

**MINUTES OF MEETING**  
**SARPY COUNTY BOARD OF COMMISSIONERS**  
Tuesday, December 9, 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 3:05 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 December 3, 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

Administrator's comments were recorded.

Commissioner Cook requested that Agenda item #13 be removed from the Consent Agenda, placed under New Business, and Agenda item #14 be removed from the agenda at the request of Mr. Nemitz.

**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 (December 2, 2008).**
2. **Approve claims report.**
3. **Resolution: Reappoint Jayne Hutton to the joint Douglas/Sarpy County Extension board for a term commencing on January 1, 2009 until December 31, 2011. (2008-342)**
4. **Resolution: Appoint Margaret White to complete the term of Tom Schmidt which expires December 31, 2011, appoint Ryan Belford and reappoint Anthony Moody and Bob Hill Jr. to the Sarpy County Visitors Committee for terms commencing on January 1, 2009 until December 31, 2012. (2008-343)**
5. **Approve the following disbursement requisitions, Limited Tax Building Bonds, Series 2008, Construction Fund, Courthouse Remodeling Project.**

<b>#22</b>	<b>All Purpose Utilities, Inc.</b>	<b>\$481,612.50</b>
<b>#23</b>	<b>STL Communications, Inc.</b>	<b>\$ 23,222.00</b>
<b>#24</b>	<b>Carlson West Povondra</b>	<b>\$ 9,244.67</b>

6. **Approve the following disbursement requisitions, Limited Tax Building Bonds, Series 2007, Construction Fund, Courthouse Addition.**  

# 156 ASI Modulex	\$ 1,123.80
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7. **Resolution: Place stop signs in the following locations:**
  - a. Various locations in SID #246, Titan Springs. (2008-344)
  - b. Various intersections in Hillcrest Country Estates. (2008-345)
  - c. The intersection of 180th Street and Capehart Road. (2008-346)
  - d. The intersection of Miller Road and Dyson Hollow Road. (2008-347)
8. **Resolution: Increase Speed Limit on 108th Street from Harrison Street to Chandler Road from 35 mph to 40 mph. (2008-348)**
9. **Resolution: Place No Parking Signs at various locations in SID # 202, Lincoln Place. (2008-349)**
10. **Permission to solicit bids for Magnesium Chloride & Calcium Chloride for the Highway Department.**
11. **Permission to solicit bids for Rock Salt for the Highway Department.**
12. **Permission to solicit bids for Office Furniture for the Courthouse Remodel Project, Phases 2-5.**
- ~~13. **Approve Liquor Control Commission Corporate Manager Application for Ata Rodgers in connection with GAM Enterprises dba Americana Bistro. Moved to New Business**~~

**MOTION:** Cook moved, seconded by Doyle, to approve the Consent Agenda items as presented with the removal of Agenda item #13. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

**NEW BUSINESS**

**13. Approve Liquor Control Commission Corporate Manager Application for Ata Rodgers in connection with GAM Enterprises dba Americana Bistro.**

**MOTION:** Cook moved, seconded by Jansen, to recommend approval of the Nebraska Liquor Control Commission Corporate Manager Application of Ata Rodgers in connection with GAM Enterprises dba Americana Bistro, 2403 Towne Centre Dr. Bellevue, Sarpy County, License #C-80491. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

~~14. **Discussion: Maintenance of gravel road and greenspace. Fred Nemitz**~~

**15. Public Hearing: Recommendation for a Class "C" Beer, Wine, & Distilled Spirits, On & Off Sale liquor license for Trees, Shrubs and More, Inc., 3803 Cornhusker Road, Bellevue, Sarpy County, NE 68123.**

**MOTION:** After a public hearing, Cook moved, seconded by Doyle, to deny the application for a Class "C" Beer, Wine, & Distilled Spirits, On & Off Sale liquor license for Trees, Shrubs and More, Inc., 3803 Cornhusker Road, Bellevue, Sarpy County, 68123, as it is not appropriate with what the main business line is, concerns with the mixture of children and adults around this type of business, and that the original plan was a request for the whole property. Ayes: Cook, Jones, Boyd & Doyle. Nays: Jansen.

**16. Public Hearing & Resolution: Award bid for Office Relocation for Remodel Project. (2008-350)**

**MOTION:** Beth Cunard, County Purchaser, reported that bids have been solicited, made, opened and reviewed pursuant to Board authorization. After a public hearing, Doyle resolved, seconded by Jansen, to accept the low bid of Jim's Moving & Delivery Company Inc. for office relocation base bid with option 1 - Moving Supplies based on the amount of movers, hours, and per hour charges specified in the attachment to the resolution and this Board's Chairman, Clerk and Attorney are hereby authorized to execute the necessary documents. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

**17. Discussion: Purchase of property located at 1414 South Washington Street.**

County Administrator Mark Wayne addressed the Board.

**18. Public Hearing & Resolution: Authorize Chairman to sign the Memorandum of Understanding with the Omaha Royals Limited Partnership. (2008-351)**

**MOTION:** After a public hearing, Jansen resolved, seconded by Jones, to authorize the Chairman and the County Clerk to execute the Memorandum of Understanding with the Omaha Royals Limited Partnership, by which the parties agree to use their best efforts to resolve the issues identified, and to facilitate the establishment of a minor league baseball stadium. Further, the County Administrator is authorized to take such other actions as may be necessary to negotiate the Definitive Agreement in the Memorandum of Understanding, and prepare said Definitive Agreement for consideration by this Board. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

**19. Zoning (Public Hearings)**

**a-c. Not applicable at this time.**

**d. Text Amendment Application: Zoning Regulations Section 32 Highway Corridor Overlay District, Dowd Grain. Duane Dowd**

**MOTION:** Jansen moved, seconded by Jones, to table Agenda item #19d until 1/27/2009. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

**e. Text Amendment Request: Zoning Regulations Section 32 Highway Corridor Overlay District.**

**MOTION:** After a public hearing, Cook moved, seconded by Jansen, to approve the text amendments to Section 32 - HC Highway Corridor Overlay District of the Sarpy County Zoning Regulations as presented and as recommended

by the Sarpy County Planning Commission and the Planning Director with the following changes:

Section 32 - HC Highway Corridor Overlay District

32.1 Purpose

3) ~~Heavy~~ industrial uses as defined by Sections ~~29~~ 24 and 30, except by a special use permit,

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

**f. Text Amendment Request: Zoning Regulations Section 38 Storm Water Management Regulations.**

**MOTION:** After a public hearing, Cook moved, seconded by Doyle, to approve the text amendments to Section 38 - Storm Water Management Regulations of the Sarpy County Zoning Regulations as submitted because the amendments are consistent with the Sarpy County Comprehensive Development Plan as recommended by the Sarpy County Planning Commission and the Planning Director. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

**g. Text Amendment Request: Subdivision Regulations Section 6 Preliminary Plat and Supplemental Data.**

**MOTION:** After a public hearing, Cook moved, seconded by Jansen, to approve the text amendments to Section 6 - Preliminary Plat and Supplemental Data of the Sarpy County Subdivision Regulations as submitted because the amendments are consistent with the Sarpy County Comprehensive Development Plan as recommended by the Sarpy County Planning Commission and the Planning Director. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

**Resolution: Adopt amended Zoning Regulations. (2008-352)**

**MOTION:** After a public hearing, Jansen resolved, seconded by Doyle, to approve the resolution adopting the amendments to the Sarpy County Zoning Regulations. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

**Resolution: Adopt amended Subdivision Regulations. (2008-353)**

**MOTION:** After a public hearing, Jansen resolved, seconded by Doyle, to approve the resolution adopting the amendments to the Sarpy County Subdivision Regulations. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

**20. Resolution: Approve Interlocal Agreement with the City of Bellevue for snow and ice removal services by Sarpy County within several annexed Sanitary and Improvement Districts: (2008-354)**

**MOTION:** Resolved by Jansen, seconded by Doyle, to approve the Interlocal Cooperation Agreement with the City of Bellevue whereby Sarpy County will provide snow and ice removal for streets within the following SID's that have been annexed effective 12/31/2008: SID 85-Quail Creek, SID 110-Stonecroft, SID 112-Leawood Oaks III, SID 113-Offutt Towers/Offutt Towers Replat, SID 122-Two Springs, SID 136-Lookingglass Heights II, 142-Fairview, SID 144-Two Springs/Two Springs Replat, SID 147-Blackhawk, SID 154-Oak Ridge, SID 168-Sunrise Addition and SID 201-Daniell Crossing. Said agreement term expires on 6/30/2009. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

**21. Resolution: Authorize extension of contract with Thompson, Dreesen & Dorner, Inc. for Landfill Engineering & Technical Services. (2008-355)**

**MOTION:** Resolved by Doyle, seconded by Jansen, to authorize the Chairman and County Clerk to take such action as may be necessary to extend the contract with Thompson, Dreesen & Dorner, Inc. for engineering and technical services relating to solid waste disposal for calendar years 2009 and 2010. The total technical services summary for landfill locations at 9702 Cedar Island Road and 156th Street and Fairview Road is attached to the resolution. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

**22. Adjournment**

**MOTION:** At 4:34 P.M. Cook moved, seconded by Doyle, to adjourn until 12/16/2008 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 11/2008	
Building Department	\$ 20,569.52

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

**Attest:**

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