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# **Final Agenda**

**BOARD OF COUNTY COMMISSIONERS  
DOUGLAS COUNTY, NEBRASKA**

**TUESDAY, January 13, 2009  
LEGISLATIVE CHAMBER, OMAHA-DOUGLAS CIVIC CENTER  
1819 FARNAM, OMAHA, NE**

**9:00 a.m.**

*--A copy of the Open Meetings Act is located on the north wall of the Legislative Chambers--*

Pledge of Allegiance

Invocation or Reflections or Opening Remarks: Commissioner Chris Rodgers, District #3

**MR. THOMAS F. CAVANAUGH, COUNTY CLERK**

Call to order.

Roll Call

- A.** Election of Chair of the Board of Commissioners for ensuing year.

**CHAIR:**

- B.** Election of Vice Chair of the Board of Commissioners for ensuing year.

Recess

**AGENDA**  
**FOR**  
**DOUGLAS COUNTY BOARD OF EQUALIZATION**

Roll Call

- A. Approval of the minutes of the Board of Equalization meeting held Tuesday, December 9, 2008. [\(See Attached\)](#)
- B. Call for a meeting and set **Tuesday, January 27, 2009**, as date for hearing on Certified Assessment Corrections reflecting the addition of omitted property to the tax rolls or increased value on property.
- C. **CITIZENS COMMENTS:** *Guests present in the Chamber, members of the public. Speakers to be heard at this time for a maximum of 3 minutes on any topic not on the agenda.*

**RESOLUTIONS:**

- D. Approving corrections for errors in assessment in Personal Property. [\(See Attached\)](#)
- E. Certified Assessment Correction reflecting a correction in the values and approval:  
[\(See Attached\)](#)

CAC 81243	Tracy Cole c/o Chris Kuehl	Mobile Home Park closed. 2007 value did not get removed.
CAC 81244	Mary C. Conway	Common area swimming pool assessed on this property in error.
CAC 81245	Earl Barkhurst	Land and Improvement value both increased 100%. Should be no change from 2007.
CAC 81246	Judy King	2008 value was not removed when new key number was created due to sale.
CAC 81247	Bernard L. Shirk	2008 value was not removed when new key number was created due to sale.
CAC 81248	Northern Natural Gas Company	This property is being reported to the State of Nebraska as a utility.
CAC 81249	Roberta K. Robinson	Mobile home sold 5-23-07 and is on new key number. 2008 value was not removed from this key number when new number was created.
- F. Resolution approving clerical errors for the 2008 Board of Equalization hearings.  
(Clerk/Comptroller) [\(See Attached\)](#)
- G. Approving Secretary of Housing and Urban Development and Veterans Affairs owned properties. [\(See Attached\)](#)

Secretary of Housing and Urban Development  
Veterans of Foreign Affairs

- H. Approving Government owned properties. (2 resolutions) [\(See Attached\)](#)  
Douglas County School  
Millard School District  
City of Omaha  
Douglas County School District 0001  
Metropolitan Utilities District  
U.S. Dept. of Agriculture  
Village of Waterloo
- I. Approving application for tax exemptions on motor vehicles recommended for approval by the County Treasurer. [\(See Attached\)](#)

**PERSONAL PROPERTY PENALTY PROTEST:**

- J. Protest of Penalty on Personal Property for Lakeside Ambulatory Surgery Center (ASC), 17030 Lakeside Hills Plaza, Suite 110, Omaha, NE, 68130. [\(See Attached\)](#)

**HOMESTEAD EXEMPTION PROTESTS:**

- K. Protest of homestead exemption for Henry Harris, 3539 N. 37 St., Omaha, NE 68111. [\(See Attached\)](#)
- L. Protest of homestead exemption for Marjorie Polito, 3326 S. 91 St., Omaha, NE 68124. [\(See Attached\)](#)

ADJOURN

**AGENDA**  
**FOR**  
**DOUGLAS COUNTY BOARD OF CORRECTIONS**  
*(Immediately following the conclusion of the Board of Equalization meeting)*

Roll Call

1. Approval of the minutes of the Board of Corrections' meeting held Tuesday, December 9, 2008. [\(See Attached\)](#)
2. **CITIZENS COMMENTS:** *Guests present in the Chamber, members of the public. Speakers to be heard at this time for a maximum of 3 minutes on any topic not on the agenda.*
3. Report from the Director of Corrections. [\(See Attached\)](#)

ADJOURN

*--After the Douglas County Board of Commissioners' meeting today,  
the Board of Corrections will tour the Corrections facility--*

Web Site: [www.co.douglas.ne.us](http://www.co.douglas.ne.us)

**AGENDA**  
**FOR**  
**DOUGLAS COUNTY BOARD OF COMMISSIONERS**  
*(Immediately following the conclusion of the Board of Corrections meeting)*

Reconvene

**I. MINUTES AND CLAIMS:**

- A. Approval of minutes of the Board of Commissioners' meeting held Tuesday, December 9, 2008. [\(See Attached\)](#)
- B. Approval of claims submitted for payment processed through Tuesday, January 20, 2009. Complete listing is on file in the office of the County Clerk/Comptroller and available on the Douglas County Clerk/Comptroller's web page at:  
<http://www.douglascountyclerk.org/weeklypayablesreport.php>.
- C. Douglas County Clerk/Comptroller presenting a report and requesting action on claims being submitted for payment as exceptions on Tuesday, January 13, 2009. These claims are being presented as exceptions due to the lack of a detailed accounting for each individual county office or department's actual information technology costs from DOT.Comm. [\(See Attached\)](#)

Fund. Agency	Date Received by Clerk/Comptroller	Supplier's Invoice Date	Supplier	Amount
12512.621011	6-Jan-08	3-Dec-08	DOT.Comm	\$11,236.54
12513.632011	6-Jan-08	5-Nov-08	DOT.Comm	\$29,008.10
12513.632011	6-Jan-08	3-Dec-08	DOT.Comm	\$29,008.10
12513.636013	6-Jan-08	3-Dec-08	DOT.Comm	\$22,036.88
12514.Variou	6-Jan-08	3-Dec-08	DOT.Comm	\$18,987.07
12516.655011	6-Jan-08	3-Dec-08	DOT.Comm	\$1,415.50
12532.672011	6-Jan-08	3-Dec-08	DOT.Comm	\$1,028.87

**II. RECOGNITION/PROCLAMATIONS:**

- III. **CITIZENS COMMENTS:** *Guests present in the Chamber, members of the public. Speakers to be heard at this time for a maximum of 3 minutes on any topic not on the agenda.*

**IV. PRESENTATION:**

- V. **CONSENT AGENDA:** *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*

- A. Adi Pour, Ph.D. Health Director – requests approval of the following:
  - 1. Resolution to approve agreement with Alegent Health to hire a Breastfeeding Coordinator to assess policies, procedures, and best practices for breast feeding. [\(See Attached\)](#)

2. Resolution to approve agreement with Charles Drew Community Health Center for increased funding to provide WIC services. [\(See Attached\)](#)
  3. Resolution to approve amendment to lease agreement with Creighton Medical Center – St. Joseph Hospital for reduction of space used by WIC Clinic. [\(See Attached\)](#)
  4. Resolution to approve agreement with Department of Health and Human Services for HIV/STD Prevention education for minority women incarcerated in Douglas County Corrections. [\(See Attached\)](#)
  5. Resolution to approve agreement with Department of Health and Human Services for lead based paint inspections and enforcement. [\(See Attached\)](#)
  6. Resolution to approve agreement with Department of Health and Human Services for Douglas County Health Department to conduct a preventative health screening to newly immigrated refugees for up to date immunizations. [\(See Attached\)](#)
  7. Resolution to approve agreement with Department of Health and Human Services for Douglas County Health Department to perform certified water testing in accordance with the NE. Safe Drinking Water Act any day of the year. [\(See Attached\)](#)
  8. Resolution to approve agreement with Department of Health and Human Services for West Nile Virus public education materials suitable for use by both County and State. [\(See Attached\)](#)
  9. Resolution to approve agreement with Our Healthy Community Partnership for a 5 year update to the community health assessment. [\(See Attached\)](#)
  10. Resolution to approve agreement with One World Community Health Center for increased funding to provide WIC services. [\(See Attached\)](#)
  11. Resolution to approve agreement with University of Nebraska Medical Center for a Preventative Medicine Residency Program to have a rotation in public health. [\(See Attached\)](#)
  12. Resolution to approve agreement with Walden University for students to obtain practicum experience with the Health Department. [\(See Attached\)](#)
  13. Resolution to approve 2<sup>nd</sup> Amendment to agreement with Department of Health and Human Services for additional funding to provide WIC Services in Douglas and Sarpy County.
  14. Resolution to approve addendum to agreement with University of Nebraska Medical Center for WIC re reimbursement. [\(See Attached\)](#)
- B.** Mr. Tom Doyle, County Engineer, requests the approval of the following:
1. Expenditure of \$8,000.00 Temporary Construction Easement (\$7,660.00), and Warranty Deed (\$340.00) Tract #29, Project No. C-28(337) Q St from 168<sup>th</sup> to 180<sup>th</sup> St. [\(See Attached\)](#)
  2. Expenditure of \$788.00 for Project No. C-28(383) Irvington Rd., Vernon Ave. to Ida St. and to Pearl St. Tract 28. [\(See Attached\)](#)
  3. Right-of-Way expenditure for Temporary Const. Easement (\$526.00) C-28(383) Tr#1, Irvington Rd. – Vernon Ave., Ida St. to Pearl St. [\(See Attached\)](#)
  4. Requests the State of Nebraska Department of Roads to withdraw Project No. RS-3825(2) Valley North from obtaining eligible Federal-Aid Funds on Improvements of 228<sup>th</sup> Street from Hwy 36 to Dutch Hall Road. [\(See Attached\)](#)
  5. Traffic Control Devices in Sanitary Improvement District 527 – Shadowbrook. [\(See Attached\)](#)
  6. Interlocal Agreement between Douglas and Dodge Counties for the replacement of two bridge structures on their common county line for Douglas County Project Nos. C-28(110) and C-28(389). [\(See Attached\)](#)

- C. Approval of Monthly Fee Report (November, 2008). (County Clerk/Comptroller) [\(See Attached\)](#)
- D. Special Designated Liquor License Approval Report (December, 2008). (County Clerk/Comptroller) [\(See Attached\)](#)
- E. Claim of Bryan LGH Medical Center for Reimbursement for Medical Treatment provided to EPC patient #801007366 received December 10, 2008 (\$3,477.35). (County Clerk/Comptroller) [\(See Attached\)](#)
- F. Resolution to direct Douglas County Engineer to do a study of the request to vacate the west 50.00 feet of California Street as dedicated on the Final Plat of Five Fountains, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, lying west of the west right of way line of 189<sup>th</sup> Street. (Commissioners) [\(See Attached\)](#)
- G. Approve Special Designated Liquor License for Literacy Center For The Midlands, 3615 Dodge St., Omaha, NE, 68131 for fund raiser to be held Sunday, January 25, 2009, at Elk Ridge Village, 19303 Seward Plaza, Elkhorn, NE, 68022 from 6:30 p.m. to 8:30 p.m. [\(See Attached\)](#)
- H. Approve Special Designated Liquor License for Heartland Equine Therapeutic Riding Academy, 29430 Ida Street, Valley, NE, 68064 for fund raiser to be held Saturday, March 28, 2009, at Five Star Stables, 23203 Dutch Hall Rd., Bennington, Douglas County, 68007, from 6:00 p.m. to 12:00 a.m. [\(See Attached\)](#)
- I. Substitution of pledged collateral with Mid City Bank to secure their deposits with the Douglas County Treasurer. (Treasurer/Accounting) [\(See Attached\)](#)
- J. Substitution of pledged collateral with TierOne Bank to secure their deposits with the Douglas County Treasurer. (Treasurer/Accounting) [\(See Attached\)](#)
- K. Resolution to approve "Demand for Refunds." (Property Tax Division – Treasurer) [\(See Attached\)](#)
- L. Resolution to approve settlement of legal action initiated against Douglas County under Douglas County District Court Docket 1056 Page 353. (County Attorney) [\(See Attached\)](#)
- M. Approve settlement of litigation (Dmytro Smith v. The County of Douglas, Nebraska). (County Attorney) [\(See Attached\)](#)
- N. Mr. Thomas F. Cavanaugh, Douglas County Clerk/Comptroller – presenting the following claim filed pursuant to Neb. Rev. Stat. §23.135 (**refer to County Attorney for review and recommendation**):
  - 1. Claim from Good Samaritan Hospital dba Richard H. Young Hospital for Reimbursement for Medical Treatment provided to EPC Patients. [\(See Attached\)](#)
  - 2. Claim from Montgomery County for Reimbursement for autopsy provided to Douglas County resident. [\(See Attached\)](#)
  - 3. Claim from Good Samaritan Hospital dba Richard H. Young Hospital for Reimbursement for Medical Treatment Provided to EPC Patient. [\(See Attached\)](#)

- O. Mr. Thomas F. Cavanaugh, 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 recommendation*):
  - 1. Joshua Nottingham for alleged negligence by Douglas County Corrections. ([See Attached](#))
  - 2. Celestine Grant-Belvin and Terence Belvin for alleged negligence by Douglas County Daily Reporting Center. ([See Attached](#))
- P. Set Public Hearing date of **Tuesday, January 27, 2009, at 9:00 a.m.** for:
  - 1. **APPLICATION G-9-08** Request: Review buffer dimension around landfill. Applicant: Douglas County Environmental Services. Planning Commission considered this application on November 12, 2008, and on a 6-0 vote recommended the landfill buffer remain at one half mile. ([See Attached](#))

**VI. PUBLIC HEARING:**

**VII. COMMITTEE DISCUSSION/ACTION:**

**A. FINANCE:**

*Commissioner Kyle Hutchings, Chair*

- 1. Budget Report. (Fiscal Administrator) ([See Attached](#))

**B. ADMINISTRATIVE SERVICES:**

*Commissioner Pam Tusa, Chair*

- 1. Approval of Agreement with Metropolitan Area Planning Agency for the provision of transportation planning services through the County's GIS department. (Administration) ([See Attached](#))

**C. CHILD AND YOUTH SERVICES:**

*Commissioner Chris Rodgers, Chair*

- 1. Acceptance of the Douglas County 2009-2011 Juvenile Service Plan. (JAC) ([See Attached](#))

**D. COMMUNITY SERVICES:**

**E. CRIMINAL JUSTICE:**

*Commissioner Clare Duda, Chair*

- 1. Resolution approving a Professional Services Agreement with the State of Nebraska Court Administration to proceed with the conversion of JUSTICE to CJIS. (Administration) ([See Attached](#))

**F. HEALTH AND HUMAN SERVICES:**  
***Commissioner Mary Ann Borgeson, Chair***

1. Approval of Transfer Agreement by Douglas County Board of Commissioners, d.b.a. Douglas County Health Center, and Alegent Health. (DCHC) [\(See Attached\)](#)
2. Approval of renewal contract with Alegent Health at Home for Hospice Services to be provided at Douglas County Health Center. (DCHC) [\(See Attached\)](#)
3. Approval of an offer to Department of Veterans Affairs to continue to provide long term care services to Veterans. (DCHC) [\(See Attached\)](#)

**G. HUMAN RESOURCES:**  
***Commissioner Mike Boyle, Chair***

1. Weekly Personnel Report from Civil Service. [\(See Attached\)](#)
2. Discussion/action on proposed 2009 legislation. [\(See Attached\)](#)
  - a. Oppose NRD bonding authority bill. (Commissioner Mike Boyle) [\(See Attached\)](#)
3. Discussion/action to consider supporting the City of Omaha's request for financial assistance from the federal government. The aid being requested would be used to assist the City with the \$1.5 billion sewer separation project. (Commissioner Mike Boyle) [\(See Attached\)](#)

**EXECUTIVE SESSION:**

Per Nebraska Statute - for the purpose of discussing labor negotiations, personnel matters and litigation.

ADJOURN

*This agenda, which shall be kept continually current, shall be available for public inspection in the Office of the County Commissioners, Omaha-Douglas Civic Center, 1819 Farnam, LC 2, Omaha, NE during normal business hours. Also, available for public inspection will be any corresponding documentation that is provided to the Commissioners' Office prior to the weekly County Board meeting.*

*All requests for sign language interpreters (signers) will require a minimum of 48 hours advance notice. Alternative formats require a minimum of 72 hours advance notice. Contact 444-7025 if arrangements need to be made.*

**NOTICE**

***Douglas County offices will be closed, Monday, January 19, 2009, in observance of Martin Luther King, Jr. Day.***

***The Douglas County Board of Commissioners will NOT meet on Tuesday, January 20, 2009. The next scheduled meeting of the Douglas County Board of Commissioners will be Tuesday, January 27, 2009.***