

MINUTES OF MEETINGS
SARPY COUNTY BOARD OF COMMISSIONERS
Tuesday, September 1, 2009
Sarpy County Courthouse, Sarpy County Board Room
www.sarpy.com/countyboard/minutes/

Notice of the Administrative Briefing and Board of Commissioners meetings were given in advance thereto by publication in the Suburban Newspapers, Inc. dba Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor on August 26, 2009. A copy of the Proof of Publication is on file in the County Clerk's office. Notice of the meetings was simultaneously given to all members of the Sarpy County Board of Commissioners. Availability of the agendas was communicated in the published notice and in the notice to members of the Board of Commissioners of these meetings.

ADMINISTRATIVE BRIEFING

The location of the posted Nebraska Open Meetings Act was given and the Administrative Briefing meeting of the Board of Commissioners was convened in open and public session by Sarpy County Board of Commissioners Chairman Joni Jones at 1:30 P.M.

Commissioners Present: Rusty Hike, Joni Jones, Tom Richards, Pat Thomas, Rich Jansen
Commissioners Absent: None
Others Present: County Clerk Deb Houghtaling represented by Chris Vance
Board Administrator Mark Wayne

1. Tourism. Linda Revis
2. MAPA. Paul Mullen
3. Ballpark and CMAR updates. Mark Wayne

At 2:32 P.M. the Board recessed. The next scheduled Administrative Briefing meeting will be September 29, 2009 at 1:30 P.M.

BOARD OF COMMISSIONERS MEETING

The location of the posted Nebraska Open Meetings Act was given and the meeting of the Board of Commissioners reconvened in open and public session by Sarpy County Board of Commissioners Chairman Joni Jones at 3:10 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 represented by Chris Vance
Board Administrator Mark Wayne
Deputy County Attorney Mike Smith

Commissioners' comments were recorded.

Chairman Jones requested that Agenda item #11 be removed from the consent agenda and be addressed on 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 25, 2009). Deb Houghtaling
2. Approve claims report. Deb Houghtaling
3. Resolution (2009-243): Approve the Sarpy County Officials' inventory statement. Fred Uhe
4. Resolution (2009-244): Approve placement of No Parking signs at various locations in SID 264, Shadow Lake. Tom Lynam
5. Permission to solicit bids for widening of 168th Street and Highway 370, Project C-77 (10-6). Beth Cunard
6. Permission to solicit bids for the Law Enforcement Center Sheriff's Garage Project. Beth Cunard
7. Permission to solicit bids for the Law Enforcement Center Project. Beth Cunard
8. Resolution (2009-245): Authorize Chairman to sign contracts for Juvenile Court legal services (Ann E. Ebsen, Ann W. Davis, Colleen D. Bergren, Dorothy M. Tubach and Lisa C. Lewis). Beth Cunard
9. Approve disbursement requisition #4 for DLR Group in the amount of \$96,940.69, Sarpy County/Omaha Royals Stadium Escrow Agreement Construction Fund. Brian Hanson
10. Approve the following disbursement requisitions, Limited Tax Building Bonds, Series 2008, Construction Fund, Courthouse Remodeling Project. Brian Hanson

#86	AVAYA	\$ 3,273.40
#87	Nebraska Furniture Mart	\$ 639.99
#88	Bil-Den Glass	\$ 3,916.00
#89	All Purpose Utilities	\$94,493.75
- ~~11. Resolution (2009-246): Approve access agreement with PCS Nitrogen Fertilizer, L.P. Mark Wayne addressed the Board. Moved to the regular agenda.~~

MOTION: Jansen moved, seconded by Richards, to approve the Consent Agenda items with the removal of item #11 which has been moved to the regular agenda. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

Regular Agenda

11. Resolution (2009-246): Approve access agreement with PCS Nitrogen Fertilizer, L.P. Mark Wayne addressed the Board.

MOTION: Resolved by Jansen, seconded by Hike, to approve the access agreement with PCS Nitrogen Fertilizer, L.P. which allows the County and/or Consultant and their approved, authorized employees and contractor's entry upon the property for the sole purpose of conducting the Phase II Assessment. The consent to access shall terminate on the earlier of the completion of said assessment estimated to be December 31, 2010. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

12. Public Hearing: Type "A" Public Amusement License application, Eric Cummins for a block party with band to be held on September 19th from 8 P.M. until 12 midnight, at Josephine Street between 160th and 161st, Omaha NE 68136. Eric Cummins

MOTION: After a public hearing, Jansen moved, seconded by Thomas, to approve the public amusement license for Eric Cummins. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

13. Public Hearing and Resolution (2009-247): DCL Enterprises dba Scary Acres, requests an amendment to Special Use Permit for commercial recreation located at 17272 Giles Road, Omaha NE 68136. Rebecca Horner

MOTION: After a public hearing, Jansen resolved, seconded by Hike, to approve the resolution for an amendment to the Special Use Permit for a ten (10) year period expiring on November 1, 2019 as recommended by the Planning Commission. Amended permit includes the amended operations plan and moving the corn maze to the east and replacing the corn maze with additional parking. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

14. Public Hearing: 2010 Fiscal Year budget. Brian Hanson

A public hearing was held for the 2010 Fiscal Year budget.

15. Resolution (2009-248): Approve and authorize Chairman to sign the cooperative purchasing agreement with the National Association of State Procurement Officials (NASPO). Beth Cunard

MOTION: Resolved by Hike, seconded by Jansen, to approve the resolution allowing Sarpy County to enter into a multi-state cooperative purchasing agreement for the purchase of hazardous incident response equipment through May 31, 2010 with the option of two and one year extensions. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

16. Public Hearing and Resolution (2009-249): Reject bids for security screening x-ray machine. Beth Cunard

MOTION: After a public hearing, Jansen resolved, seconded by Thomas, to approve the resolution rejecting the bids for security screening x-ray machine. (Sarpy County will purchase the Smith Detection HI-SCAN 6040ds machine from the Hazardous Incident Response Equipment contract through the National Association of State Procurement Officials) Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

17. Resolution (2009-250): Establish limitations on the playing of Keno lottery conducted by Sarpy County. Brian Hanson

MOTION: Resolved by Jansen, seconded by Richards, to approve the resolution to establish updated Keno Lottery playing limitations as required by the

Nebraska Department of Revenue Charitable Gaming Division and rescind the November 29, 1994 resolution for previously approved limitations. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

18. Resolution (2009-251): Authorize Chairman to sign the revised budget for the Juvenile Accountability Block Grant (JABG). Carrie Davis-Sedlacek

MOTION: Resolved by Hike, seconded by Jansen, to approve the resolution for the grant budget for a total revised project cost of \$17,205. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

19. Resolution (2009-252): Authorize Chairman to sign the independent contractor service agreement with Heartland Family Service. Carrie Davis-Sedlacek

MOTION: Resolved by Jansen, seconded by Thomas, to approve the resolution for the agreement with Heartland Family Service whereby Sarpy County Sheriff will provide a part-time Law Enforcement Liaison to review reports in an effort to discover unidentified victims of domestic violence. Funding for said liaison provided through the Violence against Women Act, VAWA grant award received by Heartland Family Service. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

20. Resolution (2009-253): Authorize Chairman to sign interlocal agreement with the City of La Vista and the County of Sarpy and related document for the FY 2005 Law Enforcement Terrorism Prevention Program Grant. Carrie Davis-Sedlacek

MOTION: Resolved by Richards, seconded by Hike, to approve the resolution for the agreement with La Vista for the purpose of purchasing one portable radio for use by the La Vista Police department. Reallocation funds for the purchase are from the LETPP grant. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

21. Resolution (2009-254): Approve 2009-2010 Levy Allocation for Fire Districts/Agricultural Society. Fred Uhe

Commissioner Jones said that Commissioner Jansen would be abstaining as he sits on some of the political subdivision boards requesting levy allocations.

MOTION: Resolved by Richards, seconded by Thomas, to approve the resolution for the fiscal year 2009-2010 Levy Allocations for Eastern Sarpy Suburban Fire Protection District, Good Luck Suburban Protection District, Gretna Rural Fire District, Papillion Rural Fire Protection District, Springfield Rural Fire District and Sarpy Agricultural Society. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Abstain: Jansen.

22. Resolution (2009-255): Approve and authorize Chairman to sign the agreement with Felsburg, Holt and Ullevig for design and environmental evaluation of improvements to the intersection of 156th & Giles Road. Tom Lynam

MOTION: Resolved by Richards, seconded by Hike, to approve the resolution for services provided by Felsburg, Holt and Ullevig for project MAPA 3772(1), State Control No. 22408. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

23. Resolution (2009-256): Appoint members to the Construction Alternatives Selection Committee. Mark Wayne

MOTION: Resolved by Jansen, seconded by Thomas, to approve the resolution appointing Rusty Hike, Tom Richards, Mark Wayne, Stan Meredith, Ken Roth, Ralph Gladbach, John Zellers, Matthew Hardebeck and Del Reibold to the Political Subdivisions Construction Alternatives Act Selection Committee. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

24. Adjournment

MOTION: At 4:54 P.M. Richards moved, seconded by Jansen, to adjourn until September 15, 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 for July, 2009 were received and placed on file:

Planning Department	\$ 48,604.71
Sheriff	\$ 10,441.13

Joni M. Jones, Chairman
Sarpy County Board of Commissioners

Attest:

Christine Vance for Debra J. Houghtaling
Sarpy County Clerk