

April 8, 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 April 8, 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 April 2, 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.

There were no Commissioners or Administrators' comments.

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

CONSENT AGENDA

Boyd moved, seconded by Schram, to approve the minutes of the April 1, 2003 meeting as submitted. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Boyd moved, seconded by Schram, 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 Boyd, seconded by Schram, that the week of April 13 - 19, 2003 be proclaimed "National Public Safety Telecommunication Week" in Sarpy County in recognition of our telecommunicators and the vital role they contribute to the safety and well-being of our citizens. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Boyd moved, seconded by Schram, to authorize the Purchasing Department to solicit bids for Financing for eight 2003 Cruisers for the Sarpy County Sheriff's Department. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Boyd moved, seconded by Schram, to authorize the Purchasing Department to solicit bids for Project C-77(03-05), Various Asphalt Overlays, 87th and Platteview Road to Hawaiian Village and Platteview Road from 87th to 106th, for the Sarpy County Highway Department. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Boyd moved, seconded by Schram, to authorize the Purchasing Department to solicit bids for Group Health and Dental Insurance for Sarpy County employees. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Boyd moved, seconded by Schram, to authorize the Purchasing Department to solicit bids for a new Insurance Plan regarding Life, Accidental Death and Disability (AD & D) and Long Term Disability for Sarpy County employees. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Boyd moved, seconded by Schram, 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>
69.	Pay-Less Office Products, Inc.	\$ 24,840.25

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

REGULAR AGENDA:

Diana Damme, County Purchaser, reported that bids for construction of a Storage Building for the Building and Grounds (Maintenance) Department have been solicited, made, opened and reviewed pursuant to Board authorization.

After a public hearing, Gay resolved, seconded by Boyd, that the low total bid of Prairie Construction Company for the construction of a Storage Building in the amount of \$180,500.00 which includes the acceptance of alternate one and two 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: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

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

Doyle moved, seconded by Schram, to approve the following Tax Corrections as approved by the County Assessor: #11972 - #11975. 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:

Fontenelle Forest Association	1984 Snoco 2 whl. Trailer
Immanuel Korean Baptist Church	2001 Nissan 4 Dr.
Midlands Bible Baptist	1996 Chrysler T&C Mini Van

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 Schram, seconded by Doyle, that the application of David Zajac for a Special Use Permit to operate a woodworking and custom cabinet shop on the following described property, to wit: The East 55' of the South 260' of Lot 3, Sun Country, located in Sec. 7, Twp. 13N, Rng. 11E of the 6th P.M., Sarpy County, Nebraska (200th and Fairview Road) be approved for as long as applicant owns the business as it meets the Sarpy County zoning requirements. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Doyle, that the application of Don Stoltenberg for a Change of Zone from AG to AGD on the following described property, to wit: Being a platting of part of the SW 1/4 of the NW 1/4 in Sec. 21, Twp. 13N, Rng. 13E of the 6th P.M., Sarpy County, NE (36th Street, approximately 1/4 mile south of Platteview Road) be approved as it meets the Sarpy County Comprehensive Plan. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Gay, seconded by Doyle, that the application of Don Stoltenberg for a Preliminary/Final Plat of a subdivision to be known as Harvest Valley on the following described property, to wit: Being a platting of the SW 1/4 of the NW 1/4 in Sec. 21, Twp. 13N, Rng. 13E of the 6th P.M., Sarpy County, NE (36th Street, approximately 1/4 mile south of Platteview Road) be approved with the Surveyor's approval of the driveway location as it meets the Sarpy County Subdivision Regulations. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Boyd, seconded by Gay, that the application of Apex Group for a Change of Zone from AG to AGR on the following described property, to wit: Being a platting of the NE 1/4 and part of the NW 1/4 of Sec. 27, Twp. 14N, Rng. 10E and part of the SE 1/4 of Sec. 22, Twp. 14N, Rng. 10E of the 6th P.M., Sarpy County, NE (234th and Lincoln Road) be denied as it does not meet this Board's interpretation of the Sarpy County Comprehensive Plan. Ayes: Postlewait, Gay, Boyd & Doyle. Nays: Schram.

Resolved by Boyd, seconded by Gay, that the application of Apex Group for a Preliminary Plat of a subdivision to be known as Prairie Ridge on the following described property, to wit: Being a platting of the NE 1/4 and part of the NW 1/4 of Sec. 27, Twp. 14N, Rng. 10E and part of the SE 1/4 of Sec. 22, Twp. 14N, Rng. 10E of the 6th P.M., Sarpy County, NE (234th and Lincoln Road) be denied. Ayes: Postlewait, Gay, Boyd & Doyle. Nays: Schram.

Resolved by Schram, seconded by Boyd, that the application of Celebrity Homes for a Change of Zone from AG to RD-50 and RD-50PD on the following described property, to wit: Being a platting of part of the E 1/2 of the NE 1/4 of Sec. 17, Twp. 14N, Rng. 11E of the 6th P.M., Sarpy County, NE (180th and Harrison Street) be approved as it complies with the Sarpy County Comprehensive Plan. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Gay, that the application of Celebrity Homes for a Preliminary Plat of a subdivision to be known as Sunridge on the following described property, to wit: Being a platting of part of the E1/2 of the NE 1/4 of Sec. 17, Twp. 14N, Rng. 11E of the 6th P.M., Sarpy County, NE (180th and Harrison Street) be approved with the stipulations that applicant follow the requests of the County Surveyor and the Papio-Missouri River Natural Resource District (NRD), and applicant submit a letter from the City of Gretna, pertaining to the sewer hook-up, with their Final Plat application. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Boyd, seconded by Schram, that this Board, hereby supports the passage of LB 726, as introduced, by the Nebraska Legislature, which would allow Sarpy County to raise tourism funds for the purpose of funding improvements to tourist attractions in Sarpy County thereby enhancing the ability of Sarpy County to attract tourists to the County. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Boyd, seconded by Doyle, to authorize the Chairman to sign the Environmental Protection Agency (EPA) Regional Geographic Initiative Grant application proposal in conjunction with the Papio-Missouri Natural Resources District (P-MNRD) to study water and wastewater concerns in the Platte River Basin. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Boyd, seconded by Gay, to appoint and recognize Tamra Madsen as the Health Insurance Portability and Accountability Act ("HIPAA") Privacy Officer, who will assume the role as the Chief Privacy Official for Sarpy County and perform all of the duties and responsibilities as mandated by federal law. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Gay, seconded by Doyle, to adopt the Sarpy County Health Insurance Portability and Accountability Act ("HIPAA") Privacy Policies and Procedures to govern the protection of and release of Protected Health Information (PHI) within Sarpy County, said policies and procedures being attached as an exhibit to the resolution. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

(Note: A section of the HIPAA Privacy Policies & Procedures titled "Notice of Privacy Practices" revised by resolution dated 4/15/03, SEE Comm. Bk. 21, pg. 188)

Resolved by Doyle, seconded by Schram, that the week of April 7 - 13, 2003 be proclaimed "National Public Health Week" in Sarpy County, thereby recognizing public health as right for America in diverse communities large and small, urban and rural. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

The January, 2003 fee report of the Sheriff (\$9,201.95) and the March, 2003 fee report of the Landfill (\$240,778.32) were presented and placed on file.

At 4:22 P.M. Boyd moved, seconded by Doyle, to go into Executive Session to discuss litigation. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

At 4:27 P.M. Schram moved, seconded by Gay, to return to regular session. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

At 4:28 P.M. Schram moved, seconded by Boyd, to adjourn until April 15 at 3:00 P.M. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

\\s\ Jack H. Postlewait
Chairman, Board of County Commissioners

ATTEST: _____ \s\ Debra J. Houghtaling
County Clerk
