

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
ZOOM MEETING  
THURSDAY, JUNE 11, 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 10, 2020.*

The Chair called the meeting to order at 8:37 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 JUNE 4, 2020**

**MOTION:** Vest moved and Yoakum seconded approval of the June 4, 2020 Staff Meeting minutes. Schorr, Yoakum, Vest and Flowerday voted yes. Amundson was absent. Motion carried 4-0.

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

Kohout reviewed the weekly legislative report (Exhibit 1). He noted that the Judiciary Committee heard two days of testimony from individuals expressing concerns and information about the recent protests. Additionally, the importance of behavioral and mental health issues were mentioned. It is expected that Senators Morfeld and Brooks will be addressing some of these issues and concerns next session.

Kohout said April sales tax numbers should be available soon.

Amundson joined the meeting at 8:48 a.m.

**3. CHANGE OF ZONE 20014, AGRICULTURAL (AG) TO AGRICULTURAL RESIDENTIAL (AGR), 13350 N. 84TH ST.** – Steve Henrichsen, Planning Department Development Review Manager

Henrichsen reviewed the summary report (see agenda packet), noting the roads are gravel and the area is currently zoned agricultural (AG).

The Planning Commission voted 6-0 to deny Raymond and Janet Sanders' application to create a second lot on their property for a dwelling unit. Henrichsen noted that the Planning Department receives frequent requests from property owners seeking to split off a piece of land and they are not able to do so under current requirements.

Amundson stated that if this were allowed in this situation it would set a precedent for other rural property owners to receive approval for similar requests.

In response to a question from Schorr, Henrichsen said this situation would not qualify for a secondary dwelling unit since the owner is wanting to sell a separate lot rather than only adding another dwelling on their property.

**4. SOUTHEAST NEBRASKA DEVELOPMENT DISTRICT (SEND) HOUSING REHABILITATION PROGRAM** – Tom Bliss, Trey Ertman, and Jim Warrelmann, SEND; and Dennis Meyer, Budget and Fiscal Officer

Meyer said there will be a public hearing regarding the development of a program to distribute funds for the Housing Rehabilitation Program being overseen by the Southeast Nebraska Development District (SEND).

Ertman said there will be a level of review provided, including an environmental process, prior to rehabilitation of dwellings. Some of the documents involved will be on the June 16<sup>th</sup> Board agenda for approval. Guidelines will be established by the Department of Economic Development that will also require County Board approval.

Warrelmann said inquiries about the program can be forwarded to SEND's office. They will be notifying villages in Lancaster County about the program with various marketing material. Meyer said \$420,000 will be available in the fund. The maximum that a person can request is \$24,999 which is a Housing and Urban Development (HUD) requirement.

Schorr requested this item be discussed at a future meeting with the village boards.

**5. YOUTH SERVICES CENTER PER DIEM FOR CONTRACT COUNTIES** – Sheli Schindler, Youth Services Center Director

Schindler stated 33 counties contract for services with the Youth Services Center (YSC). Last year, this involved 216 care days with revenue for the county totaling \$59,000 (per diem rate of \$276). The actual cost of care is \$571 per day.

Schorr said if the per diem is increased, it may preclude some counties from continuing to contract with Lancaster County. She felt a \$300 per diem would provide some additional funds to offset Lancaster County's costs.

**MOTION:** Schorr moved and Yoakum seconded to authorize Schindler to set the per diem rate charged to counties contracting with the Youth Services Center at \$300 per day.

Vest stated it would be helpful to know what other facilities' costs are when setting per diem rates.

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

**6. EXECUTIVE SESSION (PENDING AND POTENTIAL LITIGATION) – Dan Zieg, Deputy County Attorney**

**MOTION:** Schorr moved and Amundson seconded to enter Executive Session at 9:44 a.m. for the purposes of potential and pending litigation and to protect the public interest.

The Chair said it has been moved and seconded that the Board enter Executive Session.

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

The Chair restated the purpose for the Board entering Executive Session.

**MOTION:** Amundson moved and Schorr seconded to exit Executive Session at 10:10 a.m. Schorr, Amundson, Vest, Yoakum and Flowerday voted yes. Motion carried 5-0.

**7. BREAK**

No break was taken.

**ACTION ITEMS**

**A. Lancaster County EEOP Certification**

Ames said the Board needs to re-certify the certification (see agenda packet).

**MOTION:** Yoakum moved and Vest seconded to recertify the Lancaster County EEOP Certification. Vest, Schorr, Amundson, Yoakum and Flowerday voted yes. Motion carried 5-0.

**B. Declaration No. D-20-0003, Terminating 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:** Amundson moved and Yoakum seconded approval of the Declaration No. D-20-0003. Yoakum, Vest, Schorr, Amundson and Flowerday voted yes. Motion carried 5-0.

**C. Human Resources Policy Bulletin 2020-6, Workplace Response to COVID-19.**

Derbin noted this policy bulletin is for employees only and was passed by the Personnel Policy Board.

**MOTION:** Yoakum moved and Vest seconded approval of Policy Bulletin 2020-6, Response to COVID-19. Amundson, Yoakum, Vest, Schorr and Flowerday voted yes. Motion carried 5-0.

**D. Determination of Level of Review for Lancaster County Housing Rehabilitation Program**

Derbin stated the program relates to the earlier SENDD agenda item (see agenda packet). Additional items regarding the program will be on the upcoming Tuesday agenda for Board action.

**MOTION:** Yoakum moved and Amundson seconded a motion approving Determination of Level of Review for Lancaster County Housing Rehabilitation Program. Schorr, Amundson, Yoakum, Vest and Flowerday voted yes. Motion carried 5-0.

**CHIEF ADMINISTRATIVE OFFICER REPORT**

**A. Letter from Nebraska City Utilities Regarding Sale of Bennet Shop**

Eagan said both the Bennet Historical Society and Nebraska City Utilities have expressed an interest in the property (see agenda packet). The item will be further discussed at a future staff meeting.

**B. Nebraska Regional Interoperability Network (Resumes for Nominations)**

**MOTION:** Schorr moved and Vest seconded to reappoint Carla Zarybnicky to the Nebraska Regional Interoperability Network. Yoakum, Vest, Schorr, Amundson and Flowerday voted yes. Motion carried 5-0.

## **DEPUTY CHIEF ADMINISTRATIVE OFFICER REPORT**

### **A. Lancaster County 2020 Priorities**

No updates were given.

## **DISCUSSION OF BOARD MEMBER MEETINGS ATTENDED**

### **A. Region V Behavioral Health Advisory Committee Meeting – Yoakum**

Yoakum reported Region V received grants both to hire temporary staff and to provide additional counseling. The Executive Director's salary was also discussed.

### **B. Region V Governing Board Meeting – Yoakum**

This was included with Item 13A.

### **C. Lincoln - Lancaster County Board of Health – Flowerday**

Flowerday stated the meeting was cancelled.

### **D. Public Building Commission – Amundson / Flowerday**

Amundson said progress reports on the Assessor's Office and Hall of Justice construction projects were provided. She noted \$15,000 in expenses were incurred for paint removal and window replacement due to the recent protests. She said masks will be recommended for the public entering the buildings and signage is being updated prior to reopening to the public.

### **E. Lancaster County Mental Health Crisis Center Advisory Committee – Yoakum**

Yoakum said records are being uploaded electronically, revenue was slightly higher than projected and there were 700 admissions last year.

## **8. DEPARTMENT BUDGET HEARINGS – Dennis Meyer, Budget and Fiscal Officer**

### **A. County Sheriff (651) – Terry Wagner, Sheriff**

Meyer reviewed the budget request (Exhibit 2) which is 3% higher than the current budget. Wagner noted overtime increases are partially due to wage increases. Additionally, supplies have increased as a result of the pandemic. Those costs should be reimbursed by the Federal Emergency Management Agency (FEMA). Information Services (IS) costs are increasing due to the change in cost allocation calculation. Fares and lodging are for extraditions and are based upon previous years actual expenditures.

Meyer noted that one more patrol deputy is included in the budget request. Wagner explained that this is the fourth of six hires that have been planned for over a multi-year time frame.

Captain Jon Vic said the Technology Fund request of \$13,470 is to replace several desk top computers with laptops as part of their five-year replacement schedule.

Meyer asked about the Criminal Justice Information System (CJIS) updates and Wagner said the Sheriff's portion would be about \$1,500,000 with roughly \$1,000,000 of this amount being offset by the use of forfeited asset funds. Chief Deputy Todd Duncan noted the estimated cost was developed by their consultant and that an RFP has not yet been released. This project will also include County Corrections and the Lincoln Police Department (LPD).

Wagner said the LPD has offered use of their firing range but the Sheriff's Office will need to construct a building to serve as a training facility. He estimated the cost to be \$1,000,000 with approximately 50% being covered by forfeited asset funds.

Flowerday asked about body cameras. Wagner said \$127,000 remains in a sinking fund for this purpose. He anticipated they will need an additional staff person to manage the server. Additionally, for every 100 cameras an additional prosecutor was needed in other jurisdictions. Vic added the life cycle of a camera is three years and that costs could be spread out over that time. Storage and employee costs would be about \$171,000 per year.

Amundson believed the cameras are important for the Sheriff's Office in order to provide additional accountability to the public.

Flowerday did not necessarily support a phased-in approach for the cameras as this could cause an issue if there is an incident whereby a recording was not available.

A copy of a letter from the American Civil Liberties Union Foundation regarding body-worn cameras for the Lancaster County Sheriff was referenced (Exhibit 3)

#### **B. County Attorney (652) – Pat Condon, County Attorney**

Meyer reviewed the budget request (Exhibit 4). Condon noted part of the increase is due to a retirement. There are also budget increases related to Information Services (IS) and Geographic Information System (GIS) costs. He noted there will also be additional expense related to the CJIS update which will occur the following fiscal year. He said an additional child support attorney has also been hired.

Condon noted that with the increased use of body cameras, they will possibly need two or three additional attorneys at mid-year. He explained that one incident captured by an in-car camera may require eight hours of review. Additionally, an officer's body-cam video for the entire day may also need to be reviewed and the number of public records requests will likely increase.

Amundson believed these costs are necessary to protect the public and staff.

Condon said there could be some long-term savings as more video evidence becomes available for trials.

Condon said they are trying to reduce costs by re-examining the necessity of extradition of non-violent offenders.

In response to a question by Meyer, Condon said the addition of attorneys would require more office space. There may be some reconfiguration options using conference room space.

## **9. COVID-19 UPDATE AND RESPONSE**

Pat Lopez, Interim Director, Lincoln-Lancaster County Health Department, said there were currently 1,397 COVID-19 cases in Lancaster County. She said of the 6% of residents in the County tested, 7.2% were positive. She said hospital capacity remains good.

## **10. ACTION ITEMS**

- A. Lancaster County EEOP Certification**
- B. Declaration No. D-20-0003, Terminating 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.**
- C. Human Resources Policy Bulletin 2020-6, Workplace Response to COVID-19.**
- D. Determination of Level of Review for Lancaster County Housing Rehabilitation Program**

## **11. CHIEF ADMINISTRATIVE OFFICER REPORT**

- A. Letter from Nebraska City Utilities Regarding Sale of Bennet Shop**
- B. Nebraska Regional Interoperability Network (Resumes for Nominations)**

## **12. DEPUTY CHIEF ADMINISTRATIVE OFFICER REPORT**

- A. Lancaster County 2020 Priorities**

## **13. DISCUSSION OF BOARD MEMBER MEETINGS ATTENDED**

- A. Region V Behavioral Health Advisory Committee Meeting – Yoakum**
- B. Region V Governing Board Meeting – Yoakum This was included with 13 A**
- C. Lincoln - Lancaster County Board of Health – Flowerday**
- D. Public Building Commission – Amundson / Flowerday**

**E. Lancaster County Mental Health Crisis Center Advisory Committee –  
Yoakum**

Items 10-13 were moved forward on agenda.

**14. SCHEDULE OF BOARD MEMBER MEETINGS**

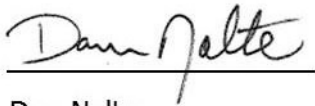
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**15. EMERGENCY ITEMS**

There were no emergency items.

**16. ADJOURNMENT**

**MOTION:** Schorr moved and Vest seconded to adjourn the meeting at 11:42 a.m. Schorr, Amundson, Yoakum, Vest and Flowerday voted yes. Motion carried 5-0.



Dan Nolte  
Lancaster County Clerk

