

MINUTES OF MEETING

SARPY COUNTY BOARD OF COMMISSIONERS

September 11, 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 Nicole Spitzenberger

Commissioners' and Administrator's comments were recorded.

Chairman Kelly requested item 9 be removed from the Consent Agenda and addressed on the Regular Agenda and item 26 be addressed after item 14.

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 28, 2018). Deb Houghtaling, County Clerk
2. [Claims](#) and [payroll](#) report. Deb Houghtaling, County Clerk
3. Resolution [2018-264](#): County Engineer to sign Annual STP and HBP Certification form for submittal for July 1, 2017 to June 30, 2018 to Nebraska Department of Transportation (NDOT) for Public Works. Denny Wilson, County Engineer
4. Resolution [2018-265](#): Placement of "ALL WAY" and "STOP" signs at the intersection of Fairview Road and South 25th Street in Sarpy County. Denny Wilson, County Engineer
5. [Disbursement requisition](#) #29 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 03/25/18 - 05/05/18 in the amount of \$18,111.96. Brian Hanson, Fiscal Administrator
6. Resolution [2018-266](#): Special Event Road Use Permit; National Multiple Sclerosis Society; for an event known as Bike MS Nebraska on September 22 and 23, 2018; Sarpy County, NE. Bruce Fountain, Planning Director
7. Resolution [2018-267](#): Special Event Road Use Permit; The Brain Aneurysm Foundation; for an event known as A SHARP Race Towards Brain Aneurysm Awareness on September 16, 2018; Sarpy County, NE. Bruce Fountain, Planning Director

8. Resolution [2018-268](#): Addendum to Interlocal Cooperation Agreement with Sanitary Improvement District (SID) 143, Eagle Ridge and City of Papillion regarding installation of traffic light at the intersection of Cornhusker Road and Eagle Ridge Drive in Sarpy County. Dan Hoins, Sarpy County Administrator
- *9. Resolution [2018-269](#): *Appoint Tracy D. Jones as the Sarpy County Veterans Service Officer and set salary at the rate of \$72,068.76 per annum (Grade 8 Step 7 Management/Non Union Salary Schedule), commencing September 17, 2018.* Dan Hoins, Sarpy County Administrator **MOVED TO REGULAR**
10. Resolution [2018-270](#): Interlocal Agreement between Nebraska Department of Health and Human Services (DHHS) and the Juvenile Justice Center (JJC) for juvenile detention services for juveniles placed with DHHS at the JJC for a term effective from July 1, 2018 through June 30, 2019 for \$256 per diem with a total not to exceed of \$10,000. Beth Garber, Senior Buyer/Contract Administrator
11. Resolution [2018-271](#): Transfer various vehicles to different county departments and declare three vehicles and Public Works equipment surplus property and authorize Purchasing to dispose of the equipment in the best interest of the County. Beth Garber, Senior Buyer/Contract Administrator
12. Resolution [2018-272](#): Subscription Service Agreement with Addendum with Nextraq for GPS fleet tracking services for the Public Works Department for a rate of \$22.95 per unit/per month for a 36 month term. Beth Garber, Senior Buyer/Contract Administrator
13. Resolution [2018-273](#): 2018 Agent Agreement with Williams-Deras & Associates for consultant services related to Employee Fringe Benefit Programs in the amount of \$1,750 per month commencing September 1, 2018 to August 31, 2021. Scott Bovick, Deputy County Administrator

MOTION: Warren moved, seconded by Zuger, to approve the Consent Agenda as amended with the removal of item 9. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

REGULAR AGENDA

- *9. Resolution [2018-269](#): Appoint Tracy D. Jones as the Sarpy County Veterans Service Officer and set salary at the rate of \$72,068.76 per annum (Grade 8 Step 7 Management/Non Union Salary Schedule), commencing September 17, 2018. Dan Hoins, Sarpy County Administrator

MOTION: Thompson resolved, seconded by Zuger, to approve the resolution for the appointment of Mr. Tracy D. Jones as Sarpy County Veterans Service Officer. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

14. Public Hearing and Resolution [2018-274](#): Richland Homes, LLC; Revised Final Plat of a subdivision to be known as Hills of Aspen Creek, Lots 1-267 and Outlots A - G inclusive, Phase 1; generally located northwest of 180th Street and Cornhusker Road, Sarpy County, Nebraska. Donna Lynam, Assistant Planning Director

Planning Director Bruce Fountain represented Ms. Lynam.

MOTION: After a public hearing, Thompson resolved, seconded by Warren, to approve the resolution for the Final Plat for the property legally described as: Part of Tax Lots 1A1 and Tax Lot 1A2 located in the Southeast Quarter of Section 20, Township 14N, Range 11E of the 6th P.M., Sarpy County, Nebraska. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

26. Resolution [2018-285](#): Rescind Resolution 2017-467 and approve Subdivision Agreement with Richland Homes, LLC and Sanitary and Improvement District (SID) 333, Hills of Aspen Creek, Lots 1 -267, Outlots A –G. Nicole Spitzenberger, Deputy County Attorney

MOTION: Kelly resolved, seconded by Zuger, to approve the resolution to rescind resolution 2017-467 and approve the Residential Subdivision Agreement for Hills of Aspen Creek, Lots 1-267, Outlots A –G, generally located at the northwest corner of 180th Street and Cornhusker Road. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

15. Public Hearing and Resolution [2018-275](#): Amendment to Conservation and Preservation Easement to The Nebraska Land Trust; Ronald F. and Carol J. Patterson, Sarpy County, NE. Bruce Fountain, Planning Director

MOTION: After a public hearing, Mixan resolved, seconded by Zuger, to approve the resolution for the Amendment previously approved by Resolution 2010-057 to add approximately 56.52 acres into the protected property held by the Nebraska Land Trust as recommended by the Sarpy County Planning Commission. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

Commissioner Kelly requested item 27 be moved after item 15.

27. Resolution [2018-286](#): Sixth Amendment to the Stadium Lease and Use Agreement with Alliance Baseball Omaha, LLC. Scott Bovick, Deputy County Administrator

MOTION: Thompson resolved, seconded by Zuger, to approve the resolution for the amendment to the agreement (previously approved by Resolution 2009-058) with Alliance (fka ORoyals) which modifies the terms and conditions of the County's use of the Werner Park Baseball Stadium, specifically the Tourism Office and Hospitality Room, as attached to the resolution. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

16. Public Hearing and Resolution [2018-276](#): Set Sarpy County tax request for 2019 Fiscal Year. Brian Hanson, Fiscal Administrator

MOTION: After a public hearing, Warren resolved, seconded by Zuger, to approve the resolution to set the property tax request for the 2019 fiscal year at \$46,053,790. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

17. [Disbursement requisition](#) #30 of Sarpy County Safekeeping Account 2017 (Road Construction Bonds) funds for billing from Charles Vrana and Son Construction Co. for Project C-77(09-1) Harrison Street 147th Street to 157th Street for work performed the week of 08/20/18 - 08/24/18 in the amount of \$166,334.38. Brian Hanson, Fiscal Administrator

MOTION: Zuger moved, seconded by Mixan, to approve disbursement requisition 30, as submitted. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

18. Resolution [2018-277](#): Amend Sarpy County Policies and Procedures Manual (PPM). Linda Welles, Acting Human Resources Director

MOTION: Thompson resolved, seconded by Zuger, to approve the resolution which amends the PPM, as attached to the resolution. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

19. Resolution [2018-278](#): Personnel Policy Bulletin regarding a 457(b) Deferred Compensation / 401(a) Match Voluntary Program. Linda Welles, Acting Human Resources Director

MOTION: Warren resolved, seconded by Thompson, to approve the resolution for the Personnel Policy Bulletin for County employees that are not covered by a union contract, effective July 1, 2019, as attached to the resolution. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

20. Resolution [2018-279](#): Amend Fringe Benefits Policies for Exempt Management Employees. Linda Welles, Acting Human Resources Director

MOTION: Zuger resolved, seconded by Thompson, to approve the resolution for the amended Sarpy County Employee Benefit List: Salaried/Management (FLSA Exempt from Overtime) Employees (employees not included in any labor agreement with one of the recognized collective bargaining units) Policies and Procedures, as attached to the resolution. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

21. Resolution [2018-280](#): Update Salary Schedule for Management/Non-Union Employees. Linda Welles, Acting Human Resources Director

MOTION: Kelly resolved, seconded by Zuger, to approve the resolution for the updated salary schedules for Management and Non-Union Employees for Fiscal Years 2018-2019, 2019-2020, 2020-2021, and 2021-2022, retroactive and effective as of July 1, 2018, reflecting a 2% adjustment for each fiscal year, as attached to the resolution. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

22. Resolution [2018-281](#): Updated Salary Schedule for Deputy County Attorneys. Linda Welles, Acting Human Resources Director

MOTION: Thompson resolved, seconded by Warren, to approve the resolution for the updated salary schedule for Deputy County Attorneys, retroactive and effective as of July 1, 2018 through December 31, 2018, reflecting a 2% adjustment, as attached to the resolution. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

23. Resolution [2018-282](#): Updated Salary Schedule for Assistant Public Defenders. Linda Welles, Acting Human Resources Director

MOTION: Zuger resolved, seconded by Thompson, to approve the resolution for the updated salary schedule for Assistant Public Defenders, retroactive and effective as of July 1, 2018 through December 31, 2018, reflecting a 2% adjustment, as attached to the resolution. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

24. Resolution [2018-283](#): Salary Schedule for Deputy County Attorneys and Assistant Public Defenders effective January 1, 2019. Linda Welles, Acting Human Resources Director

MOTION: Warren resolved, seconded by Zuger, to approve the resolution for the combined salary schedules for Assistant Public Defenders and Deputy County Attorneys, effective as of January 1, 2019 through June 30, 2019 and Fiscal Years 2019-2020, 2020-2021, and 2021-2022, reflecting a 2% adjustment for each fiscal year, as attached to the resolution. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

25. Resolution [2018-284](#): Prohibit Assistant Public Defenders from Private Practice effective January 1, 2019. Linda Welles, Acting Human Resources Director

MOTION: Zuger resolved, seconded by Kelly, to approve the resolution which prohibits Assistant Sarpy County Public Defenders from engaging in the private practice of law, pursuant to Neb. Rev. Stat. § 23-3401, effective January 1, 2019, as attached to the resolution. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

28. Resolution [2018-287](#): FY 2018-2022 Collective Bargaining Agreement with the Fraternal Order of Police (FOP), Sarpy Lodge No. 3, Communications Department. Dan Hoins, Sarpy County Administrator

MOTION: Mixan resolved, seconded by Zuger, to approve the resolution for the agreement setting the terms and conditions of employment of those within the covered bargaining unit, as attached to the resolution. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

29. Resolution [2018-288](#): FY 2018-2022 Collective Bargaining Agreement with the Fraternal Order of Police (FOP), Sarpy Lodge No. 3, Law Enforcement - Non-Sworn. Dan Hoins, Sarpy County Administrator

MOTION: Mixan resolved, seconded by Zuger, to approve the resolution for the agreement setting the terms and conditions of employment of those within the covered bargaining unit, as attached to the resolution. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

30. Resolution [2018-289](#): Collective Bargaining Agreement (July 1, 2018 through June 30, 2022) with the Sarpy County Public Employees Association (SCPEA). Dan Hoins, Sarpy County Administrator

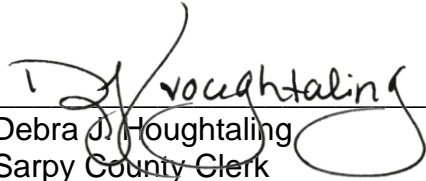
MOTION: Thompson resolved, seconded by Zuger, to approve the resolution for the agreement setting the terms and conditions of employment of those within the covered bargaining unit, as attached to the resolution. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

31. Adjournment.

MOTION: At 3:59 P.M. Thompson moved, seconded by Zuger, to adjourn until September 18, 2018. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.



Don Kelly, Chairman
Sarpy County Board of Commissioners

Attest: 

Debra J. Houghtaling
Sarpy County Clerk