

January 10, 2006

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 January 10, 2006 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 January 4, 2006. 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.

The Sarpy County Board of Commissioners opened their 2006 session with County Clerk Deb Houghtaling calling for election of a Chairman for year 2006.

Resolved by Gay, seconded by Boyd, that Tim Schram be elected Chairman of the Sarpy County Board of Commissioners for year 2006, and thereafter until a Chair is elected at a regular meeting of this Board to be held in 2007. (Res. # 2006-1) Ayes: Cook, Gay, Boyd, Doyle. Nays: None. Abstain: Schram.

Chairman Schram announced his appointment of Inez Boyd as Vice Chairman of the Sarpy County Board of Commissioners for year 2006.

Commissioners' and Administrator's comments were recorded.

Commissioner Cook requested Agenda Item #17(Resolution: Approve and Authorize Chairman to sign Juvenile Justice Assessment Center grant application and assign level of priority) be moved ahead of Agenda Item #16 (Resolution: Approve and Authorize Chairman to sign Pretrial Juvenile Assessment Center grant application and assign level of priority).

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

CONSENT AGENDA

Gay moved, seconded by Cook, to approve the minutes of the December 13, 2005 meeting as submitted. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Gay 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.

Gay moved, seconded by Cook, to authorize the Purchasing Department to solicit bids for financing the purchase of two (2) 2006 - 60,000 GVWR Tandem Axle Cab Chassis, two (2) 2006 - 11 ft. Dump Bodies with Hydraulic Systems, two (2) 2006 Stainless Steel Material Spreaders, and two (2) 2006 Reversible Trip Edge Snow Plows with 12 ft. Polymer Moldboards and Hitch Assemblies for the Highway Department. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Gay moved, seconded by Cook, to authorize the Purchasing Department to solicit bids for a Road Aggregate for the Highway Department. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Gay moved, seconded by Cook, to approve the Community Development Block Grant Program Income Report for Grant #92-ED-018, Lanter Company, for the period ending 12/31/05. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Gay, seconded by Cook, to reappoint the following as members of the Sarpy County Planning Commission for three year terms commencing on January 10, 2006:

<u>NAME</u>	<u>NOMINATED BY</u>
Doug Whitfield	Commissioner Boyd
Alan Wear	Commissioner Schram

(Res. #2006-2) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Gay, seconded by Cook, to approve and authorize the Chairman and the County Clerk to sign the Addendum to the Interlocal Agreement between Sarpy County and the State of Nebraska Probation Administration providing for Juvenile Drug Treatment Court Staff and Support Services in Sarpy County originally approved on 7/12/05. The addendum modifies the compensation due to staff changes and is outlined in the agreement. (Res. #2006-3) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Gay, seconded by Cook, to approve and authorize the Chairman to sign the Renewal Agreement with Qwest Corporation for frame relay service to connect the Sarpy County Courthouse with the Landfill, Gretna Highway Shop and Tourism Department in the monthly amount of \$1,276.49 for a period of three years. (Res. #2006-4) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Gay, seconded by Cook, to authorize the Chairman to sign the Lease Agreement with Woodhouse Ford for Vehicle ID #59478 in the amount of \$19,932 for the Sarpy County Sheriff's Department. (Res. #2006-5) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

REGULAR AGENDA:

As advertised, a public hearing was held for the purpose of creating and appropriating funds for the Sarpy County FY2006 Budget for the Sarpy/Cass Department of Health and Wellness Grant - Juvenile Wellness Program Grant fund because grant funds were awarded after the budget adoption. No public comments were offered.

Resolved by Gay, seconded by Boyd, that the Sarpy/Cass Department of Health and Wellness Grant - Juvenile Wellness Program Grant fund is hereby created and \$5,000 is appropriated within the Sarpy County 2006 FY budget, the Sarpy/Cass Department of Health and Wellness grant will provide the source of revenue. (Res. #2006-6) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

As advertised, a public hearing was held for the purpose of creating and appropriating funds for the Sarpy County FY2006 Budget for the Federal Grant - Buffer Zone fund because grant funds were awarded after the budget adoption. No public comments were offered.

Resolved by Boyd, seconded by Cook, that the Federal Grant - Buffer Zone fund is hereby created and \$48,500 is appropriated within the Sarpy County 2006 FY budget, the United States Department of Homeland Security Federal Grant will provide the source of revenue. (Res. #2006-7) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

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

Gay moved, seconded by Cook, to approve the following Tax Corrections as approved by the County Assessor: #12629-#12667. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Boyd moved, seconded by Doyle, to approve the following exemption applications for 2006 tax exemption on motor vehicles owned by qualifying non-profit organizations, as approved by the County Treasurer:

Iglesia De Dios Fraternidad Cristiana	1992 Ford Sport Van
Hope & Refuge Ministries, Inc.	1991 Ford Ranger Pickup

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

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

Gay moved, seconded by Cook, to approve the following Flood Plain Permit as recommended by the Sarpy County Building Inspector stating "Must have flood opening equaling 1200 square inches" : Raise the Rafters, 15902 Husker Lake, Lot 21, Husker Lake, Platte River, Pole Barn. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

ZONING ACTIONS:

After a public hearing, Boyd resolved, seconded by Gay, that the application of Arthur and Mary Jean Land, for a Change of Zone from AG to AGD and AGR on the following described property, to wit: Being a platting of the N1/2 of the SE1/4 of the NE1/4 of Sec. 19, Twp. 13N, Rng. 12E of the 6th P.M., Sarpy County, Nebraska, be approved as it meets the Sarpy County Comprehensive Plan. (Res. #2006-8) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

After a public hearing, Cook resolved, seconded by Doyle, that the application of Arthur and Mary Jean Land for a Preliminary/Final Plat of a subdivision to be known as Land-Maier Acres on the following described property, to wit: Being a platting of the N1/2 of the SE1/4 of the NE1/4 of Sec. 19, Twp. 13N, Rng. 12E of the 6th P.M., Sarpy County, Nebraska (120th Street, 1/4 mile North of Main Street) be approved as it meets the Sarpy County Comprehensive Plan and Subdivision Regulations. (Res. #2006-9) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

After a public hearing, Boyd resolved, seconded by Gay, that the application of Hoich 192nd Street, LLC, for a Change of Zone from AG to RG-25 on the following described property, to wit: Part of the NW1/4 of the NW1/4 of Sec. 17, Twp. 14N, Rng. 11E of the 6th P.M., Sarpy County, Nebraska, be approved for a Change of Zone from AG to RG-35, instead of the proposed RG-25, as it meets the Sarpy County Comprehensive Plan and Zoning Regulations as recommended by the Sarpy County Planning Commission. (Res. #2006-10) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

After a public hearing, Gay resolved, seconded by Cook, that the application of Hoich 192nd Street, LLC for a Preliminary Plat of a subdivision to be known as Sugar Creek Neighborhood Center on the following described property, to wit: Part of the NW1/4 of the NW1/4 of Sec. 17, Twp. 14N, Rng. 11E of the 6th P.M., Sarpy County, Nebraska (SE Corner of 192nd Street and Harrison Street) be approved with the following conditions: 1) a meeting be held between the developer and the concerned neighbors, 2) a landscape plan is provided for the commercial lots, 3) a plan for the internal water/sewer lines to serve the development, 4) a sediment and erosion control plan and storm sewer and culvert design details for review by the Papio-Missouri River Natural Resource District, 5) put in sidewalks around the development, 6) access to the day-care facility be finalized, and 7) changes made to the plat concerning access onto 192nd Street be reviewed by Tom Lynam, as recommended by the Sarpy County Planning Commission. (Res. #2006-11) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

After a public hearing, Boyd resolved, seconded by Cook, that the application of Janet M. Goldenstein (with Southern Pines Development, LLC), for a Change of Zone from AG to RS-72 and BG on the following described property, to wit: Being a platting of part of the E1/2 of the NE1/4 of Sec. 21, Twp. 14N, Rng. 11E of the 6th P.M., Sarpy County, Nebraska, together with Lot 1, Goldenstein's Addition, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, except Lots 1 & 2, Goldenstein's 2nd Addition, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, and also except those parts taken for 168th Street right of way be approved as recommended by the Sarpy County Planning Commission as it meets the Sarpy County Comprehensive Plan. (Res. #2006-12) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

After a public hearing, Cook resolved, seconded by Gay, that the application of Janet M. Goldenstein (with Southern Pines Development, LLC) for a Preliminary Plat of a subdivision to be known as Southern Pines on the following described property, to wit: Being a platting of part of the E1/2 of the NE1/4 of Sec 21, Twp 14N, Rng 11E of the 6th P.M., Sarpy County, Nebraska, together with Lot 1, Goldenstein's Addition, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, except Lots 1 & 2, Goldenstein's 2nd Addition, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, and also except those parts taken for 168th Street right of way. (SW corner of 168th Street and Giles Road) be approved with the stipulation that there is 450 feet between fire hydrants and as it meets the Sarpy County Comprehensive Plan and Zoning Regulations. (Res. #2006-13) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

After a public hearing, Gay resolved, seconded by Cook, to approve a Temporary Special Construction Permit for Hawkins Construction (Tom Crockett) to allow the locating of a portable concrete plant for a period of one year, as recommended by the Planning and Building Director, on the following described property, to wit: The NW1/4 of the SE1/4 of Sec. 29, Twp.13N, Rng. 10E of the 6th P.M., Sarpy County, Nebraska (17171 S. 255th Street east of Linoma Beach). (Res. #2006-14) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None

Resolved by Boyd, seconded by Cook, to authorize the Chairman to sign the Nebraska Crime Commission 2005 Federal/ 2006 State Juvenile Justice Grant Application, Certifications, Assurances, a letter of support and to assign a Level 1 priority based upon the needs of the Sarpy County Juvenile Justice System related to project titled Sarpy County Juvenile Justice Assessment Center, total project cost \$55,285 with \$43,785 match share, as recommended by the Sarpy County Grant Coordinator. (Res. #2006-16) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Boyd, seconded by Doyle, to authorize the Chairman to sign the Nebraska Crime Commission 2005 Federal/ 2006 State Juvenile Justice Grant Application, Certifications, Assurances, a letter of support and to assign a Level 3 priority based upon the needs of the Sarpy County Juvenile Justice System related to project titled Sarpy County Pretrial Juvenile Assessment Center, total project cost \$111,133 with \$30,633 match share, as recommended by the Sarpy County Grant Coordinator. (Res. #2006-15) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Boyd, seconded by Gay, to authorize the Chairman to sign the Nebraska Crime Commission 2005 Federal/ 2006 State Juvenile Justice Grant Application, Certifications, Assurances, a letter of support and to assign a Level 2 priority based upon the needs of the Sarpy County Juvenile Justice System related to project titled Sarpy County Juvenile Day/Evening Reporting Center, total project cost \$100,782 with \$9,666 match share, as recommended by the Sarpy County Grant Coordinator. (Res. #2006-17) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Cook, seconded by Doyle, to authorize the Chairman to sign a letter of intent with the University of Nebraska at Omaha to evaluate the Sarpy County Juvenile Day/Evening Reporting Center for a fee of \$9,162 related to a Nebraska Crime Commission 2005 Federal/ 2006 State Juvenile Justice Grant Application. Letter of intent is contingent upon the award of said grant application. (Res. #2006-17) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Cook, seconded by Boyd, that upon receipt of notice from U. S. Bank N.A., Trustee, formerly known as FirstTier Bank N.A. and Omaha National Bank, Trustee, certifying that the Sarpy County Industrial Development Revenue Bonds (DJ's Enterprise Project - Tri-V Tool and Die Company) have been paid in full, now approve and authorize the Chairman to sign the Quit Claim Deed, Bill of Sale and the Termination of Lease Agreement, further to authorize the Chairman of the Board of County Commissioners and the County Clerk to execute and deliver the Termination of Lease for and on behalf of Sarpy County. (Res. #2006-19) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Boyd, seconded by Gay, to approve the following budgetary transfer to increase appropriations needed for the continued operation of the Election Commissioner department:

Transfer from Misc. General to Election Commissioner \$4,953

(Res. #2006-20) Ayes: Gay, Boyd, Doyle & Schram. Nays: Cook.

The October, 2005 fee report of the Sheriff's Office(\$13,258.54) and the December, 2005 fee reports of the Landfill (\$297,042.21), the Clerk of the District Court (\$14,373.28), the Register of Deeds (\$354,470.97) and the Department of Planning and Building (\$71,199.80) were presented and placed on file.

At 4:51 P.M. Gay moved, seconded by Cook, to go into Executive Session to discuss Litigation. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

At 5:10 P.M. Boyd moved, seconded by Cook, to return to regular session. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

At 5:11 P.M. Boyd moved, seconded by Doyle, to adjourn until January 17, 2006 at 3:00 P.M. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Chairman, Board of County Commissioners

ATTEST: _____
County Clerk
