

MINUTES OF MEETING
SARPY COUNTY BOARD OF COMMISSIONERS
Tuesday, July 22, 2008
Sarpy County Courthouse, Sarpy County Board Room
Immediately following the Board of Equalization Meeting

The location of the posted Nebraska Open Meetings Act was given and the meeting of the Board of Commissioners was convened in open and public session by Sarpy County Board of Commissioners Chairman Inez M. Boyd at 3:11 P.M. at the Courthouse in Papillion, Nebraska.

Notice of the meeting was given in advance thereto by publication in the Midlands Newspapers, Inc. dba Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor on July 16, 2008. A copy of the Proof of Publication is on file in the County Clerk's office. Notice of the meeting was simultaneously given to all members of the Sarpy County Board of Commissioners. Availability of the agenda was communicated in the published notice and in the notice to members of the Board of Commissioners of this meeting.

Commissioners Present: Paul Cook, Joni Jones, Inez Boyd, Aldona Doyle, Rich Jansen
Commissioners Absent: None
Others Present: County Clerk Deb Houghtaling
Fiscal Administrator Brian Hanson
Deputy County Attorney Mike Smith

Commissioners and Fiscal Administrator's comments were recorded.

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. Removed items will be placed under New Business for action by the County Board.

1. **Approve minutes (July 15, 2008).**
2. **Approve claims report.**
3. **Resolution: Place No Parking or Stop signs at various locations in SID 127 - Avery Hills, SID 214 - Papio Valley 1 & 2 Business Park, SID 223 - Sugar Creek Addition, SID 224 - Commerce Business Centre. (2008-198 -2008-201)**
4. **Resolution: Appoint David L. Harris to the Veterans' Service Committee for a term to expire 6/30/2013. (2008-202)**
5. **Resolution: Appoint Planning Commissioner Alan Wear to the Board of Adjustment for a term to expire 12/31/2009. (2008-203)**
6. **Resolution: Authorize Chairman to sign the addendum to amend the Agreement with the Sarpy County Education Program and Sarpy County Safety Program, Inc. for Project ENGAGE at the Juvenile Justice Center. (2008-204)**
7. **Resolution: Approve and authorize Chairman to sign the Systems Engineering Agreement with Audio/Visual Services for Phase II of the Courthouse Remodeling Project. (2008-205)**
8. **Permission to solicit bids for Rumsey Station Safe Walk to School, Project C-77 (08-06) for the Highway Department.**
9. **Approve the following disbursement requisitions, Limited Tax Building Bonds, Series 2007, Construction Fund, Courthouse Addition.**

#85 NACR, Inc.	\$ 1,121.00
#86 Miller Electric Company	\$ 11,983.39

#87 MSS

\$115,283.97

#88 VISA

\$ 263.87

MOTION: Jansen moved, seconded by Jones, to approve the Consent Agenda items as presented. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

NEW BUSINESS

Chairman Boyd requested that Agenda item #13 be heard before Agenda item #10.

13. Public Hearing and Resolution: Award bid for Seven Foot (7') Grader Blades for the Highway Department. (2008-206)

MOTION: Beth Cunard, County Purchaser, reported that bids have been solicited, made, opened and reviewed pursuant to Board authorization. After a public hearing, Cook resolved, seconded by Jansen, to accept the low bid of Presco Sales & Service, Inc. for seven foot (7') Grader Blades in the quantity of 320 for the amount of \$142.35 per unit and this Board's Chairman, Clerk and Attorney are hereby authorized to execute the necessary documents. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

10. Public Hearing and Resolution: (Tabled from 7/8/2008) Special Use Permit Application: Drinking establishment (Beer Garden) in a BG (General Business) Zoning District, Rum Runner, 181st Street and Harrison. (2008-192) Henry Leitner

MOTION: After a public hearing, Jansen resolved, seconded by Cook, to approve the Special Use Permit Application for a drinking establishment (Beer Garden) in a BG (General Business) Zoning District by Rum Runner, 7007 S. 181 St. #106, Omaha Sarpy County Nebraska 68136 with the limitations recommended by the Sarpy County Planning and Building Director: In order to integrate the design of the fence into the retail center, and to enable drivers to have vision clearance through the fence, a six foot high decorative wrought iron fence be installed that is designed to a pedestrian scale and includes horizontal design elements to reduce the scale of the overall height, the spacing of the balusters (vertical pickets) of the fencing be no more than 3" on center to prevent passage of alcohol and that aesthetically compatible vehicular bollards be included at a spacing of no more than 4' on center to provide a structural barrier to vehicles; that any lighting include sharp angle cut off shields to prevent light spillage onto adjacent properties; Due to the open nature of the proposed use, all external sound systems be prohibited and that no live music or other noise generating uses, with the exception of the proposed beer garden patrons, be prohibited; that occupancy is limited to 40 on the beer garden area; Weekdays operation hours of the beer garden be limited to be open no earlier than 6:30 P.M. to close, Saturday operation hours of the beer garden be limited to be open no earlier than 12:00 P.M. (noon) to close, Sunday operation hours of the beer garden be limited to 9:30 A.M. to close and that the special use permit be made contingent

upon the approval of the public amusement and liquor licenses. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

11. Public Hearing and Action: (Tabled from 7/8/2008) Type "B" Public Amusement License, Depot, Inc. dba Rum Runner, 7007 S. 181st Street Suite 106, Omaha, NE 68136. Henry Leitner

MOTION: After a public hearing, Cook moved, seconded by Jansen, to approve the Type "B" Public Amusement License Application by Rum Runner, 7007 S. 181 St. #106, Omaha, Sarpy County, Nebraska 68136 with the limitations recommended by the Sarpy County Planning and Building Director: In order to integrate the design of the fence into the retail center, and to enable drivers to have vision clearance through the fence, a six foot high decorative wrought iron fence be installed that is designed to a pedestrian scale and includes horizontal design elements to reduce the scale of the overall height, the spacing of the balusters (vertical pickets) of the fencing be no more than 3" on center to prevent passage of alcohol and that aesthetically compatible vehicular bollards be included at a spacing of no more than 4' on center to provide a structural barrier to vehicles; that any lighting include sharp angle cut off shields to prevent light spillage onto adjacent properties; Due to the open nature of the proposed use, all external sound systems be prohibited and that no live music or other noise generating uses, with the exception of the proposed beer garden patrons, be prohibited; that occupancy is limited to 40 on the beer garden area; Weekdays operation hours of the beer garden be limited to be open no earlier than 6:30 P.M. to close, Saturday operation hours of the beer garden be limited to be open no earlier than noon to close, Sunday operation hours of the beer garden be limited to 9:30 A.M. to close as it meets zoning requirements. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

12. Public Hearing and Recommendation: (Tabled from 7/8/2008) Liquor License addition to premise application, Class "C" #78002, Beer, Wine & Distilled Spirits On & Off Sale, Depot, Inc. dba Rum Runner, 7007 S. 181st Street Suite 106, Omaha, NE 68136. Henry Leitner

MOTION: After a public hearing, Cook moved, seconded by Jansen, to recommend approval to the Nebraska Liquor Control Commission for the Addition to Premise Application to the Liquor License held by Rum Runner, 7007 S. 181 St. #106, Omaha, Sarpy County, Nebraska 68136, with the limitations recommended by the Sarpy County Planning and Building Director: In order to integrate the design of the fence into the retail center, and to enable drivers to have vision clearance through the fence, a six foot high decorative wrought iron fence be installed that is designed to a pedestrian scale and includes horizontal design elements to reduce the scale of the overall height, the spacing of the balusters (vertical pickets) of the fencing be no more than 3" on center to prevent passage of alcohol and that aesthetically compatible vehicular bollards be included at a spacing of no more than 4' on center to provide a structural barrier to vehicles; that any lighting include sharp angle cut off shields to prevent light spillage onto

adjacent properties; Due to the open nature of the proposed use, all external sound systems be prohibited and that no live music or other noise generating uses, with the exception of the proposed beer garden patrons, be prohibited; that occupancy is limited to 40 on the beer garden area; Weekdays operation hours of the beer garden be limited to be open no earlier than 6:30 P.M. to close, Saturday operation hours of the beer garden be limited to be open no earlier than noon to close, Sunday operation hours of the beer garden be limited to 9:30 A.M. to close as it meets zoning requirements. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

14. Resolution: Authorize the Chairman to sign Amendment #1 to the Interlocal Agreement for improvements to Harrison Street from 47th Street to 71st Street. (2008-207)

MOTION: Resolved by Doyle, seconded by Jansen, to authorize the Chairman and the County Clerk to sign Amendment #1 to the Interlocal Agreement between the Cities of Omaha, Bellevue, La Vista and Douglas and Sarpy Counties for the improvements to Harrison Street from 47th Street to 71st Street for the purpose of adding the cost of design, construction and acquisition of right of way. The original agreement was approved by this Board on 8/23/2005 by Res. #2005-259. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

15. Adjournment

MOTION: At 4:15 P.M. Jansen moved, seconded by Cook, to adjourn until 7/29/2008 immediately following the Sarpy County Board of Equalization Meeting to be held at 3:00 P.M. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

REPORTS The following reports were received and placed on file:

Semi Annual Reports	1/1/2008 - 6/30/2008
County Surveyor	\$ 601.75
County Treasurer	\$2,132,853.60
Fee Report 6/2008	
County Clerk	\$ 60,130.38

Inez M. Boyd, Chairman
Sarpy County Board of Commissioners

Attest:

Debra J. Houghtaling
Sarpy County Clerk