

# **BOARD OF COUNTY COMMISSIONERS**

## **DOUGLAS COUNTY, NEBRASKA**

**TUESDAY, March 23, 2010**

The Board was convened today at 9:04 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 March 12, 2010, and simultaneously transmitted to all members of the Board of Commissioners. Said notice contained the time and place of the meeting. Commissioners Kyle Hutchings, Marc Kraft, Chris Rodgers, Pam Tusa and Mary Ann Borgeson were present. Commissioner Michael Boyle and Clare Duda were absent.

Motion by Tusa, second by Kraft to approve minutes of the Board of Commissioners meeting held Tuesday, March 16, 2010 and to approve claims submitted for payment processed through Tuesday, March 23, 2010. Yeas: Hutchings, Kraft, Rodgers, Tusa, Borgeson. Absent: Boyle, Duda. Motion Passed.

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

- A.** Mr. Tom Doyle, County Engineer – requests approval of the following:
  - 1.** Traffic Control Devices in the Le Beau Subdivision, Number 240; No Parking signs.
  
- B.** Resolution to approve “Demand for Refunds.” (Property Tax Division – Treasurer)
  
- C.** Dr. Adi Pour, PhD., Health Department – requests approval of the following:
  - 1.** Resolution to approve the Agreement between the Douglas County Health Department and Department of Health & Human Services re Tuberculosis in Douglas County.
  - 2.** Resolution to approve the Agreement between the Douglas County Health Department and Department of Health & Human Services re Bioterrorism and emergency preparedness in Douglas County.
  - 3.** Resolution to approve the Amendment to the Agreement between the Douglas County Health Department and Department of Health & Human Services re HIV Testing in Douglas County.
  - 4.** Resolution to Approve the Amendment to the Agreement between the Douglas County Health Department and Department of Health & Human Services re HIV Surveillance in Douglas County.
  - 5.** Resolution to approve the Amendment to the Agreement between the Douglas County Health Department and Department of Health & Human Services re WIC in Douglas County.
  - 6.** Resolution to approve the Agreement between the Douglas County Health Department and Teresa Eirenberg d/b/a AJB, Inc. re the Prenatal Health Work Group in Douglas County.
  - 7.** Resolution to approve the Agreement between the Douglas County Health Department and Infrastructure LLC re air pollution monitoring equipment in Douglas County.

8. Resolution to approve the Agreement between the Douglas County Health Department and Nebraska Department of Agriculture re food inspections in Douglas County.
9. Resolution to approve the Agreement between the Douglas County Health Department and One World Community Health re WIC in Douglas County.
10. Resolution to approve the Agreement between the Douglas County Health Department and Charles Drew Community Health re WIC in Douglas County.
11. Resolution to approve the Agreement between the Douglas County Health Department and Cheryl Hove re WIC in Douglas County.
12. Resolution to approve the Agreement between the Douglas County Health Department and University of Nebraska Medical Center re Influenza Like Illness in Douglas County.

D. 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. Dr. Matt Liebenritt for alleged negligence by Douglas County.

Yeas: Hutchings, Kraft, Rodgers, Tusa, Borgeson. Absent: Boyle, Duda. Motion to approve the consent agenda Passed.

Item III. Recognition/Proclamations: (Resolution proclaiming **March 22-26, 2010**, as ***Violence Prevention Week in Douglas County, Nebraska***). Speaking to the item was Commissioner Rodgers. Motion to approve by Rodgers, second by Kraft. Further discussion to the item by City Councilman Ben Gray, Commissioners Borgeson, Kraft and Tusa. Yeas: Hutchings, Kraft, Rodgers, Tusa, Borgeson. Absent: Boyle, Duda. Motion Passed.

Commissioner Borgeson took a Point of Personal Privilege to welcome Chief Deputy Clerk Kathleen Hall's granddaughter Kayla Hall to the Legislative Chambers.

Item V. Presentation: (Douglas County Health Department Director, Dr. Adi Pour: grant announcement). Speaking to the item were Dr. Adi Pour and Commissioner Borgeson.

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. (Federal legislation: Discussion/action on Broadband Initiative Right-of-Way). Speaking to the item were Commissioners Kraft, Borgeson and Rodgers.

Item VII. G. 2.b. (Federal legislation: Discussion/action on Travel Fair Tax Act). Speaking to the item was Commissioner Kraft.

Item VII. G. 2.c. (Federal legislation: Discussion/action on denial of Services of Prisoners and Incarcerated Individuals). Speaking to the item was Commissioner Kraft.

Item VII.G.3. (Adoption of HELPS program for retired employees). Speaking to the item were Fiscal Administrator Steve Walker, President of the Douglas County Deputies union Jim Maguire, retired Douglas County sheriff Rich McShane, Commissioner Hutchings and Deputy County Attorney Bernie Monbouquette. Motion to approve by Rodgers, second by Tusa. Yeas: Hutchings, Kraft, Rodgers, Tusa, Borgeson. Absent: Boyle, Duda. Motion Passed.

Motion to recess to executive session in order to protect the public interest with respect to discussion regarding litigation at 9:47 a.m. by Tusa, second by Rodgers. Yeas: Hutchings, Kraft, Rodgers, Tusa, Borgeson. Absent: Boyle, Duda. Motion Passed.

Motion to reconvene and adjourn by Tusa, second by Hutchings at 10:04 a.m. Yeas: Hutchings, Kraft, Rodgers, Tusa, Borgeson. Absent: Boyle, Duda. Motion Passed.