



# MINUTES OF MEETING

## Sarpy County Board of Commissioners

### Tuesday, July 9, 2019 3:07 P.M.

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Notice of this meeting was publicized in advance on the Sarpy County website ([www.sarpy.com/boards-commissions/county-board](http://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.

#### 1. **ROLL CALL**

Commissioners Present: Don Kelly, David Klug, Angela Burmeister, Jim Warren, Gary Mixan

Commissioners Absent: None

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

#### 2. **PROCLAMATIONS**

2.1 Recognize Curtis Rainge for his years of dedicated service to Sarpy County and congratulate him on his upcoming retirement.  
Jeff Davis, Sarpy County Sheriff

[Proclamation Agenda Item 19-095 - Pdf](#)

Commissioner Kelly addressed the Board and recognized Mr. Rainge for his years of service.

#### 3. **COMMISSIONERS/ADMINISTRATOR ANNOUNCEMENTS/COMMENTS**

Commissioner Kelly requested items 4.2, 4.5, 4.6, 4.7, and 4.12 be removed from the Consent Agenda and addressed on the Regular Agenda.

#### 4. **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.}*

4.1 Claims report. Deb Houghtaling, County Clerk  
[Warrant 07092019](#)

4.2 R2019-172 Award low bid of \$502,681 from NL&L Concrete, Inc. for various concrete panel repairs, Project C-77 (18-14) for the Public Works Department. Beth Garber, Purchasing Agent  
**MOVED TO REGULAR**

[Resolution R2019-172 Agenda Item 19-088 - Pdf](#)

- 4.3 Disbursement requisition #55 of Sarpy County Safekeeping Account 2017 (Road Construction Bonds) funds for payment to City of Omaha for Project C-77(09-1) Harrison Street project oversight 4/7/19 - 5/4/19 in the amount of \$11,658.66. Bill Conley, Chief Financial Officer  
[Disbursement Req 55 Agenda Item 19-093 - Pdf](#)
- 4.4 R2019-173 Placement of decorative Street Signs within Sanitary and Improvement District (SID) 320 - Bridgeport. Dennis Wilson, County Engineer  
[Resolution R2019-173 Agenda Item 19-082 - Pdf](#)
- 4.5 R2019-188 Professional Services Agreement with The Schemmer Associates, Inc. for the survey and design of C-77(07-04) 168th Street Pavement Repair. Krista Wassenaar, Public Works Senior Engineer **MOVED TO REGULAR**  
[Resolution R2019-188 Agenda Item 19-111 - Pdf](#)
- 4.6 2019-179 Sarpy County and Cities Wastewater Agency FY 2019-2020 Budget. Dan Hoins, County Administrator **MOVED TO REGULAR**  
[Resolution 2019-179 Agenda Item 19-096 - Pdf](#)
- 4.7 R2019-176 Agreement for the use of the Lancaster County Youth Services Center for youth in custody of the Juvenile Justice Center (JJC) at a rate of \$276 per pre-adjudicated youth per day. Beth Garber, Purchasing Agent **MOVED TO REGULAR**  
[Resolution Agenda Item 19-086 - Pdf](#)
- 4.8 R2019-177 Agreement with James Jansen for emergency protective work on Fairview Road and 252nd Street for \$27,807. Beth Garber, Purchasing Agent  
[Resolution R2019-177 Agenda Item 19-085 - Pdf](#)
- 4.9 R2019-170 Agreement with Rochester Armored Car Co., Inc. for armored carrier services for various county offices for a monthly fee of \$195 per month per office. Beth Garber, Purchasing Agent  
[Resolution R2019-170 Agenda Item 19-083 - Pdf](#)
- 4.10 R2019-171 Establish the E911 Surcharge for 2020FY in the amount of \$1.00 per month, commencing January 1, 2020. Bill Conley, Chief Financial Officer  
[Resolution R2019-171 Agenda Item 19-092 - Pdf](#)

- 4.11 R2019-169 Agreement with Vaccination Services of America, Inc. DBA TotalWellness for biometric health screenings and wellness services for \$9 per eligible employee per year. Beth Garber, Purchasing Agent

[Resolution R2019-169 Agenda Item 19-084 - Pdf](#)

- 4.12 R2019-190 Agreement with Nebraska Department of Transportation (NDOT) for County Bridge Match Program. Krista Wassenaar, Public Works Senior Engineer **MOVED TO REGULAR**

[Resolution R2019-190 Agenda Item 19-114 - Pdf](#)

**MOTION:** Kelly moved, seconded by Warren, to approve the Consent Agenda as amended with the removal of items 4.2, 4.5, 4.6, 4.7, and 4.12. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

## **5. REGULAR AGENDA**

- 4.2 R2019-172 Award low bid of \$502,681 from NL&L Concrete, Inc. for various concrete panel repairs, Project C-77 (18-14) for the Public Works Department. Beth Garber, Purchasing Agent

[Resolution R2019-172 Agenda Item 19-088 - Pdf](#)

**MOTION:** Warren resolved, seconded by Klug, to approve the resolution and award the low bid to NL&L Concrete, Inc., as attached to the resolution. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

- 4.5 R2019-188 Professional Services Agreement with The Schemmer Associates, Inc. for the survey and design of C-77(07-04) 168<sup>th</sup> Street Pavement Repair. Krista Wassenaar, Public Works Senior Engineer

[Resolution R2019-188 Agenda Item 19-111 - Pdf](#)

**MOTION:** Warren resolved, seconded by Mixan, to approve the resolution for the Short Form of Agreement Between Owner and Engineer for Professional Services and the Scope of Services with The Schemmer Associates, Inc. for professional services in conjunction with the preliminary and final designs for the milling and asphalt overlay of 168<sup>th</sup> Street from just north of Cheyenne Road to just north of Meridian Street with full-depth repair of the asphalt base course as well as the widening of 168<sup>th</sup> Street from north of Palisades Drive to just north of Meridian Street with full-depth asphalt pavement and concrete curb and gutter installation for a total cost to the County of \$1,040,000, as attached to the resolution. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

- 4.6 2019-179 Sarpy County and Cities Wastewater Agency FY 2019-2020 Budget. Dan Hoins, County Administrator  
[Resolution 2019-179 Agenda Item 19-096 - Pdf](#)

**MOTION:** Mixan resolved, seconded by Warren, to approve the resolution for the Sarpy County and Cities Wastewater Agency FY 2019-2020 Budget, as attached to the resolution. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

- 4.7 R2019-176 Agreement for the use of the Lancaster County Youth Services Center for youth in custody of the Juvenile Justice Center (JJC) at a rate of \$276 per pre-adjudicated youth per day. Beth Garber, Purchasing Agent  
[Resolution Agenda Item 19-086 - Pdf](#)

**MOTION:** Warren resolved, seconded by Burmeister, to approve the resolution for the Detention Services Agreement with the Lancaster County Youth Services Center, as attached to the resolution. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

- 4.12 R2019-190 Agreement with Nebraska Department of Transportation (NDOT) for County Bridge Match Program. Krista Wassenaar, Public Works Senior Engineer  
[Resolution R2019-190 Agenda Item 19-114 - Pdf](#)

**MOTION:** Warren resolved, seconded by Burmeister, to approve the resolution for the County Bridge Match Program Agreement with the State of Nebraska Department of Transportation (NDOT) for Project No. STWD-CBMP(3), State Control No. 00974B, as attached to the resolution. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

- 5.1 Presentation of the Minutes. Deb Houghtaling, County Clerk  
[2019-06-25 COMM Minutes](#)

**MOTION:** Warren moved, seconded by Mixan, to approve the minutes as submitted. Ayes: Kelly, Burmeister, Mixan & Warren. Nays: None. Abstain: Klug.

- 5.2 Public Hearing: Vacation of 219th Street, South of Lots 8 and 9, Southgate Estates (request to table item to July 30, 2019). Kayla Hathcote, Deputy County Attorney  
[Public Hearing: Vacation of 219th Street, South of Lots 8 and 9, Southgate Estates - Pdf](#)

**MOTION:** Warren moved, seconded by Burmeister, to table item 5.2 until July 30, 2019. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

Chairman Kelly requested to address items 5.4 and 5.5 before item 5.3.

- 5.4 R2019-181 Public Hearing - Sarpy County Zoning Regulations Amendment. Bruce Fountain, Planning Director  
[Resolution R2019-181 Agenda Item 19-104 - Pdf](#)

**MOTION:** After a public hearing, Klug resolved, seconded by Burmeister, to approve the resolution for the proposed text amendments to the Zoning Regulations Section 33 – Nuisance Regulations and Section 34 – Supplementary Regulations, 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 July 9, 2019. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

- 5.5 2019-183 Public Hearing - Change of Zone Designation from IL (Light Industrial) to BGH (Heavy General Business District) for Lots 1, 2, 3, 4, 5, 6 & 7 Lakeview South and Lots 1 & 2 Lakeview South Replat 1; Applicant: Sarpy County Planning & Building Department. Bruce Fountain, Planning Director  
[Resolution Agenda Item 19-107 - Pdf](#)

**MOTION:** After a public hearing, Warren resolved, seconded by Klug, to approve the resolution for the Change of Zone for the property legally described as: Lots 1, 2, 3, 4, 5, 6 & 7 Lakeview South and Lots 1 & 2 Lakeview South Replat 1, Sarpy County, Nebraska. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

- 5.3 2019-182 Public Hearing - Sarpy County Comprehensive Development Plan Future Land Use Map Amendment for the general area of 180th Street and Giles Road. Bruce Fountain, Planning Director  
[Resolution 2019-182 Agenda Item 19-103 - Pdf](#)

**MOTION:** After a public hearing, Burmeister resolved, seconded by Klug, to approve the resolution to adopt the Sarpy County Comprehensive Development Plan Future Land Use Map for the general area of 180<sup>th</sup> Street and Giles Road changing parcel designations to Business Park (BP), Agricultural (AG), Low to Medium Density Residential (LMDR), and Medium to High Density Residential (MHDR), as attached to the resolution. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

- 5.6 2019-184 Public Hearing - Change of Zone from AG (Agricultural District) and IL (Light Industrial) to RD-50 (Two-Family Residential District), RG-15 (General Residential District), and IL (Light Industrial); for a subdivision to be known as Windsor East, Lots 1-93, Outlots A thru J inclusive; Applicant: Windsor East Development, LLC; generally located northeast of 180th Street and Giles Road. Bruce Fountain, Planning Director  
[Resolution 2019-184 Agenda Item 19-108 - Pdf](#)

**MOTION:** After a public hearing, Warren resolved, seconded by Burmeister, to approve the resolution for the Change of Zone for the property legally described as: A tract of land located in the S1/2 of the SW1/4 in Section 16, Township 14 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

- 5.7 2019-185 Public Hearing - Preliminary Plat of a subdivision to be known as Windsor East, Lots 1-93, Outlots A thru J inclusive; Applicant: Windsor East Development, LLC; generally located northeast of 180th Street and Giles Road. Kelly Jeck, Planning Administrative Specialist  
[Resolution 2019-185 Agenda Item 19-109 - Pdf](#)

**MOTION:** After a public hearing, Klug resolved, seconded by Kelly, to approve the Preliminary Plat for the property legally described as: A tract of land located in the S1/2 of the SW1/4 in Section 16, Township 14 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

- 5.8 2019-186 Public Hearing - Change of Zone from AG (Agricultural District) to RD-50 (Two-Family Residential District), RG-15 (General Residential District), AG (Agricultural District), and BG (General Business District) for a subdivision to be known as Windsor West, Lots 1-202, Outlots A thru G inclusive; Applicant: Windsor West Development, LLC; generally located southwest of 180th Street and Giles Road. Bruce Fountain, Planning Director  
[Resolution 2019-186 Agenda Item 19-110 - Pdf](#)

**MOTION:** After a public hearing, Warren resolved, seconded by Mixan, to approve the Change of Zone for the property legally described as: Tax lot 5A located in the NE ¼ of Section 20, Township 14N, Range 11E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

- 5.9 2019-187 Public Hearing - Preliminary Plat of a subdivision to be known as Windsor West, Lots 1-202, Outlots A thru G inclusive; Applicant: Windsor West Development, LLC; generally located southwest of 180th Street and Giles Road. Bruce Fountain, Planning Director  
[Resolution 2019-187 Agenda Item 19-112 - Pdf](#)

**MOTION:** After a public hearing, Warren resolved, seconded by Mixan, to approve the Preliminary Plat for the property legally described as: Tax lot 5A located in the NE ¼ of Section 20, Township 14N, Range 11E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

- 5.10 R2019-191 Agreement with Nebraska Department of Transportation (NDOT) Project No. NH-75-2 (1067) for Hidden Valley Drive Turn Lane Project. Krista Wassenaar, Public Works Senior Engineer  
[Resolution R2019-191 Agenda Item 19-113 - Pdf](#)

**MOTION:** Warren resolved, seconded by Burmeister, to approve the resolution for the County Financial Agreement State Highway Project to reconstruct the shoulder asphalt surfacing along Hidden Valley Drive and adjacent to the Platteview Road intersection, which will facilitate adding and eastbound left turn lane for vehicles turning onto Platteview Road, as attached to the resolution. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

- 5.11 R2019-175 Construction Manager at Risk contract for the Administration Building Renovation Project. Scott Bovick, Deputy County Administrator

[Resolution R2019-175 Agenda Item 19-089 - Pdf](#)

**MOTION:** Warren resolved, seconded by Burmeister, to approve the Contract Manager at Risk (CMAR) Contract. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

- 5.12 R2019-174 Proposal for Architectural Design Services with Alley Poyner Macchietto Architecture for the Administration Addition Remodel Project for \$68,000. Scott Bovick, Deputy County Administrator

[Resolution R2019-174 Agenda Item 19-090 - Pdf](#)

**MOTION:** Burmeister resolved, seconded by Klug, to approve the resolution for the Proposal for Architectural Design Services with APMA for the consolidation and relocation of certain County offices on both levels of the Administration Building, as attached to the resolution. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

- 5.13 R2019-178 Agreement with Project Advocates for construction administration services for the Administration Addition Remodel Project in the amount of \$19,560. Scott Bovick, Deputy County Administrator

[Resolution R2019-178 Agenda Item 19-091 - Pdf](#)

**MOTION:** Warren resolved, seconded by Klug, to approve the resolution for the Agreement to provide pre-construction and construction oversight services for the consolidation and relocation of certain County offices, as attached to the resolution. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

- 5.14 2019-189 Nebraska Department of Environmental Quality (NDEQ) Clean Water State Revolving Fund (SRF) Loan Agreement for the Sarpy County and Cities Wastewater Agency. Dan Hoins, County Administrator

[Resolution 2019-189 Agenda Item 19-115 - Pdf](#)

**MOTION:** Kelly resolved, seconded by Mixan, to approve the resolution for the Loan Agreement for Project No. C318009, as attached to the resolution. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

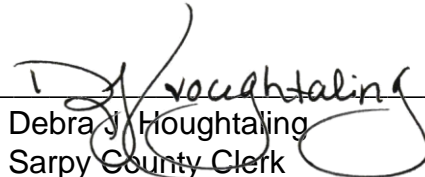


**6. ADJOURNMENT**

**MOTION:** At 4:00 P.M. Klug moved, seconded by Mixan, to adjourn until July 16, 2019. Ayes: Kelly, Klug, Burmeister, Mixan & Warren. Nays: None.

  
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Don Kelly, Chairman  
Sarpy County Board of Commissioners

Attest:

  
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Debra J. Houghtaling  
Sarpy County Clerk