

April 3, 2007

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. at the Courthouse in Papillion, Nebraska. Commissioner Cook stated a copy of the Open Meeting Law is posted in the County Boardroom. Present: Paul Cook, Joni Jones, Inez Boyd, Aldona Doyle, Rich Jansen, Board Administrator Mark Wayne and Deb Houghtaling, County Clerk.

Notice of the meeting was given in advance thereto by publication in the Suburban Newspapers, Inc. dba Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor on March 28, 2007. 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' comments were recorded.

Commissioner Cook requested that Agenda Items #9 (Resolution: Authorize Chairman to sign agreement for the improvement of Pat Drive, Pat Circle. Res. #2007-90) and #10 (Tabled from 1/23/2007, 2/6/2007, 2/13/2007, 2/20/2007, 2/27/2007, 3/13/2007 and 3/27/2007 Public Hearing and Resolution: Establish Rural Road Improvement District 2007-1, Res. #2007-26) be moved and heard before Agenda Item #8 (Discussion: Application of Highway 370 Corridor Regulations).

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

**CONSENT AGENDA**

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: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Boyd moved, seconded by Doyle, to correct the vote in March 20, 2007 minutes of this Board (Protest Hearing: Denial of Special Valuation Application Treatment of Land Zoned and Used for Agricultural or Horticultural purposes for BHI Development Inc.). Minutes should correctly read "Jones moved, seconded by Jansen, to overturn the Disapproval by the Sarpy County Assessor of Special Valuation Application for Special Valuation Treatment of Land Zoned and Used for Agricultural or Horticultural purposes (Form 456) of property owner BHI Development, Inc. for properties identified as Tax Lot 1B 29-14-12 (47.60 Acres). Ayes: Cook, Jones & Jansen. Nays: Boyd & Doyle." Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Boyd moved, seconded by Doyle, to authorize the Purchasing Department to solicit bids for the Lease of Electronic Monitoring Equipment for the Sarpy County Law Enforcement Center and Juvenile Justice Center. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Resolved by Boyd, seconded by Doyle, to approve the recommendation of the Sarpy County Surveyor/Engineer for the placing of "Stop", "Yield" and "One Way" signs at various intersections in S.I.D. #275, Kingbury Hills, as indicated on the location plan attached to the resolution and the S.I.D. shall take such steps to post appropriate signs according to the Manual on Uniform Traffic Control Devices. (Res. #2007-89) Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Boyd moved, seconded by Doyle, to approve the request of the City of La Vista for free access to the Sarpy County Landfill on 4/13/2007 and 4/14/2007 for their annual clean-up event with haul dates to the landfill of 4/13/2007 through 4/17/2007. The city will be required to pay the Nebraska State surtax at the rate of \$1.25 per ton based upon the total tonnage delivered to the landfill. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

**REGULAR AGENDA:**

Boyd moved, seconded by Jansen, to approve the minutes of the March 27, 2007 meeting as submitted. Ayes: Cook, Boyd, Doyle & Jansen. Nays: None. Abstain: Jones.

Herb Lienemann, a representative from the Papillion Historical Society, presented the Board a commemorative afghan to celebrate Sarpy County's Sesquicentennial.

Commissioner Jones stated that she would abstain from discussion and vote on Agenda item #9 Resolution: Authorize Chairman to sign agreement for the improvement of Pat Drive, Pat Circle. Res. #2007-90) and #10 (Tabled from 1/23/2007, 2/6/2007, 2/13/2007, 2/20/2007, 2/27/2007, 3/13/2007 and 3/27/2007 Public Hearing and Resolution: Establish Rural Road Improvement District 2007-1, Res. #2007-26).

After a discussion was held, Jansen resolved, seconded by Boyd, to approve and authorize the Chairman to sign the most current agreement with Copple Properties, LLC for the improvement of what is now known at Pat Circle and an extension thereof, with a change to 8.a.iii to include a contingency that the City of Gretna will enter into an agreement that will state that the City of Gretna will provide for road maintenance after 10 years. (Res. #2007-90) Ayes: Boyd & Jansen. Nays: Cook & Doyle. Abstain: Jones. MOTION FAILED.

A public hearing was held regarding Agenda item #10 (Tabled from 1/23/2007, 2/6/2007, 2/13/2007, 2/20/2007, 2/27/2007, 3/13/2007 and 3/27/2007 Public Hearing and Resolution: Establish Rural Road Improvement District 2007-1, Res. #2007-26).

Jansen moved, seconded by Boyd, to reconsider Agenda item #9 (Resolution: Authorize Chairman to sign agreement for the improvement of Pat Drive, Pat Circle. Res. #2007-90). Ayes: Cook, Boyd, Doyle & Jansen. Nays: None. Abstain: Jones.

\*\*Resolved by Jansen, seconded by Boyd, to approve and authorize the Chairman to sign the amended agreement with Copple Properties, LLC for the improvement of what is now known at Pat Circle and an extension thereof, with a change to 8.a.iii to include a contingency that the City of Gretna will enter into an agreement that will state that the City of Gretna will provide for road maintenance after 10 years. (Res. #2007-110) Ayes: Cook, Boyd, Doyle & Jansen. Nays: None. Abstain: Jones.

\*\* Rescinded by action of the County Board on 5/1/2007 by Res. #2007-126

Public hearing having been held as stated above, Boyd moved, seconded by Doyle to deny the establishment of the Rural Road Improvement District 2007-1. Ayes: Cook, Boyd & Doyle. Nays: Jansen. Abstain: Jones.

Beth Cunard, County Purchaser, reported that bids for the Financing of Eight (8) Cruiser's for the Sheriff's Department have been solicited, made, opened and reviewed pursuant to Board authorization. After a public hearing, Boyd resolved, seconded by Jansen, to accept the low bid of Bank of Nebraska, in the amount of \$201,776 at 4.65% interest and monthly payments of \$8,828.21 for twenty-four (24) months and the Fiscal Administrator is authorized to execute necessary documents. (Res. #2007-91) Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

At 5:09 the Board recessed.

At 5:16 the Board reconvened.

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

Attorney Pat Sullivan addressed the Board regarding the Notice from the Sarpy County Assessor to Bellino Properties LLC, regarding Tax Lot 8A 22-14-12 (18.05 AC) Parcel #010604162 which notice disqualified said property for the special assessment for agriculture. Protest hearing was held. Boyd moved, seconded by Jansen, to overturn the Assessor's disqualification decision of special valuation for 2007. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Attorney Pat Sullivan addressed the Board regarding the Disapproval of Special Valuation Application for Special Valuation Treatment of Land Zoned and Used for Agricultural or Horticultural purposes (Form 456) on behalf of property owner; Bellino Properties LLC, regarding Tax Lot R2 22-14-12 (5.15 AC) Parcel #011582697. Protest hearing was held. Boyd moved, seconded by Jones, to affirm the Assessor's disapproval. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Jones moved, seconded by Jansen, to overturn the Disapproval by the Sarpy County Assessor of Special Valuation Application for Special Valuation Treatment of Land Zoned and Used for Agricultural or Horticultural purposes (Form 456) of property owner BHI Development, Inc. for properties identified as Tax Lot 1B 29-14-12 (47.60 Acres). Ayes: Cook, Jones & Jansen. Nays: Boyd & Doyle.

Doyle moved, seconded by Boyd, to approve Tax Corrections #12993-#12997 as approved by the County Assessor. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Doyle moved, seconded by Jones, to approve the following exemption applications for 2007 tax exemption on motor vehicles owned by qualifying non-profit organizations, as approved by the County Treasurer:

BSA Troop 464                    1997 Cargo Mate Utility Trailer

Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

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

Jansen moved, seconded by Jones, to approve the Sarpy County Visitors Promotion Committee Grant Application of Fontenelle Nature Association for projects: Outdoor Adventure Weekend (5/5/2007 & 5/6/2007) & Forest Free Day Series (4/22/2007, 7/14/2007 & 10/14/2007). Total funds requested: \$10,450, total funds for events: \$47,610. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Resolved by Boyd, seconded by Jansen, to authorize the Sarpy County Grant Coordinator to submit the Title V Delinquency Prevention Grant application in partnership with Lancaster and Douglas Counties and to authorize the Chairman to sign the letter of support for said grant application. (Res. #2007-92) Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Resolved by Jansen, seconded by Doyle, to authorize the Chairman to sign the Nebraska Crime Commission 2006 Juvenile Accountability Block Grant (JABG) Application, Certifications, Assurances and a letter of support for project title: Sarpy County Juvenile Day/Evening Reporting Center. (Res. #2007-93) Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

At 5:32 P.M. Boyd moved, seconded by Doyle, to adjourn until April 10, 2007 at 3:00 P.M. to be preceded by an Administrative Briefing Meeting at 1:30 P.M. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

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**Chairman, Board of County Commissioners**

ATTEST: \_\_\_\_\_  
**County Clerk**

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