

BOARD OF COUNTY COMMISSIONERS

DOUGLAS COUNTY, NEBRASKA

TUESDAY, March 24, 2009

The Board was convened today at 9:02 a.m. and called to order by Vice 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 13, 2009, 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, Pam Tusa and Mary Ann Borgeson were present. Commissioner Chris Rodgers was absent.

Motion by Tusa, second by Kraft to approve minutes of the Board of Commissioners meeting held Tuesday, March 17, 2009 and to approve claims submitted for payment processed through Tuesday, March 24, 2009. Yeas: Boyle, Duda, Hutchings, Kraft, Tusa, Borgeson. Absent: Rodgers. Motion Passed.

Item II. Motion by Tusa, second by Duda to approve the consent agenda less C that was previously removed.

- A. Resolution approving labor contract with the Health Department Employees Association. (Administration)
- B. Mr. John LeMay, Purchasing Agent – Bid Acceptances:
 - 1. Approval of O'Daniel Honda to provide one Hybrid Automobile.
 - 2. Approval of J. T. Services to provide Security Fence Project for Douglas County Youth Center.
- ~~C. Renewal of agreement with Laboratory of Speech and Language Disorders (LOSALD) to continue to provide Speech Therapy and relief Physical Therapy and Occupational Therapy services at Douglas County Health Center. (DCHC)~~
- D. Adi Pour, PH.D., Health Department – requests approval of the following:
 - 1. Resolution to approve Agreement between Douglas County Health Department and University of Nebraska Medical Center – College of Public Health regarding capstone experience for students.
 - 2. Resolution to approve Agreement between Douglas County Health Department and Nebraska Department of Agriculture regarding Food Safety inspection and regulations of establishments in Douglas County.
 - 3. Resolution to approve Agreement between Douglas County Health Department and Creighton University's School of Dentistry regarding student practicum experience.
 - 4. Resolution to approve an Addendum to the Agreement between Douglas County Health Department and Alegent Health regarding extension of nutrition services inventory.
- E. Resolution to approve "Demand for Refunds." (Property Tax Division – Treasurer)

- F. 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. Mr. Jim Tulson for alleged negligence by Douglas County.
 - 2. Brian J. Hale for alleged negligence by Douglas County
- G. Resolution approving settlement of claims under NEB 2-08/09-9-39464-R32-E-2008-00843. (County Attorney)
- H. Approval of Monthly Fee Report (February, 2009). (County Clerk/Comptroller)
- I. Approve Special Designated Liquor License for Deines, Scott, L.; Little Chief, Inc. DBA Denny's Liquor, 16 Bell Center, Fremont, NE, 68025 for Reception to be held Saturday, April 4, 2009, at Legacy Hall, 6104 Irvington Rd., Omaha, Douglas County, 68134, from 2:00 p.m. to 1:00 a.m.
- J. Approve Special Designated Liquor License for Jerry D. Gish – World Class Enterprises LLC, 5609 N. 162nd St., Omaha, NE 68116 for Beer Garden to be held Friday, May 1, 2009, through Wednesday, May 6, 2009, at 810 S. 169th St, Omaha, Douglas County, 68118, from 8:00 a.m. to 1:00 a.m.

Speaking to item II.B.1. were Commissioner Hutchings and Chief Administrative Officer Kathleen Kelley.

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

Item III. Recognition/Proclamation. Resolution recognizing the ***Honorable James M. Murphy*** for his role in the establishment of the Douglas County District Court Drug Court and his years of service to Douglas County. Speaking to the item were Commissioner Duda and Judge Murphy. Motion to approve by Duda, second by Tusa. Yeas: Boyle, Duda, Hutchings, Kraft, Tusa, Borgeson. Absent: Rodgers. Motion Passed. Also speaking to the item were Commissioners Boyle, Kraft and Borgeson.

Item V. (Presentation of the Daniel Burnham Award for a Comprehensive Plan). Speaking to the item were Director of Environmental Services Kent Holm, Amy Haase, RDG Planning and Design, and Commissioners Borgeson and Duda.

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

Item VII. G. 1. (Weekly Personnel Report from Civil Service). Accepted as presented. Speaking to the item was Commissioner Boyle.

Item VII. G. 2. (Discussion/action on resolution to amend the County Board Rules and eliminate "Invocation or Reflections or Opening Remarks."). Speaking to the item was Commissioner Duda.

Item VII. G. 3. (Legislative Issues). Speaking to LB 403 were Commissioner Boyle, Administrative Specialist Rick Kubat, Commissioners Borgeson and Hutchings.

Commissioner Boyle took a point of personal privilege to introduce his grandsons Aiden and Zach.

Commissioner Borgeson announces that there will be a Health and Human Services meeting at 1 p.m.

Motion to recess to executive session for the purpose of discussing litigation at 9:35 a.m. by Hutchings, second by Boyle. Yeas: Boyle, Duda, Hutchings, Kraft, Tusa, Borgeson. Absent: Rodgers. Motion Passed.

Motion to reconvene and adjourn by Tusa, second by Duda at 9:46 a.m. Yeas: Boyle, Duda, Hutchings, Kraft, Tusa, Borgeson. Absent: Rodgers. Motion Passed.