

April 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 7:00 p.m. on April 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 April 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.

Commissioners' comments were recorded. There were no liaison representative reports.

Commissioner Gay requested that agenda item #3 (approve claims) be removed from the Consent Agenda and placed on the Regular Agenda.

Schram moved, seconded by Gay, to approve the Consent Agenda as amended with the removal of item #3. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

**CONSENT AGENDA:**

Schram moved, seconded by Gay, to approve the minutes of the April 2, 1996 meeting as submitted. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Schram moved, seconded by Gay, to authorize the Chairman to sign the following documents: 1) 1996 Application for Community Development Category, 2) Request for CDBG Funds No. 5, 3) Authorization to Request CDBG Funds, 4) Quarterly Status Report as of 12/31/95, and 5) Quarterly Status Report as of 03/31/96 in connection with the NE. Department of Economic Development - Community Development Block Grant No. 93-DF-001, Floodway Purchase Program. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Schram, seconded by Gay, to authorize the Chairman and County Clerk to sign the Solid Waste Management Agreement with Containers To Go, Inc. for disposal of solid waste at the Sarpy County Landfill. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Schram, seconded by Gay, that Dr. Theresa Hatcher is hereby appointed as Alternate County Medical Officer for the Sarpy County Board of Health. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Schram, seconded by Gay, that Larry Timm is appointed to fill the vacancy on the Area 5 Agricultural and Horticultural Land Valuation Board and Sarpy County Assessor Lowell Iske is appointed as the alternate to Larry Timm on said Board, each appointment is effective immediately. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

**REGULAR AGENDA:**

Gay moved, seconded by Woodle, to approve the claims as submitted by Debra J. Houghtaling, Sarpy County Clerk, and authorize the County Clerk to issue warrants for said claims except hold Claim No. 96-07209 to Burns & Associates, Attorneys at Law, until an opinion is obtained from the Attorney General as to whether this claim should be paid. A complete listing of claims is on file in the office of the County Clerk. Ayes: Meyer, Gay, Woodle & Knott. Nays: None. Abstain: Schram.

Chairman Knott presented a Certificate of Appreciation to Richard Simonsen for his forty-two years of service to Sarpy County as an employee of the Sarpy County Highway Department. Mr. Simonsen will retire on April 12, 1996.

Schram moved, seconded by Gay, to hold agenda item #9 (permission to solicit bids for asphalt overlay for Sarpy County Courthouse east parking lot) until the third week of May. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

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

Woodle moved, seconded by Gay, to deny the 1995 Nebraska Homestead Exemption Application of Donald & Sheila Cain, Lot 6, Blk 7, Valley View. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

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

### **ZONING ACTIONS:**

Resolved by Gay, seconded by Schram, that the application of DBR Partnership for a Preliminary Plat of a subdivision to be known as Lakeview South No 5, being a platting of a part of the S 1/2 of the SE 1/4 of Sec. 23, T14N, R11E of the 6th P.M. Sarpy County, Nebraska (148th and Cornhusker Road) be approved. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Gay, seconded by Schram, to modify the Sarpy County Comprehensive Developmental Plan by changing the following described property from RH (residential high) to C (commercial): Lots 1 and 2 of Plambeck Addition as surveyed, platted, and recorded in Sarpy County, Nebraska (Southeast corner of 180th and Harrison Street), as recommended by the Sarpy County Planning Commission. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Gay, seconded by Schram, that the application of Don G. Plambeck for a Change of Zone from AGD/RE to BG on Lots 1 and 2 of Plambeck Addition as surveyed, platted, and recorded in Sarpy County, Nebraska (Southeast corner of 180th and Harrison Street) be approved. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Schram, seconded by Gay, that the application of Kenneth Erickson for a Special Use Trailer Permit to park a single wide mobile home to be used as a temporary residence for a period of two (2) years with the building permit to be issued within the first year and trailer removed by the end of the second year on the following described property, to wit: Lot 1, E. Davis Subdivision as surveyed, platted, and recorded in Sarpy County, Nebraska (22316 Pflug Road) be approved for a period of **one (1) year** (non-renewable) and trailer must be removed from site by the end of that one year period to start at the time of this action of the Sarpy County Board of Commissioners. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Woodle moved, seconded by Gay, to approve the following Flood Plain Permit, as approved by the Building Inspector: Duane Iwanski, 1906 Platte River Dr., Lot 177 Hansons Lake #2, Platte River, new roof and shingles on garage. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Schram moved, seconded by Gay, to approve the following Flood Plain Permit, as approved by the Building Inspector: Dave Lemp, 13008 Cottonwood Lane, Lot 48 Villa Springs, Sec. 31, Twp. 13, Rng. 12, Platte River, 12'x16' master bathroom addition to existing house. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Schram moved, seconded by Gay, to approve the following Flood Plain Permit, as approved by the Building Inspector: Gerald Koesters, 15603 Hwy. 6, Lot 1 Melia Meadows, Platte River, move in dwelling. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Meyer, seconded by Woodle, to approve and authorize the Chairman to sign the Development Agreement with Equestrian Ridge L.L.C., a Limited Liability Company (Developer) for a subdivision known as Equestrian Ridge Estates, Lots 1 thru 15, inclusive, being a platting of part of the W 1/2 of the NE 1/4 of Sec. 34, together with the W 1/2 of the SE 1/4 of Section 27, all in T14N, R10E of the 6th P.M., Sarpy County, Nebraska. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Schram, seconded by Meyer, to provide financial assurance to the State of Nebraska for the closure/post closure care of the Sarpy County Landfill, Permit No. NE-0119997; authorize a special fund to be known as the Landfill Closure Fund for paying closure/post-closure care costs; and provide for reporting requirements to the State of Nebraska. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Resolved by Meyer, seconded by Schram, to approve the purchase of the following temporary and permanent easements for the construction and maintenance of the South Papillion Creek Watershed Sewer Project in connection with the County Industrial Sewer Act and the Chairman is authorized to sign the purchase agreement (Weak-Tract No. 8) and such other documents necessary to consummate said purchases; further that any funds necessary for the purchase and any associated costs are to be paid by Sarpy County warrant and drawn from the fund consisting of collected sewer hook-up fees:

Nebraska Diesel Service, Inc.	Tract No. 11
Charles W. & Janice A. Wear	Tract No. 12
Robert E. & Sharon L. Weak	Tract No. 8

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

Resolved by Gay, seconded by Schram, that the goal for the 1997 fiscal year will be to limit any property tax increase to the amount of valuation growth (attributable to new construction or new property) multiplied by the tax rate for the 1996 fiscal year. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

Meyer moved, to amend agenda item #17, the Resolution titled "Sarpy County Open Budgeting & Taxpayer Awareness", revising

para. 4 to read as follows:

NOW, THEREFORE, BE IT RESOLVED, By the Sarpy County Board of Commissioners that each County department will present their budget at an open and public meeting which will be duly advertised by the Sarpy County Clerk. At such meeting, each department will be prepared to explain their budget request and answer questions which may be posed by the Sarpy County Board. (~~delete~~ "or members of the public" and insert "A specially called meeting would be held for a public hearing and limited only to the budget.").

(motion died for lack of a second).

Resolved by Gay, seconded by Schram, to amend the process of budgeting for Sarpy County to promote the most open and comprehensive budgeting information to the citizens of Sarpy County, Nebraska providing for open and public meetings for each County Department's budget presentation, budget documentation made available for public inspection and publication of the final budget summary in local (Sarpy County) newspapers (Resolution titled "Sarpy County Open Budgeting & Taxpayer Awareness"). Ayes: Gay, Woodle, Knott & Schram. Nays: Meyer.

Legislative bills of interest to Sarpy County currently before the 1996 Session of the Nebraska State Legislature were discussed.

The March, 1996 fee reports of the Building Inspector (\$222,126.00), Clerk of District Court (\$7,878.68), County Clerk (\$40,311.14), Juvenile Court (\$2,975.00), Landfill (\$280,453.73) and Register of Deeds (\$73,415.04) were presented and placed on file.

At 7:49 p.m. Gay moved, seconded by Woodle, to adjourn. Ayes: Meyer, Gay, Woodle, Knott & Schram. Nays: None.

/s/ Don Knott, Sr.  
**Chairman, Board of County Commissioners**

**ATTEST:** /s/ Debra J. Houghtaling  
**County Clerk**

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