

BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, NEBRASKA**TUESDAY, July 19, 2016**

The Board was convened today at 9:50 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 July 8, 2016, and simultaneously transmitted to all members of the Board of Commissioners. Said notice contained the time and place of the meeting. Commissioners Michael Boyle, James Cavanaugh, Clare Duda, Marc Kraft, P. J. Morgan, Chris Rodgers and Mary Ann Borgeson were present.

Motion by Boyle, second by Kraft to approve the minutes of the Board of Commissioners meeting held Tuesday, July 12, 2016, and to approve claims submitted for payment processed through Tuesday, July 26, 2016. Yeas: Boyle, Duda, Kraft, Rodgers, Borgeson. Abstain: Morgan. Not Voting: Cavanaugh. Motion Passed.

Item II. Motion by Morgan, second by Boyle to approve the consent agenda, laying over item F. until August 2, 2016, and with the language change of item H. to change the transferring of the property to the transferring of the net proceeds:

- A.** Approval of Monthly Fee Report (May, 2016). (Daniel A. Esch, Douglas County Clerk/Comptroller)
- B.** Mr. Tom Doyle, County Engineer – requests approval of the following:
 - 1.** Award of Contract to Graham Construction, Inc. for Project No. C-28(531), Ida Street improvements – 144th Street to 146th Avenue. (\$851,950.45 – Budgeted)
 - 2.** Engineering Services Agreement with Kirkham Michael & Associates for County Project C-28(434) – 180th Street, West Dodge Road to West Maple Road. (\$23,595.61 – Budgeted)
 - 3.** Amend a typographical error on the resolution adopted June 28, 2016, approving the Interlocal Agreement between Douglas County and Sanitary & Improvement District No. 572 for Douglas County Project No. C-28(547). The wording should be corrected from Fort Street to “F’ Street.
 - 4.** Award of Contract to NL & L Concrete, Inc. for Project No. C-28(528), 2016 Concrete Pavement Repair at Various Locations. (\$163,164.00 – Budgeted)
- C.** Resolution to approve lease for Juvenile Probation at 319 S 17th St. for 5 years. (Budgeted) (Jerry Leahy, Public Properties)
- D.** Resolution to approve “Demand for Refunds.” (\$30,233.82 - Budgeted) (Property Tax Division – Treasurer)

- E. Interlocal Agreement with Sarpy to house Sarpy County Work Release Inmates at Douglas County's Work Release Program. (Michael Myers, DCDC)
- F. Payment of Tort Claim – Claimant – City of Omaha, traffic signal damage located at 132nd Street and West Maple Road in the amount of \$19,538.50, Department – Sheriff. (Budgeted) (Darrel Neely, County Administration)
- G. Settlement and Release of Claims for NEOC Complaint filed by John Kilpatrick. (\$66,731.80 – Budgeted) (Jimmie L. Pinkham III, County Attorney's Office)
- H. Resolution to approve the transfer of unclaimed property to be auctioned from the Douglas County Sheriff to Property Room.com. (Annette Doyle, Sheriff's Office)
- I. Approve Special Designated Liquor License for 12203 N 225 St Inc, 12203 N 225th St, Valley, NE 68064, for Dance/Beer Garden to be held August 27, 2016, from 11:00 am to 2:00 am, at Ponderosa Bar, 12203 N 225th St, Valley, NE 68064, Douglas County.
- J. Daniel A. Esch, 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 determination***):
 1. Nebraska Alliance Realty Company/Mark Laughlin, President

Speaking regarding items F. and H. were Commissioner Borgeson, Deputy County Attorney Theresia Urich and Commissioner Boyle.

Speaking regarding Claims was Commissioner Boyle.

Speaking regarding item C. were Commissioners Boyle and Duda, Public Properties acting director Jerry Leahy, Commissioner Morgan, Matthew Kouri, Commissioners Kraft and Cavanaugh, Deputy County Attorney Theresia Urich and Commissioner Borgeson.

Speaking regarding item G. was Commissioner Boyle.

Yeas: Boyle, Cavanaugh, Duda, Kraft, Morgan, Rodgers, Borgeson. Motion to approve the consent agenda, laying over item F. until August 2, 2016, and with the language change of item H. to change the transferring of the property to the transferring of the net proceeds, passed.

Item III. Recognition/Proclamations: **A.** (Recognition of County Employee **Vicki L. Pixler** from the Douglas County Health Center after 24 years of service and **Robert Buglewicz** from the Douglas County Engineer's Office after 33 years of service. (Karen Buche, Civil Service/ Human Resources)) and **B.** (Recognition of County employee **Jim Vandenberg**, who is retiring from the Douglas County Clerk/Comptroller's office after 21 years of service to the citizens of Douglas County. (Dan Esch, County Clerk/ Comptroller)). Speaking were Douglas County Clerk/Comptroller Dan Esch, Jim Vandenberg, Commissioners Borgeson, Cavanaugh and Boyle. Motion by Cavanaugh, second by Duda to approve items A and B. Yeas: Boyle, Cavanaugh, Duda, Kraft, Rodgers, Borgeson. Absent: Morgan. Motion passed.

Item **V. Presentation. A.** (MAPA Executive Director Greg Youell will provide an update to the Board on agency activities. (Greg Youell, MAPA)) Speaking were Greg Youell, and Commissioners Boyle and Duda.

Item **VI. Public Hearing: A.** (Public hearing on resolution to approve a financing by Hospital Authority No. 2 of Douglas County, Nebraska for The Nebraska Medical Center d/b/a Nebraska Medicine in an amount not to exceed \$170,000,000; approve resolution. (Joel W. VanderVeen, Kutak Rock LLP) (**Action can be taken today**)) The public hearing was opened at 11:01 a.m. Speaking were Dawn Roth of Kutak Rock, Commissioner Cavanaugh, Linda Schulte of Nebraska Medical Center and Commissioner Boyle. The public hearing was closed at 11:06 a.m. Motion to approve by Boyle, second by Duda. Yeas: Boyle, Cavanaugh, Duda, Kraft, Rodgers, Borgeson. Absent: Morgan. Motion passed.

Item **VII.C.1.** (Resolution approving agreement with the State of Nebraska Administrative Office of Probation for Probation to provide the Juvenile Detention alternatives Initiative Data Coordinator for Douglas County. (\$58,380 grant funds – Budgeted) (Catherine Hall, Administration) (**Laid over from Tuesday, July 12, 2016, meeting.**)). Motion by Rodgers, second by Duda to approve. Yeas: Boyle, Cavanaugh, Duda, Kraft, Rodgers, Borgeson. Absent: Morgan. Motion passed.

Item **VII. A. 1.** (Budget Report. (Budget and Finance Director)) (* July 7, 2016, Finance Committee Meeting Minutes and Attachment. ** June 28, 2016, Finance Committee Meeting Minutes and Attachments.

Item **VII. G. 1.** (Weekly Personnel Report from Civil Service), accepted as presented.

Item **VII. G. 2.** Legislative issues. **a.** (Other legislation).

Motion to recess to Executive Session in order to protect the public interest with respect to discussion regarding labor negotiations at 11:08 a.m. by Boyle, second by Rodgers. Yeas: Boyle, Duda, Kraft, Rodgers, Borgeson. Absent: Cavanaugh, Morgan. Motion passed.

Motion by Duda, second by Rodgers to reconvene and adjourn at 11:37 a.m. Yeas: Boyle, Duda, Kraft, Rodgers, Borgeson. Absent: Cavanaugh, Morgan. Motion Passed.