

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, DECEMBER 4, 2007
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, November 27, 2007. (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, December 4, 2007.
- 3) **PUBLIC HEARINGS:**
 - A. County Change of Zone No. 07052, from AG Agricultural District to AGR Agricultural Residential District, requested by Pendel, Inc., on property generally located at N.W. 118th Street and West Fletcher Road in Lancaster County, Nebraska. (See New Business Item 5B for correlating documentation.)
 - B. County Special Permit No. 07039, Parkland Estates Community Unit Plan, requested by Pendel, Inc., on property generally located at N.W. 118th Street and West Fletcher Road in Lancaster County, Nebraska. (See New Business Item 5C for correlating documentation.)
 - C. County Special Permit No. 07040, requested by Pendel, Inc., for authority to develop dwelling units within 1,320 feet of a public lake on property generally located at N.W. 118th Street and West Fletcher Road in Lancaster County, Nebraska. (See New Business Item 5D for correlating documentation.)

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.

4) **OLD BUSINESS:**

- A. A restructured promissory note with Affinity Production Company, LLC, whereby Affinity Production Company, LLC will begin repayment of a community development block grant funded economic development loan, in the amount of \$147,039, beginning July 15, 2007. (C-07-0212)

5) **NEW BUSINESS:**

- A. A resolution in the matter of Comprehensive Plan Conformance No. 07017: Adopting the One and Six-Year Road and Bridge Construction Program for Lancaster County, Fiscal Years 2008 and 2009-2013. (R-07-0104)
- B. A resolution in the matter of County Change of Zone No. 07052, from AG Agricultural District to AGR Agricultural Residential District, requested by Pendel, Inc., on property generally located at N.W. 118th Street and West Fletcher Road in Lancaster County, Nebraska. (R-07-0105)
- C. A resolution in the matter of County Special Permit No. 07039, Parkland Estates Community Unit Plan, requested by Pendel, Inc., for 22 single family acreage lots on property generally located at N.W. 118th Street and West Fletcher Road in Lancaster County, Nebraska. (R-07-0106)
- D. A resolution in the matter of County Special Permit No. 07040, requested by Pendel, Inc., for authority to develop dwelling units within 1,320 feet of a public lake on property generally located at N.W. 118th Street and West Fletcher Road in Lancaster County, Nebraska. (R-07-0107)
- E. An agreement with the firm of Anderson, Creager and Wittstruck for the representation of indigent parents and juveniles in Juvenile Court proceedings pursuant to Neb. Rev. Stat. §43-247(1), (2), (3)(a) and (b), (4), (5), (6) and (8). Term of the agreement is January 1, 2008 through December 31, 2010. The County will pay \$243,000 for the services provided. An additional \$65 per hour will be paid for time spent performing legal services in matters of establishment and enforcement of any child support order concerning a (3)(a) client's support of a child involved in the (3)(a) case. (C-07-0516)

5) **NEW BUSINESS CONTINUED:**

- F. An agreement with Larry D. Ohs, P.C. and the firm of Recknor, Williams & Wertz, represented by Steve Williams, as joint ventures, for the representation of indigent parents and juveniles in Juvenile Court proceedings pursuant to Neb. Rev. Stat. §43-247(1), (2), (3)(a) and (b), (4), (5), (6) and (8). Term of the agreement is November 1, 2007 through October 31, 2010. The County will pay \$243,000 for the services provided. An additional \$65 per hour will be paid for the time spent performing legal services in matters of establishment and enforcement of any child support order concerning a (3)(a) client's support of a child involved in the (3)(a) case. (C-07-0517)
- G. A grant contract with Lincoln Action Program Inc. for funding of the following programs: Lincoln Action Program's Education Outreach, in the amount of \$20,084; Emergency Services, in the amount of \$72,373; and Project CHIRP, in the amount of \$5,000. Total amount of the grant contract is \$97,457. Term of the grant contract is July 1, 2007 through June 30, 2008. (C-07-0518)
- H. An interlocal agreement between Lancaster County, the City of Lincoln, and the United Way of Lincoln/Lancaster County to jointly provide funding for the oversight and administration of the Community Services Initiative (CSI) Project. The County and the City of Lincoln will each contribute \$40,000 and United Way will contribute \$40,000 for a total contract fee of \$120,000. Term of the agreement is July 1, 2007 to June 30, 2008. (C-07-0519)
- I. An agreement with defenderData, LLC to provide and present a test version of defenderData's case management software system for the Public Defender's Office and the County Attorney's Office. The agreement is effective upon execution and expires on December 6, 2007. The County will reimburse defenderData's travel expenses to Lincoln, in an amount not to exceed \$3,500. (C-07-0520)
- J. A grant contract with the Asian Community and Cultural Center for job training education classes to approximately 80 refugee students, as part of the Targeted Assistance Discretionary (TAG) Grant program, in the amount of \$6,000. Term of the grant contract is October 1, 2007 to September 30, 2008. (C-07-0521)
- K. Designation of official newspapers for Lancaster County for publication of transportation projects for 2008 as follows: Lincoln Journal Star, The Voice (Hickman), Seward Independent, Crete News and The News (Waverly).
- L. A political subdivision tort claim filed against the Lancaster County Corrections Department by Reynaldo Montelongo, in the amount of \$15, for lost property.

5) **NEW BUSINESS CONTINUED:**

- M. Reappointment of Jane L. Schroeder and appointment of Debbora A. Day and Linda K. Butcher to the Lancaster County Extension Board, for three year terms beginning January, 2008 and ending December 31, 2010.
- N. Appointment of Kim Widicker, Teri Harper and Beau West to the Community Mental Health Center Advisory Committee, for three year terms beginning January 1, 2008 and ending December 31, 2010.

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. Sheriff's Report of Fees for October, 2007.
2. Weed Control Authority's Monthly Report for October, 2007.
3. Weed Control Authority's Monthly Report for the Combined Weed Program with the City of Lincoln for October, 2007.

B. Request from Kevin Addison, an employee with the Corrections Department, 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:

- ▶ John W. and Deborah K. Spader on Little Salt Road east of North 134th Street; Project CP-A-276. This is a donation. (C-07-0522)
- ▶ Jerry L. and Martha A. Minchow, Trustees, in the amount of \$77.50, on North 84th Street north of Davey Road; Project CP-B-82. (C-07-0523)
- ▶ Elmer and Myra Mae Kubicek, in the amount of \$87.40, on West Martell Road east of S.W. 142nd Street; Project CP-U-154. (C-07-0524)
- ▶ Willard H. Beckman, in the total amount of \$169, on N.W. 126th Street north of W. McKelvie Road; Project CP-E-142. (2 contracts) (C-07-0525 and C-07-0526)
- ▶ Guenter and Johanna Schwerdtle, in the amount of \$211.70, on Roca Road west of South 190th Street; Project CP-R-192. (C-07-0527)
- ▶ David E. and Roseletta V. Barry, in the amount of \$451, on N.W. 56th Street north of W. Little Salt Road; Project CP-C-337. (C-07-0528)
- ▶ Lesa J. Williams and Stanley D. and Lois J. Farlin, in the total amount of \$33,436.43, on South 98th Street between Old Cheney Road and Pioneers Boulevard; Project C55-KP-412(1). (3 contracts) (C-07-0529 through C-07-0531)

6) **CONSENT ITEMS CONTINUED:**

- ▶ Richard W. and M. LuAnn Finke, in the total amount of \$35,420, on South 98th Street between Old Cheney Road to Pioneers Boulevard; Project C55_KP-412(1). (2 contracts) (C-07-0532 and C-07-0533)
- ▶ Walter Richard Finke, in the total amount of \$44,627.50, on South 98th Street between Old Cheney Road to Pioneers Boulevard; Project C55-KP-412(1). (3 contracts) (C-07-0534 through C-07-0536)
- ▶ Stephen G. and Sandra K. Swanson, in the total amount of \$55,171, on South 98th Street between Old Cheney Road and Pioneers Boulevard; Project C55-KP-412(1). (3 contracts) (C-07-0537 through C-07-0539)

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.*

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

9) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a Staff Meeting on Thursday, December 6, 2007 beginning at 8:30 a.m. in Room 113 on the first floor of the County-City Building.
- B. The Lancaster County Board of Commissioners meeting is broadcast live at 9:30 a.m. on Tuesdays and rebroadcast at 1:30 p.m. and 6:30 p.m., as well as on Saturday afternoon on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on Nebraska On Demand Time Warner Channel 101 and is available 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.

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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, DECEMBER 4, 2007
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, November 27, 2007. (A copy of the 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) **MOTOR VEHICLE TAX EXEMPTIONS:**

Christian Retirement Homes, Inc. d/b/a Eastmont Towers
Gates of Praise
Trinity United Methodist Church

- 3) **ADJOURNMENT:**

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