

February 12, 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 February 12, 2002 at the Courthouse in Papillion, Nebraska. Present: Jack Postlewait, Tim Gay, Inez Boyd, Aldona Doyle, 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 6, 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.

Commissioners' comments were recorded. There were no Administrators' comments.

Schram moved, seconded by Boyd, to approve the Consent Agenda. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

CONSENT AGENDA

Schram moved, seconded by Boyd, to approve the minutes of the February 5, 2002 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**

Resolved by Schram, seconded by Boyd, to Authorize the Chairman to sign the Sarpy County Revolving Loan Administration Agreement between Sarpy County and the Omaha-Council Bluffs Metropolitan Area Planning Agency (MAPA) for the administration of the Superior Metal Products CDBG loan, Contract Number: 514-200, Effective date: February 1, 2002 - December 31, 2003. Contract amount not to exceed \$ 2,000. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Boyd, to adopt a revision to the Sarpy County Policy and Procedures Manual, thereby adopting the portion titled "Illness Leave Donation Policy", said revision being attached as an exhibit to the resolution, and future practices of the County shall be in conformity with same. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Schram moved, seconded by Boyd, to approve the Special Designated License application of Willow Springs Bottling Co. D.B.A. Cornhusker Beverage Mart, date of event: 02/28/02, 4:00 P.M. to 1:00 A.M. at Caterpillar Corp., 8401 S. 132 St., Omaha, NE, 68138, Sarpy County, and notify the Nebraska Liquor Control Commission of Board approval. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Boyd, to accept the summary of delinquent taxes (real estate and special assessments) on property subject to delinquent tax sale, as submitted by the Sarpy County Treasurer. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Schram moved, seconded by Boyd, to approve the following Sarpy County Limited Tax Building Bonds, Series 2001, Construction Fund (Sarpy County Juvenile Justice Center) disbursement requisitions:

<u>Req. No.</u>	<u>Payee</u>	<u>Amount</u>
14.	Carlson West Povondra Architects	\$ 3,384.79
15.	Lund-Ross Constructors, Inc.	\$132,620.00

Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

REGULAR AGENDA:

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

Postlewait moved, seconded by Boyd, to approve the following Tax Corrections as approved by the County Assessor: #11680 - #11705. 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 Postlewait, seconded by Doyle, that the application of Graves Development Resources, for a Final Plat of a subdivision to be known as Sugar Creek Addition (Phase II) on the following described property, to wit: Being a platting of Lots 221-358, located in the NW 1/4 of Sec. 17, Twp. 14N, Rng. 11E of the 6th P.M., Sarpy County, NE (SE corner of 192nd St. and Harrison St.) be approved as it meets the Sarpy County Comprehensive Plan and Zoning Regulations and the requests of the Papio-Missouri River Resources District (NRD) with the stipulations that applicant comply with Sarpy County Surveyor Tom Lynam's requests and meet with the Sarpy County Emergency Management Agency concerning sirens. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None

Resolved by Postlewait, seconded by Boyd, that the application of O. Arthur Armbrust for a Special Use Permit to operate a commercial dog kennel on the following described property, to wit: Tax Lot 7A, located in Sec. 22, Twp 14N, Rng 10E of the 6th P.M., Sarpy County, Nebraska (9299 S. 240th Street) be approved as long as it is owned and operated by Mr. Armbrust as it meets the Sarpy County Zoning Regulation and is consistent with the Sarpy County Comprehensive Plan, with the following stipulations: 1) only indoor runs be permitted 2) firing of training pistols (no live ammo) no more than 50 times per week and restrict shooting to between the hours of 8 a.m. and 6 p.m. with no shooting allowed on Sundays and Holidays. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None

Resolved by Boyd, seconded by Doyle, that the application of Nextel Partners (Mike Haas, agent) for a Special Use Permit to construct a 250' cellular communications tower and equipment on the following described property, to wit: the S 1/2 of the SE 1/4 of Sec. 16, Twp 14N, Rng11E of the 6th P.M., Sarpy County, Nebraska (173rd Street and Giles Road, north side) be denied. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Boyd moved, seconded by Postlewait, to approve the recommendation by the Sarpy County Planning Commission to not prohibit the use of roundabouts, but to review them on a case by case basis as it regards amendments and additions to Section10 (Minimum Design Standards) of the Sarpy County Subdivision Regulations. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None

Boyd moved, seconded by Postlewait, to deny the recommendation by the Sarpy County Planning Commission to increase the pavement turnaround diameter of a cul-de-sac from 80' to 90' as it regards amendments and additions to Section10 (Minimum Design Standards) of the Sarpy County Subdivision Regulations. Ayes: Postlewait, Gay, Boyd, Doyle Nays: Schram.

The Board passed on the issue that access to a subdivision be reviewed on a case by case basis, therefore not requiring a minimum of two access points, as it regards amendments and additions to Section10 (Minimum Design Standards) of the Sarpy County Subdivision Regulations.

Schram moved, seconded by Postlewait, to approve the recommendation by the Sarpy County Planning Commission that hydrant spacing be limited to a maximum of 450' in residential districts unless otherwise authorized by the Fire Chief of said fire district as it regards amendments and additions to Section10 (Minimum Design Standards) of the Sarpy County Subdivision Regulations. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None

The Board took no action on the issue of sirens being owned and maintained by the County as it regards amendments and additions to Section10 (Minimum Design Standards) of the Sarpy County Subdivision Regulations as it is not a zoning issue.

(NOTE: A resolution detailing the preceding amendments / additions to Section 10 (Minimum Design Standards) of the Sarpy County Subdivision Regulations will be presented for this Board's action at a later date.)
SEE approval resolution dated 4/16/02, Comm.Bk. 21, pg. 39.

Resolved by Boyd, seconded by Doyle, to authorize Ameritas Investment Corporation to proceed with activities necessary for the refinancing of Sarpy County, Refunding Bonds, Series 1995 (Communications System Project), and Limited Tax General Obligation Bonds, Series 1996 (Sewer Bonds), for the purpose of providing substantial cost saving due to the decline of interest rates. Be it further resolved that Sarpy County will incur no obligation to Ameritas Investment Corp. until actual savings for the refinancings are determined and bonds are sold to complete the refinancings. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Boyd, to authorize the Chairman and County Clerk to sign the Geographic Information Systems Agreement with Lamp, Rynearson & Assoc. Inc. for the Sarpy County Geographic Information Systems (GIS) Parcel Base Mapping Project. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Doyle, to authorize the Chairman and County Clerk to sign the amended GIS Interlocal Agreement among the cities of Gretna, Papillion, Bellevue, LaVista and Springfield, the Papio Missouri River Natural Resource District (P-MRNRD), and Sarpy County for the development and implementation, of a Geographic Information Systems (GIS). This amended Interlocal Agreement provides for Phase One: the creation of a base map and obtaining the related equipment necessary to utilize it. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Postlewait, seconded by Boyd, to authorize the Chairman to sign a letter to the Nebraska Department of Roads, John Craig, urging the NDOR to prioritize funding of the Cornhusker Road (Project EACSTPE-3790(5)) and 72nd Street (Project EACSTPE-3785(2)) in anticipation of reduction in federal road funding. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Fred Uhe, County Lobbyist, gave an update on legislation of interest to Sarpy County currently before the 2002 Session of the Nebraska Legislature.

Resolved by Schram, seconded by Postlewait, that this Board hereby supports the passage of the following legislative bills, as introduced, by the Nebraska Legislature:

LB 1123 which would allow County government to enter in to agreements with other political subdivisions to cooperate in the purchase of goods and services in order to lower the cost to the taxpayer.

LB 1200 which would allow County government greater flexibility in purchases of smaller amounts, lowering the cost to the taxpayer of those governmental functions.

Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Boyd, seconded by Postlewait, that this Board hereby opposes the passage of the following legislative bill, as introduced, by the Nebraska Legislature:

LB 1233 which would require County government to assume maintenance obligations and all liabilities for certain bridges from cities or villages upon the payment of the debt incurred for the construction of said bridges, regardless of any other circumstances, including the location and use of said bridge.

Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

The December, 2001 fee reports of the Clerk of District Court (\$10,026.15) and the Juvenile Court (\$2,310.00) were presented and placed on file.

At 4:25 P.M. Schram moved, seconded by Doyle, to adjourn until February 19, 2002 at 3:00 P.M. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Is\ Tim Gay
Chairman, Board of County Commissioners

ATTEST: Is\ Renee Lansman
for the County Clerk
