

**AGENDA**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, MARCH 16, 2004**  
**COUNTY COMMISSIONERS HEARING ROOM, 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, March 9, 2004. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).
- 2) **SPECIAL PRESENTATIONS:**
  - A. A resolution recognizing Saturday, March 20, 2004 as Central Plains Severe Weather Symposium and Storm Spotter Appreciation Day - Doug Ahlberg, Emergency Management Director (R-04-0024)
- 3) **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 will be limited to items on the agenda.
- 4) **CLAIMS:** Approval of all claims processed through Tuesday, March 16, 2004.
- 5) **PUBLIC HEARINGS:**
  - A. Continuation of a public hearing regarding an application for a Class M (Bottle Club) liquor license from Richard R. Ferguson d/b/a The Bennet Hideaway Bed and Breakfast, located at 12100 South 162<sup>nd</sup> Street, Bennet, Lancaster County, Nebraska.
- 6) **NEW BUSINESS:**
  - A. A resolution in the matter of an application for a Class M (Bottle Club) liquor license for Richard R. Ferguson d/b/a The Bennet Hideaway Bed & Breakfast, located at 12100 South 162<sup>nd</sup> Street, Bennet, Lancaster County, Nebraska. (R-04-0025)

**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.**

6) **NEW BUSINESS CONTINUED:**

- B. Conservation easement agreement between the City of Lincoln, Lancaster County and Eugene and Jeanette M. Theer for property generally located along Salt Creek from Wilderness Park to one-half mile south of Martell Road in Lancaster County, Nebraska, consisting of 39.71 acres. The property is located within the 100-year floodplain as designated by the Federal Emergency Management Agency (FEMA). The City and County will jointly contribute \$36,500 for the easement conveyance. (C-04-0140)
  
- C. Conservation easement agreement between the City of Lincoln, Lancaster County and Stuart L. and Kelli R. Kerns for property generally located along Salt Creek from Wilderness Park to one-half mile south of Martell Road in Lancaster County, Nebraska, consisting of 19.83 acres. The property is located within the 100-year floodplain as designated by the Federal Emergency Management Agency (FEMA). The City and County will jointly contribute \$38,610 for the easement conveyance. (C-04-0141)
  
- D. Conservation easement agreement between the City of Lincoln, Lancaster County and Darrel L. and Patricia A. Schrader, and Lonnie L. and Brenna S. Schrader for property generally located along Salt Creek from Wilderness Park to one-half mile south of Martell Road in Lancaster County, Nebraska, consisting of 63.53 acres. The property is located within the 100-year floodplain as designated by the Federal Emergency Management Agency (FEMA). The City and County will jointly contribute \$60,690 for the easement conveyance. (C-04-0142)
  
- E. Conservation easement agreement between the City of Lincoln, Lancaster County and Darrel L. and Patricia A. Schrader for property generally located along Salt Creek from Wilderness Park to one-half mile south of Martell Road in Lancaster County, Nebraska, consisting of 41.25 acres. The property is located within the 100-year floodplain as designated by the Federal Emergency Management Agency (FEMA). The City and County will jointly contribute \$39,600 for the easement conveyance. (C-04-0143)
  
- F. A resolution in the matter of eliminating County Federal-Aid Bridge Replacement Project STPE-BR-5201(1), Raymond South, and including that work in State Project STPD-34-6(133), Lincoln West. (R-04-0026)

6) **NEW BUSINESS CONTINUED:**

- G. An agreement and accompanying resolution with the State of Nebraska, Department of Roads for the design and construction of 6.25 miles of Project STPB-55(150), Jamaica North Trail, beginning at 6<sup>th</sup> and Calvert Streets and ending one-half mile south of Saltillo Road. The County previously obtained a grant through the Surface Transportation Enhancement Program for funding of the project. The County will contribute \$100,000 of the total cost of the project. (C-04-0097 and R-04-0020)
- H. A utility relocation agreement between the County and Lancaster County Rural Water District Number 1 relating to Project 04-02 for Erosion Control at Box Culverts and Bridges, County Structure R-168. The total amount of the project is estimated at \$7,450, of which \$7,450 is estimated to be the share of the cost chargeable to the County. (C-04-0113)
- I. An agreement between Midland Recycling, Lancaster County, the City of Lincoln and the Public Building Commission for the collection and recycling of office paper, magazines, newspapers, cardboard and books from City and County facilities. The term of the agreement is January 1, 2004 through December 31, 2007 and each entity can terminate upon 60 days written notice. The estimated cost of this service is \$1,020, however, Midland Recycling does not charge for the recycling services and the total annual revenue for recyclables for all three governmental entities is estimated at over \$5,600. (C-04-0116)
- J. An agreement between Lancaster County, Region V Systems and Cornhusker Place of Lincoln-Lancaster County Inc. for Cornhusker Place to assist the County and Region V by including in the services it presently provides, the detention of individuals who are in Emergency Protective Custody (EPC) in cases in which detention at Cornhusker Place is appropriate. The agreement is effective upon execution and will expire on June 30, 2004. Any party may terminate the agreement by giving 60 days written notice. (C-04-0117)
- K. An agreement with Region V Community Human Services Program (Region V) for Region V, through Cornhusker Place, Inc., to assume the safekeeping, care and sustenance of certain acutely mentally ill individuals in the County. Term of the agreement is July 1, 2003 through June 30, 2004. The County will pay Region V the sum of \$110 per individual, per day. (C-04-0137)
- L. An agreement with K & M Land Surveying, Inc. for surveying services on South 98<sup>th</sup> Street from Old Cheney Road to "A" Street, Project C55-KP-412(1). Term of the agreement is March 22, 2004 to May 7, 2004. The County will pay \$4,400 for the services. (C-04-0118)

6) **NEW BUSINESS CONTINUED:**

- M. An amendment to an agreement with Pepperl & McMahon-Boies Law Offices under County Contract C-03-0006 for legal representation to indigent parties in proceedings arising pursuant to Neb. Rev. Stat. §43-247(1), (2), (3)(a), (4), (5), (6) and (8) in the Separate Juvenile Court of Lancaster County. The Juvenile Court will be implementing the State's Judicial Users System to Improve Court Efficiency (JUSTICE) for juvenile cases and as a result, each supplemental petition filed in an abuse/neglect case will become a new District Court case. The County wishes to amend the definition of 3(a) "cases" to conform to the intent and understanding of the original agreement. (C-04-0114)
- N. An amendment to an agreement with PharMerica under County Contract C-02-0381 for pharmacy and related services at Lancaster Manor. The original agreement will be amended to reflect the insertion of Schedule A-5 Health Care Products, including Medicare Part B covered products. PharMerica will bill Medicare Part B directly using its own provider number. (C-04-0115)
- O. An amendment to an agreement with Reynolds Davis, under County Contract C-03-0082, for serving as Project Manager for the Community Emergency Response Team (CERT) program and training throughout the State of Nebraska. The parties had previously entered into an amendment, under County Contract C-03-0493, to extend the term of the agreement and amend the compensation to include additional Fiscal Year 2003 grant funds. The compensation figure was incorrectly calculated in that amendment (C-03-0493), and the parties wish to amend the compensation from \$74,234.25 to \$96,554.26 for the contract term of February 1, 2003 to June 30, 2004. (C-04-0138)
- P. An amendment to an agreement with Cedars Youth Services, Inc., under County Contract C-04-0031, for the lease of approximately 1,090 square feet in the Northbridge Building. The County wishes to install 11 under desk keyboard holders into the workstations and the total cost of the keyboards is \$2,334. As a result, the parties wish to amend the monthly lease payment from \$730 to \$1,313.50 for the period beginning March 1, 2004 and ending June 30, 2004. (C-04-0139)
- Q. Approval of submission for year two of a three year Substance Abuse and Mental Health Services Administration (SAMHSA) grant to expand and enhance substance abuse treatment capacity in Lancaster County by Lancaster County on behalf of St. Monica's Behavioral Health Services for Women, in the amount of \$500,000, with no County match for the year 2004.

7) **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. Receive and Place on File:

1. Lancaster Manor's Monthly Report.
2. Records and Information Management's Monthly Report for February, 2004.
3. Audit of Lancaster Agricultural Society and the Lancaster County Fairgrounds Joint Public Agency (JPA) for the year ended November 30, 2003.

B. Setting of a public hearing for Tuesday, March 30, 2004 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding City-County Final Plat 04010, Stevens Creek Pointe Addition, requested by Brian D. Carstens and Associates on behalf of Gerry and Dianne Krieser, consisting of seven lots and three outlots, on property generally located at North 134<sup>th</sup> and Adams Street.

C. Request from Kimberley Mundil, an employee at the Lancaster County Community Mental Health Center, to voluntarily participate in the County's Retirement Plan, having met the requirements.

D. Leasehold agreements between the Lancaster County Engineering Department and the following individuals:

- ▶ Steven Althouse, in the amount of \$10, for bridge construction one-half mile east of the intersection of North 112<sup>th</sup> Street and Raymond Road; Project Bridge A-8. (C-04-0119)
- ▶ Dave Golda, in the amount of \$10, for culvert construction one-quarter mile south of North 141<sup>st</sup> Street and Davey Road; Project C.P.A-187. (C-04-0120)

E. Right-of-way contracts between the Lancaster County Engineering Department and the following individuals:

- ▶ Thelma Anderson for culvert construction one-half mile west of North 134<sup>th</sup> Street on Davey Road; Project C.P.-A-223. This is a donation. (C-04-0121)
- ▶ Cockerill Fertilizer, Inc. for culvert construction one-quarter mile south of North 141<sup>st</sup> Street and Davey Road; Project C.P.A-187. This is a donation. (C-04-0122)
- ▶ Lincoln Electric System for culvert construction at 7707 Bluff Road; Project C.P.G-139. This is a donation. (C-04-0123)
- ▶ Wayne S. and Lorraine J. Nelson, in the amount of \$485.50, for culvert construction at 12800 Wittstruck Road; Project C.P.R-168. (C-04-0124)

7) **CONSENT ITEMS CONTINUED:**

- ▶ David and Barbara Paulsen, in the amount of \$277.30, for culvert construction at South 120<sup>th</sup> Street and Hickman Road; Project C.P.R-213. (C-04-0125)
- ▶ Anna H. Smith, Trustee, in the amount of \$220, for culvert construction at Northwest 84<sup>th</sup> and West "O" Streets; Project C.P.M-110D. (C-04-0126)
- ▶ Karen N. Cook, in the total amount of \$389, for culvert construction south of Bluff Road on North 14<sup>th</sup> Street; Project C.P.F-84. (2 contracts) (C-04-0127 and C-04-0128)
- ▶ Jerry L. Minchow, Trustee, in the total amount of \$169, for bridge construction one-quarter mile west of the intersection at North 134<sup>th</sup> Street and Raymond Road; Project Bridge A-11. (2 contracts) (C-04-0129 and C-04-030)
- ▶ Inez A. Munn, in the total amount of \$762, for bridge construction one-half mile east of the intersection of North 112<sup>th</sup> Street and Raymond Road; Project Bridge A-8. (2 contracts) (C-04-0131 and C-04-0132)
- ▶ Nancy A. Ritta and Eric K. Heninger, in the total amount of \$1,621.50, for bridge construction at 13001 Raymond Road; Project Bridge A-11. (2 contracts) (C-04-0133 and C-04-0134)
- ▶ Bruce and Arlene Vandergriend, in the total amount of \$4,600, for road construction at 6601 Roca Road; Project STPE-3265(6). (2 contracts) (C-04-0135 and C-04-0136)

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

9) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, March 18, 2004 beginning at 8:15 a.m. in Room 113 on the first floor of the County-City Building.
- B. 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 <http://www.lancaster.ne.gov>. Click on 5 City-TV Video On Demand.

10) **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. (Placed on pending December, 2002.)

11) **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.lancaster.ne.gov> on the County Clerk's website.

**AGENDA**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**TUESDAY, MARCH 16, 2004**  
**COUNTY COMMISSIONERS HEARING ROOM, 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, March 9, 2004. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>)
  
- 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 will be limited to items on the agenda.
  
- 3) **ADDITIONS AND DEDUCTIONS:**  
  
Approval of 116 additions and deductions to the tax assessment rolls per Exhibit "A".
  
- 4) **MOTOR VEHICLE TAX EXEMPTIONS:**  
  
Cedars Youth Services  
City Impact  
Developmental Services of Nebraska Inc. (5 exemption applications)  
First Lutheran Church  
Our Lady of Guadalupe Seminary, a division of the Priestly Fraternity of St. Peter  
(2 exemption applications)  
Parkview Christian School  
Redeemer Lutheran Church  
Southeast Nebraska Mobile Diagnostic Services, Inc.  
Tabitha, Inc. (2 exemption applications)
  
- 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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