

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 25, 2009
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.

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. THOSE WISHING TO SPEAK ON ITEMS NOT RELATED TO THE AGENDA WILL BE GIVEN THE CHANCE TO SPEAK UNDER OTHER BUSINESS AND WILL BE LIMITED TO FIVE (5) MINUTES.

- 1) **MINUTES:** Approval of the [Minutes](#) of the Board of Commissioners meeting held on Tuesday, August 18, 2009. (A copy of the minutes is on file in the office of the Lancaster County Clerk or can be accessed at www.lancaster.ne.gov).
- 2) **CLAIMS:** Approval of all claims processed through Tuesday, August 25, 2009.
- 3) **PUBLIC HEARING:**
 - A. Amendment of fees relating to the following resolutions (See New Business Items 4A-4E for correlating documents.):
 1. Resolution No. 03-0007, in the matter of amending Sections VI, IX, XV and XXIX, related to regulation of the operation of body art and piercing establishments
 2. Resolution 02-30, in the matter of amending Section XIII, related to regulation of on-site wastewater treatment systems
 3. Resolution No. 06-0005, in the matter of amending Section X, related to procedures for the inspection of on-site water supply systems and on-site wastewater treatment systems prior to the sale, transfer or conveyance of property
 4. Resolution No. 5069, Lancaster County Air Pollution Control Resolution, related to open burning permits charged to business and industry
 5. Article 1, Section 6 and Article 2, Section 30, of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards, related to air quality construction permits and for notification fees for the National Emissions Standards for Hazardous Air Pollutants asbestos projects

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) **NEW BUSINESS:**
- A. A resolution amending Sections VI, IX, XV and XXIX of County Resolution No. 03-0007, regulations for the operation of body art and piercing establishments. The amendment increases various fees for the operation of body art and piercing establishments as provided in Attachment A. ([R-09-0059](#))
 - B. A resolution amending Section XIII of County Resolution No. 02-30, procedures for the regulation of on-site wastewater treatment systems. The amendment increases various fees for on-site wastewater treatment permits as provided in Attachment A. ([R-09-0060](#))
 - C. A resolution amending Section X of County Resolution No. 06-0005, procedures for the inspection of on-site water supply systems and on-site wastewater treatment systems prior to the sale, transfer, or conveyance of property. The amendment increases fees for evaluation and review of property transfer inspector reports and necessary site visits by the health director as provided in Attachment A. ([R-09-0061](#))
 - D. A resolution in the matter of amending Resolution No. 5069, the Lancaster County Air Pollution Control Resolution of 1993, to increase the fee for open burning permits as provided in Attachment A. ([R-09-0062](#))
 - E. A resolution amending Article 1, Section 6, and Article 2, Section 30, of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards. The amendments increase the notification fees for the National Emissions Standards for Hazardous Air Pollutants asbestos projects, as provided in Attachment A, and increase the fees associated with construction permits, as provided in Attachment B. ([R-09-0063](#))
 - F. A resolution in the matter of exceeding the budgeted restricted funds limit for the 2008-09 fiscal year by an additional percent. ([R-09-0064](#))
 - G. A resolution in the matter of final allocation of levy authority to all political subdivisions subject to County levy authority. ([R-09-0065](#))
 - H. Memorandum of Support for cooperation among the counties and communities within the designated boundaries of the I-80 Corridor Innovation Zone, the Nebraska Innovation Zone Commission and I-80 Corridor Association. ([C-09-0449](#))
 - I. Appointment of Minette Genuchi to the Lancaster County Commissioners Award of Excellence Committee to complete the term for Gwen Thorpe.
 - J. A direct bill application with [Holiday Inn](#) Hotel & Convention Center, located at 110 2nd Avenue, Kearney, Nebraska.

4) **NEW BUSINESS CONTINUED:**

- K. Recommendation from the Purchasing Agent and County Risk Management to award a contract for blood chemistry profiles to Nebraska Occupational Health. The cost of the service will vary based on the number of participants. (B-09-0047)
- L. Recommendation from the Purchasing Agent and the County Sheriff to award a proposal for an interactive range training simulator to Ti Training Corp for \$44,312. (B-09-0048)
- M. Recommendation from the Purchasing Agent and Community Mental Health Center to award a contract for annual requirements for laboratory testing services to Physicians Laboratory Services, Inc. (B-09-0049)
- N. An agreement with Steven Wedige for the care and maintenance of Jordan Cemetery. Cost to the County is \$50 per mowing not to exceed \$200 per year. (C-09-0450)
- O. An agreement with Terry Briley for the care and maintenance of Evangelical Cemetery. Cost to the County is \$50 per mowing not to exceed \$200 per year. (C-09-0451)
- P. An interlocal agreement with the Village of Bennet for law enforcement services within the Village limits. The Lancaster County Sheriff will assign one deputy to duty in the Village limits and provide a cruiser. The Village will reimburse the County at the overtime rate of pay for the Deputy assigned. Term of the agreement will be from September 1, 2009, to August 31, 2010. (C-09-0452)
- Q. A maintenance and service agreement with Eastman Kodak Company for equipment at the County Records Department. Term of the agreement is from July 1, 2009, to June 30, 2010. The cost to the County is \$5,842. (C-09-0453)
- R. An amendment to an agreement with Rochester Armored Car Co., Inc., found at County Contract No. C-03-0305, for armored car services. The amendment extends the current contract term for an additional 30 days beginning September 1, 2009, and ending September 30, 2009. (C-09-0454)
- S. An amendment to the contract between Lancaster County and Robinson Textile, found at County Contract No. C-07-0368, for the purchase of Corrections staff clothing, inmate clothing and accessories on an as needed basis by the Lancaster County Corrections Department, Youth Service Center and Community Mental Health Center. The addendum amends the agreement to reflect a 4% price increase for all items and renews the contract for an additional one-year term beginning September 18, 2009. (C-09-0455)

4) **NEW BUSINESS CONTINUED:**

- T. An amendment to an agreement between the Nebraska Department of Health and Human Services Division of Children and Family Services and Lancaster County Youth Services Center for the provision of detention services for youth committed to, or placed with, the State's office of juvenile services found at County Contract No. C-08-0473. The amendment extends the end of the term of the agreement from August 31, 2009, to September 30, 2009. (C-09-0460)
- U. A grant contract with Voices of Hope in the amount of \$61,027 to provide funding to enhance Lancaster County's coordinated community response to Latina, African American and refugee women who have been experiencing domestic violence, dating violence, sexual assault or stalking, and to provide assistance to such victims in immigration matters. Term of the grant contract is from January 1, 2009, to December 31, 2010. (C-09-0461)
- V. An agreement with Jeffrey A. Coffman, M.D., 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 Jeffrey A. Coffman, M.D., 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-09-0462)
- W. An agreement with Dianna Clyne, M.D., 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 Dianna Clyne, M.D., 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-09-0463)
- X. An agreement with Saint Monica's substance abuse treatment for women for non-physician substance abuse treatment services for females placed in the Lancaster County Adult Drug Court. Term of the agreement is July 1, 2009, through June 30, 2010. The County will pay up to \$28,120 for the services. (C-09-0464)
- Y. A political subdivision tort claim filed against Lancaster County Corrections by [Allen Connell](#) for lost property in the amount of \$70.
- Z. A political subdivision tort claim filed against Lancaster County Corrections by [Christopher L. Taylor](#) for lost property in the amount of \$100.

5) **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 the County Treasurer's Mid Term Report on [2007 Distress Warrants](#).
- B. Right-of-way contracts between the County Engineer and the following:
 - 1. Diana Johnson, in the amount of \$7,829, located at Pine Lake Road between S. 112th Street and S. 148th Street; Project No. C55-Q-409(1) ([C-09-0456](#))
 - 2. Loyd Tiedeman, in the amount of \$463, located at 4205 Panama Road; Project No. CP-X-131 ([C-09-0457](#))
 - 3. Union Bank & Trust, in the amount of \$127, located 2541 feet south of Panama Road on S. 96th Street; Project No. CP-X-87 ([C-09-0458](#))
 - 4. Daniel Whitney, in the amount of \$389, located 1180 feet south of A Street on S. 134th Street; Project No. C-J-175 ([C-09-0459](#))
- C. Setting of a public hearing for Tuesday, September 8, 2009, 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. 09019](#), requested by Harry Muhlback to allow the excavation of soil, sand and gravel on property generally located at N. 56th Street/Highway 77 and Raymond Road (14605 N. 56th Street).

6) **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.)

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

<p>PER COUNTY BOARD RESOLUTION NO. 5465 (ADOPTED MARCH 11, 1997), THE PUBLIC COMMENT PERIOD IS LIMITED TO THIRTY (30) MINUTES IN DURATION AND EACH SPEAKER IS LIMITED TO FIVE (5) MINUTES. THESE TIME LIMITS MAY BE EXTENDED AT THE DISCRETION OF THE COUNTY BOARD CHAIR.</p>
--

8) **ANNOUNCEMENTS:**

- A. A public hearing will be held on Tuesday, August 25, 2009, at 7:00 p.m., in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building, regarding the following:
 - 1. Keno Fund Projects (A list of the projects may be obtained from the County Budget and Fiscal office.)
 - 2. Lancaster County's Proposed Budget for Fiscal Year 2009-2010
- B. The Lancaster County Board of Commissioners will hold a Staff Meeting on Thursday, August 27, 2009, beginning at 8:30 a.m., in Room 113 on the first floor of the County City Building.
- 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 www.lancaster.ne.gov. Click on 5 City-TV Video On Demand.

9) **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.

The Board of Commissioners agenda and minutes may be accessed on the Internet at www.lancaster.ne.gov on the County Clerk's website.

AGENDA
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, AUGUST 25, 2009
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.

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.

- 1) **MINUTES:** Approval of the Minutes of the Board of Equalization meeting held on Tuesday, [August 18](#), 2009, and Wednesday, [August 5](#), 2009. (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>).
- 2) **ADDITIONS AND DEDUCTIONS:** Approval of 17 additions and deductions to the tax assessment rolls per Attachments "A" and "B".
- 3) **APPEAL OF 2009 ASSESSED VALUATION:**

Christopher Hilkemann
- 4) **APPEAL FILED ON DENIAL OF GREENBELT STATUS:**

Treetop, Inc.
- 5) **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.