

BOARD OF COUNTY COMMISSIONERS

DOUGLAS COUNTY, NEBRASKA

TUESDAY, September 11, 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 August 31, 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, James Cavanaugh, Clare Duda, Marc Kraft and Chris Rodgers were present. Commissioners Michael Boyle and P. J. Morgan were absent.

III. Recognition/Proclamations:

C. (Resolution recognizing **One World Community Health Centers, Inc.** for recently being named both a National Quality Leader and a Health Center Quality Leader by the Health Resources and Service Administration. (Commissioner Mike Boyle)) Speaking were Commissioner Rodgers and Joel Dougherty. Motion to approve by Borgeson, second by Duda. Yeas: Borgeson, Cavanaugh, Duda, Kraft, Rodgers. Absent: Boyle, Morgan. Motion passed.

Motion to approve the following by Borgeson, second by Duda:

A. (Recognition of the following County Employee retired: **Patricia Adams** has retired from the Douglas County Attorney Office after 19 years of service. (Karen Buche, Civil Service/HR))

B. (Recognition of the following County Employee retired: **Anne Hurley** has retired from Douglas County Register of Deeds after 19 years of service. (Karen Buche, Civil Service/HR))

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

Motion by Borgeson, seconded by Kraft to recess the Board of Commissioners at 9:08 a.m. and go in to the Board of Equalization meeting. Yeas: Borgeson, Cavanaugh, Duda, Kraft, Rodgers. Absent: Boyle, Morgan. Motion passed.

Motion by Kraft, seconded by Borgeson to reconvene the Board of Commissioners meeting at 10:30 a.m. Yeas: Borgeson, Duda, Kraft, Rodgers. Absent: Boyle, Cavanaugh, Morgan. Motion passed.

Five minute recess taken at 10:30 a.m. with no action.

The Board reconvened at 10:35 a.m. with no action.

Motion by Duda, seconded by Kraft to approve the minutes of the Board of Commissioners meeting held Tuesday, August 28, 2018 and claims submitted for payment processed through Tuesday, September 11, 2018. Yeas: Borgeson, Cavanaugh, Duda, Kraft, Rodgers. Absent: Boyle, Morgan. Motion passed.

Motion by Borgeson, second by Kraft to layover item **II.E.** (Extension of Inmate Telephone Services Agreement between Douglas County Department of Corrections and Global Tel*Link, Corporation. (Budgeted) (Debbie Otwell, Corrections) for one week. Yeas: Borgeson, Cavanaugh, Duda, Kraft, Rodgers. Absent: Boyle, Morgan. Motion passed.

Item **II.** Motion by Duda, seconded by Kraft to approve the consent agenda, less items E and A.2.:

- A.** Eric Carlson, Purchasing Agent – Bid Acceptances:
 - 1. Office Interiors and Design to provide 911 Communications Center Furniture in the amount of \$83,626.00. (Budgeted)
 - 2. ~~Correct Care Solutions to provide Douglas County Department of Corrections – Comprehensive Inmate Health and Mental Health Services. The anticipated yearly cost based on 1,250 inmates is approximately \$6,250,683.05. (Budgeted)~~ Speaking were Commissioners Cavanaugh, Rodgers, Borgeson and Kraft.
- B.** Resolution approving the appointment and fixing the compensation of Sarah E. Marfisi as a Deputy County Attorney for Douglas County effective September 10, 2018. (\$67,775 – Budgeted) (Shakil A. Malik, Douglas County Attorney's office)
- C.** Sherry Glasnapp, Director, Community Mental Health Center – requests approval of the following:
 - 1. Resolution approving Creighton University Social Work Program for use of site facility for students to perform their Senior Social Work practicum.
 - 2. Resolution approving the (BCBS) Blue Cross and Blue Shield of Nebraska Addendum Agreement.
- D.** Resolution accepting VOCA grant award to the Douglas County Attorney Victim Assistance Program 2018. (\$20,009 – Grant Funded – Budgeted) (Shakil A. Malik, Douglas County Attorney's office)
- E.** ~~Extension of Inmate Telephone Services Agreement between Douglas County Department of Corrections and Global Tel*Link, Corporation. (Budgeted) (Debbie Otwell, Corrections)~~ Speaking were Commissioner Cavanaugh and Deputy County Attorney Theresia Urich.
- F.** Payment of Tort Claim – Claimant – James Cooper, damage to mobile home \$500.00, Department – Sheriff. (Budgeted) (Darrel Neely, Administration)
- G.** Approve Special Designated Liquor License for Kelcey's of Waterloo, (License #102356), 2529 River Road Drive, Waterloo, NE, 68069, for Junk Stock event

to be held 9-28-18, 10am to 10pm, 9-29-18, 8am to 10pm and 9-30-18, 8am to 8pm, at 1150 River Road Dr, Waterloo, NE, 68069

- H. Approval of Monthly Fee Report (July, 2018). (Daniel A. Esch, Douglas County Clerk/Comptroller)
- I. Tom Doyle, County Engineer, requests approval of the following:
 - 1. Interlocal Agreement with Sanitary & Improvement District No. 561 for County Project No. C-28(573), Fort Street Improvements 208th Street to 212th Street. (\$112,657.00 – Budgeted)
 - 2. Amendment to Interlocal Agreement with Sanitary & Improvement District's No. 563 and 567 for County Project No. C-28(539), 168th Street Improvements between HWS Cleveland Blvd and Potter Street. (\$223,466.00 – Budgeted)
- J. Approve a shared use agreement between Douglas County and the city of LaVista to provide a seized assets vehicle to the Sarpy Douglas Law Enforcement Academy. (Budgeted) (Tom Wheeler, Sheriff's Office)
- K. Resolution for Surplus Property. (Eric J. Carlson, Purchasing Agent)
- L. Approval of Quit Claim deeds transferring parcels from Douglas County to the Pappio-Missouri River Natural Resources District. (Kent Holm, Environmental Services)
- M. Annual Report on Distress Warrants uncollected by Sheriff. (Treasurer)
- N. Dr. Adi Pour, Ph.D., Health Director – requests approval of the following:
 - 1. Agreement with Nebraska Department of Health and Human Services regarding the 2018 Arboviral Surveillance program. (\$16,513 – Grant Funded – Budgeted)
 - 2. Agreement with Nebraska Department of Health and Human Services regarding the Regional City Readiness Initiative Plan. (\$71,711 – Grant Funded – Budgeted)
 - 3. Amendment 2 to the Agreement with Nebraska Department of Health and Human Services regarding the HIV Counseling and Testing, and Partner Counseling and Referral Services. (\$60,494.30 – Grant Funded – Budgeted)
- O. Resolution to approve “Demand for Refunds.” (\$538,555.28 – Budgeted) (Property Tax Division – Treasurer)
- P. Resolution to amend the County's Flexible Spending Account Plan to allow County employees to contribute up to the maximum IRS allowable amount. (Diane M. Carlson, Deputy County Administrator)
- Q. Set Public Hearing for **Tuesday, September 25, 2018, at 9:00 a.m.** for:
 - 1. The adoption of the Douglas County Comprehensive Development Plan. (Kent Holm, Environmental Services) Speaking were Kent Holm and Commissioner Cavanaugh.

Yeas: Borgeson, Cavanaugh, Duda, Kraft, Rodgers. Absent: Boyle, Morgan. Motion to approve the consent agenda less items E and A.2. passed.

Item **II.A.** Eric Carlson, Purchasing Agent – Bid Acceptances **2.** (Correct Care Solutions to provide Douglas County Department of Corrections – Comprehensive Inmate Health and Mental Health Services. The anticipated yearly cost based on 1,250 inmates is approximately \$6,250,683.05. (Budgeted)). Speaking were Captain Mary Earley, Commissioner Cavanaugh, Chief Administrative Officer Patrick Bloomingdale, Commissioner Rodgers, Purchasing Agent Eric Carlson and Commissioner Kraft Motion by Borgeson, second by Duda to approve. Yeas: Borgeson, Duda, Kraft, Rodgers. Nays: Cavanaugh. Absent: Boyle, Morgan. Motion passed.

IV. Citizens Comments: Speaking were Commissioner Rodgers, Tyler Wilson, Bob Perrin, Mark Vondrasek, Sharon Martin, Brian Smith, Larry Storer, Norma Laclair, Maria Fernandez, Nicole Laclair and Carole Zacek.

VI. Public Hearing: **A.** (Hearing to set the Final Tax Rate for 2018/2019. (Joe Lorenz, Director of Budget & Finance) (**Action can be taken today.**)) The public hearing was opened at 11:57 a.m. Speaking were Commissioner Rodgers, Joe Lorenz, Commissioners Kraft, Cavanaugh and Borgeson, Chief Administrative Officer Patrick Bloomingdale, Douglas County Clerk/Comptroller Dan Esch and Deputy County Attorney Theresa Urich. The public hearing was closed at 12:29 p.m.

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

Speaking regarding agenda item **VI.A.** were Commissioners Rodgers and Cavanaugh, Joe Lorenz, Chief Administrative Officer Patrick Bloomingdale and Deputy County Attorney Theresa Urich.

Motion by Cavanaugh to reduce by .059 making it a flat 28 cents. There was no second to the motion.

Motion to approve item **VI.A.** by Borgeson, second by Duda. Yeas: Borgeson, Duda, Kraft, Rodgers. Nays: Cavanaugh. Absent: Boyle, Morgan. Motion passed.

Item **VII. A. 2.** (Approval of resolution setting preliminary tax rates for miscellaneous sub-divisions as provided by Nebraska Rev. Statute 77-3443. (Joe Lorenz, Budget and Finance Director)). Speaking was Joe Lorenz. Motion to approve by Duda, second by Kraft. Speaking was Commissioner Cavanaugh. Amendment to this resolution and the previous resolution by Cavanaugh to use part of the excess that this will generate to Douglas County to fund unfunded liabilities, particularly in our pension system. Speaking were Commissioner Rodgers and Joe Lorenz. There was no second to the motion. Amendment by Cavanaugh to do the same using the surplus generated by these mill levies to prefund the juvenile justice center using an assigned fund as long as the juvenile justice center doesn't take anything by eminent domain. There was no second to the motion. Yeas: Borgeson, Cavanaugh, Duda, Kraft, Rodgers. Absent: Boyle, Morgan. Motion passed.

Item **VII. B. 1.** (Administrative Services) Speaking was Commissioner Cavanaugh.

Item **VII. C. 1.** (Child and Youth Services) Speaking was Commissioner Rodgers.

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

Item **VII. G. 3.** (Approval of Resolution allowing First Concord Benefits Group to provide to County employees educational sessions regarding Medicare. (Commissioner Mary Ann Borgeson). Speaking were Commissioner Borgeson, President of First Concord Benefits Group Jim Daubert, Amy Begley and Executive Director of NACO Larry Dix. Motion to approve by Borgeson, second by Duda. Yeas: Borgeson, Duda, Kraft, Rodgers. Absent: Boyle, Cavanaugh, Morgan. Motion passed.

Item **VII. G. 4.** (Resolution increasing the percentage of contribution paid by retirees to the County's Retiree Medical Insurance Plan, effective January 1, 2019. (Budgeted) (Diane M. Carlson, Deputy County Administrator)). Speaking were Commissioner Duda and Deputy County Administrator Diane Carlson. Motion to approve by Duda, second by Borgeson. Yeas: Borgeson, Duda, Kraft, Rodgers. Absent: Boyle, Cavanaugh, Morgan. Motion passed.

Item **VII. G. 5.** (Resolution increasing the County's medical insurance premiums by 7.5% effective January 1, 2019. (Budgeted) (Diane M. Carlson, Deputy County Administrator)). Speaking was Deputy County Administrator Diane Carlson. Motion to approve by Borgeson, second by Duda. Speaking regarding the previous vote were Commissioners Cavanaugh and Rodgers. Yeas: Borgeson, Duda, Kraft, Rodgers. Nays: Cavanaugh. Absent: Boyle, Morgan. Motion passed.

Point of privilege by Commissioner Cavanaugh. Commissioner Cavanaugh requested his vote on item VII.G.4. be recorded as no. Speaking were Douglas County Clerk/Comptroller Dan Esch, Deputy County Attorney Theresa Urich and Commissioner Rodgers. Clerk/Comptroller Esch indicated that Commissioner Cavanaugh was "absent" during the vote on the item, the minutes reflect that Commissioner Cavanaugh stated upon his return that he would have voted "Nay" if he had been present.

Motion to recess to Executive Session in order to protect the public interest with respect to discussion regarding litigation at 12:46 p.m. by Borgeson, second by Duda. Yeas: Borgeson, Cavanaugh, Duda, Kraft, Rodgers. Absent: Boyle, Morgan. Motion Passed.

Motion to reconvene and adjourn by Duda, second by Rodgers at 1:10 p.m. Yeas: Borgeson, Cavanaugh, Duda, Kraft, Rodgers. Absent: Boyle, Morgan. Motion Passed.