

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA**

**IN THE MATTER OF SUSPENDING PUBLIC)
SPEAKING AT MEETINGS OF THE LANCASTER)
BOARD, LANCASTER COUNTY BOARD OF) RESOLUTION NO. R-20-0019
EQUALIZATION, AND LANCASTER COUNTY)
BOARD OF CORRECTIONS DURING THE)
COVID-19 EMERGENCY)**

WHEREAS, on March 13, 2020, the President of the United States of America declared a national emergency due to the COVID-19 pandemic, and on the same date the Governor of the State of Nebraska declared that a state of emergency exists in the State of Nebraska because of the COVID-19 pandemic;

WHEREAS, on March 17, 2020, the Board of County Commissioners of Lancaster County, Nebraska (“Board”) declared that a local emergency is occurring in Lancaster County, Nebraska, (“County”) as a result of the COVID-19 pandemic;

WHEREAS, on March 17, 2020, the Governor of the State of Nebraska issued Executive Order No. 20-03, ordering that all governing bodies as defined in Neb. Rev. Stat. §84-1409(1) may meet by videoconference or by telephone conference at all public meetings as defined in Neb. Rev. Stat. §84-1409(2), so long as there is made available at such meeting access to members of the public and to members of the media;

WHEREAS, the Nebraska Open Meetings Act (“Act”) provides that while the public has the right to attend and the right to speak at meetings of public bodies, it shall not be a violation of the Act for any public body to make and enforce reasonable rules and regulations regarding persons speaking at its meetings, and a public body shall not be required to allow citizens to speak at each meeting, so long as it does not forbid public participation at all meetings;

WHEREAS, due to the COVID-19 emergency, the Board has decided that all meetings of the Board, the County Board of Equalization, and the County Board of Corrections shall be conducted remotely by videoconference through May 31, 2020, as ordered by Executive Order No. 20-03;

WHEREAS, the Board has provided means by which members of the public and the media shall have access to such meetings, in accordance with Executive Order No. 20-03;

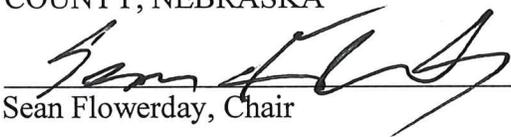
WHEREAS, on the date of April 2, 2020, the Board adopted Resolution R-20-0018, to authorize the Board to suspend public speaking at its meetings, as defined in the Resolution, during a declared emergency; and

WHEREAS, the Board has determined that, due to technological limitations, it is not feasible to allow members of the public to speak at its meetings which are being conducted by videoconference;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, Nebraska, that members of the public shall not be allowed to speak at meetings of the Lancaster County Board of County Commissioners, the Lancaster County Board of Equalization, and the Lancaster County Board of Corrections, which are conducted by videoconference during the period of time during which the COVID-19 emergency is in effect.

APPROVED by the Lancaster County Board of County Commissioners this 2nd day of April, 2020, following a roll call vote of 5-0.

BY THE BOARD OF COUNTY
COMMISSIONERS OF LANCASTER
COUNTY, NEBRASKA


BY: Sean Flowerday, Chair

APPROVED AS TO FORM
this 2nd day of April, 2020


For PATRICK CONDON
Lancaster County Attorney