

**AGENDA**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, FEBRUARY 25, 2003**  
**COUNTY COMMISSIONERS CHAMBERS, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, February 18, 2003. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.ci.lincoln.ne.us>)
  
- 2) **PUBLIC COMMENT:** The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments shall be limited to items on the agenda.
  
- 3) **SPECIAL PRESENTATIONS:**
  - A. Presentation of the County-City Volunteer of the Month Award to Dr. Michael Molvar for his services with the Lincoln-Lancaster County Health Department.
  
- 4) **CLAIMS FOR REVIEW:**
  - A. Payment Voucher 784-7534, dated January 31, 2003 - The Lancaster County Community Mental Health Center has requested payment to Stacy Horner, totaling \$39.79, for mileage between July 8 and July 23, 2002. This time period is over 90 days old (see Neb. Rev. Stat. §23-135).
  
- 5) **CLAIMS:** Approval of all claims processed through Tuesday, February 25, 2003.
  
- 6) **PUBLIC HEARINGS:**
  - A. Regulation of body art establishments for the public health, safety and welfare of the citizens of Lancaster County, Nebraska.
  
  - B. Issuance of Hospital Revenue Bonds, Series 2003 (Grand Lodge Project) by Hospital Authority Number 1 of Lancaster County, Nebraska, in a total amount of \$19,000,000 with an initial amount of \$9,700,000.

**IF YOU ARE HERE TO PARTICIPATE ON AN ITEM AND NEED SPECIAL CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER PROBLEM, PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY ACCOMMODATE YOUR NEEDS.**

7) **OLD BUSINESS:**

- A. A construction and maintenance agreement with the Burlington Northern and Santa Fe Railway Company. The agreement is for the replacement of the existing Firth Road at-grade crossing and construction of a new crossing at separated grades to be known as the Firth Viaduct, designated as Project C55-X-402(5) which is located at D.O.T. Crossing 083273X, more specifically located 500 feet west of the southeast corner of Section 27, Township 7 North, Range 7 East of the 6<sup>th</sup> Prime Meridian in Lancaster County, Nebraska. The existing Firth road at-grade crossing which D.O.T. Crossing 083273X shall be closed and removed upon completion of the construction and the opening of the new overpass. The total estimated cost to the County shall be \$24,707. (C-03-0041)
- B. Recommendation from the Purchasing Agent and the County Engineer to award a bid to Christensen Brothers, Inc., in the amount of \$1,694,781.31, for the construction of the Firth Viaduct; Project C55-X-402(5). (B-03-0004)

8) **NEW BUSINESS:**

- A. Adoption of a resolution approving the issuance, sale and delivery by Hospital Authority Number 1 Lancaster County, Nebraska in a total amount of \$19,000,000, with an initial amount of \$9,700,000, of its Hospital Revenue Bonds, Series 2003 (Grand Lodge Project).
- B. Adoption of a resolution regulating body art establishments for the public health, safety and welfare of the citizens of Lancaster County, Nebraska. (R-03-0007)
- C. An interlocal agreement with Omaha Public Power District for the re-alignment and re-construction of the grade crossing at South 120<sup>th</sup> Street and Rokeby Road. The County shall pay Omaha Public Power District \$34,172 for constructing a re-aligned rail crossing. The District is also giving the County permission to provide for the approach grading and necessary drainage facilities in connection therewith and to provide any other grading or resurfacing. The work shall be performed between April 1, 2003 to December 31, 2003. (C-03-0065)

8) **NEW BUSINESS CONTINUED:**

- D. An agreement with Dr. Matthias I. Okoye for forensic pathology services as the coroner's physician. The services shall be provided for the County through the County Attorney's Office and shall include forensic autopsies, provision of a morgue facility, coroner's call, testimony, additional tests and other services. The term of the agreement shall be from April 1, 2003 to March 31, 2007. The County shall pay \$170,000 per year for the services and an additional fee of \$1,700 per autopsy for any autopsy over 100 for the contract year. (C-03-0068)
- E. An addendum to an agreement with PayFlex Systems USA, Inc. for administering the County's Flexible Savings Account. The addendum addresses the requirements of the Health Insurance Portability and Accountability Act (HIPAA) Privacy Regulations with respect to "business associates" as the term is defined by the HIPAA Privacy Regulations. (C-03-0066)
- F. An addendum to an agreement with PayFlex Systems USA, Inc. for the County's Combined Omnibus Budget Reconciliation Act (COBRA) administration. The addendum addresses the requirements of the Health Insurance Portability and Privacy Act (HIPAA) Privacy Regulations with respect to "business associates" as the term is defined by the HIPAA Privacy Regulations. (C-03-0067)
- G. Recommendation from the Purchasing Agent and the County Engineer to award a bid to Hartmann Construction Company, in the amount of \$542,895.47, for grading construction in connection with County Project 03-30. (B-03-0008)

9) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

- A. A resolution in the matter of County Change of Zone 210, requested by Jack W. Duke, Jr. and Joy L. Duke, from AG Agricultural to AGR Agricultural Residential, on property generally located at Southwest 126<sup>th</sup> Street and West "O" Street (Highway 6) in Lancaster County, Nebraska. (R-03-0006)

9) **CONSENT ITEMS CONTINUED:**

- B. Requests from Candice Poulsen and Kimberly A. Hollibaugh, employees with Lancaster Manor, to voluntarily participate in the Lancaster County Retirement Plan having met the requirements.
- C. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:
  - ▶ KELCO Farms, in the total amount of \$8,046.62, at 14005 North 162<sup>nd</sup> Street; Project C55-H-410(1). (2 contracts) (C-03-0063 and C-03-0064)
  - ▶ Marian Krueger on Princeton Road west of South 25<sup>th</sup> Street; Project C.P.W-144. This is a donation. (C-03-0060)
  - ▶ Shirley Schutte, in the amount of \$1,777, on North 162<sup>nd</sup> Street between Highway 6 and Salt Creek Road; Project C55-H-410(1). (C-03-0062)
  - ▶ Donald and Lena Tiedeman on Princeton Road west of South 25<sup>th</sup> Street; Project C.P.W-144. This is a donation. (C-03-0059)
  - ▶ Arvid and Wava Wunderlich, in the amount of \$4,190, on North 162<sup>nd</sup> Street between Highway 6 and Salt Creek Road; Project C55-H-410(1). (C-03-0061)

10) **EMERGENCY ITEMS AND OTHER BUSINESS:**

11) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will attend Board of Equalization training regarding property valuation protests on Tuesday, February 25, 2003, beginning at 9 a.m. in Room 113 on the first floor of the County-City Building.
- B. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, February 27, 2003 beginning at 8:15 a.m. in Room 113 on the first floor of the County-City Building.
- C. Public hearings will be held on Tuesday, March 4, 2003 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding the following:
  - 1. Automatic renewal of retail liquor and beer licenses issued in Lancaster County and outside the corporate limits of any city, pursuant to Resolution 5351 adopted July 2, 1995 for which the County Clerk has received no protests.

11) **ANNOUNCEMENTS CONTINUED:**

2. A petition from ten percent of the property owners within the Yankee Ridge Subdivision for formation of a Special Paving Improvement District for the paving of Rebel Drive, South 60<sup>th</sup> Street, South 61<sup>st</sup> Court, South 63<sup>rd</sup> Street, Marlyn Road, South 64<sup>th</sup> Circle, South 65<sup>th</sup> Street, Bolton Road, South 66<sup>th</sup> Street and South 68<sup>th</sup> Street, all located within the Yankee Ridge Subdivision. The proposed District shall be called the Yankee Ridge Road Improvement District.
- D. A public hearing will be held on Tuesday, March 18, 2003 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding an application for Corporate Manager for Bryan A Cederburg and a Class M (Bottle Club) liquor license for Yankee Hill Development L.L.C. d/b/a Yankee Hill Country Club located at 7600 San Mateo Lane in Lincoln, Lancaster County, Nebraska.
- E. The Lancaster County Board of Commissioners meeting which is broadcast live at 1:30 p.m. on Tuesdays will be rebroadcast tonight at 6:30 p.m. and again on Saturday afternoon immediately following the City Council meeting rebroadcast on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on the Internet 24 hours a day at [www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us). Click on 5 City-TV Video On Demand.

12) **PENDING:**

- A. Comprehensive Plan Amendment Number 02001.A, requested by the Realty Trust Group, to amend the 2025 Lincoln-Lancaster County Comprehensive Plan to change the designation from Agriculture to Urban Residential and Commercial uses, on property generally located at the northeast corner of 84<sup>th</sup> and Van Dorn Streets.
- B. Comprehensive Plan Amendment Number 02001.B, requested by the Realty Trust Group, to amend the 2025 Lincoln-Lancaster County Comprehensive Plan to change the designation from Agriculture to Urban Residential and Commercial uses, on property generally located at the southeast corner of 84<sup>th</sup> and South Streets.

13) **ADJOURNMENT:**

This agenda, which is kept continually current, is available for inspection in the office of the County Clerk in Lancaster County, Nebraska.

**NOTE:** Interpreters for the hearing impaired are available at the meetings of the County Board upon request. Please contact the County Clerk's Office at 441-7481 at least 48 hours prior to the meeting if this accommodation is required, or if you have any other special communication needs requiring assistance. Telex Sound Masters are also available for audio enhancement during the meeting.

The Board of Commissioners Agenda and Minutes may be accessed on the Internet at: <http://www.ci.lincoln.ne.us> on the County Clerk's website.

**AGENDA  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, FEBRUARY 25, 2003  
COUNTY COMMISSIONERS CHAMBERS, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS  
MEETING**

1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, February 18, 2003. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

2) **PUBLIC COMMENT:** The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments shall be limited to items on the agenda.

3) **ADDITIONS AND DEDUCTIONS:**

Approval of 2 additions and deductions to the tax assessment rolls per Exhibit A.

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

Family Service Association of Lincoln  
First Evangelical Covenant Church  
Parkview Christian School  
St. Monica's  
Vital Services Inc.

5) **ADJOURNMENT:**

<p style="text-align:center"><b>IF YOU ARE HERE TO PARTICIPATE ON AN ITEM AND NEED SPECIAL CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER PROBLEM, PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY ACCOMMODATE YOUR NEEDS.</b></p>
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