

## Community Services Committee Meeting

### Douglas County, Nebraska

Tuesday, October 18, 2016

The meeting convened at 10:38 A.M. in Room 903 of the Omaha-Douglas Civic Center, 1819 Farnam Street, Omaha, NE 68183. A copy of the Open Meetings Act is located on the wall near the entrance of the room. A notice of the meeting was published in the October 11, 2016, issue of *The Daily Record*. County Commissioners present at the meeting were Marc Kraft, Chris Rodgers, Mike Boyle, Jim Cavanaugh, Clare Duda and Mary Ann Borgeson. Others present at the meeting included Patrick Bloomingdale, Joe Lorenz, Diane Carlson, Mike Dwornicki, and Catherine Hall, Administration; Kent Holm, Environmental Services; Rita Clark, Scott Olander, Chris Chappellear, and Rob Vinson, Douglas County Fair Board; Michael Mills, County Attorney; and Constance Mierendorf, Douglas County Clerk/Comptroller's office. Marc Kraft chairs the Committee.

A video recording of the meeting is available on the Douglas County Website:

<http://commissioners.douglascounty-ne.gov/board-meetings/videos>

### County Fair Update

- Rob Vinson said the Fair Board is requesting \$225,000 in 262 funding for the next year. This past year, the Fair requested \$155,000 in 262 money. One of the reasons for the increase is that they found a new venue for the 2017 Douglas County Fair that will cost \$20,000.
- Mr. Vinson said fair goers were critical of the Crossroads location last year and this coming year, the Fair has secured Chance Ridge in Elkhorn for 10 days to run the Fair and Rodeo. It is a much better location because it is the kind of location one expects for a Fair.
- He said the Fair is in year 2 of building up its product. It is not yet a 501c3, so it is difficult to raise money from private citizens and corporations.
- Mr. Vinson presented a comparison of costs for various venues and the Chance Ridge Event Center is by far the most desirable (Attachment A).
- Commissioner Duda asked about the non-profit status of the Fair Board and Mr. Vinson said that application has been made, but the finalization could be 6-12 months away.
- The plan is to be able to plan now for the Fair next summer. Their goal is to be able to bring in indoor and outdoor entertainment and be able to charge for tickets to those events to increase revenue.
- Rita Clark said admission to the Fair is free. Admission to the rodeo is \$10.
- Commissioner Rodgers asked if the Fair Board could use another non-profit organization's 501c3, like the Omaha Community Foundation, as a pass through.
- Ms. Clark said the Fair Board is anxious to become less reliant on County funds and wants the process to be completely transparent. She said the outside non-profit would make the process less clear. The goal of the Fair would be to bring in local bands—start small and build.

- Commissioner Borgeson said that Extension has a 501c3 foundation. The Fair Board could ask them to add a line item to their budget as a hold until the non-profit status is approved. This would be an easy partnership.
- Commissioner Boyle asked about the financial success of last year's Fair.
- Joe Lorenz said the Fair lost approximately \$70,000. The total award from 262 funds was \$125,000, some of which went to fund the rodeo. Revenue was about \$650.
- Ms. Clark said the Fair Board expected it would be a wash. It is in its first year and in a new location. Attendance was about 15,000.
- Commissioner Boyle asked that the auditor do an audit of all 262 money. The Board is hands off on the applications; no one comes to the Board of Commissioners for money. The applications come as a package from the Committee and they are approved by the Board.
- Commissioner Boyle asked if the Fair Board had done any fund raising.
- Ms. Clark said they got some scholarships for the High School Rodeo. The Fair is brand new this year and they need to get the word out.
- Commissioner Boyle is concerned that the Douglas County Fair is duplicating services with Aksarben which got big press.
- Ms. Clark said the revenue from the Fair came from entries; admission to the Fair is free.
- Commissioner Boyle said the State Fair cancelled 2 free concerts because of low attendance. The Fair should attach to Aksarben which does not have small audiences. MAPA (Metropolitan Area Planning Agency) says there are only 70-77,000 people who live in Douglas County who live outside of cities.
- Commissioner Duda said the Board is not completely hands off when it comes to 262 funding. The County has a deal with Gallup for \$x/year that it has agreed to but is outside the usual process. It is impressive that the Fair Board has been able to run a County Fair with zero property taxes. The Board does not ask for business plans nor does it look at receipts from those who receive 262 funding.
- Scott Olander said they estimated a loss of \$20-25,000 in revenue because they did not have non-profit status.
- Commissioner Rodgers said the Fair Board should weigh the benefit of being a totally free event. Perhaps they should charge something—even if it's \$5.
- Ms. Clark said in order to charge, they have to have a product and they are in the process of building that product. They are forming partnerships with the Omaha Children's Museum and Do Space.
- Commissioner Rodgers said the Fair already is a product and people will not turn away if there is a small charge.
- Mr. Vinson said the main attendees are children and they want to have them enter events.
- Commissioner Rodgers suggested free admission for children and a small charge for adults.
- In the past 8-10 years, Mr. Vinson added, there was never an admission charge—only a charge for the rodeo or entertainment.
- Ms. Clark said she was interested in bringing carnival rides, music and animal shows to the Fair and was working with Purchasing to insure that all processes are be followed properly.
- Commissioner Boyle said carnivals are expensive and liability is high.
- Ms. Clark said all 262 applicants are non-profits. The Fair has been a Douglas County Department since last October.
- Patrick Bloomingdale said he would prefer that the Fair hold off on rides until they obtain their 501c3 status.
- Ms. Clark said the Board has not yet had discussion about rides, but she wants to start small with little rides like a merry-go-round. One of the complaints about last summer's fair was that it did not have rides.

- Commissioner Cavanaugh said he appreciates the transition stage that the Fair Board is in, and said he thought they were moving in the right direction. He said the Ralston Arena is in his district and it is struggling. He asked that it be considered for the Fair venue. Even though it is in the City, it has all the amenities to accommodate the Fair, particularly where entertainment is involved.
- Commissioner Cavanaugh said overall it a good idea to explore partnerships with the Omaha Public Schools Stem Program and robotics. He pointed to MAHA music festival as an example of what a homegrown entity can do. The growing urban gardening trend is robust. All of these forces are in the mix for what might be possible for the Fair. In light of the investment the County is making with non-property tax dollars and compared with the money that much smaller counties are contributing to their fairs, this is a good effort.
- Mr. Olander said that in some outlying counties, the Fair is the event of the year. The Douglas County Fair wants to be unique and that's why they picked up the High School Rodeo.
- Commissioner Cavanaugh noted that when he attended the High School Rodeo all of the entrants were from outside of Douglas County which added to tourism because all of those entrants and their families had to have hotel rooms and food.
- Ms. Clark said there were families from 9 different states at the High School Rodeo.
- Mr. Olander said what they learned from this past rodeo is that people want "dirt." They want to see animals; so they are looking at having a Progress Show. This is a practice show that would be open to young people in the surrounding areas where they could fine tune their skills and prepare for entries into their respective county fairs.
- Ms. Clark said the Fair Board is trying to get a jump on planning for next year and that is why they are asking for a commitment of 262 funding now. Last year they only had from April until July to plan and this year, they would like to be able to begin planning now.
- Commissioner Boyle said the Fair Board should create a new taxing authority and raise taxes to fund the Fair. Put it to the vote of the people.
- Commissioner Duda said that the Fair Board, at the direction of the County Commissioners, did not pursue an Agricultural Society (Ag Society) with taxing authority. The Commissioners instructed the Fair Board in how to go about this and agreed that an Ag Society was not the way to go.
- Commissioner Duda said Chance Ridge is a perfect location in western Douglas County and the volunteers have done awesome things.
- Commissioner Boyle said Ms. Clark is being paid. He asked why the County Board lost interest in the Fair and said that it wasn't successful; it had outgrown the County and the Board gave it to Aksarben.
- Commissioner Boyle wants the 262 Committee to come before the Board because he believes it is funding things that don't qualify. He asked how MAHA is funded.
- Commissioner Cavanaugh answered that it was funded with 262 funds it in part.

- Commissioner Borgeson said people did not stop coming to the Fair. What happened is the County gave up Aksarben. There was no longer a location for the Fair. Jim Moore had a plan for an event center that was ideal, but when the Downtown Center was proposed, he was asked to stop promoting the Center. He passed away and his son Scott took up the cause.
- Commissioner Borgeson said the Fair Board sees what a County Fair can be and it can be built back from nothing. Properly built, people from all over the County will attend and local residents will be proud to have a Douglas County Fair again.
- Commissioner Kraft asked about rodeo attendance.
- Ms. Clark said the High School Rodeo was held on October 8 and there were 100 additional paid attendees. Great volunteers worked the event from Pottawattamie, Mills, Washington and Sarpy counties. 6 states were invited. Wyoming, Montana, and Texas also requested to be participants and the goal is to bring in more entrants.
- She said the goal is to have a rodeo school where youth from across the country could attend. This could be self-funding and could be unique to Douglas County. The cost is \$10,000.
- Mr. Olander said the Douglas County Fair and Rodeo is the only one in the country that gives scholarships.
- Catherine Hall said that Board rules about who can apply for 262 funds say that applicants cannot partner with another 501c3 as a fiscal agent. Qualified entities are a 501c3 or a publically owned entity. The Board of Commissioners could modify this requirement. MAHA received \$19,000 in 262 funding.
- Commissioner Duda said he does not know how Gallup qualifies.
- Commissioner Boyle said he wanted the 262 Committee to come to the County Board and explain what they are doing. He wants to know well in advance who is getting money for what and he wants to exercise true oversight instead of rubber stamping the Committee's recommendations.
- Commissioner Duda said he does not want to call volunteers to a meeting and grill them when the County Board directed them to give money to Gallup and the Douglas County Fair.
- Commissioner Boyle said the Board is responsible for the money and it does not see the documentation before it votes on the funding. \$3.5 million is given away and the Board should challenge decisions and exercise accountability.
- Commissioner Borgeson said that previously Marge Higgins wrote up guidelines for 262 use. Dick Davis came before the Board and established where the 262 money was being allocated by various categories that sorted the applicants according to their areas of performance. The Board could see those categories and understand how the money was being spent. This process was implemented and stayed that way.
- Commissioner Boyle said he thinks the categories are good. He wants to be more aware of how the 262 money is being spent before making a decision.
- Commissioner Borgeson said it is possible to get the documentation to Board members earlier.

- Mr. Vinson asked what the next steps are for the Fair Board. They came to the meeting hoping to get a commitment of money for next summer because planning needs to start now.
- Catherine Hall said the next cycle of 262 funding would begin in the summer.
- Mr. Lorenz said he would have to check to see how much money is in the 262 fund to make sure the \$225,000 is there.
- Commissioner Kraft suggested that Mr. Vinson put together a proposed budget, so the County Board members would have some points of reference in committing to the funds.
- Commissioner Duda asked for some background information about the request since it will have to be advertised and the Board will need substantiation from the Fair Board.
- Commissioner Borgeson said County Commissioners would have suggestions of people and companies to contact regarding funding and encouraged Mr. Vinson to partner with an entity for a 501c3 placement.

#### Environmental Services Update

- Kent Holm said the last time the Community Services Committee met, Commissioner Kraft had a question about the Landfill Gas Beneficial Use Project. It is producing pipeline quality gas and is a collection system that has been in use since 1996. It is an aging system and Environmental Services has some operational maintenance issues to address to make sure the system is environmentally compliant.
- Environmental Services is evaluating a change in its routine operation and maintenance contract. One of the reasons for this is that the contract is with Gary Kuhn who also has an operating interest in BRD, which has the Beneficial Use Contract. Mr. Holm wants to make sure there are no conflicts of interest.
- Issues come up with the collection system itself that are Environmental Services' responsibility. The County's interests need to be protected, so the Board may see an agenda item in the next month or so regarding a change in the routine maintenance contract.
- This morning the Board approved, on the Consent Agenda, the annual CPI (Consumer Price Index) adjustment to landfill rates of .7%. This will become effective December 1; the notice will be given out in November. The new rate will go from approximately \$25.03 to \$25.17.
- Mr. Holm said he was having some discussion with Waste Management about specialty services they provide such as the special handling of containers. There may be some additions to the rate schedule, but they will come before the Board for consideration.
- Environmental Services needs to amend an existing contract for outside environmental counsel. The contract is relatively new; it was entered into last year with a cap of \$10,000 with Mostek Law. The previous contract was with Koley Jessen when Mr.

Mostek was with Koley Jessen and it was capped at \$20,000. Mr. Holm thought there could be a savings, but now recommends a cap of at least \$25,000. This is for outside counsel work related to solid waste issues and he wants to make sure he has the funds to accommodate those issues.

- Mr. Holm transitioned to planning and zoning. Scott Bruhn has held a special use permit since the mid-90's for Pheasant Haven. Mr. Bruhn is now asking to discontinue that use.
- He is finalizing a contract with RDG Planning and Design for the update of a comprehensive land use development plan. It is updated once every 10 years and the last contract was in 2006.
- Bids are due on the Health Center eastern slope storm water project. It is part of the ongoing work at the Health center campus to remove storm water from the combined sewer.
- Commissioner Boyle asked if Environmental Services is helping with Elkhorn.
- Mr. Holm said he would have to look at it more specifically
- Commissioner Boyle said Elkhorn may have the ability to seek grant money.

The meeting adjourned at 11:54 A.M.