

MINUTES OF MEETING
SARPY COUNTY BOARD OF COMMISSIONERS
Tuesday, August 25, 2009
Sarpy County Courthouse, Sarpy County Board Room
www.sarpy.com/countyboard/minutes/

Notice of the Board of Commissioners meeting was given in advance thereto by publication in the Suburban Newspapers, Inc. dba Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor on August 19, 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 the meeting.

The location of the posted Nebraska Open Meetings Act was given and the meeting of the Board of Commissioners convened in open and public session by Sarpy County Board of Commissioners Chairman Joni Jones at 3:11 P.M. immediately following the Board of Equalization 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

Kenny Mach of the Papillion Volunteer Fire Department presented two Automatic External Defibrillators to the Sarpy County Sheriff.

Chairman Jones requested that Agenda item #1 be removed from the Consent Agenda and addressed under 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 (August 18, 2009). Deb Houghtaling moved to regular agenda~~
2. Approve claims report. Deb Houghtaling
3. Resolution (2009-234): Authorize Chairman to sign 2009 FY Equitable Sharing agreement and certification for Sheriff's office. Brian Hanson
4. Resolution (2009-235): Authorize Chairman to sign 2009 FY Equitable Sharing agreement and certification for County Attorney's office. Brian Hanson

MOTION: Jansen moved, seconded by Hike, to approve the Consent Agenda items as amended with the removal of Agenda item #1. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

Regular Agenda

1. Approve minutes (August 18, 2009). Deb Houghtaling

MOTION: Jansen moved, seconded by Hike, to approve the minutes as presented.
Ayes: Hike, Jones, Thomas & Jansen. Nays: None. Abstain: Richards.

5. Discussion: Law Enforcement Safety Position. NIRMA, Terry Baxter

Terry Baxter, NIRMA Law Enforcement Safety Specialist, introduced himself and addressed the Board.

6. Public Hearing and Resolution (2009-236): Change of Zone application, Doug Stevens from IL (Light Industrial) to BGH (Heavy General Business), located at 10702 S 144th Street, Lots 22, 23 & 24B, Prairie Corners. Rebecca Horner

MOTION: After a public hearing, Hike resolved, seconded by Jansen, to approve Resolution 2009-236 for a Change of Zone application for Prairie Corners.
Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

7. Public Hearing and Resolution (2009-237): Special Use Permit, John and Shirley McVicker for an in-home daycare at 19622 Chandler Street, Lot 150, Bellbrook. Rebecca Horner

MOTION: After a public hearing, Richards resolved, seconded by Jansen, to approve Resolution 2009-237 for a Special Use Permit for John and Shirley McVicker for an in-home daycare for a maximum of six children.
Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

8. (Tabled from 8/18/2009) Resolution (2009-228): Text amendment addition, Wind Energy Design Standard Regulations and adopt amended zoning regulations. Rebecca Horner

MOTION: Public hearing having been held on 8/18/2009, Richards resolved, seconded by Jansen, to approve Resolution 2009-228 for a text amendment addition and adopt the amended zoning regulations. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

9. Resolution (2009-238): Authorize Chairman to sign the VOCA/Victim Assistance grant revised budget. Carrie Davis-Sedlacek

MOTION: Resolved by Richards, seconded by Hike, to approve Resolution 2009-238 for the revised budget of \$115,000 submitted to the Nebraska Crime Commission. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

10. Resolution (2009-239): Authorize Chairman to sign Sarpy County Juvenile Justice County Aid (LB640) grant award and subgrant special conditions. Carrie Davis-Sedlacek

MOTION: Resolved by Hike, seconded by Jansen, to approve Resolution 2009-239 for the grant award of \$113,089 with a \$45,236 County match for a total

project cost of \$158,325. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

11. Resolution (2009-240): Authorize Chairman to sign the Sarpy County Juvenile Reporting Center grant award and subgrant special conditions. Carrie Davis-Sedlacek

MOTION: Resolved by Richards, seconded by Jansen, to approve Resolution 2009-240 for the grant award of \$37,491 with a \$4,227 County match for a total project cost of \$41,718. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

12. Resolution (2009-241): Authorize Chairman to sign the Sarpy County Pretrial Juvenile Assessment Center grant award and subgrant special conditions. Carrie Davis-Sedlacek

MOTION: Resolved by Richards, seconded by Jansen, to approve Resolution 2009-241 for the grant award of \$21,722 with a \$3,258 County match for a total project cost of \$24,980. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

13. Resolution (2009-242): Approve settlement agreement and general mutual release of all claims with Waste Management of Nebraska, Inc. (Landfill compactor). Kerry Schmid

MOTION: Resolved by Jansen, seconded by Hike, to approve Resolution 2009-242 for the settlement agreement and general mutual release of all claims regarding the Sarpy County Landfill compactor damage in the amount of \$35,539.74. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

14. Discussion and authorize Chairman to sign letter of support for continued progress on Pflug Road interchange. Pat Thomas

MOTION: Pat Sullivan, Attorney, Toby Churchill, Sarpy County Economic Development Corporation, Linda Revis Sarpy County Tourism Director and Tom Lynam, County Surveyor addressed the Board. After a discussion, Thomas moved, seconded by Jansen, to authorize the Chairman to sign the letter of support. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

15. Executive Session: Litigation. ~~Nicole O'Keefe~~ Mike Smith

MOTION: At 4:15 P.M. Jansen moved, seconded by Richards, 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 4:50 P.M. Chairman Jones stated for the record that the County Board had gone into Executive Session at 4:15 P.M. during which their discussion was restricted to Litigation and no formal Board action was taken.

MOTION: At 4:51P.M. Jansen moved, seconded by Richards, to return to regular session. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

16. Adjournment

MOTION: At 4:51P.M. Richards moved, seconded by Jansen, to adjourn until September 1, 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.

REPORT The following report for July, 2009 was received and placed on file:

County Clerk	\$ 59,223.38
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Joni M. Jones, Chairman
Sarpy County Board of Commissioners

Attest:

Debra J. Houghtaling
Sarpy County Clerk