

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JULY 15, 2003
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, July 8, 2003. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.ci.lincoln.ne.us>)

- 2) **SPECIAL PRESENTATIONS:**
 - A. Jail Mental Health Diversion Grant Site Visit by Technical Assistance and Policy Analysis (TAPA) - Melanie Shew and Terry McCormack; Dean Settle, Community Mental Health Director.

- 3) **PUBLIC COMMENT:** 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. Comments shall be limited to items on the agenda.

- 4) **CLAIMS:** Approval of all claims processed through Tuesday, July 15, 2003.

- 5) **PUBLIC HEARINGS:**
 - A. County Special Permit 201, requested by Alltel Communications, for authority to erect a 197 foot tall monopole for wireless facilities, on property generally located northwest of the intersection of Highway 77 and Branched Oak Road in Lancaster County, Nebraska.

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.

6) **OLD BUSINESS:**

A. Implementation plan for the conservation of Nebraska's saline wetlands. The plan includes comprehensive strategies that address the following:

- | | |
|---------------------------------|------------------------|
| *Hiring a Coordinator | *Outreach and Feedback |
| *Planning and Coordination | *Wetland Protection |
| *Priority Conservation Planning | *Stream Restoration |
| *Private Land Issues | *Taxes on Public Lands |
| *Research | *Funding |

Lancaster County, the City of Lincoln, Nebraska Game and Parks Commission, Lower Platte South Natural Resources District and the Nature Conservancy are all partners in the plan. (C-03-0335)

7) **NEW BUSINESS:**

A. An application for a Special Designated License from the Lancaster County Agricultural Society to have a beer garden in connection with a County fair concert to be held on Saturday, August 2, 2003 from 8 a.m. to 12 a.m. at 4100 North 84th Street in Lancaster County, Nebraska.

B. An agreement with the City of Lincoln for medical services 24 hours a day to be provided through the Lincoln-Lancaster County Health Department. The term of the agreement is July 1, 2003 to June 30, 2004. The County shall pay based upon the following rates:

- % A single monthly fee of \$621.43 per month for round the clock availability of professional services.
- % A sum of \$45,575, payable in 12 monthly payments of \$3,797.92, for one full-time registered nurse provided for under the agreement.
- % A sum of \$11,310 for a part-time, on-call registered nurse.
- % \$78.60 per physician's visit to the Juvenile Detention Center.
- % \$8.41 per telephone conversation with the physician.
- % Physical examination/assessment completed at actual cost.
- % \$35 per dose of Hepatitis B vaccine for each employee.
- % \$10 per tuberculosis test for each employee.
- % \$20 employment assessment for each employee.
- % \$40 per hour for on-site lab services by a lab technician.
- % Should the County Attorney's Office require conferences, meetings, or in-court testimony of nurses, it shall be billed to the County at the rate of \$42.50 per hour.
- % Should the County Attorney's Office require conferences, meetings or in-court testimony of physicians, it shall be billed to the County at the rate of \$78.60 per hour.

7) **NEW BUSINESS CONTINUED:**

- C. An agreement with LinPepCo Snacks for vending services for the Lancaster County Corrections Department at rates specified in the Request for Proposal (RFP). Term of the agreement is from August 1, 2003 through July 31, 2006 with an option to renew in writing for one additional three year term, beginning August 1, 2006 through July 31, 2009. (C-03-0358)
- D. An agreement with Region V Systems for Emergency Protective Custody services at the Lancaster County Crisis Center. The term of the agreement is from July 1, 2003 to June 30, 2004. Region V shall enter into separate agreements with referring counties who will send acutely mentally ill individuals to Lancaster County. The County shall be paid \$106 per individual for the County fee and \$52 for the rural pool for each individual. (C-03-0361)
- E. Execution of applications with Coregis Insurance and Professional Governmental Underwriters, Inc. for public officials coverage.
- F. Comprehensive Plan Amendment 03001, by the Director of Planning, at the request of the Public Works and Utilities Department, the Parks and Recreation Department and the Pedestrian-Bicycle Advisory Committee, to update the Bicycle and Trails element of the 2025 Lincoln/Lancaster County Comprehensive Plan. (A copy is on file in the County Clerk's Office.)
- G. Comprehensive Plan Amendment 03002, by the Director of Planning, at the request of the Public Works and Utilities Department, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan to adopt the 2003 Lincoln Water System Facilities Master Plan. (A copy is on file in the County Clerk's Office.)
- H. Comprehensive Plan Amendment 03003, by the Director of Planning, at the request of the Public Works and Utilities Department, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan to adopt the 2003 Lincoln Wastewater Facilities Plan. (A copy is on file in the County Clerk's Office.)
- I. Comprehensive Plan Amendment 03006 by the Director of Planning at the request of the Public Works and Utilities Department and the Technical Committee of the MPO, to amend the Mobility and Transportation section of the 2025 Lincoln/Lancaster County Comprehensive Plan to update the Existing and Future Streets and Highways Functional Classification maps. (A copy is on file in the County Clerk's Office.)

7) **NEW BUSINESS CONTINUED:**

- J. Comprehensive Plan Amendment 03010, by the Director of Planning at the request of Hampton Development Services, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan to change from Urban Residential to Commercial and to make minor modifications to the boundary between Commercial and Urban Residential uses north of Interstate 80 between North 14th and North 27th Streets. (A copy is on file in the County Clerk's Office.)
- K. Comprehensive Plan Amendment 03011, by the Director of Planning at the request of Kent Seacrest, on behalf of Meginnis Farm Joint Venture, Ridge Development Company, and Southview, Inc., to amend the 2025 Lincoln/Lancaster County Comprehensive Plan, to revise the Community Center commercial designation to designate specifically the northwest and northeast corners of 98th and O Streets as a Community Center; to revise the light industrial designation for a future "employment center" to specifically designate an area northwest of 98th and O Streets as Industrial; and to specifically designate Commercial and Industrial uses at 98th and O Streets. (A copy is on file in the County Clerk's Office.)
- L. Comprehensive Plan Amendment 03012, by the Director of Planning, at the request of Tom Huston, on behalf of the UNO Properties Inc. and Apple's Way LLC, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan to change approximately 60 acres from Urban Residential to Commercial at South 66th Street and Highway 2. (A copy is on file in the County Clerk's Office.)
- M. Comprehensive Plan Amendment 03013, by the Director of Planning, at the request of Mary Jo Livingston, for Livingston Investments, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan, to change from Urban Residential to Commercial on approximately seven acres on the north side of Highway 2 between the Pine Lake Neighborhood and Berean Church; and to change the use of commercial property on the south side of Highway 2 at Pine Lake Road, currently zoned O-3 Office District, from office to retail in the approved Southeast Lincoln/Highway 2 Subarea Plan. (A copy is on file in the County Clerk's Office.)
- N. Comprehensive Plan Amendment 03014, by the Director of Planning, at the request of Kent Seacrest, on behalf of Ridge Development Company and Southview, Inc., to amend the 2025 Lincoln/Lancaster County Comprehensive Plan, to move the Community Center commercial designation from South 40th Street and Yankee Hill Road to South 27th Street and Yankee Hill Road; move the Neighborhood Center designation from South 27th Street and Yankee Hill Road to South 40th Street and Yankee Hill Road; and change the land use plan to designate property to the northwest of South 27th Street and Yankee Hill Road as commercial. (A copy is on file in the County Clerk's Office.)

7) **NEW BUSINESS CONTINUED:**

- O. Comprehensive Plan Amendment 03015, by the Director of Planning, at the request of J. Michael Rierden, on behalf of Lincoln Federal Savings Bank, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan, to move the Community Center commercial designation from one-half mile south of South 40th Street and Yankee Hill Road to South 27th Street and Yankee Hill Road; to move the Neighborhood Center designation from South 27th Street and Yankee Hill Road to one-half mile south of Yankee Hill Road and west of South 40th Street; and add industrial use one-half mile south of Yankee Hill Road on the west side of South 40th Street for future "employment center". (A copy is on file in the County Clerk's Office.)
- P. Comprehensive Plan Amendment No. 03016, by the Director of Planning, at the request of Peter Katt, on behalf of Dwaine Rogge, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan, to change a portion of property designated "Environmental Resources" to "Industrial" between Salt Creek and Arbor Road, west of North 70th Street. (A copy is on file in the County Clerk's Office.)
- Q. Comprehensive Plan Amendment 03017, by the Director of Planning, at the request of Jim Burden, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan, to include a presentation of a universal transportation service known as Personal Rapid Transit or PRT. (A copy is on file in the County Clerk's Office.)
- R. Comprehensive Plan Amendment 03018, by the Director of Planning, at the request of Andermatt, LLC and Eiger Corporation, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan, to change approximately 44 acres of land from Urban Residential to Commercial, north of Highway 2 and east of South 91st Street, in the Land Use Plan and the Southeast Lincoln/Highway 2 Subarea Plan; and amend text accordingly. (A copy is on file in the County Clerk's Office.)
- S. Comprehensive Plan Amendment 03019, by the Director of Planning, at the request of Kent Seacrest, on behalf of Ridge Development Company and Southview, Inc. to amend the 2025 Lincoln/Lancaster County Comprehensive Plan, to revise the Community Center commercial designation to designate specifically the northwest corners of Homestead Expressway and West Denton Road as a Community Center; revise the light industrial designation for a future "employment center" to specifically designate an area northwest of Homestead Expressway and West Denton Road as Industrial; and specifically designate commercial and industrial uses in the Land Use Plan at Homestead Expressway and West Denton Road. (A copy is on file in the County Clerk's Office.)

7) **NEW BUSINESS CONTINUED:**

T. Comprehensive Plan Amendment 03020, by the Director of Planning, at the request of Mark Hunzeker, on behalf of John Sampson and David McEwen, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan to designate a "Community" sized commercial center at approximately South 40th Street between Rokeby Road and Yankee Hill Road. (A copy is on file in the County Clerk's Office.)

U. Reappointment of Larry Hudkins to the Lincoln-Lancaster County Public Building Commission for a four year term, beginning August 1, 2003 and ending July 31, 2007.

8) **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:

1. County Assessor/Register of Deeds Monthly Report for June, 2003.
2. Noxious Weed Control Authority's Monthly Report for June, 2003.
3. Noxious Weed Control Authority's Monthly Report for June, 2003 for the Combined Weed Control Program with the City of Lincoln.
4. Records and Information Management's Monthly Report for June, 2003.

B. Setting of a public hearing for Tuesday, July 29, 2003 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding amendments to the Lincoln-Lancaster County Air Pollution Program Regulations and Standards, which shall include an update of current regulations by including recent changes in Nebraska and EPA air quality requirements in addition to requiring a registry of emergency electric generators operated in commercial, industrial, and institutional facilities. The amendments shall also provided a more efficient permit process for operators of emergency electrical generators who wish to participate in a special power purchase program established by the local utility. (A copy is on file in the County Clerk's Office.)

C. A resolution approving County Special Permit 198, Wyndam Place Community Unit Plan, consisting of 16 residential acreage lots, on property generally located at North 176th Street and Holdrege Street in Lancaster County, Nebraska. (R-03-0050)

8) **CONSENT ITEMS CONTINUED:**

- D. A resolution approving County Preliminary Plat 03000, Wyndam Place, generally located at North 176th Street and Holdrege Street in Lancaster County, Nebraska. (R-03-0052)
- E. A resolution approving County Board of Zoning Appeals, Appeal 113, requesting a variance of the rear yard setback from the 100 feet requirement of Section 4.017 of the Lancaster County Zoning Resolution to 22 feet for property generally located east of Northwest 126th Street, approximately one-half mile north of West Holdrege Street in Lancaster County, Nebraska. (R-03-0051)
- F. Two right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and Louis and Martha Lostroh, in the total amount of \$5,192.55, on Northwest 84th Street from Adams Street to Highway 34; Project C55-EM-401(1). (C-03-0359 and C-03-0360)

9) **EXECUTIVE SESSION REGARDING LABOR NEGOTIATIONS AND PENDING LITIGATION** - Kerry Eagan, Chief Administrative Officer and David Johnson, Deputy County Attorney

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

11) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting at 2:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building to discuss an appointment to the Planning Commission.
- B. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, July 17, 2003 in Room 113 located on the first floor of the County-City Building.
- C. The Lancaster County Board of Commissioners have scheduled budget meetings to be held in Conference Room 113 located on the first floor of the County-City Building at 555 South 10th Street, Lincoln, Nebraska:

Other Budget Meetings Will be Scheduled on a Staff Meeting Agenda:

Tuesday, July 15, 2003 - 8:00 a.m. to 1:00 p.m.: Final Working Session on Board Proposed Budget; County-City Building, Room 113

Thursday, July 17, 2003 - 1:30 p.m. to 4:30 p.m.: Final Working Session on Board Proposed Budget; County-City Building, Room 113

11) **ANNOUNCEMENTS CONTINUED:**

Tuesday, August 12, 2003 - 7:00 p.m.: Public Hearing on County Budget; County City Building, County Commissioners Hearing Room - Room 112

Thursday, August 14, 2003 - 10:00 a.m. to 11:30 a.m.: Review of Agricultural Society Budget and Rural Fire District Budgets; County-City Building, Room 113

Tuesday, August 26, 2003 - 1:30 p.m.: Adopt County Budget; County-City Building, Commissioners Hearing Room - Room 112

- D. The Lancaster County Board of Commissioners meeting which is broadcast live at 1:30 p.m. on Tuesdays will be rebroadcast tonight at 6:30 p.m. and again on Saturday afternoon immediately following the City Council meeting rebroadcast on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on the Internet 24 hours a day at www.ci.lincoln.ne.us. Click on 5 City-TV Video On Demand.

12) **PENDING:**

- A. Comprehensive Plan Amendment Number 02001.A, requested by the Realty Trust Group, to amend the 2025 Lincoln-Lancaster County Comprehensive Plan to change the designation from Agriculture to Urban Residential and Commercial uses, on property generally located at the northeast corner of 84th and Van Dorn Streets.
- B. Comprehensive Plan Amendment Number 02001.B, requested by the Realty Trust Group, to amend the 2025 Lincoln-Lancaster County Comprehensive Plan to change the designation from Agriculture to Urban Residential and Commercial uses, on property generally located at the southeast corner of 84th and South Streets.

13) **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: <http://www.ci.lincoln.ne.us> on the County Clerk's website.

AGENDA
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JULY 15, 2003
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, July 15, 2003. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

- 2) **PUBLIC COMMENT:** 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. Comments shall be limited to items on the agenda.

- 3) **ADDITIONS AND DEDUCTIONS TO THE TAX ASSESSMENT ROLLS:**

Approval of one deduction to the tax assessment rolls per Exhibit A.

- 4) **MOTOR VEHICLE TAX EXEMPTIONS:**

American Legion, Department of Nebraska
Fellowship Baptist Church (2 exemptions)
First Presbyterian Church
Martin Luther Home Society Inc.
Nebraska Annual Conference of the United Methodist Church
St. Mary's Church
VITAL Services Inc.

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5) **NOTICE OF VALUATION CHANGE FOR OMITTED OR UNDERVALUED PROPERTY:**

Jeffrey B. and Lisa M. Culbertson
Arthur, Michael and Olean Brown

6) **ADJOURNMENT:**