

March 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 March 14, 2006 at the Courthouse in Papillion, Nebraska. Present: Tim Gay, Inez Boyd, Aldona Doyle, Tim Schram, Fiscal Administrator Brian Hanson and Chris Vance representing the County Clerk. Absent: Paul Cook.

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 March 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 Fiscal Administrator's comments were recorded.

Fiscal Administrator Brian Hanson advised the Board that Agenda Item #15 (Permission to write Title V (DMC) Community Liaison Officer Crime Commission Grant) was withdrawn by staff.

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

**CONSENT AGENDA**

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

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

Resolved by Boyd, seconded by Doyle, to authorize the Chairman to sign the 2006 Consulting Agreement with Williams-Deras & Associates said agreement is an extension to the Insurance Consulting Agreement approved by this Board on 11/26/02, to analyze, study, and offer recommendations regarding Sarpy County Employee Fringe Benefit Programs; agreement period from 10/1/06 through 9/30/09 for a consulting fee of \$1,500 per month. (Res. #2006-74) Ayes: Gay, Boyd, Doyle & Schram. Nays: None. Absent: Cook.

Boyd moved, seconded by Doyle, to authorize the Purchasing Department to solicit bids for Financing of seven (7) 2006 Ford Crown Victoria Cruisers and one (1) 2006 Ford Expedition for the Sarpy County Sheriff's Road Patrol Department. Ayes: Gay, Boyd, Doyle & Schram. Nays: None. Absent: Cook.

Boyd moved, seconded by Doyle, to authorize the Purchasing Department to solicit bids for the Remodeling Project of office space located at Star Park Plaza, 7511 S. 36 Street, Suites 8, 9, 10, Bellevue, Nebraska 68147 for the Sarpy County Adult Probation Department. Ayes: Gay, Boyd, Doyle & Schram. Nays: None. Absent: Cook.

Boyd moved, seconded by Doyle, to authorize the Purchasing Department to solicit bids for Security Card Readers and Equipment for the Sarpy County Courts. Ayes: Gay, Boyd, Doyle & Schram. Nays: None. Absent: Cook.

Boyd moved, seconded by Doyle, to approve the request of the City of Springfield for free use of the Sarpy County Landfill for their annual spring clean-up (date of event: May 20, 2006). The community will be allowed to deliver the collected material to the Landfill on May 20, 2006. City of Springfield will be required to pay the surtax fee levied by the Nebraska Department of Environmental Control as established by the County's policies and procedures. Ayes: Gay, Boyd, Doyle & Schram. Nays: None. Absent: Cook.

Resolved by Boyd, seconded by Doyle, to authorize the Chairman and Clerk to correct errors to the Interlocal Cooperation Agreement with the City of Omaha concerning the compost facility and reimbursement to the County for repairs to LaPlatte Road between Highway 75 and Harlan Lewis Road approved by this Board on 12/13/05 (Res. #2005-352). Clerical errors and misspellings are present and the proper reference in Section I - Duties of City, Item B should read "overlay of Harlan Lewis Road between LaPlatte Road and the access road to the Papillion Creek Wastewater Treatment Plant". (Res. #2006-75) Ayes: Gay, Boyd, Doyle & Schram. Nays: None. Absent: Cook.

**REGULAR AGENDA:**

Resolved by Gay, seconded by Doyle, to approve the appointment by Sarpy County Attorney L. Kenneth Polikov of Nissa M. Linman as a Deputy County Attorney of Sarpy County, effective 3/10/06, said position shall be paid at the rate of \$44,715.34 per annum. (Res. #2006-76) Ayes: Gay, Boyd, Doyle & Schram. Nays: None. Absent: Cook.

Michelle Flowers-Koraleski, County Purchaser, reported that bids for the Replacement of Siding at the Highway Shop at 84<sup>th</sup> Street and Platteview Road for the Sarpy County Highway and Fleet Services Departments have been solicited, made, opened and reviewed pursuant to Board authorization.

After a public hearing, Boyd resolved, seconded by Doyle, that the low bid of Kester Construction LLC for the Replacement of Siding at the Highway Shop at 84<sup>th</sup> Street and Platteview Road in the amount of \$14,447 and adding Alternate #1: Concrete Slab for \$9,106 for a total price of \$23,553 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. #2006-77) Ayes: Gay, Boyd, Doyle & Schram. Nays: None. Absent: Cook.

Michelle Flowers-Koraleski, County Purchaser, reported that bids for Magnesium Chloride and Calcium Chloride for the Sarpy County Highway Department have been solicited, made, opened and reviewed pursuant to Board authorization.

After a public hearing, Gay resolved, seconded by Doyle, that the low bid of Husker Chem Sales for Magnesium Chloride and Calcium Chloride in the amount of \$0.625 per gallon for Magnesium Chloride, \$0.775 per gallon for 38% Calcium Chloride and \$0.695 per gallon for 32% Calcium Chloride 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. #2006-78) Ayes: Gay, Boyd, Doyle & Schram. Nays: None. Absent: Cook.

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

Doyle moved, seconded by Gay, to approve the following Tax Corrections as approved by the County Assessor: #12676-#12727. Ayes: Gay, Boyd, Doyle & Schram. Nays: None. Absent: Cook.

Doyle moved, seconded by Gay, 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:

Twin Cities Baptist Church	2001 Dodge Caravan
Bellevue Church of Christ	1993 Interstate 4 wheel trailer
	2004 Chevrolet van
Bethel Christian Ministries	1987 Chevrolet bus
Midlands Bible Baptist Church	2006 Honda Odyssey van

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

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

**ZONING ACTIONS:**

Gay moved, seconded by Boyd, to approve a waiver of Section 7.6 of the Subdivision Regulations extending the filing deadline until 9/12/06 (previously extended for one (1) ninety (90) day extension by this Board on 11/8/05) for the application of Helen Timm (with Lapke-Jeck, LLC) for the Final Plat of Kennebec Estates (Res. #2005-278) that was approved with stipulations by this Board on 9/13/05, as recommended by the Sarpy County Planning Commission. Ayes: Gay, Boyd, Doyle & Schram. Nays: None. Absent: Cook.

After a public hearing, Boyd resolved, seconded by Gay, that the application of Hoich 192nd Street, LLC for a Final Plat of a subdivision to be known as Sugar Creek Neighborhood Center on the following described property, to wit: Located in 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 as recommended by the Sarpy County Planning Commission subject to meeting conditions A through D as listed on Sarpy County Planning Director Rick Houck's report as it meets the Sarpy County Comprehensive Plan and Zoning Regulations. (Res. #2006-80) Ayes: Gay, Boyd, Doyle & Schram. Nays: None. Absent: Cook.

Commissioner Boyd stated for the record that she is declaring a conflict of interest for Agenda Items #14-F(Public Hearing and Resolution: Change of Zone - AG to AGR - Gerard Wemhoff, 2006-81) and #14-G ( Public Hearing and Resolution: Preliminary Plat - Deer Crossing - Gerard Wemhoff, 2006-82). Commissioner Boyd left the room at 3:20 P.M.

After a public hearing, Gay resolved, seconded by Doyle, that the application of Gerard and Marcella Wemhoff, for a Change of Zone from AG to AGR on the following described property, to wit: Being a platting of the NE1/4 of the NE1/4 and part of the SE1/4 of the NE1/4 of Sec. 30, Twp. 13N, Rng. 13E of the 6th P.M., Sarpy County, Nebraska (50<sup>th</sup> Street and La Platte Road) be approved as recommended by the Sarpy County Planning Commission as it meets the Sarpy County Comprehensive Plan and Zoning Regulations and with comments from Sarpy County Surveyor Tom Lynam stating that the waterlines must go through La Platte Road and if La Platte Road is improved and the water lines need to be moved, the cost will be at the owners or developers expense not the County's. (Res. #2006-81) Ayes: Gay, Doyle & Schram. Nays: None. Absent: Cook. Abstain: Boyd.

After a public hearing, Gay resolved, seconded by Doyle, that the application of Gerard and Marcella Wemhoff for a Preliminary Plat of a subdivision to be known as Deer Crossing on the following described property, to wit: Being a platting of the NE1/4 of the NE1/4 and part of the SE1/4 of the NE1/4 of Sec. 30, Twp. 13N, Rng. 13E of the 6th P.M., Sarpy County, Nebraska (50<sup>th</sup> Street and La Platte Road) be approved as recommended by the Sarpy County Planning Commission as it meets the Sarpy County Comprehensive Plan and Subdivision Regulations and with comments from Sarpy County Surveyor Tom Lynam stating that the waterlines must go through La Platte Road and if La Platte Road is improved and the water lines need to be moved, the cost will be at the owners or developers expense not the County's. (Res. #2006-82) Ayes: Gay, Doyle & Schram. Nays: None. Absent: Cook. Abstain: Boyd.

Commissioner Boyd returned to the meeting.

Doyle moved, seconded by Boyd, to approve permission for the Sarpy County Victim Witness Department to write a grant proposal to Nebraska Crime Commission for the Victim Witness Grant, Project Title "Sarpy County Victim Assistance" Grant. Ayes: Gay, Boyd, Doyle & Schram. Nays: None. Absent: Cook.

Resolved by Gay, seconded by Doyle, that this Board, hereby supports the passage of LB 64, the Peace Officer Employee-Employer Relations Act designed to establish a minimum statewide standard of procedural due process for all Nebraska local law enforcement personnel, that is currently pending before the 99<sup>th</sup> Nebraska Legislature. (Res. #2006-83) Ayes: Gay, Boyd, Doyle & Schram. Nays: None. Absent: Cook.

The February, 2006 fee reports of the Register of Deeds (\$190,777.47) and the Clerk of the District Court (\$14,547.88), were presented and placed on file.

At 3:36 P.M. Boyd moved, seconded by Doyle, to adjourn until March 21, 2006 at 3:00 P.M. Ayes: Gay, Boyd, Doyle & Schram. Nays: None. Absent: Cook.

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**Chairman, Board of County Commissioners**

**ATTEST:** \_\_\_\_\_  
**For the County Clerk**

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