

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 4, 2005
COUNTY COMMISSIONERS HEARING ROOM, 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, September 27, 2005. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).

- 2) **SPECIAL PRESENTATIONS:**
 - A. Introduction of Matt Carlson, President of the Lincoln Chamber of Commerce.

 - B. Presentation of the Commissioners' Award of Excellence for September, 2005 to Regina Gloyne, an employee with Lancaster Manor.

- 3) **CLAIMS:** Approval of all claims processed through Tuesday, October 4, 2005.

- 4) **PUBLIC HEARINGS:**
 - A. Vacation of a portion of South 162nd Street located in the Southwest Quarter of Section 26, Township 9 North, Range 8 East, of the 6th P.M., in Lancaster County, Nebraska.

 - B. County Change of Zone No. 5058, a proposed text amendment to the Lancaster County Zoning Resolution, requested by the Director of Planning, amending Section 4.017 of Article 4 "AG Agricultural District", to add a provision to allow two smaller lots to be split out of a 40-acre parcel. (See New Business Item 5A for correlating documentation.)

 - C. County Special Permit No. 05038, requested by Lyle Loth of ESP on behalf of Richard and Connie Roush and Gary and Darcie Kvasnicka, to construct dwellings within 1,320 feet of a public lake on property generally located northeast of the corner of South 96th Street and Wagon Train Road in Lancaster County, Nebraska. (A two week continuance is requested by the applicants.)

**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.**

4) **PUBLIC HEARINGS CONTINUED:**

- D. County Special Permit No. 05039, Wagon Train Estates Community Unit Plan requested by Lyle Loth of ESP on behalf of Richard and Connie Roush and Gary and Darcie Kvasnicka, to develop six residential acreage units with associated waiver requests on property generally located northeast of the corner of South 96th Street and Wagon Train Road in Lancaster County, Nebraska. (A two week continuance is requested by the applicants.)
- E. County Preliminary Plat No. 05013, Wagon Train Estates, requested by Lyle Loth of ESP on behalf of Richard and Connie Roush and Gary and Darcie Kvasnicka, to develop six residential acreage lots on property generally located northeast of the corner of South 96th Street and Wagon Train Road in Lancaster County, Nebraska. (A two week continuance is requested by the applicants.)

5) **NEW BUSINESS:**

- A. A resolution in the matter of County Change of Zone No. 05058, a text amendment to the Lancaster County Zoning Resolution, to add a provision to allow two smaller lots to be split out of a 40-acre parcel in the AG Agricultural District. (R-05-0125)
- B. A resolution in the matter of striking uncollectible property tax from the tax list. (R-05-0126)
- C. A resolution in the matter of County maintenance of approximately 1,376 feet of South 84th Street Place and approximately 369 feet of Carlson Court located in Hilltop Estates. (R-05-0127)
- D. A resolution in the matter of establishing a policy regulating animals in Lancaster County buildings. (R-05-0128)
- E. An agreement between Lancaster County and Lincoln Medical Education Partnership (LMEP) for a six-month pilot project to allow individuals who are established patients of LMEP and who subsequently become eligible for General Assistance to continue to receive medical care at LMEP. LMEP agrees to provide medical services to covered patients in accordance with established County General Assistance protocols and accept payments for such services at the Medicaid rate used by the County. Term of the agreement is August 1, 2005 through January 31, 2006. (C-05-0498)

5) **NEW BUSINESS CONTINUED:**

- F. An amendment to an agreement with the Law Office of Joy Shiffermiller under County Contract C-04-0002 for legal representation to indigent parties in proceedings in the Juvenile Court of Lancaster County. The contractor has asked that Patrick Driver be formally authorized to provide services under the original agreement. As a result, the parties wish to amend the agreement to reflect such change. (C-05-0499)
- G. 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 \$7,056.53. The policy period begins on November 1, 2005 and ends on November 1, 2006.
- H. Authorization for Paula Stutheit of the Lincoln-Lancaster County Personnel Department as a plan contact for the administration of Lancaster County's group health plan with Blue Cross and Blue Shield of Nebraska and to have access to group health plan information under the Health Insurance Portability and Accountability Act (HIPAA). (C-05-0500)
- I. Setting of salary for Elizabeth Elliott, as a Deputy Public Defender, for \$51,642, effective October 3, 2005.
- J. Establishment of a policy providing parameters of eligibility for the Lancaster County Pretrial Release Program.
- K. A political subdivision tort claim filed against the Lancaster County Corrections by Tina Simpson for lost property, in the amount of \$50.
- L. A political subdivision tort claim filed against the Lancaster County Corrections Department by Kenneth Harris for lost property, in the amount of \$80.

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. Setting of public hearings for Tuesday, October 11, 2005 at 1:30 p.m. in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:
 - 1. Amending of County Resolution 02-0030 regulating On-Site Wastewater Treatment Systems.

6) **CONSENT ITEMS CONTINUED:**

2. Amending of County Resolution 02-0031 in the matter of Design Standards for Operation and Maintenance of On-Site Wastewater Treatment Systems.

- B. Request from Rebecca Mianulli, an employee at the Lancaster County Community Mental Health Center, to voluntarily participate in the County's retirement plan having met the requirements.
- C. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following individuals:
 - ▶ Michael and Marjean McIntyre on North 190th Street south of Holdrege Street; Project C. P. J-262. This is a donation. (C-05-0496)
 - ▶ Murrel and Kathleen Stevens, in the amount of \$412.85, at Southwest 2nd Street and Panama Road; Project C55-W-403(2). (C-05-0497)

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

Public comment on items not on today's agenda are welcomed at this time. Each speaker is limited to five minutes.

8) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Tuesday, October 4, 2005 , beginning at 10 a.m. in Room 113 on the first floor of the County-City Building for the purpose of discussing alternatives regarding the Joint Public Agency for Rural to Urban Roadway Transition Streets Program (RUTS) and the East Beltway.
- B. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, October 6, 2005, beginning at 8:30 a.m., in Room 113 on the first floor of the County-City Building.
- C. 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 on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on the Internet 24 hours a day at <http://www.lancaster.ne.gov>. Click on 5 City-TV Video On Demand.

9) **PENDING:**

- A. Public hearing regarding County Change of Zone 04053, from AG Agricultural District to AGR Agricultural Residential District, requested by Mark Hunzeker on behalf of Wapiti Enterprises, Inc., on property generally located at the southeast corner of Southwest 40th Street and Rokeby Road in Lancaster County, Nebraska. (Recessed on September 28, 2004.)
- B. County Change of Zone 04074, from AG Agricultural District to AGR Agricultural Residential District, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.
- C. County Special Permit 04058, Lakewood Hills Community Unit Plan, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage units, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.
- D. County Preliminary Plat 04028, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.
- E. County Final Plat 04126, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.
- F. A resolution regarding the creation of a joint public agency as provided by the Joint Public Agency Act with the participation of the County of Lancaster and the City of Lincoln. The Joint Public Agency is being created to provide for the design, acquisition of land and construction of improvements for the Rural to Urban Roadway Transition Streets Program (RUTS) and the design and acquisition of land for the East Beltway. (R-05-0109)

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.

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.

The Board of Commissioners agenda and minutes may be accessed on the Internet at <http://www.lancaster.ne.gov> on the County Clerk's website.

**AGENDA
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, OCTOBER 6, 2005
COUNTY COMMISSIONERS HEARING ROOM, 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, September 27, 2005. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).

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- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 41 additions and deductions to the tax assessment rolls per Attachment "A".

- 3) **APPEAL OF PENALTY ASSESSED ON PERSONAL PROPERTY FOR THE FOLLOWING:**

Jackpot Convenience

- 4) **NOTICE OF ASSESSED VALUATION CHANGE FOR PROPERTY TAXATION PURPOSES FOR THE FOLLOWING:**

Roger Pickering (Parcel I.D. # 13-03-300-001-000)

Roger Pickering (Parcel I.D. # 13-04-400-002-000)

- 5) **ADJOURNMENT:**

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