

MINUTES OF MEETING  
SARPY COUNTY BOARD OF COMMISSIONERS  
Tuesday, May 16, 2017  
Sarpy County Courthouse, Sarpy County Board Room  
[www.sarpy.com/countyboard/minutes/](http://www.sarpy.com/countyboard/minutes/)

*Notice of this meeting was publicized in advance on the Sarpy County website ([www.sarpy.com](http://www.sarpy.com)). The location of the posted "Nebraska Open Meetings Act" was given in open and public session at the opening of this meeting at 3:07 P.M.*

Commissioners Present: Don Kelly, Jim Thompson, Brian Zuger, Gary Mixan, Jim Warren  
Commissioners Absent: None  
Others Present: County Clerk Deb Houghtaling  
County Administrator Mark Wayne  
Deputy County Attorney Bonnie Moore

Chairman Kelly requested item 10 be removed from the Consent Agenda and addressed on the Regular Agenda.

### **CONSENT AGENDA**

NOTE: These are items of business that are routine which are expected to be adopted without dissent. Items are automatically approved when the consent agenda is approved unless an item is REMOVED by a Commissioner or any member of the public. Items removed will be placed under the Regular Agenda for action by the County Board.

1. Approve minutes (May 9, 2017). Deb Houghtaling, County Clerk
2. Approve claims report. Deb Houghtaling, County Clerk
3. Resolution 2017-154: Authorize Chairman to sign Agreement with Douglas County to facilitate the purchase of One Nimble Storage CS3000 Array to support the shared regional Computer Aided Dispatch (CAD) System with the approximate cost of \$63,454.50. Stu DeLaCastro, Emergency Communications Director
4. Resolution 2017-155: Authorize Chairman to sign application documents for the Nebraska Department of Economic Development's Site and Building Development Fund designating Fiscal Administrator Brian Hanson to submit requests for reimbursement for funding related to expansion of a sanitary sewer that will serve more than 750 acres of the Highway 50 corridor in Sarpy County. Brian Hanson, Fiscal Administrator
5. Resolution 2017-156: Authorize Chairman to sign the revised Intergovernmental Grant Agreement for the 2016 Storm Water Management Plan Program (SWMP). Lisa Haire, Grant Coordinator
6. Permission to solicit bids for financing of eight (8) 2017 Ford Utility Police Cruisers for the Sheriff's Road Patrol in the amount of \$233,488. Beth Garber, Senior Buyer/Contract Administrator
7. Permission to purchase a 2018 Ford Expedition 4x4 off the State contract for \$39,213 for the Sheriff. Beth Garber, Senior Buyer/Contract Administrator

8. Resolution 2017-157: Authorize Chairman to sign agreement with Reagan Melton & Delaney LLP for Court Appointed Legal Services for a period from July 1, 2017 through June 30, 2020 at a rate of \$6,275.37 per month for year 1 with 1 1/2% rate increases for the period of July 1, 2018 through June 30, 2019 and 2% rate increases for the period of July 1, 2019 through June 30, 2020. Beth Garber, Senior Buyer/Contract Administrator
  
9. Resolution 2017-158: Authorize Chairman to sign agreement with Schirber & Wagner, LLP for Court Appointed Legal Services for a period from July 1, 2017 through June 30, 2020 at a rate of \$6,275.37 per month for year 1 with 1 1/2% rate increases for the period of July 1, 2018 through June 30, 2019 and 2% rate increases for the period of July 1, 2019 through June 30, 2020. Beth Garber, Senior Buyer/Contract Administrator
  
- \*10. *Resolution 2017-159: Authorize Chairman to sign agreement with Bramhall & Munch, P.C. for Court Appointed Legal Services for a period from July 1, 2017 through June 30, 2020 at a rate of \$6,275.37 per month for year 1 with 1 1/2% rate increases for the period of July 1, 2018 through June 30, 2019 and 2% rate increases for the period of July 1, 2019 through June 30, 2020. Beth Garber, Senior Buyer/Contract Administrator*  
**MOVED TO REGULAR**
  
11. Resolution 2017-160: Authorize Chairman to sign Interlocal Cooperation Agreement with Hall County for housing juveniles in the Sarpy County Juvenile Justice Center (JJC) at a rate of \$210.56 per juvenile per day. Beth Garber, Senior Buyer/Contract Administrator
  
12. Permission to solicit bids for various asphalt overlays, Project C-77 (17-12) and Bridge #RR13, 168th Street and BNSF Railroad, Project C-77 (17-13) for the Public Works Department. Beth Garber, Senior Buyer/Contract Administrator
  
13. Resolution 2017-161: Flood Plain Development Permit Application, Schmid Farms, Inc., to complete minor grading for a roadway and pad sites for recreational vehicles, as well as the installation of water and electrical service, 17002 S 99th Street (Part of Sec 28-13-12), Platte River. Donna Lynam, Planning and Building Assistant Director

MOTION: Kelly moved, seconded by Zuger, to approve the Consent Agenda as amended with the removal of item 10. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

## **REGULAR AGENDA**

- \*10. Resolution 2017-159: Authorize Chairman to sign agreement with Bramhall & Munch, P.C. for Court Appointed Legal Services for a period from July 1, 2017 through June 30, 2020 at a rate of \$6,275.37 per month for year 1 with 1 1/2% rate increases for the period of July 1, 2018 through June 30, 2019 and 2% rate increases for the period of July 1, 2019 through June 30, 2020. Beth Garber, Senior Buyer/Contract Administrator

MOTION: Kelly resolved, seconded by Warren, to approve resolution for the agreement with the amended rate of \$3,765.26 per month for year 1.  
Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

14. Public Hearing and Resolution 2017-162: Final Plat, Gene Graves, Bridgeport Subdivision (Lots 1-159, Outlots A-N), generally located southwest of 180th Street and Cornhusker Road. Donna Lynam, Planning and Building Assistant Director

MOTION: After a public hearing, Warren resolved, seconded by Zuger, to approve the resolution for the Final Plat for the property legally described as: NE ¼ of Section 29, Township 14N, Range 11E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

15. Resolution 2017-163: Authorize Chairman to sign the Subdivision Agreement between Sarpy County, Bridgeport Development, LLC and Sanitary and Improvement District 320 (Bridgeport Lots 1-159, Outlots A-N). Nicole Spitzenberger, Deputy County Attorney

MOTION: Warren resolved, seconded by Thompson, to approve the resolution for the Residential Subdivision Agreement which governs the development for the property generally located southwest of 180<sup>th</sup> Street and Cornhusker Road, as attached to the resolution. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

16. Resolution 2017-164: Approve Employment Contract with Dan Hoins for the position of Sarpy County Administrator. Don Kelly, Chairman

MOTION: Warren resolved, seconded by Zuger, to approve the resolution for the Employment Contract with Dan Hoins, at the salary rate of \$138,464.72 per annum, commencing July 1, 2017 and terminating on June 30, 2018. Compensation benefits to include: 160 hours vacation for the term of contract, \$200 per month as a vehicle allowance, and \$100 per month as a cell phone allowance, as attached to the resolution. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

17. Resolution 2017-165: Authorize Chairman to sign the Wastewater Service Agreement with the Department of Veterans Affairs. Nicole Spitzenberger, Deputy County Attorney

MOTION: Zuger resolved, seconded by Thompson, to approve the resolution for the Agreement for Sewer Connection and Wastewater Service which outlines the terms and conditions between Sarpy County and the Veteran's Affairs Cemetery for the (1) billing of and wastewater flowing from the VA Cemetery into the Sarpy Sewer, and (2) the billing arrangement between Sarpy County, Sanitary Improvement District (SID) 23, Westmont, and the VA Cemetery for the VA Cemetery wastewater flow. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

18. Resolution 2017-166: Declare Saturday, May 20, 2017 as "Art Stewart Day" in Sarpy County. Don Kelly, Commissioner

MOTION: Kelly moved, seconded by Warren, to table item 18 indefinitely. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

- \*19. Resolution 2017-167: Recognize the week of May 14 – 20, 2017 as "Police Week". Jim Warren and Don Kelly, Commissioners

MOTION: Warren resolved, seconded by Zuger, to approve the resolution to declare the week of May 14 -20, 2017 as "Police Week" and declare May 15, 2017 as "Peace Officers' Memorial Day". Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

20. Adjournment.

MOTION: At 3:19 P.M. Warren moved, seconded by Thompson, to adjourn until May 23, 2017. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

Attest:

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Don Kelly, Chairman  
Sarpy County Board of Commissioners

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Debra J. Houghtaling  
Sarpy County Clerk