out by a Bellevue elementary school principal. In this letter, the principal writes: "Nebraska State Statute LB-800 mandates that school districts report truancy cases to the county attorney after 20 days regardless of whether any of the absences were excused." I don't know if the child in this letter was really truant – doubtful, since he's in elementary school. What I do know is that this principal doesn't even understand the law, and many school officials across the state are equally confused. In fact, there are county attorneys in our state who don't understand the law—I've met some of them--and they are charged with enforcing it. Who suffers for all these misunderstandings, mistakes and confusion? Our children do.

And who profits from the law? Here in Douglas County and the Learning Community, an entire "attendance industry" has been created, consisting of attendance officers, Student Personnel Assistants, county attorneys, social workers, and other enforcers of the absenteeism law. It's a booming business, folks. Just in Douglas County, more than \$1,000,000 has been funneled away from educating our kids to punishing our kids. This money could have been used to provide services to families who really have at risk kids, who are perhaps struggling with actual truancy issues, or who have other circumstances,

perhaps related to poverty, that sometimes make it difficult for parents to get their children to school.

The NFF has been immersed in this issue for more than two years, and we believe this law is fatally flawed. We cannot “amend” our way out of this mess. The law needs to be repealed and we need to start over with a new law that is really about truancy, that is really about helping and motivating kids to stay in school, without the constant threat of being taken away from their parents.

When LB 800 was first passed, one of its chief proponents, a Douglas County Juvenile Court Judge Elizabeth Crnkovich, said that the threat of law enforcement was needed as a “hammer” to get families to cooperate with the “help” she and others want to offer. What this judge, and many others involved in the “attendance industry”, don’t seem to understand is that our children don’t need a hammer, because they are not nails. None of our children are nails—not sick children and not children who are truly skipping school. If kids are struggling, they need help, not punishment. They should not have to live under the threat of losing their parents in the name of “education.” Our own chief justice Michael Heavican knows this. He stated that courts are the “most expensive and least flexible” way to deal with truancy and “courts should be reserved for the most difficult and unresponsive truants.” The merging of law enforcement and education has been a disaster for our kids. It has destroyed the trusting, cooperative relationship between schools and families, and has turned law-abiding citizens into criminals simply for living their lives and engaging in perfectly normal behaviors – getting sick, attending grandma’s funeral, having car trouble, and other daily challenges that we all face.

The Nebraska Family Forum supports Douglas County’s and NACO’s resolutions to **repeal** the excessive absenteeism law and all of its amendments. We would like to **replace** them with a law that returns compassion and common sense to our state, while addressing the problem of real truancy, which means “absent without the permission or knowledge of your parents.” We want to **remove** law enforcement from this process, and **restore** the cooperative relationship between schools, parents, and students—the three parties who should be dealing with attendance issues.

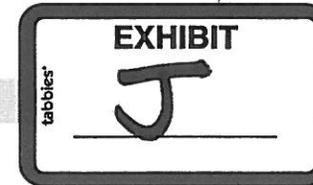
2013-2014 Strategic Plan Action Items and Performance Measures



Strategic Goal #1

Contribute to sustaining and strengthening the local economy.

Goal Facilitator: Mark Wayne, County Administrator



Key Objectives:	Responsible Parties	Initiation Date	Completion Date	Performance Measures:
a. In collaboration with community economic development partners, facilitate the creation of a vision for the growth of Sarpy County.	Mark Wayne, Bruce Fountain, County Board	7/1/2013	on-going	1. Maintain or increase financial support to SCEDC and the local chambers in their work to retain and create new business opportunities in the community. 2. number of jobs created. 3. sales and property tax base increases 4. building permits issued
b. Review the County's business incentive policy and revise as needed to align with the community's vision for growth.	Mark Wayne, County Board, Denny Wilson	7/1/2013	on-going	1. plan sanity sewer outfall expansion to generat planned growth. 2. increase road infrastructure funds (ASIP and RTSD)
c. Obtain purchase options for land that represents prime sites for new business locations.	Mark Wayne, Toby Churchill	7/1/2013	on-going	1. Work with SCEDC to select rail site and data center site 2. obtain purchase options on land.
d. Initiate development of a new Comprehensive Plan	Bruce Fountain	1/1/2014	5/1/2015	1. prepare request for qualifications 2. select consulting firm
e. Work with community partners to support the present functions of Offutt Air Force Base and champion all efforts to the keep the base off the closure list.	Bruce Fountain, SCEDC, County Board	7/1/2013	on-going	1. base grows and does not close

2013-2014 Strategic Plan Action Items and Performance Measures

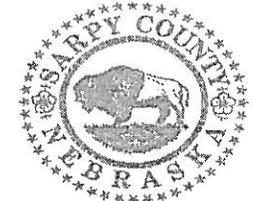


Strategic Goal # 2

Maximize stewardship of County revenues and broaden the use of non-property tax revenues to fund services.

Goal Facilitator: Brian Hanson, Fiscal Administrator

Key Objectives:	Responsible Parties	Initiation Date	Completion Date	Performance Measures:
a. Expand alternative revenue sources for financing road maintenance and improvements.	Bruce Fountain, Denny Wilson	7/1/2013	on-going	1. Approve Arterial Street Improvement Fee 2. Establish Railroad Transportation Safety District (RTSD)
b. Expand the use of debt financing for County road improvements.	Brian Hanson, Denny Wilson	7/1/2013	on-going	1. outline a road improvement program of major arterials that need bond funds to build
c. Study the feasibility of charging local units of government for the cost of incarcerating their prisoners in the County jail and initiate action accordingly.	Sheriff Davis, County Board			1. create jail revenue stream
d. Seek legislative authorization to increase existing County service fees in order to fully recover the cost of providing individual services.	Brian Hanson, Fred Uhe	11/1/2013	6/1/2014	1. obtain legislation for higher service fees
e. Identify additional opportunities for new service fees for financing County services and pursue implementation strategies.	Brian Hanson, Fred Uhe	7/1/2013	on-going	1. obtain legislation if necessary
f. Develop a longer-range plan for voter approval of a designated County sales tax to finance one or more public safety initiatives	Mark Wayne, Fred Uhe			1. obtain city support for the tax 2. obtain voter approval
g. Expand options for credit card payments for County fines and user fees.	Brian Hanson, Mark Walters			1. identify potential fines and fees that could be paid by credit card
h. Pursue the use of alternative fuels to reduce the County's energy costs.	Denny Wilson			1. obtain a grant to purchase/convert vehicles. 2. build a Compressed Natural Gas (CNG) station



2013-2014 Strategic Plan Action Items and Performance Measures

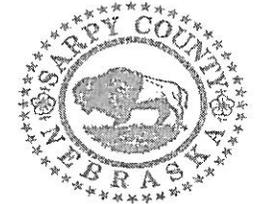
Strategic Goal # 3

Provide for infrastructure improvements that support the growth of the community and enhance quality service to County residents.

Goal Facilitator: Scott Bovick, Deputy County Administrator

Key Objectives:	Responsible Parties	Initiation Date	Completion Date	Performance Measures:
a. Update the 2006 Wastewater and Water Infrastructure Study to determine the need for a new sewer service for underdeveloped areas of the County.	Mark Wayne, Denny Wilson	7/1/2013	on-going	1. hire consultant to update study
b. Initiate actions for the formation of a separate government entity for providing expanded sewer services.	Denny Wilson, Fred Uhe, Mike Smith			1. begin discussions with city mayors and staff. 2. develop the structure of sewer authority. 3. create a long range sewer development plan and connection fee schedule.
c. Prioritize County road improvements based on feedback from key stakeholder groups at an annually convened Road Summit.	Denny Wilson			1. develop the list of projects. 2. determine the funding stream.
d. Develop an inventory of needed facility improvements and adopt a long-term County Facilities Plan that estimates costs of individual facility improvements and prioritizes projects.	Scott Bovick, Ross Richards	2/1/2013	Completed 4/23/2013	1. Complete criminal justice programs study as an addendum to the Facilities Master Plan
e. Adopt and implement a County Technology Plan that reduces courthouse foot traffic and advances progress toward a virtual County government.	Scott Bovick, Mark Walters			1. conduct a study to identify options in technology improvements that could reduce courthouse traffic. 2. seek legislative changes if necessary. 3. purchase necessary software/hardware
f. Create and implement a long-term County Capital Improvement Plan for investments in infrastructure, facilities and major equipment.	Scott Bovick, Brian Hanson, Ross Richards, Denny Wilson			1. set a portion of tax levy or other revenue stream aside for capital improvements

2013-2014 Strategic Plan Action Items and Performance Measures



Strategic Goal # 4

Enhance effectiveness of the County's criminal justice services

Goal Facilitator: Scott Bovick, Deputy County Administrator

Key Objectives:	Responsible Parties	Initiation Date	Completion Date	Performance Measures:
a. Expand use of alternative programs to prevent incarceration in the County jail.	Dan Williamson, Danielle Richler,			1. conduct study and evaluate alternatives to incarcerations.
b. Implement technology to enable video arraignment of persons charged with a crime and detained in the County jail.	Dan Williamson, Mark Walters			1. evaluate equipment requirements. 2. install necessary hardware/software systems. 3. get judges approval.
c. Improve juvenile justice programs by developing alternative programs to prevent detention and beginning implementation of a plan for adequate juvenile justice facilities.	Dick Shea, Jean Brazda, Jodi York			1. develop treatment programs and determine facility requirements.
d. Enhance cooperation in the delivery of law enforcement services with other agencies in the County.	Greg London,			1. identify services that could be shared by departments.
e. Achieve a succesful transition to the Board of Corrections (BOC) for management of the County jail.	Sheriff Davis, Mark Wayne, Mike Smith			1. pass resolution creating the BOC. 2. develop policies. 3. appoint Corrections Director

2013-2014 Strategic Plan Action Items and Performance Measures



Strategic Goal # 5

Expand partnerships in the County and wider region to leverage resources, eliminate service redundancies, and improve local influence in state legislative decisions.

Goal Facilitator: Fred Uhe, Community and Government Relations Director

Key Objectives:	Responsible Parties	Initiation Date	Completion Date	Performance Measures:
a. In consultation with community partners, identify the most mutually beneficial prospects for joint service delivery programs and forge three new cooperative service delivery agreements.	Fred Uhe			<ol style="list-style-type: none"> 1. meet with partners to discuss possibilities. 2. draft proposals. 3. implement agreements.
b. Pursue additional study of the benefits and technical feasibility of a regional approach to the provision of emergency communications services (911 services) and take action accordingly.	Mark Wayne			<ol style="list-style-type: none"> 1. complete Matrix study
c. Expand coordination of planning and zoning decisions between and among municipalities in the County.	Bruce Fountain			<ol style="list-style-type: none"> 1. Sarpy planners meet regularly. 2. Share proposed development information with other jurisdictions. 3. Include city planning directors on Comp Plan steering committee.
d. Facilitate development of a shared state legislative agenda with cities in the County and dedicate lobbying resources to advance the agenda.	Fred Uhe			<ol style="list-style-type: none"> 1. lobbyists meet to discuss legislative agendas. 2. select city legislation to support.

2013-2014 Strategic Plan Action Items and Performance Measures



Strategic Goal # 6

Improve communication to inform the community about County services and initiatives, and expand citizen engagement.

Goal Facilitator: Scott Bovick, Deputy County Administrator

Key Objectives:	Responsible Parties	Initiation Date	Completion Date	Performance Measures:
a. Adopt a public communication plan and dedicate resources to its implementation.	Scott Bovick, Fred Uhe			1. form a committee to develop a plan and prepare a budget if needed.
b. Enhance the County website to create additional avenues for citizen engagement.	Mark Walters, Fred Uhe			1. identify best practices for website designs.
c. Implement a County media policy that directs who speaks for the Board of Commissioners and the departments under the Board's authority.	Scott Bovick, Fred Uhe			1. review and update plan as needed.
d. Adopt public communication standards that achieve uniform messaging and graphic design for the County website and other communication venues.	Scott Bovick, Fred Uhe, Mark Walters			1. review department policies on facebook and texting. 2. have the communications committee select the appropriate brand for website, business cards, etc.
e. Increase communication with County employees to keep them informed about County services and decisions.	Karen Buche, Scott Bovick, Fred Uhe			1. create newsletter and press releases to share county information with employees.

2013-2014 Strategic Plan Action Items and Performance Measures



Strategic Goal # 7

Provide for a high performing County workforce to deliver services.

Goal Facilitator: Karen Buche, Human Resource Director

Key Objectives:	Responsible Parties	Initiation Date	Completion Date	Performance Measures:
a. Expand opportunities for employee learning and professional development.	Karen Buche			1. encourage use of education reimbursement. 2. publish web conferences for employees. 3. increase on-site training opportunities.
b. Capture administrative efficiencies through expansion of interdepartmental cross training.	Karen Buche			1. identify potential cross training opportunities.
c. Sustain a high-skilled County workforce through implementation of succession planning.	Scott Bovick, Karen Buche			1. identify potential leaders in the organization. 2. develop a leadership training program that includes skill development along with formal and informal mentoring relationships.
d. Combine administrative service units and functions to achieve more efficient use of human resources.	Karen Buche, Scott Bovick			1. create a county efficiency committee.
e. Administer fair and competitive compensation practices across all department.	Scott Bovick, Karen Buche			1. perform a comprehensive classification review and salary survey.
f. Evaluate the need for a compensation policy that rewards high performance and expand the use of non-financial employee recognition practices.	Scott Bovick, Karen Buche			1. develop a plan to review pay for performance practices. 2. develop an employee recognition program.
g. Increase employee performance feedback accountability through implementation of a performance appraisal program.	Scott Bovick, Karen Buche			1. develop 360 degree perf. appraisal system. 2. revise the performance appraisal forms to better reflect the functions and expectations of the employee.