

BOARD OF COUNTY COMMISSIONERS

DOUGLAS COUNTY, NEBRASKA

TUESDAY, July 24, 2018

The Board was convened today at 10:41 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 July 13, 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 Boyle, seconded by Kraft to approve the minutes of the Board of Commissioners meeting held Tuesday, July 10, 2018. Douglas County Clerk/Comptroller Dan Esch stated that we would do a voice vote [as the voting system does not work]. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion passed.

Motion by Boyle, seconded by Kraft to approve claims submitted for payment processed through Tuesday, July 24, 2018. Speaking was Douglas County Clerk/Comptroller Dan Esch. Speaking to their abstentions were Commissioners Cavanaugh and Morgan. Yeas: Borgeson, Boyle, Duda, Kraft, Rodgers. Abstain: Cavanaugh, Morgan. Motion passed.

Item II. Motion by Duda, seconded by Boyle to approve the consent agenda less items G and M2:

- A. Resolution to renew agreement with Region 6 Behavioral Healthcare in regards to funding for the County's detoxification services. (\$412,376 over 2 years - Budgeted) (Patrick Bloomingdale, CAO)
- B. Eric Carlson, Purchasing Agent – Bid Acceptances:
 - 1. Shared Services Systems to provide Soap and Hand Sanitizer to Douglas County Health Center in the amount of \$20,838.00. (Budgeted)
 - 2. Prestige Construction, Inc. to provide Douglas County Extension Office Restroom Renovation in the amount of \$108,800.00. (Budgeted)
- C. Resolution authorizing the Chair to allow the Department of General Assistance to continue partnering with the Cross Training Center under the newly revised Community Service Agreement. (Deb Redding, General Assistance)
- D. Sherry Glasnapp, Director, Community Mental Health Center – requests approval of the following:
 - 1. Resolution approving the nThrive Revenue Systems, LLC. mutual nondisclosure agreement.
 - 2. Resolution approving the (BCBS) Blue Cross and Blue Shield of Nebraska Provider Agreement.

- E.** Approve Special Designated Liquor License for Willow Springs Bottling Co. Inc., DBA Cornhusker Beverage Mart, 8510 K Street, Omaha, NE 68127 Douglas County #1, for a Street of Dreams Tent, Open House event to be held August 9, 2018 (alternate date: August 10, 2018), 4:00 PM to 11:00 PM, at 21340 A Street, Omaha, Nebraska 68022, Douglas County.
- F.** Approve Special Designated Liquor License for Sammy's Superheroes Foundation, 2002 23rd St, Columbus, NE, 68601, for a Fund Raiser event to be held September 9, 2018, 3:00 PM to 6:00 PM, at Village Point Toyota, 18201 Cuming St, Elkhorn, NE, 68022.
- G.** ~~Resolution approving the purchase of Douglas County Liability insurance policies. (\$1,058,639.44 – Budgeted) (Darrel Neely, Administration)~~ Item will be brought back next week.
- H.** Tom Doyle, Douglas County Engineer – requests approval of the following:
1. Motion to amend a typographical error on Resolution 378 adopted June 5, 2018 approving the Award of Contract for Project C-28(474)D to Bayshore Contractors, LLC in the corrected amount of \$414,472.75.
- I.** Extension of agreement between Omaha-Douglas Public Building Commission and the Douglas County Sheriff to provide security to the Public Building Commission. (\$1,401,665 - Budgeted) (Captain Eric Sellers, Sheriff's office)
- J.** Resolution to approve a shared expense agreement between Douglas County, the City of Omaha and Sarpy County for the Motorola Premiere CAD and Premiere MDC system. (\$20,639.69 – Budgeted) (Tom Wheeler, Sheriff's office)
- K.** Payment of Tort Claim – Claimant – Lori Schmidt, paint on vehicle \$150.00, Department – Engineers. (Budgeted) (Darrel Neely, Administration)
- L.** Resolution to approve "Demand for Refunds" (\$9,814.02 – Budgeted) (Property Tax Division – Treasurer)
- M.** Dr. Adi Pour, Ph.D., Health Director – requests approval of the following:
1. Agreement with Lutheran Family Services regarding communication services. (\$12,000.00, Grant Funded – Budgeted)
 - ~~2. Agreement with Charles Drew Community Health Center regarding Omaha Healthy Start program for referrals. (\$48,025.70, Grant Funded – Budgeted)~~
 3. Memorandum of Understanding with OneWorld Community Health Center regarding Chronic Diseases (1422) and the National Diabetes Prevention Program.
 4. Amendment two to the Agreement from Nebraska Department of Health & Human Services regarding Women, Infants, and Children supplemental nutrition program for increase of funds. (\$3,181,448.00, Grant Funded – Budgeted)

5. Amendment One to the Agreement with CoCreative Labs to extend the end date of the current contract from July 31, 2018 to September 30, 2018. (\$5,000.00, Grant Funded – Budgeted)
 6. Amendment One to the Agreement with the University of Nebraska Medical Center College of Public Health to extend the end date of the current contract from July 31, 2018 to September 30, 2018. (\$5,985.00, Grant Funded – Budgeted)
 7. Amendment One to the Agreement with FrameWorks Institute to extend the end date of the current contract from July 31, 2018 to September 30, 2018. (\$35,000.00, Grant Funded – Budgeted)
 8. Agreement with the Women’s Fund of Omaha regarding Sexually Transmitted Diseases prevention efforts expansion. (\$891,635.00, Grant Funded – Budgeted)
 9. Amendment to the Agreement from Nebraska Department of Health & Human Services Division of Public Health regarding Sexually Transmitted Diseases Prevention Program fund increase. (\$59,831.00, Grant Funded – Budgeted)
- N. Approve Special Designated Liquor License for Tara Enterprise LLC/Donohues, 3232 L Street, Omaha, NE, 68107, for Dog Daze of Summer Festival (gathering of dogs) event to be held August 26, 2018, Noon to 6:00 PM, at River West Park, 23301 West Maple Road, Elkhorn, NE, 68022.
- O. Deny contract claim filed pursuant to Neb. Rev. St. § 23-135: Contract claim from Douglas County Corrections Officer, Ryan Foster, by Fraternal Order of Police Lodge #8. (Sandra Connolly, County Attorney’s office)
- P. 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. James Bergman
 2. Lori Schmidt
- Q. Set Public Hearing for **Tuesday, August 7, 2018, at 9:00 a.m. for:**
1. **A Special Use Permit application submitted by D & K Leasing (owner) and American Tower (attorney in fact for the property owners):** A Special Use Permit request to add Verizon antennas on an existing tower and place equipment on the ground in the NE1/4 (approximately 16.5 acres – parcel # 0112910009) in Section 13-Township 16 North-Range 10 East of the Sixth P.M. Address: 20901 Bennington Road. (Doug Cook, Environmental Services)

Speaking regarding items in the consent agenda were Commissioner Boyle, Purchasing Agent Eric Carlson, Commissioner Duda and Doug Cook of Environmental Services.

Speaking regarding the voting system not working and clarification of the vote was Douglas County Clerk/Comptroller Dan Esch.

Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion to approve the consent agenda less items G and M2 passed.

Motion by Duda, second by Boyle to approve item **II.M.2.** (Agreement with Charles Drew Community Health Center regarding Omaha Healthy Start program for referrals. (\$48,025.70, Grant Funded – Budgeted) Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan. Abstain: Rodgers. Motion passed.

III. Recognition/Proclamations:

A. (Recognition of the following County employee retired: Coleen Brudny has retired from Douglas County Health Center after 29 years of service. (Karen Buche, Civil Service/HR))

B. (Recognition of the following County employee retired: **David Chamberlain** has retired from Douglas County Department of Corrections after 28 years of service. (Karen Buche, Civil Service/HR))

Motion to approve by Kraft, second by Morgan. Speaking were Commissioners Rodgers, Borgeson and Cavanaugh. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion passed.

IV. Citizens Comments. Speaking were LaVon Stennis-Williams, Larry Storer, Commissioner Cavanaugh, Gail Lokey, State Senator Ernie Chambers, Douglas County Clerk/Comptroller Dan Esch, Rachel Pinkerton and Brian Smith.

VI. Public Hearings:

A. (A farmstead lot split application for a preliminary plat for Frank A. and Carolyn M. Vencil: A farmstead lot split preliminary plat of proposed Lot 1 of F & C Subdivision One, a one-lot subdivision in the NW1/4 NW1/4 of Section 5-Township 14 North-Range 10 East of the Sixth P.M. (address: 4201 S. 264th Street). (Doug Cook, Environmental Services) **(Action can be taken today.)**

B. (A farmstead lot split application for a final plat for Frank A. and Carolyn M. Vencil: A farmstead lot split final plat of proposed Lot 1 of F & C Subdivision One, a one-lot subdivision in the NW1/4 NW1/4 of Section 5-Township 14 North-Range 10 East of the Sixth P.M. (address: 4201 S. 264th Street). (Doug Cook, Environmental Services) **(Action can be taken today.)**

C. (A rezoning request application for Frank A. and Carolyn M. Vencil: A rezoning request, from AG Agricultural to RR-2 Rural Residential with Individual Services, of Lot 1 of F & C Subdivision, a one-lot subdivision, in the NW1/4 NW1/4 of Section 5-Township 14 North-Range 10 East of the Sixth P.M. (address: 4201 S 264th Street). (Doug Cook, Environmental Services) **(Action can be taken today.)**

The public hearings were opened at 11:29 a.m. Speaking were Commissioner Rodgers, Doug Cook and Commissioner Duda. The public hearings were closed at 11:34 a.m.

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

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

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

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

Item **VII. B. 1.** (Approve annual GIS interlocal with MAPA. (\$0 - Budgeted) (Michael Schonlau, GIS)). Speaking was Commissioner Cavanaugh. Motion by Cavanaugh, second by Boyle to approve. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion passed.

Item **VII. D.** (Community Services). Speaking were Commissioners Kraft, Duda and Borgeson.

Item **VII. E.** (Criminal Justice: *Tuesday, July 10, 2018, Criminal Justice Committee Meeting Minutes). Speaking was Commissioner Rodgers.

Item **VII. B.** (Administrative Services). Speaking were Commissioners Cavanaugh, Boyle and Morgan.

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

Item **VII. G. 2. a.** (Other legislation) Speaking were Commissioners Rodgers and Boyle.

Motion to recess to Executive Session in order to protect the public interest with respect to discussion regarding litigation, personnel and real estate at 11:46 a.m. by Boyle, second by Duda. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion Passed.

Motion to reconvene and adjourn by Morgan, second by Kraft at 12:40 p.m. Yeas: Borgeson, Boyle, Duda, Kraft, Morgan, Rodgers. Absent: Cavanaugh. Motion Passed.