

**MINUTES  
DEPARTMENTAL BUDGET HEARINGS  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING, ROOM 113  
TUESDAY, MAY 21, 2013  
1:30 P.M.**

*Advance public notice of the Departmental Budget Hearings was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and emailed to the media on May 15, 2013.*

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

Others Present: Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Dennis Meyer, Budget and Fiscal Director  
Dan Nolte, County Clerk  
Angela Zocholl, County Clerk's Office

The Chair opened the meeting at 1:34 p.m.

*NOTE: During each department's budget hearing, Dennis Meyer, Budget & Fiscal Officer, presented a list of questions addressing one or more of the following issues: additional appropriations, local telephone charges (funds from individual budgets will be removed to cover the Voice over Internet Protocol (VoIP) bond payment), microcomputer request, temporary employees (potential additional insurance costs related to the Affordable Care Act), electronic payments/deposits, fixed asset inventory and the Mid-Year Budget Retreat (scheduled for January 30, 2014).*

**COUNTY COURT (622)**

Present were Becky Bruckner, Judicial Administrator, and Laurie Yardley, County Court Judge.

Bruckner said most of the increases are small and beyond control. She noted a decrease in postage costs.

Dennis Meyer said he built the new courtroom expense into the budget starting on July 1, as well as the cost of JusticeWorks computer software. Once JusticeWorks is set up, the cost should be consistent from year to year. Bruckner did not think they would be ready for the new courtroom by July 1.

Amundson questioned the 50% increase in printing and the 55% increase in Information Services. Bruckner said \$3,000 is needed for Information Services relating to JusticeWorks. Printing costs increased due to use of a new expensive laser check, which helps reduce fraud.

Schorr asked who would be using the new courtroom. Yardley said the rooms are not assigned to a specific judge; it is based more on the type of hearing. She said the new room would likely be used for jury trials due to the ability to show video and exhibits.

Raybould entered the meeting at 1:40 p.m.

Meyer asked if the new billing software would be ready by June 30. Theresa Emmert, Juvenile Court Administrator, said it will not be in use by June 30 but it should be soon after that time.

### **DISTRICT COURT (624)**

Present was Troy Hawk, District Court Administrator.

Hawk said the budget is higher this year, mostly due to including previously removed items, such as court appointed attorney fees. In addition, juror fees, mileage and meals were higher than normal as more cases went to jury trial than in the past. He said \$15,000 in fees and \$1,000 in mileage were cut last year; he asked to add back \$15,000 for fees and add \$5,000 for mileage. Other increases include court costs, filing fees and bills of exception. Hawk said he is working with Information Services to downsize the number of computers needed. He noted that two student law clerks are being brought in for the summer to help the two full-time law clerks with legal research; the students receive class credit rather than salary.

Meyer questioned the receipt of \$133,000 rather than \$182,000 in Welfare IV D reimbursement. Hawk said payments from one quarter have not been received yet. He expected the total revenue to be about the same as last year.

Hawk discussed the additional items he was requesting.

- The addition of 12 personal computers would finalize the transition to machines all being three years old or newer.
- The conference room was originally designed as a jury lounge and is now used for staff conferences. He asked to renovate the room to be used as a training room for the staff.
- The two full-time law clerks started at \$37,500 four years ago and have only received cost of living increases. He asked to increase the starting salary to \$43,000 and to develop a pay range of increases.

Schorr asked Hawk to prioritize his requests. Hawk said the conference room is least important with a higher priority on computers and clerk salaries.

Meyer asked how soon Hawk's position would be filled (as he transitions to Clerk of the District Court). Hawk thought it might be filled late June to early July. He said he would be involved with videoconferencing until his replacement is hired and he would slowly turn over the job. Schorr asked if there was emphasis on technology in the job description. Hawk said it is not a primary part of it, but he would relay the importance to the judges as they make their decision.

Raybould asked about the waiver of jurors' reimbursement mileage. Hawk said jurors are notified when they receive the summons and may complete a waiver form at that time. The judges did not feel comfortable mentioning the waiver to the jurors when they spoke to them. Hawk said only a handful has chosen to waive fees.

## **DISTRICT COURT CLERK (621, 751)**

Present was Chuck Salem, Chief Deputy Clerk of the District Court.

### **District Court Clerk (621)**

Salem said personnel cost has increased \$59,000 with the remaining budget down \$200. He noted an error under temporary salaries; it should be decreased from \$7,000 to \$1,500. Salem discussed cost savings on meeting attendance, office supplies, copying expense and postage.

Meyer noted an additional \$54,000 has been collected in Welfare IV D reimbursement over the budgeted amount. Salem said there are still two more payments coming. Meyer confirmed a normal year would equal around \$200,000.

Meyer noted the decreased cost in PEHP (Post Employment Health Plan) due to the removal of PEHP from the AFSCME (American Federation of State, County & Municipal Employees) contract.

Raybould questioned the change in revenue. Salem said he estimated a conservative number for Welfare IV D reimbursement based on the delay of payments from the State. Meyer agreed it would be better to use a more reasonable number due to the uncertainty of when payments would be received.

Schorr asked about the condition of the power files. Salem said there are not as many paper files as in the past, reducing the need for power files. He did not think replacement would be necessary.

### **Mental Health Board (751)**

Salem said the budget is the same as last year. He noted there is little control over expenses, such as fees and services.

## **COUNTY EXTENSION (645)**

Present were Gary Bergman, County Extension Officer; Jenny DeBuhr, Administrative Aide; and Ron Fleecs, Extension Board Member.

Bergman said the budget is primarily personnel driven. He discussed various ways to reduce costs, such as use of new technology and less paper. He noted an additional 2.4% in revenue, mainly from the Biosolids Program and room rental. Combining that with a 2.51% increase in expenses results in a total budget increase of 0.11%.

Bergman said they were able to replace a vehicle from last year's budget funds. The vehicle being replaced will either be used by other departments or disposed.

Fleecs said he carefully reviewed the budget and felt any increases were beyond control.

Schorr asked about Other Client Services and the \$70,000 gap. Bergman said it represents employees of the University that are paid for by the County. Meyer explained there is sometimes a gap in payments.

Schorr questioned the building rental income at \$0 versus \$7,500 for next year. Bergman said it is a revolving account that accumulates. Improvements are offset and a once-a-year payment is sent back to the County for the generated rentals.

Hudkins asked about the number of children in 4-H. Bergman said there are well over 20,000. He discussed the various programs and clubs.

### **JUVENILE PROBATION (673)**

Present were Lori Griggs, Chief Probation Officer, and Wendy Barrera, Juvenile Drug Court Coordinator.

Meyer noted that the passing of Legislative Bill 561 (LB 561) would affect the Juvenile Probation budget.

Griggs said any new disposition entered by a judge cannot be committed to a group home through the Office of Juvenile Services (OJS) starting October 1, 2013. All new dispositional orders would use a voucher system to pay for services with kids remaining in the home and parents having legal custody. The judges would have an array of services to select from in terms of outpatient, inpatient, group home therapy and group home residential. The money would be moved from the OJS system to Juvenile Probation's budget, but it would be used as a voucher in Juvenile Court to craft rehabilitative plans. The only other option would be to commit youth to a home in Geneva or Kearney. In this case, the custody would be with OJS for the time spent in that facility, but they would also be on intensive probation supervision. A reentry plan into the community would be developed, a court hearing would occur and probation conditions would be set. Youth would no longer be made a ward for a law violation. That would only occur for child welfare or an abuse/neglect situation. Truancies would also fall under the new voucher system.

Griggs said there are currently 280-290 youth on active probation with the possibility of an increase to around 700. She planned for around 22 new staff members over the next four to five years. Griggs said the space she has now works well; she could make room for one person with her current layout.

Schorr expressed concern over the extra County expense resulting from LB 561. Eagan said if the State does not appropriate sufficient funds, then the County would have to cover these costs until alternative funds can be provided.

Griggs hoped voucher money would cover treatment for kids who were allowed to stay in their home. She said the original law in 1998 was not intended to make all first time offenders state wards; however, some parents could not afford the services ordered so an OJS evaluation was done. By July 2014, there should no longer be an active OJS in the community. Beginning October 1, no new OJS cases will be allowed, and the older active cases would stay with an OJS worker until Spring 2014.

Meyer asked if additional employees would be hired by October 1. Griggs said positions would be hired soon so they could start training. She said she spoke to Property Management about additional room for the new staff. Meyer said he would increase the budget numbers to \$305,800 on the probation side, which could be adjusted as more is known. Griggs thought she would know by the end of June how many more people she would need.

The meeting was recessed at 3:16 p.m.

The meeting reconvened at 3:23 p.m.

### **PUBLIC DEFENDER (625)**

Present were Dennis Keefe, Lancaster County Public Defender, and Monica Ross-Williams, Office Administrator.

Keefe said the City contract was renegotiated for almost a 64% increase in revenues on City cases. This resulted in around \$150,000. He noted expense increases due to a retirement payout and training. Keefe thought the Information Services expense might be overestimated. He noted the mobile version of the case management system would not be ready for a while. When it is, the cost will go from \$1.50 per case to \$2.00 per case.

Keefe noted his request for additional personnel. He withdrew his request for the juvenile court attorney at this time due to workload and scheduling issues. He would likely submit a proposal for the position midyear after more discussion. Keefe asked for an additional investigator (Exhibit A) to help with the 1,000 or more felony cases per year. Some are major cases that require all of the investigator's time, so additional investigative work is handled by student interns. However, he felt professional investigators should be used in some situations. He asked for approval of one investigator starting January 1, 2014 (half the budget year).

Keefe said the passing of LB 561 would mean additional attorneys would be needed.

### **MISCELLANEOUS BUDGETS**

#### **Justice System Miscellaneous (628)**

Present were Dennis Keefe, Lancaster County Public Defender, and Monica Ross-Williams, Office Administrator.

Keefe said he originally wanted to renegotiate the Legal Aid contract. However, the number of cases was light early in the year, but they have since started to increase. He felt it would be better to wait until the end of June to review.

### **COUNTY ATTORNEY (652)**

Present were Joe Kelly, Lancaster County Attorney, and Pat Condon, Chief Deputy County Attorney.

Kelly distributed a handout on the FY2009 adopted budget through the FY2014 proposed budget (Exhibit B).

Kelly said two full time employees for Child Support were approved, but so far, only one has been added due to budget constraints. He noted an \$80,000 retirement buyout and increases in health insurance. He said there would be a request for an additional attorney.

Meyer noted the Welfare IV D reimbursement is a little over the \$1,000,000 budgeted. Kelly said IV D money is somewhat dependant on the formula from MAXIMUM, which has increased slightly.

Meyer reminded Kelly to bill the City \$35,000 for diversion.

Schorr asked about the impact of LB 561. Kelly said it would require two attorneys to be involved every day with juvenile filing decisions. Discussion followed on the possibility of trying to have LB 561 delayed.

## **SHERIFF (651)**

Present were Terry Wagner, County Sheriff, and Jeff Bliemeister, Chief Deputy Sheriff.

Wagner said the budget is 7.5% above last year's budget (\$746,000 more). He discussed the increases in personnel cost, including a 4.92% increase in regular salaries, an anticipated \$300,000 vacation payout, increased insurance rates, filling four of five vacancies, increased workers' compensation, increased PEHP costs and possible early retirement by a few employees. Other expenses include a 10% increase in motor vehicle fuels, a 21% increase in liability insurance and a 25% increase in ammunition. Wagner said money is still being set aside in the capital improvement budget for the radio system upgrade that should take place in 2015. In addition, \$25,200 is being set aside for replacement of mobile data terminals, which need replacement about every four years.

Meyer discussed the discrepancy in numbers calculated for the 911 Center. Bliemeister thought the calculated numbers were within \$8,000-10,000 of where they should be.

Meyer noted the increase in insurance expense is due to other items now being included in that expense.

Meyer asked about the funds set aside for the new radio system. Bliemeister said the amount set aside should be close to what is needed based off the estimated 2015 implementation date. Once the new system is started, the old radios will not be compatible. Wagner said there would likely be a bond to cover the expense of the infrastructure of the system; money being set aside is only for the end user equipment.

Bliemeister discussed cost savings for health insurance. He said the County currently pays \$17,304.72 per person for health insurance. The proposal is to provide a stipend of \$3,308 (employee's premium) if an employee has a working spouse who takes advantage of his/her own group health insurance. With the new Affordable Care Act, everyone must carry insurance so no one could take the stipend and then not obtain insurance coverage. Meyer agreed to look into it.

## **MISCELLANEOUS BUDGETS**

### **Health & Human Services (805)**

Meyer said three interlocal agreements are covered under Health & Human Services: Health Department, Aging and Rural Transit. Also covered are the JBC contracts, the match to Region V, EAP and Institutional Patient Care.

Meyer said he had to estimate the JBC numbers, so he based them off last year.

Raybould asked if the Health Department portion could be deducted from Health & Human Services rent. Meyer said it was not part of the budget; this is strictly the County's portion of the Health Department services.

Schorr noted that a possible cut to the Region V budget of \$184,000 should be kept under consideration. Meyer said there is another \$637,000 match paid to Region V. After the Community Mental Health Center is no longer under the County, he would move that number to this budget.

Keno (028)

Meyer said around \$45,500 has been spent and around \$800,000 has been set for a contingency. Meyer figured the balance at the end of June would be around \$1,300,000-1,400,000. At some point, the County Board would need to decide where the money would be allocated.

Debt Service (041)

Meyer said Debt Service covers the 2004 bond, the Health Department bond and the VoIP bond. The funds from telephone expense will eventually be transferred from County Departments to cover bond payments. By 2015, the VoIP bond will be paid. In two more years, the 2004 bond will be paid, and in four years, the Health Department bonds will be paid. Since FY2010, the property tax levy has stayed at \$523,887. Schorr noted old jail renovations could impact the numbers as well.

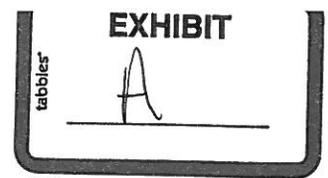
The Board discussed the financial impact of LB 561 and options for delaying the bill.

**ADJOURNMENT**

The meeting was adjourned at 5:02 p.m.

  
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**Dan Nolte**  
**Lancaster County Clerk**





## Supplemental Justification for Additional Investigator Position in Public Defender's Office

Provided By The National Defender Investigator's Association

Staffing Ratios for Investigator/Attorney in Public Defender Offices:

1 Investigator per Death Penalty case attorney

1 Investigator per 3-5 Felony Attorneys that have 155 felony cases per attorney.

1 Investigator per 4 Juvenile Attorneys that have 250 juvenile cases per attorney.

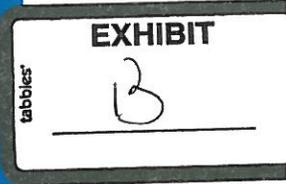
1 Investigator per 5 Misdemeanor Attorney that have 350 misdemeanor cases per attorney.

1 Investigator per 4 Appellate/Post Conviction matter attorneys.

These ratios are consistent with Federal Public Defender system, and the ABA staffing standards.

Applying these ratios to the Lancaster County Public Defender's Office, we should have from 4.6 Investigators to 5.5 Investigators, without regard to the appellate attorney position.

We currently have 1 Investigator for 19 attorneys.



	Adopted	Modified	Spent	Returned
FY 2009	\$ 6,602,650.00	\$ 6,624,650.00	\$ 6,568,760.00	\$ 55,890.00
FY 2010	\$ 6,636,113.00	\$ 6,636,113.00	\$ 6,553,195.00	\$ 82,919.00
FY 2011	\$ 6,634,552.00	\$ 6,634,552.00	\$ 6,612,252.00	\$ 22,300.00
FY2012	\$ 6,634,552.00	\$ 6,634,552.00	\$ 6,513,927.00	\$ 120,625.00
FY2013	\$ 6,508,653.00	\$ 6,508,653.00	\$ 5,399,318.00	\$ -

FY2009 Adopted Budget

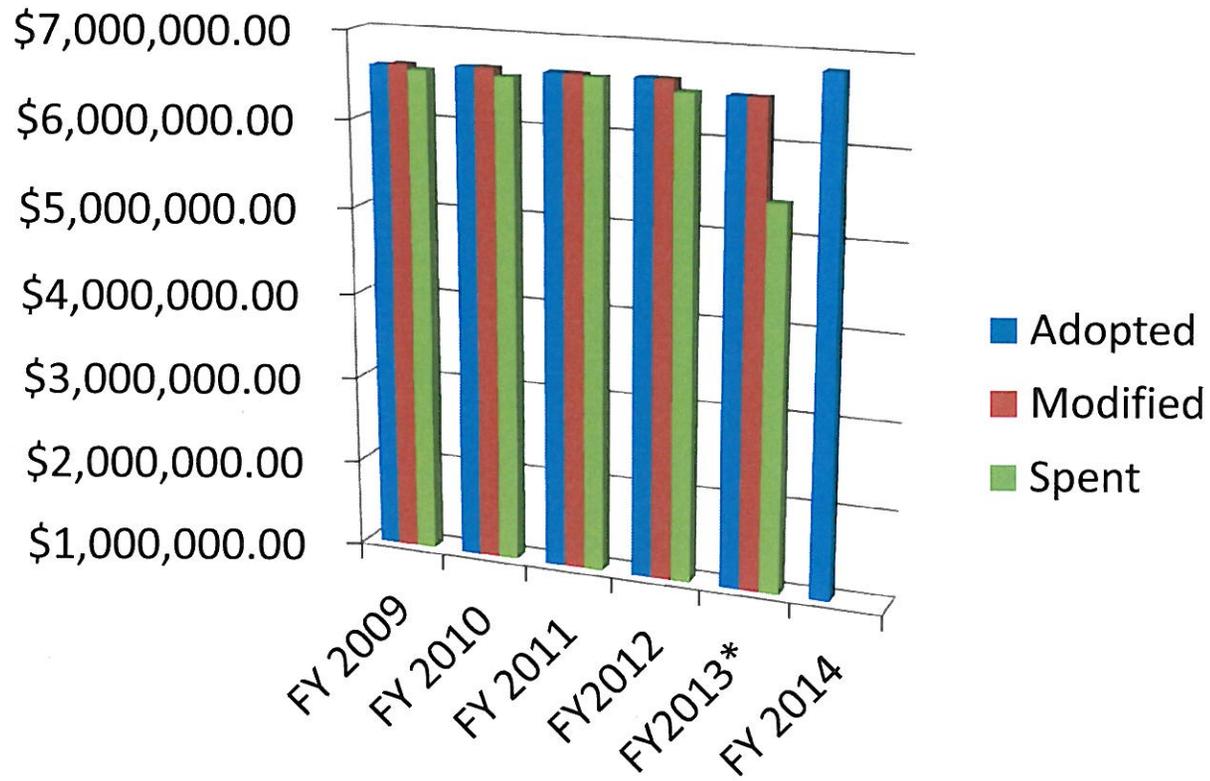
**\$6,602,650.00**

Fy2014 Proposed Budget

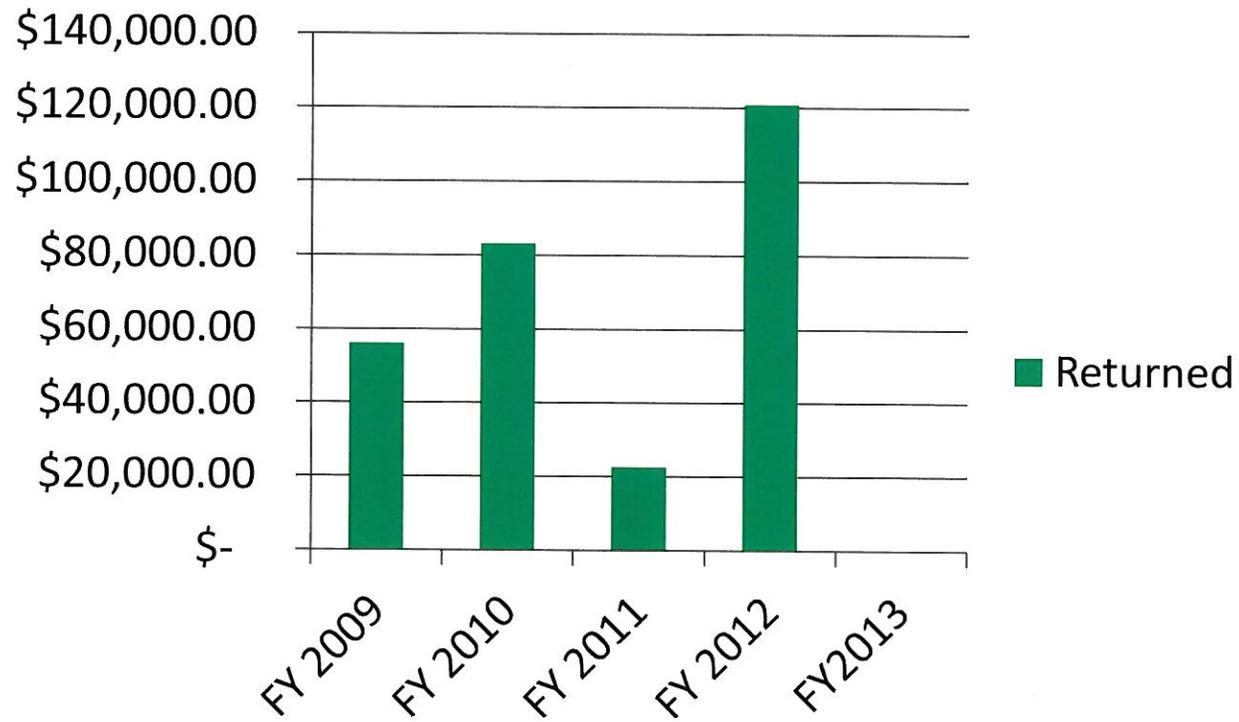
**\$6,824,784.00**

Percentage change from 2009 - 2014

**TOTAL 3.3% INCREASE IN 5 YEARS**



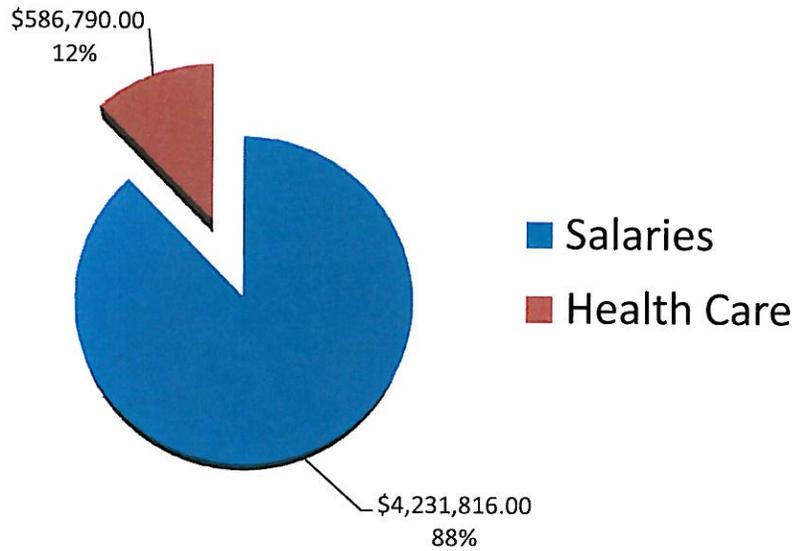
## Returned



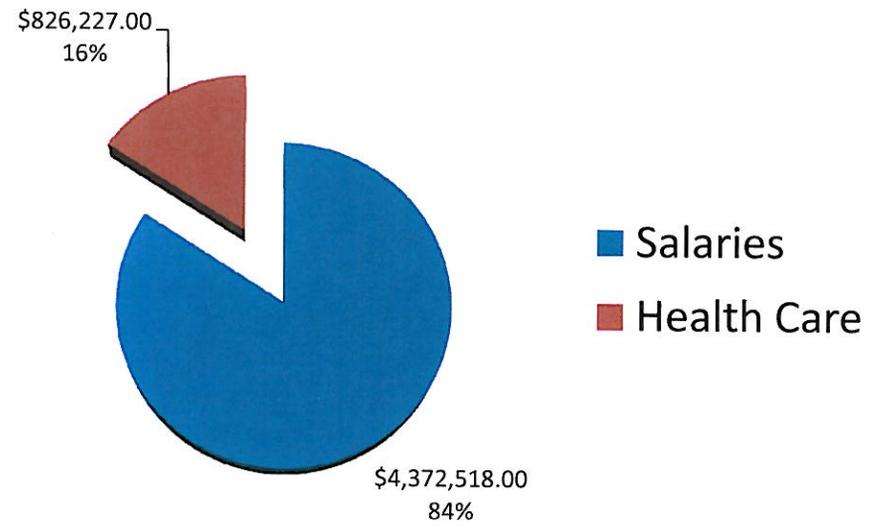
Total returned FY 2009 – 20013

**\$281,734.00**

### FY2009



### FY2014



### 2009 through 2014

Salaries increases

3.32%

Health Care increased

41.00%