

**AGENDA**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, AUGUST 24, 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 17, 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](http://www.lancaster.ne.gov)).
- 2) **CLAIMS:** Approval of all claims processed through Tuesday, August 24, 2010.
- 3) **SPECIAL PRESENTATION:**
  - A. Introduction of Deputy County Attorneys – Gary Lacey, County Attorney.
  - B. Introduction and appointment of Dave Wheaton to the Lancaster County Visitors Promotion Committee for a four-year term commencing June 1, 2010 – Jeff Maul, Convention & Visitors Bureau Executive Director. (See Item 5A for correlating documentation.)
- 4) **PUBLIC HEARINGS:**
  - A. 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. (See Item 5B for correlating documentation.)
  - B. 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. (See Item 5C for correlating documentation.)

**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) **PUBLIC HEARINGS CONTINUED:**

- C. 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. (See Item 5D for correlating documentation.)
- D. 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. (See Item 5E for correlating documentation.)
- E. 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. (See Item 5F for correlating documentation.)
- F. 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. (See Item 5G for correlating documentation.)
- G. 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. (See Item 5H for correlating documentation.)

5) **NEW BUSINESS:**

- A. Appointment of Dave Wheaton to the Lancaster County Visitors Promotion Committee for a four year term commencing June 1, 2010.
- B. A resolution amending Sections VI and XV of County Resolution No. 03-0007, regulations for the operation of body art and piercing establishments. The amendment increases permit fees for the operation of body art and piercing establishments as provided in Attachment A. ([R-10-0066](#))
- C. A resolution amending Section XIII of County Resolution No. 02-0030, procedures for the regulation of on-site wastewater treatment systems. The amendment increases the fees for on-site wastewater treatment permits as provided in Attachment A. ([R-10-0067](#))

5) **NEW BUSINESS CONTINUED:**

- D. 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 the fees for evaluation and review of property transfer inspector reports and any necessary site visits by the Health Director as provided in Attachment A. (R-10-0068)
- E. A resolution 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-10-0069)
- F. A resolution amending Article 2, Sections 1, 17, 18 and 22 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards. The Lincoln-Lancaster County Health Department has recommended the amendments to be consistent with Federal and State regulations as provided in Attachments A, B, C and D. (R-10-0070)
- G. A resolution amending Article 2, Section 28 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards. The amendment adopts Federal regulations for area sources of Hazardous Air Pollutants and associated fees, as provided in Attachment A. (R-10-0071)
- H. A resolution amending Article 1, Sections 5 and 6, and Article 2, Sections 29 and 30, of the Lincoln-Lancaster County Air Pollution Control Program Regulation and Standards. The amendments update variance, construction permit and annual fees, as well as create fees for area sources of Hazardous Air Pollutants, as provided in Attachments A, B, C and D. (R-10-0072)
- I. A resolution in the matter of authorizing use of the County Visitors Improvement Fund for Visitor Promotion, in the amount of \$119,352.26. (R-10-0064)
- J. A [Disaster Declaration](#) for Lancaster County, pursuant to Nebraska Revised Statute 81-829.50 (Reissue 2008), related to the winter storm of December, 2009, during which Lancaster County sustained roadway damage.
- K. A sub-grant award agreement between Nebraska Emergency Management Agency (NEMA) and Lancaster County, on behalf of Lancaster County Emergency Management, in the amount of \$104,000, to provide funding for the replacement of outdoor warning sirens. The period of performance is August 10, 2010, to August 10, 2013. (C-10-0424)
- L. A sub-grant award agreement between Nebraska Emergency Management Agency (NEMA) and Lancaster County, on behalf of Lancaster County Emergency Management, in the amount of \$65,900, for the 2010 Emergency Management Performance Grant (EMPG) No. 2010-EP-E0-0029. The period of performance is July 1, 2010, to June 30, 2011. (C-10-0425)

5) **NEW BUSINESS CONTINUED:**

- M. An agreement between David J. Colgan and Angela S. Colgan (licensee) and Lancaster County (County), allowing the licensee to maintain a fence which encroaches on County road right-of-way, as described in Exhibit A to the agreement, and generally located at the address of 25700 S. 38<sup>th</sup> Street, Firth, Nebraska. (C-10-0426)
- N. A resolution in the matter of 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 14<sup>th</sup> Street and W. Olive Creek Road. (R-10-0065)
- O. A resolution in the matter of requiring special trip permits for the movement of oversized vehicles or loads on Lancaster County roads. (R-10-0062)
- P. A resolution authorizing the installation and removal of traffic signs at the following locations in Lancaster County:
1. At the intersection of S. 148<sup>th</sup> Street and Saltillo Road, install stop signs (R1-1) on S. 148<sup>th</sup> Street northbound and southbound, install "all way" signs (R1-4) below each stop sign, install stop ahead signs (W3-1a) on S. 148<sup>th</sup> Street northbound and southbound approximately 500 feet from Saltillo Road, remove the eastbound and westbound stop signs (R1-1) on Saltillo Road, remove "all way" signs (R1-4) below each stop sign at S. 148<sup>th</sup> Street and Saltillo Road and install "Cross Traffic Does Not Stop" signs (W40-2) below the stop signs on S. 148<sup>th</sup> Street northbound and southbound.
  2. Install four 55 MPH speed limit signs (R2-1) at S. 82<sup>nd</sup> Street just south of Roca Road, S. 82<sup>nd</sup> Street just north of Hickman Road, S. 82<sup>nd</sup> Street just south of Hickman Road and S. 82<sup>nd</sup> Street just north of Panama Road. (R-10-0063)
- Q. An amendment to a contract between the City of Lincoln, Lancaster County, the Lincoln-Lancaster County Public Building Commission and Recycling Enterprises of NE, Inc., found at County Contract No. C-08-0665, for recycling services. The amendment renews the agreement for an additional one-year term from August 1, 2010, to July 31, 2011. (C-10-0422)
- R. An amendment to a contract between Lancaster County, the City of Lincoln and JetSplash Full Service Car Wash, found at County Contract No. C-08-0330, for annual requirements of vehicle washes and related services. The amendment renews the agreement for an additional one-year term from August 4, 2010, to August 3, 2011. (C-10-0407)
- S. An amendment to a contract between Lancaster County, the City of Lincoln and FS Enterprises, Inc., d/b/a Southside Carwash, found at County Contract No. C-08-0359, for annual requirements of vehicle washes and related services. The amendment renews the agreement for an additional one-year term from August 4, 2010, to August 3, 2011. (C-10-0408)

5) **NEW BUSINESS CONTINUED:**

- T. An amendment to a contract between Lancaster County, the City of Lincoln and Husker Car Wash, Inc., found at County Contract No. C-08-0328, for annual requirements of vehicle washes and related services. The amendment renews the agreement for an additional one-year term from August 4, 2010, to August 3, 2011. (C-10-0409)
- U. An amendment to a contract between Lancaster County, the City of Lincoln and West O Super Wash, found at County Contract No. C-08-0329, for annual requirements of vehicle washes and related services. The amendment renews the agreement for an additional one-year term from August 4, 2010, to August 3, 2011. (C-10-0419)
- V. An amendment to a contract between Lancaster County, the City of Lincoln and KMG Enterprises, LLC, d/b/a Buggy Bath Car Wash North, found at County Contract No. C-08-0319, for annual requirements of vehicle washes and related services. The amendment renews the agreement for an additional one-year term from August 4, 2010, to August 3, 2011. (C-10-0420)
- W. An amendment to a contract between Lancaster County, the City of Lincoln and Ray O'Herron Co., Inc., found at County Contract No. C-09-0357, for the annual supply of ammunition. The amendment renews the agreement for an additional one-year term from June 1, 2010, to May 31, 2011. (C-10-0427)
- X. An amendment to a contract between Lancaster County, the City of Lincoln and Winter Equipment Company, found at County Contract No. C-09-0574, for the annual supply of grader blades. The amendment renews the agreement for an additional one-year term from September 1, 2010, to August 31, 2011. (C-10-0428)
- Y. An amendment to a contract between Lancaster County, the City of Lincoln and NMC, found at County Contract No. C-09-0575, for the annual supply of grader blades. The amendment renews the agreement for an additional one-year term from September 1, 2010, to August 31, 2011. (C-10-0429)
- Z. A lease agreement between NMC, Inc., and Lancaster County, on behalf of the Lancaster County Engineering Department, in the amount of \$3,000 per year, for a new 2010 Caterpillar Model 256C skid steer loader. The lease term will be one year from the date of execution with the option to renew for one additional year. (C-10-0410)
- AA. A contract between Lyman-Richey Corporation and Lancaster County for the annual supply of gravel surface coarse material and ice control material on an as-needed basis by the County Engineer. Term of the contract is July 2, 2010, to July 1, 2011. The County will pay for products according to the pricing as listed in the contractor's proposal. (C-10-0430)
- BB. A contract between Bluff Gravel Company and Lancaster County for the annual supply of gravel surface coarse material and ice control material on an as-needed basis by the County Engineer. Term of the contract is July 2, 2010, to July 1, 2011. The County will pay for products according to the pricing as listed in the contractor's proposal. (C-10-0431)

5) **NEW BUSINESS CONTINUED:**

- CC. A contract between Western Sand & Gravel Co. and Lancaster County for the annual supply of gravel surface coarse material and ice control material on an as-needed basis by the County Engineer. Term of the contract is July 2, 2010, to July 1, 2011. The County will pay for products according to the pricing as listed in the contractor's proposal. (C-10-0432)
- DD. A contract between Protex Central, Inc., and Lancaster County for fire system inspection services at Lancaster County Corrections – Intake and Detention Facility (IDF). The County will pay for services according to the pricing in the contractor's accepted proposal for a total of \$3,806 per year. Term of the contract is three years from the date of execution. (C-10-0433)
- EE. An agreement with Olsson Associates, Inc., in the amount of \$3,902.10, for wetland delineation on S. 68<sup>th</sup> Street from the Hickman city limits to Roca Road. (C-10-0421)
- FF. 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 is September 1, 2010, to August 31, 2011. (C-10-0411)
- GG. A mini-grant contract application and award from the Nebraska Office of Highway Safety, in the amount of \$16,481.25, for five [Digital Ally DVM750 in-car camera systems](#).
- HH. A mini-grant contract application and award from the Nebraska Office of Highway Safety, in the amount of \$1,200, for two [Stalker Dual DSR2X radar units](#).
- II. An agreement between Bland & Associates CPA's, Lancaster County and the Lancaster County Correctional Facilities Joint Public Agency, in the amount of \$14,234.51, to provide professional auditing services for all agency funds. Term of the agreement is July 1, 2010, to June 30, 2013. (C-10-0412)
- JJ. An agreement between Why Try, Inc., and Lancaster County, on behalf of Juvenile Justice, for Professional Development Training workshops for employees of Juvenile Justice. The County shall pay up to \$18,970 for the services. Term of the agreement is August 31, 2010, to September 15, 2010. (C-10-0413)
- KK. An agreement between Lancaster County and Norman Monroe to provide non-exempt employees in the Security Guard job classification compensatory time off in lieu of compensation for hours worked in excess of 40 hours per week. The County will pay the employee at the rate of one and one-half hours for each overtime hour which the employee works up to a maximum accrual of 20 hours of compensatory time. (C-10-0414)

5) **NEW BUSINESS CONTINUED:**

- LL. An agreement between Lancaster County and William Coleman to provide non-exempt employees in the Security Guard job classification compensatory time off in lieu of compensation for hours worked in excess of 40 hours per week. The County will pay the employee at the rate of one and one-half hours for each overtime hour which the employee works up to a maximum accrual of 20 hours of compensatory time.  
(C-10-0415)
- MM. An agreement between Lancaster County and David Harnly to provide non-exempt employees in the Security Guard job classification compensatory time off in lieu of compensation for hours worked in excess of 40 hours per week. The County will pay the employee at the rate of one and one-half hours for each overtime hour which the employee works up to a maximum accrual of 20 hours of compensatory time.  
(C-10-0416)
- NN. An agreement between Lancaster County and Paul Aksamit to provide non-exempt employees in the Security Guard job classification compensatory time off in lieu of compensation for hours worked in excess of 40 hours per week. The County will pay the employee at the rate of one and one-half hours for each overtime hour which the employee works up to a maximum accrual of 20 hours of compensatory time.  
(C-10-0417)
- OO. An agreement between Lancaster County and Lisa Yardley to provide non-exempt employees in the Security Guard job classification compensatory time off in lieu of compensation for hours worked in excess of 40 hours per week. The County will pay the employee at the rate of one and one-half hours for each overtime hour which the employee works up to a maximum accrual of 20 hours of compensatory time.  
(C-10-0418)
- PP. A cooperative agreement with the US Department of the Interior US Geological Survey, in the amount of \$11,215, for joint funding of water resources investigations. The agreement is for the operation and computation of records for four gaging stations: Salt Creek at Roca, Little Salt Creek near Lincoln, Stevens Creek near Lincoln and Rock Creek near Ceresco. Term of the agreement is October 1, 2010, to September 30, 2011. (C-10-0423)
- QQ. Liability insurance coverage with [National Legal Aid and Defender Association \(NLADA\)](#) Service Corporation for the Lancaster County Public Defender's Office, in the amount of \$7,495.31. The policy period begins on November 1, 2010, and ends on November 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:*

6) **CONSENT ITEMS CONTINUED:**

- A. Receive and place on file the following:
1. [County Engineer's](#) quarterly report for April, May and June, 2010.
  2. [County Treasurer's](#) midterm report on 2008 Distress Warrants.

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.
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8) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, August 26, 2010, at 8:30 a.m., in Room 113 on the first floor of the County-City Building.
- B. 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.
- 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](http://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](http://www.lancaster.ne.gov) on the County Clerk's website.

**AGENDA**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**TUESDAY, AUGUST 24, 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 meetings held on Tuesday, [August 3](#), Thursday, [August 5](#), and Tuesday, [August 17](#), 2010. (Copies of the minutes are 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 seven additions and deductions to the tax assessment rolls per Attachment "A".
- 3) **MOTOR VEHICLE TAX EXEMPTION APPLICATIONS:**  
  
The Arc of Nebraska  
Calvary Cemetery & Mausoleum  
Capitol City Christian Church  
Grace Lutheran Church  
Priestly Fraternity of St. Peter, d/b/a Our Lady of Guadalupe Seminary  
Sacred Heart Church  
St. Monica's  
University of Nebraska Foundation
- 4) **NOTICE OF TAXABLE STATUS:**  
  
City of Lincoln
- 5) **NOTICE OF ASSESSED VALUATION CHANGE FOR PROPERTY TAXATION PURPOSES:**  
  
Ron Talbert
- 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.**