

January 8, 2002

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 3:00 P.M. on January 8, 2002 at the Courthouse in Papillion, Nebraska. Present: Jack Postlewait, Tim Gay, Inez Boyd, Aldona Doyle, Tim Schram, Board Administrator Mark Wayne and Deb Houghtaling, County Clerk.

Notice of the meeting was given in advance thereto by publication in the Bellevue Leader on January 2, 2002, 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 2002 session with County Clerk Debra Houghtaling calling for selection of a Chairman for year 2002.

Resolved by Schram, seconded by Postlewait, that Tim Gay be elected Chairman of the Sarpy County Board of Commissioners for year 2002, and thereafter until a Chairman is elected at a regular meeting of this Board to be held in 2003. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Commissioners and Administrators' comments were recorded.

Chairman Gay announced his appointment of Jack Postlewait as Vice Chairman of the Sarpy County Board of Commissioners for 2002.

Chairman Gay presented a plaque to Commissioner Schram in recognition of his service as Chairman of the Sarpy County Board of Commissioners for 2001.

Commissioner Doyle requested that item #5 (Resolution: Approve appointment to Sarpy County Planning Commission) be removed from the Consent Agenda and placed on the Regular agenda.

Schram moved, seconded by Boyd, to approve the Consent Agenda as amended with the removal of item #5. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

CONSENT AGENDA

Schram moved, seconded by Boyd, to approve the minutes of the December 18, 2001 meeting as submitted. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Schram moved, seconded by Boyd, 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: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

***INSERT CLAIMS LISTING HERE**

Schram moved, seconded by Boyd, to accept the Election Commissioner's Six-Month Report, 07/01/01 through 12/31/01, in the amount of \$ 8,006.66. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Schram moved, seconded by Boyd, to accept the Surveyor's Semi-Annual Report in the amount of \$2,637.75 for the period 07/01/01 through 12/31/01. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Boyd, to reappoint Marcia Matthies as a member of the Sarpy County Planning Commission, which appointment will be for a term of three years, commencing on 01/08/02. Ms. Matthies was nominated by Commissioner Gay. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Boyd, that the American National Bank of Sarpy County, Papillion, NE; Bank of Nebraska, La Vista, NE; Centennial Bank, Sarpy County, NE; Commercial Federal Savings Banks, Bellevue and La Vista, NE; First National Banks of Omaha, La Vista and Bellevue, NE; Great Western Bank, Bellevue, NE; Wells Fargo Bank, Bellevue, NE; Pinnacle Bank of Papillion, Papillion, NE; Springfield State Bank, Springfield, NE; Team Bank, Bellevue, NE and US Bank, Bellevue, NE be approved as depositories for the public funds of Sarpy County for 2002; conditioned upon the true and faithful compliance with all provisions of Nebraska State Law governing the deposit of public funds. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Boyd, that US Bank, Omaha, NE; First National Bank of Omaha, Omaha, NE and/or Wells Fargo Bank, Omaha, NE are approved as depositories for the excess public funds of Sarpy County for 2002, should excess funds require depository banks or capital stock financial institutions outside of Sarpy County, conditioned upon the faithful compliance with all provisions of Nebraska State Law governing the deposit of public funds. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Boyd, that the use of deposit guaranty bonds for Sarpy County funds be approved for the following banks and/or financial institutions for 2002: American National Bank of Sarpy County, Papillion, NE; Bank of Nebraska, La Vista, NE; Centennial Bank, Sarpy County, NE and Pinnacle Bank of Papillion, Papillion, NE., conditioned upon the true and faithful compliance with all provisions of Nebraska State Law governing the deposit of public funds. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Boyd, to approve the standardized form of Agreement for Access to Delinquent Tax Information and Associated Property Records whereby contracting parties may access the County's delinquent tax information and associated property records through the County's computer system, said form of agreement being attached to the resolution; further that the Chairman and Clerk are authorized to execute such form agreements with various parties, under the terms and conditions stated therein. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Boyd, that the County Attorney of Sarpy County is directed, as promptly as is reasonable under present circumstances, to foreclose the lien for all taxes now delinquent upon real estate found within the boundaries of Sarpy County. Those taxes, as set forth in the list provided to this Board on 12/11/01, include real estate taxes for tax year 1999, which were delinquent on or before August 1, 2000, and which have heretofore been offered for sale by the Treasurer but not sold for want of bidders. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Boyd, to approve and authorize the Chairman to sign the Right of Entry for Water Main Construction with the City of Papillion, NE for project listed as City of Papillion Water Main Expansion, Tract No. 11 on property described as that part of Tax Lots E1 and 9B1 in the SE 1/4 of Sec. 21, T14N, R12E of the 6th P.M., Sarpy County NE. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Boyd, to authorize the Chairman to sign County/City Lottery Operator Schedule I (Form 50G-I), License Renewal Application for 2002-2004 to the Nebraska Department of Revenue for Bellevue Keno Casino, Inc. located at 5015 Underwood Avenue, Omaha, NE. 68132. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Schram moved, seconded by Boyd, to approve the Community Development Block Grant Program Income Report for Grant #92-ED-018, Lanter Company, for the period ending 12/31/01. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Boyd, to approve the Subdivision Agreement (Development Agreement) between BHI Investment, Co., Sanitary and Improvement District No. 199 of Sarpy County, and Sarpy County for a subdivision known as Lots 1 through 32, inclusive, Highway Crossing in Sarpy County, NE, and the Chairman and Clerk are authorized to execute same. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Schram moved, seconded by Boyd, to authorize the Chairman to sign the FY2002 Sub-Recipient Award, State and Local Assistance Program, Nebraska Cooperative Agreement EMK 2002-GR-2524, award amount \$25,000 for the period 10/01/2001 - 09/30/2002, for submission to the Nebraska Emergency Management Agency. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Boyd, to approve and authorize the Chairman to sign a Purchase Agreement with R. S. Land, Inc. for the sale of two parcels of unused road right of way (parcels A & B described as Giles Road ROW acquisition) both located near the intersection of 120th Street and Giles Road in Sarpy County, NE (more fully described in the legal descriptions attached to the agreement), which ROW was vacated by action of this Board dated 04/03/01. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

REGULAR AGENDA:

Resolved by Doyle, seconded by Boyd, to appoint Brenda Kunz as a member of the Sarpy County Planning Commission, which appointment will be for a term of three years, commencing on 01/08/02. Ms. Kunz was nominated by Commissioner Doyle. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

After a public hearing Postlewait moved, seconded by Schram, to recommend approval of the liquor license application of Glory Days Inc. dba J-Birds Food and Spirits", 9723 & 9725 Giles Rd., La Vista, Sarpy County, Nebraska 68128 for a Class "M" - Bottle Club and notify the Nebraska Liquor Control Commission of Board approval. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Schram moved, seconded by Doyle, to sit as a Board of Equalization. Ayes: Postlewait, Gay, Boyd, Doyle & Schram Nays: None.

Boyd moved, seconded by Doyle, to approve the following Tax Corrections as approved by the County Assessor: #11618 - #11628. Ayes: Postlewait, Gay, Boyd, Doyle & Schram Nays: None.

Schram moved, seconded by Doyle, to return to regular session. Ayes: Postlewait, Gay, Boyd, Doyle & Schram Nays: None.

ZONING ACTIONS:

Resolved by Boyd, seconded by Postlewait, that the application of Charles and Marci Zegers for a Final Plat of a subdivision to be known as Cedar Hollow on the following described property, to wit: Being a platting of part of Tax Lot 3A, located in the SE 1/4 of Sec. 16, Twp. 14N, Rng. 11E of the 6th P.M., Sarpy County, NE (168th Street, 1/2 mile north of Giles Road) be approved as it meets the Sarpy County Zoning Regulations with the stipulation that the Papio-Missouri River Natural Resources District (NRD) requests are met, the temporary turn around meets standard cul-de-sac requirements and the hydrant spacing meets M.U.D. standards. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None

Resolved by Boyd, seconded by Postlewait, that the application of John and Patricia Wawrzynkiewicz for a Special Use Trailer Permit to park a single wide mobile home for recreational use only on the following described property, to wit: Lot 216, Hanson Lake located in Sec. 27, Twp. 13N, Rng. 13E of the 6th P.M., Sarpy County, NE (Platte River Dr., Hanson Lake) be approved for three (3) years, renewable by publication, as it meets Sarpy County zoning requirements. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Boyd, seconded by Postlewait, that the application of James and Patricia Mischo for a Special Use Trailer Permit to park a single wide mobile home for recreational use only on the following described property, to wit: Lot 53P, Vencil's Island located in Sec. 20, Twp. 14N, Rng. 10E of the 6th P.M., Sarpy County, NE (9900 S 252nd St) be approved for three (3) years, renewable by publication, as it meets Sarpy County zoning requirements. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Boyd, seconded by Schram, that the application of Kevin Hopp for a Final Plat of a subdivision to be known as Castel's First Addition on the following described property, to wit: Being a platting of part of the W 1/2 of Sec. 19, Twp. 13N, Rng. 13E of the 6th P.M., Sarpy County, NE (57th Street, 3/4 mile south of Platteview) be approved as the requested changes have been met and it meets the Sarpy County Comprehensive Plan and complies with the Sarpy County Zoning Regulations. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Postlewait, that the application of Charles and Marci Zegers for a Change of Zone from AG to AGD on the following described property, to wit: Being a platting of part of the S 1/2 of the NE 1/4 of Sec. 34, Twp. 13N, Rng. 10E of the 6th P.M., Sarpy County, NE (228th & Ruff Road) be approved as it complies with the Sarpy County Comprehensive Plan and Zoning Regulations. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Boyd, that the application of Raymond and Susan Bliss for a Preliminary/Final Plat of a subdivision to be known as Hintz's Bliss on the following described property, to wit: Being a platting of part of the S 1/2 of the NE 1/4 of Sec. 34, Twp. 13N, Rng. 10E of the 6th P.M., Sarpy County, NE (228th & Ruff Road) be approved as it meets Sarpy County Zoning Regulations. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None

Resolved by Boyd, seconded by Postlewait, to approve the request of Phillips Realty LLC, Phillips Manufacturing Co., and Phillips Manufacturing Co. LLC for the issuance by Sarpy County of Industrial Development Revenue Bonds in the approximate amount of \$8,000,000 to provide funds to acquire land and build and equip thereon a new manufacturing facility to be located at approximately 107th and Superior Street, Sarpy County, NE. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Boyd, seconded by Postlewait, to appoint Kim Francis as Sarpy County Tourism Coordinator, at an annual salary of \$35,600.00, subject to all the benefits and conditions of employment with Sarpy County. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

***Note: Corrected Res. dated 02/05/02 corrects annual salary to \$35,626.24. SEE Comm. Bk. 21, pg. 12**

The October, 2001 fee report of the Sheriff (\$8,489.65), the November, 2001 fee reports of the Clerk of District Court (\$8,568.75) and Juvenile Court (\$2,360.00), and the December, 2001 fee report of the Landfill (\$551,930.19) were presented and placed on file.

At 3:37 P.M. Schram moved, seconded by Doyle, to adjourn until January 15, 2002 at 3:00 P.M. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

 \s\ Tim Gay
Chairman, Board of County Commissioners

ATTEST: \s\ Debra J. Houghtaling
 County Clerk
