

July 17, 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, Aldona Doyle, Rich Jansen, Board Administrator Mark Wayne and Deb Houghtaling, County Clerk. Absent: Inez Boyd.

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 July 11, 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' and Administrator's comments were recorded.

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

**CONSENT AGENDA**

Doyle moved, seconded by Jansen, to approve the minutes of the July 10, 2007 meeting as submitted. Ayes: Cook, Jones, Doyle & Jansen. Nays: None. Absent: Boyd.

Doyle moved, seconded by Jansen, to approve the claims as submitted by Debra J. Houghtaling, Sarpy County Clerk, and to 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, Doyle & Jansen. Nays: None. Absent: Boyd.

Resolved by Doyle, seconded by Jansen, to approve and authorize the Chairman to sign the Grant Award and Subgrant Special Conditions for the Sarpy County Pretrial Juvenile Assessment Center Grant Award No. 06-JJ-15, grant period 7/1/2007 - 6/30/2008 with total project cost being \$53,965 with a local match share of \$10,521. (Res. #2007-185) Ayes: Cook, Jones, Doyle & Jansen. Nays: None. Absent: Boyd.

**REGULAR AGENDA**

**Board Of Equalization**

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

Doyle moved, seconded by Jansen, to approve fifty one (51) 2007 Notices of Valuation Change from the Sarpy County Board of Equalization as recommended by the County Assessor. Ayes: Cook, Jones, Doyle & Jansen. Nays: None. Absent: Boyd.

Doyle moved, seconded by Jones, to approve Tax Corrections #13090 - #13092 as approved by the County Assessor. Ayes: Cook, Jones, Doyle & Jansen. Nays: None. Absent: Boyd.

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

St. Columbkille Church                      1999 Plymouth Voyager

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

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

**General**

After a public hearing was held on Agenda items #7a (Tabled from 5/8/07, 5/29/07, 6/5/07, 6/12/07, 6/19/07 & 7/3/07, Proposed amendments, revisions, and/or deletions to sections 1-44 of the Zoning Ordinances with the exception of the AG related Districts and the MU District) and #7b (Tabled from 6/12/07, 6/19/07 & 7/3/07, Proposed amendments revisions, and/or deletions to the Zoning Ordinances specifically the AG related Districts and the MU, Mixed Use District):

Jones moved, seconded by Doyle, to amend the proposed Sarpy County Zoning Regulations as presented with the following changes:

**EDIT: Section 4 Non-Conforming Uses**

**4.4.6 Non-Conforming Uses of Less than ~~\$500~~ \$25,000 Assessed Valuation.** The non-conforming principal permitted use of land where no buildings of more than ~~five hundred dollar (\$500.00)~~ twenty five thousand dollars (\$25,000) assessed valuation are in existence at the time of the passage of these ordinances shall revert to a use conforming with these ordinances within a period of five years after the passage of these ordinances for residential use, and three years for other uses.

**Section 23 IL - Light Industrial District**

**DELETE: ~~23.1.1 Assembly of metal products.~~  
~~23.1.20 Second-hand farm machinery yards.~~**

**Section 24 IGM General Manufacturing District**

**DELETE: ~~24.1.38 Packing Houses~~**

**EDIT: Section 33 (~~Deleted 32~~) HC Highway Corridor Overlay District "Page 92"**

**32.5.2 (~~33.5.2~~) Architectural Guidelines**

**(c) Building Materials**

(1) Permitted exterior building materials shall be high quality, durable materials that include, but are not limited to, brick; native or ~~mobile~~ manufactured stone (Renaissance stone or similar masonry materials);

**32.6.2 (~~33.6.2~~) Architectural Guidelines "Page 95"**

**(b) Building Materials**

(1) Permitted exterior building materials on primary exposure facades shall be high quality, durable materials that include, but are not limited to, brick; native or ~~mobile~~ manufactured stone (Renaissance stone or similar masonry materials);

**EDIT: Section 35 (~~Deleted 34~~) Supplementary Regulations**

**34.10 (~~35.10~~) Creek Setback Requirements:**

**34.10.1 (~~35.10.1~~)** No person shall be granted a permit for the construction of any structure, exclusive of bank stabilization structures, poles or sign structures adjacent to any creek or stream unless such structure is located so that no portion thereof is any closer to the stream than will allow a maximum three-to-one slope plus ~~30~~ 50 feet between the water's edge of the stream and the closet point on the structure at grade. As used here, the edge of water of the stream shall be that point constituting the edge of the water during normal flow conditions.

**Section 42 (~~Deleted 43~~) Definitions**

**EDIT/ADD: MANUFACTURED HOME shall be as defined in the Nebraska Revised Statutes**

**MANUFACTURED MOBILE HOME** shall mean a transportable structure usually treated as a chattel, of one or more sections designed to be towed as a transportable unit on an undercarriage or chassis which is a permanent or an integral structural part of the floor or body of the unit and designed to be used with or without a permanent foundation to permit year-round occupancy and containing similar water supply, waste disposal, and electrical conveniences as permanent residential units. It does not include recreational vehicles or travel trailers.

**MANUFACTURED MOBILE HOME PARK** shall mean a parcel (or contiguous parcels) of land which has been divided into two or more lots for rent or sale and the placement of mobile homes.

**PERSONAL SERVICES** shall mean those services for the public including but not limited to barber shops, beauty salons, shoe repair, nail salons, tanning salons, photographic studios, fitness centers, tailors and seamstress businesses, and other similar type uses.

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

Resolved by Jansen, seconded by Jones, to adopt the Sarpy County Zoning Regulations, with changes as indicated and amended above based on the recommendations of the Sarpy County Planning Commission and the Director of Planning and Building as they are in conformance with the Sarpy County Comprehensive Plan. Further, pursuant to Neb. Rev. St. §23-114.03 (Reissue 1997), that the County Clerk is directed and instructed to, within fifteen (15) days of the date of this resolution, publish these regulations in book or pamphlet form or once in a legal newspaper published in and of general circulation in the county, and the County Clerk is further directed to spread these regulations in the minutes of the proceedings of the County Board. Finally, be it resolved that the regulations enacted by this resolution are intended to be a complete revision of existing zoning regulations, and all previous Resolutions or parts of Resolutions of the Sarpy County Board of Commissioners on said subjects or in conflict with the provisions of this resolution are hereby repealed. (Res. #2007-137) Ayes: Cook, Jones, Doyle & Jansen. Nays: None. Absent: Boyd.

The June, 2007 fee report of the Register of Deeds (\$316,410.74) was presented and placed on file.

At 3:49 P.M. Jones moved, seconded by Jansen, to adjourn until July 24, 2007 at 3:00 P.M. to be preceded by Budget Hearings at 8:30 A.M. Ayes: Cook, Jones, Doyle & Jansen. Nays: None. Absent: Boyd.

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**Chairman, Board of County Commissioners**

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