

# BOARD OF COUNTY COMMISSIONERS

## DOUGLAS COUNTY, NEBRASKA

TUESDAY, December 4, 2018

The Board was convened today at 9:04 a.m. and called to order by Chair Rodgers in the Legislative Chambers of the Omaha-Douglas Civic Center, 1819 Farnam, Omaha, NE. Advance notice of this publicly convened meeting was published in the Daily Record on November 23, 2018, and simultaneously transmitted to all members of the Board of Commissioners. Said notice contained the time and place of the meeting. Commissioners Mary Ann Borgeson, Michael Boyle, James Cavanaugh, Clare Duda, Marc Kraft, P. J. Morgan and Chris Rodgers were present.

Motion by Morgan, seconded by Boyle to approve the minutes of the Tri-County meeting held on Thursday, November 15, 2018, and the Board of Commissioners' meeting held on Tuesday, November 20, 2018 and claims submitted for payment processed through Tuesday, December 4, 2018. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion passed.

Item II. Motion by Duda, seconded by Boyle to approve the consent agenda:

- A. Resolution approving the appointment and fixing the compensation of Joseph P. Meyer as a Deputy County Attorney for Douglas County effective November 26, 2018. (Shakil A. Malik, Douglas County Attorney's Office)  
*(Laid over from Tuesday, November 20, 2018.)*
- B. Resolution approving the appointment and fixing the compensation of Joshua R. Woolf as a Deputy County Attorney for Douglas County effective November 26, 2018. (Shakil A. Malik, Douglas County Attorney's Office)  
*(Laid over from Tuesday, November 20, 2018.)*
- C. Jean Hartnett, Director, Douglas County Health Center – requests approval of the following:
  - 1. Resolution to approve the Master Dental Provider Agreement.
- D. Resolution approving contract renewal with Bonding and Technical Services, Inc. (\$41,200 – Budgeted) (Patrick Bloomingdale, CAO)
- E. Resolution to approve Manager Application for BALI BAR NAILS & SPA LLC dba BALI BAR NAILS & SPA (Liquor License #I-121090), 16821 Blondo St suite 101, Omaha, NE. 68116, for Jenny Nguyen, 14601 Hartman Ave, Omaha, NE, 68116, Douglas County.
- F. Resolution approving payment in the amount of Twenty-Five Thousand Dollars (\$25,000.00) in full settlement of the lawsuit against Douglas County, a political subdivision of the State of Nebraska, filed in the District Court of Douglas County Nebraska at Case No. CI 15-10452. (Budgeted) (Kristin M. Lynch, County Attorney's Office)

- G.** Resolution approving payment in the amount of Two Hundred Seventy-Five Thousand Dollars (\$275,000.00) in full Settlement of the lawsuit against Douglas County, a political subdivision of the State of Nebraska, filed in the District Court of Douglas County Nebraska at Case No. CI 16-6134. (Budgeted) (William E. Rooney III, County Attorney's Office)

Speaking regarding F. and G. were Commissioners Boyle and Cavanaugh and Deputy County Attorney Theresia Urich.

- H.** Annual Report on Distress Warrants issued. (Dennis Rookstool, Douglas County Treasurer's Office)
- I.** Dr. Adi Pour, Ph. D, Health Director – requests approval of the following:
1. Memorandum of Understanding from Nebraska Department of Health and Human Services regarding Nebraska Hepatitis Initiative.
  2. Agreement with Bellevue Public Schools regarding Metro Interagency Coordinating Council for Early Intervention services (\$865.49 - Budgeted).
  3. Agreement with Elkhorn Public Schools regarding Metro Interagency Coordinating Council for Early Intervention services (\$749.41 – Budgeted)
  4. Agreement with Ralston Public Schools regarding Metro Interagency Coordinating Council for Early Intervention services (\$289.65 – Budgeted)
- J.** Resolution to approve "Demand for Refunds." (\$490,962.27 – Budgeted) (Property Tax Division – Treasurer)
- K.** Resolution increasing the compensation of various Deputy County Attorneys for Douglas County effective December 3, 2018. (\$34,591 increase – Budgeted) (Shakil A. Malik, Douglas County Attorney's Office)
- L.** Daniel A. Esch, County Clerk, presenting claims of the following pursuant to the Nebraska Political Subdivisions Tort Claims Act (***refer to County's Risk Manager for review and determination***):
1. Robyn Sawyer
  2. Tim Manion
- M.** Eric J. Carlson, Purchasing Agent – Bid Acceptance:
1. TMS, Maxim Healthcare, Management Registry, Staff Today, AB Staffing, Assignment America, AMN, Worldwide, and Spur to provide Temporary Nursing Staff (DCHC and CMHC) in the estimated annual amount of \$500,000.00 (DCHC) and \$105,000.00 (CMHC). (Budgeted)
- N.** Payment of Tort Claim – Claimant – Tim Manion, damaged vehicle \$403.85, Department – Engineers. (Budgeted) (Darrel Neely, Administration)

Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion passed.

**IV.** Citizens Comments. Speaking were LaVon Stennis-Williams, Commissioners Boyle and Rodgers, Larry Storer, Commissioner James Cavanaugh, Pastor Bobby Loud, Rodney Evans, Patrick Taylor, Tiffany Duncan, Laura McCormick, Carole Zacek and Michaela Jackson.

**VI. Public Hearing: A.** (Class #C-122844 License (Beer, Wine & Distilled Spirits, On and Off Sale) for Soiree Room LLC dba Soiree Room, 7040 N 102<sup>nd</sup> Circle, OMAHA, Nebraska 68122 (DOUGLAS County) and Manager Application for Rosemary Apprich, 7600 Serum Ave, Ralston, NE, 68127. (**Action can be taken today.**)) The public hearing was opened at 9:47 a.m. Speaking were Nathan Newhouse, Commissioner Rodgers, Douglas County Clerk/Comptroller Dan Esch, Commissioners Borgeson, Duda and Boyle. The public hearing was closed at 9:52 a.m. Motion by Boyle to approve, second by Borgeson. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion passed.

Item **VII. A. 1.** (Budget report), accepted as presented. Speaking were Commissioners Boyle and Morgan.

Item **VII. C. 1.** (Juvenile Detention Alternatives Initiative (JDAI) quarterly data memo. (Commissioner Chris Rodgers, Chair)). Speaking were Commissioner Rodgers, Michelle Salter, Commissioners Boyle, Borgeson, Kraft and Duda, Laura McCormick and Larry Storer.

Item **VII. D. 1.** (Re-allocation of 2018-19 Visitor Improvement Fund grant award for 2019 Cinco de Mayo event. (Catherine Hall, Administration)). Speaking were Commissioners Rodgers, Kraft and Duda. Motion by Borgeson to approve, second by Kraft. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion passed.

Item **VII. G. 1.** (Weekly Personnel Report from Civil Service), accepted as submitted with no discussion.

Item **VII. G. 3.** (Resolution setting calendar year 2019 wage increases for various non-union county employees. (Budgeted) (Patrick Bloomingdale, CAO)). Speaking were Commissioner Rodgers, Chief Administrative Officer Patrick Bloomingdale, and Commissioner Morgan. Motion by Morgan, second by Boyle to have that be at 3% rather than 4 or 5. Yeas: Borgeson, Boyle, Kraft, Morgan. Nays: Cavanaugh, Duda, Rodgers. Motion by Boyle, second by Kraft to approve as amended. Yeas: Borgeson, Boyle, Cavanaugh, Kraft, Morgan, Rodgers. Nays: Duda. Motion Passed.

Motion to recess to Executive Session in order to protect the public interest with respect to discussion regarding litigation and negotiations at 11:05 a.m. by Boyle, second by Kraft. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion Passed.

Motion to reconvene and adjourn by Borgeson, second by Duda at 11:58 a.m. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion Passed.