

MINUTES OF MEETING
SARPY COUNTY BOARD OF COMMISSIONERS
June 26, 2018 3:03 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, Gary Mixan, Jim Warren

Commissioners Absent: None

Others Present: County Clerk Deb Houghtaling
County Administrator Dan Hoins
Deputy County Attorney John Reisz

Commissioners' and Administrator's comments were recorded.

Commissioner Kelly requested item 5 be removed from the Consent Agenda and 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. Removed items will be placed under the regular agenda for action by the County Board.}

1. [Minutes](#) (June 19, 2018). Deb Houghtaling, County Clerk
2. [Claims](#) report. Deb Houghtaling, County Clerk
3. Resolution [2018-185](#): Personnel Rules and Regulations Amendments to Rule 1: General Provisions, Regulation 2: Definitions, Rule 2: County Employment, Regulation 1: Selection Process, Rule 10: Classification System, Regulation 1: Classification System Administration, and Rule 11, Compensation Plan, Regulation 1: Compensation Plan Administration. Linda Welles, Acting Human Resources Director
4. Resolution [2018-186](#): Special Event Road Use Permit; Mimran Event Management; for an event known as Omaha Triathlon on July 8, 2018; Sarpy County, NE. Bruce Fountain, Planning Director
- *5. Resolution [2018-187](#): *Appoint Thomas George Kimmit to the Sarpy County Veterans' Service Committee for a five year term, beginning July 1, 2018 through June 30, 2023. Stu DeLaCastro, Director of Administrative Services* **MOVED TO REGULAR**
6. [Disbursement requisition #15](#) of Certificates of Participation Series 2016 (Radio Coverage Bonds) funds for billing from Allied Electronics Inc. for Testing Equipment/Directional Power Sensor and USB Interface Adapter in the amount of \$4,535.97. Brian Hanson, Fiscal Administrator

7. [Disbursement requisition #14](#) of Certificates of Participation Series 2016 (Radio Coverage Bonds) funds for billing from Yankton Sioux Tribal Historic Preservation Office for Monitor/Surveyor Fees and Travel Expenses for Platteview Tower Site Construction in the amount of \$6,340.51. Brian Hanson, Fiscal Administrator

MOTION: Warren moved, seconded by Zuger, to approve the Consent Agenda as amended with the removal of item 5. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

REGULAR AGENDA

- *5. Resolution [2018-187](#): Appoint Thomas George Kimmit to the Sarpy County Veterans' Service Committee for a five year term, beginning July 1, 2018 through June 30, 2023. Stu DeLaCastro, Director of Administrative Services

MOTION: Kelly resolved, seconded by Warren, to approve the resolution to appoint George Kimmit to the Sarpy County Veterans' Service Committee. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

8. Public Hearing and Resolution [2018-188](#): Special Use Permit for the extraction and processing of rock, gravel or sand, clay, and dirt in the AG Agricultural Zoning District; Lyman-Richey Corporation; generally located southwest of 252nd Street and Platteview Road; Sarpy County, NE. Donna Lyman, Assistant Planning Director

MOTION: After a public hearing, Warren resolved, seconded by Zuger, to approve the AMENDED resolution with the following language: Page 2 - item 1. Lyman Richey shall enter into a Road Maintenance Agreement with Sarpy County regarding cost participation in the improvement and long term maintenance of the Traffic Haul Route; and Page 3 item 8. Once the mining operation concludes, Lyman Richey shall restore the elevations of the Property to pre-mined elevations or lower, with the exception of the approximate 130 acre open water surface. Conclusion of the mining operation and restoration of the pre-mined elevations shall be consistent with the Corp of Engineers permit for the Special Use Permit for the property legally described as: NE1/4 and E1/2 of the NW ¼ of Section 20, Township 13 North, Range 10 East of the 6th P.M., Sarpy County, NE. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

9. Resolution [2018-189](#): Road Maintenance Agreement for 252nd Street with the Lyman-Richey Corporation. John Reisz, Deputy County Attorney

MOTION: Warren moved, seconded by Thompson, to approve the resolution for the agreement which outlines the duties and responsibilities of each party over the public roadway used by Lyman-Richey during the life of the Special Use Permit approved by Resolution 2018-188.

Warren withdrew his motion, Thomson withdrew his second.

MOTION: Zuger moved, Warren seconded to table item 9 to July 24, 2018. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

10. [Recommendation to Liquor Control Commission](#): Application for addition to premise for existing Class "L" liquor license, #L-121043, for Kros Strain Brewing Company LLC dba Kros Strain Brewing located at 10411 Portal Road, Suite 102, La Vista, NE 68128. Scott Strain

MOTION: Warren moved, seconded by Zuger, to recommend approval of the application for Kros Strain Brewing Company LLC dba Kros Strain Brewing and notify the Nebraska Liquor Control Commission of Board approval. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

11. [Presentation](#) and Discussion: Papio-Missouri River Natural Resources District. John Winkler, General Manager, Papio-Missouri River Natural Resources District

Mr. Winkler addressed the Board and a presentation was given.

12. Public Hearing and Resolution [2018-190](#): Increase Appropriations for the 2018 FY for various Special Revenue Fund Budgets. Brian Hanson, Fiscal Administrator

<u>Department</u>	<u>\$ Amount</u>	<u>Transfer From</u>
State Education Reimbursement	10,000	Inheritance Tax Fund
Courthouse Remodel Bond	301,000	Inheritance Tax Fund
Information Systems	40,000	Inheritance Tax Fund
E911 Wireless Service	8,000	Cash on Hand

MOTION: After a public hearing, Warren resolved, seconded by Zuger, to approve the resolution to increase appropriations as listed above. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

13. Resolution [2018-191](#): Increase appropriations for the 2018 FY various General Fund budgets. Brian Hanson, Fiscal Administrator

Transfer To	Transfer From	\$ Amount
Assessor (00560507 570210)	Misc. General (03597007 570210)	40,000
Human Resources (04061207 570210)	Misc. General (03597007 570210)	3,000
County Court (01462207 570210)	Misc. General (03597007 570210)	23,000
Facilities Management (01964107 570210)	Misc. General (03597007 570210)	26,000
Sheriff Admin. Maint. (01964467 570210)	Jail Maintenance (01964407 570210)	40,000
	Misc. General (03597007 570210)	8,000
County Attorney (00965207 570210)	Misc. General (03597007 570210)	228,000
Sheriff Merit Comm. (01065707 570210)	Misc. General (03597007 570210)	5,000
Victim Witness (02066307 570210)	Misc. General (03597007 570210)	1,000
Community Corrections (03866407 570210)	Misc. General (03597007 570210)	63,000
Board of Corrections (00166507 570210)	Misc. General (03597007 570210)	8,000
Jail (01067107 570210)	Road Patrol (01065607 570210)	33,000
Warrants (01067167 570210)	Road Patrol (01065607 570210)	28,000
Human Services (02480607 570210)	Misc. General (03597007 570210)	70,000
Radio Coverage Bonds (03598027 570210)	Misc. General (03597007 570210)	3,000

MOTION: Zuger resolved, seconded by Thompson, to approve the resolution to increase appropriations as listed above. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

14. Resolution [2018-192](#): Authorize transfers for the 2018 FY. Brian Hanson, Fiscal Administrator

Transfers to be Repaid in 2019 FY:

From	To	\$ Amount
Inheritance Tax (2700357 570200)	Child Support Incentive (9862659 459002)	98,000
Inheritance Tax (2700357 570200)	FG-Title 1D (23721059 459002)	3,000
Inheritance Tax (2700357 570200)	State Ed. Reimbursement (23751059 459002)	250,000
Inheritance Tax (2700357 570200)	FG-LB561 2018 FY (23851559 459002)	175,000
Inheritance Tax (2700357 570200)	FG-Victim Witness 2018 FY (25092059 459002)	82,000
Inheritance Tax (2700357 570200)	FG-Mental Health 2018 FY (25103859 459002)	42,000
Inheritance Tax (2700357 570200)	FG-Perkins (25471559 459002)	36,000
Inheritance Tax (2700357 570200)	FG-GIS Transportation (25813159 459002)	3,000
Inheritance Tax (2700357 570200)	Courthouse Remodel Bond (33083559 459002)	153,000
Inheritance Tax (2700357 570200)	Information Systems (56003059 459002)	135,000

Permanent Transfer:

<u>From</u>	<u>To</u>	<u>\$ Amount</u>
E911 Wireless Service (943227 570200)	E911 Wireless Sinking (9442259 459002)	58,855.28

MOTION: Warren resolved, seconded by Mixan, to approve the resolution to transfer funds to ensure that all funds have a positive balance at the end of the fiscal year. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

15. [Disbursement requisition #24](#) of Sarpy County Safekeeping Account 2017 (Road Construction Bonds) funds for billing from Charles Vrana and Sons Construction for Project C-77(09-1) Harrison Street 147th Street to 157th Street for Work Performed 05/21/18 thru 05/26/18 on Retaining Wall B and Traffic Signal Lights @ 156th Street in the amount of \$369,487.90. Brian Hanson, Fiscal Administrator

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

16. Resolution [2018-193](#): Adopt the One and Six Year Road Program FY 2019 to FY 2024. Denny Wilson, County Engineer

MOTION: Warren resolved, seconded by Thompson, to approve the resolution which adopts the FY 2019 to FY 2024 One and Six Year Road Program as presented. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

17. Resolution [2018-194](#): Change Order No. 1 to Contract with Vrana and Sons Construction for the Street Improvements on Capehart Road from 150th Street to 144th Street Project C-77 (17-9) for the Public Works Department. Denny Wilson, County Engineer

MOTION: Thompson resolved, seconded by Zuger, to approve the resolution for Change Order No. 1 to the Contract Agreement (previously approved by Resolution 2018-068) for project modifications which will increase the contract amount by \$215,291.35, as attached to the resolution. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

18. Resolution [2018-195](#): Employment contract with Dan Hoins for the term of July 1, 2018 through June 30, 2022. Don Kelly, Commissioner

MOTION: Kelly resolved, seconded by Zuger, to approve the resolution for the Sarpy County Administrator Employment Contract at a salary rate of \$141,232.01 per annum with a 2% increase for each of the 3 following years, commencing July 1, 2018 and terminating on June 30, 2022. Compensation benefits to include 7.231 hours vacation for the term of the contract, \$200 per month as a vehicle allowance, and \$100 per month as a cell phone allowance, as attached to the resolution. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

19. Executive Session: Pending Litigation. John Reisz, Deputy County Attorney

MOTION: At 4:04 P.M., Warren moved, seconded by Zuger, to go into Executive Session to discuss Litigation.

MOTION: At 4:04 P.M., Warren moved, seconded by Zuger, to change his motion and combine items 19 and 21 to go into Executive Session to discuss both Litigation and Collective Bargaining. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

Chairman Kelly restated for the record that the County Board would go into Executive Session to discuss Litigation and Collective Bargaining.

At 4:42 P.M. Chairman Kelly stated for the record that the County Board had gone into Executive Session at 4:04 P.M. during which their discussion was restricted to Litigation and Collective Bargaining and no formal Board action was taken.

MOTION: At 4:42 P.M., Thompson moved, seconded by Zuger, to return to Regular Session. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

20. Resolution [2018-196](#): Change Order No. 1, Change Order No. 2, and Payment Recommendation No. 11 and Final Payment for the Phase VI Final Cap for the Sarpy County Landfill. Scott Bovick, Deputy County Administrator

MOTION: Warren resolved, seconded by Thompson, to approve the resolution for Change Order 1, Change Order 2 for additional work and materials and Payment Recommendation 11 and Final Payment in the amount of \$742,000.29 with Lessard Contracting, Inc. for Phase VI Final Cap for the Landfill Contract Agreement (previously approved by Resolution 2017-42). Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

21. Executive Session: Collective Bargaining. Dan Hoins, County Administrator

Item 21 was combined with item 19.

22. Adjournment.

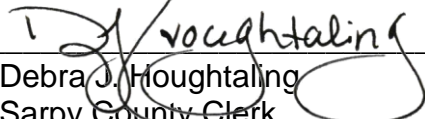
MOTION: At 4:47 P.M. Thompson moved, seconded by Zuger, to adjourn until July 10, 2018. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.



Attest:



Don Kelly, Chairman
Sarpy County Board of Commissioners



Debra J. Houghtaling
Sarpy County Clerk