

April 8, 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 April 8, 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 April 2, 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.

There were no Commissioners' comments.

Knott moved, seconded by O'Hara, to approve the Consent Agenda. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

CONSENT AGENDA:

Knott moved, seconded by O'Hara, to approve the minutes of the April 1, 1997 meeting as submitted. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Knott moved, seconded by O'Hara, 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 O'Hara, to declare the following county owned property as surplus and authorize the County Purchasing Agent to sell pursuant to law: 1983 Combee Air Boat, S/N MPM179901083. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Knott moved, seconded by O'Hara, 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>
22	B & L Construction, Inc.	\$147,186.00

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

REGULAR AGENDA:

Fran Grothe, County Purchaser, reported that bids for above ground fuel tank installation, Sarpy County, have been solicited, made, opened and reviewed pursuant to Board authorization.

After a public hearing, Knott resolved, seconded by Gay, that the low bid of Shirley Environmental for purchase and installation of an above ground fuel tank, in the amount of \$8,500 is accepted, per written and oral recommendation of the Purchasing Department, and this Board's Chairman, Clerk and Attorney are authorized to execute necessary documents. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Fran Grothe, County Purchaser, reported that bids for underground fuel tank removal, Sarpy County, have been solicited, made, opened and reviewed pursuant to Board authorization.

After a public hearing, Knott resolved, seconded by O'Hara, that the low bid of Morris Excavating Co. Inc. for removal of underground fuel tanks, in the amount of \$14,200 is accepted, per written and oral recommendation of the Purchasing Department, and this Board's Chairman, Clerk and Attorney are authorized to execute necessary documents. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

As advertised, sealed bids were opened for construction of Project No. C-77(277)-6 being Cornhusker Road Bridge over the Big Papillion Creek, bridge, grading and paving. Eight (8) bids were received:

	<u>NAME</u>	<u>BID AMOUNT</u>
1.	McC L.L.C.	\$1,179,442.16
2.	Valley Corporation	1,150,287.38
3.	Capital Contractors, Inc.	1,392,447.56
4.	Charles Vrana & Son Construction Co.	1,235,729.68
5.	Kiewit Western Co.	1,406,046.25
6.	Welshiemer Construction, Inc.	1,199,499.25
7.	WBE Co. Inc.	1,300,250.06
8.	M & M Construction, Inc.	1,122,591.73

Knott moved, seconded by Gay, to turn the bids for construction of Project No. C-77(277)-6 over to the Purchasing Department for review and recommendation. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

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

Gay moved, seconded by Bonn, to approve the following Tax Corrections as approved by the County Assessor: #10628 - #10632. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

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

ZONING ACTIONS:

Agenda item #11-1 , Zoning application of Michael and Mary Hagge for approval of a Change of Zone from AG to AGD and a Preliminary Plat of a subdivision to be known as Oak Valley on the following described property: being a platting of a part of the NE 1/4 of Sec. 10, T13N, R11E of the 6th P.M. Sarpy County, Nebraska, including all of Tax Lot 6 (162nd and Capehart Road, south side) was withdrawn. Applicant will reapply to the Planning Commission with a more condensed plan.

Resolved by Gay, seconded by Knott, that the application of Kenneth and Jane Harpenau for a Final 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 as it complies with the preliminary plat. Commissioner Gay withdrew his motion.

Resolved by Gay, seconded by Knott, that the application of Kenneth and Jane Harpenau for a Final 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 as it complies with the preliminary plat and pending a positive recommendation from Duwane Brigman, Environmental Control Officer, that toxic material has been cleaned up. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None. ****MOTION CORRECTED - See April 22, 1997 minutes.****

Resolved by Gay, seconded by O'Hara, that the application of George and Dixie Dunn for a Final 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 (96th and Platteview Road, south side) be approved as submitted as it complies with the preliminary plat. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Knott, seconded by Gay, that the application of Lillian Petersen for a Change of Zone from AG to RE2 on the following described property: being a platting of the South 500' of the West 300' in the SW 1/4 of the SE 1/4 in Sec. 1, T13N, R11E of the 6th P.M. Sarpy County, Nebraska (138th and Capehart Road, north side) be approved as it complies with the Sarpy County Comprehensive Plan . Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Gay, seconded by O'Hara, that the application of Lillian Petersen for a Preliminary/Final Plat of a subdivision to be known as Petersen Subdivision on the following described property: being a platting of the South 500' of the West 300' in the SW 1/4 of the SE 1/4 in Sec. 1, T13N, R11E of the 6th P.M. Sarpy County, Nebraska (138th and Capehart Road, north side) be approved as it meets the requirements of the Sarpy County Comprehensive Plan and the Sarpy County Subdivision Regulations. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Knott, seconded by Gay, that the application of Timothy and Jan Vala for a Change of Zone from AG to AGR on the following described property: being a platting of part of the N 1/2 of the NE 1/4 of Sec. 5, T13N, R11E of the 6th P.M. Sarpy County, Nebraska (180th Street, south of Schram Road) be approved as it meets the requirements of the Sarpy County Comprehensive Plan. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Gay, seconded by O'Hara, that the application of Timothy and Jan Vala for a Preliminary/Final Plat of a subdivision to be known as Pumpkin Hollow on the following described property: being a platting of part of the N 1/2 of the NE 1/4 of Sec. 5, T13N, R11E of the 6th P.M. Sarpy County, Nebraska (180th Street, south of Schram Road) be approved as it meets the requirements of the Sarpy County Comprehensive Plan and the Sarpy County Subdivision Regulations. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Gay, seconded by Knott, that the application of Timothy and Jan Vala dba Vala's Pumpkin Patch for an upgraded operational plan on an existing special use permit to operate a seasonal commercial operation on a portion of the NE 1/4 of Sec. 5, T13N, R11E of the 6th P.M. Sarpy County, Nebraska (180th Street, south of Schram Road) be approved with the following revisions (five year plan):

1. Replace tent (#14 on map) with permanent structure
2. Add site #24 as hay barn
3. Add site #28 as horse shelter
4. Add site #20 as site for a corral area used for musical entertainment, storytelling, or animal races
5. Add to portable toilets site (#19 on map) the possible future site of permanent bathroom facilities
6. Add site #21 as site of future cowboy town
7. Add site #22 as site of future theme trail
8. Add site #23 as future bridge over the creek
9. Add site #25 as site of future shop/storage shed
10. Add site #26 as site of future picnic shelter
11. Add site #27 as site of future Pirate/Play attraction
12. Add site #29 as site of future Apple Shed
13. Change in hours of operation. Change "last week of September" to "first week of September" (this change to become effective in 2001 if the apple orchard is planted and operational)
14. Change in hours of operation. Change from "open daily 9 a.m. to 9 p.m." to "open daily 9 a.m. to 10 p.m."

as the operation fosters the state's agricultural, recreational industries (Sec. 40.1.1 "12" of the Sarpy County Zoning Ordinances). Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Knott moved, seconded by O'Hara, to approve the following Flood Plain Permit as approved by the Building Inspector: Don Farrell, 16910 Middle Lane Rd., Lot 10 Beacon View, Platte River, single family dwelling. Ayes: O'Hara, Knott & Bonn. Nays: Gay & Schram.

Gay moved, seconded by O'Hara, to authorize the Purchasing Department to solicit bids for one new motor grader for the Sarpy County Highway Department to replace a 1983 model motor grader with 11,993 hours. Commissioner Gay commented on the equipment replacement information and fact sheet that was provided by the Fleet Services Department stating that this type of information assists the Board in making a determination and requesting similar information on future bid requests. Ayes: O'Hara, Gay, Bonn & Schram. Nays: None. Absent: Knott.

Gay moved, seconded by Knott, to authorize the Purchasing Department to solicit bids for 96th Street, grading, paving and storm sewers, Sarpy County Project No. C-77(90-6). Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Knott moved, seconded by O'Hara, to authorize the Purchasing Department to solicit bids for asphalt overlay on 36th Street (Tamarac Street to Chandler Road) and 25th Street (Cornhusker Road to Childs Road), Sarpy County Project No. C-77(97-9)A. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Resolved by Gay, seconded by O'Hara, that the Chairman is authorized to sign the Agreement, Application and Procedures documents for connection of the South Papillion Creek Watershed Sewer Project to the City of Omaha Papillion Creek Interceptor in Sarpy County. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

Having held a public hearing on March 4, 1997, Knott resolved, seconded by O'Hara, to authorize the sale of county property described as "Lot 154, Highview Addition, an addition to the City of Springfield as surveyed, platted and recorded in Sarpy County, Nebraska" and that said public sale shall be held at 4:00 p.m. on April 29, 1997 in the Board Room of the Sarpy County Courthouse. Ayes: O'Hara, Gay, Knott, Bonn & Schram. Nays: None.

