

BOARD OF COUNTY COMMISSIONERS

DOUGLAS COUNTY, NEBRASKA

TUESDAY, December 18, 2018

The Board was convened today at 9:15 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 December 7, 2018, 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, James Cavanaugh, Clare Duda, Marc Kraft, P. J. Morgan and Chris Rodgers were present.

Motion by Duda, seconded by Boyle to approve the minutes of the Board of Commissioners' meeting held on Tuesday, December 11, 2018 and claims submitted for payment processed through Tuesday, December 18, 2018 and approval of resolution authorizing Clerk/Comptroller to make certain payments while the Board is adjourned sine die. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion passed.

Item II. Motion by Kraft, seconded by Morgan to approve the consent agenda, less item II.D.2:

- A.** Tom Doyle, County Engineer – requests approval of the following:
 - 1.** Expenditure to Metropolitan Utilities District to install 40 feet of 4 inch gas main on west side of 168th Street for Douglas County Project C-28(539) – 168th Street Improvements from HWS Cleveland Blvd. to Potter Street. (\$25,000)
 - 2.** Contracts for rental of supplemental snow removal equipment got the winter season 2018-2019. (Budgeted)
 - 3.** Supplemental Agreement No. 1 to the Professional Services Agreement between Douglas County and Midwest Right-of-way Services for additional engineering services required for five County bridges. (\$28,825.00)
- B.** Resolution approving a 'best and final offer' to the Health Department Employees Association (HDEA), in pursuit of a four-year collective bargaining agreement for the period January 1, 2018 through December 31, 2021. (Diane M. Carlson, Deputy County Administrator)
- C.** Resolution approving a collective bargaining agreement with the International Brotherhood of Teamsters, General Drivers & Helpers Union, Local #554, for the period January 1, 2017 through December 31, 2020. (Diane M. Carlson, Deputy County Administrator)

- D. Dr. Adi Pour, Ph.D., Health Director – requests approval of the following:
 - 1. Memorandum of Understanding from Nebraska Department of Health and Human Services regarding Nebraska STD/Infertility Prevention Plus Project.
 - ~~2. Agreement from Nebraska Department of Health and Human Services regarding STD Prevention. (\$93,010.00 – Grant Funded – Budgeted)~~
 - 3. Amendment 2 to the Agreement from Nebraska Department of Health and Human Services regarding HIV Surveillance (\$23,668.00 – Budgeted)

- E. Approval of Monthly Fee Report (October, 2018). (Daniel A Esch, Douglas County Clerk/Comptroller)

- F. Resolution approving funding Agreement between Douglas County Attorney’s Office and Nebraska Department of Health and Human Services. (\$61,750 – Grant Funded – Budgeted) (Shakil A. Malik, Douglas County Attorney’s Office)

- G. Approval of amendment #2 to Biochar Demonstration Project MOU with the University of Nebraska/Nebraska Forest Service. (Kent Holm, Environmental Services)

- H. Approval of amendment 2 of the contract with RDG for the update of the Comprehensive Land Use Development Plan. (Budgeted) (Kent Holm, Environmental Services)

- I. Resolution increasing the compensation of various Deputy County Attorneys for Douglas County effective December 31, 2018. (\$13,791 – Budgeted) (Shakil A. Malik, Douglas County Attorney’s Office)

- J. Resolution approving Motorola Contract amendment: Dynamic System Resilience (DSR). (\$176,665 - Budgeted) (David Sleeter, 911 Communications)

- K. Resolution accepting the 2017 Justice Assistance Grant (JAG) jointly awarded to the City of Omaha & Douglas County. (Carrie Davis, Grant Coordinator)

- L. Daniel A. Esch, 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 determination**):
 - 1. Ally Kimnach
 - 2. Anthony Davis
 - 3. Maria Alston, Patrick and Anttesha Peoples

Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion passed.

II.D. Dr. Adi Pour, Ph.D., Health Director – requests approval of the following: **2.** (Agreement from Nebraska Department of Health and Human Services regarding STD Prevention. (\$93,010.00 – Grant Funded – Budgeted)). Speaking regarding removing the August 27, 2018 date [on page one of the contract] was Deputy County Attorney

Theresia Urich. Motion to approve as amended by Duda, second by Boyle. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion passed.

III. Recognition/Proclamations: A. (Recognition of the following County Employee retired: Barbara Glazeski has retired from the Douglas County Department of Corrections after 15 years of service. (Karen Buche, Civil Service/ HR)) Speaking were Commissioner Rodgers and Director of Corrections Mike Myers. Motion by Duda, second by Cavanaugh to approve. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion passed.

III. Recognition/Proclamations: B. (Certificate presentation to the winners of the Douglas County 2018 Food Drive Challenge. (Commissioner Mary Ann Borgeson)) Speaking was Commissioner Borgeson.

IV. Citizens Comments. Speaking was Larry Storer.

Item **VII. A. 1.** (Budget report), accepted as presented. Speaking were Commissioners Morgan and Boyle.

Item **VII. A. 2.** (Resolution to direct Douglas County Attorney's Office and Douglas County Public Properties Director to formally offer to purchase MUD real estate and complete purchase agreement/lease agreement on behalf of Douglas County. (\$6,000,000.00) (Theresia M. Urich, Douglas County Attorney's Office)). Speaking were Commissioners Morgan and Rodgers. Motion to approve by Borgeson, second by Morgan. Speaking were Commissioner Cavanaugh and Morgan, Public Properties Director Jerry Leahy, Commissioner Rodgers, Deputy County Attorney Theresia Urich, Finance Director Joe Lorenz and Commissioner Duda. Motion by Cavanaugh, second by Boyle to layover until January 8, 2019. Speaking were Commissioners Boyle, Cavanaugh and Duda and Commissioner Borgeson. Yeas: Boyle, Cavanaugh. Nays: Borgeson, Duda, Kraft, Morgan, Rodgers. Motion failed. Speaking were Commissioners Rodgers and Boyle. Amendment [resolution] that takes out the references to the juvenile justice center by Boyle, second by Duda. Speaking were Commissioners Borgeson, Duda, Morgan and Kraft, Finance Director Joe Lorenz, Commissioners Cavanaugh and Rodgers, Deputy County Attorney Theresia Urich and Chief Administrative Officer Patrick Bloomingdale. Yeas: Boyle, Cavanaugh, Duda, Kraft, Morgan. Nays: Borgeson, Rodgers. Amendment passed. Speaking was Commissioner Rodgers. Yeas: Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Nays: Borgeson. Motion passed as amended. Speaking was Commissioner Boyle.

Item **VII. B.** (Administrative Services). Speaking was Commissioner Cavanaugh.

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

Item **VII. G. 3.** (Resolution approving Douglas County's preliminary 2019 Legislative Priorities. (Commissioner Mary Ann Borgeson)). Speaking were Commissioners Borgeson, Boyle and Duda. Motion to approve by Borgeson, second by Duda. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion passed.

Motion to recess to Executive Session in order to protect the public interest with respect to discussion regarding labor and litigation at 10:24 a.m. by Boyle, second by

Morgan. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion passed.

Motion to reconvene and adjourn by Morgan, second by Cavanaugh at 11:15 a.m. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion passed.