

**AGENDA**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, AUGUST 8, 2006**  
**COUNTY COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**9:30 A.M.**

*Location Announcement of Nebraska Open Meetings Act: A copy of the Nebraska Open Meetings Act is located on the wall at the rear of the Hearing Room.*

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, August 8, 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) **SPECIAL PRESENTATIONS:**
  - A. Presentation of the Commissioners Award of Excellence for July, 2006 to the team of Amy Munsterman and Audrey Bakula, employees at the Community Mental Health Center.
  
- 3) **CLAIMS:** Approval of all claims processed through Tuesday, August 8, 2006.
  
- 4) **PUBLIC HEARINGS:**
  - A. County Special Permit No. 05058, Martell Development Community Unit Plan, requested by Marcia Kinning of ESP on behalf of Dutch Bentzinger, for authority to develop four residential acreage lots on 20.78 acres on property located northeast of Southwest 29<sup>th</sup> Street and West Martell Road, Lancaster County, Nebraska. (See New Business Item 6A and 6B for correlating documentation.)
  
  - B. County Change of Zone No. 06022, requested by J.D. Burt of Design Associates on behalf of TO DEW, L.L.C., from AG Agricultural District to AGR Agricultural Residential District, on property generally located at Southwest 62<sup>nd</sup> Street and West Sprague Road, Lancaster County, Nebraska. (See New Business Item 6C for correlating documentation.)

<p style="text-align:center"><b>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.</b></p>
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4) **PUBLIC HEARINGS CONTINUED:**

- C. County Special Permit No. 06028, requested by J.D. Burt of Design Associates, on behalf of TO DEW, L.L.C. (Debra and Todd Wendelin), for authority to develop dwelling units within 1320 feet of a public lake, on property generally located at Southwest 62<sup>nd</sup> Street and West Sprague Road, Lancaster County, Nebraska. (See New Business Item 6D for correlating documentation.)
- D. County Preliminary Plat No. 06005, requested by J.D. Burt of Design Associates on behalf of TO DEW, L.L.C. (Debra and Todd Wendelin), for 26 residential acreage lots on property generally located at Southwest 62<sup>nd</sup> Street and West Sprague Road, Lancaster County, Nebraska. (See New Business Item 5E for correlating documentation.)

5) **OLD BUSINESS:**

- A. A sub-grant award agreement between Lancaster County and the Nebraska Emergency Management Agency (NEMA) for the period of August 1, 2005 through October 31, 2005, in the amount of \$25,194.69.

6) **NEW BUSINESS:**

- A. A resolution in the matter of County Change of Zone No. 05080 requesting a change of zone for property generally located northeast of Southwest 29<sup>th</sup> Street and West Martell Road from AG Agricultural to AGR Agricultural Residential. (R-06-0069)
- B. A resolution in the matter of County Special Permit No. 05058, Martell Development Community Unit Plan, requested by Marcia Kinning of ESP on behalf of Dutch Bentzinger, to develop four residential acreage units on property generally located northeast of Southwest 29<sup>th</sup> Street and West Martell Road, Lancaster County, Nebraska. (R-06-0073)
- C. A resolution in the matter of County Change of Zone No. 06022, from AG Agricultural to AGR Residential, requested by J.D. Burt of Design Associates on behalf of TO DEW, L.L.C. (Debra and Todd Wendelin), on property generally located at Southwest 62<sup>nd</sup> Street and West Sprague Road, Lancaster County, Nebraska. (R-06-0084)
- D. A resolution in the matter of County Special Permit No. 06028, requested by J.D. Burt of Design Associates on behalf of TO DEW, L.L.C. (Debra and Todd Wendelin), for authority to develop dwelling units within 1,320 feet of a public lake on property generally located at Southwest 62<sup>nd</sup> Street and West Sprague Road, Lancaster County, Nebraska (R-06-0083)

6) **NEW BUSINESS CONTINUED:**

- E. A resolution in the matter of County Preliminary Plat No. 06005, Wendelin Estates 1<sup>st</sup> Addition, requested by J.D. Burt of Design Associates on behalf of TO DEW, L.L.C. (Debra and Todd Wendelin), for 26 residential acreage lots, on property generally located at Southwest 62<sup>nd</sup> Street and West Sprague Road, Lancaster County, Nebraska. (R-06-0085)
- F. Applications for four Special Designated Licenses from the Nebraska State Board of Agriculture to provide liquor beverage service for the following events to be held in connection with the Nebraska State Fair:
- ▶ Regional band acts to be held at the Open Air Auditorium August 25 through August 29, 2006 from 3 p.m. to Midnight; August 31, 2006 from 3 p.m. to Midnight and September 2 and September 4, 2006 from 3 p.m. to Midnight
  - ▶ Greater Omaha Barbeque Society on August 25, 2006 from 5 p.m. to Midnight; August 26 and 27, 2006 from 12 p.m. to Midnight
  - ▶ Regional band acts to be held at the Bristol Window Stage August 25 through August 30, 2006 from 5 p.m. to 1 a.m.
  - ▶ A beer garden at the Blue Oasis Addition August 25 through August 30, 2006. Hours of operation will be 5 p.m. to 1 a.m. on August 25, 2006 and 12 p.m. to 1 a.m. August 26 through September 4, 2006.
- G. An application for a Special Events Permit from Benson Enterprises, Inc. to operate a corn maze from September 23<sup>rd</sup> through October 31, 2006 at 5600 Southwest 140<sup>th</sup> Street, Denton, Lancaster County, Nebraska. The maze will operate on weekends (Friday, Saturday, and Sunday) only.
- H. Applications for Special Designated Licenses from Slapshotz Bar & Grill to provide liquor beverage service for adult softball leagues to be held at the Star City Youth Optimist Foundation, located at 5300 South Folsom Street, as follows:
- ▶ August 28, 29 and 30, 2006 from 5 p.m. to 9 p.m.
  - ▶ September 4, 5 and 6, 2006 from 5 p.m. to 9 p.m.
  - ▶ September 11, 12 and 13, 2006 from 5 p.m. to 9 p.m.
  - ▶ September 18, 19 and 20, 2006 from 5 p.m. to 9 p.m.
  - ▶ September 25, 26 and 27, 2006 from 5 p.m. to 9 p.m.
  - ▶ October 2, 3 and 4, 2006 from 5 p.m. to 9 p.m.
  - ▶ October 9, 10, 11 and 14, 2006 from 10 a.m. to 9 p.m.
  - ▶ October 16, 17 and 18, 2006 from 5 p.m. to 9 p.m.

6) **NEW BUSINESS CONTINUED:**

- I. An educational affiliation agreement between BryanLGH Medical Center on behalf of its College of Health Science, and Lancaster County to allow the College to utilize the facilities at the Lancaster County Attorney's Office for the purpose of providing clinical experience to the College's nursing students. The agreement is effective upon execution and includes a 60 day termination provision. This agreement replaces the agreement executed by the County Board on July 25, 2006 under County Contract No. C-06-0438. (C-06-0459)
- J. A lease agreement between Lancaster County and Community Alternatives Nebraska for approximately 1,842.25 square feet of office space at Trabert Hall, located at 2202 South 11<sup>th</sup> Street, Lincoln, Nebraska. Term of the agreement is July 1, 2006 through June 30, 2007. Community Alternatives Nebraska will pay the County \$959.51 per month for the leased space. (C-06-0460)
- K. 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.
  - ▶ Endocrine Consultants of Nebraska (C-06-0451)
  - ▶ Douglas Fiedler, M.D. (C-06-0452)
  - ▶ William Johnson, M.D. (C-06-0453)
  - ▶ Lisa Mansur, M.D. (C-06-0454)
  - ▶ Ellen Miller, M.D. (C-06-0455)
  - ▶ Anup Chakraborty, M.D. (C-06-0456)
  - ▶ John Rudersdorf, M.D. (C-06-0457)
  - ▶ John Trapp, M.D. (C-06-0458)
- L. Request for step pay increases for William Fleisher and Steven Spader, employees in the Lancaster County Engineer's Department, due to exceptional circumstances.

6) **NEW BUSINESS CONTINUED:**

- M. Request for a two step pay increase for Jane Nelkin, an employee at Lancaster Manor, due to exceptional circumstances.
- N. A political subdivision tort claim filed by Arlyn J. (LeRoy) Eastman on behalf of Lino Lowell Spotted Elk, Jr. against Lancaster County, in an unspecified amount, for injuries resulting from incarceration at the Sheridan County Jail located in Rushville, Nebraska.
- O. A political subdivision tort claim filed against the Lancaster County Corrections Department by Michael Carr for lost property in an unspecified amount.

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. Clerk of the District Court's Monthly Report for July, 2006.
  - 2. County Clerk's Monthly Report for July, 2006.
  - 3. Lancaster Manor's Monthly Report.
- B. Setting of a public hearing for Tuesday, August 15, 2006 at 7 p.m. in the County Commissioners Hearing Room, Rom 112, on the first floor of the County-City Building regarding Lancaster County's proposed budget for fiscal year 2006-2007.
- C. A right-of-way contract relating to road improvements between the Lancaster County Engineering Department and Irene Peters, in the amount of \$550, at North 148<sup>th</sup> and Holdrege Streets; Project No. CP-J-143. (C-06-0461)

8) **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.*

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

10) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Equalization will meet in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building as follows to review property valuation protest appeals:
- ▶ Monday, August 7, 2006 from 10 a.m. to 2 p.m.
  - ▶ Tuesday, August 8, 2006 from 1:30 to 4:30 p.m.
  - ▶ Wednesday, August 9, 2006 from 8 a.m. to Noon (Meet in Room 113)
  - ▶ Thursday, August 10, 2006 1 p.m. to 5 p.m.
- B. The Lancaster County Board of Commissioners will hold a Staff Meeting on Thursday, August 10, 2006, beginning at 8:30 a.m. in Room 113 located on the first floor of the County-City Building, 555 South 10<sup>th</sup> Street, Lincoln, Nebraska.
- C. The Lancaster County Board of Commissioners have scheduled budget meetings to be held at the County-City Building located at 555 South 10<sup>th</sup> Street, Lincoln, Nebraska (room numbers listed below):

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

**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** - 9:30 a.m.: Adoption of County Budget, County-City Building, Room 112

- D. The Lancaster County Board of Commissioners meeting which is broadcast live at 9:30 a.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.

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.

**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, AUGUST 8, 2006**  
**COUNTY COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS**  
**MEETING**

*Location Announcement of Nebraska Open Meetings Act: A copy of the Nebraska Open Meetings Act is located on the wall at the rear of the Hearing Room.*

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, August 1, 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 20 additions and deductions to the tax assessment rolls per Attachment "A".

- 3) **ADJOURNMENT:**

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