

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, NOVEMBER 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, November 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. Recognition of Melanie Bailey with the Lancaster County Corrections Department for receipt of the 28th Annual Law Enforcement Officer of the Year Award sponsored by the Capitol Footprint Association of Lincoln.

- 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, November 16, 2004.

- 5) **PUBLIC HEARINGS:**
 - A. Sale of County property generally located at 3830 Adams Street, Lincoln, Nebraska, legally described as Wesleyan Heights, Lots 94-98, and determination of fair market value of the property.

 - B. An application for an amusement license from Neil H. Zimmer, on behalf of the American Legion Post 294, to hold a fund raising event (card playing, pull tabs and a raffle). The fund raiser will be held on Sunday, November 21, 2004 from 1 p.m. to 10:30 p.m. at the Sprague-Martell Community Center, located at 17490 Southwest 14th Street, in Lancaster County, Nebraska.

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

6) **NEW BUSINESS:**

- A. A grant contract with Lincoln Medical Education Partnership (Family Violence Council) for funding for the community-driven initiatives to address violence against women among diverse and traditionally under served populations while strengthening legal advocacy services for victims of domestic violence and dating violence, including assistance to such victims in immigration matters, in the amount of \$91,820. Term of the grant contract is September 1, 2004 through August 30, 2005. (C-04-0552)
- B. A grant contract with the Rape Spouse Abuse Crisis Center for funding for the community-driven initiatives to address violence against women among diverse and traditionally under served populations while strengthening legal advocacy services for victims of domestic violence and dating violence, including assistance to such victims in immigration matters, in the amount of \$46,323. Term of the grant contract is September 1, 2004 through August 30, 2005. (C-04-0553)
- C. A contract with Johnson Appraisal, LLC, in the amount of \$11,775, for appraisal services in connection with Project C55-F-415 (3), Northwest 27th Street, Alvo Road to Waverly Road. (C-04-0559)
- D. A Certificate of Substantial Completion for Community Mental Health Midtown Center located at 2966 "O" Street, Lincoln, Nebraska. (C-04-0554)
- E. An interlocal agreement for juvenile services between Lancaster County and Cass County. Lancaster County will provide for the safekeeping, care and sustenance of the juvenile while at the Youth Services Center. Each county will pay Lancaster County at a rate of \$234 per youth, per day. The agreement is effective upon execution by both parties and has a 30 day termination provision. (C-04-0555)
- F. An interlocal agreement for juvenile services between Lancaster County and Polk County. Lancaster County will provide for the safekeeping, care and sustenance of the juvenile while at the Youth Services Center. Each county will pay Lancaster County at a rate of \$234 per youth, per day. The agreement is effective upon execution by both parties and has a 30 day termination provision. (C-04-0556)
- G. An interlocal agreement for juvenile services between Lancaster County and Butler County. Lancaster County will provide for the safekeeping, care and sustenance of the juvenile while at the Youth Services Center. Each county will pay Lancaster County at a rate of \$234 per youth, per day. The agreement is effective upon execution by both parties and has a 30 day termination provision. (C-04-0557)
- H. An interlocal agreement for juvenile services between Lancaster County and Hall County. Lancaster County will provide for the safekeeping, care and sustenance of the juvenile while at the Youth Services Center. Each county will pay Lancaster County at a rate of \$234 per youth, per day. The agreement is effective upon execution by both parties and has a 30 day termination provision. (C-04-0558)

6) **NEW BUSINESS CONTINUED:**

- I. A resolution in the matter of setting the election and boundaries of the Clarendon Hills Road Improvement District in Lancaster County, Nebraska. (R-04-0137)
- J. A resolution in the matter of approving an additional expenditure in the amount of \$8,045.38, pursuant to Section 7 of the utility relocation agreement between Lancaster County and Lancaster County Rural Water District No 1, under County Contract No. C-03-0643.
- K. Recommendation from the Purchasing Agent and the County Engineer to award an order from State of Nebraska Contracts No. 111270C and No. 111220C to Husker Auto Group, in the total amount of \$103,173.00, for two 2005 Chevrolet Silverado pickups with a 2 wheel drive package, one 2005 Chevrolet Silverado pickup with a 4 wheel drive package, and two 2005 Chevrolet Suburban, 9 passenger carryall. (B-04-0047)
- L. Recommendation from the Purchasing Agent and the County Engineer to award a bid for rock hauling and production to various stockpiles within the County as follows: (B-04-0048)

Project 05-20H - Waverly Maintenance Station

Stanford Madlock & Son (Hauler)	\$2.82/Ton	\$ 27,918.00
Kerford Limestone (Producer)	\$9.15/Ton	<u>\$ 90,585.00</u>
Project Total		\$118,503.00

Project 05-21H - Emerald Stockpile

LeRoy Hiskey Trucking Co, Inc. (Hauler)	\$4.50/Ton	\$ 15,300.00
Kerford Limestone (Producer)	\$9.15/Ton	<u>\$ 31,110.00</u>
Project Total		\$ 46,410.00

Project 05-22H - Raymond Stockpile

Westover Rock & Sand (Hauler)	\$4.40/Ton	\$ 17,600.00
Kerford Limestone (Producer)	\$9.15/Ton	<u>\$ 36,600.00</u>
Project Total		\$ 54,200.00

Project 05-23H - SW 12th Street & Saltillo Road Stockpile

Kuhn's Trucking (Hauler)	\$3.56/Ton	\$ 17,800.00
Kerford Limestone (Producer)	\$9.15/Ton	<u>\$ 45,750.00</u>
Project Total		\$ 63,550.00

Project 05-24H - SW 98th Street & Saltillo Road Stockpile

Hiskey Trucking (Hauler)	\$4.70/Ton	\$ 26,320.00
Kerford Limestone (Producer)	\$9.15/Ton	<u>\$ 51,240.00</u>
Project Total		\$ 77,560.00

Project 05-25H - Roca Stockpile

Buel Trucking, Inc. (Hauler)	\$3.55/Ton	\$ 42,600.00
Kerford Limestone (Producer)	\$9.15/Ton	<u>\$109,800.00</u>
Project Total		\$152,400.00

6) **NEW BUSINESS CONTINUED:**

Project 05-26H - Walton Maintenance Station

Buel Trucking, Inc. (Hauler)	\$2.45/Ton	\$ 14,945.00
Kerford Limestone (Producer)	\$9.15/Ton	<u>\$ 55,815.00</u>
	Project Total	\$ 70,760.00

Total cost of hauling and production is \$583,383.00.

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. County Assessor/Register of Deeds Monthly Report for October, 2004.
2. Clerk of the District Court's Monthly Report for October, 2004.
3. County Engineer's Quarterly Report for July, August and September, 2004.
4. County Engineer's Quarterly Report for the Geographic Information System Division (GIS) for July, August and September, 2004.
5. Records and Information Management's Monthly Report for October, 2004.

B. Setting of a public hearing for Tuesday, November 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 amending the Lincoln-Lancaster County Air Pollution Program Regulations and standards, which include amending Article 2, Sections 6, 7, 11, 17, 18, 20, 22 and 28.

C. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:

- Bill and Julie Latenser at 1101 Plum Ridge Road; Plum Ridge Road Culverts. This is a donation. (C-04-0560)
- Lee R. Zabokrtsky at 1100 Plum Ridge Road; Plum Ridge Road Culverts. This is a donation. (C-04-0561)
- George H. and Sharon E. Wingrove at 15200 Plum Ridge Road; Plum Ridge Road Culverts. This is a donation. (C-04-0562)
- Opal K and Arthur Harper, in the total amount of \$587.00 at 17421 Old Cheney Road, Walton, Nebraska; Project C55-Q-407 (2). (2 Contracts) (C-04-0563) (C-04-0564)
- Antoinette R. Keim, in the total amount of \$11,376.18 at 17041 Old Cheney Road, Walton, Nebraska; Project C55-Q-407 (2). (2 Contracts) (C-04-0565) (C-04-0566)

D. A quitclaim deed between Lancaster County and Lillie I. Larsen for property located at Northwest 12th Street and Davey Road.

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

9) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, November 18, 2004, beginning at 8:15 a.m., in Room 113, on the first floor of the County-City Building.
- B. A public hearing will be held on Tuesday, November 16, 2004 at 7:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding Lancaster County's proposed One and Six-Year Road and Bridge Improvement Program for the fiscal years beginning July 1, 2005 through June 30, 2010, as proposed by the Lancaster County Engineer.
- C. A public hearing will be held on Tuesday, November 23, 2004 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding County Special Permit 04052, requested by Kitra L. Deger, for authority to construct and operate a private school/preschool for up to 30 students, on property generally located at 148th Street and "O" Streets (14302 "O" Street) in Lancaster County, Nebraska.
- D. A public hearing regarding Comprehensive Plan Amendment 04020, requested by the Director of Planning on behalf of the Nebraska Department of Roads, to amend the Mobility and Transportation element of the 2025 Lincoln/Lancaster County Comprehensive Plan, to upgrade U.S. Highway 77/West Bypass from an expressway to freeway status beginning at the planned South Beltway interchange just south of Saltillo Road and ending at Interstate 80 will be reconvened on Tuesday, December 7, 2004 in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building at 1:30 p.m..
- 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 <http://www.lancaster.ne.gov>. Click on 5 City-TV Video On Demand.

10) **PENDING:**

- A. A resolution in the matter of Comprehensive Plan Amendment 04020, requested by the Director of Planning, on behalf of the State of Nebraska, Department of Roads, to upgrade U.S. Highway 77/West Bypass from an expressway to freeway status, as provided in Exhibit "A". (R-04-0113)
- B. Public hearing regarding County Change of Zone 04053, from AG Agricultural District to AGR Agricultural Residential District, requested by Mark Hunzeker on behalf of Wapiti Enterprises, Inc., on property generally located at the southeast corner of Southwest 40th Street and Rokeby Road in Lancaster County, Nebraska. (Recessed on September 28, 2004.)

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, NOVEMBER 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, November 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 4 additions and deductions to the tax assessment rolls per Exhibit "A".

- 4) **MOTOR VEHICLE TAX EXEMPTIONS:**

Developmental Services of Nebraska, Inc.
Pius X High School
School Sisters of Christ the King

- 5) **ADJOURNMENT:**

**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.**