

MINUTES OF MEETING
SARPY COUNTY BOARD OF COMMISSIONERS
February 13, 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 items 6 and 7 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. [Claims](#) and [Payroll](#) report. Deb Houghtaling, County Clerk
2. Resolution [2018-043](#): Various equipment and vehicles declared surplus property or transferred between different county departments. Beth Garber, Senior Buyer/Contract Administrator
3. Resolution [2018-044](#): Award low bid to Sid Dillon Ford for One (1) new 2018 19,500 GVW 4x4 crew cab chassis with dump body for \$65,733.00. Beth Garber, Senior Buyer/Contract Administrator
4. Resolution [2018-045](#): Road development agreement with LB Southwest, LLC to construct, pay for and warranty (Woodhouse development) deceleration lane. John Reisz, Deputy County Attorney
5. Resolution [2018-046](#): Non-Disclosure and background check forms for cost estimates to replace Motorola's Infotrak Law Records Management System (LRMS) software and authorize the Sarpy County Public Safety I.T. Manager to sign the Non-Disclosure Agreement forms. Kate Gatewood, Deputy Sarpy County Attorney
- *6. Resolution [2018-036](#): Amendment 1 to Task Order 2 (Resolution 2016-113) with WSP USA, Inc. f/k/a Parsons Brinckerhoff, Inc. (Resolution 2015-009) for Pflug Road Drainage Services. Denny Wilson, County Engineer **MOVED TO REGULAR**

- *7. Resolution [2018-037](#): Task Order 3 with WSP USA, Inc. f/k/a Parsons Brinckerhoff, Inc. (Resolution 2015-009) for Pflug Road engineering construction and inspection services. Denny Wilson, County Engineer **MOVED TO REGULAR**

MOTION: Zuger moved, seconded by Mixan, to approve the Consent Agenda as amended with the removal of items 6 and 7. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

REGULAR AGENDA

- *6. Resolution [2018-036](#): Amendment 1 to Task Order 2 (Resolution 2016-113) with WSP USA, Inc. f/k/a Parsons Brinckerhoff, Inc. (Resolution 2015-009) for Pflug Road Drainage Services. Denny Wilson, County Engineer

MOTION: Thompson resolved, seconded by Warren, to approve the resolution for the amendment to the Professional Services Task Order Agreement PB No. 185017 Task Order No. 2 for changes or amendments to services for design, pre-bid coordination and post-bid work for engineering services regarding tributary draining – Phase II along Pflug Road between Interstate 80 and South 228th Street, as attached to the resolution. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

- *7. Resolution 2018-037: Task Order 3 with WSP USA, Inc. f/k/a Parsons Brinckerhoff, Inc. (Resolution 2015-009) for Pflug Road engineering construction and inspection services. Denny Wilson, County Engineer

MOTION: Mixan resolved, seconded by Warren, to approve the resolution for the Professional Services Task Order Agreement WSP No. 185017 Task Order No. 3 regarding engineering services for construction engineering and inspection of the Drainage Culvert Replacement on Pflug Road 228th Street to 230th Street, as attached to the resolution. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

8. [Minutes](#) (February 6, 2018). Deb Houghtaling, County Clerk

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

9. Public Hearing and [Recommendation to Liquor Control Commission](#): China Tea Corporation dba Ling's Cuisine has applied for a Class "I" Beer, Wine, Distilled Spirits, On Sale Only liquor license for business at 6909 South 157th Street, Suite A, Omaha, NE 68136 (Sarpy County). Kim Lin, Owner/Manager

MOTION: After a public hearing, Warren moved, seconded by Zuger, to approve the application of China Tea Corporation dba Ling's Cuisine and notify the Nebraska Liquor Control Commission of Board approval. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

10. Public Hearing and Resolution [2018-038](#): Special Use Permit for Cornerstone Storage LLC to allow a watchman's residence in conjunction with a principal use in an IL Light Industrial District; at 8787 S. 192nd Street, generally located on the east side of 192nd Street south of Giles Road. Donna Lynam, Assistant Planning Director

MOTION: After a public hearing, Kelly resolved, seconded by Thompson, to approve the Special Use Permit for the property legally described as: Lot 1, Red Addition as surveyed, platted and recorded in Sarpy County, NE. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

11. Resolution [2018-039](#): Authorize, approve and direct cost free engagement of certain law firms to represent the County in potential litigation against the contributors of the opioid addiction crisis. Lee Polikov, County Attorney

MOTION: Thompson resolved, seconded by Mixan, to approve the resolution for the Legal Services Agreement Engagement to Represent with Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, PA and authorize them to serve as lead counsel and employ and/or associate additional counsel, with consent of client, to assist in advising and representing the County regarding litigation and the award of damages from the contributors of opioids within the County. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

12. Resolution [2018-040](#): Use of Sarpy County roads by CommonFund of the Heartland for the March 3, 2018 Heat the Streets 5K Walk/Run Event. Andrea Gosnold-Parker, Deputy County Attorney

MOTION: Warren moved, seconded by Zuger, to table item 12 until February 27, 2018. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

13. Resolution [2018-041](#): Add Workforce Now HCM, DataCloud, and Time and Attendance services to the existing agreement with ADP (Automatic Data Processing). Dan Hoins, County Administrator

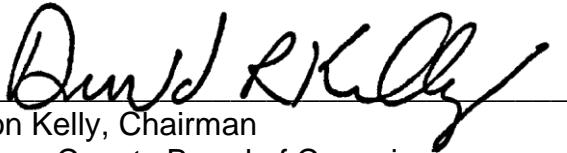
MOTION: Kelly resolved, seconded by Warren, to approve the resolution to add the additional modules to the existing Automatic Data Processing ADP Personnel Payroll Integrated System for the County Clerk's Office (previously approved by Resolution 2008-023). Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

- *14. Resolution [2018-042](#): Waive requirements of the County Purchasing Act for emergency repair of the Sarpy County Industrial Sewer, Valley Ridge outfall sewer. Nicole Spitzenberger, Deputy County Attorney

MOTION: Warren resolved, seconded by Thompson, to approve the resolution that pursuant to Neb. Rev. Stat. §23-3109(2), the County Board waives the bidding requirements of the County Purchasing Act for the emergency repair of the Valley Ridge Outfall Sewer and authorizes the required services and agreements for repairs, as attached to the resolution. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.

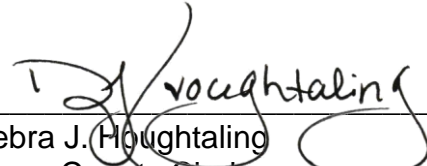
15. Adjournment.

MOTION: At 4:00 P.M. Thompson moved, seconded by Warren, to adjourn until February 27, 2018. Ayes: Kelly, Thompson, Zuger, Mixan & Warren. Nays: None.



Don Kelly, Chairman
Sarpy County Board of Commissioners

Attest:



Debra J. Houghtaling
Sarpy County Clerk