

MINUTES OF MEETING
SARPY COUNTY BOARD OF COMMISSIONERS
February 26, 2019 3:10 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, David Klug, Angela Burmeister, 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.

Commissioner Kelly requested item 3 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](#) (February 12, 2019). Deb Houghtaling, County Clerk
2. [Claims](#) and [payroll](#) report. Deb Houghtaling, County Clerk
- *3. *Resolution [2019-038](#): Direct Engineer to study possible vacation of 108th Street. Kayla Hathcote, Deputy County Attorney* **MOVED TO REGULAR**
4. Resolution [2019-039](#): Amended Plan with PayFlex (previously approved by Resolution 2017-392) for the period of January 1, 2018 through December 31, 2020 for the administration of Flexible Spending Accounts and COBRA Administration, for the Sarpy County Reimbursement Plan / Cafeteria Plan including Health Flexible Spending Account and Dependent Care Flexible Spending, effective January 1, 2018. Mary Davis, Human Resources Director
5. Resolution [2019-040](#): Amended Personnel Rules and Regulations to Rule 1, Regulation 1: Intent and Purpose, Rule 2, Regulation 1: Selection Process, and Rule 7, Regulation 1: Discipline, effective February 26, 2019. Mary Davis, Human Resources Director
6. [Disbursement requisition](#) #46 of Sarpy County Safekeeping Account 2017 (Road Construction Bonds) funds for payment to City of Omaha for Project C-77(09-1) for project oversight 12/02/18 - 12/29/18 in the amount of \$7,630.17. Brian Hanson, Fiscal Administrator
7. Resolution [2019-041](#): Special Event Road Use Permit; Jayme Ramos, Director, Freedom Running Company; for an event known as OrangeTheory 5k/10k on March 23, 2019; Sarpy County, NE. Bruce Fountain, Planning Director

8. Resolution [2019-042](#): Special Event Road Use Permit; Zach Harsin, Director of Operations, Pink Gorilla Events; for an event known as Cornfield Cornfield 10K on June 15, 2019; Sarpy County, NE. Bruce Fountain, Planning Director

MOTION: Warren moved, seconded by Burmeister, to approve the Consent Agenda as amended with the removal of item 3. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

REGULAR AGENDA

- *3. Resolution [2019-038](#): Direct Engineer to study possible vacation of 108th Street. Kayla Hathcote, Deputy County Attorney

MOTION: Kelly moved, seconded by Mixan to table item 3 indefinitely as the applicant did not meet the statutory requirements during the application process. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

9. Public Hearing and Resolution [2019-043](#): Create and appropriate funds for the 2019 FY FG-Mental Health Collaborative fund. Brian Hanson, Fiscal Administrator

MOTION: After a public hearing, Warren resolved, seconded by Mixan, to approve the resolution to create and appropriate funds for the 2019 FY FG-Mental Health Collaborative fund in the amount of \$81,700. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

10. [Public Hearing and Recommendation](#) to Liquor Control Commission: Casey's Retail Company dba Casey's General Store #3813 at 9911 S. 71st Avenue, Papillion NE 68133 and Casey's General Store #3815 at 15611 Harrison Street, Omaha NE 68136 (Sarpy County) Class "D" Beer, Wine, Distilled Spirits, Off Sale Only liquor license applications. Mikael Lage

MOTION: After a public hearing, Warren moved, seconded by Klug, to recommend approval of the application of Casey's Retail Company dba Casey's General Store #3813 and Casey's General Store #3815 and to notify the Liquor Control Commission of the Board's recommendation. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

11. (Tabled from February 12, 2019) Resolution [2019-032](#): Vacation of a Portion of Schram Road Right of Way to be granted to Sanitary Improvement District (SID) 328, Sumtur Crossing, for the property legally described as: A Portion of the Schram Road Right-of-Way Conveyed in Warranty Deed filed April 20, 2016, as Instrument No. 2016-08460, located in the NE ¼ of Section 5, Township 13 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska. Kayla Hathcote, Deputy County Attorney

MOTION: Warren moved, seconded by Burmeister, to table item 11 until March 19, 2019. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

12. Resolution [2019-044](#): Supplemental Agreement Number Two to the Professional Services Engineering Agreement with Lamp Rynearson and Associates for design engineering services near 168th Avenue and Giles Road, Project C-77 (07-04)B and C-77 (13-4)A. Beth Garber, Purchasing Agent

MOTION: Warren resolved, seconded by Mixan, to approve the resolution for Supplemental Agreement Number Two to the Engineering Agreement (previously approved by Resolution 2015-256 and modified by Resolution 2016-273) which outlines modifications and/or additional duties for the project, as attached to the resolution. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

13. Resolution [2019-045](#): Amended Adoption Agreement for Sarpy County's 401(a) Defined Contribution Plan. Kate Gatewood, Deputy County Attorney

MOTION: Warren resolved, seconded by Mixan, to approve the resolution for the amended Adoption Agreement for Nationwide Financial Services, Inc. and It's Suppliers Governmental Volume Submitter 401(A) Plan to enhance the retirement program for County employees and to make it available for additional eligible employee groups effective July 1, 2019, as required by the relevant policies or collective bargaining agreement provisions adopted by the County Board through Resolutions 2018-278, 2018-287, 2018-288, 2018-289, and 2018-299. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

14. Resolution [2019-046](#): First Amendment to the Interlocal Cooperation Act Agreement with Sanitary and Improvement District (SID) 330, Gold Coast Road, Phase 2, R & R Commerce Park Development. Nicole Spitzenberger, Deputy County Attorney

MOTION: Warren resolved, seconded by Burmeister, to approve the resolution for the amendment to the Interlocal Cooperation Agreement (previously approved by Resolution 2018-354) which incorporates the proposed additional improvements and outlines the cost allocation to construct a third lane along Gold Coast Road along with an additional 700 linear feet commencing on the west side of the intersection of Gold Coast Road and 146th Street, as attached to the resolution. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

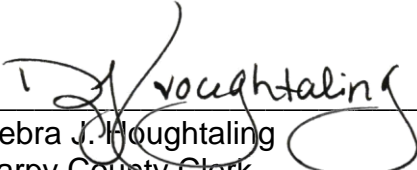
15. Adjournment.

MOTION: At 3:26 P.M. Klug moved, seconded by Warren, to adjourn until March 5, 2019. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.



Don Kelly, Chairman
Sarpy County Board of Commissioners

Attest:



Debra J. Houghtaling
Sarpy County Clerk