

# **BOARD OF COUNTY COMMISSIONERS**

## **DOUGLAS COUNTY, NEBRASKA**

**TUESDAY, March 31, 2009**

The Board was convened today at 9:30 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 March 20, 2009, 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, Clare Duda, Kyle Hutchings, Marc Kraft, Pam Tusa and Chris Rodgers were present.

Motion by Tusa, second by Duda to approve minutes of the Board of Commissioners meeting held Tuesday, March 24, 2009 and to approve claims submitted for payment processed through Tuesday, March 31, 2009. Yeas: Borgeson, Boyle, Duda, Hutchings, Kraft, Tusa, Rodgers. Motion Passed.

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

- A.** 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)
- B.** Resolution amending the Exchange Agreement between NE Dept. of Labor and the Dept. of General Assistance to include additional client information and a change in the way the information is exchanged. (General Assistance)
- C.** Approval of contract with Kenneth Voss and Associates for capitalization rate study. (County Assessor)
- D.** Discussion/action to accept funding in the amount of \$8,000 to aid in monitoring and tracking sex offenders. (Sheriff)
- E.** Discussion/action to accept funding in the amount of \$20,000 to aid in processing DNA and investigating unsolved homicides and sexual assaults. (Sheriff)
- F.** Discussion/action to accept funding in the amount of \$10,000 to aid in investigating internet crimes against children. (Sheriff)
- G.** Mr. Tom Doyle, County Engineer – requests approval of the following:
  - 1.** Award of Contract to Luxa Const. Co. for Project No. C-28(383)B, Irvington Rd. Fremont to Ida Street in the amount of \$383,358.49.
- H.** Resolution to approve “Demand for Refunds.” (Property Tax Division – Treasurer)

- I. Payment of eminent domain case settlement (North 156<sup>th</sup> St. at Rainwood Rd.). (County Attorney)
- J. 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. Stephen I. Mallory for alleged negligence by Douglas County.
  - 2. Ms. Janet Bloebaum for alleged negligence by Douglas County.
- K. Resolution to approve Manager Application for Richard J. Tesar, 28700 Platte River Plaza, Waterloo, NE 68069, for Sokol Camp Association dba Sokol Camp – Judge Rudy Tesar Pavilion, 28500 Platte River Plaza, Waterloo, NE 68069, Douglas County, Liquor License #A-03065.

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

Item VI.A. Public Hearing. (Transfer budget dollars appropriated in original 2008/2009 adopted budget that were set aside for future salary increases). The public hearing was opened at 9:32 a.m. Speaking to the item was Fiscal Administrator Steve Walker. The public hearing was closed at 9:34 a.m. Motion by Hutchings, second by Tusa to approve. Yeas: Borgeson, Boyle, Duda, Hutchings, Kraft, Tusa, Rodgers. Motion Passed

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

Item VII. E. 1. (Resolution congratulating the Douglas County Sheriff and all Sheriff's Office employees for achieving CALEA reaccreditation). Speaking to the item were Commissioner Tusa, Sheriff Tim Dunning, and Commissioners Borgeson and Boyle. Motion to approve by Tusa, second by Boyle. Yeas: Borgeson, Boyle, Duda, Hutchings, Kraft, Tusa, Rodgers. Motion Passed.

Item VII. E. 2. (Update on efforts to inform the Douglas County community of the change in date for the outdoor warning siren tests). Speaking to the item were Commissioner Borgeson, Emergency Management Director Paul Johnson and Commissioner Boyle. No action was taken on this item.

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

Item VII. G. 2. a. (Support amendment to LB 475 to make County Comptroller an elected position). Speaking to the item was Commissioner Hutchings. Motion to approve by Hutchings, second by Boyle. Further discussion to the item by Commissioners Kraft, Boyle, Duda and Hutchings, Deputy County Attorney Diane Carlson, Commissioner Borgeson, Douglas County Clerk/Comptroller Thomas F. Cavanaugh, Sheriff Tim Dunning and Commissioner Rodgers. Yeas: Boyle, Hutchings. Nays: Borgeson, Duda, Kraft, Tusa, Rodgers. Motion Failed.

Item VII. G. 2. b. (Resolution directing the lobbyist to support LB 475 with an amendment that provides the auditor/comptroller be an appointed position that reports to the county board of commissioners. The appointment will be made in the same

manner as county board vacancies with the clerk, county attorney and county treasurer making the appointment). Speaking to the item were Commissioners Rodgers and Boyle. Motion to approve by Borgeson, second by Duda. Further discussion to the item by Commissioners Hutchings and Boyle. Yeas: Borgeson, Duda, Tusa, Rodgers. Nays: Boyle, Hutchings. Abstain: Kraft. Motion Passed.

Item VII. G. 2. c. (Discussion/Action on amendment to LB 360, the Land Reutilization Act). Speaking to the item were Commissioners Rodgers and Kraft, and Deputy County Attorney Diane Carlson. Motion by Kraft for an amendment, and the amendment would be on page seven between lines twenty and twenty-one that language be inserted that would prohibit the purchase of LRC land by a member of the commission or their family, meaning the LRC commission, second by Duda. Further discussion to the item by Commissioners Borgeson, Rodgers, Kraft and Boyle. Yeas: Borgeson, Boyle, Duda, Kraft, Tusa, Rodgers. Nays: Hutchings. Motion Passed. Further discussion to the item by Commissioners Rodgers, Duda, Boyle and Tusa.

Motion to adjourn by Tusa, second by Kraft at 11:09 a.m. Yeas: Borgeson, Boyle, Duda, Hutchings, Kraft, Tusa, Rodgers. Motion Passed.