

December 14, 2004

BOARD OF COUNTY COMMISSIONERS OF SARPY COUNTY, NEBRASKA
ADMINISTRATIVE BRIEFING MEETING

December 14, 2004, at 1:00 P.M., the Board of County Commissioners of Sarpy County, Nebraska convened for an Administrative Briefing Meeting. Present: Jack Postlewait, Tim Gay, Inez Boyd (arrived at 1:09 P.M.), Aldona Doyle, Tim Schram, Board Administrator Mark Wayne, Deb Houghtaling, County Clerk. Topics of discussion were as follows:

1. Report on 180th St. and I-80 Interchange. Mike Gorman
2. Road and Bridge Review. Tom Lynam
3. Victim Witness/Diversion Departments. Lee Polikov
4. Information Systems. Mark Walters
5. GIS. Kirk Larson
6. Building and Grounds. Ken Peterson
7. Landfill. Duwaine Brigman

Adjourned at 2:40 P.M.

December 14, 2004

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 December 14, 2004 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 Midlands Newspapers, Inc. dba Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor on December 8, 2004, 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 Administrator's comments were recorded.

Commissioner Schram requested that item #4 (Resolution: Authorize Chairman to sign Interlocal Agreement on 96th St. Extension) be removed from the Consent Agenda and placed on the Regular agenda.

Commission Schram presented a plaque to outgoing Commissioner Postlewait in recognition of his service to Sarpy County.

Gay moved, seconded by Postlewait, to approve the Consent Agenda as amended with the removal of item #4. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

CONSENT AGENDA

Gay moved, seconded by Postlewait, to approve the minutes of the December 7, 2004 meeting as submitted. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Gay moved, seconded by Postlewait, 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

Resolved by Gay, seconded by Postlewait, that the Sarpy County Board of Commissioners shall adjourn after its last regularly scheduled meeting for calendar year 2004 on 12/14/04, and pursuant to the statutory authority of this Board, between 12/14/04 and 01/11/05, the Chairman of the Sarpy County Board of Commissioners and the Sarpy County Clerk are authorized to prepare claims and issue warrants for 1) payroll and associated expenses 2) utilities 3) lease payments 4) contract and/or other installment payments which have been contracted for or provided for by action of this Board and 5) expenses associated with jurors of the various courts. The aforementioned individuals have no authority to conduct County business beyond that stated above. (Res. #2004-375) Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Gay, seconded by Postlewait, to authorize the Chairman and County Clerk to sign Lease-Purchase Agreement No. NE-041654 with Tatonka Capital Corporation for the use of certain computer software known as LANDesk Management Suite 8, lease being in the principal amount of \$19,655; providing three (3) annual lease payments of \$7,000. (Res. #2004-377) Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Gay, seconded by Postlewait, to approve and authorize the Chairman and County Clerk to sign the Agreement for Housing Prisoners between Butler County, NE and Sarpy County whereby Butler County will provide housing for Sarpy County prisoners as needed. (Res. #2004-378) Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Gay, seconded by Postlewait, to re-appoint Gene Mackey (nominated by Commissioner Schram) as a member of the Sarpy County Board of Adjustment for a term of three years commencing on 01/01/05 through 12/31/07. (Res. #2004-379) Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

REGULAR AGENDA:

Schram moved, seconded by Doyle, that agenda item #4 (Resolution: Authorize Chairman to sign Interlocal Agreement on 96th St. Extension) be tabled indefinitely. (Res. #2004-376) Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

After a public hearing, Gay moved, seconded by Postlewait, to recommend approval of the liquor license application of Fareway Stores, Inc. dba Fareway Store #049, 1325 Jersey St., Papillion, Sarpy County, Nebraska 68046 for a Class "B" Beer, Off Sale Only # 66402 and Class "K" Wine Only, Off Sale #66403 and notify the Nebraska Liquor Control Commission of Board approval. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

After a public hearing, Schram moved, seconded by Postlewait, to recommend approval of the liquor license application of Petrol III LLC dba Kick's 66, 16808 Audrey St., Omaha, Sarpy County, Nebraska 68136 for a Class "B" Beer, Off Sale Only # 66440 and Class "K" Wine Only, Off Sale #66485 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.

Doyle moved, seconded by Gay, to approve the following exemption application for 2004 tax exemption on motor vehicles owned by qualifying non-profit organizations, as approved by the County Treasurer:

Heritage Church of the Nazarene 1992 Chevrolet Sport Van G20

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 Gay, seconded by Postlewait, that the application of Wayne and Shari Lewis for a Change of Zone from RE to BG on the following described property, to wit: Lot 5, Schnack Acres, located in part of Sec. 3, Twp. 13N, Rng. 10E of the 6th P.M., Sarpy County, NE (234th St., 1/2 mile south of Schram) be denied as it does not meet the Sarpy County Comprehensive Plan or Zoning Regulations. (Res. #2004-380) Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Gay, that the application of Ronald and Carol Patterson for a Change of Zone from AG to RE 2 on the following described property, to wit: Being a replat of part of Tax Lot 4, located in the NE1/4 of Sec. 2, Twp. 12N, Rng. 10E of the 6th P.M., Sarpy County, NE (Hwy. 31 & Buffalo Rd.) be approved as it meets the Sarpy County Comprehensive Plan and Zoning Regulations. (Res. #2004-381) Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Gay, seconded by Schram, that the application of Ronald and Carol Patterson for a Preliminary/Final Plat of a subdivision to be known as Deer Hollow on the following described property, to wit: Being a replat of part of Tax Lot 4, located in the NE1/4 of Sec. 2, Twp. 12N, Rng. 10E of the 6th P.M., Sarpy County, NE (Hwy. 31 & Buffalo Rd.) be approved as it meets the Sarpy County Comprehensive Plan and Subdivision Regulations. (Res. #2004-382) Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None

Resolved by Schram, seconded by Doyle, that the application of Graves Development Resources for a Final Plat of a subdivision to be known as Bellbrook (2nd Phase) on the following described property, to wit: Part of the SW1/4 of the NE1/4, and part of the E1/2 of the NW1/4, all in Sec. 18, T14N, Png. 11E of the 6th P.M., Sarpy County, NE (192nd St. & Harrison) be approved as it meets the Sarpy County Subdivision Regulations and Comprehensive Plan. (Res. #2004-383). Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None

Resolved by Schram, seconded by Gay, that the application of Gene and Ila Mackey for a Change of Zone from AG to RE 2 on the following described property, to wit: Being a platting of part of the S1/2 of the SE1/4 of Sec. 16, Twp. 14N, Rng. 11E of the 6th P.M., Sarpy County, NE (168th & Giles Road) be approved as it meets the Sarpy County Comprehensive Plan and Zoning Regulations. (Res. #2004-384) Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Schram, seconded by Gay, that the application of Gene and Ila Mackey for a Preliminary/Final Plat of a subdivision to be known as Celebration on the following described property, to wit: Being a platting of part of the S1/2 of the SE1/4 of Sec. 16, Twp. 14N, Rng. 11E of the 6th P.M., Sarpy County, NE (168th & Giles Road) be approved as it meets the Sarpy County Subdivision Regulations and Comprehensive Plan with the stipulation that applicant enter into a interlocal agreement for cost share on Giles Road for road improvements when needed; further approve changing the subdivision name to Harvest Acres. (Res. #2004-385) Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None

Resolved by Gay, seconded by Doyle, that the application of Shirley Smith for a Change of Zone from AG to BG on the following described property, to wit: Tax Lots 1, 6, & 5A, located in Sec. 14, Twp. 12N, Rng. 11E of the 6th P.M., Sarpy County, NE (Hwy. 50, south of Cornish Road) be denied as it does not meet Section 1.5 of Sarpy County Zoning Ordinances pertaining to the health, safety and welfare of the citizens of the County. (Res. #2004-386) Ayes: Gay, Boyd, Doyle & Schram. Nays: Postlewait.

Resolved by Schram, seconded by Postlewait, to approve and authorize the Chairman and County Clerk to sign the Agreement with MUNIS, Inc. for an Accounting Software System for Sarpy County in the amount of \$236,650 plus \$26,415 for support/maintenance and an estimated \$15,000 for travel expenses. (Res. #2004-387) Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Gay moved, seconded by Postlewait, that agenda item #15 (Resolution: Approve policy to enforce County Board Agenda deadline and criteria) be tabled indefinitely. (Res. #2004-389) Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Gay moved, seconded by Doyle, to authorize the Chairman to sign the FY2004 Sub-Recipient (Amendment), State and Local Assistance Program, Nebraska Cooperative Agreement EMK 2004-GR-4004, award amount \$9,635.11 for submission to the Nebraska Emergency Management Agency. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

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

At 4:49 P.M. Schram moved, seconded by Doyle, to return to regular session. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

Postlewait moved, seconded by Gay that agenda item #13 (Resolution: Directing County Attorney to File Suit on Behalf of County to Protest Certain Annexations by the City of Papillion; Contained in Ordinance No. 1437) be tabled indefinitely. (Res. #2004-388) Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

The November, 2004 fee reports of the Clerk of District Court (\$10,116.85 and JV Judgments prior to 10/18/04 - \$1,570.50), Juvenile Court (\$10.00 - as of 10/18 Juvenile Court Costs are on Justice State Computer System), Department of Planning & Building (\$701,421.43) and Register of Deeds (\$187,486.92) were presented and placed on file.

At 4:50 P.M. Postlewait moved, seconded by Doyle, to adjourn until January 11, 2005 at 3:00 P.M. Ayes: Postlewait, Gay, Boyd, Doyle & Schram. Nays: None.

 \ \ Inez Boyd
Chairman, Board of County Commissioners

ATTEST: \ \ Debra J. Houghtaling
County Clerk
