

**MINUTES OF MEETING**  
**SARPY COUNTY BOARD OF COMMISSIONERS**

Tuesday, October 28, 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 3:04 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 October 22, 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  
Board Administrator Mark Wayne  
Deputy County Attorney Mike Smith

Commissioners and Administrator's comments were recorded.

At the request of the County Attorney, Chairman Boyd removed Agenda item #4 from the Consent Agenda and placed it on New Business.

**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 claims report.**
2. **Resolution: Authorize Chairman to sign Change Order #5 for HWS Consulting Group for 1996 Water Sampling & Analysis Contract. (2008-288)**
3. **Resolution: Approve Agreement with the City of Omaha for the Disposal of Wastewater Solids. (2008-289)**
5. **Resolution: Declare a 1989 Caterpillar Motor Grader and a 2000 John Deere Motor Grader, Surplus Property. (2008-292)**
6. **Resolution: Reduce Speed Limit from 50 mph to 40 mph on Capehart Road from 1,000 feet East to 1,000 feet West of Westridge Road. (2008-293)**
7. **Resolution: Place Stop Signs at various intersections in SID #110, Stonecroft and SID #243, Clearwater Falls. (2008-294 and 2008-295).**
8. **Approve the following disbursement requisitions, Limited Tax Building Bonds, Series 2007, Construction Fund, Courthouse Addition.**

<b>#148 AOI</b>	<b>\$ 2,368.87</b>
<b>#149 StopTech</b>	<b>\$ 1,788.75</b>
<b>#149 Pay-Less Office</b>	<b>\$ 3,274.00</b>

**9. Approve the following disbursement requisition, Limited Tax Building Bonds, Series 2008, Construction Fund, Courthouse Remodeling Project.**

**#17 Associated Fire Protection \$ 960.00**

**MOTION:** Jansen moved, seconded by Cook, to approve the Consent Agenda items as presented with the removal of Agenda item #4. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

**NEW BUSINESS**

**4. Resolution: Rescind Resolution #2008-267 and #2008-270 and authorize the Chairman to sign the Agreements with Alyson Meadows for Shoplifting Education Classes and Ruben Fisher for Interpretation Services for the Diversion Services Office. (2008-290 and 2008-291)**

No action was taken on Resolution #2008-290 and the agreement was removed from the Agenda.

**MOTION:** Resolved by Doyle, seconded by Jansen, to authorize the Chairman to sign the agreement with Ruben Fisher for Interpretation Services for the Diversion Services Office. Contract term commences on 9/1/2008 - 2/28/2009 and will automatically renew for six (6) month periods. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

**10. Approve minutes (October 21, 2008).**

**MOTION:** Doyle moved, seconded by Jones, to approve the minutes as presented. Ayes: Cook, Jones, Boyd & Doyle. Nays: None. Abstain: Jansen.

**11. Public Hearing and Resolution: Change Sales Tax Imposed Pursuant to the Nebraska Visitors Development Act. (2008-296)**

**MOTION:** After a public hearing, Doyle resolved, seconded by Jones, that Sarpy County had previously instituted an additional sales tax, upon the total consideration charged for occupancy of space furnished by a hotel, being at the rate of 1.5% pursuant to Neb. Rev. Stat. Sec. 81-1254(1)(2006 Cum. Supp.)(the Promotion Fund) and an additional 1% pursuant to Neb. Rev. Stat. Sec. 81-1254(2)(2006 Cum. Supp.)(the Improvement Fund). Said additional sales tax previously imposed pursuant to Neb. Rev. Stat. Sec. 81-1254(1)(2006 Cum. Supp.)(the Promotion Fund) shall be increased to 2%; and said additional sales tax previously imposed pursuant to Neb. Rev. Stat. Sec. 81-1254(2)(2006 Cum. Supp.)(the Improvement Fund) is hereby increased to 2% for a total of 4% tax as recommended by the Sarpy County Visitors Committee. Further, that said rate changes become effective 60 days after the date of this resolution, subject to the applicable rules and regulations of the Nebraska Department of Revenue. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

**12. Resolution: Promote Organ, Eye and Tissue Donation. (2008-297)**

**MOTION:** Resolved by Doyle, seconded by Cook, that the Sarpy County Board encourages employees and residents of Sarpy County to become an organ, eye, and tissue donor in order to improve the quality of life of all persons. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

**13. Flood Plain Development Permit Application: Apollo Building Corporation, Garage Addition, 16604 Ala Moana Circle, Lot 26, Hawaiian Village, Platte River.**

**MOTION:** Cook moved, seconded by Jansen, to approve the Flood Plain Development Permit Application as recommended by the Papio-Missouri River Natural Resources District and the Sarpy County Planning Director. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

**14. Resolution: Appoint Members to the Sarpy County Highway Corridor Architectural Review Committee. (2008-298)**

**MOTION:** Resolved by Doyle, seconded by Jones, to appoint the following members to the Architectural Review Committee:

Planning Director	Rebecca Horner
Planning Commissioner	Tom Wees
Alternate	(Susan Bliss)
Architect/Engineer	Jared Morris, PE
Alternate	(Alan Tast AIA)
Commercial Real Estate Developer	Scott Brown
Alternate	(Salvadore Carta)

Said appointments shall commence on 10/28/2008 through 12/31/2009.

Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

**15. Resolution: Authorize the Chairman to sign the Reconfiguration Implementation Phase Agreement with Motorola, Inc. for 800 MHz Reconfiguration. (2008-299)**

**MOTION:** Resolved by Jones, seconded by Jansen, to sign the Reconfiguration Implementation Phase Agreement with Motorola, Inc. for 800 MHz Reconfiguration in order to minimize harmful interference to public safety communications systems. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

**16. Executive Session: Litigation.**

**17. Executive Session: Collective Bargaining.**

**MOTION:** At 3:37 P.M. Doyle moved, seconded by Cook, to go into executive session to discuss Litigation and Collective Bargaining. Ayes: Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Chairman Boyd restated for the record that the County Board would go into Executive Session to discuss Litigation and Collective Bargaining.

**MOTION:** At 5:45 P.M. Jansen moved, seconded by Jones, to return to regular session. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

**18. Adjournment**

**MOTION:** At 5:46 P.M. Cook moved, seconded by Doyle, to adjourn until 11/4/2008 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.

**REPORT** The following report was received and placed on file:

Fee Report 9/2008	
County Clerk	\$ 54,492.63

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**Inez M. Boyd, Chairman**  
**Sarpy County Board of Commissioners**

**Attest:**

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**Debra J. Houghtaling**  
**Sarpy County Clerk**