

BOARD OF COUNTY COMMISSIONERS

DOUGLAS COUNTY, NEBRASKA

TUESDAY, March 2, 2010

The Board was convened today at 9:01 a.m. and called to order by Chair Borgeson, 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 February 19, 2010, and simultaneously transmitted to all members of the Board of Commissioners. Said notice contained the time and place of the meeting. Commissioners Michael Boyle, Clare Duda, Kyle Hutchings, Marc Kraft, Chris Rodgers, Pam Tusa and Mary Ann Borgeson were present.

Motion by Duda, second by Tusa to approve minutes of the Board of Commissioners meeting held Tuesday, February 23, 2010 and Friday, February 26, 2010 and to approve claims submitted for payment processed through Tuesday, March 9, 2010. Yeas: Boyle, Duda, Hutchings, Kraft, Rodgers, Tusa, Borgeson. Motion Passed.

Item II. Motion by Tusa, second by Rodgers to approve the consent agenda:

- A.** Taxpayer request for refund of illegal property tax (Learning Community). (County Attorney)
- B.** Mr. John LeMay, Purchasing Agent – Bid Acceptance:
 - 1.** Approval of Canteen Vending Services to provide Vending Concessions for Various Locations.
- C.** Resolution approving Addendum to current business associate agreement with Milliman, Inc. (Administration)
- D.** Approval of payment of \$687.03 to Good Samaritan Hospital d/b/a Richard H. Young Hospital for reimbursement of medical treatment provided to EPC Patient Y191890. (County Attorney)
- E.** Payment of Tort Claim – Robin Schlabs. (Administration)
- F.** Payment of Tort Claim – Roger Wiese. (Administration)
- G.** Release of pledged securities with First Westroads Bank to secure their deposits with Douglas County Treasurer. (Treasurer, Accounting Dept.)
- H.** Release and substitution of pledged securities with First National Bank to secure their deposits with Douglas County Treasurer. (Treasurer, Accounting Dept.)
- I.** Mr. Tom Doyle, County Engineer - requests approval of the following:
 - 1.** Expenditure of \$2,000.00 for Project Q St. Improvement from 168th to 180th Street, Project No. C-28(337); Tract #18.

2. Expenditure of \$2,000.00 for "Q" St. Improvements from 168th to 180th Street, Project No. C-28(337); Tract #19.
 3. Expenditure of \$2,000.00 for Project Q St. Improvement from 168th to 180th Street, Project No. C-28(337); Tract #21.
 4. Award Contract to Chas. Vrana & Son Construction Co. for Project #C-28(374), NDOR #BRO-7028(44), Pawnee Road Bridge Replacement, East of 126th Street.
 5. Award Contract to MCC, LLC for Project #C-28(387), NDOR #BRO-7028(45), Rainwood Road Bridge Replacement, East of 264th Street.
- J. Approval of Monthly Fee Report (January, 2010). (County Clerk/Comptroller)
- K. Court Facilities Security Audit Agreement between Douglas County, on behalf of District Court, and the National Center for State Courts. (District Court Administrator)
- L. Resolution approving union contract with FOP 8 (Corrections). (Administration)
- M. Approval of Contract with the Nebraska Department of Health and Human Services to provide funding to assist the Douglas County Attorney in termination of parental rights cases effective July 1, 2007 to June 30, 2010. (County Attorney)
- N. Resolution to approve the Memorandum of Understanding between the Douglas County Health Department and Douglas County Emergency Management Agency regarding preparedness and response activities in Douglas County. (Emergency Management)
- O. Mr. Thomas F. Cavanaugh, 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 recommendation***)
1. Mr. Jeff Force for alleged negligence by Douglas County.
 2. Claims Management Resources for Qwest for alleged negligence by Douglas County, Douglas County Roads Dept.
- P. Payment of Tort Claim – Jeff Force. (Administration)
- Q. Resolution appointing John Synowiecki to the Douglas County Re-Entry Task Force. (Commissioners Mary Ann Borgeson and Chris Rodgers)

Speaking to item II. O.1. were Commissioner Boyle, County Engineer Tom Doyle and Fiscal Administrator Steve Walker.

Yeas: Boyle, Duda, Hutchings, Kraft, Rodgers, Tusa, Borgeson. Motion Passed.

Item IV. Citizen's Comments. Speaking to the item regarding employment at the Health Center were James Parsons, Commissioners Boyle, Duda and Borgeson.

Item VI.A. Public Hearing. (Resolution to approve the re-appointment of C. Bruce Hamilton, 4605 Grebe Street, Omaha, NE 68152, the re-appointment of Kay Haman,

10530 North 48th Street, Omaha, NE 68152, and the appointment of William R. Morris, 8310 Weber Street, Omaha, NE 68122 as Trustees for Hospital Authority No. 1 of Douglas County, Nebraska). The public hearing was opened at 9:18 a.m. Speaking to the item was Virgil K. Johnson representing the Hospital Authority. The public hearing was closed at 9:19 a.m. Motion to approve by Boyle, second by Tusa. Yeas: Boyle, Duda, Hutchings, Kraft, Rodgers, Tusa, Borgeson. Motion Passed.

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

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

Item VII. G. 2. Legislative issues.

Item VII. G. 2. a. (Legislative consideration of LB 507 – Change provisions and penalties regarding domestic assault in the third degree). Speaking to the item was Commissioner Borgeson. Motion to support LB 507 by Borgeson, second by Boyle. Yeas: Boyle, Duda, Hutchings, Kraft, Rodgers, Tusa, Borgeson. Motion Passed.

Commissioner Boyle spoke to the report on CIR legislation.

Commissioner Borgeson announced that there will be a Child and Youth Services committee meeting at 1:00 p.m. in LC2. Also there is no meeting March 9, 2010 and the next meeting will be March 16, 2010.

Motion to recess to executive session in order to protect the public interest with respect to discussion regarding labor negotiations and litigation at 9:24 a.m. by Tusa, second by Boyle. Yeas: Boyle, Duda, Hutchings, Kraft, Rodgers, Tusa, Borgeson. Motion Passed.

Motion to reconvene and adjourn by Duda, second by Tusa at 9:42 a.m. Yeas: Boyle, Duda, Hutchings, Kraft, Rodgers, Tusa, Borgeson. Motion Passed.