

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

**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; and

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

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, so long as there is made available at such meeting access to members of the public and to members of the media; and

WHEREAS, the Nebraska Open Meetings Act, Neb. Rev. Stat. §84-1412 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; and

WHEREAS, due to the COVID-19 emergency, the Lancaster County Board of Commissioners has decided that all meetings of the Lancaster County Board, the Lancaster

County Board of Equalization, and the Lancaster County Board of Corrections shall be conducted remotely by videoconference; and

WHEREAS, the Lancaster County 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; and

WHEREAS, on the date of April 2, 2020, the Lancaster County 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 Lancaster County 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, that the Lancaster County Board of Commissioners hereby declares that members of the public shall not be allowed to speak at meetings of the Lancaster County Board, 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 this 2nd day of April 2020, following a roll call vote of 5-0.

THE BOARD OF COUNTY COMMISSIONERS OF
LANCASTER COUNTY, NEBRASKA

APPROVES AS TO FORM
This 2nd day of April, 2020

BY: Sean Flowerday, Chair

For PATRICK F. CONDON
Lancaster County Attorney

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