

MINUTES OF MEETING  
SARPY COUNTY BOARD OF COMMISSIONERS  
Tuesday, October 20, 2009  
Sarpy County Courthouse, Sarpy County Board Room  
[www.sarpy.com/countyboard/minutes/](http://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 October 14, 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  
Commissioners Absent: Rich Jansen  
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 claims report. Deb Houghtaling
2. Accept Sheriff's report of money collected through distress warrants. Jennifer Polenz
3. Resolution (2009-299): Authorize permanent transfers for the 2010 FY. Brian Hanson
4. Resolution (2009-300): Appoint Amy Melton as Temporary Alternate Public Defender for a monthly fee of \$3,182.70 commencing on November 1, 2009. Brian Hanson
5. Approve the following disbursement requisitions, Limited Tax Building Bonds, Series 2008, Construction Fund, Courthouse Remodeling Project. Brian Hanson

#92	All Purpose Utilites	\$163,661.00
#93	Carlson West Povondra	\$ 5,175.84
#94	Wal Mart	\$ 20.04
6. Approve disbursement requisition #8 for DLR Group in the amount of \$172,030.75, Sarpy County/Omaha Royals Stadium Escrow Agreement, Construction Fund. Brian Hanson
7. Resolution (2009-301): Approve addendum to lease agreement with Three Gals & a Kart Ltd. for coffee services at the Sarpy County Courthouse to establish the new lease term to be November 1, 2009 - October 31, 2014 from the previous term of July 1, 2009 - June 30, 2014. Scott Bovick

8. Resolution (2009-302): Approve submission of the in-car camera mini-grant application and award for the Sarpy County Sheriff's Office. Carrie Davis-Sedlacek
9. Resolution (2009-303): Approve submission of the radar mini-grant application and award for the Sarpy County Sheriff's Office. Carrie Davis-Sedlacek
10. Resolution (2009-304): Approve submission of the in-car camera mini-grant application and award for the Sarpy County Traffic Unit. Carrie Davis-Sedlacek
11. Resolution (2009-305): Approve submission of the radar mini-grant application and award for the Sarpy County Traffic Unit. Carrie Davis-Sedlacek
12. Resolution (2009-306): Approve submission of the Domestic Preparedness Grant application. Carrie Davis-Sedlacek
13. Resolution (2009-307): Authorize Chairman to sign contract with Toni Clarke for professional services providing Navigator Abstinence Program classes for the Juvenile Reporting Center. Carrie Davis-Sedlacek

MOTION: Richards moved, seconded by Thomas, to approve the Consent Agenda items as presented. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

#### Regular Agenda

14. Approve minutes (October 6, 2009). Deb Houghtaling

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

15. Discussion: Alternate bid option for the Law Enforcement Center Communications cabling system. Pat Thomas, Darrin Mitchell

Computer Cable Connection General Manager Darrin Mitchell appeared before the Board and a discussion was held.

16. Recommendation: Addition to premise application for existing liquor license for Quality Brands of Omaha, 13255 Centech Road, Omaha NE 68138 for a storage area 264' x 106' with hallway approximately 59' x 15'. Todd Rohweder

MOTION: Richards moved, seconded by Thomas, to recommend approval of the application for Quality Brands of Omaha and notify the Nebraska Liquor Control Commission of Board approval. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

17. Resolution (2009-308): Approve and authorize Chairman to sign interlocal agreement with Douglas County for forensic and crime scene services. Mike Jones

MOTION: Richards moved, seconded by Thomas, to table agenda item #17 for one week. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

18. Public Hearing and Resolution (2009-309): Award bid for lease of microfilm archive writer for the central archives. Beth Cunard

MOTION: Richards moved, seconded by Hike, to table agenda item #18 for one week. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

19. Public Hearing and Resolution (2009-310): Award bid for Law Enforcement Center project. Beth Cunard

MOTION: Resolved by Thomas, seconded by Richards, to approve the resolution accepting the low bid of All Purpose Utilities Inc. in the amount of \$6,202,900 including the Base bid, Alternate 1 - Cistern Plant Irrigation System, Alternate 2 - Exterior Motorized Louvered Blinds, Alternate 3 - Roller Window Shades, and Alternate 4 - ECM Motors on Heat Pumps. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

Richards moved, seconded by Hike, to return to agenda item #19 to hold the public hearing. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

After a public hearing, Thomas resolved, seconded by Richards, to approve the resolution accepting the low bid of All Purpose Utilities Inc. in the amount of \$6,202,900 including the Base bid, Alternate 1 - Cistern Plant Irrigation System, Alternate 2 - Exterior Motorized Louvered Blinds, Alternate 3 - Roller Window Shades, and Alternate 4 - ECM Motors on Heat Pumps. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

20. Public Hearing and Resolution (2009-311): Award bid for one (1) ten foot (10') dump body with hydraulic system. Beth Cunard

MOTION: After a public hearing, Richards resolved, seconded by Thomas, to approve the resolution which states that based upon the recommendation of the Purchasing Department and upon a comparison of the bids to the bid specifications, the bid is awarded to the low bidder Omaha Standard Distribution - Council Bluffs in the amount of \$35,535. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

21. Public Hearing and Resolution (2009-312): Award bid for Law Enforcement Center Sheriff's Garage Project. Beth Cunard

MOTION: After a public hearing, Thomas resolved, seconded by Hike, to approve the resolution which states that based upon the recommendation of the Purchasing Department and upon a comparison of the bids to the bid specifications, the bid is awarded to the low bidder Rogge General Contractors, Inc. in the amount of \$394,000. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

22. Resolution (2009-313): Request to waive building permit fee for the Sarpy County Law Enforcement Center and Garage. Rebecca Horner

MOTION: Resolved by Thomas, seconded by Hike, to approve the resolution to waive the building permit fees for the Law Enforcement Center and Garage at approximately 84<sup>th</sup> Street and Platteview Road which is within the zoning jurisdiction of Sarpy County. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

23. Resolution (2009-314): Flood Plain Development Permit Application of the Nebraska Department of Roads for a road and bridge improvement project located on NE Hwy 370 beginning at U.S. Hwy 6 and NE Hwy 370 interchange, ending at NE Hwy 370 and Interstate I-80 interchange, located in the floodplain of an unnamed tributary. Rebecca Horner

MOTION: Resolved by Hike, seconded by Thomas, to approve the resolution for the flood plain development permit for road and bridge improvements on Highway 370. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

24. Resolution (2009-315): Flood Plain Development Permit Application of the Sarpy County Highway Department for a road and bridge improvement project located on Harlan Lewis Road beginning at the intersection of LaPlatte Rd and ending at the railroad right of way in Sarpy County, NE located in the floodway of the Big Papillion Creek. Rebecca Horner

MOTION: Resolved by Richards, seconded by Thomas, to approve the resolution for the flood plain development permit for road and bridge improvements on Harlan Lewis Road. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

25. Resolution (2009-316): Flood Plain Development Permit Application of the Sarpy County Highway Department for a road and bridge improvement project located on Platteview Road beginning at the intersection of Highway 31 and ending at the intersection with 180<sup>th</sup> Street in Sarpy County, NE located in the floodway of Buffalo Creek. Rebecca Horner

MOTION: Resolved by Hike, seconded by Richards, to approve the resolution for the flood plain development permit for road and bridge improvements on Platteview Road. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

26. Resolution (2009-317): Authorize Chairman to sign grant award for the Energy Efficiency and Conservation Block Grant. Carrie Davis-Sedlacek

MOTION: Resolved by Richards, seconded by Thomas, to approve the resolution for the initial grant award of \$70,000 to purchase an Energy Management

System for the heating, ventilation, and air conditioning control system in the Sarpy County Jail. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

27. Resolution (2009-318): Approve the Sarpy County Pandemic Continuity of Operations Plan. Carrie Davis-Sedlacek

MOTION: Resolved by Richards, seconded by Thomas, to approve the resolution approving the operations plan dated October 2009. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

28. Resolution (2009-319): Authorize Chairman to sign the Juvenile Accountability Block Grant Award and Special Conditions. Carrie Davis-Sedlacek

MOTION: Resolved by Thomas, seconded by Hike, to approve the resolution for the Juvenile Reporting Center grant award of \$15,484 with a match share of \$1,721 for a total project cost of \$17,205. Project period is from July 1, 2009 to June 30, 2010. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

29. Resolution (2009-320): Appoint Project Manager for the Omaha Royals (O Royals) Stadium Project. Brian Hanson

MOTION: Resolved by Thomas, seconded by Hike, to approve the resolution appointing Sarpy County Administrator Mark Wayne as the Project Manager for the general supervision of the acquisition, construction, equipping and furnishing of the Omaha Royals Stadium Project on behalf of the County. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

30. Resolution (2009-321): Authorize Chairman to sign contract with Construction Manager at Risk for the Sarpy County Baseball Stadium Project (O Royals). Mark Wayne

MOTION: Resolved by Richards, seconded by Thomas, to approve the resolution authorizing the Chairman to sign the construction manager at risk contract with the Weitz Company. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

31. Resolution (2009-322): Set salaries of Sarpy County Commissioners. Joni Jones

MOTION: Jones moved, seconded by Hike, to table agenda item #31 for one week. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

32. (Tabled from 9/22/2009 and 10/06/2009) Resolution (2009-271): Set salaries of Elected Officials. Tom Strigenz

MOTION: Jones moved, seconded by Hike, to table agenda item #32 for one week. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

33. Resolution (2009-323): Set salaries of Election Commissioner and Deputy Election Commissioner. Ed Gilbert

MOTION: Richards moved, seconded by Hike, to table agenda item #33 for one week. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

34. Executive Session: Litigation.

MOTION: At 4:19 P.M. Richards moved, seconded by Thomas, to go into executive session to discuss Litigation. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

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

At 4:40 P.M. Chairman Jones stated for the record that the County Board had gone into Executive Session at 4:19 P.M. during which their discussion was restricted to Litigation and no formal Board action was taken.

MOTION: At 4:40 P.M. Hike moved, seconded by Thomas, to return to regular session. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

35. Adjournment

MOTION: At 4:40 P.M. Hike moved, seconded by Richards, to adjourn until October 27, 2009 immediately following the Sarpy County Board of Equalization Meeting to be held at 3:00 P.M. Ayes: Hike, Jones, Richards & Thomas. Nays: None. Absent: Jansen.

REPORTS The following fee reports for 2009 were received and placed on file:

Planning Department - August	\$ 225,105.90
Sheriff - August	\$ 17,666.53
Sheriff - September	\$ 10,813.52
Register of Deeds - September	\$ 214,891.46
Planning Department – September	\$ 16,836.90

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Joni M. Jones, Chairman  
Sarpy County Board of Commissioners

Attest:

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Debra J. Houghtaling  
Sarpy County Clerk