

February 11, 1997

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 February 11, 1997 at the Court-house in Papillion, Nebraska. Present: Thomas O'Hara, Tim Gay, Bart Bonn, Don Knott Sr., Tim Schram, Board Administrator Mark Wayne and Renee Lansman representing the County Clerk.

Notice of the meeting was given in advance thereto by publication in the Bellevue Leader on February 5, 1997, 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.

Commissioner Knott requested that item #8 (Res: Set interest rate for Rural Road Improvement District 1996-1 Bonds) be removed from the Consent Agenda and placed on the Regular Agenda.

O'Hara moved, seconded by Gay, to approve the Consent Agenda as amended with the removal of item #8. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

CONSENT AGENDA:

O'Hara moved, seconded by Gay, to approve the minutes of the February 4, 1997 meeting as submitted. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

O'Hara moved, seconded by Gay, 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: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

O'Hara moved, seconded by Gay, to approve the following South Papillion Creek Watershed Sewer Project (outfall sewer phase I) disbursement requisition as recommended by the project engineer.

<u>Req. No.</u>	<u>Payee</u>	<u>Amount</u>
19	B & L Construction, Inc.	\$52,351.92

Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by O'Hara, seconded by Gay, that the Sarpy County Surveyor is instructed to study the use being made of 232nd Street between Angus Road and Lincoln Road within the Equestrian Ridge Estates Subdivision located in Sarpy County, and to provide a recommendation as to the vacation thereof and a certification as to whether said street is within the zoning jurisdiction of any metropolitan, primary or first class city. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by O'Hara, seconded by Gay, that the actions of the Sarpy County Landfill Facility Corporation in nominating, electing, and appointing the following individuals for the offices shown is hereby ratified, approved, and accepted in all respects:

New Directors:		Bart Bonn Tom O'Hara
Officers:	President	Tim Schram
	Vice President	Don Knott Sr.
	Secretary	Tim Gay
	Treasurer	Bart Bonn
Registered Agent:		Michael L. Munch Sarpy County Attorney

Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

REGULAR AGENDA:

Resolved by Knott, seconded by O'Hara, that the interest rate for the special assessments for Sarpy County Rural Road District 1996-1 improvements is hereby set at 5.5% per

annum. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Mark Davis presented a petition from residents of the Eagle Ridge Housing Development requesting installation of a stop/signal light at the intersection of Eagle Ridge Drive and Cornhusker Road. Discussion followed.

Fran Grothe, County Purchaser, reported that bids for a gas station contract have been solicited, made, opened and reviewed pursuant to Board authorization.

After a public hearing, Bonn resolved, seconded by Knott, that the bid of Texaco Fleet Management for purchase of gasoline for Sarpy County official vehicles under a gas station contract at a discount of 3% of our monthly fuel purchase is accepted and this Board's Chairman, Clerk and Attorney are authorized to execute necessary documents. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Knott moved, seconded by O'Hara, to authorize the Purchasing Department to purchase eight Sheriff's cruisers from the State of Nebraska contract. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

As advertised, sealed bids were opened for road aggregate for the Highway Department for the period April 15, 1997 through April 14, 1998 and a one year option from April 15, 1998 through April 14, 1999. Six (6) bids were received:

<u>TON</u>	<u>NAME</u>	<u>DESCRIPTION</u>	<u>PRICE PER</u>
1.	Kerford Limestone Co.	crushed rock 3/4" (max) crusher run 3/4" (max) screened 1 1/2" (max) crusher run 1 1/2" (max) screened coarse aggregate for concrete 1" (max) screened 1 1/2" (max) screened	\$ 7.50 8.00 7.00 7.50 7.50 7.50
2.	Mallard Sand & Gravel \$ 4.65	gravel for surfacing coarse aggregate for concrete 47B sand and gravel	 2.75
3.	Martin Marietta-Valley 4.50	gravel for surfacing crushed rock 3/4" (max) crusher run 3/4" (max) screened 1 1/2" (max) crusher run 1 1/2" (max) screened course aggregate for concrete 1" (max) screened 1 1/2" (max) screened 47B sand and gravel	\$ 8.24 8.86 8.24 8.86 8.86 8.86 2.70
4.	City Wide Rock & Excavating, Inc.	crushed rock 3/4" (max) crusher run 3/4" (max) screened 1 1/2" (max) crusher run 1 1/2" (max) screened	\$ 5.00 6.00 5.00 6.00

(bids - road aggregate con't)

5.	Lyman-Richey Sand & Gravel Company	gravel for surfacing (Plattsmouth)	
	\$ 4.75		
		gravel for surfacing (Valley)	4.75
		47B sand and gravel (Plattsmouth)	2.75
		47B sand and gravel (Valley)	2.75
6.	Martin Marietta-Weeping Water	crushed rock	
		3/4" (max) crusher run	\$ 6.05
		3/4" (max) screened	6.75
		1 1/2" (max) crusher run	6.05
		1 1/2" (max) screened	6.75
		course aggregate for concrete	
		1" (max) screened	7.70
		1 1/2" (max) screened	7.70

Gay moved, seconded by Knott, to turn the bids for road aggregate over to the Purchasing Department for review and recommendation. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Knott moved, seconded by Gay, to sit as a Board of Equalization. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Gay moved, seconded by O'Hara, to approve Tax Correction #10587, as approved by the County Assessor. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Knott moved, seconded by O'Hara, to approve the following exemption applications for 1997 tax exemption on motor vehicles owned by qualifying non-profit organizations, as approved by the County Assessor:

Bellevue Church of Christ	1988 Ford Van
Daniel J. Gross High School	1972 Chevrolet Blazer
	(2) 1993 Ford E350 Club Wagons
South Side Assembly of God Church	1988 GMC Rally Wagon

Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Gay moved, seconded by Knott, to return to regular session. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

ZONING ACTIONS:

Resolved by Gay, seconded by O'Hara, that the application of Edward J and Doris D VanBuren for a Change of Zone from AG to AGD on the following described property: being a platting of Tax Lot 8 in the SW 1/4 of the NW 1/4 in Sec. 23, T14N, R10E of the 6th P.M. Sarpy County, Nebraska (225th and Cary Street) be approved as the request complies with the Comprehensive Plan. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Gay, seconded by Knott, that the application of Edward J and Doris D VanBuren for a Preliminary/Final Plat of a subdivision to be known as VanBuren Acres being a platting of Tax Lot 8 in the SW 1/4 of the NW 1/4 in Sec. 23, T14N, R10E of the 6th P.M. Sarpy County, Nebraska (225th and Cary Street) be approved as the plat meets all requirements of the Sarpy County Subdivision Regulations and Comprehensive Plan. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Gay, seconded by O'Hara, that the application of Kenneth and Jane Harpenau for a Change of Zone from AG to AGR/AGD on the following described property: being a platting of part of the NE 1/4 of Sec. 16, T14N, R10E of the 6th P.M. Sarpy County, Nebraska, lying south and west of the Old Chicago, Burlington and Quincy ROW, also known as Tax Lot 3 (240th Street, south of Harrison) be approved as request complies with Comprehensive Plan's density consideration. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Gay, seconded by Knott, that the application of Kenneth and Jane Harpenau

for a Preliminary Plat of a subdivision to be known as Mountain View Estates being a platting of part of the NE 1/4 of Sec. 16, T14N, R10E of the 6th P.M. Sarpy County, Nebraska, lying south and west of the Old Chicago, Burlington and Quincy ROW, also known as Tax Lot 3 (240th Street, south of Harrison) be approved as submitted dividing a thirty-two acre tract of land into three lots. Lot sizes approved on a density basis due to property being split by public right-of-way (240th Street). Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Gay, seconded by O'Hara, that the application of George and Dixie Dunn for a Change of Zone from AG to AGR/AGD on the following described property: a portion of the W 1/2 of Sec. 22, T13N, R12E of the 6th P.M., Sarpy County, Nebraska (91st and Platteview Road, south side) be approved as it corresponds with the Comprehensive Plan. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Gay, seconded by O'Hara, that the application of George and Dixie Dunn for a Preliminary Plat of a subdivision to be known as Dunns-A-Rosa Estates III on the following described property: a portion of the W 1/2 of Sec. 22, T13N, R12E of the 6th P.M., Sarpy County, Nebraska (91st and Platteview Road, south side) be approved as submitted. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Gay, seconded by Knott, that the application of F & J Enterprises, Inc. for a Final Plat of a subdivision to be known as CenTech Business Park (Lots 35-51) on the following described property: a replat of all of Lots 9 and 10, CenTech Business Park (lots 1-29 inclusive), a subdivision located in the SE 1/4 of the Sec. 13, and also being a platting of all of Tax Lot 5A1B, a tax lot located in said SE 1/4 of Sec. 13, all located in T14N, R11E of the 6th P.M. Sarpy County, Nebraska (CenTech Business Park, 132nd and Giles) be approved as submitted. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Knott, seconded by Gay, that the application of R & M Enterprises for a Change of Zone from AG to IL on the following described property: all of the NE 1/4 of the NE 1/4 of Sec. 23 except that part taken for State Hwy. No. 31 right-of-way, all located in T13N, R10E of the 6th P.M. Sarpy County, Nebraska (southwest corner of Platteview Road and State Hwy. 31) be approved as the request complies with the Comprehensive Plan. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Gay, seconded by Knott, that the application of R & M Enterprises for a Preliminary Plat of a subdivision to be known as R & M Industrial Park (previously approved as Gretna Business Park) on the following described property: all of the NE 1/4 of the NE 1/4 of Sec. 23 except that part taken for State Hwy. No. 31 right-of-way, all located in T13N, R10E of the 6th P.M. Sarpy County, Nebraska (southwest corner of Platteview Road and State Hwy. 31) be approved with the following stipulations: 1) 50' buffer with berm and trees with a minimum 2" diameter (plans to be submitted with final plat), 2) drainage plans and buffer plans submitted with final plat, 3) increase street right-of-way to a minimum of 66' wide if no curb and gutter, and 4) put a cul-de-sac at the end of street. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Knott moved, seconded by Gay, to approve the following Flood Plain Permit as approved by the Building Inspector: Tom Strigenz, 16523 Hilo Circle, Lot 5 Hawaiian Village, Platte River, 14' x 11' addition (basement to be unfinished). Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Knott moved, seconded by Gay, to deny the Flood Plain Permit application of Laura Wolff, 16501 Iske Place, Missouri River, elevate existing structure 8', as recommended by the Papio-Missouri River Natural Resources District and the Building Inspector, as structure is non-conforming use, cannot structurally alter building, only normal maintenance and repairs allowed. Ayes: O'Hara, Gay, Knott & Schram. Nays: None. Abstain: Bonn.

Legislative bills of interest to Sarpy County currently before the 1997 Session of the Nebraska State Legislature were discussed.

Resolved by Knott, seconded by Gay, that this Board hereby supports the passage of LB 485, as introduced, which would clarify that it is the State of Nebraska's responsibility to fund the maintenance and care costs of person's who are or may be mentally incompetent to stand trial. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Gay, seconded by Knott, that this Board hereby supports the passage of LB

695, as introduced, which would increase the State reimbursement rate to \$40 per day and would provide that such reimbursement would begin 30 days after incarceration. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Gay, seconded by O'Hara, that this Board hereby opposes the passage of LB 743, as introduced, which would require an inequitable comparison on auto insurance bids. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

The December, 1996 fee report of the Sheriff (\$8,198.74) was presented and placed on file.

At 8:21 p.m. Gay moved, seconded by Knott, to adjourn until February 18, 1997 at 9:00 a.m. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

/s/ Tim Schram
Chairman, Board of County Commissioners

ATTEST: /s/ Renee Lansman
For the County Clerk
