

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION INCREASING APPROPRIATIONS FOR COUNTY ATTORNEY 2013 FY BUDGET

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6) (Reissue 2007), 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,

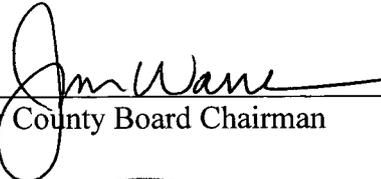
WHEREAS, pursuant to Neb. Rev. Stat. §23-103 (Reissue 2007), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, additional appropriations are needed for the continued operation of the County Attorney 2013 FY budget.

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

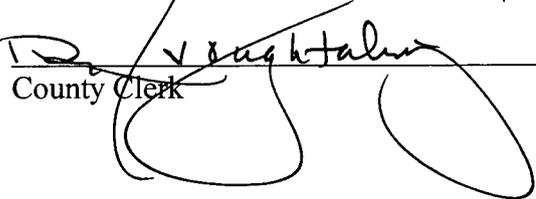
| | | |
|----------------|---|----------|
| Transfer to: | County Attorney (00965207 570210) | \$13,000 |
| Transfer from: | Miscellaneous General (03597007 570210) | \$13,000 |

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 25th day of June, 2013.


 Sarpy County Board Chairman

Attest:
 SEAL




 County Clerk

SARPY COUNTY



YTD BUDGET REPORT 2013 FY

FOR 2013 99

| ACCOUNTS FOR: | ORIGINAL | TRANFRS/ | REVISED | | | AVAILABLE | PCT |
|---------------------|----------|----------|---------|--------------|--------------|-----------|------|
| 0100 COUNTY GENERAL | APPROP | ADJSTMTS | BUDGET | YTD EXPENDED | ENCUMBRANCES | BUDGET | USED |

65200 COUNTY ATTORNEY

00965201 CTY ATTY PERSONAL SERV EXPENSE

| | | | | | | | | |
|--------------------------------|--------------------|-----------|-----|--------------|--------------|-----|------------|--------|
| 00965201 510100 | OFFICIALS SALARY | 130,859 | .00 | 130,859.00 | 125,650.15 | .00 | 5,208.85 | 96.0% |
| 00965201 510200 | DEPUTYS SALARY | 126,934 | .00 | 126,934.00 | 122,052.00 | .00 | 4,882.00 | 96.2% |
| 00965201 510202 | OTHER DEPUTYS SAL | 1,528,982 | .00 | 1,528,982.00 | 1,484,028.40 | .00 | 44,953.60 | 97.1% |
| 00965201 510300 | REGULAR TIME SALAR | 585,356 | .00 | 585,356.00 | 530,401.45 | .00 | 54,954.55 | 90.6% |
| 00965201 510307 | REGULAR TIME SALAR | 45,148 | .00 | 45,148.00 | 3,648.53 | .00 | 41,499.47 | 8.1% |
| 00965201 510400 | PART TIME SALARY | 25,000 | .00 | 25,000.00 | 31,548.73 | .00 | -6,548.73 | 126.2% |
| 00965201 510450 | TEMPORARY HELP | 0 | .00 | .00 | 3,958.18 | .00 | -3,958.18 | 100.0% |
| 00965201 510500 | OVERTIME | 0 | .00 | .00 | 33.75 | .00 | -33.75 | 100.0% |
| 00965201 510901 | RETIREMENT CONTRIB | 164,854 | .00 | 164,854.00 | 155,314.43 | .00 | 9,539.57 | 94.2% |
| 00965201 511000 | SOCIAL SECURITY | 186,834 | .00 | 186,834.00 | 164,645.79 | .00 | 22,188.21 | 88.1% |
| TOTAL CTY ATTY PERSONAL SERV E | | 2,793,967 | .00 | 2,793,967.00 | 2,621,281.41 | .00 | 172,685.59 | 93.8% |

00965202 CTY ATTY OPER EXPENSE

| | | | | | | | | |
|-----------------------------|--------------------|---------|-----|------------|------------|-----|------------|--------|
| 00965202 520200 | TELEPHONE SERVICE | 2,500 | .00 | 2,500.00 | 2,301.24 | .00 | 198.76 | 92.0% |
| 00965202 520800 | OFFICIAL BONDS | 250 | .00 | 250.00 | 100.00 | .00 | 150.00 | 40.0% |
| 00965202 521700 | TRAVEL EXPENSES | 7,500 | .00 | 7,500.00 | 9,262.51 | .00 | -1,762.51 | 123.5% |
| 00965202 521802 | REGISTRATION AND T | 7,500 | .00 | 7,500.00 | 9,808.73 | .00 | -2,308.73 | 130.8% |
| 00965202 522401 | COURT APPOINTED CO | 0 | .00 | .00 | 2,117.70 | .00 | -2,117.70 | 100.0% |
| 00965202 522500 | CONSULTING FEES | 6,000 | .00 | 6,000.00 | 6,000.00 | .00 | .00 | 100.0% |
| 00965202 522901 | LAW ENFORCEMENT | 80,000 | .00 | 80,000.00 | 82,434.74 | .00 | -2,434.74 | 103.0% |
| 00965202 522904 | OUT-OF-STATE EDUCA | 0 | .00 | .00 | 102.00 | .00 | -102.00 | 100.0% |
| 00965202 522913 | AUTOPSY COSTS | 95,000 | .00 | 95,000.00 | 155,433.91 | .00 | -60,433.91 | 163.6% |
| 00965202 522915 | DRUG TESTING | 21,000 | .00 | 21,000.00 | 29,423.00 | .00 | -8,423.00 | 140.1% |
| 00965202 526700 | COUNTY LAW LIBRARY | 2,000 | .00 | 2,000.00 | 1,299.51 | .00 | 700.49 | 65.0% |
| 00965202 527001 | BAR DUES | 10,000 | .00 | 10,000.00 | 14,587.00 | .00 | -4,587.00 | 145.9% |
| TOTAL CTY ATTY OPER EXPENSE | | 231,750 | .00 | 231,750.00 | 312,870.34 | .00 | -81,120.34 | 135.0% |

00965203 CTY ATTY SUPPLY EXPENSE

| | | | | | | | | |
|-----------------|-----------------|-------|-----|----------|----------|-----|--------|-------|
| 00965203 530101 | SUPPLIES-OFFICE | 7,500 | .00 | 7,500.00 | 6,991.09 | .00 | 508.91 | 93.2% |
|-----------------|-----------------|-------|-----|----------|----------|-----|--------|-------|

SARPY COUNTY



YTD BUDGET REPORT 2013 FY

FOR 2013 99

| ACCOUNTS FOR: 0100 COUNTY GENERAL | ORIGINAL APPROP | TRANFRS/ ADJSTMTS | REVISED BUDGET | YTD EXPENDED | ENCUMBRANCES | AVAILABLE BUDGET | PCT USED |
|---|--------------------|----------------------|-------------------|--------------|--------------|---------------------|-------------|
| TOTAL CTY ATTY SUPPLY EXPENSE | 7,500 | .00 | 7,500.00 | 6,991.09 | .00 | 508.91 | 93.2% |
| 00965205 CTY ATTY CAP OUTLAY EXPENSE | | | | | | | |
| 00965205 550315 DATA PROCESSING EQ | 20,445 | .00 | 20,445.00 | 16,286.64 | .00 | 4,158.36 | 79.7% |
| 00965205 550500 OFFICE EQUIPMENT | 2,800 | .00 | 2,800.00 | 3,932.37 | .00 | -1,132.37 | 140.4% |
| 00965205 550700 FURNITURE | 1,650 | .00 | 1,650.00 | 537.00 | .00 | 1,113.00 | 32.5% |
| 00965205 551309 DATA PROCESSING SO | 12,527 | .00 | 12,527.00 | 13,512.20 | .00 | -985.20 | 107.9% |
| TOTAL CTY ATTY CAP OUTLAY EXPE | 37,422 | .00 | 37,422.00 | 34,268.21 | .00 | 3,153.79 | 91.6% |
| TOTAL COUNTY ATTORNEY | 3,070,639 | .00 | 3,070,639.00 | 2,975,411.05 | .00 | 95,227.95 | 96.9% |
| TOTAL COUNTY GENERAL | 3,070,639 | .00 | 3,070,639.00 | 2,975,411.05 | .00 | 95,227.95 | 96.9% |
| TOTAL EXPENSES | 3,070,639 | .00 | 3,070,639.00 | 2,975,411.05 | .00 | 95,227.95 | |

March 18, 2013

Discussion of 2013 FY Budget and Additional Appropriations
Budget Run 3-6-2013
Lee Polikov – County Attorney

1802 Registration and Training – Budgeted \$7,500.00/ Balance -\$595.24

This line item is used in conjunction with line item 1700 Travel Expenses to fund staff training. Travel Expenses shows a balance of \$3,211.29.

Most of training expense is dedicated to the staff of 22 attorneys. In Nebraska, deputy county attorneys have a statutorily mandated continuing legal education requirement of 20 hours per year. This exceeds the Nebraska Supreme Court/Nebraska Bar Association requirement for all attorneys. The law is in a constant state of change. Professionalism and the obligation to justice require deputy county attorneys to be current in the law and continually improve their proficiency. This protects the public from harm, as well as, protecting the rights of those accused of doing harm.

Our budget request is \$20,000.00, but we have tried to do all we can with in-state and in-house training to spend less. Even in-state training costs add up quickly and \$1,000 or less per attorney is not an unreasonable cost.

Additionally, there are costs associated with training support staff on computer software and critical processes associated with reports, evidence and legal discovery.

I foresee a continuing need for budgeting at current levels.

2401 Court Appointed Counsel – Budgeted \$0/ Balance -\$2,117.70

The expense represents an unanticipated cost of an outside counsel in a Post Conviction Relief matter where my office had an ethical conflict.

The costs for Acting County Attorney appointments, often mistakenly referred to as special prosecutor, typically comes from another office's budget. In the interest of cost, we often recommend the judge appoint another county attorney or their representative and they have done so. It is totally the judge's discretion and they have always been conscientious about the choice. Some cases will require the appointment of an attorney in private practice to act as prosecuting attorney and the cost will be billed to county at an hourly rate approved by the court.

This case does not represent a frequent occurrence and I would not budget for this type of expense.

2913 Autopsy Costs – Budgeted \$95,000/ Balance -\$17,382.29

Nebraska Law designates the County Attorney as County Coroner and some people are confused by this. Doctors are responsible for signing a Death Certificate declaring the cause of death. If there is not a physician in attendance at the time of death, the responsibility falls upon the Coroner. Since the Coroner was not in attendance the method of determining the cause of death is through an autopsy performed by a pathologist. The Coroner can then sign the certificate declaring the cause based on professional and licensed medical training.

It is impossible to determine the number of unattended deaths and the number of deaths that are the result of foul play, which would require an autopsy for evidentiary purposes, in any one fiscal year. We try to budget a number based on past experience. It is counterproductive to the budgeting process for the county to over budget, as it would reduce resources available to other budget centers. We rely on the Finance Department that has a good record of contingency planning to cover the shortfalls that may occur.

A typical autopsy costs between \$1,500 to \$2,000. This year we have encountered two cases of burned bodies that add significant costs to the autopsy because of DNA processing to establish identity. One case is a criminal case with huge ancillary expenses and one was an apartment fire with two victims, one a small child. Those additional cost factors are hard to predict.

2915 Drug Testing – Budgeted \$21,000/ Balance -\$445

Every drug arrest requires laboratory testing of the material evidence thought to be illegal. The nature of the charge is dependent on identifying the substance and quantifying the substance. Several years ago, we stopped testing non-delivery amounts of marijuana until we knew if a case was going to court. However, almost every other substance must be positively identified for charging and prosecution.

Budgeting requires a prediction of an unknown. How many arrests will occur and the amount and type of drugs that will be encountered. Again, we must rely on past experience and be current in new trends.

We attempt to be conservative in our budget requests so as not to deprive other budget centers of resources. Missing the targets by a small percentage is inevitable.

Sarpy County Board of Commissioners

1210 GOLDEN GATE DRIVE
PAPILLION, NE
593-4155
www.sarpy.com

ADMINISTRATOR Mark Wayne
DEPUTY ADMINISTRATOR Scott Bovick
FISCAL ADMIN./PURCHASING AGT. Brian Hanson



| |
|---|
| <u>COMMISSIONERS</u> Don Kelly District 1 Jim Thompson District 2 Tom Richards District 3 Brenda Carlisle District 4 Jim Warren District 5 |
|---|

MEMO

To: Sarpy County Board

From: Brian Hanson

Re: Over-Expended General Fund Budgets

Several departments will appear before the Board at the June 25, 2013 meeting to request additional appropriations for their 2013 fiscal year budgets. Attached are resolutions requesting additional appropriations for all the departments, as well as a printout showing their budget status as of June 19, 2013. **Please note that there are still personnel expenses not reflected in the printouts as they will not be posted to the budgets until the final pay period of June 28, 2013.**

A number of the departments will be asking to transfer appropriations from one budget under their control to another budget under their control while other departments are asking that additional appropriations be transferred from the Miscellaneous General budget. The amount to be transferred from the Miscellaneous General budget is \$63,000 as compared to \$181,300 last year.

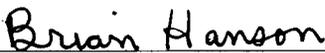
The additional appropriations are summarized as follows:

| <u>To</u> | | <u>From</u> | |
|--------------------|----------|---------------------------|----------|
| County Court | \$7,000 | Miscellaneous General | \$7,000 |
| Jury Commissioner | \$6,100 | Election Commissioner | \$6,100 |
| Jail Maintenance | \$11,000 | Facilities Management | \$11,000 |
| JJC Maintenance | \$15,500 | Facilities Management | \$12,000 |
| | | Sheriff Admin Maintenance | \$3,500 |
| County Attorney | \$13,000 | Miscellaneous General | \$13,000 |
| Juvenile Diversion | \$2,000 | Victim Witness | \$2,000 |
| Sheriff Admin | \$39,000 | Juvenile Justice Center | \$39,000 |
| Vehicle Inspection | \$300 | Juvenile Justice Center | \$300 |

| | | | |
|--------------------------------|----------|------------------------------------|---------------------|
| Jail | \$14,500 | Juvenile Justice Center | \$14,500 |
| Court Services | \$8,000 | Juvenile Justice Center | \$8,000 |
| Warrants | \$27,000 | Juvenile Justice Center Tow Lot | \$8,200 \$18,800 |
| Pre-Trial/Community Service | \$17,000 | Miscellaneous General | \$17,000 |
| Human Services | \$26,000 | Miscellaneous General | \$26,000 |

Please call if you have any questions.

June 21, 2013



 Brian E. Hanson

BEH/dp

cc: Mark Wayne
 Scott Bovick
 Deb Houghtaling
 Barb Pousson
 Wayne Bena
 Ross Richards
 Lee Polikov
 Tricia Freeman
 Jean Brazda
 Jim Weber
 Jennifer Ozturk
 Jeff Davis
 Mike Jones
 John Kucer
 Rolly Yost
 Dan Williamson
 Monty Daganaar
 Danielle Richler
 Sharon Boehmer