

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
THURSDAY, JANUARY 9, 2020  
COUNTY-CITY BUILDING  
ROOM 113 - BILL LUXFORD STUDIO  
8:30 A.M.**

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

Others Present: Kerry Eagan, Chief Administrative Officer; Ann Ames, Deputy Chief Administrative Officer; Dan Nolte, County Clerk; Cori Beattie, Deputy County Clerk; and Leslie Brestel, County Clerk's Office

*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 January 8, 2020.*

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:31 a.m.

**AGENDA ITEM**

**1. APPROVAL OF STAFF MEETING MINUTES FOR DECEMBER 19, 2019**

**MOTION:** Vest moved and Schorr seconded approval of the December 19, 2019 Staff Meeting minutes. Schorr, Amundson, Vest, Flowerday and Yoakum voted yes. Motion carried 5-0.

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

Kohout and Miller discussed the first days of the 2020 Legislative session and reviewed the Board's priorities (Exhibit A). Among the bills introduced were allowing counties with a population of over 150,000 to appoint the county engineer, training for county treasurers, and the Tax Equalization and Review Commission (TERC) process. The first hearings are scheduled for Tuesday, January 21.

Regarding the appointment of county engineers, Eagan said there is an Attorney General opinion and case law that states an elected official position cannot be eliminated without a vote of the people.

Pertaining to the bill that is introduced as a result of LR183 (Interim study to examine whether continuity of care and safety for individuals and the public can be enhanced by allowing mental health providers to coordinate with law enforcement), Schorr stressed the importance of making sure Community Corrections is included in the definition of a criminal justice agency, and that the use of the bill would be broader than handgun permits.

## **CHIEF ADMINISTRATIVE OFFICER REPORT**

### **C. Saline Wetlands Coalition (Email from Mike DeKalb)**

Eagan reviewed the email (see agenda packet) and added the Board had previously decided not to join the Saline Wetlands Coalition, which includes \$10,000 in funds to the coalition. Flowerday added the Coalition wanted to use the funds for existing current staff positions. Pam Dingman, County Engineer, said the County could vacate certain roads back to wetlands.

It was the consensus of the Board to respond to Mike DeKalb explaining the previous Board and Coalition interactions.

### **D. Chief Deputy Elected Official Salaries**

It was the consensus of the Board to move the item to a Tuesday meeting (see agenda packet).

**3. EXECUTIVE SESSION FOR LEGAL ADVICE AND PENDING LITIGATION** – David Derbin, Deputy County Attorney; Jen Holloway, Deputy County Attorney; Pam Dingman, Lancaster County Engineer; Larry Legg, Assistant Engineer; Ron Bohaty, Road Maintenance Superintendent; and Dan Zieg, Deputy County Attorney

**MOTION:** Schorr moved and Amundson seconded to enter Executive Session at 8:55 a.m. for the purposes of receiving legal advice, 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, Flowerday and Yoakum voted yes. Motion carried 5-0.

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

Schorr and Amundson exited the meeting.

**MOTION:** Vest moved and Yoakum seconded to exit Executive Session at 9:23 a.m. Vest, Flowerday and Yoakum voted yes. Schorr and Amundson were absent. Motion carried 3-0.

### **BREAK**

The meeting was recessed at 9:23 a.m. and reconvened at 9:30 a.m.

Schorr and Amundson returned to the meeting at 9:30 a.m.

**MOTION:** Amundson moved to exit Executive Session at 9:30 a.m.

Flowerday stated the Executive Session had already been exited.

Motion died for lack of a second.

## **CHIEF ADMINISTRATIVE OFFICER REPORT**

### **A. Committee Assignments**

Flowerday reviewed the committee assignments (see agenda packet) and suggested adding the Pension Review Committee, Mutual Aid and the Realtor Association of Lincoln Legislative Committee. Yoakum suggested adding the New Americans Task Force.

Eagan stated he needs to review the membership section of the Pension Review Committee.

After Board discussion, Flowerday will leave the Railroad Transportation Safety District (RTSD) and Joint Budget Committee (JBC), Yoakum will attend the JBC and the New Americans Task Force, Amundson will attend the RTSD and Realtor Association of Lincoln Legislative Committee (related to her realtor career), and Schorr will attend the Mutual Aid Committee.

Regarding the Mutual Aid Committee (in addition to Schorr's attendance) and Realtor Association of Lincoln Legislative Committee (in addition to Amundson's attendance), the Commissioners will rotate their attendance at the meetings.

Ames will prepare the committee assignments list to be reviewed by the Board. The updated list will be moved to a Tuesday meeting.

#### **4. JUVENILE PROBATION UPDATE ON TECHNICAL ASSISTANCE GRANT WITH RFK NATIONAL RESOURCES CENTER FOR JUVENILE JUSTICE – Amoreena Brady; and Lori Griggs, Chief Juvenile Probation Officer**

Griggs and Brady reviewed the Juvenile Probation update (see agenda packet) stating the grant focus is the implementation and the data. Brady noted a trauma screening will be developed and the post-probation assessment tool will be reviewed.

When asked for the caseload of families to staff member, Brady said for high risk youth there are 25 cases assigned to one staff member and 40 cases for youth with less risk.

Regarding the recidivism rate, Griggs stated the County has an average rate that can be impacted by the risk rate of the youth. Brady added how recidivism is defined and how it is reported can lead to a rate that may not be accurate.

#### **5. MONTHLY DISCUSSION WITH PLANNING DEPARTMENT – David Cary, Planning Director**

Cary reported on January 8, 2020, the Confined Animal Feeding Operations (CAFO) Text Amendment 19010 was heard and approved 9-0 with no final amendments. It was the consensus of the Board to not have another briefing on the amendment and to schedule the CAFO text amendment hearing on February 4.

Regarding the campground appeal that is currently scheduled for January 21, Schorr requested the hearing be postponed until January 28.

Cary noted the January 13 Lincoln City Council agenda will have both a public hearing for the annexation of the Fletcher bridge right-of-way to the City of Lincoln. Additionally, there will be a discussion on funding for the 2020 Complete Count Census Committee.

Cary said the Comprehensive Plan will be updated from 2040 to 2050 which a consultant, internal and local staff will head. Additionally, a Community Committee for input throughout the County has been formed. A more formal presentation on the update will be given to the Board later.

Yoakum reported that the Arnold Heights area is excited about the upcoming new high school which they feel will bring new businesses and give them a deeper connection to the City of Lincoln.

**6. MONTHLY DISCUSSION WITH INFORMATION SERVICES** – David Young, Chief Information Officer

Young gave a PowerPoint presentation (Exhibit B). *NOTE: Sensitive, confidential and/or proprietary information was redacted in the copy of Exhibit B provided to the County Clerk's Office.* He said he wants to create a policy regarding document retention and storage clean up.

Regarding the budget, Young stated the request will be \$700,000 for security and \$300,000 for software licensing, with the cost to be split 65/35 City of Lincoln/Lancaster County. He proposed only buying Office365 licenses. Open source systems will be researched by Information Services (IS).

**7. SALE OF HICKMAN AND BENNETT ENGINEERING SUBSTATIONS** – Pam Dingman, Lancaster County Engineer

Dingman stated the \$60,000 appraisal for the Hickman substation was incorrect and has been corrected to \$6,000. The City of Hickman has offered \$5,000 for the property. Schorr and Amundson both felt the offer should be accepted. Eagan advised Dingman to work with the County Attorney's Office on completing the sale.

Regarding the Bennett substation, there has been interest in the property from both the Village of Bennett and the Bennett Historical Society.

**MOTION:** Amundson moved and Vest seconded to authorize the County Engineer to work with the Village of Bennett and the Bennett Historical Society to discuss options for the sale of the Bennett substation. Schorr, Amundson, Vest, Flowerday and Yoakum voted yes. Motion carried 5-0.

**8. HPRM CONFERENCE REPORT AND SOFTWARE UPDATE** – Kelly Lundgren, County Clerk Records Administrator; and Brian Pillard, Records Coordinator

Lundgren reviewed the upcoming Hewlett Packard Records Management (HPRM) system software upgrades, which include improved remote capability, search methods and email groups. The upgrade will cost \$21,900 which was included in the current year's budget. The week of March 2, a consultant will train select HPRM users on the upgrades. Departments will continue to be encouraged to increase their use of the software.

Pillard added the HPRM system offers a standardized approach for records requests. Currently, the

County uses a records request database that was developed and is currently maintained by Information Services. He recommended determining the priorities for records requests and determining what system would best meet those needs.

Amundson requested Pillard to bring various scenarios to the Board in the future.

Additionally, the new Records Administrator (Angela Zocholl) will start soon. Lundgren's last day will be March 20, 2020.

**9. (A) KENO PREVENTION FUND GRANT RECOMMENDATIONS; (B) KENO PREVENTION BOARD APPOINTMENT (SUSAN TATUM); AND (C) VIOLENCE AGAINST WOMEN ACT (VAWA) GRANT APPLICATION** – Sara Hoyle, Human Services Director

(A) Keno Prevention Fund Grant Recommendations

Hoyle reviewed the grant recommendations (see agenda packet), noting all funds were allocated. The recommendations will be moved to a Tuesday agenda for Board action.

(C) Violence Against Women Act (VAWA) Grant Application

Hoyle presented the grant application (see agenda packet) and requested a signature from the Chair (Exhibit C).

**MOTION:** Schorr moved and Amundson seconded to authorize the Chair to sign the VAWA grant forms. Schorr, Amundson, Vest, Flowerday and Yoakum voted yes. Motion carried 5-0.

(B) Keno Prevention Board Appointment (Susan Tatum)

Hoyle stated Susan Tatum is interested in filling the open seat on the Keno Prevention Board.

It was the consensus of the Board for Tatum to be appointed at a Tuesday meeting.

**10. CHIEF ADMINISTRATIVE OFFICER REPORT**

**A. Committee Assignments**

Item moved forward on agenda.

**B. County Board Priorities**

Flowerday reviewed the priorities list (see agenda packet). The Board will review the priorities and submit a revised version for a Tuesday agenda.

**C. Saline Wetlands Coalition (Email from Mike DeKalb)**  
**D. Chief Deputy Elected Official Salaries**

Items C and D moved forward on agenda.

**OTHER MEETINGS**

Flowerday relayed messages from senators that, in the future, the Tri-County Breakfast should be moved to a time later in the day.

**11. SCHEDULE OF BOARD MEMBER MEETINGS**

Informational only.

**12. EMERGENCY ITEMS**

There were no emergency items.

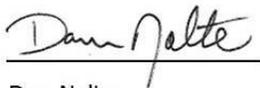
**13. ADJOURNMENT**

**MOTION:** Schorr moved and Amundson seconded to adjourn at 11:31 a.m.

Regarding Chief Deputy salaries (see agenda packet, Item 10 D), Joe Nigro, Public Defender, requested the salaries for Jennifer Houlden and Christopher Turner be equal.

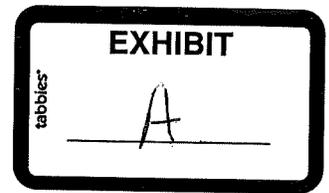
Flowerday restated the motion to adjourn.

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



Dan Nolte  
Lancaster County Clerk





Kissel, Kohout,  
ES Associates LLC

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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: January 9<sup>th</sup>, 2020

RE: Weekly Report

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Good Morning. Please accept this as your weekly report for the 2020 session of the Legislature for the date noted above.

We would note that today is the second day of the 2020 session, and the second date of bill introduction. As such, there have been 123 bills introduced, and we are still reading through and summarizing each one. Bill introduction will be complete on January 23<sup>rd</sup>, or the tenth day of the session.

Yesterday the body convened, elected the sergeant at arms, and allowed for bill introduction.

### LANCASTER COUNTY PRIORITIES

**Allow for financing of County Bridges under Neb. Rev. Stat. 23-120(3)(b).** Introduced during the 2019 session by Senator Bolz, the bill currently sits on General File after unanimously advancing from the Government, Military and Veterans Affairs Committee. Discussions are ongoing seeking a priority designation for the bill, which will assist in moving it towards floor debate by the full body. Additionally we have engaged in discussions to get the bill considered early in the session.

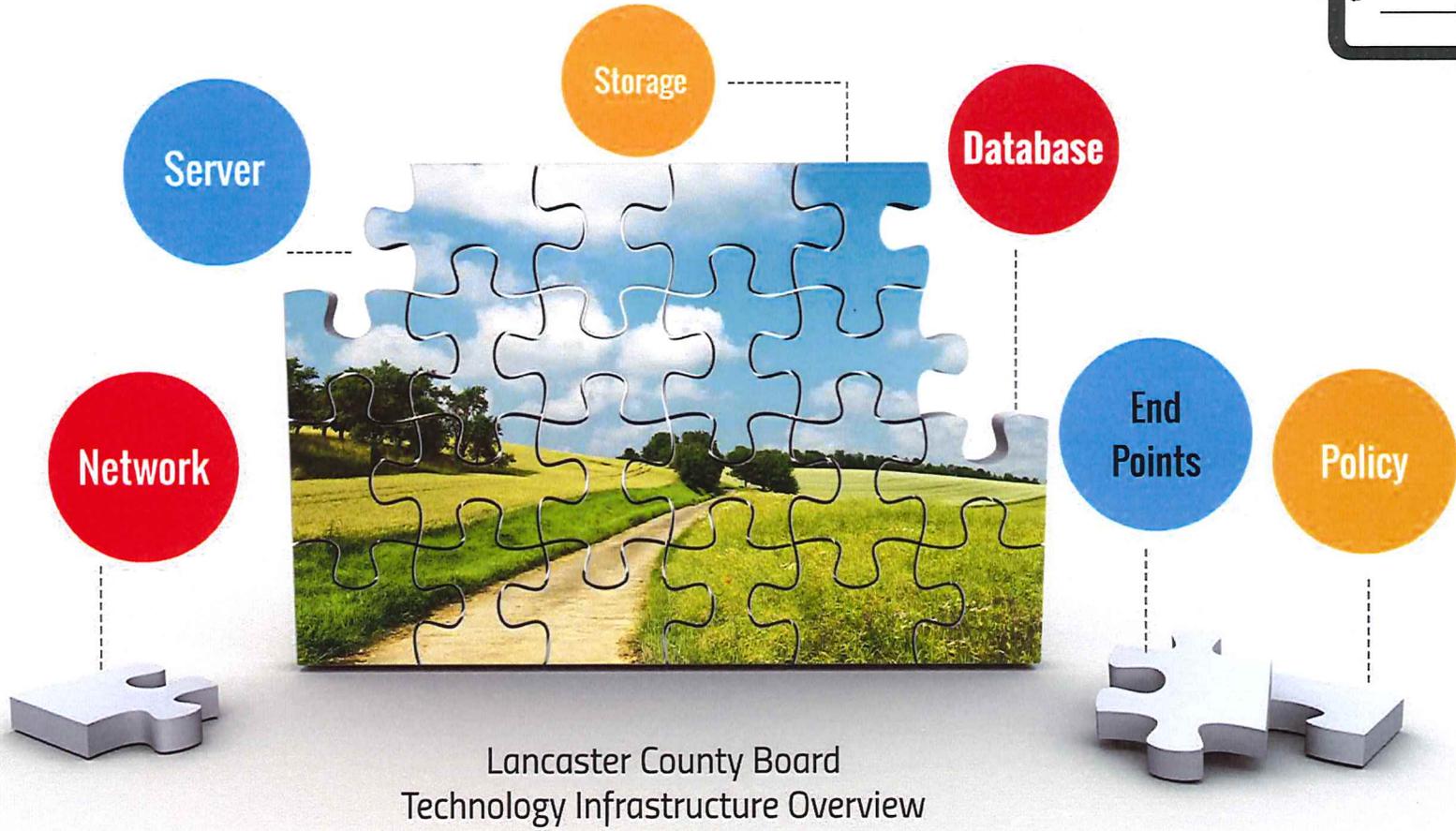
We are beginning the process of potentially identifying a senator to prioritize of the bill.

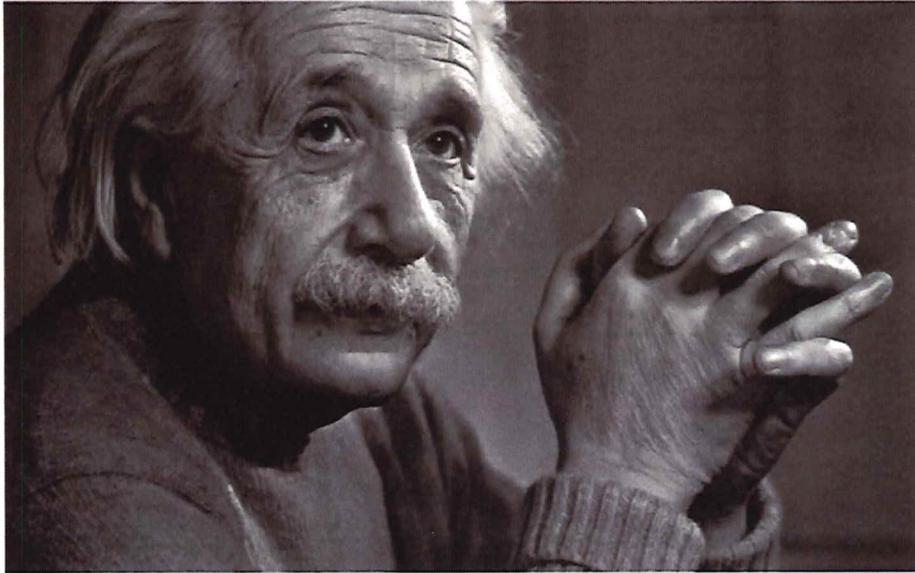
**Statutory Changes to Implement Statewide 24/7 Sobriety Program.** Introduced by Senator Matt Hansen during the 2019 session, LB335 currently sits in the Judiciary Committee. This interim brought conversations with opposition, which brought fruitful developments towards producing an amendment. We are currently reviewing the redline response provided in recent days.

**Amend the Mental Health Commitment Act to allow Sharing of Mental Health Information Among Providers and Law Enforcement Agencies.** After numerous meetings with stakeholders over the interim, produced by LR183 introduced by Senator Geist, the initial draft and subsequent revisions have been completed, and we are currently awaiting the revised version from the revisers' office. The next steps are to approve/edit the revised draft, and if sufficient, have it introduced by Senator Geist who has agreed to carry the legislation.

**Adopt the Advance Mental Health Care Directives Act under LB247.** Introduced by Senator Bolz during the 2019 session, the bill is held by the Judiciary Committee. In our conversations with the senator, she has indicated that she has possibly reached a tentative agreement with opposition parties including the Bar Association on language to address their concerns, and to advance the bill early this session for consideration by the full body.

This concludes our report for this week.

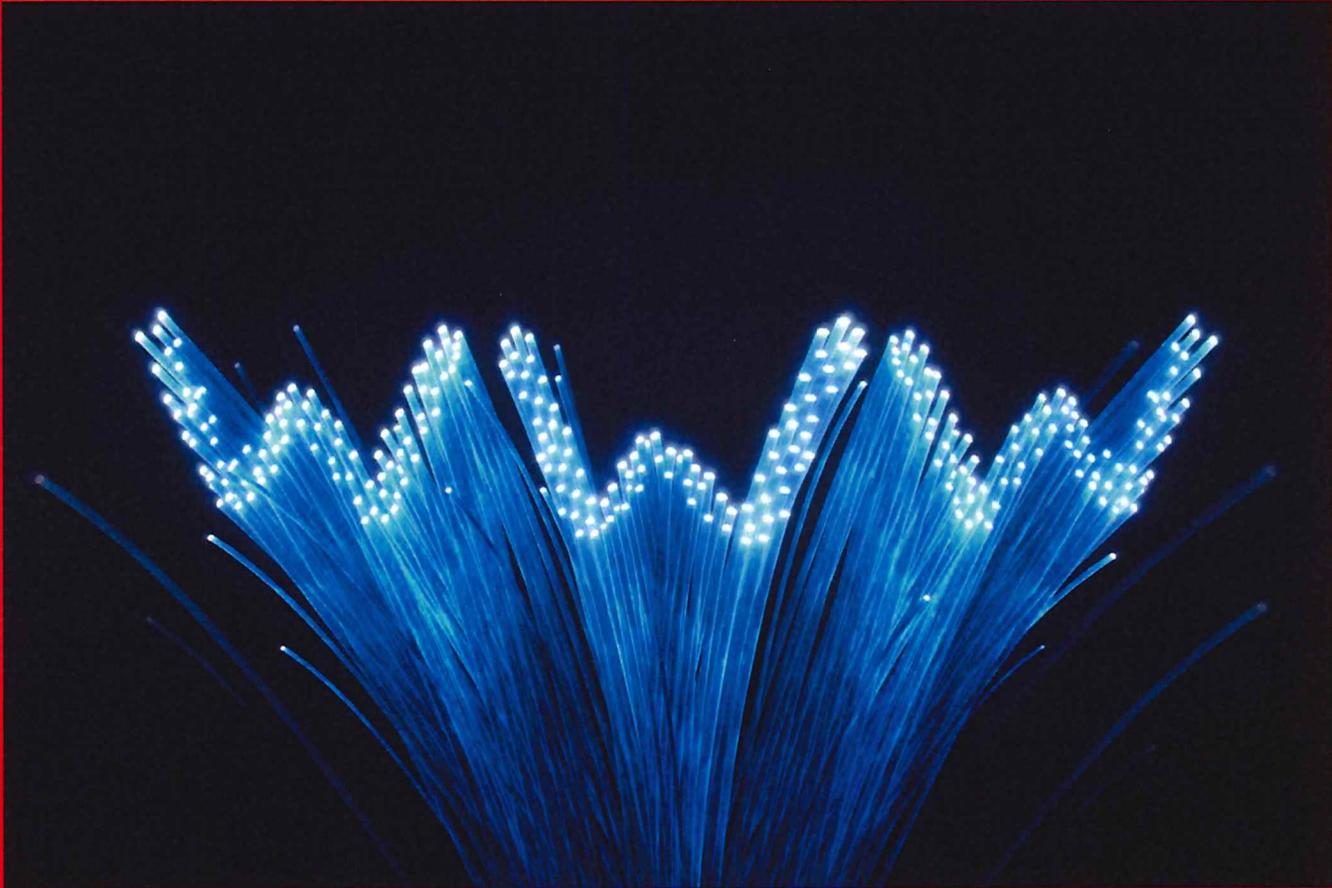


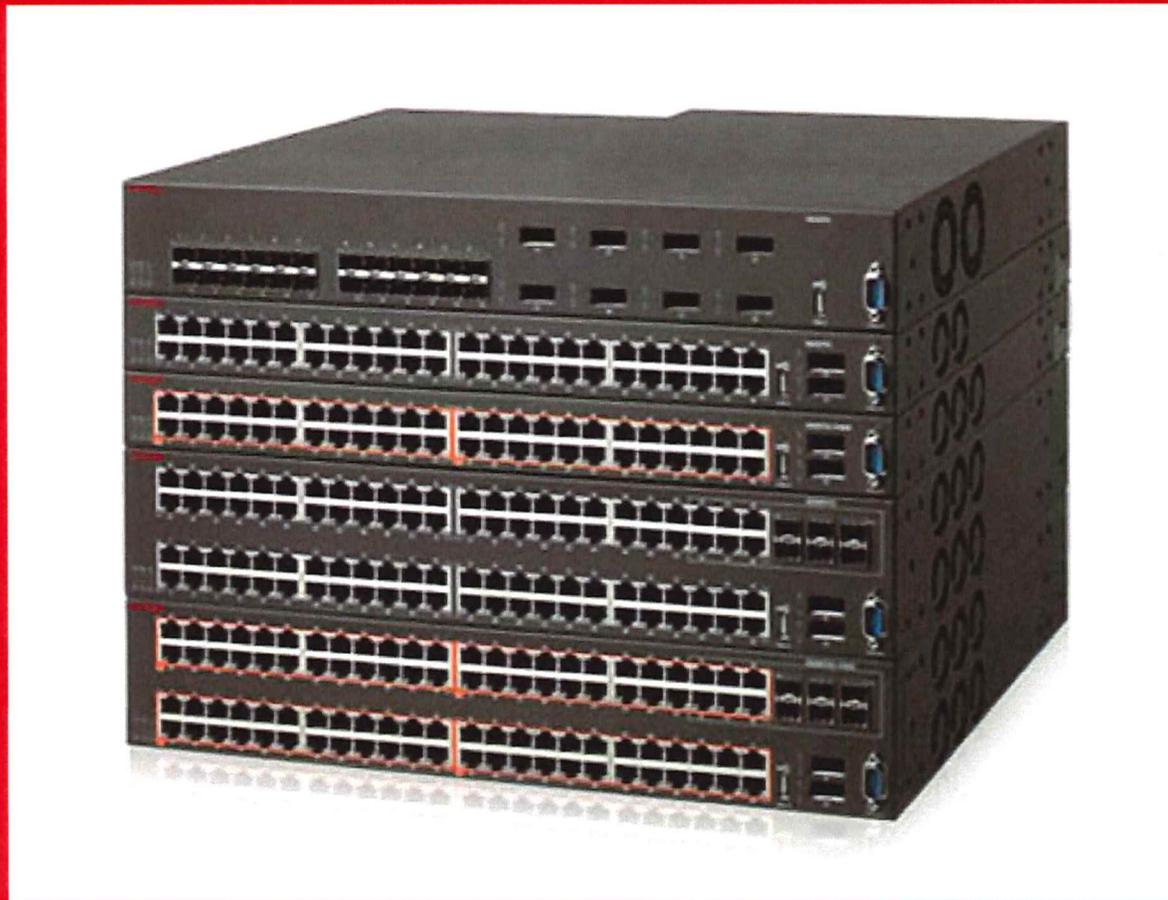


*Out of clutter, find simplicity.  
From discord, find harmony.  
In the middle of difficulty  
lies opportunity.*  
- Albert Einstein



# Fiber -





# Servers -



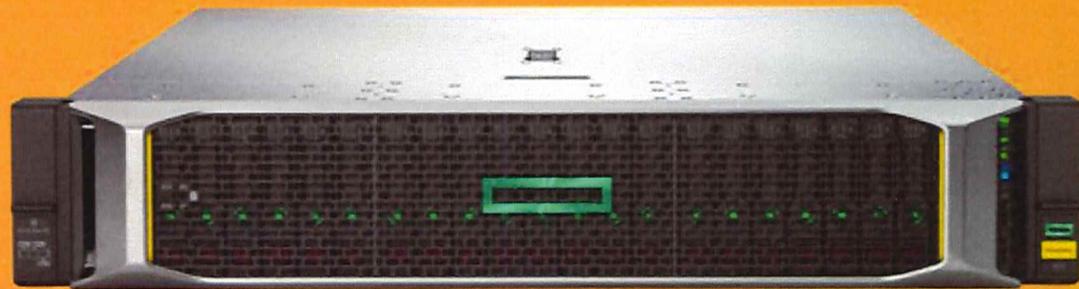
# Operating Systems

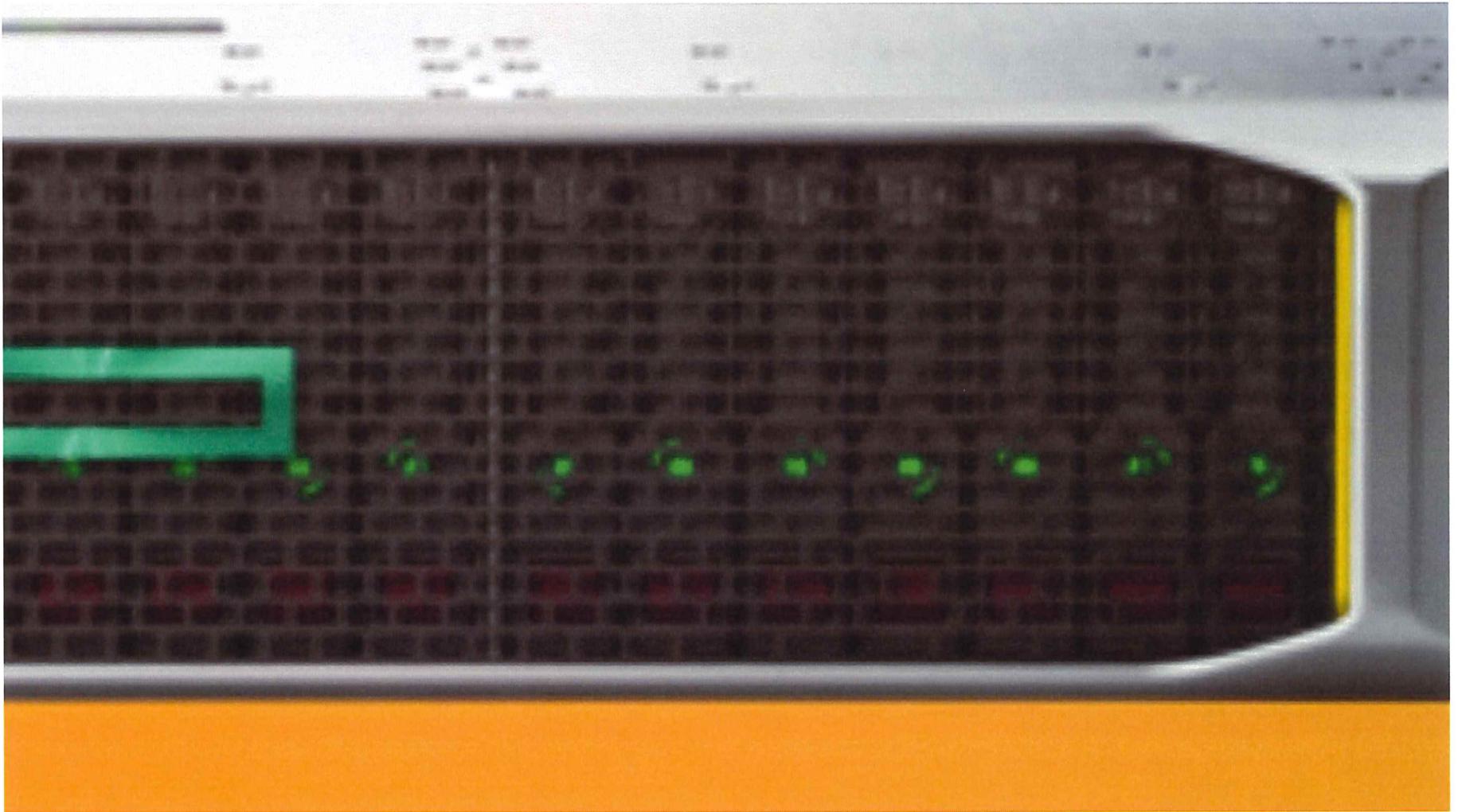
Many Types  
and Versions ...

# Storage



# Storage



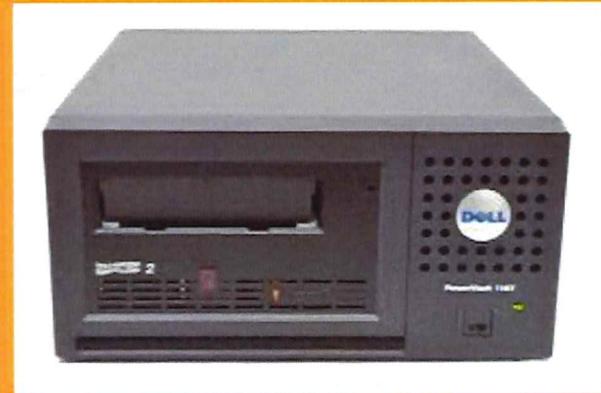
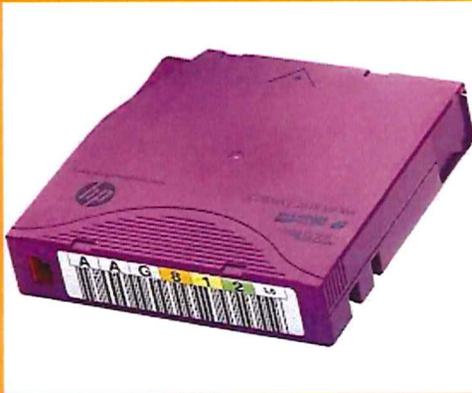


# How Much?

- 15 Terabytes (TB)



# Tape Drives



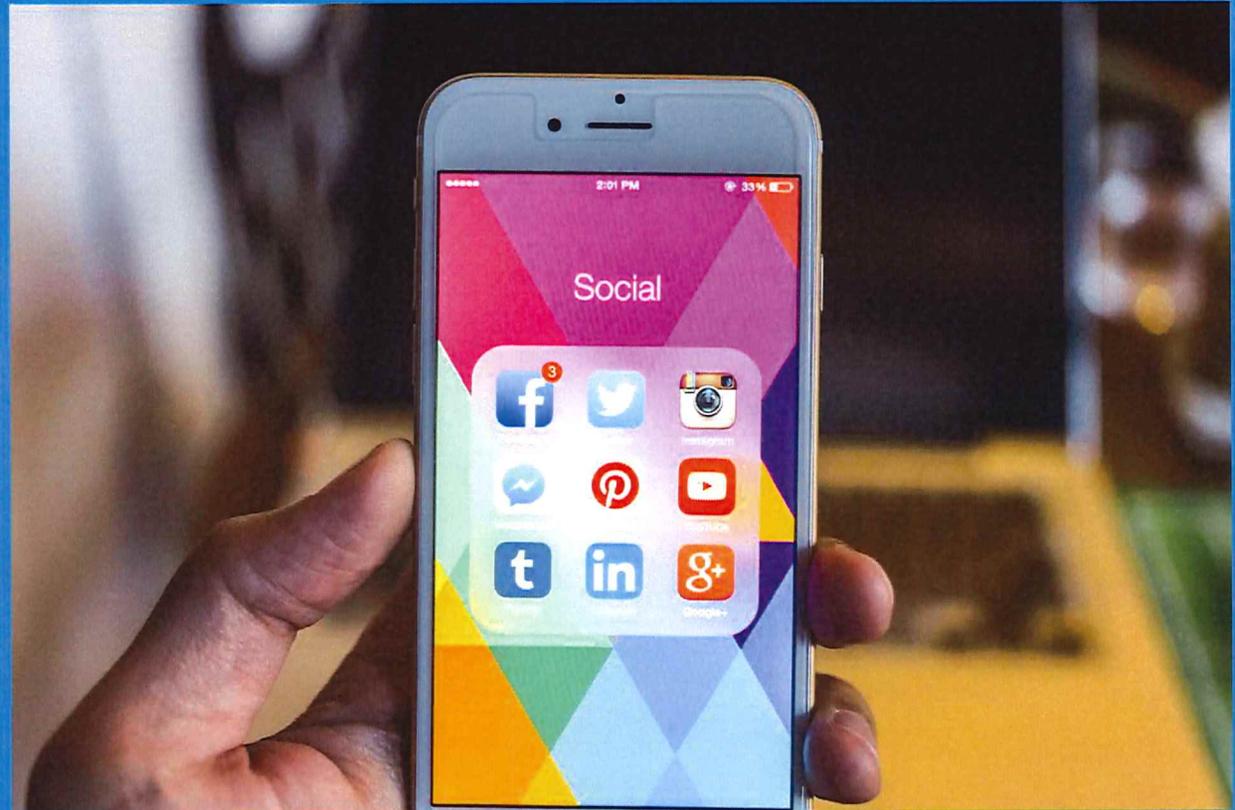
# Database



# Computers



# Mobile

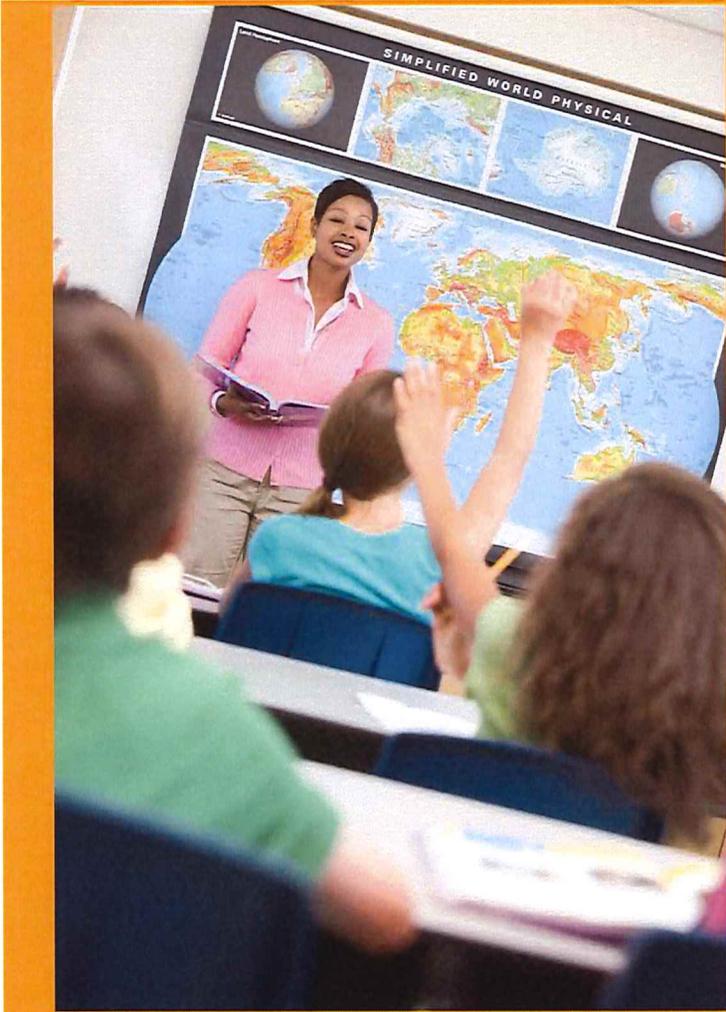


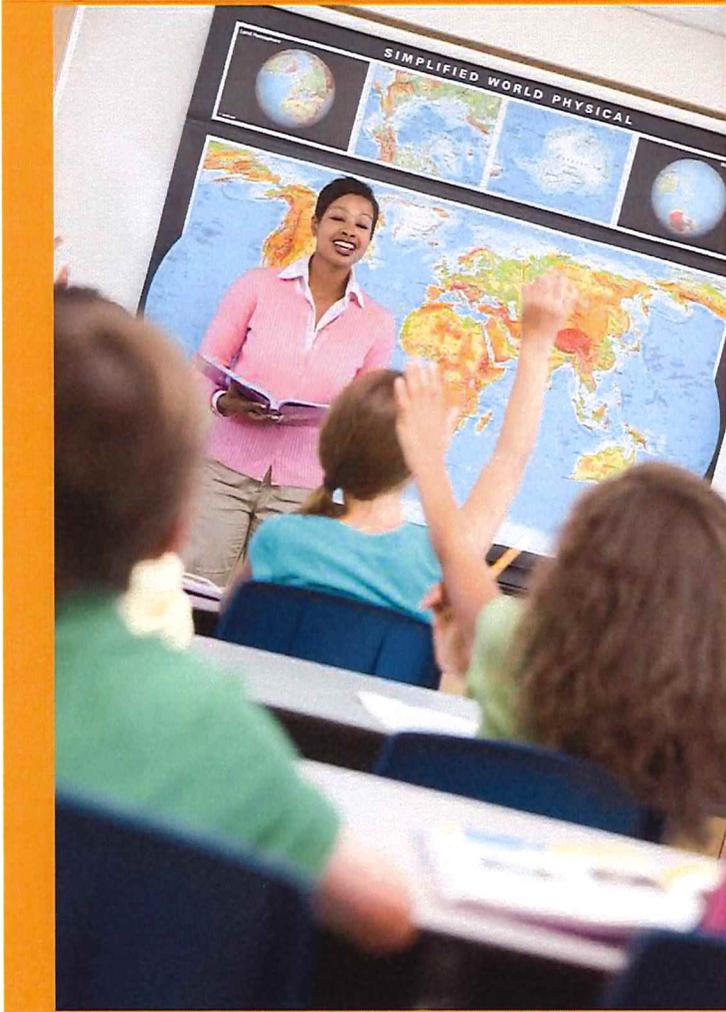


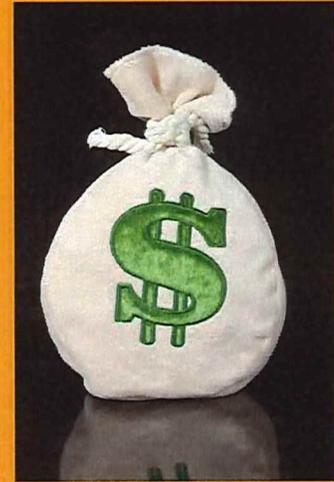
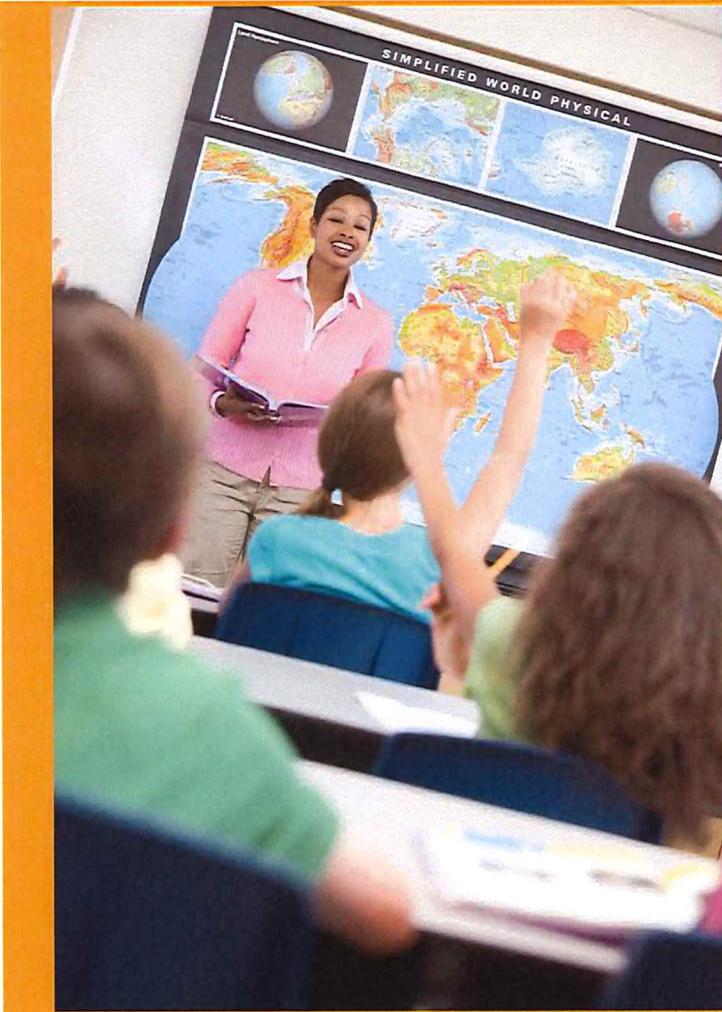
# VoIP

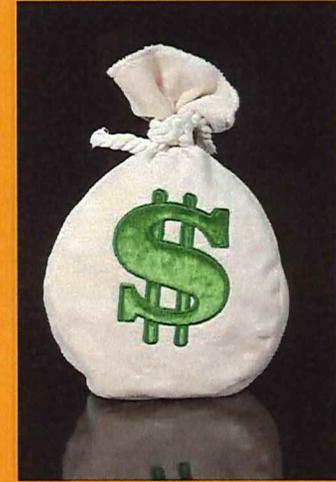
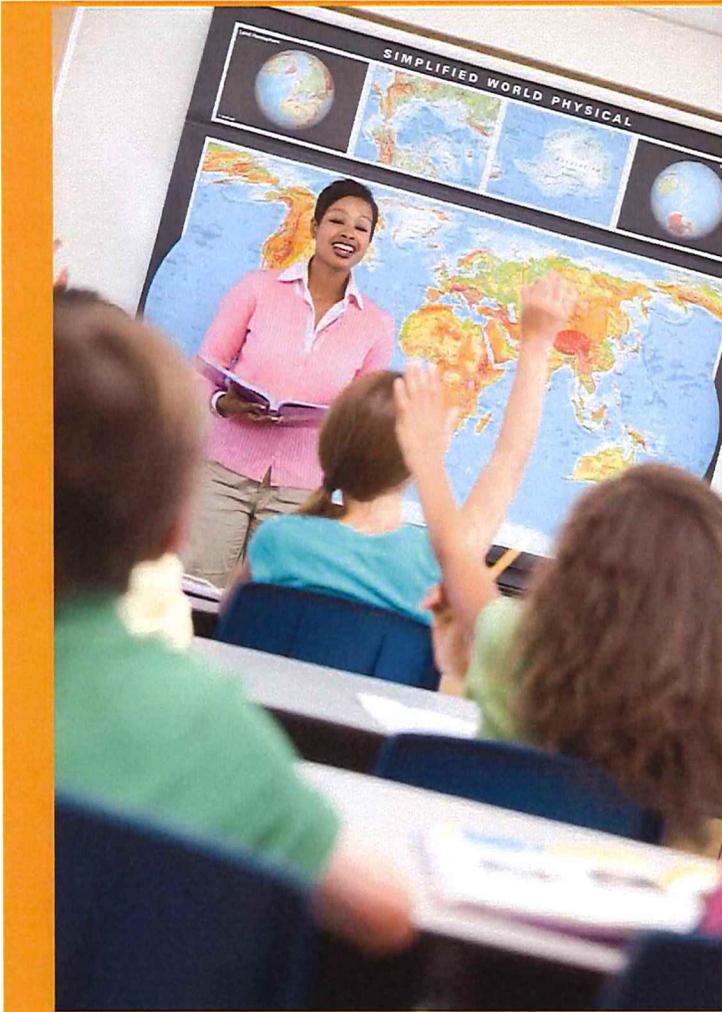














**CERTIFICATIONS: (total 5)**

**1. Certification of Application**

I hereby certify the information in this application is accurate and, as the authorized official for the project, hereby agree to comply with all provisions of the grant program and all other applicable state and federal laws.

Applicant certifies that during the development of this grant application victim services providers were consulted with in order to ensure proposed activities and requests are designed to promote the safety, confidentiality and economic independence of victims of intimate partner violence, sexual assault and staking.

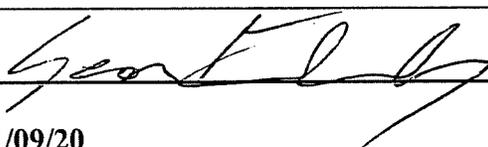
Name of Authorized Official: Sean Flowerday

Title: Lancaster County Board Chair

Address: 555 South 10<sup>th</sup> Street, Suite 110

City, State, Zip: Lincoln, Nebraska 68508

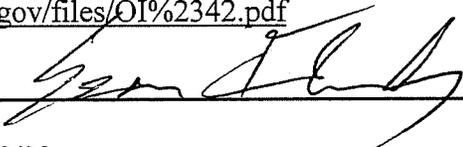
Telephone: (402) 441-7447

Signature of Authorized Official: 

Date Signed (month/day/year): 01/09/20

**2. Discrimination & Harassment Policy Certification**

My signature below hereby acknowledges my review of the Nebraska Crime Commission's Discrimination & Harassment Policy located at:  
<https://ncc.nebraska.gov/sites/ncc.nebraska.gov/files/OI%2342.pdf>

Signature of Authorized Official: 

Date Signed (month/day/year): 01/09/20

**3. Acknowledgement of Notice of Statutory Requirement to Comply with the Confidentiality and Privacy Provisions of the Violence Against Women Act, as Amended**

Under section 40002(b)(2) of the Violence Against Women Act, as amended (34 U.S.C. 12291(b)(2)), recipients (subrecipient/lead agency and subawardees) of Office on Violence Against Women (OVW) funding are required to meet the following terms with regard to nondisclosure of confidential or private information and to document their compliance. By signature on this form, applicants for grants from the Nebraska Crime Commission supported with funds from the OVW (S.T.O.P and SASP) are acknowledging that that they have notice that, if awarded funds, they will be required to comply with this provision, and will mandate that subawards (sub-subrecipient), if any, comply with this provision, and will create and maintain

documentation of compliance, such as policies and procedures for release of victim information, and will mandate that subawardees, if any, will do so as well.

**(A) In general**

In order to ensure the safety of adult, youth, and child victims of domestic violence, dating violence, sexual assault, or stalking, and their families, any recipients of OVW funds under this subchapter shall protect the confidentiality and privacy of persons receiving services.

**(B) Nondisclosure**

Subject to subparagraphs (C) and (D), recipients (subrecipient/lead agency and subawardees) shall not—

(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through subrecipients' and subawardees' programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent.

**(C) Release**

If release of information described in subparagraph (B) is compelled by statutory or court mandate—

(i) subrecipients and subawardees shall make reasonable attempts to provide notice to victims affected by the disclosure of information; and

(ii) subrecipients and subawardees shall take steps necessary to protect the privacy and safety of the persons affected by the release of the information.

**(D) Information sharing**

(i) Subrecipients and subawardees may share—

(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

(III) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.

(ii) In no circumstances may—

(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the subrecipient or subawardee;

(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.

**(E) Statutorily mandated reports of abuse or neglect**

Nothing in this section prohibits a subrecipient or subawardee from reporting suspected abuse or neglect, as those terms are defined and specifically mandated by the State or tribe involved.

**(F) Oversight**

Nothing in this paragraph shall prevent the U.S. Attorney General from disclosing grant activities authorized in this Act to the chairperson and ranking members of the U. S. Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate exercising Congressional oversight authority. All disclosures shall protect confidentiality and omit personally identifying information, including location information about individuals.

**(G) Confidentiality assessment and assurances**

Subrecipients and subawardees must document their compliance with the confidentiality and privacy provisions required under this section.

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As the duly authorized representative of the applicant, I hereby acknowledge that the applicant has received notice that if awarded funding they will comply with the above statutory requirements. This acknowledgement shall be treated as a material representation of fact upon which the Nebraska Commission on Law Enforcement and Criminal Justice will rely if it determines to award the covered transaction, grant, or cooperative agreement.

Sean Flowerday Lancaster County Board Chair  
Typed Name of Authorized Representative Title

Telephone Number (402) 441-7447

 01/09/20  
Signature of Authorized Representative Date Signed

Lancaster County  
Agency Name 10/17/2017

#### 4. CERTIFIED ASSURANCES (Page 1 of 2)

1. The applicant assures that federal block grant funds made available under the Violence Against Women Act (VAWA) STOP Grant Program will not be used to supplant existing funds.
2. The applicant assures that fund accounting, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission) shall prescribe will be provided to assure fiscal control, proper management, and efficient disbursement of funds received under the Act.
3. The applicant assures that they and all subawards under this award have a DUNS number and are registered with the System for Award Management (SAM) (or with a successor government-wide system officially designated by OMB and OVW).
4. The applicant assures that it shall maintain such data and information and submit such reports, in such form, at such times, and containing such information as the Crime Commission may require.
5. The applicant certifies that the proposed project fulfills all program requirements; that all the information is correct; that there has been and will be throughout the life of the grant, appropriate coordination with affected agencies; and, that the applicant will comply with all provisions of the VAWA STOP Grant Program as well as all other applicable federal and state laws.
6. The applicant assures that it will comply, and all its contractors will comply, with all relevant statutory and regulatory requirements which may include, among other relevant authorities, the Violence Against Women Act of 1994, P.L. 103-322 and the Violence Against Women Act of 2000, P.L. 106-386, the Omnibus Crime Control and Safe Streets Act of 1968 as amended, 42 U.S.C. 3711 et seq., the Violence Against Women and Department of Justice Reauthorization Act of 2005, P.L. 109-162, the Violence Against Women Reauthorization Act of 2013, P.L. 113-4, and OVW's implementing regulations at 28 CFR Part 90.
7. The applicant assures it will comply with the Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d. Applicant will take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP).
8. The applicant assures that in the event a federal or state court or administrative agency makes a finding of discrimination after a due process hearing the subrecipient of funds will forward a copy of the finding to the Office of Civil Rights Compliance of the Office of Justice Programs in Washington, D.C. Additionally, a copy of the findings will be sent to the Crime Commission.
9. The applicant assures that, if required, it will formulate an equal employment opportunity program (EEOP) in accordance with 28 CFR 42.301 et. seq., and submit a certification to the state that it has a current EEOP on file which meets the requirements therein.
10. The subgrantee assures that it and its contractors and any subawards will comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 CFR Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 CFR Part 2800 (together, the Part 200 Uniform Requirements), and the current edition of the DOJ Grants Financial Guides as posted on the OVW website to include any amendments made throughout the course of the grant period.
11. The applicant, if a non-Federal entity assures that if it expends \$750,000 or more in Federal funds (from all sources including pass-through subawards) in the organization's fiscal year it will arrange for a single organization-wide audit to be conducted in accordance with the provisions of Title 2 CFR

Subpart F. If less than \$750,000 is expended in a year then the agency is exempt from Federal audit requirements. In this case, the non-Federal entity assures that financial records will be maintained in an acceptable accounting system and be available for review or audit by appropriate officials of Federal, state or local agencies.

12. The applicant agrees to attend training as required by the Crime Commission.
13. The applicant agrees to establish and maintain a Drug Free Workplace Policy.
14. The purpose of the VAWA STOP Grant Program is to improve the response of the criminal justice system to individual who are victims of sexual assault, domestic violence, stalking and dating violence through collaboration. Collaboration is defined as several agencies and/or organizations that make a formal, sustained commitment to work together to develop a comprehensive and coordinated response. The applicant agrees to develop and sustain a collaborative approach between the various criminal justice and victim service entities to jointly address the crimes of sexual assault, domestic violence, stalking and dating violence.
15. Applicant assures there is written documentation of how sexual assault and domestic violence cases are processed through the criminal justice system including what assistance is provided during each step of the criminal justice process.
16. Applicant assures it will maintain copies of current Policies and Procedures for addressing victims of sexual assault and domestic violence for law enforcement agencies, prosecutorial agencies, victim service agencies and any other criminal justice agencies that are part of the Coordinated Response Team.
17. Applicant assures that it and any subawards will document their compliance with the confidentiality and privacy provisions required under the VAWA STOP Grant Program.

**Certification**

I certify that I have read and reviewed the above assurances, that the applicant will comply with all provisions of the Violence Against Women Act STOP Grant Program and all other applicable federal laws and state laws, and the applicant will implement the project as written if approved by the Crime Commission.



01/09/20

Signature of Authorized Official

Date

555 South 10<sup>th</sup> Street, Suite 110

Address

Sean Flowerday

Lancaster County Board Chair

Typed Name

Title

(402) 441-744

Telephone Number

## 5. Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Acceptance of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," 2 CFR Part 2867, "DOJ Implementation of OMB Guidance on Nonprocurement Debarment and Suspension," and 28 CFR Part 83, "Government-wide Debarment and Suspension," and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

### 1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

### 2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

Pursuant to Executive Order 12549, Debarment and Suspension, implemented at 2 CFR Part 2867, for prospective participants in primary covered transactions, as defined at 2 CFR Section 2867.20(a), and other requirements:

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Have not within a two-year period preceding this application been convicted of a felony criminal violation under any Federal law, unless such felony criminal conviction has been disclosed in writing to the Office of Justice Programs (OJP) at [Ojpcompliancereporting@usdoj.gov](mailto:Ojpcompliancereporting@usdoj.gov), and, after such disclosure, the applicant has received a specific written determination from OJP that neither suspension nor debarment of the applicant is necessary to protect the interests of the Government in this case.

(d) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and

(e) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

### 3. FEDERAL TAXES

A. If the applicant is a corporation, the applicant certifies that either (1) the corporation has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, or (2) the corporation has provided written notice of such an unpaid tax liability (or liabilities) to OJP at [Ojpcompliancereporting@usdoj.gov](mailto:Ojpcompliancereporting@usdoj.gov), and, after such disclosure, the applicant has received a specific written determination from OJP that neither suspension nor debarment of the applicant is necessary to protect the interests of the Government in this case.

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

**4. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, Subpart F, for grantees, as defined at 28 CFR Sections 83.620 and 83.650:

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under

the grant, the employee will

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 7th Street, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

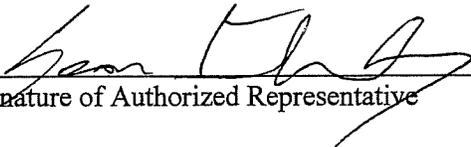
(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

Lancaster County Board of Commissioners 555 South 10<sup>th</sup> Street, Suite 110 Lincoln, Ne 68508

Organization Name and Address

Sean Flowerday Lancaster County Board Chair  
Typed Name and Title of Authorized Representative

  
Signature of Authorized Representative

01/09/20  
Date