

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 23, 2006
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, May 16, 2006. (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) **CLAIMS:** Approval of all claims processed through Tuesday, May 23, 2006.
- 3) **PUBLIC HEARINGS:**
 - A. Continuation of a public hearing regarding an application for Corporate Manager for Holly Christine Horsham and a new application for a Class I (Spirits, Wine, Beer, On Sale Only) liquor license from Ely's Service, Inc. d/b/a Marina Bay Grill (formerly Castaways Bar & Grill on Branched Oak) located at 10005 West Davey Road, Raymond, Lancaster County, Nebraska. (See New Business Item 5A for correlating documentation.)
 - B. County Special Permit No. 06023, requested by American Family Association, Inc., for authority to construct a 498 foot radio broadcast tower capable of accommodating at least three carriers, on property generally located southeast of the intersection of South 54th Street and Pella Road, Lancaster County, Nebraska. (See New Business Item 5B for correlating documentation.)
 - C. County Special Permit No. 06024, requested by Kurtis and Judy Polivka, for authority to locate and live in a mobile home as a temporary residence while building a permanent residence on property generally located at North 176th Street and Branched Oak Road, Lancaster County, Nebraska. (See New Business Item 5C for correlating documentation.)

**THOSE WISHING TO SPEAK ON ITEMS SPECIFIC TO TODAY'S AGENDA ARE
ASKED TO DO SO WHEN THE ITEM IS CALLED BY THE COUNTY CLERK.
EACH SPEAKER IS LIMITED TO FIVE (5) MINUTES.**

4) **OLD BUSINESS:**

- A. County Change of Zone 04074, from AG Agricultural District to AGR Agricultural Residential District, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Removed from pending on May 9, 2006.)
- B. County Special Permit 04058, Lakewood Hills Community Unit Plan, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage units, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Removed from pending on May 9, 2006.)
- C. County Preliminary Plat 04028, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Removed from pending on May 9, 2006.)
- D. County Final Plat 04126, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Removed from pending on May 9, 2006.)

5) **NEW BUSINESS:**

- A. A resolution in the matter of an application for Corporate Manager for Holly Christine Horsham and a new application for a Class I (Spirits, Wine, Beer, On Sale Only) liquor license from Ely's Service, Inc. d/b/a Marina Bay Grill located at 10005 West Davey Road, Raymond, Lancaster County, Nebraska. (R-06-0054)
- B. A resolution in the matter of County Special Permit No. 06023 requested by American Family Association, Inc. for authority to construct a 498 foot radio broadcast tower on property generally located southeast of the intersection of South 54th street and Pella Road, Lancaster County, Nebraska. (R-06-0050)
- C. A resolution in the matter of County Special Permit No. 06024 requested by Kurtis and Judy Polivka for authority to locate and live in a mobile home as a temporary residence while building a permanent residence on property located at North 176th Street and Branched Oak Road, Lancaster County, Nebraska. (R-06-0049)

5) **NEW BUSINESS CONTINUED:**

- D. An application for a Special Designated License from Ken's Liquor, Inc. to provide liquor beverage service at a wedding reception on Saturday, June 17, 2006 from 5 p.m. to 1 a.m. at the Waverly Foundation Hall located at 11120 North 141st Street, Waverly, Lancaster County, Nebraska.
- E. Agreements with the following facilities to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. The agreements set forth a reimbursement arrangement in which the County will provide payment for the medical care and the facilities will reimburse the County if/when the General Assistance client is later determined eligible for Medicaid reimbursement. The agreements are effective upon execution of both parties and contains a 30-day termination provision.

Allergy, Asthma & Immunology, P.C.
(C-06-0210)

Robert Arias, Ph.D. (C-06-0211)

Associated Anesthesiologists, P.C.
(C-06-0212)

Carolyn S. Cody, M.D. (C-06-0213)

Contemporary Healthcare (C-06-0214)

John F. Cordova, M.D. (C-06-0215)

Crossroads Physical Therapy (C-06-0216)

General Surgery Associates (C-06-0217)

Hanger Prosthetics & Orthotics (C-06-0218)

Lincoln Surgical Group, P.C. (C-06-0231)

Heart & Health Solutions (C-06-0219)

Lincoln Surgical Hospital (C-06-0220)

Dr. Dan Mosier (C-06-0221)

Stephen Paden, M.D. (C-06-0222)

Sanat Roy, M.D. (C-06-0223)

Surgical Care (C-06-0224)

Rafael Tatay, M.D. (C-06-0225)

Miles C. Tommeraasen, M.D. (C-06-0226)

Wedgewood Legacy Medical (C-06-0227)

Physicians' Surgical Center (C-06-0229)

Ear, Nose & Throat Specialties P.C. (C-06-0230)

North Lincoln Family Medical (C-06-0232)

- F. A contract between the Lancaster County Engineering Department and Micheels Construction Company, in the amount of \$54,272, to apply armor coat surface treatment on Southwest 114th Street from the Village of Kramer to Highway 33. (C-06-0228)

5) **NEW BUSINESS CONTINUED:**

- G. Recommendation from the Purchasing Agent and the Bid Review Committee to ratify contracts with the following vendors for the listed unit price for Lancaster County, the City of Lincoln and the Public Building Commission in relation to small emergency and routine maintenance and repair of facilities (under \$25,000), beginning May 1, 2006 through April 30, 2007 with an option to renew for two additional one year periods:

Roofing Services

Weathercraft Company of Lincoln
(C-06-0233)

Miscellaneous Demolition Services

MWE Services, Inc. (C-06-0237)
Mid-NE Grading & Demo (C-06-0238)
Judds Bros. Construction Co. (C-06-0239)
Brandt Excavating (C-06-0240)

Miscellaneous General Construction

K2 Construction (C-06-0234)
Dickey & Burham, Inc. (C-06-0235)
David Wood (C-06-0236)

**Miscellaneous Pavement Construction
& Reconstruction Services**

Walton Construction (C-06-0246)
Dickey & Burham, Inc. (C-06-0247)
Schmieding Concrete (C-06-0248)
Cather & Son's Construction (C-06-0249)
Pavers, Inc. (C-06-0250)

Miscellaneous Electrical Services

Commonwealth Electric Company (C-06-0241)
Ensley Electrical Services, Inc. (C-06-0242)
Hy-Electric, Inc. (C-06-0243)
Progressive Electric (C-06-0244)
Willmar Electric Service, Inc. (C-06-0245)

- H. Acceptance of a contract award from the Nebraska State Patrol for the Lancaster County Family Drug Court, in the amount of \$23,420. Term of the contract is March 1, 2005 through July 31, 2006. (C-06-0251)
- I. An agreement with Seim, Johnson, Sestak and Quist L.L.P. to prepare and deliver the Medicare Form HCFA 2088-91-A cost report for the fiscal year ended June 30, 2006 for the Community Mental Health Center. The length of the agreement is from the date of execution until the cost report has been submitted to the County. The County will pay \$4,200 to \$4,700 for the services. (C-06-0252)
- J. License agreements with The McLean Hospital Corporation for Basis-24 software used at the Crisis Center which allows staff to score and receive reports regarding patients. The County will pay \$300 for the Basis-24 license and \$215 for the Basis-24 webscore license, for a total of \$515. Term of the license agreements is October 1, 2005 through September 30, 2006. (C-06-0254)

5) **NEW BUSINESS CONTINUED:**

- K. An agreement with Interim Healthcare of Lincoln, L.L.C. for supplemental nursing services at the Community Mental Health Center. The agreement is effective upon execution by both parties and continues through June 30, 2007. The County will pay Interim based upon the rates provided in Attachment A. (C-06-0255)
- L. Renewal of a license for adult day services with the Nebraska Department of Health and Human Services for the Midtown Center in connection with the Community Mental Health Center (CMHC). The County will pay \$175 for the renewal license. (C-06-0256)
- M. Approval to submit a grant application to the Nebraska Department of Environmental Quality, on behalf of the Lancaster County Corrections Department, for the 2006 Keep Lincoln and Lancaster County Beautiful Litter Clean Up Program. The County will receive \$3,000 for the purpose of picking up litter along County roads.
- N. Recommendation from the Purchasing Agent and the Lancaster County Engineer to recognize all bids as follows for gravel, rock and gravel for ice control for Fiscal Year 2007: (B-06-0025)

Gravel

- ▶ Concrete Industries d/b/a Western Sand & Gravel at \$7.75/ton
- ▶ Bluff Gravel at \$7.25/ton
- ▶ Lyman-Richey Sand & Gravel at \$8.65/ton

Rock Surface Type "A"

- ▶ Kerford Limestone at \$9/ton

Rock Surface Type "B"

- ▶ Martin-Marietta at \$9.70/ton

Gravel for Ice Control

- ▶ Concrete Industries d/b/a Western Sand & Gravel at \$4.35/ton
- ▶ Lyman-Richey Sand & Gravel at \$6.45/ton

- O. Setting the salary of Michelle Paxton at \$54,000 as an attorney in the Lancaster County Attorney's Office, effective May 24, 2006.
- P. Request from Dean L. and Marian Krueger for a refund of personal property taxes for 2004, in the approximate amount of \$76.76, and for 2005, in the approximate amount of \$61.82.

5) **NEW BUSINESS CONTINUED:**

- Q. A political subdivision tort claim filed against the Lancaster County Corrections Department by Michael Doran for lost property, in the amount of \$20.
- R. A political subdivision tort claim filed against the Lancaster County Corrections Department by Terry Flournoy for lost property, in the amount of \$20.
- S. A political subdivision tort claim filed against the Lancaster County Corrections Department by Erick Trimble for lost property, in the amount of \$94.
- T. An agreement with Intrepid America-Nebraska, Inc. for supplemental nursing services at the Community mental Health Center. The agreement is effective upon execution by both parties and continues through June 30, 2007. The County will pay registered nurses from \$47 to \$55 per hour. (C-06-0253)

6) **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 Engineer's Quarterly Report for January, February and March, 2006.
- 2. County Engineer's Quarterly Report for the GIS Division for January, February and March, 2006.
- 3. Audit Report of Lancaster County, Nebraska for year ended June 30, 2005.

B. Right-of-way contracts relating to culvert replacement between the Lancaster County Engineering Department and the following individuals:

- ▶ Russell and Kathleen Egger, in the amount of \$574.50, on Southwest 29th Street north of West Hallam Road; Project CP-W-264. (C-06-0257)
- ▶ Mildred Gerdes, in the amount of \$457, on Northwest 40th Street south of West Little Salt Road; CP-C-323. (C-06-0258)
- ▶ Harry Dale Giebenrath, in the amount of \$541, on North 40th Street north of Mill Road; Project CP-G-43. (C-06-0259)
- ▶ John and Joyce Howlett on Southwest 72nd Street north of West Martell Road; Project CP-U-24. This is a donation. (C-06-0260)
- ▶ Wanda Lee Nelson Mandigo, in the amount of \$245, on Alvo Road east of North 134th Street; Project CP-H-135. (C-06-0261)
- ▶ Ronald Schied, in the amount of \$91, on North 40th Street north of Mill Road; Project CP-G-43. (C-06-0262)
- ▶ Arvid Wunderlich on Waverly Road east of North 12th Street; Project CP-H-100. This is a donation. (C-06-0263)

7) **PENDING:** *Items currently on pending may be removed at the discretion of the Board and scheduled for action on a regular Board of Commissioners agenda following a two week notification period.*

A. County Change of Zone No. 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, Lancaster County, Nebraska.
(Remove from pending on October 24, 2006.)

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

9) **ANNOUNCEMENTS:**

A. The Lancaster County Board of Commissioners will hold a Staff Meeting on Thursday, May 25, 2006 beginning at 8:30 a.m. in Room 113 located on the first floor of the County-City Building, 555 South 10th Street, Lincoln, Nebraska.

B. Public hearings will be held on Tuesday, May 30, 2006 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 No. 06017, Meadowlark Hills Community Unit Plan, requested by Meadowlark Enterprises, L.L.C., for authority to develop 12 residential acreage units on property generally located west of the intersection of South 25th Street and Martell Road, Lancaster County, Nebraska.

C. The Lancaster County Board of Commissioners will hold departmental budget hearings on various dates and times at the County-City Building (room numbers listed below) located at 555 South 10th Street, Lincoln, Nebraska:

Thursday, May 25, 2006 - Room 113

1:00 pm - Mental Health Center
1:20 pm - Vets Affairs/General Asst.
1:40 pm - Community Corrections
2:00 pm - Lancaster Manor
2:30 pm - Human Services
3:00 pm - Youth Services Center/YAC
3:30 pm - Juvenile Court
4:00 pm - Miscellaneous Budgets

Tuesday, May 30, 2006 - Room 113

8:30 am - County Clerk
8:50 am - County Treasurer
9:10 am - County Assessor
9:30 am - County Engineer/GIS
9:50 am - Records Management
10:10 am - Property Management
10:30 am - County Attorney
10:50 am - Sheriff

Thursday, June 8, 2006 -Room 113

1:00 pm - Election Comm/Jury Comm
1:20 pm - Library
1:40 pm - Weed Control
2:00 pm - Corrections
2:20 pm - Information Services
2:40 pm - Visitors Promotion
3:00 pm - Agricultural Society

9) **ANNOUNCEMENTS CONTINUED:**

Other Budget Meetings will be Scheduled on a Staff Meeting Agenda:

Thursday, June 22, 2006 - 8:30 a.m.: Budget Work Session, County-City Building, Room 113

Thursday, June 29, 2006 - 8:30 a.m.: Budget Work Session, County-City Building, Room 113

July 1 through July 16, 2006 - Preparation of budget document

Thursday, July 6, 2006 - 8:30 a.m.: Budget Work Session, County-City Building, Room 113

Tuesday, July 11, 2006 - 1 p.m. to 3:45 p.m. : Budget Work Session, County-City Building, Room 113

Tuesday, July 11, 2006 - 4:00 p.m. to 8:00 p.m.: Common Budget Hearings, County-City Building, Room 113

Thursday, July 13, 2006 - 8:00 a.m. to 4:30 p.m.: Final Work Session, County-City Building, Room 113

Monday, July 31, 2006 - File proposed budget with County Clerk

Tuesday, August 1, 2006 - Direct County Clerk to publish notice of public hearing on County budget

Tuesday, August 15, 2006 - 7 p.m. : Public Hearing on County Budget; County-City Building, Room 112

Thursday, August 17, 2006 - 10:00 a.m. to 11:30 a.m.: Review Agricultural Society and Rural Fire Budgets, County-City Building, Room 113

Tuesday, August 22, 2006 - 1:30 p.m.: Adoption of County Budget, County-City Building, Room 112

D. 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 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) **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.

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.

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, MAY 23, 2006
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, May 16, 2006. (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>).

THOSE WISHING TO SPEAK ON ITEMS SPECIFIC TO TODAY'S AGENDA ARE ASKED TO DO SO WHEN THE ITEM IS CALLED BY THE COUNTY CLERK. EACH SPEAKER IS LIMITED TO FIVE (5) MINUTES.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 237 additions and deductions to the tax assessment rolls per Attachment "A".

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

Cathedral of the Risen Christ
Community Blood Bank of the Lancaster County Medical Society (2 exemption applications)
Cornhusker Place, Inc.
First United Methodist Church
Lincoln Medical Education Partnership

- 4) **APPROVAL OF 2006 451 AND 451A TAX EXEMPTIONS ON REAL AND PERSONAL PROPERTY PER ATTACHMENT "B":**

- 5) **APPROVAL OF 2006 PARTIAL 451 TAX EXEMPTIONS ON REAL PROPERTY PER ATTACHMENT "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.

- 6) DENIAL OF 2006 451 AND 451A TAX EXEMPTIONS ON REAL PROPERTY PER ATTACHMENT "B":
- 7) APPROVAL OF 2006 451A AND 451 TAX EXEMPTIONS ON REAL AND PERSONAL PROPERTY WITH A LATE FILING PENALTY PER ATTACHMENT "B":
- 8) ADJOURNMENT: