

July 25, 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 8:50 A.M. on July 25, 2006 at the Courthouse in Papillion, Nebraska. Commissioner Schram stated a copy of the Open Meeting Law is posted in the County Boardroom. Present: Paul Cook, Inez Boyd, Aldona Doyle, Tim Schram, Board Administrator Mark Wayne and Deb Houghtaling, County Clerk. Tim Gay arrived at 9:00 A.M.

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 July 19, 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.

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

A public hearing was convened to receive public comments regarding property valuation protest forms for residential, commercial and/or rural properties. A total of 375 protests were filed with the Sarpy County Clerk.

The Sarpy County Board of Equalization finds that protests 2006-369 (Regier) and 2006-375 (Faure) were not filed in a timely fashion for adjustment of property values as required by Sec. 77-1502. Due to the late filing this Board has no jurisdiction on these requests. The following protests 2006-13 (Fuccio), 2006-20 (Foreman) 2006-54 (Reinders) and 2006-264 (Brudny) will be disallowed as each has signed a waiver accepting the Assessor's recommended adjusted property valuation. Three protests were withdrawn, 2006-33 & 34 (Marco) and 2006-138 (Bellevue Rod & Gun Club).

Testimony was given on the following protests regarding property valuations:
2006-66, 288, 266, 237, 195, 290, 228, 326, 327, 173, 155, 227, 156, 273, 161, 308, 250, 132, 286, 62.

At 1:00 P.M. the Board of Equalization recessed until 1:15 P.M., July 25, 2006.
BOARD OF EQUALIZATION RECONVENED at 1:20 P.M.

Testimony was given on the following protests regarding property valuations:
2006-145, 27, 100, 110, 29, 301, 94, 234, 92, 221, 201.

At 3:10 P.M. Boyd moved, seconded by Doyle, to recess the Board of Equalization hearings on property valuation protests. Ayes: Cook, Boyd, Gay, Doyle & Schram. Nays: None.

July 25, 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 3:16 P.M. on July 25, 2006 at the Courthouse in Papillion, Nebraska. Commissioner Schram stated a copy of the Open Meeting Law is posted in the County Boardroom. 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 July 19, 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.

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

CONSENT AGENDA

Boyd moved, seconded by Gay, 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 Gay, to approve and authorize the Chairman to sign the Interlocal Agreement between Douglas County, Sarpy County, Saunders County, Dodge County, Lancaster County, Platte County, Butler County, Colfax County, Seward County, Cass County, and Nebraska Great Plains Resource Conservation and Development to form the Lower Platte River Weed Management Area Partnership which exists to work together to control and/or contain the spread of noxious and invasive plants in the Lower Platte River drainage. (Res. #2006-240) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Resolved by Boyd, seconded by Gay, to authorize the Chairman to sign the Grant of Permanent and Temporary Easements to the City of Papillion for a Water Main Extension at 96th Street and Cornhusker Road near the Patrick J. Thomas Juvenile Justice Center, which easement areas are fully described in the exhibit attached to the resolution. (Res. #2006-241) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Boyd moved, seconded by Gay, to authorize the Purchasing Department to solicit bids for Various Asphalt Overlays for one (1) mile of Buffalo Road from Highway 6 to 190th Street and a relocated return at 252nd Street and Highway 6, Project C-77 (06-05) for the Sarpy County Highway Department. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

REGULAR AGENDA:

Gay moved, seconded by Doyle, to approve the minutes of the July 18, 2006 meeting as submitted. Ayes: Cook, Gay, Doyle & Schram. Nays: None. Abstain: Boyd.

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

Cook moved, seconded by Doyle, to approve Tax Corrections #12790-#12796 as approved by the County Assessor. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

Cook 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:

Overland Hills Church 2006 Wells Cargo Utility Trailer

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

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

Resolved by Boyd, seconded by Doyle, to adopt the Sarpy County Stormwater Management Regulation to control the adverse impacts associated with increased storm water runoff as recommended by the Sarpy County Planning Commission. The regulation was originally developed by the Papio Watershed Partnership to assist member partners in complying with the NPDES Phase II Stormwater Permit requirements. (Res. #2006-239) Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

The following Fire Districts and Agricultural Society operating within the boundaries of Sarpy County have submitted preliminary levy allocation requests for budget year 2006-2007 pursuant to Neb. Stat. (Revised) Sec. 77-3443(3): Eastern Sarpy County Suburban Fire Protection District, Good Luck Suburban Fire Protection District, Gretna Rural Fire District, Papillion Rural Fire Protection District, Springfield Rural Fire District and Sarpy County Agricultural Society. Millard Suburban Fire Protection District must submit their request to Douglas County; however, the district has provided a copy to Sarpy County.

At 3:28 P.M. Gay moved, seconded by Cook, to go into Executive Session to discuss threatened litigation. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

At 3:34 P.M. Boyd moved, seconded by Cook, to return to regular session. Ayes: Cook, Gay, Boyd, Doyle & Schram. Nays: None.

At 3:35 P.M. Boyd moved, seconded by Cook, to reconvene as a Board of Equalization. Ayes: Cook, Boyd, Gay, Doyle & Schram. Nays: None.

Schram moved to adjust the property valuation for Protest 2006-66 (Johnson): Land Value: \$605,389 for recapture value assessment based on information provided by owner. MOTION DIED FOR LACK OF A SECOND. 2006 Valuation will remain as Land: \$715,460 for recapture value assessment.

Gay moved, seconded by Cook, to adjust the property valuation for Protest 2006-288 (Lang): Land Value: \$30,000; Improvements: \$118,428 for a total amount of \$148,428 as recommended by the Sarpy County Assessor. Ayes: Cook, Boyd, Gay, Doyle & Schram. Nays: None.

Boyd moved, seconded by Gay, to adjust the property valuation for Protest 2006-266 (Rau): Land Value: \$29,000, Improvements: \$175,463 for a total amount of \$204,463 as recommended by the Sarpy County Assessor. Ayes: Cook, Boyd, Gay, Doyle & Schram. Nays: None.

Gay moved, seconded by Cook, to adjust the property valuation for Protest 2006-173 (Kearns): Land Value: \$29,000, Improvements: \$188,598 for a total amount of \$217,598 as recommended by the Sarpy County Assessor. Ayes: Cook, Boyd, Gay, Doyle & Schram. Nays: None.

Boyd moved, seconded by Cook, to adjust the property valuation for Protest 2006-155 (Clatterbuck): Land Value: \$198,773, Improvements: \$28,455 for a total amount of \$227,228 with recapture value assessment at \$3,130,829 as recommended by the Sarpy County Assessor. Ayes: Cook, Boyd, Gay, Doyle & Schram. Nays: None.

Schram moved, seconded by Cook, to adjust the property valuation for Protest 206-250 (Newstrom): Land Value: \$77,400, Improvements: \$372,906 for a total amount of \$450,306 based on information provided by owner. Ayes: Cook, Gay & Schram. Nays: Boyd, & Doyle.

Cook moved, seconded by Doyle, to adjust the property valuation for Protest 2006-132 (Roy): Land Value: \$26,000, Improvements: \$208,370 for a total amount of \$234,370 as recommended by the Sarpy County Assessor. Ayes: Cook, Gay, Doyle & Schram. Nays: Boyd.

Boyd moved, seconded by Doyle, to adjust the property valuation for Protest 2006-286 (Huck): Land Value: \$50,000, Improvements: \$566,019 for a total amount of \$616,019 as recommended by the Sarpy County Assessor. Ayes: Cook, Boyd, Gay, Doyle & Schram. Nays: None.

Schram moved to adjust the property valuation for Protest 2006-301 (Wilhelm): Land Value: \$50,000, Improvements: \$298,411 for a total amount of \$348,411 based on information provided by owner. MOTION DIED FOR LACK OF A SECOND. 2006 Valuation will remain as Land Value: \$50,000, Improvements: \$301,411 for a total amount of \$351,411.

Schram moved to adjust the property valuation for Protest 2006-234 (Olson): Land Value: \$25,000, Improvements: \$130,071 for a total amount of \$155,071. Schram withdrew his motion. Schram moved, seconded by Cook, to adjust the property valuation for Protest 2006-234 (Olson) Land Value: \$21,000, Improvements: \$134,071 for a total amount of \$155,071 based on information provided by owner. Ayes: Cook & Schram. Nays: Gay, Boyd, & Doyle. MOTION FAILED. 2006 Valuation will remain as Land Value: \$25,000; Improvements: \$134,071 for a total amount of \$159,071.

Schram moved, seconded by Cook, to adjust the property valuation for Protest 2006-92 (Jansen): Land Value: \$126,000 for recapture value assessment based on information provided by owner. Ayes: Cook, Boyd, Gay, Doyle & Schram. Nays: None.

Schram moved, seconded by Cook, to adjust the property valuation for Protest 2006-221 (NEBCO, Inc.) Land Value: \$909,315, Improvements: \$6,190,000 for a total amount of \$7,099,315 based on information provided by owner. Ayes: Cook & Schram. Nays: Gay, Boyd, & Doyle. MOTION FAILED. 2006 Valuation will remain as Land Value: \$909,315; Improvements: \$7,190,685 for a total amount of \$8,100,000.

Documentation/Evidence was provided by the following protests regarding property valuations for the Board's consideration: 2006-102, 272, 68, 188, 17.

Boyd moved, seconded by Cook, to accept the Referee's and/or County Assessor's recommendation as to assessment on the 2006 Property Valuation Protests on residential, commercial and/or rural properties as presented to the Sarpy County Board of Equalization with the exception of changes previously addressed. Ayes: Cook, Boyd, Gay, Doyle & Schram. Nays: None. A complete listing of Property Valuation Protests is on file in the office of the County Clerk (2006-1 thru 2006-375).

At 4:40 P.M. Cook moved, seconded by Doyle, to adjourn as a Board of Equalization for all residential, commercial and/or rural properties. Ayes: Cook, Boyd, Gay, Doyle & Schram. Nays: None.

At 4:41 P.M. the Board adjourned until August 1, 2006 at 3:00 P.M.

Chairman, Board of County Commissioners

ATTEST: _____
County Clerk
