

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 17, 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, August 10, 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, August 17, 2010.
- 3) **PUBLIC HEARING:**
 - A. [County Special Permit No. 07024B](#), requested by Gregory and Heidi Rettele, for authority to locate and occupy a mobile home while building a permanent residence on property generally located at SW 14th Street and W. Olive Creek Road.
- 4) **OLD BUSINESS:**
 - A. A memorandum of agreement between the Lincoln Council on Alcoholism and Drugs, Inc., and Lancaster County, on behalf of the Lancaster County Sheriff's Office, for the purpose of providing a Sheriff's Deputy to act as a liaison between the Prevention Leadership Team and the Lancaster County Sheriff's Office to prevent underage drinking and alcohol related automobile accidents in Lancaster County. ([C-10-0378](#))
- 5) **NEW BUSINESS:**
 - A. An interlocal agreement between Lancaster County and Educational Service Unit No. 18 for educational services for youth detained at the Youth Services Center. Term of the agreement is August 1, 2010, to July 31, 2011. The County will reimburse the ESU up to \$998,800 for the services provided. ([C-10-0394](#))

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.

5) **NEW BUSINESS CONTINUED:**

- B. A licensing agreement between Lancaster County and Swank Motion Pictures, Inc., for showing video cassette movies at the Youth Services Center. Term of the agreement is July 1, 2010, to June 30, 2011. The County will pay \$285 for the license. (C-10-0395)
- C. An amendment to a contract between Lancaster County and El Centro De las Americas, found at County Contract No. C-09-0500, to assist youth currently or at risk to become involved in the juvenile justice system through the Latino Intervention Program. The amendment increases the grant amount to \$41,180 and extends the contract term from July 1, 2009, to August 31, 2010. (C-10-0396)
- D. An interlocal agreement with Saline County for the supervision, safekeeping, care and sustenance of Lancaster County inmates housed at the Saline County Detention Facility. Lancaster County will pay Saline County \$45 per inmate per day. Term of the agreement is one year from the date of execution. (C-10-0397)
- E. A memorandum of agreement between the Department of Homeland Security, U.S. Citizenship and Immigration Services (DHS-USCIS) and Lancaster County, on behalf of the Lancaster County Community Mental Health Center, to provide the Systematic Alien Verification for Entitlements (SAVE) Program. The County shall pay according to the DHS-USCIS's standard billing rates. The agreement is effective upon execution by both parties. (C-10-0398)
- F. An agreement with Counseling Affiliates of Nebraska, L.L.C., for specialized services at the Community Mental Health Center and the Lancaster County Mental Health Center Sex Offender Treatment Program to assist with mental health services. The County will pay up to a combined total amount of \$7,500 per month for all services provided. Counseling Affiliates of Nebraska will provide up to 50 hours per week of service for the Mental Health Center Sex Offender Treatment Program and up to 80 hours of service per year to the Crisis Center. Term of the agreement is July 1, 2010, to June 30, 2011. A business associate agreement is attached to comply with Health Insurance Portability & Accountability Act (HIPAA) regulations. (C-10-0399)
- G. 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 July 1, 2010, to June 30, 2011. The County will pay \$60 per hour for no more than eight hours per week. A business associate agreement is attached to comply with Health Insurance Portability & Accountability Act (HIPAA) regulations. (C-10-0400)
- H. A contract between Region V System's governing board and Lancaster County, on behalf of the Community Mental Health Center, to enhance affordable supportive housing for justice involved youth transitioning to adulthood and young adults as part of the Federal Bureau of Justice Assistance – Justice and Mental Health Collaboration Program Grant. Term of the agreement is from July 1, 2010, to June 30, 2011. Region V will pay the Community Mental Health Center \$47,495 for the services provided. (C-10-0401)

5) **NEW BUSINESS CONTINUED:**

- I. A political subdivision tort claim filed against Lancaster County Corrections by Joseph R. [Oxarart](#) for lost property in the amount of \$7.
- J. A political subdivision tort claim filed against Lancaster County Corrections by Jeffrey [Radabaugh](#) for damaged property in the amount of \$12.
- K. A political subdivision tort claim filed against Lancaster County Corrections by Tyrone W. [Estell](#) for damaged property in the amount of \$500.
- L. Reappointment of Bernie [Heier](#) to the Board of Directors for the Nebraska Association of County Officials for a two-year term commencing January 1, 2011.

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 the following:
 - 1. [County Records & Information Management](#) monthly report for July, 2010.
 - 2. [County Sheriff](#) monthly report for July, 2010.
 - 3. [County Attorney](#) quarterly reports for January to June, 2010.
- B. Right-of-way contracts between the County Engineer and the following:
 - 1. Margaret Refshauge, in the amount of \$937, located at N. 27th Street and Agnew Road; Project No. CP-B-128d. ([C-10-0402](#))
 - 2. Marjorie Olney, in the amount of \$8,760, located at S. 54th Street and Martell Road; Project No. C55-S-405(3). ([C-10-0403](#)) ([C-10-0404](#))
 - 3. Francke Farms, Inc., in the amount of \$14,260, located at S. 140th Street and Pine Lake Road; Project No. C55-Q-409(1). ([C-10-405](#)) ([C-10-0406](#))
- C. Setting of a public hearing for Tuesday, November 16, 2010, at 7:00 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 July 1, 2011, to June 30, 2016.

7) **PUBLIC COMMENT:**

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.

8) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, August 19, 2010, at 8:30 a.m., in Room 113 on the first floor of the County-City Building.

8) **ANNOUNCEMENTS CONTINUED:**

- B. Public hearings will be held on Tuesday, August 24, 2010, 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. Amendment of Sections VI and XV of County Resolution No. 03-0007, Regulations for the Operation of Body Art and Piercing Establishments in Lancaster County, Nebraska, by increasing various fees.
 2. Amendment of Section XIII of County Resolution No. 02-0030, Procedures for the Regulation of On-Site Wastewater Treatment Systems in Lancaster County, Nebraska, by increasing various fees.
 3. Amendment of 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 in Lancaster County, Nebraska, by increasing various fees.
 4. Amendment of Resolution No. 5069, the Lancaster County Air Pollution Control Resolution, to increase the fee for open burning permits charged to business and industry.
 5. Amendment of the Lincoln-Lancaster County Health Department Air Pollution Control Program Regulations and Standards for consistency with Federal and State Regulations: Article 2, Section 1 Definitions; Article 2, Section 17 Construction Permits - When Required; Article 2, Section 18 New Source Performance Standards and Emission Limits for Existing Sources; and Article 2, Section 22 Incinerator Emissions.
 6. Amendment of the Lincoln-Lancaster County Health Department Air Pollution Control Program Regulations and Standards to adopt Federal regulations for area sources of Hazardous Air Pollutants and associated fees: Article 2, Section 28 Hazardous Air Pollutants MACT Emissions Standards.
 7. Amendment of the Lincoln-Lancaster County Health Department Air Pollution Control Program Regulations and Standards to update variance, construction permit, and annual fees and to create fees for area sources of Hazardous Air Pollutants: Article 1, Section 5 Variance Fees; Article 1, Section 6 Annual Fees; Article 2, Section 29 Operating Permit Emission Fees; and Article 2, Section 30 Construction Permit Review Fee.
- C. A public hearing will be held on Tuesday, August 31, 2010, 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 (on file with the County Budget and Fiscal office).
 2. Lancaster County's Proposed Budget for Fiscal Year 2010-2011.
- 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 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 17, 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.

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- 1) **MINUTES**: Approval of the [minutes](#) of the Board of Equalization meeting held on Tuesday, August 10, 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 13 additions and deductions to the tax assessment rolls per Attachments "A" and "B".

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

Capital Humane Society
Lincoln Action Program
Madonna Rehabilitation Hospital

- 4) **ADJOURNMENT**:

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