**BOARD OF COUNTY COMMISSIONERS**
**SARPY COUNTY, NEBRASKA**

**RESOLUTION SETTING FRINGE BENEFITS FOR PUBLIC DEFENDER TO BE ELECTED IN 2012**

WHEREAS, pursuant to Neb. Rev. Stat. § 23-1114 (Reissue 2007), "The salaries of all elected officers of the county shall be fixed by the county board prior to January 15 of the year in which a general election will be held for the respective offices;" and,

WHEREAS, an election for the Office of the Public Defender shall be held as part of the 2012 General Elections, and the person so elected during the 2012 General Election shall take office in January 2013; and,

WHEREAS, it is recognized that Sarpy County provides certain fringe benefits inclusive of health insurance, dental insurance, life insurance and accidental death & dismemberment, long term disability and pension to the elected officials including the Public Defender; and,

WHEREAS, the it is recognized that prior to January 15, 2012, the salary for the Public Defender shall be set as outlined above and further, said fringe benefits will also be set.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS as follows:

1. The Board finds that the provisions for fringe benefits as set out in the attachment entitled "Sarpy County Official Benefit List: Elected Officials" shall be the fringe benefits that the Sarpy County Public Defender is entitled to beginning January 1, 2013, in addition to the salary which shall be set prior to the 2012 General Elections as provided by Neb. Rev. Stat. §23-1114 (Reissue 2007).
2. The Board finds and determines that the County reserves the right to enter into any program for the benefit of the Employees of the county, including but not limited to life insurance, long term disability insurance, family group health insurance and family dental insurance programs and such other benefit programs as may be approved by this Board. The Elected Officials who hold office at the time such program is adopted shall be entitled to participate in such programs on the effective date of such program, as the same may be modified from time to time. Such participation shall be under such terms and conditions as this Board may establish.
3. The benefits described in the attachment shall be applicable to the Sarpy County Public Defender. It is the specific intent and finding of this Board, in support of the action set forth above, that the benefits which may inure to the benefit of the elected official during his or her term of office, shall not constitute an increase in salary which is prohibited by Article III, §19 of the Constitution of the State of Nebraska. Based upon the Nebraska Supreme Court cases, specifically *Shepoka v. Knopik,* 201 Neb. 780, 272 N.W.2d 364 (1978), "the constitutional

prohibition relates to legislative change and does not prohibit changes based on independent factual standards."

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the _____ day of _____, 2011.

_____
Sarpy County Board Chairman

Attest:

SEAL

_____
County Clerk

# SARPY COUNTY
# OFFICIAL BENEFIT LIST:
# ELECTED OFFICIALS

## HEALTH INSURANCE

Elected Officials are eligible for health insurance benefits immediately upon taking office. Enrollment must be made within thirty (30) days of taking office. The County pays ninety percent (90%) for individual coverage, eighty-three percent (83%) for Elected Official plus coverage and eighty-three percent (83%) for family coverage. The Elected Official is responsible for the remaining portion of the premium, which is deducted in two equal parts from the first and second paycheck of each month. Sarpy County partially 'self-funds' IN-NETWORK deductibles / out of pocket maximums for health insurance. Employee Benefit Systems, (EBS) administers these County funds used to offset IN-NETWORK services incurring the $3,000 (single) / $6,000 (other) BCBS Deductible levels. Visit www.nebraskablue.com for more information.

**Blue Cross and Blue Shield of Nebraska:**
***BluePreferred PPO***

| COVERAGE LEVEL | TOTAL PREMIUM | COUNTY SHARE | ELECTED OFFICIAL SHARE |
|---|---|---|---|
| Single | $612.52 | $551.27 | $61.25 |
| Elected Official + Spouse | $1,305.66 | $1,083.70 | $221.96 |
| Elected Official + Children | $1,305.66 | $1,083.70 | $221.96 |
| Family | $1,496.76 | $1,242.31 | $254.45 |

## LIFE INSURANCE and ACCIDENTAL DEATH & DISMEMBERMENT

The County provides $45,000 Term Life Insurance coverage for the official. Supplemental insurance may be purchased at hire or at open enrollment through the insurance carrier, MetLife®. Please review your Certificate of Coverage booklet for further detailed information, restrictions, and specifics.

## LONG TERM DISABILITY

The MetLife® group policy also includes provisions for Long Term Disability benefits. Eligibility for Long Term Disability begins one year from date of employment. The official must be under the age of 70. Benefits would begin after 90 days of continuous disability with a monthly benefit of 66 ⅔% of the official's earnings, with a maximum benefit of $6,000 per month. This benefit is subject to approval and amounts are subject to taxes; amounts also may be off-set by Social Security, Pension, and other forms of compensation.

## DENTAL INSURANCE

**Officials and their covered dependents are eligible for dental coverage immediately upon taking office (enrollment form is required).**

### METLIFE® DENTAL

| | Elected Official Pays |
|---|---|
| Single Coverage | $0.00 |
| Family Coverage | $19.00 |

**The premium for dental coverage will be deducted from the first payroll period each month. The coverage year begins each January 1 and the annual maximum benefit per plan year is $1,500.00 per covered patient. Refer to the Employee Plan Booklet provided by MetLife® Dental for details. IMPORTANT: Providers outside of the MetLife® network may be used; however, only "reasonable and customary" charges will be paid at the rate specified for the procedures. This amount is not the same as that paid to MetLife® Network Providers. Visit www.metlife.com/dental for further information.**

## PENSION

**Full-time Elected Officials must participate in the Nebraska Public Employee's Retirement System upon taking office. Part-time elected County Officials *may* elect to begin participation immediately. If you are appointed to fill a vacancy, you are considered an elected official, and must participate upon taking office.**

**The Official's contribute 4.5% of their salary (gross compensation) for each payroll period. The County contributes an amount equal to 150% of your contribution each payroll period (6.75%). These contributions are pre-taxed, not subject to Federal and State income taxes.**

**Officials employed after January 1, 2003 must participate in the "cash balance" plan. Information will be provided at the time you enroll.**

**Vesting Credit: Completion of an aggregate three years of Plan participation or at 55 years of age. If, at the time an employee is hired by the County and has prior Nebraska governmental plan participation, that participation may be counted toward the aggregate three years of participation required to vest in the Plan. However, to qualify, an "Eligibility and Vesting Credit Application" must be completed within 30 days from date of hire by Sarpy County. Please see your Personnel Department for the necessary form.**

## EMPLOYEE ASSISTANCE PROGRAM

**Sarpy County has contracted with Alegent Health Employee Assistance Program (E.A.P.) to offer this unique benefit. Alegent EAP is a short-term counseling service to help you and your family begin to work through personal problems, such as marital conflicts, grief issues, stress, legal problems, emotional difficulties, substance abuse, financial troubles, plus more. When you use these services, you are assured of absolute confidentiality. If you directly contact an EAP counselor, no one will know. To arrange for a private and confidential appointment call the 24-Hour telephone line at 398-5566 or 888-847-4975. All sessions are confidential, a critical element in Alegent Health EAP's success. Information is not released without your written permission**

## TAX DEFERRED COMPENSATION

**These programs are available through the following providers:**

| Company | Representative | Telephone Number |
|---|---|---|
| Lincoln Financial | Steven Cassel | 392-0540 ext. 17 |
| Nationwide | Chad Christensen | 402/730-6066 |
| A.G. Edwards & Sons | Peter Daiker | 496-9700 |
| Aetna Financial Services (ING) | Michael Cain | 445-2046 |

**No endorsement is made for one company versus another. You may visit with one or more of the companies and make your decision.**

**Contributions are taken out of each paycheck until stopped or changed by the employee. If employee contributions are discontinued due to termination of employment, retirement, experiencing an unforeseeable emergency, or death, the employee has options for continuing the plan, "rolling over" their account, or withdrawing assets. It is recommended that employees discuss options with their account representative prior to making any decision because there may be serious tax implications to consider. Please contact your specific representative for maximum contribution amounts, makeup contribution amounts, and any other questions.**

## ACCIDENTAL, HEALTH, and CANCER INSURANCE

**Supplemental health, accidental health and cancer insurance coverage is available through the following insurance providers:**

**American Family Insurance (AFLAC)**
**Capital American**
**Colonial Life and Accident Insurance**

| Company | Representative | Telephone Number |
|---|---|---|
| AFLAC | Dee Coughlin | 492-8179 |
| Capital American | Ron Bucklin | 331-2122 |
| Colonial | Lori Starr | 676-2147 |

**As the supplemental insurance is strictly voluntary, you are the policyholder. Please contact a representative directly for further information.**

## FLEXIBLE BENEFIT PLAN

**This benefit, administered under contract by PayFlex Systems USA, Inc. of Omaha for Sarpy County, allows you to pay for un-reimbursed medical expenses and dependent care expenses with "pre-tax" dollars, which means that you get a tax break for these expenses. These plans are authorized under IRS Code Section 125 and are often referred to as Flexible Spending Accounts (FSA).**

**Examples of un-reimbursed medical expenses are: co-pays for visits to doctors and dentists, eye glasses and exams, prescription drugs, hearing devices, and Lasik surgery. Please visit *www.Healthhub.com* for more details.**

**The plan year is from July 1 through June 30 of the following year, which coincides with the County's fiscal year. The County has set the maximum amount that can be set aside for un-reimbursed medical expenses per plan year at $5,000. Federal law currently limits the amount for dependent care to $5,000 per plan year. The annual elected amount is deducted from your pay in equal amounts per pay period over the plan year. PayFlex Systems USA, Inc. offers a PayFlex credit card (for use at merchants that accept MasterCard®) for paying authorized expenses from your medical accounts.**

**New enrollment is required each plan year and there are limited circumstances for terminating the plan prior to the end of the plan year. Please visit www.healthhub.com for further information.**

## 529 EDUCATION SAVINGS PLAN

**This IRS Section 529 college savings program enables individuals to save and invest, on a tax-favored basis, to fund college and graduate school expenses for a child or other beneficiary. This is a voluntary program funded by the employee with after-tax dollars but investment growth is tax-free.**

**The Sarpy County Board has approved the Putman Investments Advantage Payroll Deduction program for marketing to its employees. The program is offered through A.G. Edwards & Sons, Inc. (Pete Daiker): 496-9700.**

## EDUCATION REIMBURSEMENT

**All salaried (exempt from overtime) employees shall be eligible for educational reimbursement of courses at 90% of the cost of tuition, class related fees (i.e. computer lab, science lab fees) and books up to a maximum of one thousand five hundred dollars ($1,500.00) per fiscal year. Employees must successfully complete the course with a grade "C" or higher from an accredited college, university, community college or trade school. Receipts are required before reimbursement will be paid.** ***(Nonreimburseable fees include, but are not limited to, student activity fees, parking fees, etc. - See Policies and Procedures Manual for further information.)***

***Please refer to the Sarpy County Policies & Procedure Manual for further specifics.***

## RETIREMENT

**Elected Officials may, if eligible, continue to receive health and dental insurance coverage as provided under an existing Sarpy County Plan. In order to receive this coverage the Elected Official must:**

1) **have served a minimum of sixteen (16) years as an employee of Sarpy County and be serving as an Elected Official at the time of retirement; and**
2) **be at least fifty-five (55) years of age and not yet sixty-five (65) years of age; and**
3) **be covered by the County's primary health and dental insurance plan prior to the time of retirement.**

**The health and dental premium paid by the County for those qualifying is as follows:**

a) **The County will pay 75% of the monthly premium for single coverage and 50% for employee/spouse, employee/children or family coverage; or,**
b) **For those elected officials at least sixty (60) years of age but not yet sixty-five (65) years of age, the County shall pay the entire single coverage premium and fifty percent (50%) of employee/spouse, employee/children or family coverage.**

**In the event a retired Elected Official is over the age of sixty-five (65) and no longer eligible for coverage in the preceding paragraph, but the spouse of said retiree has not yet reached the age of sixty-five (65), said spouse shall be eligible for coverage upon payment of 50% of the premium, until such time as the spouse reaches the age of sixty-five (65) or is no longer married to the retired Elected Official.**

**If you choose to remain a member of the County's group health insurance program, it is advised that you contact the Social Security Administration *prior* to reaching age 65 to begin the transition process for Medicare coverage. It is recommended that you also research possible Medicare supplemental insurance coverage prior to enrolling in a specific Medicare option.**

# SARPY COUNTY
# OFFICIAL BENEFIT LIST:
# ELECTED OFFICIALS

~~THIS INFORMATION IS INTENDED TO BE INFORMATIVE OF THE GENERAL NATURE OF BENEFITS TO WHICH AN OFFICIAL MAY BE ELIGIBLE. THE INFORMATION IS NOT INTENDED TO BE BINDING ON SARPY COUNTY, AND SHOULD NOT BE CONSTRUED TO CREATE A CONTRACT OR AN OFFER TO CONTRACT. THE ACTUAL BENEFITS ARE DEFINED BY VARIOUS OTHER LAWS, REGULATIONS, POLICIES, RESOLUTIONS, AGREEMENTS, AND/OR CONTRACTS. PLEASE REFER TO THE APPLICABLE DOCUMENT(S) FOR FURTHER INFORMATION. THESE BENEFITS MAY BE MODIFIED FROM TIME TO TIME, WITHOUT FURTHER NOTICE TO THE OFFICIALS.~~

## HEALTH INSURANCE

Elected Officials are eligible for health insurance benefits immediately upon taking office. ~~The premium is paid in full by Sarpy County.~~ Enrollment must be made within thirty (30) days of taking office. The County pays ninety percent (90%) for individual coverage, eighty-three percent (83%) for Elected Official plus coverage and eighty-three percent (83%) for family coverage. The Elected Official is responsible for the remaining portion of the premium, which is deducted in two equal parts from the first and second paycheck of each month. Sarpy County partially 'self-funds' IN-NETWORK deductibles / out of pocket maximums for health insurance. Employee Benefit Systems, (EBS) administers these County funds used to offset IN-NETWORK services incurring the $3,000 (single) / $6,000 (other) BCBS Deductible levels. ~~The current plan is briefly described below; however, the insurance carrier's Certificate of Medical Insurance should be consulted for details.~~ Visit www.nebraskablue.com ~~www.bcbsne.com~~ for more information.

Blue Cross and Blue Shield of Nebraska:
*BluePreferred PPO*

~~Classes of Coverage:~~ ~~Single~~
~~Family~~
~~Employee / Spouse~~
~~Employee / Children~~

~~In-Network:~~ ~~Annual deductible: $500 member/$1,000 family*~~
~~Max calendar year out-of-pocket: $1,500 member/$3,000 family*~~
~~Office visit co-pay: $30 per visit / $60 for Specialist~~
~~Prescription co-pay: $10 / $40 / $60~~

| COVERAGE LEVEL | TOTAL PREMIUM | COUNTY SHARE | ELECTED OFFICIAL SHARE |
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~~*Deductible and Out-of-Pocket Maximums listed are after Partial Self Funding contributions. OUT-OF-NETWORK deductibles are substantially higher; it is recommended that you verify the in-network status of providers PRIOR to obtaining services.~~

## LIFE INSURANCE and ACCIDENTAL DEATH & DISMEMBERMENT

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## LONG TERM DISABILITY

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## DENTAL INSURANCE

### ~~METLIFE® DENTAL~~

~~Sarpy County provides group dental insurance for the Elected Official at no cost to the official.~~ Officials and their covered dependents are eligible for dental coverage immediately upon taking office (enrollment form is required).

### METLIFE® DENTAL

| | Elected Official Pays |
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| Single Coverage | $0.00 |
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Examples of un-reimbursed medical expenses are: co-pays for visits to doctors and dentists, eye glasses and exams, prescription drugs, hearing devices, and Lasik surgery. Please visit *www.Healthhub.com* for more details.

The plan year is from July 1 through June 30 of the following year, which coincides with the County's fiscal year. The County has set the maximum amount that can be set aside for un-reimbursed medical expenses per plan year at $5,000. Federal law currently limits the amount for dependent care to $5,000 per plan year. The annual elected amount is deducted from your pay in equal amounts per pay period over the plan year. PayFlex Systems USA, Inc. offers a PayFlex credit card (for use at merchants that accept MasterCard®) for paying authorized expenses from your medical accounts.

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## EDUCATION REIMBURSEMENT

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## RETIREMENT

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3) be covered by the County's primary health and dental insurance plan prior to the time of retirement.

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a) The County will pay 75% of the monthly premium for single coverage and 50% for employee/spouse, employee/children or family coverage; or,
b) For those elected officials at least sixty (60) years of age but not yet sixty-five (65) years of age, the County shall pay the entire single coverage premium and fifty percent (50%) of employee/spouse, employee/children or family coverage.

**In the event a retired Elected Official is over the age of sixty-five (65) and no longer eligible for coverage in the preceding paragraph, but the spouse of said retiree has not yet reached the age of sixty-five (65), said spouse shall be eligible for coverage upon payment of 50% of the premium, until such time as the spouse reaches the age of sixty-five (65) or is no longer married to the retired Elected Official.**

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# Office of the County Attorney

Hall of Justice · 1210 Golden Gate Drive · Suite 3147
Papillion, NE 68046-2889
(402) 593-2230 · FAX: (402) 593-4359

L. Kenneth Polikov
Sarpy County Attorney

## MEMORANDUM

September 8, 2011

TO: Sarpy County Board of Commissioners

FROM: Nicole O'Keefe, Deputy Sarpy County Attorney

RE: Insurance Resolutions

Currently, Sarpy County pays for the health benefits of county commissioners, elected officials, chief deputies and managers/department heads. Commissioner Jim Warren asked me to create resolutions which alter the benefits such that the county commissioners, elected officials, chief deputies and managers/department heads pay the same amount for health benefits as all other employees of Sarpy County. Thus each benefit summary was appropriately amended. Besides the county commissioners, the only elected official affected at this time is the public defender as the public defender position will be up for election in 2012.

One item of note in each benefit summary is the Retirement provision. There appear to be differences in the retirement provisions for county commissioners, elected officials, chief deputies and managers/department heads. These differences in the retirement benefits remain unchanged as there were no amendments to this section of the benefit summaries except for the age requirement of the chief deputies. It should also be noted that the retirement benefits for the hourly non-union employees contain different provisions as well. The hourly non-union benefits are not addressed today, as such employees currently pay for a portion of their health insurance.

The commissioner and the elected official resolutions are limited to a benefit summary only; the salaries are not addressed in the attached documents. However, the salaries will need to be set prior to January 15, 2012. In order to keep the matter transparent and uncomplicated, there should only be one document which describes the salary and benefits for the county commissioners and elected official. Thus, at the time the county commissioner and the elected official salaries are set, those resolutions will require a benefit component in addition to the salary information. Accordingly, if the commissioner and elected official resolutions are approved at the September 13th County Board meeting, when the salary resolutions are subsequently addressed it will be necessary to include language rescinding the September 13th resolutions in order to maintain a single document which addresses both salary and benefits.

I have included 2 versions of each benefit summary; one in which all amendments are noted on the document and one "clean" version to attach to each resolution.