

MINUTES OF MEETING
SARPY COUNTY BOARD OF COMMISSIONERS
Tuesday, March 31, 2009
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 Joni Jones at 3:07 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 March 25, 2009. 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: Rusty Hike, Joni Jones, Tom Richards, Pat Thomas, Rich Jansen
Commissioners Absent: None
Others Present: County Clerk Deb Houghtaling
Board Administrator Mark Wayne
Deputy County Attorney Mike Smith

Commissioners comments were recorded.

Richards moved, seconded by Jansen, to remove Agenda item #7 from the Consent Agenda to be placed on the Regular Agenda. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

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 (March 24, 2009). Deb Houghtaling**
2. **Approve claims report. Deb Houghtaling**
3. **Approve the following disbursement requisition, Limited Tax Building Bonds, Series 2008, Construction Fund, Courthouse Remodeling Project. Brian Hanson**

#52	OSDI Midwest	\$44,344.80
#53	AOI	\$ 5,918.39
#54	NACR	\$ 8,109.00
4. **Approve request for free days at the Landfill for the City of La Vista Spring Clean Up event to be held April 17th and April 18th, 2009. Duwaine Brigman**
5. **Resolution: Reduce Speed Limit from 55 mph to 45 mph on 84th Street from Capehart Road to a point 1/2 mile north. (2009-064) Thomas L. Lynam**
6. **Resolution: Approve and authorize the Chairman to sign the 2008 NPDES Permit Annual Report. (2009-065) Carrie Davis-Sedlacek**
7. ~~**Resolution: Authorize Chairman to sign Interlocal Cooperation Agreement with Douglas County and SID 524, Coventry for the improvement of Harrison Street from 203rd Street to 210th Street. (2009-066) Tom Lynam**~~ Moved to Regular

MOTION: Hike moved, seconded by Thomas, to approve the Consent Agenda items as amended with the removal of Agenda item #7. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

REGULAR AGENDA

7. Resolution: Authorize Chairman to sign Interlocal Cooperation Agreement with Douglas County and SID 524, Coventry for the improvement of Harrison Street from 203rd Street to 210th Street. (2009-066) Tom Lynam

MOTION: Richards moved, seconded by Jansen, to table Agenda item #7 until 4/7/2009. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

8. Public Hearing: Recommendation for a Class "D" Beer, Wine & Distilled Spirits, Off Sale Only, liquor license for Baba Inc. dba Harrison Food Shop, 6912 South 110th Street, La Vista, Sarpy County, NE 68138. Michael Lazer

MOTION: After a public hearing, during which Attorney Clay Rogers represented the applicant, Richards moved, seconded by Jansen, to recommend approval of the Application for Liquor License Class "D" Beer, Wine & Distilled Spirits, Off Sale Only, liquor license for Baba Inc. dba Harrison Food Shop, 6912 South 110th Street, La Vista, Sarpy County, NE 68138 and notify the Nebraska Liquor Control Commission of Board approval. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

9. Recommendation to Nebraska Liquor Control Commission regarding two (2) Special Designated Liquor License Applications for Renaissance Faire, May 16-17, 2009 and May 23-25, 2009 at 17272 Giles Road. Todorovich Management Company

MOTION: Richards moved, seconded by Jansen, to recommend approval of the two (2) Special Designated Liquor License Applications for Renaissance Faire, May 16-17, 2009 and May 23-25, 2009 at 17272 Giles Road, Todorovich Management Company, with the caveat that it be held inside the fenced area of the beer garden and be held during the times indicated in the applications. Ayes: Hike, Jones, Richards, & Jansen. Nays: Thomas.

10. Public Hearing and Resolution: Bid Award for Printed Office Stationary. (2009-067) Lois Spethman

MOTION: Lois Spethman, County Purchaser, reported that bids have been solicited, made, opened and reviewed pursuant to Board authorization. After a public hearing, Hike resolved, seconded by Jansen, to accept the low bid per specifications of Business Printing for Printed Office Stationary for the unit prices as stated on the bid for an approximate annual amount of \$5,845.23. This Board's Chairman, Clerk and Attorney are authorized to execute the necessary documents. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

- 11. Public Hearing & Resolution: Text Amendment Application, Zoning Regulations RE2, Residential Estates II district for Permitted Special Uses and adopt amended Sarpy County Zoning Regulations. (2009-068) Rebecca Horner**

MOTION: After a public hearing, Jansen resolved, seconded by Thomas, to approve the text amendment to the RE2, Residential Estates II district for Permitted Special Uses (private barns for animals) and adopt the amended Sarpy County Zoning Regulations as submitted. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

- 12. Resolution: Flood Plain Development Permit Application of Chad Wegener, 6902 S. 240th Street for construction of a barn for housing livestock, floodway fringe, Elkhorn River. (2009-069) Rebecca Horner**

MOTION: Resolved by Jansen, seconded by Hike, to approve the Flood Plain Development Permit Application of Chad Wegener. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

- 13. Resolution: Flood Plain Development Permit Application of Jim & Barb Willett, 2923 Crystal Drive, Lot 53 Chris Lake, to repair a structure damaged by fire. (2009-070) Rebecca Horner**

MOTION: Resolved by Hike, seconded by Jansen, to approve the Flood Plain Development Permit Application of Jim & Barb Willett. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

- 14. Resolution: Authorize Chairman to sign the County/City Lottery Sales Outlet Location Application for Catfish Lake Restaurant and GAM Enterprises LLC d/b/a Americana Bistro. (2009-071) Brian Hanson**

MOTION: Resolved by Jansen, seconded by Hike, to approve the resolution to authorize the Chairman to sign the County/City Lottery Sales Outlet Location Application for Catfish Lake Restaurant and GAM Enterprises LLC d/b/a Americana Bistro to be keno satellite locations for Advanced Gaming Technologies. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

- 15. Resolution: Authorize Chairman to sign agreement with DLR Group, Inc. for professional services for proposed Baseball Stadium. (2009-072) Mark Wayne**

MOTION: Resolved by Jansen, seconded by Thomas, to approve the resolution with the following changes; striking the phrase "in accordance with sections 6.1.1 through 6.1.4.4" from paragraph 3.2.7 and paragraph 3.3.2 then adding 10% in the blank found in 6.1.1. Ayes: Hike, Jones, Thomas & Jansen. Nays: Richards.

- 16. Executive Session: Litigation. Mike Smith**

MOTION: At 4:05 P.M. Jansen moved, seconded by Hike, to go into executive session to discuss Litigation. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

Chairman Jones restated for the record that the County Board would go into Executive Session to discuss Litigation.

At 4:19 P.M. Chairman Jones stated for the record that the County Board had gone into Executive Session at 4:05 P.M. during which their discussion was restricted to Litigation and no formal Board action was taken.

MOTION: At 4:19 P.M. Jansen moved, seconded by Hike, to return to regular session. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

17. Adjournment

MOTION: At 4:20 P.M. Richards moved, seconded by Jansen, to adjourn until 4/7/2009 immediately following the Sarpy County Board of Equalization Meeting to be held at 3:00 P.M. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

REPORTS The following reports were received and placed on file:

Fee Reports 2/2009	
County Clerk	\$ 44,390.65
Sheriff	\$ 7,974.21

Joni M. Jones, Chairman
Sarpy County Board of Commissioners

Attest:

Debra J. Houghtaling
Sarpy County Clerk