

BOARD OF COUNTY COMMISSIONERS

DOUGLAS COUNTY, NEBRASKA

TUESDAY, March 12, 2019

The Board was convened today at 9:44 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 1, 2019, 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 Kraft, second by Boyle to approve the minutes of the Board of Commissioners meeting held Tuesday, February 26, 2019 and to approve the claims submitted for payment processed through Tuesday, March 12, 2019. Speaking regarding a payment were Commissioner Cavanaugh, Deputy County Attorney Theresa Urich and Commissioner Duda. Speaking to his abstention was Commissioner Morgan. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Rodgers. Abstain: Morgan. Motion passed.

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

- A.** Eric J. Carlson, Purchasing Agent – Bid Acceptance:
 - 1.** TG Medical (USA), Inc. to provide Powder-Free Non-Sterile Nitrile Exam Gloves for Douglas County Health Center's Inventory in the amount of \$109,630.80. (Budgeted)
- B.** Payment of Tort Claim – Claimant – Tim Nervig, damaged vehicle \$5,220.43, Department – County Engineer. (Darrel Neely, Administration)
- C.** Adoption of scale rates for the Pheasant Point Landfill. (Budgeted) (Kent E. Holm, Environmental Services) Speaking were Commissioners Cavanaugh and Rodgers, Environmental Services Director Kent Holm and Commissioner Duda.
- D.** Tom Doyle, County Engineer – requests approval of the following:
 - 1.** Right-of-Way Warranty Deed (\$14,150.00) Tract 5 for Douglas County Project-C28(539) 168th Street, HWS Cleveland Blvd. to Potter Street. (Budgeted)
 - 2.** Advertise for sealed bids on County Project C-28(566) – 2019 Concrete Pavement Repair and Curb Inlet Cover Replacement at Various Locations. Bids to be opened Wednesday, March 20, 2019, at 11:00 A.M. in the Legislative Chambers of the Omaha Douglas Civic Center.
 - 3.** Award Contract to Western Engineering Company, Inc. for Douglas County Project No. C-28(539), 168th St Improvements, HWS Cleveland Blvd to Potter St., grading, paving, and erosion control. (\$663,262.99 – Budgeted)

- E. The Douglas County Sheriff's Office is requesting approval of a plan to dispose of five (5) seized vehicles currently held by the Douglas County Sheriff's Office after being used for training purposes. (Capt. Steve Glandt, Sheriff's Office)
- F. Approval of Monthly Fee Report (January, 2019). (Daniel A. Esch, Douglas County Clerk/Comptroller)
- G. Resolution to approve "Demand for Refunds." (\$10,508.45 – Budgeted) (Property Tax Division – Treasurer)
- H. 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. Callie Anderson
 - 2. Emma Herskind
 - 3. Wilber & Associates, P.C. / USAA / Joshua Tews
 - 4. Micah Taylor
- I. Set Public Hearing date of **Tuesday, March 26, 2019, at 9:00 a.m.** for:
 - 1. Class #1-122974 License (Beer, Wine, Distilled Spirits, On Sale Only) for Sukoon LLC dba Sakoon The Spa, 1529 S 203rd Street, Omaha, Nebraska, (Douglas Count) and Manager Application for Tonya L Hemmer, 2777 Sunburst Dr., Fremont, NE, 68025.
- J. Acceptance of an updated Memorandum of Understanding between the Douglas County Juvenile Assessment Center (JAC) and the Sherwood Foundation for the purpose of providing an evaluation of the JAC. (Shawne Johnson Coonfare, Juvenile Assessment Center) Speaking were Commissioner Cavanaugh, Chief Administrative Officer Patrick Bloomingdale, Commissioners Rodgers and Boyle.

Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion to approve the consent agenda passed.

Item III. Recognition/Proclamations: **A.** (Resolution honoring the career of **Sue Mehaffey**, a longtime educator and ambassador for Douglas County and the Omaha Sister Cities Association. (Commissioner Marc Kraft)). Motion to approve by Kraft, second by Duda. Speaking were Commissioners Rodgers, Kraft and Morgan. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion passed.

Item III. Recognition/Proclamations: **B.** (Recognition of the following County Employee retired: **Stanley Kruse** has retired from the Douglas County Sheriff Department after 10 years of service. (Karen Buche, Civil Service/HR)). Motion to approve by Boyle, second by Duda. Speaking was Commissioners Rodgers. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion passed.

IV. Citizens Comments. Speaking were Larry Storer and Commissioner Rodgers.

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

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

Speaking regarding LB 309 were Commissioners Borgeson and Duda, Marcos San Martin, Commissioner Cavanaugh,

Speaking regarding LB 103 were Commissioners Kraft, Borgeson and Rodgers, Marcos San Martin and Chief Administrative Officer Patrick Bloomingdale.

Speaking regarding the workload of judges was Commissioner Boyle,

Speaking regarding the plan for the new courthouse were Commissioners Boyle, Cavanaugh, Rodgers, Duda, Borgeson and Kraft.

Motion by Duda, second by Borgeson to ask the legislature to delay implementation of LB 309 until we have space available and that we do support the amendment. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion passed.

Speaking regarding Commissioner Borgeson and NACO was Commissioner Boyle.

Speaking regarding NACO app was Commissioner Borgeson.

Motion to recess to Executive Session in order to protect the public interest with respect to discussion regarding litigation and personnel at 10:43 a.m. by Boyle, second by Duda. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion passed.

Motion to reconvene and adjourn by Duda, second by Boyle at 10:56 a.m. Yeas: Borgeson, Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Motion Passed.