

BOARD OF COUNTY COMMISSIONERS

DOUGLAS COUNTY, NEBRASKA

TUESDAY, November 20, 2018

The Board was convened today at 9:47 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 9, 2018, and simultaneously transmitted to all members of the Board of Commissioners. Said notice contained the time and place of the meeting. Commissioners James Cavanaugh, Clare Duda, Marc Kraft, P. J. Morgan and Chris Rodgers were present. Commissioner Mary Ann Borgeson and Michael Boyle were absent.

Motion by Morgan, seconded by Duda to approve the minutes of the Board of Commissioners meeting held Tuesday, October 30, 2018 and claims submitted for payment processed through Tuesday, November 27, 2018. Yeas: Cavanaugh, Duda, Kraft, Morgan, Rodgers. Absent: Borgeson, Boyle. Motion passed.

Item II. Motion by Duda, seconded by Kraft to approve the consent agenda less items E and F:

- A.** Resolution for Surplus Property. (Eric J. Carlson, Purchasing Agent)
- B.** Tom Doyle, Douglas County Engineer – requests approval of the following:
 - 1.** No Parking sign in the Quail Run Valley Subdivision SID 506.
 - 2.** Traffic Control Devices in the Sagewood Valley, SID No. 582.
 - 3.** Traffic Control Device, STOP and SPEED LIMIT in SID No. 455 – Indian Creek Business Park.
 - 4.** Approve payment to in the amount of \$341,310.78 for emergency concrete panel replacement on South 144th Street - Pacific to West Dodge Road originally estimated at \$225,000.00. (\$341.310.78 - Budgeted)
 - 5.** Acquisition Services Contract with Liberty Core Consultants, LLC to negotiate and acquire property needed for Project C-28(434) Phase I. The fee for these services will be \$20,610, 80% of which will be eligible for federal aid. (\$20,610 -Budgeted)
 - 6.** Acquisition Services Contract with Midwest Right of Way to negotiate and acquire property needed for Project C-28(434) Phase II. The fee for these services will be \$24,600.00, 80% of which will be eligible for federal aid. (\$24,600.00 - Budgeted)
- C.** Resolution approving Stop-Loss Coverage with Blue Cross Blue Shield with a \$550,000 deductible for the 2019 plan year. (Budgeted) (Diane Carlson, Deputy County Administrator) Speaking were Commissioners Kraft and Morgan, and Deputy County Administrator Diane Carlson.

- D.** Eric J. Carlson, Purchasing Agent – Bid Acceptances:
1. Midwest Storage Solutions to provide File Folders for (County Court) in the amount of \$20,530.16. (Budgeted)
 2. Hiland Dairy Foods Company, LLC to provide Dairy Products in the amount of \$95,798.93 (\$100,000.00 is budgeted)
 3. Cornhusker State Industries to provide Laundry Services for Douglas County Health Center and Douglas County Youth Center in the amount of \$396,360. (Budgeted)
- ~~**E.** Resolution approving the appointment and fixing the compensation of Joseph P. Meyer as a Deputy County Attorney for Douglas County effective November 26, 2018. (\$65,000 – Budgeted) (Shakil A. Malik, Douglas County Attorney's Office)~~
- ~~**F.** Resolution approving the appointment and fixing the compensation of Joshua R. Woolf as a Deputy County Attorney for Douglas County effective November 26, 2018. (\$65,000 – Budgeted) (Shakil A. Malik, Douglas County Attorney's Office)~~
- G.** Approval of Monthly Fee Report (August, 2018). (Daniel A. Esch, Douglas County Clerk/Comptroller)
- H.** Approve Special Designated Liquor License for Kelcey's of Waterloo, (License #102356), 2529 River Road Drive, Waterloo, NE, 68069, for Junk Stock Christmas Fair with Santa event to be held 12-7-18, 8am to 10:30pm, 12-8-18, 8am to 8:30pm and 12-9-18, 8am to 8pm, at 1150 River Road Dr, Waterloo, NE, 68069.
- I.** Resolution authorizing a temporary transfer of budget funds to the Fees & Contracts Organization from the Environmental Services Department. (\$550,000 – Not Budgeted) (Joe Lorenz, Finance Director) Speaking were Commissioner Cavanaugh and Fiscal Administrator Joe Lorenz.
- J.** Resolution approving the appointment of Ryan Lindberg and Timothy O'Malley to the Douglas County Retirement Plan Committee. (Joe Lorenz, Director of Finance and Budget) Speaking were Commissioner Cavanaugh and Fiscal Administrator Joe Lorenz.
- K.** Approve payment of additional tax assessment for 2015, 2016, and 2017 to the IRS and Nebraska Department of Revenue. (\$549,000.48 plus no more than \$75,000 – Not Budgeted) (Shane Eben Strong, Douglas County Attorney's Office) Speaking were Commissioner Cavanaugh and Fiscal Administrator Joe Lorenz.
- L.** Resolution accepting the 2018 Office of Juvenile Justice and Delinquency Prevention (OJJDP) Nonparticipating State Grant award. (Carrie Davis, Grant Coordinator) Speaking were Commissioners Cavanaugh and Rodgers, and Grant Coordinator Carrie Davis.

- M.** Approval of grant award from the Sherwood Foundation in the amount of \$7,000 for the Douglas County Juvenile Justice stakeholder team to host National Runaway Safeline Train the Trainer training. (Not Budgeted) (Janee Pannkuk, OYS) Speaking were Commissioner Cavanaugh and Janee Pannkuk.
- N.** Resolution reappointing Jude Lui and Lenny Swanger to the Douglas County Audit Committee. (Commissioner Chris Rodgers, Chair) Speaking were Commissioners Cavanaugh and Kraft, Fiscal Administrator Joe Lorenz, and Commissioner Rodgers.
- O.** Dr. Adi M. Pour, Ph.D., Director, Douglas County Health Center – requests approval of the following:
- 1.** Amendment One to the Agreement from Nebraska Department of Agriculture regarding Laboratory assistance and prevention of food contaminants. (Grant Funded - Budgeted)
 - 2.** Agreement with Creighton University College of Nursing regarding planned and supervised clinical experience for nursing students. (Grant Funded - Budgeted)
 - 3.** Agreement from Nebraska Department of Health & Human Services, Division of Public Health re accreditation (\$13,000.00 - Grant Funded – Budgeted)
- P.** Sherry Glasnapp, Director, Community Mental Health Center – requests approval of the following:
- 1.** Resolution approving NThrive Revenue Systems, LLC Master Agreement between Douglas County Health Center.
 - 2.** Resolution to approve Second Addendum to contract for All Midlands Health Services, Inc. staffing services for Douglas County Health Center and Community Mental Health Center. (Budgeted)
- Q.** Resolution increasing the compensation of various Deputy County Attorneys for Douglas County effective November 19, 2018. (\$27,764 increase – Budgeted) (Shakil A. Malik, Douglas County Attorney’s Office)
- R.** Resolution increasing the compensation of various Deputy County Attorneys for Douglas County effective November 19, 2018. (\$16,669 – Grant Funded – Budgeted) (Shakil A. Malik, Douglas County Attorney’s Office)
- S.** Resolution increasing the compensation of Molly B. Keane as a Deputy County Attorney for Douglas County effective November 5, 2018. (Shakil A. Malik, Douglas County Attorney’s Office)
- T.** Resolution to deny “Demand for Refunds.” (Property Tax Division – Treasurer)
- U.** Resolution to approve “Demand for Refunds.” (\$44,550.62 – Budgeted) (Property Tax Division – Treasurer)

- V. Resolution approving a Memorandum of Understanding between Douglas County and the Fraternal Order of Police, Lodge #8, ('F.O.P. 8') representing covered Douglas County Department of Corrections employees. (Marcos San Martin, County Administration)
- W. Resolution approving a "best and final offer" to the Employees United Labor Association union, representing covered non-supervisory employees within the elected offices of Douglas County Clerk/Comptroller's Office, Assessor/Register of Deeds, and the County Department of General Assistance ("EULA-GENERAL") in pursuit of a four-year collective bargaining agreement for period Jan 1, 2018 through December 31, 2021. (Marcos San Martin, County Administration)
- ~~X. Resolution approving a 'best and final offer' to Local #554 International Brotherhood of Teamsters, General Drivers & Helpers union, representing covered non-supervisory, general employees within the elected office of Douglas County Engineer and separate Douglas County Departments of Purchasing and the Department of Environmental Services ("554-GENERAL") in pursuit of a four-year collective bargaining agreement for period Jan 1, 2017 through December 31, 2020. (Marcos San Martin, County Administration)~~
- Y. Resolution approving a 'best and final offer' to the International Union of Operating Engineers, Local #571, for non-supervisory classifications within the elected offices of Clerk of the District Court, Sheriff, and Treasurer, and the departments of Public Properties (Records Imaging Division), Purchasing, Tourism and Veterans Services ("571-GENERAL") in pursuit of a four-year collective bargaining agreement for period Jan 1, 2018 through December 31, 2021. (Marcos San Martin, County Administration)
- Z. Daniel A. Esch, County Clerk, presenting claim of the following pursuant to the Nebraska Political Subdivisions Tort Claims Act (***refer to County's Risk Manager for review and determination***):
 - 1. Joel E Karas
- AA. Set Public Hearing date for **Tuesday, December 4, 2018, at 9:00 a.m.** for:
 - 1. Class #C-122844 License (Beer, Wine & Distilled Spirits, On and Off Sale) for Soiree Room LLC dba Soiree Room, 7040 N 102nd Circle, OMAHA, Nebraska 68122 (DOUGLAS County) and Manager Application for Rosemary Apprich, 7600 Serum Ave, Ralston, NE, 68127.

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

IV. Citizens Comments. Speaking were Larry Storer, Luis Jimenez and Duwayne Hayes.

Item VII. A. 1. (Budget report), accepted as presented with no discussion.

Item **VII. B. 1.** (Presentation regarding Administrative Services Committee's Juvenile Justice Center and Youth Center Proposal. (Commissioner James Cavanaugh)). Speaking were Commissioners Rodgers and Cavanaugh, Bruce Carpenter with HDR, Commissioners Morgan and Duda. Five minute recess taken at 11:13 a.m. with no action. The Board reconvened at 11:17 a.m. with no action. Speaking were Commissioners Rodgers, Duda and Kraft, Luis Jimenez, Bob Perrin, Larry Storer, Duwaune Hayes and Norma Le Clerc.

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

Motion to recess to Executive Session in order to protect the public interest with respect to discussion regarding negotiations, litigation and real estate at 11:47 a.m. by Kraft, second by Morgan. Yeas: Cavanaugh, Duda, Kraft, Morgan, Rodgers. Absent: Borgeson, Boyle. Motion Passed.

Motion to reconvene and adjourn by Duda, second by Kraft at 12:36 p.m. Yeas: Cavanaugh, Duda, Kraft, Rodgers. Absent: Borgeson, Boyle, Morgan. Motion Passed.