

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION INCREASING APPROPRIATIONS FOR COUNTY ATTORNEY 2009 FY BUDGET

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6) (Reissue 1997), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-103 (Reissue 1997), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, additional appropriations are needed for the continued operation of the County Attorney on 2009 budget.

NOW, THEREFORE, BE IT RESOLVED, By the Sarpy County Board of Commissioners, that the following budgetary transfers are hereby approved:

Transfer to:	County Attorney	(00965207 570210)	\$163,000
Transfer from:	Miscellaneous General	(03597007 570210)	\$163,000

DATED this 16th day of June, 2009.

MOVED by Pat Thomas, seconded
by Tom Richards, that the above Resolution be adopted. Carried.

YEAS:

NAYS:

ABSENT:

[Signature]
[Signature]
[Signature]

none

none

ABSTAIN:

[Signature]
Patrick J. Chomac

none



County Clerk

[Signature]
[Signature]

First, we anticipate submitting \$3,500 in payables by June 23. Of that amount \$1,700 is Drug Testing and \$900 is for depositions taken. I do not think we have any out of the ordinary bill pending.

I have about \$4,000 due to the Nebraska County Attorneys Assn. for dues and fees and can hold that until July. The total of Nebraska State Bar Dues and County Attorney Assn. come from Bar Dues which has a positive balance of \$1,050, but of course our total expenses have exceeded the available budget so I will submit it when you think best.

Second, as to accounts over budget:

\$15,300 -- Overtime Process 0505 -- We have continually tried to find the best way to get service of process on witnesses for court. Primarily, this would represent subpoena service on non-police office witnesses. Sarpy Sheriff does a great job in-county and traditionally our next biggest need was in Douglas County where the Sheriff was not as efficient. We tried various methods and found using "off duty" Sarpy deputies to serve under a side-agreement with our office. As we now know, we were required to pay those deputies at an overtime rate because the county is considered their employer and work done over 40 hours for the county attorney counts as added time to their assigned work hours for the sheriff. This budget, we set those costs into a line item so we could compare costs. We proposed adding a part-time "civilian" to our staff, but that did not get approved.

We will continue to work with Douglas County and measure the effectiveness over time.

\$35,000 -- Part Time Salaries 0400 -- Primarily represents costs of paying Ben Perlman out-of-class from clerk to attorney to get to full court coverage. This problem continues and will actually get worse as I learn this week one of our misdemeanor attorneys will face loss of one of his kidneys and likely be out for more than 6 weeks. We request enough for 3 clerks at half-time (1,040 hours) and traditionally the budget committee cuts that back a little.

\$8,400 -- Over Time and Temp Help 0450/0500 -- Over time here represents clerical staff needs to scan closed case which is done either by overtime or more efficiently by "summer student" help. We are striving to transition to scanning as a case starts so we have active, real time files and I believe Cori Brock will be a tremendous help to get where we need to be.

\$12,300 -- Law Enforcement 2901 -- This is traditionally an over-budget item as it is unpredictable and I believe we are actually closer this year than we have ever been. Additionally and related, Drug Testing is actually under-budget and it is usually and over-budget item.

\$23,000 -- Autopsy 2913 -- Impossible to predict and usually over-budget.

\$62,500 -- Court Appt. Attorney 2401 -- This large amount was unbudgeted and unpredicted. It represents the attorney fees we shared with Bellevue on a lawsuit in Federal Court by pro-life protesters. With Carhart now saying he is going to do third

term abortions in Bellevue because of the shooting in Kansas, I am worried we will be increasing our investment in court time.

\$15,400 -- Training combined accounts 1801/1802/2904 -- This is the most problematic for me and I we are constantly working to keep this item under control. The biggest impact on our costs is the fact that previous Training at the National Advocacy Center was paid by federal funding which had been decreasing and finally shut off last year. The plan was that expenditures made would be reimbursed when funding was decided and funneled through the Department of Justice. In a complicated process, funding did show up at the Center, but reimbursement has not been available yet. I am working with the National District Attorneys Assn. that has these responsibilities, but I cannot predict the outcome at this time. We need at least \$20,000 per year to train 20 attorneys and the funded amount put us short from the start. We continue to meet requirements with local training, which in and of itself is not really inexpensive, but we need to address issues on the macro level as well and must continue to attend national offerings.

\$1,000 -- Supplies Office 0101 -- Our expenses here are greatly impacted by a basic need for file folders. We require additional costs for multipart file folders with attached clips, but we reuse these files on a regular basis as we close and scan the files and find it more cost efficient to order the files so constructed as opposed to using clerical staff to punch and assemble files in great numbers as new files are opened and current files remain open and in use. In effect we are actually opening more than we close or can close and scan in available time.

Please let me know if I can provide any more information.

Lee Polikov

FOR 2008 99

	ORIGINAL APPROP	TRANFRS/ ADJUSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED

01 COUNTY FUNDS							

65200 COUNTY ATTORNEY							

00965201 CTY ATTY PERSONAL SERV EXPENSE							

0100-03-09-65200-01-00-00-1-510100	OFFICIALS SALARY						
	101,080	.00	101,080.00	101,079.81	.00	.19	100.0%
0100-03-09-65200-01-00-00-1-510200	DEPUTYS SALARY						
	97,037	.00	97,037.00	96,938.65	.00	98.35	99.9%
0100-03-09-65200-01-00-00-1-510202	OTHER DEPUTYS SALAR						
	996,192	.00	996,192.00	986,218.70	.00	9,973.30	99.0%
0100-03-09-65200-01-00-00-1-510300	REGULAR TIME SALARY						
	434,125	.00	434,125.00	428,450.42	.00	5,674.58	98.7%
0100-03-09-65200-01-00-00-1-510307	REGULAR TIME SALARY						
	34,843	.00	34,843.00	.00	.00	34,843.00	.0%
0100-03-09-65200-01-00-00-1-510400	PART TIME SALARY						
	31,200	.00	31,200.00	36,593.46	.00	-5,393.46	117.3%
0100-03-09-65200-01-00-00-1-510450	TEMPORARY HELP						
	0	.00	.00	1,078.13	.00	-1,078.13	100.0%
0100-03-09-65200-01-00-00-1-510500	OVERTIME						
	10,000	.00	10,000.00	31,434.65	.00	-21,434.65	314.3%
0100-03-09-65200-01-00-00-1-510505	OVERTIME PROCESS SER						
	0	.00	.00	8,250.97	.00	-8,250.97	100.0%
0100-03-09-65200-01-00-00-1-510901	RETIREMENT CONTRIBUT						
	115,053	.00	115,053.00	113,710.99	.00	1,342.01	98.8%
0100-03-09-65200-01-00-00-1-511000	SOCIAL SECURITY						
	130,392	.00	130,392.00	122,296.57	.00	8,095.43	93.8%
TOTAL CTY ATTY PERSONAL SERV E	1,949,922	.00	1,949,922.00	1,926,052.35	.00	23,869.65	98.8%

00965202 CTY ATTY OPER EXPENSE							

0100-03-09-65200-01-00-00-2-520200	TELEPHONE SERVICE						
	3,500	.00	3,500.00	4,642.32	.00	-1,142.32	132.6%
0100-03-09-65200-01-00-00-2-520800	OFFICIAL BONDS						
	250	.00	250.00	132.50	.00	117.50	53.0%
0100-03-09-65200-01-00-00-2-521200	OFFICE EQUIPMENT REP						
	1,300	.00	1,300.00	249.99	.00	1,050.01	19.2%

FOR 2008 99

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
0100-03-09-65200-01-00-00-2-521700 TRAVEL EXPENSES							
9,000		.00	9,000.00	10,244.03	.00	-1,244.03	113.8%
0100-03-09-65200-01-00-00-2-521801 DUES & SUBSCRIPTIONS							
0		.00	.00	4,611.00	.00	-4,611.00	100.0%
0100-03-09-65200-01-00-00-2-521802 REGISTRATION AND TRA							
8,000		.00	8,000.00	8,110.68	.00	-110.68	101.4%
0100-03-09-65200-01-00-00-2-522500 CONSULTING FEES							
0		.00	.00	350.00	.00	-350.00	100.0%
0100-03-09-65200-01-00-00-2-522901 LAW ENFORCEMENT							
70,000		.00	70,000.00	117,470.24	.00	-47,470.24	167.8%
0100-03-09-65200-01-00-00-2-522904 OUT-OF-STATE EDUCATI							
0		.00	.00	1,284.55	.00	-1,284.55	100.0%
0100-03-09-65200-01-00-00-2-522913 AUTOPSY COSTS							
70,000		.00	70,000.00	106,290.25	.00	-36,290.25	151.8%
0100-03-09-65200-01-00-00-2-522915 DRUG TESTING							
55,000		.00	55,000.00	38,025.00	.00	16,975.00	69.1%
0100-03-09-65200-01-00-00-2-526700 COUNTY LAW LIBRARY							
1,500		.00	1,500.00	2,382.26	.00	-882.26	158.8%
0100-03-09-65200-01-00-00-2-527001 BAR DUES							
7,000		.00	7,000.00	10,610.80	.00	-3,610.80	151.6%
0100-03-09-65200-01-00-00-2-529900 MISCELLANEOUS							
100		.00	100.00	1,206.31	.00	-1,106.31	1206.3%
TOTAL CTY ATTY OPER EXPENSE	225,650	.00	225,650.00	305,609.93	.00	-79,959.93	135.4%
00965203 CTY ATTY SUPPLY EXPENSE							

0100-03-09-65200-01-00-00-3-530101 SUPPLIES-OFFICE							
13,000		.00	13,000.00	15,337.68	.00	-2,337.68	118.0%
TOTAL CTY ATTY SUPPLY EXPENSE	13,000	.00	13,000.00	15,337.68	.00	-2,337.68	118.0%
00965205 CTY ATTY CAP OUTLAY EXPENSE							

0100-03-09-65200-01-00-00-5-550315 DATA PROCESSING EQUI							
15,000		.00	15,000.00	14,325.48	.00	674.52	95.5%
0100-03-09-65200-01-00-00-5-550500 OFFICE EQUIPMENT							
2,000		.00	2,000.00	1,816.00	.00	184.00	90.8%
0100-03-09-65200-01-00-00-5-550700 FURNITURE							
4,000		.00	4,000.00	2,304.40	.00	1,695.60	57.6%

FOR 2008 99

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
0100-03-09-65200-01-00-00-5-551309 DATA PROCESSING SOFT	15,000	.00	15,000.00	12,226.15	.00	2,773.85	81.5%
TOTAL CTY ATTY CAP OUTLAY EXPE	36,000	.00	36,000.00	30,672.03	.00	5,327.97	85.2%
00965207 CTY ATTY TRANSFER EXPENSE							
0100-03-09-65200-01-00-00-7-570210 BUDGETARY TRANSFER	0	54,000.00	54,000.00	.00	.00	54,000.00	.0%
TOTAL CTY ATTY TRANSFER EXPENS	0	54,000.00	54,000.00	.00	.00	54,000.00	.0%
TOTAL COUNTY ATTORNEY	2,224,572	54,000.00	2,278,572.00	2,277,671.99	.00	900.01	100.0%
TOTAL COUNTY FUNDS	2,224,572	54,000.00	2,278,572.00	2,277,671.99	.00	900.01	100.0%
TOTAL EXPENSES	2,224,572	54,000.00	2,278,572.00	2,277,671.99	.00	900.01	
GRAND TOTAL	2,224,572	54,000.00	2,278,572.00	2,277,671.99	.00	900.01	100.0%

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