

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JULY 22, 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 15, 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) **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) **CLAIMS:** Approval of all claims processed through Tuesday, July 22, 2003.
- 4) **OLD BUSINESS:**
 - A. A grant contract with the Community Health Endowment to fund the Peer Employment Project Providing Essential Medical Transportation through the Community Mental Health Center of Lancaster County. The program shall provide transportation for homeless and near homeless individuals by using clients of Adams Street Center to serve as van drivers and dispatch/clerical staff. The term of the grant is from July 1, 2003 to June 30, 2004 and the grant shall be in the amount of \$8,048. (C-03-0350)

**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:**

- A. An application for a Special Designated License from the Nebraska State Board of Agriculture to hold the following events at the open air auditorium located at 1800 State Fair Park Drive:
- ▶ Preview Party on Friday, August 22, 2003 from 4 p.m. to 1 a.m.
 - ▶ Latino Festival on Saturday, August 23, 2003 from 3 p.m. to 1 a.m. and on Sunday, August 24, 2003 from 2 pm. to 1 a.m.
 - ▶ Joan Jet concert on Monday, August 25, 2003 from 4 p.m. to 1 a.m.
 - ▶ Kentucky Headhunters concert on Tuesday, August 26, 2003 from 4 p.m. to 1 a.m.
 - ▶ Franky Perez concert on Wednesday, August 27, 2003 from 4 p.m. to 1 a.m.
- B. An agreement with Demars, Gordon, Olson and Zalewski Law Offices for representation of indigent parents and juveniles in Juvenile Court proceedings pursuant to Neb. Rev. Stat. §43-247(1), (2), (3)(a) and (b), (4), (5), (6) and (8). The term of the agreement is from August 1, 2003 to July 31, 2006. The County shall pay \$165,570 for the services provided. (C-03-00368)
- C. An agreement with Star City Motor Sports of Lincoln for use of one, green 1998 Kawasaki 4x4 All-Terrain Vehicle (ATV) to assist with law enforcement functions at the Lancaster County Sheriff's Office. The County shall provide maintenance of the vehicle. The agreement shall be from the date of execution until either party gives ten days written notice of termination. (C-03-0369)
- D. An agreement with the Board of Regents, University of Nebraska for the University of Nebraska Center for At-Risk Children's Services to provide for the administration of the national evaluation tools required by the Substance Abuse and Mental Health Services. The term of the agreement is from September 1, 2003 to August 30, 2004. The County shall pay \$112,400 for the services. (C-03-0370)
- E. An amendment to an agreement with the Nebraska Department of Education, Vocational Rehabilitation Division for the Lancaster County Community Mental Health Center for employment services in the area of career planning, job placement services and job exploration in the amount of \$14,000. The amendment extends the term to September 30, 2003. (C-03-0367)

5) **NEW BUSINESS CONTINUED:**

F. A resolution authorizing the following traffic signs in Lancaster County, Nebraska: (R-03-0053)

In Prairie Creek Estates Subdivision the following will be installed by the County and paid for by the developer:

- ▶ Street identification signs at the intersection of South 154th and Van Dorn Streets.
- ▶ A "No Outlet" sign on South 154th Street north of Van Dorn Street for northbound traffic.
- ▶ A "Stop" sign on South 154th Street at the intersection of Van Dorn Street for southbound traffic.

In the View Pointe Subdivision the following will be installed by County and paid for by the developer:

- ▶ A "Stop" sign on Emmawalter Road at the intersection of Waverly Road for southbound traffic.
- ▶ Street identification signs at the intersection of Emmawalter Road and Waverly Road.
- ▶ A "25 mile per hour" speed limit sign on Emmawalter Road north of Waverly Road for northbound traffic.
- ▶ A reverse turn sign on Emmawalter Road north of Waverly Road for northbound traffic.
- ▶ A reverse turn sign on Emmawalter Road south of Giebenrath Road for southbound traffic.
- ▶ Street identification signs at the intersection of Emmawalter Road and Giebenrath Road.
- ▶ A "No Outlet" sign on Emmawalter Road north of Giebenrath Road for northbound traffic.
- ▶ A "Stop" sign on Giebenrath Road at the intersection of North 70th Street for eastbound traffic.
- ▶ Street Identification signs at the intersection of Giebenrath Road and North 70th Street.
- ▶ A "25 Mile Per Hour" speed limit sign on Giebenrath Road west of North 70th Street for westbound traffic.
- ▶ A side road warning sign on North 70th Street north of Giebenrath Road for southbound traffic.

5) **NEW BUSINESS CONTINUED:**

- G. Recommendation from the Purchasing Agent and Lancaster Manor to award a Request for Proposal (RFP) for respiratory services to Helget, Inc. d/b/a Capital Medical. Pricing for prescription and non-prescription items shall be in compliance with the Nebraska Department of Public Welfare published fee schedule. All prescription and non-prescription items shall be billed direct to the residents insurance company (including Medicaid/Medicare). (B-03-0018)
- H. Appointment of Dan Marvin to the Lincoln-Lancaster County Planning Commission to complete the term of Patte Newman, expiring August 24, 2003.

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:

- 1. County Attorney's Quarterly Report from April 1, 2003 through June 30, 2003.

B. Setting of public hearings for Tuesday, August 5, 2003 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding the following:

- 1. County Change of Zone 211, requested by Brian D. Carstens and Associates on behalf of Land II, L.L.C., from AG Agricultural to AGR Agricultural Residential, on property generally located at the northwest corner of South 68th Street and Roca Road in Lancaster County, Nebraska.
- 2. County Preliminary Plat 02029, The Preserve at Cross Creek, requested by Brian D. Carstens and Associates on behalf of Land II, L.L.C., to create 15 lots for residential acreages on property generally located at the northwest corner of South 68th Street and Roca Road in Lancaster County, Nebraska.

C. A resolution in the matter of 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.
(R-03-0054)

6) **CONSENT ITEMS CONTINUED:**

- D. A resolution in the matter of approving 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. (R-03-0055)
- E. A resolution in the matter of approving 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. (R-03-0056)
- F. A resolution in the matter of approving 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. (R-03-0057)
- G. A resolution in the matter of approving 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. (R-03-0058)
- H. A resolution in the matter of approving 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. (R-03-0059)
- I. A resolution in the matter of approving 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. (R-03-0060)

6) **CONSENT ITEMS CONTINUED:**

- J. A resolution in the matter of the withdrawal of 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. (R-03-0061)

- K. A resolution in the matter of the withdrawal of 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. (R-03-0062)

- L. A resolution in the matter of approving 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. (R-03-0063)

- M. A resolution in the matter of approving 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".

6) **CONSENT ITEMS CONTINUED:**

- N. A resolution in the matter of setting a public hearing for Tuesday, August 19, 2003 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding 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.
- O. A resolution in the matter of denying 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.
- P. A resolution in the matter of approving 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.
- Q. A resolution in the matter of approving 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.
- R. A resolution in the matter of approving 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.

6) **CONSENT ITEMS CONTINUED:**

S. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:

- ▶ Joel and Brenda Zinnecker south of West Saltillo Road on Southwest 29th Street; Project C.P.T-194. This is a donation. (C-03-0364)
- ▶ Julia and Jeff Johanson, in the amount of \$2,716.28, on Northwest 84th Street, Adams Street to Highway 34; Project C55-EM-401(1). (C-03-0365)
- ▶ Countryside Farms Inc. south of West Princeton Road on Southwest 14th Street; Project C.P.W-62. This is a donation. (C-03-0366)

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

8) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, July 24, 2003 in Room 113 located on the first floor of the County-City Building.
- B. A public hearing will be held on 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. 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, August 19, 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

8) **ANNOUNCEMENTS CONTINUED:**

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.

9) **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.

10) **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 22, 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 137 additions and deductions to the tax assessment rolls per Exhibit A.

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

American Red Cross, Lancaster County Chapter
BryanLGH Medical Center
Catholic Social Services
Eastridge Presbyterian Church
Lincoln Lancaster County Child Guidance Center
Nebraska United Methodist Foundation
Sisters of Mary, Queen of Mercy
Sisters of Mercy

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5) **HOMESTEAD EXEMPTION APPEALS:**

James and Charlie Mae Adkins
Helen P. Brame
Lois Knickerbocker
Jeffery L. Leuty

6) **ADJOURNMENT:**