

June 14, 2005

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

June 14, 2005, at 1:30 P.M., the Board of County Commissioners of Sarpy County, Nebraska convened for an Administrative Briefing Meeting. Present: Paul Cook, Tim Gay, Inez Boyd, Aldona Doyle, Tim Schram, Board Administrator Mark Wayne, Chris Vance representing the County Clerk. Topics of discussion were as follows:

1. Update: Comprehensive Development and Land Use Revision. Marty Shukert
2. Sarpy County Library. Jared Stroberg

Adjourned.

June 14, 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 3:05 P.M. on June 14, 2005 at the Courthouse in Papillion, Nebraska. Present: Paul Cook, Tim Gay, Inez Boyd, Aldona Doyle, Tim Schram, Board Administrator Mark Wayne and Chris Vance representing the 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 8, 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.

Commissioner Boyd requested that item #10 (Resolution: Proclaiming June 20 – June 26, 2005 to be Amateur Radio Week) and item #11 (Resolution: Authorize Chairman to sign Juvenile Services Aid (LB 640) Grant Application) be moved directly after Consent agenda.

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 June 7, 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.

Resolved by Boyd, seconded by Cook, to appoint Scott Irwin to the Sarpy County Planning Commission to complete the term vacated by Brenda Kunz, commencing on 07/01/05 through 01/01/2008. Mr. Irwin was nominated by Commissioner Doyle. (Res. 2005-169) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Boyd, seconded by Cook, to approve the plans and specifications submitted by Sanitary and Improvement District No. 235, Sunridge Replat Two, Sanitary Sewer System, Storm Sewer and Paving, pursuant to Neb. Rev. Stat. §31-740 (Reissue 1998), as recommended by the Sarpy County Chief Deputy Surveyor. (Res. 2005-170) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

REGULAR AGENDA:

Resolved by Boyd, seconded by Gay, to proclaim the week of June 20 through June 26, 2005 as "Amateur Radio Week" in recognition of Amateur Radio Operators who are on alert for any emergency, local or worldwide, and practice their emergency communication skills during the American Radio Relay League Field Day Exercise which this year will take place on June 25 and 26. (Res. 2005-190) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Gay, seconded by Schram, to authorize the Chairman to sign the Nebraska Crime Commission 2005 County Juvenile Services Aid (LB640) Grant Application related to project titled Sarpy County Juvenile Drug Court, total project cost \$158,325 with \$45,236 match share. (Res. 2005-191) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Tabled from 06/07/05, Brian Hanson, Fiscal Administrator, reported that bids for Sarpy County Project No. C-77(95-6), 114th Street, South of Giles Road, Paving, for the Sarpy County Highway Department have been solicited, made, opened and reviewed pursuant to applicable Nebraska State Statute.

After a public hearing, Gay resolved, seconded by Schram, that the low bid of Luxa Construction Company, Inc. for Sarpy County Project No. C-77(95-6), 114th Street, South of Giles Road, Paving, Phase II in the total amount of \$315,342.83 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. 2005-171) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

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

Schram moved, seconded by Cook, to approve the following Tax Corrections as approved by the County Assessor: #12518 - #12521. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Gay moved, seconded by Cook, 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:

Gross High School 1996 Ford F-150

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

Schram moved, seconded by Boyd, to approve one (1) valuation change on real property for tax year 2005 as indicated on the "Notice of Valuation Change from the office of the Sarpy County Assessor" (form indicating Date of Notice: 06/10/2005 listing legal descriptions and prior and new values), as recommended by the County Assessor. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Gay moved, seconded by Boyd, to approve the Assessor's revised property value recommendations as accepted by the property owner/owners (49 forms listing adjusted value). Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

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

ZONING ACTIONS:

Commissioner Schram stated for the record that he is declaring a conflict of interest and will abstain from voting on Reese (# C-1: Resolution: Amend Comprehensive Plan 2005-172; Resolution: Change of Zone - AG to AGR & RE 2 - Kenneth Reese with Ken Tex, 2005-173; #C-2: Resolution: Preliminary Plat - Cornish Acres - Kenneth Reese with Ken Tex, 2005-174) and Pratt (#C-12: Table until 6/21/05; Resolution: Amend Comprehensive Plan, 2005-184; Table until 6/21/05; Resolution: Change of Zone-AGD to AGR & RE 2-Jack Koke, 2005-185; #C-13: Table until 6/21/05; Resolution: Preliminary/Final Plat- Elgene Estates Replat 1-Jack Koke, 2005-186) items.

After a public hearing, Boyd moved, seconded by Gay to table items # C-1(Resolution: Amend Comprehensive Plan, 2005-172; Resolution: Change of Zone - AG to AGR & RE 2 - Kenneth Reese with Ken Tex, 2005-173) and #C-2 (Resolution: Preliminary Plat - Cornish Acres - Kenneth Reese with Ken Tex, 2005-174) until July 12, 2005. Ayes: Cook, Gay, Boyd & Doyle. Nays: None. Abstain: Schram.

After a public hearing, Gay resolved, seconded by Schram, to amend the Sarpy County Comprehensive Development Plan by changing the following described property from Agricultural to Residential High: A platting of the W1/2 of the SE1/4 of Sec 15, Twp 13N, Rng 12E of the 6th P.M., Sarpy County, Nebraska (87th Street and Platteview Road) as recommended by the Sarpy County Planning Commission as it is conducive to the area. (Res. 2005-175) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Gay, seconded by Cook, that the application of Helen Timm (with Lapke-Jeck, LLC) for a Change of Zone from AG to RS-100 on the following described property, to wit: A platting of the W1/2 of the SE1/4 of Sec 15, Twp 13N, Rng 12E of the 6th P.M., Sarpy County, Nebraska (87th Street and Platteview Road) be approved as it meets the amended Sarpy County Comprehensive Plan. (Res. 2005-176) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Gay, seconded by Schram, that the application of Helen Timm (with Lapke-Jeck, LLC) for a Preliminary Plat of a subdivision to be known as Kennebec Estates on the following described property, to wit: A platting of the W1/2 of the SE1/4 of Sec 15, Twp 13N, Rng 12E of the 6th P.M., Sarpy County, Nebraska (87th Street and Platteview Road) be approved as it meets the Sarpy County Comprehensive Plan and Zoning Regulations with the stipulation that this property must have City of Papillion approval on the water supply and the well head protection boundaries must be within the boundaries of the property. (Res. 2005-177) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

After a public hearing, Boyd resolved, seconded by Schram, to amend the Sarpy County Comprehensive Development Plan by changing the following described property from Agricultural to Residential High: Tax Lot 1A1A, together with part of vacated Heisner 1st Subdivision, now known as Tax Lot 1A1C, located in part of Sec 18, Twp 12N, Rng 11E of the 6th P.M., Sarpy County, Nebraska (196th Street and West Highway 31) as recommended by the Sarpy County Planning Commission. (Res. 2005-178) Ayes: Boyd & Schram. Nays: Cook, Gay & Doyle. Motion failed.

At the request of the applicant to table items #C-5 (Resolution: Amend Comprehensive Plan, 2005-178; Resolution: Change of Zone - AG to RE 2 - Jak Enterprises, Andy Harpenau, 2005-179) and #C-6 (Resolution: Preliminary Plat - Platford Hills - Jak Enterprises, Andy Harpenau, 2005-180), Schram moved, seconded by Gay, to rescind the previous motion. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

After a public hearing, Boyd moved, seconded by Gay, to table all items for Platford Hills (#C-5: Resolution: Amend Comprehensive Plan, 2005-178; Resolution: Change of Zone - AG to RE 2 - Jak Enterprises, Andy Harpenau, 2005-179 and #C-6: Resolution: Preliminary Plat - Platford Hills - Jak Enterprises, Andy Harpenau, 2005-180) indefinitely. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

After a public hearing, Schram resolved, seconded by Cook, that the application of Volvo Trucks of Omaha, for a Special Use Trailer Permit for a trailer to be used as a temporary office on the following described property, to wit: Part of Tax Lot 2D, located in Sec 35, Twp 14N, Rng 11E of the 6th P.M., Sarpy County, Nebraska (150th Avenue & Shepard Street) be approved as it meets the zoning regulations for two (2) years (non-renewable) with the trailer to be removed by 07/01/07 as recommended by the Planning Commission. (Res. 2005-181) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

After a public hearing, Boyd resolved, seconded by Schram, that the application of Bellbrook Development LLC for a Preliminary Plat of a subdivision to be known as Bellbrook Lots 435 through 484 on the following described property, to wit: Part of the NE1/4 of Sec. 18, Twp. 14N, Rng. 11E of the 6th P.M., Sarpy County, Nebraska (192nd Street & Harrison Street) be approved as it meets the Sarpy County Comprehensive Plan and Zoning Regulations. (Res. 2005-182) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.***

***Corrective Action taken on 08/09/05: Resolved by Boyd, seconded by Gay, to correct Resolution #2005-182: Bellbrook Development LLC application for a Preliminary Plat of a subdivision to be known as Bellbrook Lots 435 through 484 on the following described property, to wit: Part of the NE1/4 of Sec. 18, Twp. 14N, Rng. 11E of the 6th P.M., Sarpy County, NE, 192nd Street & Harrison Street to show the following change in lot numbers: Lots 435 through 483, inclusive, and Outlots P, Q, R and S (Res. #2005-246). Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

After a public hearing, Gay resolved, seconded by Cook, that the application of Bellbrook Development LLC for a Final Plat of a subdivision to be known as Bellbrook Lots 333 through 434 on the following described property, to wit: Part of the NE1/4 and part of the NW 1/4 of Sec. 18, Twp. 14N, Rng. 11E of the 6th P.M., Sarpy County, Nebraska (192nd Street & Harrison Street) be approved as it meets the Sarpy County Comprehensive Plan and Zoning Regulations. **(Res. 2005-183)** Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.***

***Corrective Action taken on 08/09/05: Resolved by Boyd, seconded by Gay, to correct Resolution #2005-183: Bellbrook Development LLC application for a Final Plat of a subdivision to be known as Bellbrook Lots 333 through 434 on the following described property, to wit: Part of the NE1/4 and part of the NW 1/4 of Sec. 18, Twp. 14N, Rng. 11E of the 6th P.M., Sarpy County, NE, 192nd Street & Harrison Street to show the following change in lot numbers: Lots 333 through 420, and Outlots L through O, inclusive (Res. #2005-247). Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

At the request of the applicant, Gay moved, seconded by Cook, to table items # C-12 (Resolution: Amend Comprehensive Plan, 2005-184 and Resolution: Change of Zone - AGD to AGR & RE 2 - Jack Koke, 2005-185) and #C-13 (Resolution: Preliminary/Final Plat Elgene Estates Replat 1, Jack Koke, 2005-186), until June 21, 2005. Ayes: Cook, Gay, Boyd & Doyle. Nays: None. Abstain: Schram.

After a public hearing, Gay moved, seconded by Schram, to table items #C-14 (Resolution: Amend Comprehensive Plan 2005-187, Resolution: Change of Zone - AG to AGR & RE 2 - John Larkin, 2005-188) and #C-15 (Resolution:

Preliminary Plat - Meadowlark Hills -John Larkin, 2005-189) until July 12, 2005. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

The April, 2005 fee report of the Sheriff's office (\$ 9,595.25) and the May, 2005 fee reports of the Department of Building and Planning (\$181,748.36), County Clerk (\$54,708.52), Register of Deeds (\$238,180.03), Clerk of the District Court (\$12,467.95), and Landfill (\$575,918.46) were presented and placed on file.

At 7:04 P.M. Schram moved, seconded by Boyd, to adjourn until June 21, 2005 at 3:00 P.M. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Chairman, Board of County Commissioners

ATTEST: _____
For the County Clerk
