

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
ZOOM MEETING
THURSDAY, JUNE 4, 2020
VIEWING AVAILABLE VIA YOUTUBE
8:30 A.M.**

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

Others Present: Kerry Eagan and Dave Derbin, Chief Administrative Officers; Ann Ames, Deputy Chief Administrative Officer; and Dan Nolte, County Clerk

Advance public notice of the Board of Commissioners Staff Meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska web site and provided to the media on June 2, 2020.

The Chair called the meeting to order at 8:34 a.m. and announced the Open Meetings Act is available at Neb. Rev. Stat. § 84-1401-1414.

AGENDA ITEM

1. APPROVAL OF STAFF MEETING MINUTES FOR MAY 28, 2020

MOTION: Schorr moved and Yoakum seconded approval of the May 28, 2020 Staff Meeting minutes. Amundson, Schorr, Yoakum, Vest and Flowerday voted yes. Motion carried 5-0.

2. LEGISLATIVE UPDATE – Joe Kohout and Brennen Miller, Kissel, Kohout, ES Associates LLC

Kohout reviewed the weekly legislative report (Exhibit 1), noting that no decisions have been made as to possible budget adjustments.

Schorr noted the Nebraska Association of County Officials (NACO) is keeping the opening date and plans of county offices current on their website.

Schorr suggested adding Zoom meeting capabilities to public meetings when such meetings will be held in person to the 2021 legislative priorities list.

Additionally, the Open Meetings Act requirements were discussed.

3. DEPARTMENT BUDGET HEARINGS – Dennis Meyer, Budget and Fiscal Officer

A. County Engineer (703, 21, 22) – Pam Dingman, County Engineer

Dingman noted the South Beltway project cost is shared 50/50 between the County and the City of Lincoln. There will be an estimated \$200,000-\$400,000 remaining in the fund after finalization of an upcoming land acquisition. She noted there needs to be more dollars in the fund.

Meyer said Keno funds have been moved to the South Beltway fund to cover costs. He estimated \$600,000-\$700,000 will be moved to the fund. The current Keno funds total is \$1,400,000 for the East Beltway plus an additional \$300,000-\$400,000.

Dingman stated she wants to increase the hourly garage labor fee to \$78 per hour and add a 12.5% administrative fee for all parts and invoices sent outside of the County. The fee is to recover the amount of staff time and labor to assist and oversee the management of the vehicles.

Additionally, Dingman said her office manager and accounting staff positions have been filled.

Meyer reminded the Board there will be a public hearing to amend the Road and Special Bridge fund on Tuesday.

Meyer also noted Dingman's general fund transfer request for the upcoming fiscal year is \$1,800,000 more than last year's request.

Also, an additional appropriations hearing will be held June 9.

4. DISTRICT ENERGY CORPORATION RESTRUCTURING – Bill Austin, Attorney for District Energy Corporation; Jason Fortik, DEC Administrator and LES Vice President of Power Supply; and Jen Holloway, Deputy Lancaster County Attorney

Austin reviewed the memorandum (see agenda packet).

When asked to discuss the bond council, Austin noted a sizeable amount of debt will need to be reissued in the future, adding the elimination of the non-profit corporation is not foreseen as a problem.

Holloway stated the County's property interests should be retained and that Schorr and Flowerday should abstain from voting on the restructure dissolution.

Austin relayed the documents will be submitted to the District Energy Corporation in July, and then to the Lincoln City Council and the County Board.

5. RENEWAL OF INTERLOCAL AGREEMENT WITH NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES AND LANCASTER COUNTY YOUTH SERVICES CENTER – Sheli Schindler, Youth Services Director

Schindler reviewed the agreement (see agenda packet) noting that the discussion is regarding the per diem rate for the Office of Juvenile Services (OJS). She stated she anticipates the County will receive \$1,647,000 for detention services from Probation, contract counties, and OJS. Currently, the estimated cost for detention services is \$2,936,337. At the current per diem rate, the County would be under collecting approximately \$1,289,000 for those services. The projected per diem rate for the upcoming year is between \$546-\$571 per day. The OJS currently pays a per diem rate of \$375 per day, while the contract counties and Probation pay \$276 per day.

Schorr asked for the percentage breakdown of youth being held between the different organizations. Schindler stated 85-90% are Probation, 1% with OJS. Holds with contract counties are rare. She added the population today is 11 youth.

Schindler requested Board direction on what per diem rate to negotiate for the upcoming year.

It was the consensus of the Board to begin negotiations at the actual cost of \$571 per day and to work with Dave Derbin, Chief Administrative Officer, on the project.

6. DISASTER DECLARATION IN RESPONSE TO IMMINENT DANGER OF CIVIL DISTURBANCE, DISORDER, AND RIOT – Jim Davidsaver, Emergency Management Director

Flowerday stated he signed the Disaster Declaration on Tuesday, June 2.

Davidsaver added the declaration was in response to the protests during the days prior. The Governor authorized National Guard resources could be deployed in Lincoln if needed. The Lincoln Police Department (LPD) was the lead city agency and Davidsaver worked with them to have an order of emergency declaration for the curfews. The Lancaster County Sheriff's Office (LSO) wanted to have the National Guard resources available if needed, so the County issued a disaster declaration for access to those resources.

Ratification of Disaster Declaration No. D-20-0002 In the Matter of Declaring a Disaster or Emergency Pursuant to Neb. Rev. Stat. §81-829.50 In Response to the Imminent Danger of Civil Disturbance, Disorder, and Riot

MOTION: Schorr moved and Amundson seconded to ratify the Chair's signature on the Disaster Declaration. Amundson, Schorr, Yoakum, Vest and Flowerday voted yes. Motion carried 5-0.

7. COVID-19 UPDATE AND RESPONSE

A. Reopening Working Group Report – David Derbin, Chief Administrative Officer

Derbin reviewed the reopening working group report (see agenda packet). He noted Kerin Petersen, Property and Facilities Director, is working with the Lincoln-Lancaster County Health Department to have consistent and readable signage. Additional COVID signage is available from the contracted office suppliers.

Schorr stated she is concerned about the number of people that are participating in the 24/7 program as it is a daily high volume area. Derbin added in addition to the retail-type counter, the Health Department will be looking more into that area.

8. ACTION ITEMS

A. Resolution No. C-20- 0027 In the Matter of Resuming the Public Speaking at the Meetings of the Lancaster County Board, Lancaster County Board of Equalization, and Lancaster County Board of Corrections

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

B. Ratification of Disaster Declaration No. D-20-0002 In the Matter of Declaring a Disaster or Emergency Pursuant to Neb. Rev. Stat. §81-829.50 In Response to the Imminent Danger of Civil Disturbance, Disorder, and Riot

Item moved forward on agenda.

9. CHIEF ADMINISTRATIVE OFFICER REPORT

A. Nebraska Regional Interoperability Network (Member Nominations)

Eagan reported Davidsaver would endorse Steve Cody as the nominee for the southeast region of the Nebraska Regional Interoperability Network Board (see agenda packet).

The Board requested more information on the candidates before making a decision.

B. Letter to Governor on Re-Opening Delay to June 22, 2020

It was the consensus of the Board to move ahead with the re-opening on June 15 and not write a letter to the Governor.

C. Response to George Floyd Protests

Each of the Commissioners and Sheriff Terry Wagner gave a response to the protests.

10. DEPUTY CHIEF ADMINISTRATIVE OFFICER REPORT

A. Lancaster County 2020 Priorities

No updates were given.

11. DISCUSSION OF BOARD MEMBER MEETINGS ATTENDED

A. Railroad Transportation Safety District (RTSD) – Amundson / Vest

Amundson reported she, Vest and James Michael Bowers were elected Secretary, President, and Vice President of the RTSD. Also discussed were the RTSD budget, levy restoration, and Cornhusker and 33rd project.

Vest added Schorr has agreed to serve on the RTSD Advisory Committee.

B. Chamber Coffee – Amundson / Flowerday

Schorr said an overview of the County's re-opening plan was discussed.

12. SCHEDULE OF BOARD MEMBER MEETINGS

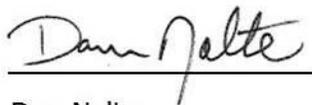
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13. EMERGENCY ITEMS

There were no emergency items.

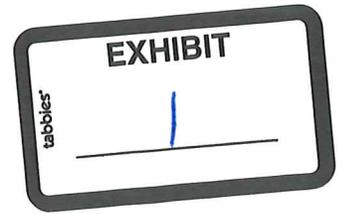
14. ADJOURNMENT

MOTION: Schorr moved and Amundson seconded to adjourn the meeting at 10:28 a.m. Schorr, Amundson, Yoakum, Vest and Flowerday voted yes. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk





**Kissel, Kohout,
ES Associates LLC**

301 South 13th Street Suite 400
Lincoln, Nebraska 68508
kisselkohoutes.com
Phone: 402-476-1188
Fax: 402-476-6167

LEGISLATIVE MEMORANDUM

TO: Lancaster County Board of Commissioners
FROM: Joseph D. Kohout
Brennen L. Miller
DATE: June 4, 2020
RE: Weekly Report

Good Morning. Please accept this as your weekly report for the 2020 session of the Legislature for the date noted above. Since the last report on May 28, 2020, the Legislature has remained in recess due to COVID-19 concerns. However, Speaker Scheer has announced that the Legislature will reconvene on July 20th and will adjourn Sine Die on August 13th. Further, he has indicated that in the coming weeks he will be providing a memo regarding safety procedures that will be utilized for the remaining 17 days.

INTERIM STUDIES

We have mentioned in previous reports that we should pull together ideas for interim studies. Here is what has been received:

1. 24/7 Sobriety;
2. Review of fees and fines;
3. LR183 follow up;
4. Move the cost of housing HHS Offices back to the state; and
5. Minimizing barriers for individuals being released from the County Jail to obtain a state ID

We attached draft versions of the interim studies to reports in weeks past. We encourage you to review the reports for action.

As we have previously mentioned, we will need to be cognizant of is how much time we have post-adjournment to do interim studies. With session adjourning on August 13, 2020 and elections in November, the window for interim studies will be abbreviated.

CARES ACT FUNDING

On May 27, 2020, during his daily press conference, Governor Ricketts announced how he intends the state to spend the federal CARES Act dollars distributed to Nebraska. Please note that below is a general outline of what was announced and the PowerPoint utilized by the Governor was attached to the email that contained the May 28, 2020 report. Here is how he intends to distribute the funds:

GOVERNMENTS: \$180 MILLION

State Government - \$80 Million; Local Governments - \$100 Million

Dollars will be for reimbursement of direct costs associated with COVID including PPE, overtime, sanitizing spaces, dedicated payroll for COVID public safety employees. Counties, in order to be eligible, must have 'business as usual' by June 8th (open public offices and services). Subsequent to this report, NACO has indicated that the Governor has agreed to push this back one week to June 15, 2020.

COMMUNITY CARES PROGRAM: \$85 MILLION

Behavioral Health Regions - \$5 Million; Community Collaboratives - \$20 Million; Providers and/or Non-Profits demonstrating increased demand and lower donations \$40 Million; Shelters and/or Housing - \$20 Million

Specifics of this program are being established by the Nebraska Department of Health and Human Services

SMALL BUSINESSES/LIVESTOCK STABILIZATION: \$392 MILLION

Small businesses between 5-49 employees; Livestock operations between 1-10 employees
Distributed in \$12,000 grants to all qualified

REMOTE ACCESS, WORKFORCE RETRAINING, GALLUP: \$62 MILLION

Rural broadband development - \$40 Million; Workforce Retraining - \$16 Million; Gallup Training - \$1 Million

Rural broadband development with Impacting 26,285 households in 41 communities of 1,000-5,000 in population and workforce retraining will include \$1,100 grants for students (up to 12,000 total) and Career Coaches, administration and faculty at a total of \$2.4 Million.

UNEMPLOYMENT TRUST FUND: \$427 MILLION

REQUEST FOR DELAY OF OPENING ON JUNE 15, 2002

Last week, during this meeting, we discussed a potential request of the administration to potentially consider an exception for Lancaster County from June 15 to June 22, 2020. Subsequent to this meeting, we became aware of a suggestion that Sarpy County was considering a request as well. That desire and the telephone number of Chairman Don Kelly were communicated to Chairman Flowerday.

This concludes our report for this week.