

## **Merit Commission Meeting Minutes**

March 27, 2023

Meeting was called to order at 0837 hours. Thew pointed out the Open Meetings Act, which was posted on the west wall of the meeting room.

Members present: Mike Thew and Troy Hawk. Absent: Deputy Jason Peterson. Also present were Sheriff Wagner, Chief Deputy Houchin, and Captain Vik.

Motioned by Hawk to approve the minutes from February 28, 2023. Seconded by Thew. Motion carried, 2-0.

Review Merit Commission Rules and Regulations regarding the minimum age requirement for classified service. Currently must be 21 years of age for appointment to the classified service. In order to bring the Rules and Regulations in line with State statute, proposed amendment would require the applicant to reach age 21 prior to the completion of academy training. Moved by Hawk to approve. Seconded by Thew. Motion carried, 2-0.

An appeal hearing was held at the request of applicant Rande Henderson. In accordance with Merit Commission Rules and Regulations, the hearing was recorded by a court reporter. Moved by Hawk to deny the appeal. Seconded by Thew. Motion carried, 2-0.

Staffing updates: Two applicants have been given final offers of employment and two deputies are in the FTO program.

The next two meetings are scheduled for April 25, 2023, and June 13, 2023.

Moved by Hawk to adjourn. Seconded by Thew. Meeting adjourned at 0940 hours.

BEFORE THE SHERIFF'S MERIT COMMISSION  
OF LANCASTER COUNTY, NEBRASKA

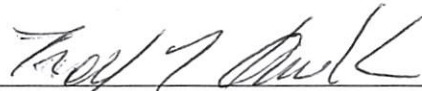
IN RE APPEAL )  
OF RANDE HENDERSON ) ORDER

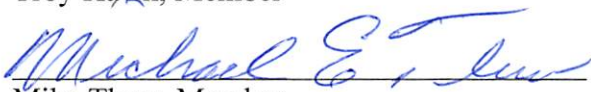
THIS MATTER came on for hearing on March 27, 2023 on the appeal of Rande Henderson, filed pursuant to Art. XI, Sec. 1 of the Lancaster County Sheriff's Office Merit System Rules and Regulations ("Rules"), challenging the decision of the Sheriff to disqualify Henderson as an applicant for a position as a deputy sheriff pursuant to Art. IV, Sec. 4 of the Rules. Appellant Henderson appeared personally, and the Sheriff was represented by Deputy County Attorney Ashley Bohnet. Exhibits #1 through 6 were offered and received without objection. By order of the Commission, Exhibit #3 was sealed. Testimony was provided by Appellant Henderson and by Sheriff's Captain John Vik. The matter was then submitted on the record.

The Commission FINDS that the action of the Sheriff was authorized by the provisions of the applicable law and Rules and was supported by the facts established in the record. Accordingly, it is hereby ORDERED that the appeal of Rande Henderson should be and hereby is DENIED and that this decision is hereby CERTIFIED to the Sheriff as required in Art. XI, Sec. 2 of the Rules.

Dated this 28<sup>th</sup> day of March, 2023.

PETERSON ABSENT  
Deputy Jason Peterson, Chairman

  
Troy Hawk, Member

  
Mike Thew, Member