

**AGENDA**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, JUNE 4, 2013**  
**COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**10:30 A.M.**

**COMMISSIONERS: Larry Hudkins, Chair; Brent Smoyer, Vice Chair;**  
**Roma Amundson; Jane Raybould; and Deb Schorr**

*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. Additionally, a copy of all written material to be discussed at today's open meeting is available from the County Clerk's staff. These materials can also be viewed on the County's web site at [lancaster.ne.gov](http://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.**

**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.**

**IF YOU ARE HERE TO PARTICIPATE ON AN ITEM AND NEED SPECIAL CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER REASON, PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY ACCOMMODATE YOUR NEEDS.**

- 1) **MINUTES:** Approval of the [minutes](#) of the Board of Commissioners meeting held on Tuesday, May 28, 2013.
- 2) **CLAIMS:** Approval of all claims processed through Tuesday, June 4, 2013.
- 3) **SPECIAL PRESENTATION:**
  - A. Administration of the oath of office to Troy Hawk, Lancaster County Clerk of the District Court – The Honorable Karen Flowers presiding.
  - B. Introduction of Chuck Harper, nominee for appointment to the Lancaster County Visitors Promotion Committee – Jeff Maul, Convention & Visitors Bureau Executive Director. (See 5A for correlating item.)
- 4) **PUBLIC HEARING:**
  - A. County Text Amendment No. [12034](#) (Article 19 of the Lancaster County Board Zoning Resolution to amend, reorganize and clarify the County Board of Zoning Appeals procedures). (See 5B for correlating item.)
- 5) **NEW BUSINESS:**
  - A. Appointment of Chuck Harper to the Lancaster County Visitors Promotion Committee to complete the unexpired term of Steve Hilton, ending June 30, 2016.

## **NEW BUSINESS CONTINUED:**

- B. Resolution in the matter of County Text Amendment No. 12034, a text amendment to the Lancaster County Zoning Resolution, Article 19, to amend, reorganize and clarify the County Board of Zoning Appeals procedures. The amendments are provided in Attachment A. [\(R-13-0033\)](#)
- C. Amusement license renewal application from the [Capital City Horse & Pony Club](#) to hold an event on August 17, 2013, at 12900 N. 14th Street, Raymond.
- D. Resolution in the matter of supporting the recommendations of the Region V Systems evaluation team for the transition of community behavioral health services from the Community Mental Health Center. [\(R-13-0034\)](#)
- E. Resolution establishing the Mental Health Crisis Center as a County department and appointing Scott Etherton as the Director of the Mental Health Crisis Center at an annual salary of \$81,000, effective June 13, 2013. [\(R-13-0032\)](#)
- F. Resolution adopting a policy for the use of social media by County departments. [\(R-13-0031\)](#)
- G. Recommendation from the Purchasing Agent and the County Engineer to award a contract to Maxwell Products, Inc., at a total cost of \$22,360 for the annual supply of asphaltic joint sealant. [\(B-13-0023\)](#)
- H. 2012 grant adjustment notice to the sub-recipient agreement for 2012 Emergency Management performance grant 2012-EP-00002/97.042. The adjustment increases grant funding in the amount of \$32,489.03. [\(C-13-0229\)](#)
- I. Partial release of easement for the 10-foot wide utility easement within Lot 6, Dakota Springs Addition, Lancaster County, Nebraska, granted through the final plat of Dakota Springs Addition, filed in the office of the Lancaster County Register of Deeds as Instrument No. 2007-055153 on November 8, 2007. [\(C-13-0230\)](#)
- J. Agreement between the United States Marshals and the Metro Fugitive Task Force, and Lancaster County, on behalf of the Lancaster County Sheriff, for use of the County Firearms Range for training and qualifications testing. Term of the agreement is one year from the date of execution. [\(C-13-0231\)](#)
- K. Agreement with Keefe Commissary Network, LLC, for inmate commissary services at the Lancaster County Adult Detention Facility. Term of the agreement is four years from the date of execution by both parties. [\(C-13-0232\)](#)
- L. Agreement with Keefe Commissary Network, LLC, for prepaid debit card release services at the Lancaster County Adult Detention Facility. Term of the agreement is four years from the date of execution by both parties. [\(C-13-0233\)](#)
- M. Settlement agreement and release between Mike Blakely and Lancaster County. [\(C-13-0234\)](#)
- N. Request for a refund of real estate taxes from [Cameron General Contractors](#).

## **NEW BUSINESS CONTINUED:**

O. Labor negotiations (executive session).

6) **CONSENT ITEMS:** *These are routine business items that 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. Right-of-way contract between the County Engineer and Calvin Prange, 176<sup>th</sup> Street and Panama Road, in the amount of \$163. (C-13-0235)

B. Setting of a public hearing for Tuesday, June 18, 2013, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln), to amend the Lincoln-Lancaster County Health Department Air Pollution Control Program Regulations and Standards:

- Article 1, Section 4 Appeal Procedure – correct a reference;
- Article 1, Section 5 Variance – clarify authority to modify, suspend or revoke a variance;
- Article 1, Section 6 Fees – reduce late fees;
- Article 2, Section 1 Definitions – assure consistency with State and Federal regulations;
- Article 2, Section 4 Ambient Air Quality Standards – assure consistency with State and Federal regulations;
- Article 2, Section 17 Construction Permits - removing unnecessary language;
- Article 2, Section 18 New Source Performance Standards and Emission Limits for Existing Sources - incorporate and reference updated Federal regulations and reorder section alphabetically by subpart;
- Article 2, Section 19 Prevention of Significant Deterioration of Air Quality – assure consistency with State and Federal regulations;
- Article 2, Section 28 Hazardous Air Pollutants - MACT Emission Standards - incorporate and reference updated federal regulations and reorder section alphabetically by subpart;
- Article 2, Section 30 Construction Permit Fee – clarify when a fee is required;
- Article 2, Section 31 One Year Special Emission Fee – remove a historic section that is no longer necessary;
- Article 2, Section 38 Emergency Episodes – Occurrence and Control – Contingency Plans - clarifies language and simplifies presentation by using tables;
- Appendix I Emergency Emissions Reductions Regulations - assure consistency with State regulations;
- Appendix II Hazardous Air Pollutants Sorted by Name - assure consistency with State regulations; and
- Appendix III Hazardous Air Pollutants Sorted by CAS Numbers - assure consistency with State regulations.

7) **PUBLIC COMMENT:** Those wishing to speak on items relating to County business not on the agenda may do so at this time.

**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, June 6, 2013, at 8:30 a.m., in Room 113 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln).
- B. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, June 11, 2013, at 10:30 a.m., in Room 112 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln) with the Board of Equalization immediately following.
- C. The County Commissioners can be reached at 402-441-7447 or [commish@lancaster.ne.gov](mailto:commish@lancaster.ne.gov).
- D. The Lancaster County Board of Commissioners meeting is broadcast live. It is rebroadcast on Tuesday and Saturday on 5 City-TV, Cable Channel 5. In addition, the meeting may be viewed on the internet at [lancaster.ne.gov](http://lancaster.ne.gov) under 5 City-TV, Video on Demand or 5 City-TV on YouTube.

9) **ADJOURNMENT**

This agenda, which is kept continually current, is available for inspection during regular business hours in the office of the Lancaster County Clerk, located at 555 S. 10<sup>th</sup> Street, Room 108, Lincoln, Nebraska. The Board of Commissioners meeting agendas and minutes are also available on the County's web site at [lancaster.ne.gov](http://lancaster.ne.gov).

Interpreters for the hearing impaired are available upon request. Please contact the County Clerk's Office at 402-441-7481 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.

Si necesita ayuda con el idioma español, por favor haga arreglos con el secretario del condado de Lancaster en un plazo de dos días antes de la reunión pública. El número de teléfono del secretario del condado de Lancaster es 402-441-7481. (If you need Spanish language assistance, please make arrangements with the Lancaster County Clerk within two days of the public meeting. The phone number for the Lancaster County Clerk is 402-441-7481.)

**AGENDA**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**TUESDAY, JUNE 4, 2013**  
**COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**IMMEDIATELY FOLLOWING THE LANCASTER COUNTY**  
**BOARD OF COMMISSIONERS MEETING**

**COMMISSIONERS: Larry Hudkins, Chair; Brent Smoyer, Vice Chair;**  
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- 1) **MINUTES:** Approval of the [minutes](#) of the Board of Equalization meeting held on Tuesday, May 28, 2013.
- 2) **ADDITIONS AND DEDUCTIONS TO THE TAX ASSESSMENT ROLLS** (See [attached](#) additions and deductions)
- 3) **MOTOR VEHICLE TAX EXEMPTION APPLICATIONS:**

[Cathedral of the Risen Christ](#)  
[St. Teresa Church](#)

4) **ADJOURNMENT**

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