

FINAL REPORT AND RECOMMENDATIONS OF THE LANCASTER COUNTY CONSOLIDATION COMMITTEE

COMMITTEE MEMBERS

Dale Gruntorad, Chair; Wayne Giebelhaus, Vice Chair; Art Althouse, Barbara Chesnut, Richard McGinnis, Eugene Carroll, Frank Eman, Sharon Nemeth, and Margy Ryan

Facilitator: Gordon Kissel

INTRODUCTION

The Lancaster County Consolidation Committee was formed by the Lancaster County Board of Commissioners in June of 1996. The Committee was established in response to 1996 NEB. LAWS LB 1085. Under Section 26 of LB 1085, a county may consolidate the office of clerk of the district court, county assessor, county clerk, county engineer, or register of deeds. The full text of LB 1085, Section 26 is reproduced in *Appendix A*.

Specifically, the County Board is authorized to adopt a resolution for the consolidation of any of these offices and submit the issue for the creation of a consolidated office to the registered voters for approval at the next general election. The Consolidation Committee was established to examine the efficacy of consolidating county offices under LB 1085 and then recommend to the Board which of these offices, if any, should be consolidated.

The County Board sought broad community representation on the Committee. The Board issued a press release asking for volunteers to serve on the Consolidation Committee and numerous responses were received. Committee members were selected based on their background and particular areas of expertise. Thus, Committee members represented a broad spectrum of interests in the community, including business, labor, financial, and rural. Members were also selected based on their past involvement with and knowledge of issues involving local government.

SUMMARY OF DISCUSSIONS

In formulating its recommendations, the Consolidation Committee engaged in discussions covering a wide range of topics and information relevant to the issue of county office consolidation. The Committee personally met with all of the elected officials holding the offices being considered for consolidation, including Kandra Hahn, Clerk; Norm Agena, Assessor; Marj Hart, Clerk of the District Court; Dan Nolte, Register of Deeds; and Don Thomas, Engineer. As a follow up to these discussions, Committee members were invited to tour the physical offices of the elected officials for the purpose of observing their operations. In addition, each elected official submitted to the Committee a summary of their duties and responsibilities.

Other persons who provided important information to the Committee include George Kilpatrick, Legal Counsel for the Revenue Committee; David Kroeker, Lancaster County Budget & Fiscal Officer; and Linda Steinman and Kathy Campbell, Lancaster County Commissioners.

George Kilpatrick provided valuable information to the Committee regarding the legislative intent underlying LB 1085. He discussed the usage of the property tax in Nebraska and provided a chronology of major property tax relief efforts undertaken by the Legislature.

David Kroeker provided the Committee with extensive budget information regarding Lancaster County, including expense and revenue charts, a 10-year history of tax rates and property valuation, and numerous other documents setting forth general budgetary statistics.

Commissioners Linda Steinman and Kathy Campbell addressed the Committee regarding joint departments between the City of Lincoln and Lancaster County established pursuant to interlocal agreements.

The Committee also reviewed a number of documents relating to county government and the offices being considered for possible consolidation. A list of the documents and reports reviewed by the Committee is set forth in *Appendix B*.

Since the primary purpose for the creation of the Committee was to review the potential of consolidating county offices, a review of the statutory duties charged to the various offices was important. In this regard, the Committee was supplied with a written summary of the statutory duties for the offices of clerk, district court clerk, assessor, register of deeds and engineer.

After careful consideration of all the information, the Consolidation Committee articulated several basic principles which formed the foundation underlying their recommendations. First, the Committee recognized that increasing the efficiency of county government is a dynamic process and the duties performed by county officials should be reviewed continuously.

Second, Lancaster County has realized enormous savings in the past through the use of Interlocal Cooperation Agreements and the continued use of such agreements should be encouraged in the future. This is especially true in the relationship between the City of Lincoln and Lancaster County.

A third general principle identified by the Committee relevant to the reorganization of county offices is that the performance of certain functions should be consolidated under one office rather than split among several offices. The Committee noted that certain functions such as the accounting system and the overall records keeping system for Lancaster County are spread out under different County offices. The Committee felt that greater efficiencies could be realized by concentrating specific functions under one office. It should be noted that some statutory changes may be necessary in order to accomplish this goal.

RECOMMENDATIONS

Applying the principles enumerated above, the Consolidation Committee made the following recommendations to the Lancaster County Board of Commissioners:

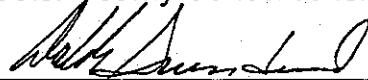
1. Merge county assessor and register of deeds;
2. Merge county engineer and city public works;
3. District clerk functions should be assumed by the State; and
4. All county records management functions should be identified and consolidated into one centralized location and authority.

CONCLUSION

The Consolidation Committee recognized that only the first recommendation for the merger of the assessor and the register of deeds is specifically contemplated under LB 1085, Section 24. Also, one Committee member expressed concerns regarding service to rural areas if the county engineer is merged with city public works. However, it is the Committee's opinion that the broad intent of LB 1085 is to encourage counties to be creative in exploring alternatives for saving property tax dollars and increasing the efficiency of county government. The Committee believes that its recommendations provide the foundation for such an analysis.

Respectfully submitted by the Lancaster County Consolidation Committee

BY DALE GRUNTORAD, CHAIR



APPENDIX A

1996 NEB. LAWS LB 1085, Section 26 provides:

(1) Any county may consolidate the office of clerk of the district court, county assessor, county clerk, county engineer, county surveyor or register of deeds, except that the consolidated officeholder shall meet the qualifications of each office as required by law. The consolidated office shall have the powers and duties provided by law for each office consolidated. On or before August 1, 1996, and on or before August 1 every second year thereafter, the county board may adopt a resolution for the consolidation of any of such offices and submit the issue of the consolidated office to the registered voters for approval at the next general election. The county board shall hold a public hearing prior to adoption of a resolution for the consolidation of offices and shall give notice of the hearing by publication in a newspaper of general circulation in the county once each week for three consecutive weeks prior to the hearing. Final publication shall be within seven calendar days prior to the hearing. The notice shall describe the offices to be consolidated and that the holder of the offices to be consolidated shall have his or her term of office end on the first Thursday after the first Tuesday in January following the general election in which the holder of the consolidated office is elected.

(2) The county board shall adopt the resolution for the consolidation of offices by majority vote of the board and shall submit the issue of consolidation to the registered voters for approval at the next general election. For each consolidated office submitted for approval, the questions shall be submitted to the voters in substantially the following form:

"Shall (name of each office proposed to be consolidated) be consolidated into one consolidated office according to the resolution adopted by the county board of (name of county) on (date of adoption of the resolution by the county board)? Yes No".

(3) If the majority of the registered voters in the county voting on the question vote in favor of consolidation, the consolidated office shall be filled at the next general election, and the terms of the incumbents shall end on the first Thursday after the first Tuesday in January following the general election in which the holder of the consolidated office is elected.

(4) The term of a consolidated officer shall be four years or until his or her successor is elected and qualified, except that the term of a consolidated officer elected in the year 2000 or any fourth year thereafter shall be two years or until his or her successor is elected and qualified.

(5) Any election under this section shall be in accordance with the Election Act.

APPENDIX B

Documents and reports reviewed by the Lancaster County Consolidation Committee include the following:

1. Selected statutes relating to the duties of clerk, clerk of the district court, assessor, engineer and register of deeds;
2. 1996 property tax legislation and history, report provided by Senator Jerome Warner and Mr. George Kilpatrick, Legal Counsel, Nebraska Legislature's Revenue Committee;
3. Reports from the following elected officials:
 - a. assessor;
 - b. register of deeds;
 - c. clerk; and
 - d. clerk of the district court
4. Letter from Patty Hansen, Lancaster County Election Commissioner, regarding election costs;
5. Summary sheet showing joint departments and commissions between the City of Lincoln and Lancaster County, as well as areas of informal functional cooperation;
6. Graphs of total expenses and revenues for FY 1997 through FY 1999 for clerk, clerk of the district court, assessor, engineer and register of deeds;
7. Article from Governing magazine entitled "Cry, the Beleaguered County", by Jonathon Walters;
8. County legal calendar prepared by Nebraska Association of County Officials (NACO);
9. Statistical data regarding Lancaster County budget;
10. Letter from Lincoln Title Companies regarding register of deeds;
11. Summary of statutory duties for clerk, clerk of the district court, assessor, engineer and register of deeds.