

December 11, 2007

**MINUTES OF MEETINGS
BOARD OF COUNTY COMMISSIONERS OF SARPY COUNTY, NEBRASKA**

Notice of the Administrative Briefing, County Board and Board of Equalization meetings were given in advance thereto by publication in the Suburban Newspapers, Inc. dba Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor on December 5, 2007. A copy of the Proof of Publication is on file in the County Clerk's office. The notice of the meetings was simultaneously given to all members of the Board of County Commissioners of Sarpy County, Nebraska. The availability of the agendas was communicated in the published notice and in the notice to members of the Board of County Commissioners of these meetings. All proceedings were taken while the convened meetings were open to the attendance of the public.

ADMINISTRATIVE BRIEFING MEETING

At 1:30 P.M. the Board of County Commissioners of Sarpy County, Nebraska convened for an Administrative Briefing Meeting. Commissioner Cook stated a copy of the Open Meeting Law is posted in the County Boardroom. Present: Paul Cook, Joni Jones, Inez Boyd, Rich Jansen, Board Administrator Mark Wayne and Deb Houghtaling, County Clerk. Aldona Doyle arrived at 1:37 P.M. Topics of discussion were as follows:

1. Criminal Justice Coordinating Committee. Mark Wayne
2. E-911/Emergency Management. Larry Lavelle
3. Landfill. Duwane Brigman
4. Courthouse Administration Art Work was not addressed due to the time constraint. Mark Wayne

Adjourned at 2:57 P.M.

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.

Commissioners' and Administrator's comments were recorded.

Commissioner Cook requested that Agenda item #15 (Zoning: Public Hearings and Resolutions), #15a (Conservation and Preservation Agreement - 87th Street, one mile south of Platteview Road, Tom Dickerson, Patty Shanahan & The Wachiska Audubon Society, Res. #2007-333), #15b (Tabled from 11/20/2007, Action on revised Subdivision Regulations, Res. #2007-315) and #15c (Tabled from 11/20/2007, Action on revised Zoning Regulations, Res. #2007-316) be moved to the end of the Regular agenda.

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

CONSENT AGENDA

Boyd moved, seconded by Jansen, to approve the minutes of the December 4, 2007 meeting as submitted. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Boyd moved, seconded by Jansen, to approve the claims report 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, Boyd, Doyle & Jansen. Nays: None.

Resolved by Boyd, seconded by Jansen, to accept and approve the recommendation of the Sarpy County Surveyor/Engineer for the placement of No Parking signs on the South side of Pflug Road approximately 500' East and West of the drive into the Holy Family Shrine. The Sarpy County Highway Department shall take such steps to post appropriate signs according to the Manual on Uniform Traffic Control Devices. (Res. #2007-327) Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Boyd moved, seconded by Jansen, to approve the following Sarpy County Limited Tax Building Bonds, Series 2007, Construction Fund (Courthouse Addition) disbursement requisitions:

#	Vendor	Amount
36.	Carlson West Povondra	\$ 3,749.92
37.	Upland Construction	\$298,558.00

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

Resolved by Boyd, seconded by Jansen, to approve and authorize the Chairman to sign the Systems Engineering Agreement with Audiovisual, Inc. (AVI) to provide consultant services for the design of audio/visual systems for the new County and District Court Rooms to be constructed a part of the Courthouse Remodeling project. (Res. #2007-328) Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Resolved by Boyd, seconded by Jansen, to authorize the Chairman to sign the proposal from WaterLandAir Consulting Inc. (WLA) to provide professional engineering services to Sarpy County for assistance with the mapping of sanitary sewers which connect to the Sarpy Industrial Sewer. (Res. #2007-329) Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Boyd moved, seconded by Jansen, to authorize the Purchasing Department to solicit bids for Bridge #11 Re-Deck, 25th Street North of Highway 370, Project C-77(04-14) for the Highway Department. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

BOARD OF EQUALIZATION

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

Doyle moved, seconded by Jones, to approve Tax Correction #13169 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:

A New Beginning Benevolence	2007 Hyundai Tucson
Bellevue Soccer Club	1975 Utility Trailer Pickup Box
The Salvation Army	2007 Dodge Ram 2500 QC Pickup Truck

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

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

REGULAR AGENDA

Sarpy County Sheriff Jeff Davis spoke to the Board regarding Schram Road. Discussion was held.

Resolved by Doyle, seconded by Boyd, that the salary for the Elected Office of Public Defender of Sarpy County, commencing 1/1/2009, shall be \$102,573. The salary for subsequent calendar years shall be the salary for the immediately preceding year plus an increase commencing 1/1/2010 of 3%, 1/1/2011 of 3% and 1/1/2012 of 3%. This Board further finds that in addition to the salary set forth above, the Public Defender shall be entitled to benefits as stipulated in the resolution. (Res. #2007-330) Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Beth Cunard, County Purchaser, reported that bids for the Re-Design of the Jail Master Control Security System at the Law Enforcement Center have been solicited, made, opened and reviewed pursuant to Board authorization. After a public hearing, Boyd resolved, seconded by Jansen, to reject all bids as recommended by the Purchasing Department and the Sheriff's Office and permission is given to re-solicit bids for said project. The County Clerk is hereby directed to take such steps as may be necessary to effectuate the rejection of the offered bids. (Res. #2007-331) Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

As advertised, a public hearing was held regarding the sale of surplus County property described as surplus land located at East 21 feet of Lot 19, Langdon Brothers Subdivision of Lot Z, Gretna, as surveyed platted and recorded in Sarpy County, Nebraska (more accurately described as: All of Lot nineteen (19) except west thirty-nine (39) feet thereof, Langdon Brothers Subdivision of Lot Z, Sarpy County, Nebraska). Boyd resolved, seconded by Doyle, to set the date of sale by sealed bid for 1/8/2008. (Res. #2007-332) Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Jansen moved, seconded by Jones, to approve the flood plain development permit application of Andrew R. Brinkman, 12205 Buffalo Road, Lot 9, Villa Springs Replat 1, Platte River for a dwelling as recommended by the Papio-Missouri River Natural Resources District (NRD) and the Sarpy County Planning and Building Coordinator. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Tabled from 11/27/2007 and 12/4/2007, Carrie Davis-Sedlacek, Sarpy County Grant Coordinator, appeared before the Board requesting permission to write the Sarpy County Juvenile Day/Evening Reporting Center Grant application. After a discussion was held, Boyd moved, seconded by Jansen, to approve the request for permission to write said grant application. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Tabled from 11/27/2007 and 12/4/2007, Carrie Davis-Sedlacek, Sarpy County Grant Coordinator, appeared before the Board requesting permission to write the Sarpy County Pretrial Juvenile Assessment Center Grant application. After a discussion was held, Doyle moved, seconded by Jones, to approve the request for permission to write said grant application. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Tabled from 11/20/2007 and 12/4/2007, Boyd moved, seconded by Jansen, to authorize the Purchasing Department to purchase one (1) 2008 Ford Ranger Compact 4x4 Extended Cab pickup off the Nebraska State Contract #12056 (OC) for the Sarpy County Planning and Building Department at a total purchase price of \$18,621. Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Tabled from 11/20/2007 and 12/4/2007, Boyd resolved, seconded by Jansen, that in accordance with the Vehicle Acquisition and Disbursement Policy hereby declare a 1995 GMC K2500 4x4 Sierra Pickup surplus property as it has been determined to be obsolete or not usable by the County and to authorize the Purchasing Department to dispose of the vehicle in the best interest of Sarpy County. Further, the Purchasing Department is authorized to purchase one (1) 2008 Ford Ranger Compact 4x4 Extended Cab pickup off the Nebraska State Contract #12056 (OC) for the Sarpy County Fleet Services Department at a total purchase price of \$19,810.37. (Res. #2007-299) Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Tabled from 11/20/2007 and 12/4/2007, Doyle resolved, seconded by Jansen, that in accordance with the Vehicle Acquisition and Disbursement Policy hereby declare a 1991 Chevrolet Astro Van surplus property as it has been determined to be obsolete or not usable by the County and to authorize the Purchasing Department to dispose of the vehicle in the best interest of Sarpy County. Further, the Purchasing Department is authorized to purchase one (1) 2008 Chevy Silverado 1500 LT 4x4 Crew Cab pickup off the Nebraska State Contract #12055 (OC) for the Sarpy County Highway Department at a total purchase price of \$24,405. (Res. #2007-300) Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Resolved by Boyd, seconded by Doyle, to approve and authorize the Chairman to sign the Juvenile Detention Services Contract between the State of Nebraska, Department of Health and Human Services, on behalf of the Office of Juvenile Services (DHHS-OJS) and Sarpy County on behalf of the Sheriff's Department and the Juvenile Justice Center for the provision of Juvenile Staff Secure Detention Services for juveniles committed to or placed with the Office of Juvenile Services. Said contract shall be in effect from 1/1/2008 through 12/31/2008. (Res. #2007-334) Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Resolved by Jansen, seconded by Jones, to authorize the Chairman to sign the Supplemental Agreement #3 with Schemmer Associates, Inc. for improvements to the intersection of 132nd Street and Giles Road, Sarpy County Project C-77(05-8) for additional engineering services for a preliminary grade separation study. Total projects costs shall not exceed \$17,675.60. The original agreement was approved by this Board by Res. #2005-261 on 8/23/2005. (Res. #2007-335) Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Tom Lynam, County Surveyor, reported that bids were received at the City of Papillion on 10/5/2007 for the construction of Schram Road Improvements project, 84th Street to 75th Street. Jones moved, seconded by Jansen, to allow County Surveyor Tom Lynam to approve the low bid of Cedar Construction Company with the construction commitment from the County in the amount of \$1,031,678.62 in addition the engineering costs to be 12% of \$1,031,678.62 and that the County is not committed to the acquisition of right of way. The original Interlocal agreement was approved by action of this Board by Res. #2005-236 on 7/19/2005. Ayes: Cook, Jones, Doyle & Jansen. Nays: Boyd.

Resolved by Jansen, seconded by Jones, that the Sarpy County Board of Commissioners shall adjourn after its last regularly scheduled meeting for calendar year 2007 on 12/11/2007 and said Board shall not meet again in a regularly scheduled meeting until 1/8/2008, and pursuant to the statutory authority of this Board, between 12/11/2007 and 1/8/2008, the Chairman of the Sarpy County Board of Commissioners and the Sarpy County Clerk are hereby authorized to prepare claims and issue warrants for 1) payroll and associated expenses 2) utilities 3) lease payments 4) contract and/or other installment payments which have been contracted for or authorized by action of this Board and 5) expenses associated with jurors of the various courts and attorney fees and expenses ordered by a judge in the usual and ordinary manner. The aforementioned individuals have no authority to conduct County business beyond that stated above. (Res. #2007-336) Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

The Board recessed at 5:10 P.M. and reconvened at 5:19 P.M.

After a public hearing, Boyd resolved, seconded by Jansen, to authorize the Conservation Easement granted by Tom Dickerson and Patty Shanahan to the Wachiska Audubon Society through the Conservation and Preservation Agreement attached to the resolution as recommended by the Sarpy County Planning Commission as the easement meets the Sarpy County Comprehensive Plan. Said property legally described as: Part of Tax Lot 5, located in Sec. 23, Twp. 13N, Rng. 12E of the 6th P.M. Sarpy County, Nebraska, (87th Street, approximately one mile South of Platteview Road). (Res. #2007-333) Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Tabled from 11/20/2007 and after public hearings were held on the following motions relating to Agenda item #15b (Public Hearing and Resolution: Action on revised Subdivision Regulations. Res. #2007-315):

Boyd moved, seconded by Jansen, to retain the following Sarpy County Subdivision Regulation as presented and recommended by the Sarpy County Planning and Building Department:

SECTION 3 DEFINITIONS

LOT shall mean: A parcel or tract of land which is or may be occupied by a use herein permitted, together with yards and other open spaces herein required, that has frontage upon a street, and is a part of a recorded subdivision plat or has been recorded prior to the adoption of this regulation; or A parcel of real property delineated on an approved record of survey, lot-split or sub-parceling map as filed in the office of the Register of Deeds and abutting or having access to at least one (1) public street or right-of-way.

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

Boyd moved, seconded by Jansen, to approve the following Sarpy County Subdivision Regulation as presented with the following changes:

EDIT: SECTION 5 PROCEDURE FOR APPROVAL OF PRELIMINARY PLAT

5.3 Twenty-five (25) copies of the Preliminary Plat and the required supplementary material as specified in these regulations along with ~~two~~ one electronic version in AutoCAD format for ~~the County Surveyor's Office~~ and the County Information Systems Department (GIS Section) in the form set forth in Attachment "A" shall be submitted to the Building Inspector at least forty-five (45) days prior to the meeting at which it is to be considered. The Building Inspector shall distribute one (1) copy of the Preliminary Plat with a request for comments within seven (7) days to each of the following: Engineer, Surveyor, Superintendent of Roads, appropriate School Board and Fire Department, the Papio-Missouri Natural Resources District, GIS Section and whomever else deemed necessary by the Planning Commission.

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

Jansen moved, seconded by Boyd, to approve the following Sarpy County Subdivision Regulation as amended above with the following addition:

**EDIT: SECTION 5
PROCEDURE FOR APPROVAL OF PRELIMINARY PLAT**

5.3 Twenty-five (25) copies of the Preliminary Plat and the required supplementary material as specified in these regulations along with one electronic version in AutoCAD format for the County Information Systems Department (GIS Section) in the form set forth in Attachment "A" shall be submitted to the Building Inspector at least forty-five (45) days prior to the meeting at which it is to be considered. The AutoCAD format for the County Information Systems Department (GIS Section) is not required for subdivisions with 20 lots or fewer or when granted an exception by the County Surveyor. The Building Inspector shall distribute one (1) copy of the Preliminary Plat with a request for comments within seven (7) days to each of the following: Engineer, Superintendent of Roads, appropriate School Board and Fire Department, the Papio-Missouri Natural Resources District, GIS Section and whomever else deemed necessary by the Planning Commission.

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

Boyd moved, seconded by Doyle, to approve the following Sarpy County Subdivision Regulation as presented with the following changes:

**EDIT: SECTION 6
PRELIMINARY PLAT AND SUPPLEMENTAL DATA**

6.2.12 A preliminary drainage study plan of the area in which the preliminary plat is located.

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

Cook moved, seconded by Jones, to approve the following Sarpy County Subdivision Regulation as presented with the following changes:

**EDIT: SECTION 6
PRELIMINARY PLAT AND SUPPLEMENTAL DATA**

6.2.13 A preliminary draft for a subdivision agreement unless waived by the Attorney's Office, Planning Department and the Roads Department. Copies available from the County Attorney's Office or the Planning and Building Department

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

Boyd moved, seconded by Jansen, to approve the following Sarpy County Subdivision Regulation as presented with the following changes:

**EDIT: SECTION 7
PROCEDURE FOR APPROVAL OF FINAL PLAT**

7.3.2 One (1) original or Mylar reproducible 45" x 26" 18" x 24" minimum to 30" x 42" maximum, with 1½" inch border, to the Register of Deeds

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

Cook moved, seconded by Boyd, to approve the following Sarpy County Subdivision Regulation as presented with the following changes:

**EDIT: SECTION 7
PROCEDURE FOR APPROVAL OF FINAL PLAT**

7.6 The Final Plat (three signed mylars and five signed paper copies) shall be filed with the Register of Deeds within ninety (90) days of the date approved by the Board. Failure to do so shall require re-submittal of the Final Plat with repayment of application fees. The Board may grant up to two (2) ninety (90) day extensions upon the request of the applicant. Each extension must be requested separately.

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

Cook moved, seconded by Boyd, to approve the following Sarpy County Subdivision Regulation as presented with the following changes:

**EDIT: SECTION 8
FINAL PLAT AND REQUIRED SUPPLEMENTARY DATA**

8.1.5 A Final draft for a subdivision agreement unless waived by the Attorney's Office, Planning Department and the Roads Department. Copies available from the Planning and Building Department.

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

Boyd moved, seconded by Jones, to approve the following Sarpy County Subdivision Regulation as presented with the following changes:

**SECTION 8
FINAL PLAT AND REQUIRED SUPPLEMENTARY DATA
DELETE:**

~~8.1.7 All final plats shall comply with the Sarpy County Storm Water Management Regulations and the Omaha Regional Storm Water Management Design Manual.~~

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

Jones moved, seconded by Jansen, to approve the following Sarpy County Subdivision Regulation as presented with the following changes:

**EDIT: SECTION 8
FINAL PLAT AND REQUIRED SUPPLEMENTARY DATA**

8.2.1 Final Plat, prepared on a permanent reproducible material, such as Mylar or tracing cloth, shall be submitted forty-five (45) days prior to the Planning Commission's meeting date, together with twenty-five (25) paper prints (blue-line Ozalid or similar) along with ~~two~~ one electronic versions in AutoCAD format for ~~the County Surveyor's Office and the County Information Systems (GIS Section)~~ in the form set forth in Attachment "A".

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

Jones moved, seconded by Jansen, to approve the following Sarpy County Subdivision Regulation as presented with the following changes:

**EDIT: SECTION 8
FINAL PLAT AND REQUIRED SUPPLEMENTARY DATA**

8.2.3.7 Location of markings (in feet and decimals of a foot) ~~of 3/4" diameter iron pipe or 1/2" rebar and not less than two (2) feet in length at all lot corners, and any change in alignments of such lines shall~~ comply with Nebraska State Statutes.

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

Boyd moved, seconded by Jansen, to approve the following Sarpy County Subdivision Regulation as presented with the following changes:

**EDIT: SECTION 9
PLAT OF RECORD VACATION, ADMINISTRATIVE REPLATS AND LOT LINE ADJUSTMENTS**

9.2 Administrative Replats: All applications for Administrative Replats of Lots shall be made with the Building Inspector for approval before any transfer of title of ownership. The Administrative Replats shall be drawn to a scale of 1" = 100', including lot dimensions, and shall include a form for the certification by a registered Land Surveyor, a form for the certification of the Treasurer, a form for the approval of the Surveyor and the Building Inspector, and a form for a notarized certification signed and acknowledged by all parties having any titled interest. The Administrative Replats will be drawn on four (4) ~~15" X 26"~~ 18" x 24" minimum to 30" x 42" maximum mylars. ~~The Administrative Replats will automatically vacate the previous Plat of Record upon filing with the Register of Deeds.~~ Administrative Replats must be recorded within ninety (90) days of approval.

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

Boyd moved, seconded by Doyle, to approve the following Sarpy County Subdivision Regulation as presented with the following changes:

**SECTION 10
MINIMUM DESIGN STANDARDS**

DELETE:

~~10.5 Fire Hydrants:~~

~~10.5.1 Hydrant spacing shall be limited to a maximum of four hundred and fifty (450) feet in residential zoning districts, unless otherwise authorized by the applicable fire chief.~~

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

Boyd moved, seconded by Jansen, to approve the following Sarpy County Subdivision Regulation as presented with the following changes:

**EDIT: SECTION 12
STANDARDS FOR CONSTRUCTION PLANS AND SPECIFICATIONS**

12.2 Construction plans for such improvements shall be signed/sealed and also submitted in electronic form in AutoCAD. The subdivider shall furnish "as built" construction plans within six (6) months after completion of construction in the above-described format.

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

Cook moved, seconded by Jones, to approve the following Sarpy County Subdivision Regulation as presented with the following changes :

**EDIT: SECTION 12
STANDARDS FOR CONSTRUCTION PLANS AND SPECIFICATIONS**

12.12 Sidewalks: A concrete Sidewalk shall be provided on both sides of a street within the street right-of-way with a minimum width as follows:

Zoning Districts	Sidewalk Width
RS, RD, RM	4 feet, and 4' inside from the curb
RG,	4 feet
Other Districts	As Directed by Board

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

Boyd resolved, seconded by Jones, to adopt the revised Sarpy County Subdivision Regulations with changes as indicated and amended above and that the same have the full force and effect of law, the effective date of the aforementioned regulations shall be the 12/11/2007. Further, pursuant to Neb. Rev. St. §23-114.03 (2004 Cum. Supp.), 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 subdivision 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. #2007-315) Ayes: Cook, Jones, Boyd, Doyle & Jansen. Nays: None.

Tabled from 11/20/2007 and after public hearings were held on the following motions relating to Agenda item #15c (Public Hearing and Resolution: Action on revised Zoning Regulations. Res. #2007-316):

Jansen moved, seconded by Jones, to amend the following Sarpy County Zoning Regulation as presented with the following changes:

**EDIT: SECTION 4
NON-CONFORMING USES**

4.4.6 Non-Conforming Uses of Less than ~~\$25,000.00~~ \$500.00 Assessed Valuation. The non-conforming principal permitted use of land where no buildings of more than ~~twenty-five thousand dollar (\$25,000.00)~~ five hundred dollars (\$500.00) 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.

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

Boyd moved, seconded by Jansen, to amend the following Sarpy County Zoning Regulation as presented with the following changes:

**EDIT: SECTION 9
AG AGRICULTURAL FARMING DISTRICT**

9.1.6 Recreational Vehicles permitted from ~~April 4~~ April 15 and which are required to be removed prior to ~~October 4~~ October 11 of the same year.

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

Boyd moved, seconded by Jansen, to amend the following Sarpy County Zoning Regulation as presented with the following changes:

**EDIT: SECTION 9
AG AGRICULTURAL FARMING DISTRICT**

9.4 HEIGHT AND LOT REQUIREMENTS

9.4.1 The height and minimum lot requirements shall be as follows, except as provided in Section 34:

	Lot Area	Lot Width	Front Yard	Side Yard	Rear Yard	Max Height
Dwelling	20 acres	500'	100'	50'	25'	35'
Seasonal Dwelling	20,000 sq ft	100'	35'	15'	25'	35'
Other Uses	20 acres	500'	100'	50'	25'	65'
Accessory Bldg	-----	----	100'	15'	15'	25'

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

Jansen moved, seconded by Cook, to amend the following Sarpy County Zoning Regulation as presented with the following changes:

**EDIT: SECTION 10
AGD AGRICULTURAL DEVELOPMENT DISTRICT - 10 ACRE MINIMUM LOT SIZE**

10.2 PERMITTED SPECIAL USES

The following special uses are permitted in the Agriculture Development District with this issuance of a special use permit:

ADD: Sales and Rental of Vacation and Travel Trailers

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

Jansen moved, seconded by Jones, to amend the following Sarpy County Zoning Regulation as presented with the following changes:

**EDIT: SECTION 11
AGR AGRICULTURAL RESIDENTIAL DISTRICT (5 ACRES)**

11.4 HEIGHT AND LOT REQUIREMENTS

11.4.1 The height and minimum lot requirements shall be as follows, except as provided in Section 34:

	Lot Area	Lot Width	Front Yard	Side Yard	Rear Yard	Max Height
Dwelling	5 acres	200'	70'	25'	70' <u>50'</u>	35'
Accessory Buildings			100'	15'	15'	35'
Other Permitted Uses	5 acres	200'	100'	25'	70' <u>50'</u>	65'

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

Jansen moved, seconded by Jones, to amend the following Sarpy County Zoning Regulation as presented with the following changes:

**EDIT: SECTION 22
BHS HIGHWAY SERVICE BUSINESS DISTRICT
22.3 HEIGHT AND LOT AREA REQUIREMENTS**

22.3.1 The height and minimum lot requirements shall be as follows, except as provided in Section 34:

	Lot Area	Lot Width	Front Yard	Side Yard	Street Side Yard	Rear Yard	Max Height
Permitted Uses	10,000 sq ft	70'	400' <u>35'</u>	0'	50'	25'	35'

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

Boyd moved, seconded by Jansen, to amend the following Sarpy County Zoning Regulation as presented with the following changes:

**EDIT: SECTION 23
IL LIGHT INDUSTRIAL DISTRICT
23.1 PRINCIPAL PERMITTED USES**

ADD: Mini Storage

23.3 PERMITTED SPECIAL USES

ADD: Outdoor Storage

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

At 7:14 P.M. Commissioner Doyle left the meeting.

Boyd moved, seconded by Jones, to amend the following Sarpy County Zoning Regulation as presented with the following changes:

**EDIT: SECTION 30
FP FLOOD PLAIN DISTRICT**

30.5.7 Comments from the Papio-Missouri River Natural Resources District ~~may~~ shall be solicited by the Planning Department concerning each application for a flood plain development permit.

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

Jansen moved, seconded by Cook, to amend the following Sarpy County Zoning Regulation as presented with the following changes:

**EDIT: SECTION 39
SIGNS**

39.8 BUSINESS DISTRICT SIGNS

39.8.1 LOCATION

Min 10 feet back of ~~setback~~ lot line

39.8.2 LOCATION

back of ~~setback~~ lot line

39.9 INDUSTRIAL AND MANUFACTURING DISTRICT SIGNS

39.9.1 LOCATION

back of ~~setback~~ lot line

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

Cook moved, seconded by Jansen, to amend the following Sarpy County Zoning Regulation definition of "LOT" to be identical to the Subdivision Regulations definition of "LOT":

**EDIT: SECTION 43
DEFINITIONS**

LOT shall mean: A parcel or tract of land which is or may be occupied by a use herein permitted, together with yards and other open spaces herein required, that has frontage upon a street, and is a part of a recorded subdivision plat or has been recorded prior to the adoption of these ordinances, or a parcel of real property delineated on an approved record of survey, lot-split, or sub-parceling map as filed in the office of the Register of Deeds and abutting or having access to at least one (1) public street or right-of-way.

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

Boyd moved, seconded by Jansen, to amend the following Sarpy County Zoning Regulation as presented and as recommended by the Sarpy County Planning Commission:

**EDIT: SECTION 43
DEFINITIONS**

MINI-STORAGE shall mean ~~a storage facility designed to serve families and small businesses only and located within a building~~ indoor storage primarily for personal effects and household goods within areas having individual access excluding workshops, hobby shops, manufacturing & commercial activity.

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

Boyd moved, seconded by Jones, to amend the following Sarpy County Zoning Regulation as presented with the following changes:

EDIT: SECTIONS 12, 13, 14, 15, 16, 17, 18, & 19 (All Residential Districts)

PERMITTED SPECIAL USES

ADD: Radio, television and communication tower and transmitters.

Ayes: Cook, Jones, & Boyd. Nays: Jansen. Absent: Doyle.

Jansen moved, seconded by Jones, to amend the following Sarpy County Zoning Regulation as presented with the following changes:

**EDIT: SECTION 44
DEFINITIONS**

HOG RANCH FARM shall mean any premises where five (5) or more weaned hogs are maintained.

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

John Fullenkamp, Attorney, addressed the Board regarding Section 16 Rd-50 Two Family Residential District, 16.4 height and lot requirements of the Sarpy County Zoning Regulations.

Boyd moved, seconded by Jones, to refer the issue which would ask for a reduction in lot size width from 60 feet to 50 feet in Section 16 Rd-50 Two Family Residential District, 16.4 height and lot requirements to the Sarpy County Planning Commission for their review and recommendation. Ayes: Cook, Jones, Boyd & Jansen. Nays: None. Absent: Doyle.

Boyd resolved, seconded by Jansen, to adopt the revised Sarpy County Zoning Regulations with changes as indicated and amended above and that the same have the full force and effect of law, the effective date of the aforementioned regulations shall be the 12/11/2007. Further, pursuant to Neb. Rev. St. §23-114.03 (2004 Cum. Supp.), 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 subdivision 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. #2007-316) Ayes: Cook, Jones, Boyd & Jansen. Nays: None. Absent: Doyle.

The November, 2007 fee reports of the Clerk of the District Court (\$13,913.72) and the County Clerk (\$47,539.72) presented and placed on file.

At 7:35 P.M. Boyd moved, seconded by Jansen, to adjourn until January 8, 2008 at 3:00 P.M. Ayes: Cook, Jones, Boyd & Jansen. Nays: None. Absent: Doyle.

Chairman, Board of County Commissioners

ATTEST: _____
County Clerk