## MINUTES OF MEETING SARPY COUNTY BOARD OF COMMISSIONERS

Tuesday, September 15, 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 September 9, 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 3:07 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

Commissioners and Administrator's comments were recorded.

## 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 (September 1, 2009). Deb Houghtaling
- 2. Approve claims reports (September 8 and 15, 2009). Deb Houghtaling
- 3. Resolution (2009-257): Appoint Dale Tedder to the Sarpy/Cass Department of Health and Wellness Board for a three year term to expire September 15, 2012. Joni Jones
- 4. Resolution (2009-258): Place speed limit and stop signs at various locations in SID 264, Shadow Lake. Tom Lynam
- 5. Approve disbursement requisition #90 for Carlson West Povondra in the amount of \$10,038.00, Limited Tax Building Bonds, Series 2008, Construction Fund, Courthouse Remodeling Project. Brian Hanson
- 6. Approve the following disbursement requisitions, Sarpy County/Omaha Royals Stadium Escrow Agreement, Construction Fund. Brian Hanson

#5 Olsson Associates \$ 5,500.00 #6 Omaha Royals \$ 9,931.26

- 7. Resolution (2009-259): Approve and authorize Chairman to sign lease addendum with Health and Human Services for Bay 1E at 1261 Golden Gate Drive, beginning December 1, 2009 through November 30, 2010. Beth Cunard
- 8. Permission to solicit bids for one (1) ten foot (10') dump body with hydraulic system for the Highway department. Beth Cunard

9. Permission to purchase Permission to solicit bids for one (1) new stainless steel material spreader for the Highway department. Beth Cunard

MOTION: Jansen moved, seconded by Hike, to approve the Consent Agenda items

as presented. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays:

None.

## Regular Agenda

10. Public Hearing and Resolution (2009-260): Award bid for one (1) new 37,000 GVWR single axle cab chassis. Beth Cunard

MOTION: After a public hearing, Jansen resolved, seconded by Richards, to

approve the resolution accepting the low bid of Omaha Truck Center in the amount of \$57,979 which includes option 1-trade in allowance of \$5,100.

Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

11. (Tabled from 8/18/2009) Public Hearing and Resolution (2009-229): Special Use Permit, Tom Heimes for wind energy system at 21162 Riha Road, Lot 6 Meadow Oaks South. Rebecca Horner

12. (Tabled from 8/18/2009) Public Hearing and Resolution (2009-230): Special Use Permit, Ray Heimes for wind energy system at 21174 Riha Road, Lot 7 & 8B Meadow Oaks South. Rebecca Horner

MOTION: A public hearing was held on Agenda items #11 and #12.

Richards moved, seconded by Hike, to table agenda item #11 until September 29, 2009. Ayes: Hike, Jones, Richards, Thomas & Jansen.

Nays: None.

Richards moved, seconded by Jansen, to table agenda item #12 until September 29, 2009. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

13. Public Hearing and Resolution (2009-261): Special Use Permit, reconsideration of drinking establishment conditions, Waterfall Lounge, 10208 S. 168th Avenue A & B, Lot 12 Tiburon Village. Rebecca Horner

MOTION:

After a public hearing, Richards resolved, seconded by Jansen, to approve the resolution for Waterfall Lounge special use permit to allow the applicant to have a 4 foot fence with balustrade spacing no more than three (3) inches on center enclosing the outdoor area. Further, this resolution rescinds those parts of Resolution 2009-204 (approved by this Board on September 15, 2009) which are in conflict with this resolution and affirms those parts of Resolutions 2009-204 not in conflict with this resolution. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

14. Public Hearing and Resolution (2009-262): Special Use Permit, Julie Nielson for kennel to house personal pets (16 dogs and 7 cats) at 16410 S. 180th Street, Tax Lot 8A in Sec 29, Twp 13N, Rng 11E. Rebecca Horner

MOTION: After a public hearing, Jansen moved to deny the special use permit due

to concerns of the Nebraska Humane Society in the past. Motion failed for

lack of a second.

MOTION: After a public hearing, Hike resolved, seconded by Thomas, to approve

the resolution for the special use permit for a kennel to house personal pets (16 dogs and 7 cats) for one year based on the applicant's current good standing with Nebraska Humane Society. Ayes: Hike, Jones,

Richards & Thomas. Nays: Jansen.

15. Resolution (2009-263): Authorize Chairman to sign grant award and special conditions relating to the Edward Byrne Justice Assistance Grant for law enforcement equipment. Carrie Davis-Sedlacek

MOTION: Resolved by Richards, seconded by Thomas, to approve the resolution for

the Department of Justice grant award of \$14,093. The program period is

from October 1, 2008 to September 30, 2012. Ayes: Hike, Jones,

Richards, Thomas & Jansen. Nays: None.

16. Resolution (2009-264): Authorize Chairman to sign interlocal cooperation agreement with Douglas County and La Vista for the stabilization of Hell Creek near Harrison Street. Tom Lynam

MOTION: Resolved by Jansen, seconded by Hike, to approve the resolution for the

stabilization of Hell Creek. Ayes: Hike, Jones, Richards, Thomas &

Jansen. Nays: None.

17. Resolution (2009-265): Approve Community Development Block Grant (CDBG) procurement procedures and code of conduct. Scott Bovick

MOTION: Resolved by Richards, seconded by Thomas, to approve the resolution for

the updated Community Development Block Grant (CDBG) procurement procedures and code of conduct. Ayes: Hike, Jones, Richards, Thomas

& Jansen. Nays: None.

18. Resolution (2009-266): Approve the issuance of not to exceed \$26,000,000 principal amount of Lease Rental Revenue Bonds in one or more series by the Sarpy County Leasing Corporation for the purpose of providing funds to pay the costs of a project for the County; authorizing and approving certain documents in connection with the issuance of such bonds; and authorizing certain other actions in connection with the issuance of such bonds. Brian Hanson

MOTION: Resolved by Thomas, seconded by Jones, to approve the resolution for

the issuance of bonds for the purpose of providing funds to acquire,

construct, furnish and equip recreational and athletic facilities and related improvements (Stadium Lease & Use Agreement between Sarpy County and the Omaha Royals Limited Partnership was approved March 17, 2009 by Resolution #2009-058, Real Estate Transfer agreement between Sarpy County and Schewe Farms, Inc. was approved 6/1/2009 by Resolution #2009-128). Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

19. Resolution (2009-267): Authorize additional one percent (1%) increase in restricted funds for the 2010 Fiscal Year budget. Brian Hanson

MOTION: Resolved by Thomas, seconded by Hike, to approve the resolution to authorize additional one percent (1%) increase in restricted funds. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

Resolution (2009-268): Adopt the 2010 Fiscal Year budget for Sarpy County, Nebraska.
 Brian Hanson

MOTION: Resolved by Thomas, seconded by Jansen, to approve the resolution adopting the July 1, 2009 to June 30, 2010 Fiscal Year budget including attachment A to the resolution which reflects the budget changes that have been made since the reconciliation hearing. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

21. Resolution (2009-269): Authorize tax levy for bonds issued pursuant to section 23-120(3) (B). Brian Hanson

MOTION: Resolved by Thomas, seconded by Hike, to approve the resolution authorizing the tax levy for bonds issued. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

22. Public Hearing and Resolution (2009-270): Set Sarpy County tax requisition for 2010 Fiscal Year. Brian Hanson

MOTION: After a public hearing, Hike resolved, seconded by Jansen, to approve the resolution to set the property tax request at \$32,920,999. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

23. Resolution (2009-271): Set salaries of Elected Officials. Lee Polikov

MOTION: Jones moved, seconded by Richards, to table agenda item #23 until October 6, 2009. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

24. Resolution (2009-272): Approve and authorize Chairman to sign employee benefits consulting agreement with Williams-Deras & Associates beginning September-October 1, 2009 through September 31 30, 2012. Mark Wayne

MOTION: Resolved by Richards, seconded by Hike, to approve the resolution for the

agreement with Holmes Murphy / William-Deras & Associates for the period of October 1, 2009 through September 30, 2012. Ayes: Hike,

Jones, Richards, Thomas & Jansen. Nays: None.

## 25. Adjournment

MOTION: At 5:58 P.M. Richards moved, seconded by Thomas, to adjourn until

September 22, 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 August, 2009 were received and placed on file:

Landfill \$ 206,275.63 Register of Deeds \$ 209,991.28

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Joni M. Jones, Chairman Sarpy County Board of Commissioners

Attest:

Debra J. Houghtaling Sarpy County Clerk