

MINUTES OF MEETING
SARPY COUNTY BOARD OF COMMISSIONERS
August 14, 2018 3:33 P.M.

Notice of this meeting was publicized in advance on the Sarpy County website (www.sarpy.com/boards-commissions/county-board). The location of the posted "Nebraska Open Meetings Act" was given in open and public session at the opening of this meeting.

Commissioners Present: Don Kelly, Jim Thompson, Brian Zuger, Jim Warren

Commissioners Absent: Gary Mixan

Others Present: County Clerk Deb Houghtaling
County Administrator Dan Hoins
Deputy County Attorney Nicole Spitzenberger

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. Removed items will be placed under the regular agenda for action by the County Board.}

1. [Minutes](#) (August 7, 2018). Deb Houghtaling, County Clerk
2. [Claims](#) and [payroll](#) report. Deb Houghtaling, County Clerk
3. Resolution [2018-234](#): Traffic Training Support Mini-Grant Contract Application and Award with the Nebraska Department of Transportation-Highway Safety Office (NDOT-HSO) in the amount of \$1,720 for a Deputy to attend the Event Data Recorder Use Traffic Crash Reconstruction training at the Institute of Police Technology & Management in Jacksonville, Florida the first week of December 2018. Lisa Haire, Administration Coordinator
4. [Disbursement requisition](#) #17 of Sarpy County Certificates of Participation Series 2016 (Radio Coverage Bonds) funds for billing from Dell Marketing for a Dell Tablet to use with Testing Equipment, in the amount of \$3,792.66. Brian Hanson, Fiscal Administrator
5. [Disbursement requisition](#) #27 of Sarpy County Safekeeping Account 2017 (Road Construction Bonds) funds for billing from City of Omaha for Project C-77(09-1) Harrison Street 147th Street to 157th Street for Project Oversight 5/6/18 - 6/2/18 in the amount of \$13,367.09 and Project Oversight 6/3/18 - 6/30/18 in the amount of \$11,466.87, for a total of \$24,833.96. Brian Hanson, Fiscal Administrator
6. [Disbursement requisition](#) #28 of Sarpy County Safekeeping Account 2017 (Road Construction Bonds) funds for billing from Olsson Associates for Project C-77(09-1) Harrison Street 147th Street to 157th Street for Professional Service 6/10/18 - 7/7/18 in the amount of \$7,330.99. Brian Hanson, Fiscal Administrator

7. Resolution [2018-235](#): Interlocal Agreement to Provide a Bailiff for the District Court Judge Serving Cass and Sarpy Counties for a term commencing August 15, 2018 through June 30, 2019 with automatic renewal for successive one (1) year terms unless either party terminates the agreement. Kate Gatewood, Deputy County Attorney

MOTION: Zuger moved, seconded by Warren, to approve the Consent Agenda as submitted. Ayes: Kelly, Thompson, Zuger & Warren. Nays: None. Absent: Mixan.

REGULAR AGENDA

8. Public Hearing and Resolution [2018-236](#): Rodney and Maureen Nielsen; Change of Zone from AG, Agricultural Farming District to AGD, Agricultural Development District (Nielsen Addition, Lot 1); generally located southeast of 108th Street and Platteview Road. Donna Lynam, Assistant Planning Director

MOTION: After a public hearing, Warren resolved, seconded by Zuger, to approve the resolution for the Change of Zone for the property legally described as: Part of the NW ¼ of the SW ¼, Section 21, Township 13 North, Range 12 East of the 6th P.M., Sarpy County. Ayes: Kelly, Thompson, Zuger & Warren. Nays: None. Absent: Mixan.

9. Public Hearing and Resolution [2018-237](#): Rodney and Maureen Nielsen; Preliminary Plat of a subdivision to be known as Nielsen Addition, Lot 1; generally located southeast of 108th Street and Platteview Road. Donna Lynam, Assistant Planning Director

MOTION: After a public hearing, Warren resolved, seconded by Thompson, to approve the resolution for the Preliminary Plat for the property legally described as: Part of the NW ¼ of the SW ¼, Section 21, Township 13 North, Range 12 East of the 6th P.M., Sarpy County. Ayes: Kelly, Thompson, Zuger & Warren. Nays: None. Absent: Mixan.

10. Public Hearing and Resolution [2018-238](#): Rodney and Maureen Nielsen; Final Plat of a subdivision to be known as Nielsen Addition, Lot 1; generally located southeast of 108th Street and Platteview Road. Donna Lynam, Assistant Planning Director

MOTION: After a public hearing, Warren resolved, seconded by Zuger, to approve the resolution for the Final Plat for the property legally described as: Part of the NW ¼ of the SW ¼, Section 21, Township 13 North, Range 12 East of the 6th P.M., Sarpy County. Ayes: Kelly, Thompson, Zuger & Warren. Nays: None. Absent: Mixan.

11. Public Hearing and Resolution [2018-239](#): Special Use Permit to operate a Home Occupation in the RS-72 Single-Family Residential District for the online marketing of firearms and accessories at 16113 Emiline Street; Michael Thomson. Donna Lynam, Assistant Planning Director

MOTION: After a public hearing, Warren resolved, seconded by Thompson, to approve the resolution for the Special Use Permit to allow operation of a Home Occupation I (major) for the property legally described as: Lot 256, Millard Park as surveyed, platted and recorded in Sarpy County, Nebraska. Ayes: Kelly, Thompson, Zuger & Warren. Nays: None. Absent: Mixan.

12. Public Hearing and Resolution [2018-240](#): Adopt amended Sarpy County Zoning Regulations; text amendments to Section 20 - BG General Business District; CCHT, LLC. Bruce Fountain, Planning Director

MOTION: After a public hearing, Thompson resolved, seconded by Zuger, to approve the resolution for the proposed amendments to the Zoning Regulations – Section 20 – BG General Business District, attached to the resolution as Exhibit “A” and further to adopt the amended Zoning Regulations attached to the resolution as Exhibit “B”, effective date shall be August 14, 2018. Ayes: Kelly, Thompson, Zuger & Warren. Nays: None. Absent: Mixan.

13. Public Hearing and Resolution [2018-241](#): Special Use Permit for an Assisted Living Facility in the BG General Business District at 19003 Edna Street; CCHT, LLC; generally located at the southwest corner of 189th and Edna Streets. Bruce Fountain, Planning Director

MOTION: After a public hearing, Warren resolved, seconded by Thompson, to approve the resolution for the Special Use Permit for the property legally described as: Lot 1, Sugar Creek Neighborhood Center Replat 1. Ayes: Kelly, Thompson, Zuger & Warren. Nays: None. Absent: Mixan.

14. Resolution [2018-242](#): Second Amendment to Development Agreement with Oxbow Enterprises, Inc. (previously approved by Resolution 2015-263). Nicole Spitzenberger, Deputy County Attorney

MOTION: Warren resolved, seconded by Zuger, to approve the resolution for the amendment which outlines the release of the portions of Property from the original Agreement that were sold by Oxbow to OBC, LLC, as attached to the resolution. Ayes: Kelly, Thompson, Zuger & Warren. Nays: None. Absent: Mixan.

15. Adjournment.

MOTION: At 3:58 P.M. Thompson moved, seconded by Zuger, to adjourn until August 21, 2018. Ayes: Kelly, Thompson, Zuger & Warren. Nays: None. Absent: Mixan.



Don Kelly, Chairman
Sarpy County Board of Commissioners

Attest:



Debra J. Houghtaling
Sarpy County Clerk