

January 9, 1996

MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS OF SARPY COUNTY, NEBRASKA

A meeting of the Board of County Commissioners of Sarpy County, Nebraska was convened in open and public session at 9:00 a.m on January 9, 1996 at the Courthouse in Papillion, Nebraska. Present: Don Knott Sr., Tim Gay, Phyllis Meyer, Tim Schram, Ron Woodle, Board Administrator Mark Wayne and Debra J. Houghtaling, County Clerk.

Notice of the meeting was given in advance thereto by publication in the Bellevue Leader on January 3, 1996, a copy of the Proof of Publication is on file in the County Clerk's office. Notice of the meeting was simultaneously given to all members of the Board of County Commissioners of Sarpy County, Nebraska. Availability of the agenda was communicated in the published notice and in the notice to members of the Board of County Commissioners of this meeting. All proceedings were taken while the convened meeting was open to the attendance of the public.

The Sarpy County Board of Commissioners opened their 1996 session with Chairman Ron Woodle calling for selection of a Chairman for 1996.

Resolved by Gay, seconded by Schram, that Donald E. Knott, Sr. is elected Chairman of the Sarpy County Board of Commissioners for 1996, and thereafter until a Chairman is elected at a regular meeting of this Board to be held in 1997. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Commissioners' comments were recorded.

Gay moved, seconded by Schram, to approve the Consent Agenda. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

**CONSENT AGENDA:**

Gay moved, seconded by Schram, to approve the minutes of the December 12, 1995 meeting as submitted. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Gay moved, seconded by Schram, to approve the claims as submitted by Debra J. Houghtaling, Sarpy County Clerk, and authorize the County Clerk to issue warrants for said claims. A complete listing of claims is on file in the office of the County Clerk. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

**\*INSERT CLAIMS LISTING HERE**

Resolved by Gay, seconded by Schram, that this Board's Chairman and the County Clerk are authorized to execute a contract for lobbying services with John M. Boehm for a term of one (1) year at \$1,500 per month. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Gay, seconded by Schram, that this Board's Chairman and the County Clerk are authorized to execute an Amendment to Emergency Shelter Grant Contract No. 95-ESG-013 with the Nebraska Department of Economic Development for an additional \$3,750 under the same terms and conditions as the original contract signed by this Board on August 1, 1995. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Gay, seconded by Schram, that this Board's Chairman and the County Clerk are authorized to execute an Amendment to Emergency Shelter Grant Contract No. 95-ESG-013 with Youth Emergency Services as "Subgrantee", signed by this Board on August 8, 1995, allowing an additional \$3,750 for Emergency Shelter Grant purposes. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Gay moved, seconded by Schram, to accept the Sarpy County Audit Report as prepared by Hayes & Associates consisting of three reports 1) Sarpy County Financial Statements and Independent Auditor's Reports 2) Sarpy County Landfill Facility Corporation Cash Basis Financial Statements and Independent Auditor's Report 3) Sarpy County Management Letter, each for the year ended June 30, 1995. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Gay, seconded by Schram, that the American National Bank of Sarpy County, Papillion, NE.; Bank of Bellevue, Bellevue, NE.; Bank of Nebraska, Lavista, NE.; Commercial Federal Savings Bank, Bellevue and LaVista, NE.; Conservative Savings Bank, Bellevue, NE.; FirstTier Bank, N.A. also known as First Bank, Bellevue, NE.; First National Bank of Omaha, LaVista and Bellevue, NE.; First United Bank of Bellevue, Bellevue, NE.; Gretna State Bank, Gretna, NE.; Norwest Bank Nebraska, N.A., Bellevue, NE.; Pinnacle Bank of Papillion, Papillion, NE. and Springfield State Bank, Springfield, NE. be approved as depositories for the public funds of Sarpy County for 1996; conditioned upon the true and faithful compliance with all provisions of Nebraska State Law governing the deposit of public funds. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Gay, seconded by Schram, that FirstTier Bank, N.A., also known as First Bank, Omaha, NE.; First National Bank of Omaha, Omaha, NE. and/or Norwest Bank Nebraska, N.A., Omaha, NE. are approved as alternate depositories for the excess

public funds of Sarpy County for 1996, should excess funds require depository banks outside of Sarpy County, conditioned upon the faithful compliance of said banks with all provisions of Nebraska State Law governing the deposit of public funds. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

**REGULAR AGENDA:**

As advertised, a public hearing was held as to whether "old" Giles Road between 114th and 118th Streets shall be vacated. No public comments were offered.

Fran Grothe, County Purchaser, reported that bids for financing for a 1996 GMC Yukon utility vehicle for the Sheriff's Department have been solicited, made, opened and reviewed pursuant to Board authorization.

After a public hearing, Woodle resolved, seconded by Gay, that the bid of Bank of Nebraska for financing a 1996 GMC Yukon mdl. TK10706 utility vehicle for a total amount of \$30,754 (interest rate 3.97% with 12 monthly payments of \$2,618.46) be accepted per recommendation of the Purchasing Department and the Fiscal Administrator is authorized to execute necessary documents. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

As advertised, bids were opened for materials to repair Bridge #34, 66th St. south of Harrison, Sarpy County Project #C-77(96-5). Three (3) bids were received:

	<u>NAME</u>	<u>TOTAL MATERIAL COST</u>
1.	*Contech Construction Products	\$ 2,396.80
2.	Husker Steel	30,957.58 w/Alt. #1 43,907.26 w/Alt. #2 30,302.22 w/Alt. #3 34,469.82 w/Alt. #4
3.	Ace/Eaton Metals	No Bid

\*bid selected items only

Woodle moved, seconded by Gay, to refer the bids for materials to repair Bridge #34, 66th St. south of Harrison, Sarpy County Project No. C-77(96-5), to the Purchasing Department for review and recommendation. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Woodle, seconded by Schram, to appoint the following as members of the Sarpy County Planning Commission:

<u>NAME</u>	<u>NOMINATED BY</u>	<u>TERM</u>
Charles Buller	Commissioner Knott	3 years (expires 1/1/1999)
Charles Denny	Commissioner Knott	3 years (expires 1/1/1999)
Marcia Matthies	Commissioner Gay	3 years (expires 1/1/1999)
Don Hornback	Commissioner Meyer (to complete Mike Dose's term of office)	2 years (expires 1/1/1998)

Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

**ZONING ACTIONS:**

Resolved by Gay, seconded by Schram, that the application of Ron and Marilyn Vencil for a Special Use Trailer Permit to park a single wide mobile home for recreational use only on Lot 37P, Vencils Cabin Sites in Sec. 29, T14N, R10E of the 6th P.M., Sarpy County, Nebraska (9900 S 252nd St., Lot 37P) be approved for a period of three (3) years with renewal by publication. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

The application of Gerard and Marcella Wemhoff (agenda item #15.2) for a Final Plat for a subdivision to be known as Wemhoff Addition be tabled until January 16, 1996.

Resolved by Schram, seconded by Woodle, that the application of Yvonne B. Marquardt and Bernadette A. Allison for a Change of Zone from AG to AGR on the following described property: being a platting of the SE 1/4 of the NE 1/4 of Sec. 23, T13N, R10E of the 6th P.M. Sarpy County, Nebraska (1/4 mile south of Platteview Rd. on Hwy. 31) be approved. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Gay, seconded by Schram, that the application of Yvonne B. Marquardt and Bernadette A. Allison for a Preliminary Plat of a subdivision to be known as Seven Hills Estates Phase II being a platting of the SE 1/4 of the NE 1/4 of Sec. 23, T13N,

R10E of the 6th P.M. Sarpy County, Nebraska (1/4 mile south of Platteview Rd. on Hwy. 31) be approved. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Gay, seconded by Schram, that the application of John M. and Lucille G. Ward for a Change of Zone from AG to AGR on the NE 1/4 of the NW 1/4 and the NW 1/4 of the NE 1/4 in Sec. 23, T13N, R12E and the South 524.60 feet of the SW 1/4 of the SE 1/4 in Sec 14, T13N, R12E of the 6th P.M. Sarpy County, Nebraska (1/4 mile south of Platteview Road on 75th St.) be approved. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Gay that the application of John M. and Lucille G. Ward for a Preliminary Plat of a subdivision to be known as Hidden Valley Ranches on the NE 1/4 of the NW 1/4 and the NW 1/4 of the NE 1/4 in Sec. 23, T13N, R12E and the South 524.60 feet of the SW 1/4 of the SE 1/4 in Sec 14, T13N, R12E of the 6th P.M. Sarpy County, Nebraska (1/4 mile south of Platteview Road on 75th St.) be approved. Commissioner Gay withdrew his motion.

Meyer moved, seconded by Gay, to table consideration of the application of John M. and Lucille G. Ward for a Preliminary Plat of a subdivision to be known as Hidden Valley Ranches until January 16, 1996 to allow the County Attorney to prepare a resolution returning recommendation by Planning Commission with instructions. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

As advertised, a public hearing was held concerning adoption of Flood Plain District Zoning Regulations, Nuisance Zoning Regulations and the Sarpy County Zoning Ordinances and Subdivision Regulations. Public comments were received.

Meyer moved, seconded by Woodle, to table until January 16, 1996 the resolution to adopt Sarpy County Zoning Ordinances and Subdivision Regulations and Flood Plain District Zoning Regulations. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Schram, seconded by Meyer, to amend the Sarpy County Zoning Regulations by adopting the following Nuisance Regulations (Section 36) which shall be effective February 1, 1996. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

## **SECTION 36 NUISANCE REGULATION**

### 36.1 Duties of Building Inspector:

The building inspector and his duly authorized assistants shall be authorized and directed to enforce the provisions of this chapter and of the county's duly adopted building code.

The building inspector of Sarpy County shall be in immediate charge of the work of the staff of Buildings and Inspections departments, he shall supervise the approval of all applications and plans submitted for the purpose of obtaining permits therefore, and shall direct all inspection work. He shall have full power to pass upon any questions arising upon the provisions or out of any provision of the zoning ordinances of the county, and any building code which may be adopted by Sarpy County under its jurisdiction, subject to the conditions, modifications and limitations contained therein.

The building inspector or his assistants shall inspect any building upon which complaints are filed by any citizen, or representative of law enforcement, alleging a violation of the provisions of the zoning ordinances or the Uniform Building Code, or if said violation seems apparent upon casual observation from a public right-of-way or area generally open to the public. Where it appears the erection or alteration of any building, structure, or part thereof does not meet the intent of this code, he or she shall take steps to cause the building owner to modify the building to meet this code.

Upon presentation of proper credentials, the building inspector and/or his assistants may enter at reasonable times any building, structure or premises within the jurisdictional area of the county zoning ordinances and perform any duty imposed upon him or her by this chapter, or the county's building or zoning ordinances.

The actions described in Chapters 2 and 3 of the Uniform Building Code, as the same may be adopted by Sarpy County and as may be amended from time to time, are hereby authorized for all sections of this Chapter and the county's zoning ordinances.

### 36.2 Definition of Nuisance:

For the purposes of this chapter, a nuisance exists when a person fails to perform a duty or permits any condition or thing to exist, which act, omission, condition or thing either:

- (a) Injures or endangers the comfort, repose, health or safety of others; or
- (b) Any building or structure found to be unsafe or unfit for occupancy, use or any building or structure which is liable to fall or collapse from inherent structural weakness, or as the result of fire, decay, or otherwise, in which the owner refuses to repair in accordance with the provisions of this chapter, and the county's building code, or any structure which has deteriorated from any cause to the extent of 50% of the cost of a similar new building above the foundations; or
- (c) Is offensive to the senses; or
- (d) Unlawfully interferes with, obstructs or tends to obstruct or renders dangerous for passage any public or private street, alley, highway, sidewalk, stream, ditch or drainage; or
- (e) In any way renders other persons insecure in life or the use of property; or
- (f) Essentially interferes with the quiet enjoyment of life and property, or tends to depreciate the value of the property of others.
- (g) The maintaining, using, placing, depositing, leaving or permitting to be or remain on the public or private property of any of the following items, conditions or actions is hereby declared to be and to constitute a nuisance; however, this enumeration shall not be deemed or construed to be conclusive, limiting or restrictive:
  - (1) Any condition which provides harborage for rats, mice, snakes and other vermin.
  - (2) Any building or other structure which is in such a dilapidated condition that it is unfit for human habitation, or kept in such an unsanitary condition that it is a menace to the health of people residing in the vicinity thereof, or presents a fire hazard in the vicinity where it is located.
  - (3) All unnecessary or unauthorized noises and annoying vibrations, including but not limited to non agricultural animal noises.
  - (4) Disagreeable or obnoxious gases, odors and/or fumes, as well as the conditions, substances or other causes which give rise to the emission or generation of such gases, odors and/or fumes, except for agricultural uses.
  - (5) The dressed or undressed carcasses of fish, animals, or fowl, wild game or domestic, not disposed of, processed, or removed from the general public view.
  - (6) The pollution of any public well or cistern, stream, lake, canal or body of water by sewage, dead

animals, creamery, industrial wastes or other substances.

- (7) Any building, structure or location wherein or upon which any activity which is in violation of local, state or federal law is conducted, performed or maintained.
- (8) Any accumulation of stagnant water permitted or maintained on any lot or property.
- (9) Dense smoke, noxious fumes, gas, soot or cinders, in unreasonable quantities.
- (10) Any method of human excretion disposal which does not conform to the provisions of this chapter, state law or city ordinance, rule or regulation.
- (11) Leaking or defective water pipes, sewer pipes, hydrants, cisterns, wells, gutters, drains, rain spouts or seepage in or about any structure used for human occupancy or the surrounding earth.
- (12) Any abandoned or open wells, cisterns or cellars.
- (13) The discharge of any filthy or offensive water, swill, liquid or waste from any commercial establishment into or on any street, alley, sidewalk, gutter, vacant lot, stream or river.
- (14) The parking or storage of any vehicle or machine or parts thereof in violation of any zoning code, state statute or federal law.
- (15) Every other act or thing done, made, permitted, allowed or continued on any property, whether public or private, detrimental to the health or likely to injure any of the inhabitants of the county of its extraterritorial jurisdiction.

### 36.3 Dangerous Structures:

It shall be unlawful for any person to continue the use or occupancy of any building or structure in which violations of the provisions of this code are found to exist to such an extent as would make the building or structure dangerous for occupancy and use until changes, alterations or repairs ordered by the building inspector or his assistants shall have been made.

Whenever the occupancy or use of a building or portion thereof becomes dangerous to life or limb by reason of imminent or actual failure or collapse, the building inspector or his assistants may order the immediate vacation of such building, or part of the building, or adjacent building found to be unsafe until such dangerous condition is corrected.

Any building or other structure, or other pertinent or apparatus in, upon or about the building or structure, found, either in whole or in part, to be structurally unsafe or dangerous in case of or as a result of fire, panic, tornado, wind, lightening, deterioration, flood or other cause, or which is insufficient in any way for the purpose for which it is intended to be used, shall be made safe and secure by the owner, agent, lessee or occupant of such building or other structure within the time set forth in the written notice from the building inspector.

If the owner, agent, lessee or occupant of any building or structure found to be unsafe for occupancy or use or otherwise in violation of the provisions of this code shall fail to make such changes, alterations or repairs in the time set forth in the notice of the violation, and no extension of time has been procured, the building inspector shall report such violations to the County Attorney's Office for proper legal action.

Where immediate action is deemed necessary to protect life or limb, the building inspector or his assistants may cause an unsafe or dangerous building or structure, appurtenance, appliance or apparatus, or any portion thereof to be taken down or repaired. The cost of taking down or repairing the building or structure under the provisions of this section, in an amount of a certified bill of all expenses incurred by the building inspector or his assistants, shall be collected in the same manner provided for in Section 36.6.

The building inspector shall placard every building or structure found to be unsafe or unfit for occupancy or use under the provisions of this chapter. Such placard shall be placed on the exterior near the building entrance and shall set forth that such building or structure is unsafe or unfit for occupancy.

36.4 It shall be unlawful for any person to cause, permit, maintain or allow the creation of a nuisance.

**Penalties for violations.** Any violations to provisions of this chapter shall be a misdemeanor pursuant to Nebraska Revised Statutes §23-114.05 (1991 Reissue), as the same may be amended, and subject to a penalty of up to three (3) months imprisonment and \$500 fine or both. Each day any violation continues after notice of the violation has been given may be considered a separate offense.

36.5 Whenever a nuisance is found to exist within the county, the building inspector shall give written notice to the owner and/or occupant of the property upon which such nuisance exists or upon the person causing or maintaining the nuisance.

The notice to abate a nuisance issued under the provisions of this chapter, unless otherwise specifically provided in a subsequent article, shall contain:

- (a) An order to abate the nuisance.
- (b) A procedure available to the party or parties being noticed, for the purpose of convening a hearing on the sufficiency of the notice and/or the requirement to abate the alleged nuisance.
- (c) The location of the nuisance, if the same is stationary.
- (d) A description of what constitutes the nuisance.
- (e) A statement of acts necessary to abate the nuisance.
- (f) A statement that if the nuisance is not abated as directed and no request for hearing is made within the prescribed time, the county shall abate such nuisance and assess the cost thereof against such person.

The notice to abate a nuisance shall be served as any other legal process may be served pursuant to law.

Upon receipt of a request for hearing or upon the failure to obey the order to abate or remedy the nuisance, the building inspector shall set a hearing date and shall fix the time and place at which the owner, lessee, occupant or mortgagee of record of the building may appear and show cause as to why such building, structure, condition or use shall not be condemned as a nuisance.

The building inspector or his assistants shall immediately notify or cause to be notified, the owner, lessee, occupant or mortgagee of record of any building or structure or property declared to be a nuisance under the provisions of this division, in writing, wherein the hearing has been set, setting therein the date, time and place that the owner, lessee, occupant or mortgagee of record may appear and show cause why the county should not condemn such building, structure or property as a nuisance.

The notice of hearing provided for by this section shall be given not less than fifteen (15) days prior to the time of the hearing; provided that whenever the person or entity required to be given notice can not be found, then the building inspector shall publish in the official legal newspaper, such notice for two consecutive weeks, the last publication being at least one week prior to the date of the hearing. Hearings may be continued for up to twenty-one (21) days in order for adequate service to be properly given.

Upon the date fixed for hearing as provided by this section, and for which proper notice has been given, the building inspector or his assistants shall hear all objections made by the owner, lessee, occupant or mortgagee of record of the building, structure, property or use declared to be a nuisance, as well as evidence submitted by the building inspector or other person interested.

If, after consideration of all the evidence produced, the building inspector or his duly authorized assistant shall find that the building or structure is a nuisance under the provisions of this division, he shall make an order directing the owner to abate the nuisance or cause the building to be torn down and removed. The order shall state that the owner has fifteen (15) days to appeal to the County Board, and that if no appeal is taken by the time, the order shall become effective at that time and will be final.

In the event that the owner, lessee, occupant or mortgagee of record does not appear at the hearing, then the building inspector or his duly authorized assistant shall order such nuisance abated or the building or structure to be torn down and removed, and shall notify the owner, lessee, occupant or mortgagee of record, in writing, of this order and advising that if an appeal is not made the County Board within fifteen (15) days, such order shall become effective at that time and will be final.

After a building or structure has been declared a nuisance under the provisions of this division and ordered torn down by the building inspector or his duly authorized assistant, it shall be unlawful for any person to begin to use and/or occupy or to continue to use and/or occupy such building or structure. The building inspector or his duly authorized assistant shall place upon such building or structure a placard setting forth that such building or structure has been condemned and declared unsafe for use and/or occupancy.

Should the owner refuse or neglect to promptly comply with the order to tear down and remove a building or structure condemned as a nuisance under the provisions of this division, or place the premises in a safe condition, the building inspector or his duly authorized assistant shall proceed with the tearing down and removal of such building or structure, and/or removal from the premises of the remaining debris, and shall place the premises in a safe condition.

36.6 Upon the failure of the person upon whom notice to abate a nuisance was served pursuant to the provisions of this chapter to abate the same, the building inspector shall proceed to abate such nuisance and shall prepare a statement of the actual costs incurred in the abatement thereof and shall deliver same for payment upon said person.

Any and all costs incurred by the county in the abatement of a nuisance under the provisions of this chapter shall constitute a lien against the property upon which such nuisance existed. In the event a vehicle or parts thereof create the nuisance, said costs may also create a lien upon the vehicle or parts thereof, which lien or liens shall be filed, proven and collected as provided for by law. Such lien or liens shall be notice to all persons from the time of its recording, and shall bear interest at the legal rate thereafter until satisfied.

The building inspector or his duly authorized assistant shall sell, dispose of and remove from the premises of a building or structure declared to be a nuisance under the provisions of this division all materials, rubbish and debris resulting from the abatement and removal of such nuisance. The money so obtained shall be applied to the cost of such work. Any balance remaining after payment of all costs shall be applied on payment of any taxes and special assessments due and unpaid against such property. Any balance remaining thereafter shall be paid to the owner.

Any unpaid balance of the cost of abating and removing a building or structure declared to be a nuisance shall be provided for by resolution of the County Board from whatever fund is available or seems advisable, setting aside a sum specified by the building inspector or his duly authorized assistant as required to pay such balance of cost. This cost, together with all expenses incurred in determining and levying the special assessment, not to exceed eleven dollars and fifty cents (\$11.50) plus one (1) percent of the amount assessed, shall be levied against the lot or tract of land upon which the building or structure is situated in the manner as provided by law for the assessment and levy of other special taxes. The special taxes so levied shall become due and payable immediately, then delinquent fifty (50) days thereafter, and shall bear interest at the same rate provided by state law for interest on delinquent special assessments.

36.7 Appeal:  
Whenever the building inspector or his duly authorized assistant makes a written determination and order as provided in section 36.5, the owner, lessee, occupant or mortgagee of record may appeal from such determination and order to the county board by filing with the county clerk written objections to said determination and order, within fifteen (15) days from the date of the determination and order. The written objections shall set forth the location of the property, and all grounds for the objections.

Upon receipt of such written objections to the determination and order, the County Board shall set a hearing date and shall immediately notify the building inspector or his duly authorized assistant and the objectors in writing that the hearing has been set before the County Board, stating therein the date, time and place of the hearing and that the parties are to appear before the County Board to be heard on such matter.

The County Board shall hear the testimony of the objectors and the building inspector and other interested parties; and after such hearing, the County Board may affirm, modify or reverse the determination of the building inspector or his duly authorized assistant.

Meyer moved, seconded by Gay, to approve the following Flood Plain Permit as approved by the Building Inspector: I P Homeowners, 16624 Iske Place, Lot 17A Iske Park, Missouri River, repair flood damage. Ayes: Meyer, Gay, Woodle & Knott. Nays: Schram.

Meyer moved, seconded by Gay, to sit as a Board of Equalization. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Gay moved, seconded by Meyer, to approve the following Tax Corrections as approved by the County Assessor: #10327 - #10371. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Schram moved, seconded by Meyer, to approve the following exemption applications for 1995 and 1996 tax exemption on motor vehicles owned by qualifying nonprofit organizations, as approved by the County Assessor:

Bellevue Housing Authority	1992 Plymouth Voyager
Bethphage Mission of the Great Plains	1990 Psgr. Van
Daniel J Gross High School	1982 Ford Sta Wgn.
Midlands Bible Baptist Church	1983 Oldsmobile 98
St. Bernadette Church	1984 Chevrolet Silverado

Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Schram moved, seconded by Meyer, to return to regular session. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Commissioner Meyer stated for the record as follows: Based on meetings with the Mayors, City Administrators and Attorneys for all of the Cities in the County, I raised a number of issues at the last Board meeting regarding zoning procedures. As a result, the Board unanimously passed a motion to address those issues. That motion was a stopgap measure. The urgent matters which precipitated that motion have been resolved. However, applications for plats are being filed which continue to raise certain issues. For example, the County Industrial Sewer Construction Act, which was designed for industrial development, may end up being used for residential developments. Some of these issues will be resolved by the proposed zoning regulations which have been presented today. However, in an effort to address the remaining issues, I move adoption of the following resolution establishing policy for approval of applications for preliminary and final plats which includes a provision repealing the motion made at the December 12, 1995 meeting.

Resolved by Meyer, seconded by Schram, that the motion adopted on December 12, 1995 regarding applications for preliminary and final plats is repealed and this Board, in order to promote continued orderly growth and development of residential, commercial and industrial areas and to prevent urban sprawl and the difficulties that inevitable accompany rapid development, commits to the following:

- A. The expeditious revision of the Sarpy County Zoning Regulations.
- B. The careful review of all applications for preliminary and final plats in order to preserve and protect the orderly growth and development of all residential, commercial and industrial areas of the County.
- C. The communication and coordination of regulation of growth of residential, commercial and industrial areas between the County and all of the Cities in the County, whether such coordination involves revision of the comprehensive plan, zoning ordinances or otherwise.

Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Schram, seconded by Gay, that the salaries of Sarpy County Commissioners to be elected in 1996 (Districts I, III and IV), commencing January 1, 1997, shall be the 1996 salary for the position, plus an increase equal to the annual *per centum* increase in the Consumer Price Index for 1996, as established by the Bureau of Labor Statistics, but not to exceed a 2 1/2 *per centum* increase; further that each Commissioner shall receive an increase in salary for each calendar year after the first year as established in said resolution. The salary for the Office of Chairman of the County Board of Commissioners for 1997 shall be the salary for the Office of County Commissioner for 1997 plus \$500. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Gay, seconded by Woodle, that the salary for the Office of Sarpy County Public Defender to be elected in 1996, commencing January 1, 1997, shall be \$36,000 plus an increase each calendar year after the first year: the salary for the subject year shall be equal in amount to the salary for the immediately preceding year plus an increase equal to the annual *per centum* increase in the Consumer Price Index for the previous year as established by the Bureau of Labor Statistics, but not to exceed a 2 1/2 *per centum* increase. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Schram moved, seconded by Meyer, that \$150,000 be transferred from the Miscellaneous General budget within the County General fund to the Juvenile Services budget. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Gay moved, seconded by Woodle, to authorize the Purchasing Department to solicit bids for financing for four (4) 1996 Ford Crown Victoria Police Interceptors for the Sheriff's Department. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

The November, 1995 fee reports for the County Clerk (\$38,517.58), Sheriff (\$7,057.96) and Register of Deeds (\$77,458.55) and the December, 1995 fee reports of the Clerk of District Court (\$6,804.25), Juvenile Court (\$2,485.00) and Landfill (\$164,616.44) were presented and placed on file.

At 10:23 a.m. Woodle moved, seconded by Schram, to adjourn. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

/s/ Donald E. Knott, Sr.  
Chairman, Board of County Commissioners

ATTEST: /s/ Debra J. Houghtaling  
County Clerk

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