

June 7, 2005

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 June 7, 2005 at the Courthouse in Papillion, Nebraska. Present: Paul Cook, 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 June 1, 2005, 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.

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

**CONSENT AGENDA**

Boyd moved, seconded by Cook, to approve the minutes of the May 31, 2005 meeting as submitted. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

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

Boyd moved, seconded by Cook, to authorize the Purchasing Department to solicit bids for the Construction of Cornhusker Road, 100<sup>th</sup> Street to 108<sup>th</sup> Street and Giles Road, Sarpy County Project No. C-77(97-04). Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Boyd, seconded by Cook, to amend the Sarpy County Flexible Benefit Plan Document, to provide for a two and one-half month grace period, ending September 15 following the end of each Flexible Spending Account (FSA) plan year (Plan Year is from July 1 through June 30 of the following year) for enrollees to expend unused contributions from the prior plan year for eligible health care expenses allowed under recently revised Internal Revenue Service Regulations. (Res. #2005-160) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

**REGULAR AGENDA:**

After a public hearing, Schram moved, seconded by Boyd, to recommend approval of the Addition to Premise application for liquor license Class "Y" #60674 of Jimmy D. Shaw and Sharon K. Shaw d.b.a. Soaring Wings Vineyard LLC, 17111 S. 138 St., Springfield, Sarpy County, Nebraska 68059 and notify the Nebraska Liquor Control Commission of Board approval. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Brian Hanson, Fiscal Administrator, reported that bids for an Inmate Pay Phone System for the Sarpy County Law Enforcement Center have been solicited, made, opened and reviewed pursuant to Board authorization.

After a public hearing, Gay resolved, seconded by Schram, that the bid of Evercom Systems, Inc. for the Inmate Pay Phone System, Option C, in the amount of 53% commission, without a performance bond, on gross revenues acquired from inmate calls, 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. Contract will commence on 06/21/05 through 06/20/08 with one (1) three (3) year option period. (Res. #2005-164) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Michelle Flowers-Koraleski, County Purchaser, reported that bids for two (2) 2005 Reversible Trip-Edge Snow Plows with 12' Polymer Moldboard and Hitch Assembly for Tandem Axle Chassis for the Sarpy County Highway Department have been solicited, made, opened and reviewed pursuant to Board authorization.

After a public hearing, Schram resolved, seconded by Cook, that the bid of Schmidt Engineering and Equipment, Inc. for two (2) 2005 Reversible Trip-Edge Snow Plows with 12' Polymer Moldboard and Hitch Assembly for Tandem Axle Chassis in the total amount of \$13,222 for both plows 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. (Res. #2005-165) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Boyd moved, seconded by Schram, that Agenda Item #8 (Public Hearing and Resolution: Award bid for Phase II of 114<sup>th</sup> St. South of Giles Rd.) be tabled indefinitely. (Res. #2005-166) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

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

Boyd moved, seconded by Gay, to approve the following exemption application for 2005 tax exemption on motor vehicles owned by qualifying non-profit organizations, as approved by the County Treasurer:

|                             |                         |
|-----------------------------|-------------------------|
| Korean Baptist Church       | 1999 Ford Contour SE    |
| A New Beginning Benevolence | 1997 Ford Ranger Pickup |

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

Schram moved, seconded by Cook, to table agenda item #10 (Special valuation application denial protest hearing. Tamara & Robert Nash) until 06/28/05 at 3:00 P.M. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

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

### **ZONING ACTIONS:**

A public hearing was held on agenda item C-1 (Resolution: Amendment to Adopting Revisions to Sarpy County Zoning Ordinances and their definitions pertaining to solid waste, yard waste, house waste, composting, etc). Public comments were received.

Resolved by Boyd, seconded by Schram, to adopt revisions to Sarpy County Zoning Ordinances and definitions found in Exhibit "A" attached to the resolution, as recommended by the Sarpy County Planning Commission. (Res. #2005-163) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Gay, seconded by Cook, that Sarpy County is considering making improvements to 72<sup>nd</sup> Street immediately South of the intersection of 72<sup>nd</sup> Street and Nebraska State Highway 370 and certain property must be obtained adjacent and near to the portions of 72<sup>nd</sup> Street, said property being located within: the West 1/2 of Sec. 36, Twp. 14N, Rng. 12E of the 6<sup>th</sup> P.M. in Sarpy County, NE; the West 1/2 of Sec. 1, Twp. 13N, Rng. 12E of the 6<sup>th</sup> P.M. in Sarpy County, NE; and the East 1/2 of Sec. 2, Twp. 13N, Rng. 12E of the 6<sup>th</sup> P.M. in Sarpy County, NE; further that the Sarpy County Surveyor and its agents are authorized and directed to negotiate in good faith with the owners of the effected property owners for the purchase of the aforementioned interests in land, with any agreements subject to further approval by this Board. (Res. #2005-167) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Gay, seconded by Cook, that, pursuant to Neb. Rev. Stat. §39-1722, et seq. (Reissue 1998), a portion of unused right of way of 126th Street located to the northeast of Southport Parkway in Sarpy County, NE, more fully described in the legal description attached to the resolution, is hereby vacated subject to any existing easements and utility improvements; further that the title to this vacated right of way shall be sold, and the Sarpy County Surveyor is hereby authorized to negotiate a purchase agreement for said property and present same to this Board for approval. (Res. #2005-168) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

At 4:32 P.M. Gay moved, seconded by Cook, to go into Executive Session to discuss Litigation. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

At 5:08 P.M. Boyd moved, seconded by Schram, to return to regular session. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

At 5:09 P.M. Schram moved, seconded by Gay, to adjourn until June 14, 2005 at 3:00 P.M. to be preceded by an Administrative Briefing Meeting at 1:30 P.M. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

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**Chairman, Board of County Commissioners**

ATTEST: \_\_\_\_\_  
**County Clerk**

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