

February 14, 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 February 14, 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 February 8, 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.

Commissioners' and Administrator's comments were recorded.

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

CONSENT AGENDA

Doyle moved, seconded by Cook, to approve the minutes of the February 7, 2006 meeting as submitted. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Doyle 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 Doyle, seconded by Cook, to approve and authorize the Chairman and County Clerk to sign the Addendums to the Solid Waste Management Agreements between the Sarpy County Landfill and the following companies:

Papillion-La Vista Public Schools
Omaha Public Power District
Construction Containers, Inc.
Special "T" Roofing
City of Bellevue, Nebraska
Johnson Drywall Company
R & J Haulaway dba U-Fill-It
Cass County Refuse
Bellevue Public Schools
Terry Hughes Tree Service

The addendums extend the term of the existing contracts by a period of three (3) years from 2/14/06. (Res. #2006-40) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Doyle, seconded by Cook, to approve the plans and specifications submitted by Sanitary and Improvement District No. 257, Meridian Park, Sidewalk Improvements, pursuant to Neb. Rev. Stat. §31-740 (Reissue 2004), as recommended by the Sarpy County Chief Deputy Surveyor. (Res. #2006-41) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Doyle, seconded by Cook, to adopt the 2003 International Energy Conservation Code and the 2005 National Electrical Code, said codes shall have the full force and effect of law and any previously adopted codes are hereby repealed, commencing on 2/14/06. (Res. #2006-42) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Doyle, seconded by Cook, to approve the following permanent transfers budgeted in the Sarpy County 2006 Fiscal Year Budget:

County Attorney-Federal Forfeiture (2411097 570200) to General (037059 459002)	\$25,532
FG-Universal Hiring (2575107 570200) to Inheritance Tax (27003559 459002)	\$10,000

(Res. #2006-43) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

REGULAR AGENDA:

As advertised, sealed bids were opened for the Guardrail for the Lincoln Road Paving Project C-77(04-09) for the Sarpy County Highway Department. Three (3) bids were received:

CONTRACTOR	BID AMOUNT Alternate #1	BID AMOUNT Alternate #2
Garcia-Chicoine Ent. Inc.	\$61,164.05	\$58,565.05
Midwest Fence Company (#1)	\$61,366.25**	\$61,251.25
Midwest Fence Company (#2)	\$54,066.25	\$53,951.25

**Midwest Fence's Bid #1, Alternate #1 Unit Price on M.E.L.T. End Section is incorrect thus making the Actual Total Price: \$60,676.25. Bid Specifications (page 3) state: "In the event of conflict between unit price and extended price, unit price shall prevail."

Gay moved, seconded by Boyd, to refer the bids for the Guardrail for the Lincoln Road Paving Project C-77(04-09) to the Purchasing Department for review and recommendation. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

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

Doyle moved, seconded by Cook, to approve the following Tax Corrections as approved by the County Assessor: #12706-#12711. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

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

ZONING ACTIONS:

Boyd moved, seconded by Cook, to suspend the meeting rules relating to time limits for public comment for the zoning issues on the agenda for this meeting. The time limits for today will be 10 minutes for the applicant/designated representative or proponent, 10 minutes for the designated representative for the opponent(s), 2 minutes for any additional individuals wishing to speak, and 3 minutes each for the designated representative for the opponent(s) and the applicant to make closing statements. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

After a public hearing, Gay resolved, seconded by Cook, that the application of Duane J. Dowd, Michael A. Huber, Lawrence Dowd, Jeffrey Farnham and Grand Prix, Inc. for a Preliminary Plat of a subdivision to be known as Stonecrest West on the following described property, to wit: Being a platting of part of Tax Lot 3A1, a tax lot located in the NW1/4 of Sec. 22, Twp. 14N, Rng. 11E of the 6th P.M., Sarpy County, Nebraska (SE corner of 168th Street and Giles Road) be approved with the recommendations of the Sarpy County Planning Director and the Sarpy County Planning Commission as it meets the Sarpy County Comprehensive Plan and Zoning Regulations. (Res. #2006-44) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

After a public hearing, Boyd moved, that the application of Raymond and Sandra Hunter, Kenneth and Stephanie Tex, and Kevin and Lori Rice for a Change of Zone from AG to AGR and RE 2 on the following described property, to wit: Being a platting of the E1/2 of the SE1/4 of the SW1/4 and the SW1/4 of the SE1/4 of Sec. 4, Twp. 12N, Rng. 11E of the 6th P.M., Sarpy County, Nebraska (174th Street and Cornish Road) be approved as recommended by the Sarpy County Planning Commission. **MOTION DIED FOR LACK OF A SECOND.**

Resolved by Gay, seconded by Schram, that the application of Raymond and Sandra Hunter, Kenneth and Stephanie Tex, and Kevin and Lori Rice for a Change of Zone from AG to AGR and RE 2 on the following described property, to wit: Being a platting of the E1/2 of the SE1/4 of the SW1/4 and the SW1/4 of the SE1/4 of Sec. 4, Twp. 12N, Rng. 11E of the 6th P.M., Sarpy County, Nebraska (174th Street and Cornish Road) be **DENIED.** (Res. #2006-45) Ayes: Gay, Doyle & Schram. Nays: Cook & Boyd.

After a public hearing, Gay resolved, seconded by Boyd, that the application of Raymond and Sandra Hunter, Kenneth and Stephanie Tex, and Kevin and Lori Rice for a Preliminary Plat of a subdivision to be known as Cornish Acres on the following described property, to wit: Being a platting of the E1/2 of the SE1/4 of the SW1/4 and the SW1/4 of the SE1/4 of Sec. 4, Twp. 12N, Rng. 11E of the 6th P.M., Sarpy County, Nebraska (174th Street and Cornish Road) be **DENIED.** (Res. #2006-46) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

After a public hearing, Boyd resolved, seconded by Gay, that the application of Plambeck Family Trust for a Change of Zone from AG to IL on the following described property, to wit: Being a platting of the Tax Lot 2 in the SW1/4 of Sec. 16, Twp. 14N, Rng. 11E of the 6th P.M., Sarpy County, Nebraska (180th Street, South of Storage Road) be approved as recommended by the Sarpy County Planning Commission as it meets the Sarpy County Comprehensive Plan. (Res. #2006-47) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

After a public hearing, Gay resolved, seconded by Cook, that the application of Plambeck Family Trust for a Preliminary Plat for a subdivision to be known as Santa Fe Industrial Park on the following described property, to wit: Being a platting of the Tax Lot 2 in the SW1/4 of Sec. 16, Twp. 14N, Rng. 11E of the 6th P.M., Sarpy County, Nebraska (180th Street, South of Storage Road) be approved as recommended by the Sarpy County Planning Commission as it meets the Sarpy County Comprehensive Plan. (Res. #2006-48) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

After a public hearing, Gay resolved, seconded by Doyle, that the application of Krajicek, Inc. for a Change of Zone from AG to AGD on the following described property, to wit: Part of the SW1/4 of Sec. 6, Twp. 12N, Rng. 11E of the 6th P.M., Sarpy County, Nebraska (204th Street and Buffalo Road) be **DENIED**. (Res. #2006-49) Ayes: Gay, Boyd & Doyle. Nays: Schram & Cook.

After a public hearing, Boyd resolved, seconded by Doyle, that the application of Krajicek, Inc. for a Preliminary Plat of a subdivision to be known as Krajicek Acres on the following described property, to wit: Part of the SW1/4 of Sec. 6, Twp. 12N, Rng. 11E of the 6th P.M., Sarpy County, Nebraska (204th Street and Buffalo Road) be **DENIED**. (Res. #2006-50) Ayes: Cook, Gay, Boyd & Doyle. Nays: Schram.

Tabled from 1/31/06, Boyd resolved, seconded by Gay, to approve the employment contract between Sarpy County and Mark Wayne as County Administrator effective 2/14/06. Compensation terms and benefits shall be amended to show the salary of \$88,995 effective and retroactive 7/1/05 - 7/1/06, salary of \$93,134 effective 7/1/06, salary of \$97,492 effective 7/1/07 and said benefits to exclude longevity. Contract expires 9/30/08. (Res. #2006-33) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Tabled from 1/31/06, Cook resolved, seconded by Doyle, to approve the employment contract between Sarpy County and Brian Hanson as Fiscal Administrator effective 2/14/06. Compensation terms and benefits shall be amended to show the salary of \$83,107 effective and retroactive 7/1/05 - 7/1/06, salary of \$86,957 effective 7/1/06, salary of \$91,012 effective 7/1/07 and said benefits to exclude longevity. Contract expires 9/30/08. (Res. #2006-51) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

The January, 2006 fee reports of the Clerk of the District Court (\$13,945.54), the Register of Deeds (\$249,955.39) and the Department of Planning and Building (\$212,496.42) were presented and placed on file.

At 6:07 P.M. Gay moved, seconded by Cook, to go into Executive Session to discuss Litigation/Real Estate. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

At 6:29 P.M. Boyd moved, seconded by Gay, to return to regular session. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

At 6:30 P.M. Cook moved, seconded by Gay, to adjourn until February 21, 2006 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.

Chairman, Board of County Commissioners

ATTEST: _____
County Clerk
