

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 21, 2008
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, October 14, 2008. (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, October 21, 2008.
- 3) **SPECIAL PRESENTATIONS:**
 - A. Request for a two-step pay increase for [David Haas](#), an employee in the Lancaster County Engineering Department, due to exceptional circumstances.
 - B. Request for a two-step pay increase for [Jerry Allen](#), an employee at Lancaster Manor, due to exceptional circumstances.
- 4) **PUBLIC HEARINGS:**
 - A. [County Change of Zone No. 08042](#), requested by the Director of Planning, to amend the County Zoning Resolution to change the provisions for "wind energy conversion systems" (WECS), also known as wind turbines and windmills, as a conditional use in the AG (Agriculture) and AGR (Agricultural Residential) districts; as a permitted use in the R (Residential) and B (Business) districts; as a special permitted use over the district height in the above districts; as a special permit in the I (Industrial) districts; and to adjust the definition language. (See New Business Item 6A for correlating documentation.)

<p style="text-align:center">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.</p>

5) **OLD BUSINESS:**

- A. A resolution in the matter of the vacation of a portion of West Simon Street abutting Lot 10, Block 1, and Lot 1, Block 2 of Werger's Addition to Martell, Lancaster County, Nebraska. (R-08-0082)
- B. A grant contract with Good Neighbor Center to provide an emergency food and clothes center for low income families in the Lincoln-Lancaster County area, in the amount of \$60,000. Term of the grant contract is July 1, 2008 through June 30, 2009. The contract will automatically renew for an additional 12-month period, in the amount of \$60,000, unless notification of termination is provided by the County prior to April 30, 2009. (C-08-0521)

6) **NEW BUSINESS:**

- A. A resolution in the matter of County Change of Zone No. 8042, a text amendment to the Lancaster County Zoning Resolution, amending various sections of articles 2, 4, 5, 6, 7, 9, 13 and 17 by changing the provisions for "wind energy conversion systems" (WECS), also known as wind turbines and windmills, by adjusting the definition language and allowing for the use of wind energy conservation systems as a conditional use in the AG (Agriculture) and AGR (Agricultural Residential) districts; as a permitted use in the R (Residential) and B (Business) districts, as a special permitted use over the district height in such districts; and as a special permit in the I (Industrial) district, as provided in Attachment A. (R-08-0090)
- B. A resolution in the matter of striking uncollectible property tax from the tax list. (R-08-0089)
- C. A resolution requesting the transfer of the employment of Dru DeKlotz from the State of Nebraska to Lancaster County on behalf of the Lancaster County Community Corrections Department, pursuant to Neb. Rev. Stat. § 23-2518.01, effective October 9, 2008. (R-08-0091)
- D. An agreement with Pathology Medical Service 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 agreement sets forth a reimbursement arrangement in which the County will provide payment for the medical care and Pathology Medical Service will reimburse the County if/when the General Assistance client is later determined eligible for Medicaid reimbursement. The agreement is effective upon execution of both parties and contains a 30 day termination provision. (C-08-0554)

6) **NEW BUSINESS CONTINUED:**

- E. A grant contract with the People's City Mission for funding for the Family/Women's Shelter Program, in the amount of \$40,000, and the Day Shelter Program, in the amount of \$30,000. Total amount of the grant contract is \$70,000 and term of the grant contract is July 1, 2008 through June 30, 2009. (C-08-0555)
- F. A grant contract with El Centro de Las Americas to provide funding for the Domestic Violence Outreach program, in the amount of \$10,000. Term of the grant contract is July 1, 2008 to June 30, 2009. (C-08-0556)
- G. Acceptance of a grant award from the Department of Justice, Office on Violence Against Women for the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program, in the amount of \$400,000. This is a continuation grant award. The project period is from September 1, 2004 to December 31, 2010. (C-08-0557)
- H. An amendment to a contract between Lancaster County, on behalf of the Community Mental Health Center, and the Board of Regents of the University of Nebraska, found at County Contract No. C-07-0490, for the County providing clinical supervision, technical assistance, evaluation referrals, and office space to two Clinical Assessment Technicians provided by the University. The University will pay the County up to \$9,000 per year for the services. The amendment changes the end date of the term of the agreement from April 30, 2008 to April 30, 2009. (C-08-0558)
- I. An agreement with Cynthia D. Petersen for professional services of a nurse practitioner to assist in the provision of psychiatric services at the Community Mental Health Center. Term of the agreement is October 1, 2008 through June 30, 2009. The County will pay \$60 per hour for no more than eight hours per week. A business associate agreement is also attached to the agreement to comply with Health Insurance Portability & Accountability Act (HIPAA) Regulations. (C-08-0559)
- J. An agreement between Lancaster County, on behalf of Lancaster Manor, and BryanLGH Medical Center. The agreement secures discounted rates for Lancaster Manor residents who receive outpatient services at BryanLGH Hospital. Term of the agreement is October 1, 2008 to September 30, 2012. (C-08-0560)

6) **NEW BUSINESS CONTINUED:**

- K. An affiliation agreement between Lancaster County and Union College to allow the college to utilize the facilities at the Community Mental Health Center for providing clinical experience to the college's physician assistant students. Term of the agreement is October 1, 2008 to September 30, 2009. (C-08-0561)
- L. Utility Permit No. 939 allowing Unite Private Networks to install fiber optic communications cable at the crossings at North 98th Street, Alvo Road, North 112th Street, North 148th Street, Waverly Road, North 162nd Street, North 176th Street and Mill Road near Highway 6 at no cost to Lancaster County. (C-08-0562)
- M. A license agreement between Lancaster County and Cedar Hill Cemetery Association to construct a fence upon County property along road right-of-way located adjacent to cemetery property on North 162nd Street. There will be no cost to Lancaster County. (C-08-0563)
- N. Adoption of Investment Selection Directives for the Lancaster County Employees 457 and 401(1) Plans with Prudential Retirement. (C-08-0568)
- O. A political subdivision tort claim filed against the Lancaster County Corrections Department by [Lottie R. Buncy](#) for lost property, in the amount of \$100.

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. [Sheriff's](#) Report of Fees for September, 2008.
- B. Setting of public hearings for Tuesday, November 4, 2008 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:
 - 1. [County Change of Zone No. 08050](#), requested by Michael and Judith Rosecrans, to change the zoning on 8.84 acres, more or less, from AG Agricultural to B Business on property generally located one-half mile south of the corner of Hickman Road and Homestead Expressway/Highway 77 in Lancaster County, Nebraska.

7) **CONSENT ITEMS CONTINUED:**

2. [County Miscellaneous No. 08012](#), requested by the Director of Planning, to amend Title 26 of the Lincoln Municipal Code relating to the Lancaster Subdivision Ordinance.

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

* Tyrrell Farms, Inc., in the amount of \$2,935, on Bluff Road from North 148th and North 190th Streets; Project C55-H-402(2). ([C-08-0564](#))

* Michael Williams and Susan McIntosh, in the total amount of \$12,867, on Alvo Road from North 1st to North 14th Streets; Project C55-F-406(1). (3 contracts) ([C-08-0565](#)) ([C-08-0566](#)) ([C-08-0567](#))

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

9) **ANNOUNCEMENTS:**

A. The Lancaster County Board of Commissioners will hold a Staff Meeting on Thursday, October 23, 2008, in Room 113 on the first floor of the County-City Building beginning at 8:30 a.m..

B. A public hearing will be held on Thursday, November 20, 2008 at 7 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, 2009 through June 30, 2014.

C. The Lancaster County Board of Commissioners has continued a public hearing held on September 30, 2008 to Tuesday, November 25, 2008 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building located at 555 South 10th Street in Lincoln, Nebraska regarding a request to vacate a portion of [Southwest 86th Street](#) between West Saltillo Road and West Bennet Road, and regarding the vacation or abandonment of a portion of West Saltillo Road between Southwest 84th Street and Southwest 86th Street, such portions running from the southwest corner of Section 2, Township 8 North, Range 5 East to the northwest corner of said Section 2 and from the southwest corner of Section 35, Township 9 North, Range 5 East to the northwest corner of said Section 2, Lancaster County, Nebraska.

9) **ANNOUNCEMENTS CONTINUED:**

D. 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, OCTOBER 21, 2008
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, October 14, 2008. (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) **ADDITIONS AND DEDUCTIONS:**

Approval of 18 additions and deductions to the tax assessment rolls per Attachments "A" and "B".

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

Capitol City Christian Church
Christian Record Services, Inc.
CrossBridge Christian Church
Good News Broadcasting Association, Inc.
Linh Quang Buddhist Center
Salvation Army
Southeast Nebraska Mobile Diagnostic Services, Inc.

- 4) **ADJOURNMENT:**

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