

March 11, 1997

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 March 11, 1997 at the Courthouse in Papillion, Nebraska. Present: Thomas O'Hara, Tim Gay, Bart Bonn, Don Knott Sr., Tim Schram, 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 March 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 Bonn requested that item #7 (Approve Inducement Agreement for Cornhusker Center Tax Increment Revenue Bonds) and item #11 (Res: Authorize Chairman to sign amended grant of easement to the United States Air Force for environmental monitoring wells) be removed from the Consent Agenda and placed on the Regular Agenda.

Agenda item #17B (Zoning: Michael and Mary Hagge - Oak Valley) was tabled at the request of applicant and shall be placed back on the agenda when applicant advises.

Knott moved, seconded by Gay, to approve the Consent Agenda as amended with the removal of item #'s 7 and 11. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

**CONSENT AGENDA:**

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

Knott 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.

**\*INSERT CLAIMS LISTING HERE**

Resolved by Knott, seconded by Gay, that Ed Young and Julie Neemeyer be appointed as members of the Sarpy County Tourism Committee with terms ending December 31, 2000. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Knott, seconded by Gay, that the following transfer is approved in order to provide for additional security measures at the Sarpy County Jail: Miscellaneous General Budget to Jail Maintenance Budget - \$9,500. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Knott moved, seconded by Gay, to authorize the Purchasing Department to solicit bids for temporary traffic lights at 66th Street (aka Rumsey Road) & Cornhusker Road. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Knott moved, seconded by Gay, to authorize the Purchasing Department to solicit bids for bridge construction, Cornhusker Road at 48th Street, Sarpy County Project No. C-77(277)6. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Knott, seconded by Gay, to declare the following county owned property as surplus and authorize the Purchasing Department to sell at a combined public auction with the cities of Papillion/LaVista on March 22, 1997: 1993 Ford Crown Vic., 1989 Ford Bronco, two copiers, two Holt carpet cleaners, several desks, hollow core doors and frames. The "old military vehicle" that was declared surplus and authorized for auction on 3/4/97 has been removed from the list by the Purchasing Department. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Knott, seconded by Gay, that the Disaster Declaration, dated February 20, 1997 and extended on February 25, 1997 for a period of 15 days, is hereby terminated by this Board as the conditions which caused such declaration and extension have been dealt with to the extent that emergency conditions no longer exist. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

**REGULAR AGENDA:**

Bonn moved to table agenda item #7 (Approve Inducement Agreement for Cornhusker Center Tax Increment Revenue Bonds) for one week. (Motion died for lack of a second).

Resolved by Knott, seconded by O'Hara, that the Inducement Agreement dated April 1, 1996 and the first Amendment to said Inducement Agreement dated March 1, 1997, concerning \$795,000 City of Bellevue, Nebraska Tax Increment Revenue Bonds for the Cornhusker Center Public Purpose Redevelopment Project is hereby approved and this Board's Chairman and Clerk are authorized to sign the same. Ayes: O'Hara, Gay & Knott. Nays: Bonn & Schram.

Resolved by Knott, seconded by O'Hara, to authorize the Chairman to sign "Amended" Grant of Easement to the United States Air Force for the purpose of installing and monitoring environmental monitoring wells which corrects certain errors in the legal description of the easement designated as USAF-ACC-SGBP-2-96-037 which was approved by this Board on 05/28/96 and 06/04/96, which legal description should correctly read "located in the NW 1/4 of the NW 1/4, Section 18, Township 13 North, Range 14 East of the 6th P.M., in Sarpy County, Nebraska (200 feet East of Harlan Lewis Road, South of Missouri River Road within Sarpy County's right-of-way, 33 feet from the center line of said road. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Charlie Gutekunst did not appear for the scheduled discussion of animal control issues (agenda item #13).

After a public hearing, O'Hara resolved, seconded by Gay, that the budget for the State Institutions fund be increased from \$32,000 to \$50,000 to cover unanticipated expenses for the "mentally incompetent to stand trial" patients. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Knott, seconded by O'Hara, to approve the plans submitted by Sanitary and Improvement District No. 162 (SID #162) for Millard Park, Paving - Section II and Millard Park, Storm Sewer - Section II, pursuant to Neb. Rev. Stat. 31-740 (Michie 1995), per recommendation of the Sarpy County Surveyor. O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Knott, seconded by Bonn, to approve the plans submitted by Sanitary and Improvement District No. 162 (SID #162) for Millard Park, Sanitary Sewer - Section II, pursuant to Neb. Rev. Stat. 31-740 (Michie 1995), per recommendation of the Nebraska Department of Environmental Quality. 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 Knott, to approve the following Tax Corrections as approved by the County Assessor: # 10601- # 10611. 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:

Great Plains Baptist Conference	1991 Ford Taurus
Troop 466 B.S.A	1996 Interstate Cargo Trailer
St. Columbkille Church	1991 Dodge Ram Wagon
Mount Carmel Baptist Church Inc.	1977 Ford E250 Club Wagon
Boy Scout Troop #467	Coleman Utility Trailer
	Homemade Utility Trailer

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

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

### **ZONING ACTIONS:**

Knott moved, seconded by Gay, that the application of George Nolan for a Change of Zone from AG to IL on the following described property: SE 1/4 of the NW 1/4 and the NE 1/4 of the NW 1/4 lying south of the railroad tracks in Sec. 22, T13N, R10E of the 6th P.M. Sarpy County, Nebraska (234th and Hwy. 6, southwest corner) be referred back to the Sarpy County Planning Commission for further review indicating the need to relook at the whole corridor. Ayes: O'Hara, Gay, Knott & Bonn. Nays: None. Abstain: Schram.

Agenda item #17B (Zoning: Michael and Mary Hagge - Oak Valley) was tabled at the request of the applicant and shall be placed back on the agenda at applicants request.

Resolved by Knott, seconded by O'Hara, that the application of Norman and Elaine Thiesen for a Change of Zone from AG to AGR on the following described property: being a replat of all of Lot 2, Thiesen Subdivision and part of Tax Lot 2B7 located in Sec. 24, T13N, R12E of the 6th P.M. Sarpy County, Nebraska (15822 S 63rd Street) be approved. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Gay, seconded by Knott, that the application of Norman and Elaine Thiesen for a Preliminary/Final Plat of a subdivision to be known as Thiesen Second Subdivision being a replat of all of Lot 2, Thiesen Subdivision and part of Tax Lot 2B7 located in Sec. 24, T13N, R12E of the 6th P.M. Sarpy County, Nebraska (15822 S 63rd Street) be approved.. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Knott, seconded by Gay, that the application of Hidden Valley Ranches, Inc. for a Change of Zone from AGR to RE2 on Lots 1 - 26, Hidden Valley Ranches, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska (75th Street, one-half mile south of Platteview Road) be approved. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Knott, seconded by O'Hara, to modify the Sarpy County Comprehensive Developmental Plan by changing the following described property from C/I (commercial/industrial) to RH (residential high): Lots 1 through 256 of Hickory Ridge Preliminary Plat, also described as Part of Tax Lot 4, located in the NW 1/4 of Sec. 16, T14N, R11E of the 6th P.M., as surveyed, platted and recorded in Sarpy County, Nebraska (174th and Harrison Street, south side), as recommended by the Sarpy County Planning Commission.. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Gay, seconded by Knott, that the application of Don G. Plambeck and William A. Nelson for a Change of Zone from AG to RD-50 on part of Tax Lot 4, located in the NW 1/4 of Sec. 16, T14N, R11E of the 6th P.M. Sarpy County, Nebraska (174th and Harrison Street, south side) be approved. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Gay, seconded by O'Hara, that the application of Don G. Plambeck and William A. Nelson for a Preliminary Plat of a subdivision to be known as Hickory Ridge on part of Tax Lot 4, located in the NW 1/4 of Sec. 16, T14N, R11E of the 6th P.M. Sarpy County, Nebraska (174th and Harrison Street, south side) be approved with the addition of a cul-de-sac at the south end of the development and with the stipulation that a waiver be obtained from the Sarpy County Board of Adjustment to reduce the required lot width. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Gay, seconded by O'Hara, to adopt the Sarpy County Draft Residential Subdivision Agreement with Commercial/Industrial Attachment (as attached to said Resolution), to be used as a boilerplate for subdivision agreements within Sarpy County, as recommended by the Sarpy County Planning Commission. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

O'Hara moved, seconded by Bonn, to approve the following Flood Plain Permit as approved by the Building Inspector: Charles Curtis, 17001 S 99th, Lot N15 Schmid Park, Platte River, raise existing cabin. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Gay moved, seconded by O'Hara, to deny the Flood Plain Permit of Don Farrell, 16806 Middle Lane Road, Lot 11 Beacon View, Platte River, dwelling, as recommended by the Papio-Missouri River Natural Resources District , as proposed project

would present a public safety risk. Ayes: O'Hara, Gay, Bonn & Schram. Nays: None. Abstain: Knott.

Resolved as amended by Knott, seconded by O'Hara, that the term of the lease between Sarpy County and 3-10 Insulated Forms for property located at 1261 Golden Gate Drive, Papillion, NE. be extended to May 15, 1997, further that 3-10 Insulated Forms shall be required to vacate the leased premises on or before May 15, 1997, that all requirements of the existing lease will be complied with, and that no further extensions will be requested. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Knott, seconded by O'Hara, that the following transfer is approved to provide for additional security requirements: Saturday Court Costs Budget to Jail Budget - \$22,750.84. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Knott moved, seconded by O'Hara, to authorize the Purchasing Department to solicit bids for parking lot improvements at the Sarpy County Courthouse and Courthouse East Annex with specifications providing for several different options. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

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

The January, 1997 fee reports of the County Clerk (\$37,758.98) and Sheriff (\$6,799.22) and the February, 1997 fee reports of the Clerk of District Court (\$6,961.75) and Juvenile Court (\$3,445.00) were presented and placed on file.

At 8:55 p.m. Knott moved, seconded by Gay, to go into Executive Session to discuss personnel. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

At 10:30 p.m. Knott moved, seconded by Gay, to return to regular session. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

At 10:31 p.m. Bonn moved, seconded by Gay, to adjourn until March 18, 1997 at 9:00 a.m. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

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/s/ Tim Schram

**Chairman, Board of County Commissioners**

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

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