



# MINUTES

## Sarpy County Board of Commissioners

### August 27, 2019 Recessed Until August 30, 2019

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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. CALL TO ORDER

Commissioner Kelly called the meeting to order at 3:03 P.M.

#### 2. ROLL CALL

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

Others Present: County Clerk/ROD Deb Houghtaling  
County Administrator Dan Hoins

#### 3. AWARDS AND PROCLAMATIONS

- 3.1 Recognize Jazz, a K9 deputy with the Sarpy County Sheriff's Office, for her service to Sarpy County and to authorize her retirement. Jeff Davis, Sheriff

Chairman Don Kelly read the Proclamation for the record.

#### 4. COMMISSIONERS/ADMINISTRATOR ANNOUNCEMENTS/COMMENTS

Commissioners' and Administrator's comments were recorded.

#### 5. 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.}

- 5.1 Approve Minutes (August 20, 2019). Clerk/ROD Deb Houghtaling
- 5.2 Claims and payroll report. Clerk/ROD Deb Houghtaling
- 5.3 Resolution 2019-233: Declare Sarpy County Sheriff's police dog (Jazz) as surplus property.
- 5.4 Resolution 2019-245: Professional services agreement with The Schemmer Associates, Inc. for construction project management of Platteview Road Asphalt Overlay Paving, 120th Street to 6th Street, Project C-77 (19-13) for an amount not to exceed \$28,303.00 for the Public Works Department. Beth Garber, Purchasing Agent
- 5.5 Resolution 2019-243: Sarpy County Sheriff 2019 FY Equitable Sharing Agreement and Certification and authorize the Fiscal Administration Department to electronically sign and submit.

- 5.6 Resolution 2019-242: Sarpy County Attorney 2019 FY Equitable Sharing Agreement and Certification and authorize the Fiscal Administration Department to electronically sign and submit.

**Motion to approve Consent Agenda as submitted.**

<b>RESULT:</b>	<b>Carried 5-0</b>
<b>MOVED BY:</b>	Commissioner Warren
<b>SECONDED BY:</b>	Commissioner Burmeister
<b>IN FAVOR:</b>	Commissioner Kelly, Commissioner Klug, Commissioner Burmeister, Commissioner Mixan, and Commissioner Warren

**6. EXECUTIVE SESSION**

Chairman Kelly moved Regular Agenda ahead of Planning and Zoning.

- 6.1 Discussion of a Legal Matter. Chairman Don Kelly

**At 3:14 P.M. a motion was made to go into Executive Session.**

<b>RESULT:</b>	<b>Carried 5-0</b>
<b>MOVED BY:</b>	Commissioner Warren
<b>SECONDED BY:</b>	Commissioner Burmeister
<b>IN FAVOR:</b>	Commissioner Kelly, Commissioner Klug, Commissioner Burmeister, Commissioner Mixan, and Commissioner Warren

**Chairman Kelly restated for the record that the County Board would go into Executive Session to discuss a legal matter.**

**At 3:36 P.M. a motion was made to return to Regular Session.**

<b>RESULT:</b>	<b>Carried 5-0</b>
<b>MOVED BY:</b>	Commissioner Burmeister
<b>SECONDED BY:</b>	Commissioner Klug
<b>IN FAVOR:</b>	Commissioner Kelly, Commissioner Klug, Commissioner Burmeister, Commissioner Mixan, and Commissioner Warren

**7. REGULAR AGENDA**

- 7.1 Resolution 2019-234 Approve FY2019-20 Levy Allocation for Fire Districts/Agricultural Society. Clerk/ROD Deb Houghtaling

Millard Suburban Fire Chief/Papillion Rural Fire District Administrator Kevin Edwards, Bellevue City Attorney Bree Robbins, and Bellevue Fire Chief Perry Guido addressed the Board.

Kelly moved, seconded by Burmeister to table levy allocation for Eastern Sarpy Suburban Fire District. (No action taken on this motion, discussion continued).

**Motion to approve amended Resolution 2019-234 with the exception of Eastern Sarpy Suburban Fire District.**

<b>RESULT:</b>	<b>Carried 5-0</b>
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<b>RESOLVED BY:</b>	Commissioner Kelly
<b>SECONDED BY:</b>	Commissioner Burmeister
<b>IN FAVOR:</b>	Commissioner Kelly, Commissioner Klug, Commissioner Burmeister, Commissioner Mixan, and Commissioner Warren

**Motion to table levy allocation for Eastern Sarpy Suburban Fire District until August 30, 2019 at 8:00 A.M.**

<b>RESULT:</b>	<b>Carried 5-0</b>
<b>MOVED BY:</b>	Commissioner Kelly
<b>SECONDED BY:</b>	Commissioner Burmeister
<b>IN FAVOR:</b>	Commissioner Kelly, Commissioner Burmeister, Commissioner Klug, Commissioner Mixan, and Commissioner Warren

- 7.2** Resolution 2019-244: Authorize an additional one percent (1%) increase in restricted funds.

**Resolution 2019-244 approved as submitted.**

<b>RESULT:</b>	<b>Carried 5-0</b>
<b>RESOLVED BY:</b>	Commissioner Kelly
<b>SECONDED BY:</b>	Commissioner Warren
<b>IN FAVOR:</b>	Commissioner Kelly, Commissioner Klug, Commissioner Burmeister, Commissioner Mixan, and Commissioner Warren

- 7.3** Resolution 2019-255: Adopt the 2020 fiscal year budget. Bill Conley, Chief Financial Officer

**Resolution 2019-255 approved as submitted.**

<b>RESULT:</b>	<b>Carried 5-0</b>
<b>RESOLVED BY:</b>	Commissioner Warren
<b>SECONDED BY:</b>	Commissioner Mixan
<b>IN FAVOR:</b>	Commissioner Kelly, Commissioner Klug, Commissioner Burmeister, Commissioner Mixan, and Commissioner Warren

- 7.4** Resolution 2019-249: Interlocal Cooperation Agreement with City of Springfield for Law Enforcement Services for a period effective September 1, 2019 through August 31, 2022 at a rate of: \$9,103.00 per month September 1, 2019 through August 31, 2020; \$9,431.00 per month for September 1, 2020 through August 31, 2021; \$9,771.00 per month for September 1, 2021 through August 31, 2022. Bill Conley, Chief Financial Officer

**Resolution 2019-249 approved as submitted.**

<b>RESULT:</b>	<b>Carried 5-0</b>
<b>RESOLVED BY:</b>	Commissioner Mixan
<b>SECONDED BY:</b>	Commissioner Burmeister
<b>IN FAVOR:</b>	Commissioner Kelly, Commissioner Klug, Commissioner Burmeister, Commissioner Mixan, and Commissioner Warren

- 7.5** Resolution 2019-251: Interlocal Cooperation Agreement with the City of Gretna for Law Enforcement Services for a period effective September 1, 2019 through August 31, 2022 at a rate of: \$35,811.00 per month September 1, 2019 through August 31,

2020; \$37,100.00 per month September 1, 2020 through August 31, 2021; \$38,436.00 per month September 1, 2021 through August 31, 2022. Bill Conley, Chief Financial Officer

**Resolution 2019-251 approved as submitted.**

<b>RESULT:</b>	<b>Carried 5-0</b>
<b>RESOLVED BY:</b>	Commissioner Klug
<b>SECONDED BY:</b>	Commissioner Warren
<b>IN FAVOR:</b>	Commissioner Kelly, Commissioner Klug, Commissioner Burmeister, Commissioner Mixan, and Commissioner Warren

- 7.6 Resolution 2019-246: Award low bid to Elkhorn West Construction for Werner Park Locker Room HVAC Upgrades for \$471,700 for the Facilities Management Department. Beth Garber, Purchasing Agent

**Resolution 2019-246 approved as submitted.**

<b>RESULT:</b>	<b>Carried 5-0</b>
<b>RESOLVED BY:</b>	Commissioner Warren
<b>SECONDED BY:</b>	Commissioner Mixan
<b>IN FAVOR:</b>	Commissioner Kelly, Commissioner Klug, Commissioner Burmeister, Commissioner Mixan, and Commissioner Warren

- 7.7 Resolution Supplement to Master Agreement Work Order #12 (RSLN 2019-029) with Olsson for Public Engagement for C-77(17-01) and C-77(18-01) 180th & Giles Corridor, Not to Exceed \$79,800. Dennis Wilson, County Engineer

**Motion to approve.**

<b>RESULT:</b>	<b>Carried 5-0</b>
<b>RESOLVED BY:</b>	Commissioner Warren
<b>SECONDED BY:</b>	Commissioner Klug
<b>IN FAVOR:</b>	Commissioner Kelly, Commissioner Klug, Commissioner Burmeister, Commissioner Mixan, and Commissioner Warren

- 7.8 Resolution 2019-248: Sarpy County Officials' Inventory Statement. County Clerk/ROD Deb Houghtaling

**Resolution 2019-248 approved as submitted.**

<b>RESULT:</b>	<b>Carried 5-0</b>
<b>RESOLVED BY:</b>	Commissioner Kelly
<b>SECONDED BY:</b>	Commissioner Warren
<b>IN FAVOR:</b>	Commissioner Kelly, Commissioner Klug, Commissioner Burmeister, Commissioner Mixan, and Commissioner Warren

- 7.9 Resolution Award low bid for Giles Road combined 168th Ave. West & 186th Street to 180th Street, Project C-77 (07-04)B, (13-4)A, (15-03) to Tab Construction for \$2,339,224.99 Scott Bovick, Deputy County Administrator

**Motion to**

<b>RESULT:</b>	<b>Carried 5-0</b>
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<b>RESOLVED BY:</b>	Commissioner Warren
<b>SECONDED BY:</b>	Commissioner Mixan
<b>IN FAVOR:</b>	Commissioner Kelly, Commissioner Klug, Commissioner Burmeister, Commissioner Mixan, and Commissioner Warren

## 8. PLANNING AND ZONING

- 8.1 Public Hearing and Resolution Change of Zone from AG (Agricultural Farming District) to AG (Agricultural Farming District), AGD (Agricultural Residential District) and RE2 (Residential Estates II District); for a subdivision to be known as Scholting Estates, Lots 1 – 7 and Outlot A; Applicant: Diane Scholting; generally located northwest of 180th Street and Buffalo Road Bruce Fountain, Planning Director

### Motion to Approve.

<b>RESULT:</b>	<b>Carried 5-0</b>
<b>RESOLVED BY:</b>	Commissioner Warren
<b>SECONDED BY:</b>	Commissioner Klug
<b>IN FAVOR:</b>	Commissioner Kelly, Commissioner Klug, Commissioner Burmeister, Commissioner Mixan, and Commissioner Warren

- 8.2 Public Hearing and Resolution Preliminary Plat of a subdivision to be known as Scholting Estates, Lots 1 – 7 and Outlot A; Applicant: Diane Scholting; generally located northwest of 180th Street and Buffalo Road. Bruce Fountain, Planning Director

### Motion to Approve.

<b>RESULT:</b>	<b>Carried 5-0</b>
<b>RESOLVED BY:</b>	Commissioner Warren
<b>SECONDED BY:</b>	Commissioner Klug
<b>IN FAVOR:</b>	Commissioner Kelly, Commissioner Klug, Commissioner Burmeister, Commissioner Mixan, and Commissioner Warren

- 8.3 Public Hearing and Resolution Final Plat of a subdivision to be known as Scholting Estates, Lots 1 – 7 and Outlot A; Applicant: Diane Scholting; generally located northwest of 180th Street and Buffalo Road. Bruce Fountain, Planning Director

### Motion to Approve.

<b>RESULT:</b>	<b>Carried 5-0</b>
<b>RESOLVED BY:</b>	Commissioner Warren
<b>SECONDED BY:</b>	Commissioner Burmeister
<b>IN FAVOR:</b>	Commissioner Kelly, Commissioner Klug, Commissioner Burmeister, Commissioner Mixan, and Commissioner Warren

- 8.4 Resolution Subdivision Agreement between Sarpy County and Diane Scholting; Scholting Estates, Lots 1 – 7 and Outlot A. Bruce Fountain, Planning Director

### Motion to Approve.

<b>RESULT:</b>	<b>Carried 5-0</b>
<b>RESOLVED BY:</b>	Commissioner Warren
<b>SECONDED BY:</b>	Commissioner Burmeister

<b>IN FAVOR:</b>	Commissioner Kelly, Commissioner Klug, Commissioner Burmeister, Commissioner Mixan, and Commissioner Warren
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**9. EXECUTIVE SESSION**

**9.1** Contract Negotiation. John Reisz, Deputy County Attorney

**At 4:42 P.M. a motion was made to go into Executive Session.**

<b>RESULT:</b>	<b>Carried 5-0</b>
<b>MOVED BY:</b>	Commissioner Warren
<b>SECONDED BY:</b>	Commissioner Klug
<b>IN FAVOR:</b>	Commissioner Kelly, Commissioner Klug, Commissioner Burmeister, Commissioner Mixan, and Commissioner Warren

**Chairman Kelly restated for the record that the County Board would go into Executive Session to discuss a Contract Negotiation.**

**At 4:52 P.M. a motion was made to return to Regular Session.**

<b>RESULT:</b>	<b>Carried 5-0</b>
<b>MOVED BY:</b>	Commissioner Mixan
<b>SECONDED BY:</b>	Commissioner Warren
<b>IN FAVOR:</b>	Commissioner Kelly, Commissioner Klug, Commissioner Burmeister, Commissioner Mixan, and Commissioner Warren

**10. ADJOURNMENT**

At 4:53 P.M. Chairman Kelly recessed the Board of Commissioners until August 30, 2019 at 8:00 A.M.

**MINUTES PREPARED BY AND ON FILE WITH THE CLERK/ROD**



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Don Kelly  
Sarpy County Board Chairman



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Debra J. Houghtaling  
Sarpy County Clerk/ROD