

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**COUNTY-CITY BUILDING, ROOM 112**  
**TUESDAY, MARCH 24, 2020**  
**9:00 A.M.**

*Advance public notice of the Board of Commissioners meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and emailed to the media on March 20, 2020.*

Commissioners present: Sean Flowerday, Chair; Rick Vest, Vice Chair; Roma Amundson; Deb Schorr; and Christa Yoakum

Others present: Kerry Eagan, Chief Administrative Officer; Ann Ames, Deputy Chief Administrative Officer; David Derbin, Deputy County Attorney; Dan Nolte, County Clerk, and Leslie Brestel, County Clerk's Office

The meeting was called to order at 9:00 a.m., the Pledge of Allegiance was recited, and the location of the Nebraska Open Meetings Act was announced.

**1) MINUTES:**

- A.** Approval of the minutes of the Board of Commissioners Continuity of Operations Planning meeting held on Tuesday, March 10, 2020.

**MOTION:** Schorr moved and Vest seconded approval of the minutes. Amundson, Schorr, Vest, Yoakum and Flowerday voted yes. Motion carried 5-0.

- B.** Approval of the minutes of the Board of Commissioners Zelle Retreat held on Tuesday, March 17, 2020.

**MOTION:** Vest moved and Amundson seconded approval of the minutes. Amundson, Schorr, Vest, Yoakum and Flowerday voted yes. Motion carried 5-0.

- C.** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, March 17, 2020.

**MOTION:** Yoakum moved and Amundson seconded approval of the minutes. Amundson, Schorr, Vest, Yoakum and Flowerday voted yes. Motion carried 5-0.

**2) CLAIMS:**

- A.** Approval of all claims processed through March 24, 2020.

**MOTION:** Schorr moved and Yoakum seconded approval of the claims. Amundson, Schorr, Vest, Yoakum and Flowerday voted yes. Motion carried 5-0.

- 3) CONSENT ITEMS:** These are routine business items that are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

**A.** Amendments on the following contracts:

1. C-15-0062 with Summit Food Service, LLC for Annual Service – Food Services for Correctional Facilities, (Bid No. 14-285. The amendment renews the Contract for one (1) additional three (3) year term beginning February 1, 2020 through January 31, 2023 and includes a price increase of 2.6%, per Attachment A.) (C-20-0144)
2. C-17-0295 with Platte Valley Equipment for Annual Services – Rental of Four (4) 2-Wheel Drive Tractors. (17-107. The amendment renews the contract for an additional one (1) year term beginning April 25, 2020 through April 24, 2021. The cost to the County is not to exceed \$26,000.) (C-20-0146)
3. C-19-0491 with Innerspace Studios, Ltd. for Lancaster County Assessor’s Office Remodel. (The amendment adds additional services. The expenditure for additional services is \$3,000 for the remainder of the current term. The expenditure for Lancaster County with additional services shall not exceed \$16,000 without approval by the Lancaster County Board of Commissioners.) (C-20-0147)
4. C-19-0304 with Safety-Kleen Systems for Annual Service – Parts Washer Services/Recycling Solvent. (Quote No. 5993. The amendment renews the contract for an additional one (1) year term beginning April 14, 2020 through April 13, 2021. The cost to the County is not to exceed \$1,000.) (C-20-0148)

**B.** Right-of-way contracts for the following:

1. Michael W and Mary E Cords, 11400 North 14th Street, in the amount of \$4,359. (C-20-0149) (C-20-0150)
2. Francke Farms, Inc., 2500 South 176th Street, in the amount of \$1,271. (C-20-0151)
3. Kelly Burton Smith and Carrie L Smith, 1920 Branched Oak Road, in the amount of \$1,271. (C-20-0152)

**C.** Utility Permit with no cost to the County for the following:

1. No. 1947 allowing Lower Platte South Natural Resources District to install two monitoring wells adjacent to the east and west right-of-way lines of SW 112th at the intersection of US Hwy 6. (C-20-0141)

**MOTION:** Vest moved and seconded Yoakum approval of the consent items. Amundson, Schorr, Vest, Yoakum and Flowerday voted yes. Motion carried 5-0.

**4) NEW BUSINESS:**

- A.** Resolution in the matter of transferring appropriations from the General Fund Miscellaneous Budget to the General Fund County Court, General Assistance, and Election Commissioner Budgets. The amount to be transferred is \$1,098,905. (R-20-0015)

Dennis Meyer, Budget and Fiscal Director, noted the County will be reimbursed for the Lincoln Public Schools bond issue.

**MOTION:** Vest moved and Yoakum seconded approval of the resolution. Amundson, Schorr, Vest, Yoakum and Flowerday voted yes. Motion carried 5-0.

- B.** Resolution in the matter of amending the Open Meetings Policy for the Lancaster County Board of County Commissioners, the Lancaster County Board of Equalization, the Lancaster County Board of Corrections, and all Lancaster County task forces and advisory committees. (R-20-0016)

**MOTION:** Amundson moved and Yoakum seconded approval of the resolution. Amundson, Schorr, Vest, Yoakum and Flowerday voted yes. Motion carried 5-0.

- C.** Resolution in the matter of authorizing the County Clerk to issue payments in the event the County Board must adjourn in response to the COVID-19 pandemic. (R-20-0017)

**MOTION:** Yoakum moved and Schorr seconded approval of the resolution. Amundson, Schorr, Vest, Yoakum and Flowerday voted yes. Motion carried 5-0.

- D.** Contract between Orkin LLC and Lancaster County, to provide Annual Services - Pest Control (Bid No. 20-022.) The term of the contract is one (1) year from April 12, 2020. The cost to the County is not to exceed \$5,000. (C-20-0142)

**MOTION:** Schorr moved and Yoakum seconded approval of the contract. Amundson, Schorr, Vest, Yoakum and Flowerday voted yes. Motion carried 5-0.

- E.** Contract with Lawson Products to provide Maintenance, Repair and Operations (MRO) Supplies and Equipment (using the University of Region 4 Education Service Center ESC Contract #R192005)(MOU75.) The term of the contract is upon execution through March 31, 2021, with the option for four (4) additional one (1) year renewals. Pricing will be pursuant to ESC contract. The cost to the County is not to exceed \$12,500. (C-20-0145)

**MOTION:** Vest moved and Yoakum seconded approval of the contract. Amundson, Schorr, Vest, Yoakum and Flowerday voted yes. Motion carried 5-0.

- F.** Human Resources Policy Bulletin 2020-1, Emergency Paid Sick Leave Act.

Kristy Bauer, Deputy County Attorney, presented the policy bulletin (Exhibit 1). She stated the policy mimics recently passed federal legislation regarding paid sick leave in certain circumstances and that the Personnel Policy Board recommends approval of this policy. Additionally, she noted the Board has generously added a provision that if an employee is isolated due to the pandemic, the Emergency Paid Sick Leave Act will provide for two weeks of paid leave and then the policy provides an additional two weeks paid pandemic leave.

**MOTION:** Amundson moved and Yoakum seconded approval of the policy bulletin.

The Board thanked the County Attorney's Office and the Human Resources Department for their quick work.

**ROLL CALL:** Amundson, Schorr, Vest, Yoakum and Flowerday voted yes. Motion carried 5-0.

- G.** Update on COVID-19 and Lancaster County response.

Flowerday stated the Public Building Commission met and authorized the Public Building Commission Chair to close buildings with the recommendation of the Lincoln-Lancaster County Health Director. He noted if the Hall of Justice were to close it would be by direction of the Nebraska Supreme Court.

Amundson added the County will continue to conduct business using common sense approaches.

The item was recessed until after agenda Item 6.

- 5) **PUBLIC COMMENT:** Those wishing to speak on items relating to County business not on the agenda may do so at this time.

Amundson said the coronavirus has caused fear among people, and everyone needs to take a commonsense approach to live during this trying time.

6) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting for training to conduct meetings via video conference on Tuesday, March 24, 2020 at 10:00 a.m., in Room 112 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln).
- B. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, March 26, 2020 at 8:30 a.m., in Room 112 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln).
- C. The Lancaster County Board of Commissioners will hold its next regular meeting on Tuesday, March 31, 2020 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln).
- D. County Commissioners can be reached at 402-441-7447 or [commish@lancaster.ne.gov](mailto:commish@lancaster.ne.gov).
- E. The Lancaster County Board of Commissioners meeting is broadcast live on LNKTVCity. For the rebroadcast schedule visit [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: LNKTVCity). Meetings are also streamed live on LNKTVCity and can be viewed on YouTube (LNKTVCity).

The meeting was recessed at 9:18 a.m. and reconvened at 9:24 a.m.

Pat Lopez, Interim Lincoln-Lancaster County Health Department Director, said there are two travel-related positive cases in the County; however, there are 182 individuals being monitored. She noted there are 61 cases across the State. There are no community spread cases in the County at this point. The Health Department has had incident command in place since early March, which includes members from various groups, and they are updating lab results daily. She said [COVID19.lincoln.ne.gov](http://COVID19.lincoln.ne.gov) is a good place to go for current information.

The health community is having logistical difficulties with inventory and delivery systems for equipment. Lopez noted hospitals have suspended elective procedures. Additionally, clinics, including a drive-thru clinic at Bryan Hospital, are in the works.

When asked how non-native English-speaking cultures are receiving information, Lopez said the Health Department is working with the cultural centers, Lincoln Public Schools, and the hospitals for translation services. Amundson added there are translation services available on the County's website.

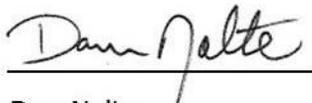
Vest and Lopez reiterated the importance of social distancing practices and staying home when ill so as not to overwhelm the healthcare system.

Flowerday inquired on the number of tests in Nebraska. Lopez answered getting the testing supplies, kits, medium and reagent is complicated. She stressed that, even though private labs are now available for testing, those results have a two to three-day turnaround time, whereas the public health lab results are available much quicker. If some areas have community acquired cases, more resources may be made available.

The Board thanked Lopez for her leadership during this time.

7) **ADJOURNMENT**

**MOTION:** Schorr moved and Vest seconded to adjourn at 9:41 a.m. Amundson, Schorr, Vest, Yoakum and Flowerday voted yes. Motion carried 5-0.



Dan Nolte  
Lancaster County Clerk

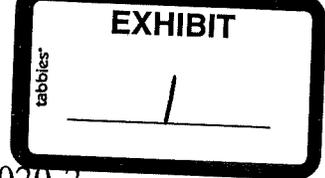


# Human Resources Policy Bulletin

## Lancaster County

Number: 2020-2

Date: March, 2020



Reference:	Title:
Emergency Paid Sick Leave Act, H.R. 6201, 116th Cong. § 3, Div. E., Sec. 5101 – Sec. 5111	Emergency Paid Sick Leave Act

### I. PURPOSE

The purpose of this policy is to implement the Emergency Paid Sick Leave Act, H.R. 6201, 116th Cong. § 3, Div. E., Sec. 5101 – Sec. 5111, relating to the administration of certain benefits during the COVID-19 pandemic.

### II. APPLICABILITY

This policy applies to all full-time, part-time, and temporary County employees, including probationary employees. This policy does not apply to on-call employees or seasonal employees.

### III. POLICY

- A. An employee shall be entitled to Emergency Paid Sick Leave when the employee is unable to telework and:
  - 1. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
  - 2. The employee has been advised by a health care provider or Federal, State, or local health authority to self-quarantine due to concerns related to COVID-19.
  - 3. The employee is subject to a Federal, State, or local quarantine order related to COVID-19.
  - 4. The employee is caring for an individual who:

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- a. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19; or
  - b. has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
5. The employee is caring for the employee's son or daughter if the school or place of care of the employee's son or daughter has been closed, or the child care provider of the employee's son or daughter is unavailable, due to COVID-19 precautions.
6. The employee is subject to a Federal, State, or local isolation order related to COVID-19.
- B. An employee shall be entitled to the following amounts of Emergency Paid Sick Leave:
1. For a use described in Section III.A.1, 2, 3, 4, and 5:
    - a. A full-time employee is entitled to eighty (80) hours of Emergency Paid Sick Leave.
    - b. A part-time employee is entitled to a number of hours of Emergency Paid Sick Leave equal to the number of hours that such employee works, on average, over a 2-week period.
  2. For a use described in Section III.A.6:
    - a. A full-time employee is entitled to eighty (80) hours of Emergency Paid Sick Leave. If a full-time employee exhausts the eighty (80) hours of Emergency Paid Sick Leave and continues to be isolated by order of a Federal, State, or local public health authority or a health

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care provider, such employee shall be entitled to additional paid pandemic leave in an amount not to exceed eighty (80) hours.

- b. A part-time employee is entitled to Emergency Paid Sick Leave in an amount equal to the number of hours that such employee works, on average, over a 2-week period. If a part-time employee exhausts Emergency Paid Sick Leave in the amount equal to the number of hours that such employee works, on average, over a 2-week period, and such employee continues to be isolated by order of a Federal, State, or local public health authority or a health care provider, then such employee shall be entitled to additional paid pandemic leave in an amount not to exceed the number of hours that such employee works, on average, over a 2-week period.
3. If an employee exhausts Emergency Paid Sick Leave and any applicable pandemic leave, the employee shall be entitled to use:
  - a. For any of the uses described in Section III.A.1, 2, 3, and 6, any accrued sick, vacation, and personal holiday (“Paid Leave”).
  - b. For the use described in Section III.A.4:
    - i. If the individual being cared for qualifies as an immediate family member under the Family and Medical Leave Act, any Paid Leave.
    - ii. If the individual being cared for does not qualify as an immediate family member, accrued vacation and personal holiday.
  - iii. For the use described in Section III.A.5, any accrued vacation and personal holiday.

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C. An employee who utilizes Emergency Paid Sick Leave for a use described in Section A.1, 2, 3, 4, and 6:

1. Who is eligible for Family and Medical Leave will be required to comply with the County's Family and Medical Leave Policy except that the employee will be allowed to utilize any applicable Emergency Paid Sick Leave before being required to utilize accrued Paid Leave.
2. Who is ineligible for Family and Medical Leave will be required to provide documentation from a health care provider that she or he is experiencing symptoms of COVID-19 and is seeking treatment therefor. An employee who is ineligible for Family and Medical Leave will also be required to provide medical certification that she or he is fit to return to duty.

D. Department Heads and Elected Officials are authorized to utilize telework consistent with department needs and requirements. Employees are encouraged to discuss telework options with their supervisors.

#### IV. SCOPE

Where the provisions of this policy conflict with the Lancaster County Personnel Rules, any Resolutions adopted by the Lancaster County Board of Commissioners, or any labor contracts, the provisions of this policy shall control.

#### V. DURATION

This policy is effective March 16, 2020. This policy is temporary in nature, and the benefits described herein shall be applicable only during the period during which this policy is effective. Nothing in this policy shall be construed as creating a vested benefit: there shall be no financial or other reimbursement to an employee upon the termination of this policy or upon the employee's termination, resignation, retirement, or other separation from employment for

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Emergency Paid Sick Leave that has not been used by such employee. This policy shall terminate on December 31, 2020.

  
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Doug McDaniel  
Human Resources Director

3-24-2020  
\_\_\_\_\_  
Date

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Sean Flowerday, Chair  
Board of County Commissioners

\_\_\_\_\_  
Date

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