

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, DECEMBER 9, 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, December 2, 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, December 9, 2008.
- 3) **PUBLIC HEARINGS:**
 - A. [County Board of Zoning Appeals, Appeal No. 08003](#), requested by Nicholas Zobel, for a variance of the side yard setback to allow construction of a building, on property located at 13000 North 14th Street, Lancaster County, Nebraska. (See New Business Item 5A for correlating documentation.)
 - B. Correction of a clerical error found in County Special Permit No. 07033. County Special Permit No. 07033 allows the permittee the authority to do mining and extraction of soil on property generally located on the east side of North 56th Street/Highway 77, between Branched Oak Road and Davey Road in Lancaster County, Nebraska. The correction would delete condition 2.1.3 in its entirety from Special Permit No. 07033. The language of condition 2.1.3, that is proposed to be deleted states "Access to Branched Oak Road shall meet the conditions of the County Engineer's August 8, 2007 letter and shall have approval of the County Engineer." (See New Business Item 5B 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>

4) **OLD BUSINESS:**

- A. A subdivision agreement between Lancaster County and Pendel, Inc. regarding County Final Plat No. 08041, Parkland Estates Addition, on property generally located at Northwest 118th Street and West Fletcher Avenue. ([C-08-0614](#))

5) **NEW BUSINESS:**

- A. A resolution approving County Board of Zoning Appeals, Appeal No. 08003, requested by Nicholas Zobel, for a variance of Section 4.017(d) of the Lancaster County Zoning Resolution for property located at 13000 North 14th Street, Raymond, Lancaster County, Nebraska. ([R-08-0110](#))
- B. A resolution in the matter of County Special Permit No. 07033, requested by Mark Hunzeker on behalf of Greg Sanford, for authority to do mining and extraction of soil on approximately 159.39 acres, more or less, generally located on the east side of North 56th Street/Highway 77 between Branched Oak Road and Davey Road in Lancaster County, Nebraska. The resolution rescinds Resolution No. R-07-0089. ([R-08-0104](#))
- C. A resolution approving the issuance of the Lancaster County Correctional Facility Joint Public Agency Building Bonds, in an amount not to exceed \$65,000,000; and related matters. ([R-08-0105](#))
- D. A resolution in the matter of Comprehensive Plan Conformance No. 08024: Adopting the One and Six-Year Road and Bridge Construction Program for Lancaster County, Fiscal Years 2009 and 2010-2014. ([R-08-0106](#))
- E. A resolution in the matter of County Change of Zone No. 08038 from Agriculture (AG) to Agriculture Residential (AGR) requested by Jerry and Karen Fletcher on property, approximately 80-acres more or less, generally located to the north of the interchange of South 162nd Street and Highway 2, Lancaster County, Nebraska. ([R-08-0107](#))
- F. A resolution in the matter of instituting eminent domain proceedings against JSM Farms, L.L.C., Project No. C55-F-406(1), Tract No. 6 (Alvo Road between North 1st and North 14th Streets) and replacing and rescinding County Resolution No. R-08-0098. ([R-08-0108](#))
- G. A resolution in the matter of instituting eminent domain proceedings against Jon C. and Sharon S. Mumgaard, Project No. C55-F-406(1), Tract No. 7 (Alvo Road between North 1st and North 14th Streets) and replacing and rescinding County Resolution No. R-08-0099. ([R-08-0109](#))

5) **NEW BUSINESS CONTINUED:**

- H. A resolution in the matter of relaxing the design loading standards for Lancaster County Bridge No. S-26 State Structure No. C005503105; Project No. C55-S-401(6), Hickman Viaduct. ([R-08-0111](#))
- I. A resolution in the matter of relaxing the Bridge Design Loading Standards for Project No. BR-3340(7), Waverly Southeast. The bridge is located on Fletcher Avenue between North 162nd and North 176th Streets. ([R-08-0112](#))
- J. A resolution in the matter of authorizing the County Clerk to issue payments while the County Board is adjourned. ([R-08-0113](#))
- K. Agreements with Lincoln Surgery Center - Endoscopy and UNMC Physician's 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 Lincoln Surgery Center - Endoscopy and UNMC Physician's 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 contain a 30-day termination provision. ([C-08-0648](#)) ([C-08-0654](#))
- L. An interlocal agreement with York County for the safekeeping, care and sustenance of juveniles while at the Youth Services Center. Lancaster County will be reimbursed \$236 per youth, per day. The agreement is effective upon execution and has a 30-day termination provision. ([C-08-0649](#))
- M. An agreement with Maxim Healthcare Services, Inc. d/b/a Maxim Staffing Solutions for healthcare staffing services at Lancaster Manor. Term of the agreement is for a one-year period and will renew automatically, unless terminated at any time by giving 30 days notice. The County will pay for services pursuant to the rates in Attachment "A", ranging from \$25 to \$50 per hour. Also attached to the agreement is a Business Association Agreement with Maxim to comply with Health Insurance Portability and Accountability Act (HIPAA) regulations. ([C-08-0650](#))
- N. An amendment to a contract with American Sanitary Inc. d/b/a AmSan Nebraska, found at County Contract No. C-08-0282, to provide and deliver custodial supplies and hard goods to various departments of the County and the City of Lincoln. The amendment renews the contract for an additional one-year term between October 13, 2008 and October 12, 2009. ([C-08-0651](#))

5) **NEW BUSINESS CONTINUED:**

- O. An amendment to the agreement between Lancaster County and L.A. Young, found at County Contract No. C-08-0371, for the service of a nurse practitioner at the Lancaster County Community Mental Health Center. The amendment changes the total hours worked per week from a maximum of 32 hours per week to a maximum of 36 hours per week. The rate for services is \$65 per hour. (C-08-0652)
- P. Internet Crimes Against Children grant application from Lancaster County to the Nebraska State Patrol providing for payment of \$10,000 to Lancaster County. (C-08-0655)
- Q. Reconsideration of an award of bid for rock hauling to County stockpiles, in the total amount of \$590,129.20, for fiscal year 2009 to Husker Trucking, Hiskey Trucking, Westover Trucking and Buel Trucking found at County Bid No. (B-08-0053).
- R. Recommendation from the Purchasing Agent and the Lancaster County Engineering Department to award a bid for rock hauling to County stockpiles, in the total amount of \$590,485.20, for fiscal year 2009 to Husker Trucking, Hiskey Trucking, Kerford Limestone, Westover Trucking and Buel Trucking. (B-08-0054)
- S. Appointment of Dr. Sanat Roy as the Medical Director of the Community Mental Health Center, with an annual salary of \$197,600, effective December 4, 2008.
- T. Election of Lancaster County Board officers, effective January 1, 2009.

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. [Clerk of the District Court's](#) Monthly Report for November, 2008.
 - 2. [County Clerk's](#) Monthly Report for November, 2008.
 - 3. [Records and Information Management's](#) Monthly Report for November, 2008.
 - 4. [County Assessor/Register of Deeds](#) Monthly Report for November, 2008.

6) **CONSENT ITEMS CONTINUED:**

- B. A right-of-way contract relating to road improvements between the Lancaster County Engineering Department and John and Linda Munn, in the amount of \$119, on Bluff Road between North 148th to North 190th Street; Project C55-H-402(1). (C-08-0653)

7) **PENDING:**

- A. A resolution in the matter of 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. (R-08-0093) (Item placed on pending on November 4, 2008.)

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

9) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will not hold a Staff Meeting on Thursday, December 11, 2008 due to the annual meeting of the Nebraska Association of County Officials (NACO) at the Cornhusker Marriott, located at 333 South 13th Street, Lincoln, Nebraska beginning on December 10, 2008 and ending on December 12, 2008.
- B. A public hearing will be held on Tuesday, December 16, 2008 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding [County Special Permit No. 08047](#), requested by Seeds of Life, for a garden center, on property generally located at South 148th Street and Old Cheney Road in Lancaster County, Nebraska.
- C. 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.

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, DECEMBER 9, 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, December 2, 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 74 additions and deductions to the tax assessment rolls per Attachments "A" and "B".

- 3) **MOTOR VEHICLE TAX EXEMPTION APPLICATIONS:**

Indian Center, Inc.
Nebraska United Methodist Foundation

- 4) **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.