

**BOARD OF COUNTY COMMISSIONERS**  
**SARPY COUNTY, NEBRASKA**  
**RESOLUTION SETTING SALARY OF THE SARPY COUNTY ELECTION**  
**COMMISSIONER AND THE DEPUTY ELECTION COMMISSIONER**

WHEREAS, pursuant to Neb. Rev. Stat. §32-217 (Reissue 2008), salary of the Election Commissioner is to be set by the County Board at least 60 days prior to the expiration of the term of the Election Commissioner; and,

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

- I. The salary for the Office of Sarpy County Election Commissioner, for the calendar year commencing January 1, 2014 shall be \$75,000 per annum. An additional \$5,000 will be added for the Jury Commissioner duties for a total salary of \$80,000.
- II. The salary for the Office of the Sarpy County Deputy Election Commissioner, for the calendar year commencing January 1, 2014 shall be \$67,500 per annum. An additional \$4,500 will be added for the Deputy Jury Commissioner duties for a total salary of \$72,000.
- III. The Board further finds that said Commissioner and Deputy Commissioner shall receive an increase in salary for each calendar year of the term of said official, after the 2014 calendar year as follows: the salary for the subject year shall be equal in amount to the salary for the immediately preceding year plus an increase equal to the annual percentage increase in the Midwest Region Consumer Price Index, CPI-U, for the 12 month period ending on June 30 of the immediately preceding calendar year, as established by the Bureau of Labor Statistics, a department of the U.S. Department of Labor. Such increase, however, shall not be less than a one (1) percent increase and shall not exceed three and one-half (3.5) percent. Only the base salary of the Election Commissioner and Deputy Election Commissioner are subject to the yearly increase and the salary for the Jury Commissioner and Deputy Jury Commissioner duties shall not change throughout the term.

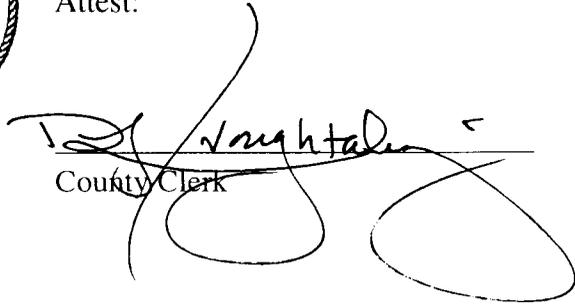
- IV. Said salaries shall be paid in twenty-six equal installments. These salaries shall be per calendar year, January 1, through the next following December 31. If, for any reason, the Commissioner or Deputy Commissioner is unable to complete his or her term of office, the salary paid for the completed portion of the term shall be equal to the salary to be paid for the year divided by the time spent in office during that year.
- V. The Board further finds that in addition to the salaries set forth above, each said official shall be entitled to the following benefits during the term of office:
- A. Life insurance and Long term disability insurance at no cost to the official.
  - B. Family group health insurance and family dental insurance at no cost to the official for the calendar year 2014. After December 31, 2014 the official is entitled to participate in group health insurance, including health insurance that may be available upon retirement, under the same terms and conditions as is offered to other employees, excluding employees that are part of a collective bargaining agreement, as the same may be modified from time to time.
- VI. 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 insurance programs and such other benefit programs as may be approved by this Board. 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. Such participation shall be under such terms and conditions as this Board may establish.
- VII. It is the specific intent and finding of this Board, in support of the action set forth above, that the increases in salary, and/or benefits which may inure to the benefit of the Election Commission and Deputy Election Commissioner during his or her terms 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 on Nebraska Supreme Court cases, specifically *Shepoka v. Knopik*, 201 Neb. 780, 272 N.W.2d 365 (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 the applicable law on the 22<sup>nd</sup> day of October, 2013.



Attest:

  
Sarpy County Board Chairman

  
County Clerk