

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MARCH 30, 2010
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 RELATING TO OTHER COUNTY BUSINESS NOT ON THE AGENDA MAY SPEAK DURING THE PUBLIC COMMENT PORTION OF THE AGENDA. EACH SPEAKER IS LIMITED TO FIVE (5) MINUTES. THE PUBLIC COMMENT PERIOD WILL BE LIMITED TO ONE (1) HOUR. THESE TIME LIMITS MAY BE EXTENDED AT THE DISCRETION OF THE COUNTY BOARD CHAIR.

- 1) **MINUTES:** Approval of the [minutes](#) of the Board of Commissioners meeting held on Tuesday, March 16, 2010. (A copy of the minutes is on file in the Lancaster County Clerk's office or can be accessed at www.lancaster.ne.gov).
- 2) **CLAIMS:** Approval of all claims processed through Tuesday, March 30, 2010.
- 3) **SPECIAL PRESENTATIONS:**
 - A. Presentation of the [Annual Commissioner's Award of Excellence](#) for 2009 to honorable mention winners Steven Enstrom, Tom McMillan, and Mary Tobiassen, Corrections.
 - B. Presentation of the [Annual Commissioner's Award of Excellence](#) for 2009 to winners William Stewart and Tim Vorm, Community Mental Health Center.
- 4) **NEW BUSINESS:**
 - A. An application for a Special Designated License from [Dave's Wine and Liquor](#) to provide liquor beverage service for a reception at 15000 SW 29th Street, Martell, Lancaster County, Nebraska, on Saturday, August 21, 2010.
 - B. Applications for Special Designated Licenses from [Ken's Liquor](#) to provide liquor beverage service for receptions at Country Pines, 6305 West Adams, Lincoln, Lancaster County, Nebraska, on Friday, June 18; Saturday, June 26; Saturday, June 17; and Friday, July 30, 2010.

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 CONTINUED:**

- C. Ratification of [Disaster Declaration](#) for Lancaster County executed by Lancaster County Board Chair Bernie Heier, pursuant to Nebraska Revised Statute 81-829.50 (Reissue 2008), relating to winter storms starting in December, 2009.
- D. A resolution in the matter of adopting federal aid funding requirements, adopting the Lancaster County Title VI plan, agreeing to the assurances contained in the Lancaster County Title VI plan and designating a Title VI coordinator and Title VI specialist. [\(R-10-0024\)](#)
- E. A recommendation from the Purchasing Agent to award a contract to Vanguard Industries for fuel tank maintenance and service. [\(B-10-0027\)](#)
- F. A recommendation from the Purchasing Agent and the County Engineer to award a bid, in the total amount of \$342,325.50, for 2010 spring gravel hauling to various stockpiles to Westover Trucking and Western Sand & Gravel. [\(B-10-0028\)](#)
- G. A recommendation from the Purchasing Agent to award a contract for portable chemical toilet services to Eagle Services. The County will order services as needed at the proposed rates. [\(B-10-0029\)](#)
- H. A contract between Vanguard Industries, the City of Lincoln, and Lancaster County for fuel tank maintenance and services. The County shall pay for products and services according to the Contractor's proposal. Term of the contract is four years from the date of execution by both parties. [\(C-10-0133\)](#)
- I. A contract between Pavers, Inc., the City of Lincoln, and Lancaster County for the annual supply of asphaltic concrete. The County will pay for services according to the pricing in the contractor's proposal, agreeing to the full proposal of \$288,600. Term of the contract is one year from the date of execution by both parties. [\(C-10-0121\)](#)
- J. A contract between Dobson Brothers Construction Company, the City of Lincoln, and Lancaster County for the annual supply of asphaltic concrete. The County will pay for services according to the pricing in the contractor's proposal, agreeing to the full proposal of \$264,500. Term of the contract is one year from the date of execution by both parties. [\(C-10-0122\)](#)
- K. A contract between Cather & Son's Construction, Inc., the City of Lincoln, and Lancaster County for the annual supply of asphaltic concrete. The County will pay for services according to the pricing in the contractor's proposal, agreeing to line items 1, 2, and 3, for a total of \$246,750. Term of the contract is one year from the date of execution by both parties. [\(C-10-0123\)](#)
- L. A contract between Constructors, Inc., the City of Lincoln, and Lancaster County for the annual supply of asphaltic concrete. The County will pay for services according to the pricing in the contractor's proposal, agreeing to the full proposal of \$244,500. Term of the contract is one year from the date of execution by both parties. [\(C-10-0124\)](#)

4) **NEW BUSINESS CONTINUED:**

- M. A construction contract with Hartmann Construction Company, in the amount of \$285,067.71, for Bluff Road grading; Project No. C55-H-402(1). [\(C-10-0125\)](#)
- N. A construction contract with T.J. Osborn, in the amount of \$216,664.70, for concrete box culverts; Project No. 10-22. [\(C-10-0126\)](#)
- O. A construction contract with Brandt Excavating Company, in the amount of \$157,809.50, for erosion control at box culverts and bridges; Project No. 10-23. [\(C-10-0129\)](#)
- P. A construction contract with Dobson Brothers Construction Company, in the amount of \$2,195,496.01, for asphaltic concrete resurfacing and paving on W. Raymond Road, Waverly Road, Old Cheney Road, S. 84th Street, S. 82nd Street and Panama Road; Project No. 10-35. [\(C-10-0137\)](#)
- Q. A construction contract with Pavers, Inc., in the amount of \$349,395.53, for Arbor Road grading and paving; Project No. C55-G-408(3). [\(C-10-0136\)](#)
- R. A surveying agreement with WNK Surveying, in the amount of \$2,050, for surveying services for the County Engineer relating to Project C55-G-408(3), located on Arbor Road; Project BR-3340(7), located at Bridge H-46 Waverly Southeast; and Concrete Box Culvert O-206. [\(C-10-0130\)](#)
- S. A surveying agreement with Allen Surveying, in the amount of \$2,570, for surveying services for the County Engineer relating to Project C55-H-402(1), located on Bluff Road from N. 148th Street to N. 190th Street. [\(C-10-0131\)](#)
- T. A grant contract with Center for People in Need, in the amount of \$7,500, to provide funding to establish a program that provides services to assist the community in addressing the basic and emergency needs of refugees in Lancaster County. Term of the grant contract is October 1, 2009, to September 30, 2010. [\(C-10-0132\)](#)
- U. An agreement between Lancaster County, on behalf of the Lancaster County Election Commissioner, and Steve McClatchey for the delivery of voting machines and other miscellaneous equipment to several polling locations for the primary election on May 11, 2010. The agreement shall commence upon execution by both parties and shall continue until May 14, 2010. The County will pay \$50 per polling location for the delivery services. [\(C-10-0135\)](#)
- V. A unit price contract with ImageScapes, Inc., for miscellaneous landscape installation and maintenance services (projects under \$10,000). Term of the contract is two years from the date of execution with an option to renew the contract for one additional two-year term. [\(C-10-0140\)](#)

4) **NEW BUSINESS CONTINUED:**

- W. A unit price contract with Lanoha Nurseries for miscellaneous landscape installation and maintenance services (projects under \$10,000). Term of the contract is two years from the date of execution with an option to renew the contract for one additional two-year term. (C-10-0141)
- X. A request from Mumm & Associates, P.C., on behalf of North Bluff Farms, for a refund of 2007 and 2008 personal property taxes.
- Y. A salary increase of 1% for Dr. Gary Nadala from \$89 per hour to \$89.89 per hour, effective December 31, 2009.
- Z. A request for an Exceptional Circumstance Award under Rule 17.9(b) of the Lancaster County Personnel rules for Mary Meyer for a one-step increase from Step 4 to Step 5 in the classified position of Excluded Clerk Typist III, effective April 6, 2010.
- AA. Appointment of Leland Volker to the Lancaster County Board of Zoning Appeals to complete the unexpired term of Jim Haberlan through April, 2014.
- BB. Reappointment of Tom Thurber to the Lancaster County Board of Zoning Appeals through March, 2015.
- CC. A political subdivision tort claim, in the amount of \$40, filed against Lancaster County Corrections by [Rodne R. Jones](#) for lost property.
- DD. A political subdivision tort claim, in the amount of \$120, filed against Lancaster County Corrections by [Matthew A. Tonjes](#) for lost property.
- EE. A political subdivision tort claim, in the amount of \$23, filed against Lancaster County Corrections by [Shane A. Backemeyer](#) for lost property.
- FF. A political subdivision tort claim, in the amount of \$40, filed against Lancaster County Corrections by [Jolene S. Fletcher](#) for lost property.
- GG. A political subdivision tort claim, in the amount of \$27, filed against Lancaster County Corrections by [Anthony S. Smith](#) for lost property.
- HH. A political subdivision tort claim, in the amount of \$25, filed against Lancaster County Corrections by [Brett C. Fenton](#) for lost property.

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 following:

1. [Weed Control Authority](#) monthly report for February, 2010.
2. Management's Discussion and Analysis, Financial Statements and Supplementary Information regarding the [Lancaster County Agricultural Society](#) for the year ended November 30, 2009.

B. A right-of-way contract between the County Engineer and Danny L. and Anne C. Kubr, in the amount of \$235, located at 10233 Saltillo Road, Roca; Project No. C55-PQ-406(2). [\(C-10-0127\)](#)

C. Leasehold contracts between the County Engineer and the following:

1. Brent Nisley, in the amount of \$10, located at 614 S. 2nd Street, Bennet; Project No. C55-PQ-406(2). [\(C-10-0128\)](#)
2. Daryl Hopp, in the amount of \$10, located at 510 190th Street, Eagle; Project No. C55-G-408(3). [\(C-10-0138\)](#)
3. Bryan Haase, in the amount of \$10, located at 7101 Arbor Road, Lincoln; Project No. C55-G-408(3). [\(C-10-0139\)](#)

D. Setting of a public hearing for Tuesday, April 13, 2010, at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding automatic renewal of retail liquor and beer licenses issued in Lancaster County and outside the corporate limits of any city, for which the County Clerk has received no protests.

6) **PUBLIC COMMENT:**

<p>PER COUNTY BOARD RESOLUTION NO. 5465 (AMENDED SEPTEMBER 22, 2009), THE PUBLIC COMMENT PERIOD IS LIMITED TO SIXTY (60) 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>

7) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, April 1, 2010, 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 www.lancaster.ne.gov. Click on 5 City-TV Video on Demand.

8) **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, MARCH 30, 2010
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE LANCASTER COUNTY
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, March 16, 2010. (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 35 additions and deductions to the tax assessment rolls per Attachment "A".
- 3) **MOTOR VEHICLE TAX EXEMPTION APPLICATIONS**:

Christ's Place
Cornhusker Council Boy Scouts of America
Developmental Services of Nebraska, Inc.
First Baptist Church
Gates of Praise
Praise Temple Church of the Living God
Priestly Fraternity of St. Peter, d/b/a Our Lady of Guadalupe Seminary
St. Patrick Catholic Church
Temple Baptist Church

- 4) **AN APPEAL REGARDING THE REJECTION OF HOMESTEAD EXEMPTION STATUS**:

Jerry L. Cain

- 5) **NOTICE OF ASSESSED VALUATION CHANGE FOR PROPERTY TAXATION PURPOSES**:

Douglas McMahan et al
Joanne H. Hranac

- 6) **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.