

March 11, 2003

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 March 11, 2003 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 March 5, 2003, 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 and Administrators' comments were recorded.

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

CONSENT AGENDA

Gay moved, seconded by Boyd, to approve the minutes of the March 4, 2003 meeting as submitted. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Gay 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 Gay, seconded by Boyd, to authorize the Chairman to sign Change Order No. 1 to the contract with Prairie Construction Company for remodeling improvements of various offices in the Courthouse (Sarpy County Courthouse Remodel Projects) which increases the contract amount by \$3,957.00, revised contract sum \$148,357.00, contract time remains unchanged, and the date of substantial completion is 06/01/03. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Gay moved, seconded by Boyd, to authorize the Purchasing Department to solicit bids for one (1) new 2000 lb. Lift Capacity Skid Steer Loader for the Sarpy County Highway Department. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Gay moved, seconded by Boyd, to authorize the Purchasing Department to solicit bids for one (1) new 25,000 lb. Truck Chassis for the Sarpy County Highway Department. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

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

| <u>Req. No.</u> | <u>Payee</u> | <u>Amount</u> |
|-----------------|----------------------------------|---------------|
| 61. | Carlson West Povondra Architects | \$528.87 |

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

Resolved by Gay, seconded by Boyd, to approve the plans and specifications submitted by Sanitary and Improvement District No. 189, Hilltop Industrial Park, Paving and Storm and Sanitary Sewer, Section III, pursuant to Neb. Rev. Stat. §31-740 (Reissue 1998) as recommended by the Sarpy County Chief Deputy Surveyor. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Gay, seconded by Boyd, to approve and authorize the Chairman and County Clerk to sign the Addendum to

the Solid Waste Management Agreement for disposal of solid waste at the Sarpy County Landfill with Si-Nor, Inc. Said addendum extends the term of the existing contract by a period of three (3) years from the date the addendum was approved by the County. 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.

Schram moved, seconded by Doyle, to approve Tax Correction #11954 as approved by the County Assessor. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Doyle moved, seconded by Schram, to approve the following exemption applications for 2003 tax exemption on motor vehicles owned by qualifying non-profit organizations, as approved by the County Treasurer:

| | |
|---------------------------|-----------------------------|
| Salvation Army | 2002 Chevrolet Venture |
| Bellevue Church of Christ | 1993 Interstate 4whl. Trlr. |

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

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

ZONING ACTIONS:

A public hearing was held on agenda item #B-1(Zoning: Amendments to Comprehensive Development Plan specifically the future land use map). Public comments were received.

Boyd moved, seconded by Gay, to accept the recommendation of the Sarpy County Planning Commission to leave the Sarpy County Comprehensive Plan, specifically the future land use map, as is. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Schram moved, seconded by Gay, to table at the request of the applicant agenda items #B-2 (Zoning: Change of Zone - AG to RE 2 & AGR - Larry & Sherri Eggers) and #B-3 (Zoning: Preliminary Plat - Prairie Acres - Larry & Sherri Eggers).. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None

Resolved by Schram, seconded by Gay, that the application of Jesse Martin for a Change of Zone from AG to AGR on the following described property, to wit: Being a platting of Tax Lot 1A2, located in the SE 1/4 of Sec. 34, Twp. 13N, Rng. 11E of the 6th P.M., Sarpy County, NE (156th & Buffalo Road) be approved as it meets the Sarpy County Comprehensive Plan. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Gay, that the application of Jesse Martin for a Preliminary/Final Plat of a subdivision to be known as Martin's Acres on the following described property, to wit: Being a platting of Tax Lot 1A2, located in the SE 1/4 of Sec. 34, Twp. 13N, Rng. 11E of the 6th P.M., Sarpy County, NE (156th & Buffalo Road) be approved with the stipulation that the Final Plat include the driveway easement, as it meets the Sarpy County Subdivision Regulations. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None

Resolved by Schram, seconded by Boyd, that the application of Jerry Comstock, Comstock Investments, LTD for a Preliminary/Final Plat of a subdivision to be known as Comstock's Subdivision on the following described property, to wit: Being a platting of part of the SW 1/4 of the SE 1/4 of Sec. 14, Twp. 13N, Rng. 10E of the 6th P.M., Sarpy County, NE (219th & Platteview Road) be approved as it meets Sarpy County Subdivision Regulations. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None

Resolved by Schram, seconded by Boyd, that the application of Harrison Group, LLC (Victor Pelster) for a Preliminary Plat of a subdivision to be known as Harrison Woods Replat 3 on the following described property, to wit: Being a re-platting of Lots 1-4, Harrison Woods, a platted and recorded subdivision of part of the NE 1/4 of Sec. 16, Twp. 14N, Rng. 11E of the 6th P.M., Sarpy County, NE (SW corner of 168th & Harrison Street) be approved based upon the recommendation of the Sarpy County Planning Commission and contingent upon the County Surveyor's recommendation on deceleration and turn lanes into the subdivision, as it meets the Sarpy County Subdivision Regulations. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None

After a public hearing, Gay moved, seconded by Schram, to table agenda items #B-8 (Zoning: Change of Zone - AG to RS-72 and RD-50 PTD - Bill Morrison) and #B-9 (Zoning: Preliminary Plat - Millard Park South 2 - Bill Morrison) for one week - 03/18/03 at 3 P.M. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None

Doyle moved, seconded by Schram, to approve the following Flood Plain Permit as recommended by the Building Inspector: Terry Kinder, 8416 Kauai Dr., Lot 38 Hawaiian Village, Platte River, sunroom and deck. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Boyd, to approve and authorize the Chairman and County Clerk to sign the Interlocal Cooperation Agreement between Sanitary and Improvement Districts No. 233 (Springhill), No. 225 (Giles Ridge) of Sarpy County, and Sarpy County for the improvement of that portion of 156th Street in Sarpy County shown on the site plan attached as an exhibit to said agreement. The total estimated cost of the improvements is \$726,860 with Sarpy County's contribution being \$336,509. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Gay, seconded by Schram, to approve and authorize the Chairman and County Clerk to sign the Agreement with the Nebraska Department of Roads for Project No. NH-75-2(155), State Control No. 21849, for the improvement of the intersection of U.S. Highway 75 & Platteview Road in Sarpy County. Said Agreement provides for the close of certain County roads and construction of new roadways as specified/illustrated within the Agreement. Ayes: Postlewait, Gay, Doyle & Schram. Nays: None. Abstain: Boyd. (NOTE: This agreement is a revision of an agreement approved by action of this Board on 04/02/02, which action was rescinded by resolution dated 06/11/02)

Resolved by Doyle, seconded by Boyd, to approve a \$5,825 allocation of Sarpy County Visitors Promotion Funds (Tourism Funds) for the Women in the Outdoors to promote two Repioneering the Frontier events, as recommended by the Sarpy County Visitors Committee. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Boyd, seconded by Gay, to terminate the Interlocal Agreement between Sarpy County and Douglas County, which agreement was approved by this Board on 08/07/01 for the provision of tourism related services through the Greater Omaha Convention and Visitors Bureau (GOCVB). Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Gay, seconded by Schram, to authorize the Chairman to sign Change Order No. 5 to the contract with Lund-Ross Constructors for the Sarpy County Juvenile Justice Center Project which increases the contract amount by \$49,685.00, revised contract sum \$3,862,741.00, contract time remains unchanged, and the date of substantial completion is 10/23/02. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Gay, that this Board hereby opposes the passage of LB 507, LB 508, and LB 509, as introduced, by the 98th Nebraska Legislature. Subject LB 507, LB 508, and LB 509 pertain to inheritance taxes which represent funds generated within Sarpy County and the local County officials are in the best position to evaluate the appropriate use of such funds and to oversee the prudent administration of those funds. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Gay, seconded by Doyle, to approve and authorize the Chairman to sign a letter supporting the request for funding submitted to the US House of Representatives, Committee on Transportation and Infrastructure, Subcommittee on Highways and Transit, seeking funding for an interchange in the vicinity of Interstate 80 at Pflug Road (mile marker 430) in Sarpy County. Ayes: Postlewait, Gay, Boyd & Doyle. Nays: None. Abstain: Schram.

The February, 2003 fee report of the Department of Planning and Building (\$68,558.08) was presented and placed on file.

At 4:25 P.M. Gay moved, seconded by Boyd, to adjourn until March 18, 2003 at 3:00 P.M. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Chairman, Board of County Commissioners

ATTEST: _____
County Clerk
