

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 2, 2008
COUNTY 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.

- 1) **MINUTES:** Approval of the [Minutes](#) of the Board of Commissioners meeting held on Tuesday, August 26, 2008. (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) **CLAIMS:** Approval of all claims processed through Tuesday, September 2, 2008.
- 3) **SPECIAL PRESENTATIONS:**
 - A. A one-time cash award, in the amount of \$500, for Sue Wilkinson, an employee with Lancaster Manor, due to exceptional circumstances.
 - B. A resolution in the matter of recognizing the month of September, 2008 as National Preparedness Month ([R-08-0062](#)) - Doug Ahlberg, Emergency Management Director
 - C. Appointment of Julie Lattimer to the Lancaster County Visitors Promotion Committee (VPC) to complete Scott Miller's term, ending June 30, 2010 and the reappointment of John Klimpel and Jim Partington to the VPC, terms to end June 30, 2012.

<p style="text-align:center">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.</p>

4) **PUBLIC HEARINGS:**

- A. Continuation of a public hearing regarding a Corporate Manager application for Linda Wunderlich and an application for a Class Y (Farm Winery) liquor license for [Wunderrosa L.L.C.](#) d/b/a Wunderrosa, located at 2361 Wittstruck Road, Roca, Lancaster County, Nebraska. (See New Business Item 5A for correlating documentation.)
- B. [County Board of Zoning Appeals, Appeal No. 08002](#), requested by Countryside Alliance Church, for a variance of the zoning resolution to allow a fourteen by five by ten foot sign, within the required front yard, on property located at 24005 South 12th Street, Princeton, Lancaster County, Nebraska.

5) **NEW BUSINESS:**

- A. A resolution in the matter of a Corporate Manager application for Linda Wunderlich and an application for a Class Y (Farm Winery) liquor license for Wunderrosa L.L.C. d/b/a Wunderrosa, located at 2361 Wittstruck Road, Roca, Lancaster County, Nebraska. ([R-08-0063](#))
- B. A resolution in the matter of fixing the date, time and place for a public hearing regarding a request to vacate a portion of Southwest 86th Street between West Saltillo Road and West Bennet Road, and regarding the vacation or abandonment of a portion of West Saltillo Road between Southwest 84th Street and Southwest 86th Street, such portions running from the southwest corner of Section 2, Township 8 North, Range 5 East to the northwest corner of said Section 2 and from the southwest corner of Section 35, Township 9 North, Range 5 East to the northwest corner of said Section 2, Lancaster County, Nebraska. (The public hearing date will be set for September 30, 2008.) ([R-08-0064](#))
- C. A program resolution relating to safety improvement with the State of Nebraska, Department of Roads to install signage in advance of, and/or throughout intersections within Lancaster County which have an accident history exceeding the statewide average. Installation of the signs will done be by the County and will be viewed as the 20 percent local match. ([R-08-0065](#))

5) **NEW BUSINESS CONTINUED:**

- D. A resolution authorizing the use of County Visitor Improvement Funds for tourist promotion. Specifically, the resolution authorizes payment of 25 percent of the proceeds collected in the Visitors Improvement Fund from July, 2007 through June, 2008 to be paid to the Lincoln Chamber of Commerce Convention and Visitors Bureau for the specific purpose of paying bid fees for events which will use tourism facilities in Lancaster County. (R-08-0066)
- E. A grant contract with Cedars Youth Services for the purpose of providing funding to assist in the general operations of the Juvenile Pretrial Diversion program, in the amount of \$58,975. Term of the grant contract is July 1, 2008 through June 30, 2009. (C-08-0448)
- F. A grant contract with The Hub, Inc. to assist in the general operation of Project H.I.R.E., a sixteen week program designed for young people who are in need of employment skills, in the amount of \$34,711. Term of the grant contract is July 1, 2008 through June 30, 2009. (C-08-0449)
- G. A grant contract with Teammates of Lincoln Public Schools to provide funding for the Teammates Project MOAST (Mentors Offer a Second Turn), in the amount of \$22,500. Teammates will contribute \$13,182 in matching funds. Term of the grant contract is July 1, 2008 through June 30, 2009. (C-08-0450)
- H. A grant contract with Volunteer Partners Inc. to assist in the general operations of the Juvenile Community Service Program, in the amount of \$20,000. Term of the agreement is July 1, 2008 through June 30, 2009. (C-08-0451)
- I. A unit price construction contract with John Henry's Plumbing, Heating and Air Conditioning for miscellaneous plumbing services for pipe less than two inches (under \$25,000). Term of the contract is from July 1, 2008 through June 30, 2009, with an option to renew the contract for three additional one-year terms. (C-08-0452)
- J. An interlocal agreement with Pawnee County for the safekeeping, care and sustenance of juveniles while at the Youth Services Center. Lancaster County will be reimbursed \$244.50 per youth, per day. The agreement is effective upon execution and has a 30-day termination provision. (C-08-0453)
- K. An agreement with Seim, Johnson, Sestak and Quist L.L.P. to prepare and deliver the Medicare Form CMS 2088-92 cost report for the fiscal year ended June 30, 2008 for the Community Mental Health Center. Term of the agreement will be from the date Seim, Johnson begins work for the cost report until it has been submitted to the County (by November 30, 2008). The County will pay \$4,500 to \$5,000 for the services. (C-08-0454)

5) **NEW BUSINESS CONTINUED:**

- L. An addendum to a contract between Lancaster County and Aramark Correctional Services, L.L.C., found under County Contract No. C-02-0545, for correctional food services. The addendum extends the contract for an additional term of 62 days beginning September 1, 2008 and ending November 1, 2008. (C-08-0455)
- M. Acceptance of a grant award from the Nebraska Commission on Law Enforcement and Criminal Justice, Grant No. 07-CA-510, Legislative Bill 193 County Aid Grant, in the amount of \$190,686 and a match of \$76,274 for a total of \$266,960, covering the period from July 1, 2008 through June 30, 2009. (C-08-0456)
- N. Acceptance of a grant award from the Nebraska Department of Health and Human Services, Strategic Prevention Framework State Incentive Grant, Grant No. SPF-SIG-03, for the Lancaster Alcohol Abuse Partnership (LAAP) project, in the amount of \$60,000, covering the award period from September 1, 2008 through February 28, 2009. (C-08-0461)
- O. A unit price construction contract with Capitol Heating and Air Conditioning Inc. for miscellaneous mechanical (HVAC) services (under \$25,000). Term of the contract is from July 1, 2008 through June 30, 2009, with an option to renew the contract for three additional one-year terms. (C-08-0462)
- P. A unit price construction contract with John Henry's Plumbing, Heating and Air Conditioning for miscellaneous mechanical (HVAC) services (under \$25,000). Term of the contract is from July 1, 2008 through June 30, 2009, with an option to renew the contract for three additional one-year terms. (C-08-0463)
- Q. A unit price construction contract with Benes Heating and Air Conditioning for miscellaneous mechanical (HVAC) services (under \$25,000). Term of the contract is from July 1, 2008 through June 30, 2009, with an option to renew the contract for three additional one-year terms. (C-08-0464)
- R. Amendment to an agreement with Segal Advisors, Inc., found under County Contract No. C-07-0315, pursuant to Specification No. 07-160, extending the term of the contract through August 13, 2009, and increasing the compensation for Phase 3 to \$65,000. (C-08-0465)
- S. A Medicare enrollment application for clinics/group practices and certain other suppliers for the Lancaster County Community Mental Health Center. The application is to add Bob Workman as an official which is able to provide an authorized signature for the County to enroll the Mental Health Center in the Medicare program or to make changes to the Mental Health Center's status in the Medicare program. (C-08-0466)

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 a public hearing for Tuesday, September 9, 2008 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building to amend the following:

1. Resolution No. R-03-0007 in the matter of amending Sections VI, IX, XV and XXIX relating to the regulations for the operation of body art and piercing establishments in Lancaster County, Nebraska.
2. Resolution No. R-02-0030 in the matter of amending Section XIII relating to on-site waste water treatment systems.
3. Resolution No. 5069 in the matter of amending Section 13 relating to air pollution control adopted November 16, 1993.
4. Resolution No. 5066 in the matter of amending Article 1, Section 6, and Article 2, Section 30 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards.

B. Setting of a public hearing for Tuesday, September 16, 2008 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding [Comprehensive Plan Amendment No. 08015](#), by the Director of Planning, to amend the "Community Facilities" chapter of the 2030 Lincoln-Lancaster County Comprehensive to reflect the need and intent of Lancaster County to construct a new adult corrections facility in the area of Southwest 40th Street and West O Street.

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

- * Michael and Patricia Schaaf, in the total amount of \$3,861.98, on South 82nd Street from Hickman Road to Roca Road; Project C55-S-404(3). (2 contracts) [\(C-08-0457\)](#) [\(C-08-0458\)](#)
- * Daniel and Nancy Hinnah, in the total amount of \$125, on "A" Street 1,540 feet west of South 190th Street; Project CP-J-32. (2 contracts) [\(C-08-0459\)](#) [\(C-08-0460\)](#)

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

8) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners, sitting as the Board of Equalization, will hear greenbelt disqualification protests, in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building, on Tuesday, September 2, 2008 beginning at 11 a.m. and on Thursday, September 4, 2008 beginning at 1 p.m..
- B. The Lancaster County Board of Commissioners will hold a Staff Meeting on Thursday, September 4, 2008 beginning at 8:30 a.m. in Room 113 on the first floor of the County-City Building.
- C. A public hearing will be held on Tuesday, September 9, 2008 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding [County Special Permit No. 08030](#), Sagebrook Estates Community Unit Plan, requested by Jonathan Felts on behalf of F.R. Holdings, L.L.C., for authority to develop nine residential acreage units, with requests to waive sidewalks, cul-de-sac length and block length, on property generally located at North 176th and Holdrege Streets, Lancaster County, Nebraska.
- D. A public hearing will be held on Tuesday, September 23, 2008 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding a request to vacate a portion of West Simon Street abutting Lot 10, block 1 and Lot 1, Block 2 of Werger's Addition to Martell, Lancaster County, Nebraska.
- E. 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 <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.

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, SEPTEMBER 2, 2008
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR 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.

- 1) **MINUTES:** Approval of the [Minutes](#) of the Board of Equalization meeting held on Tuesday, August 26, 2008. (A copy of the minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.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.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 34 additions and deductions to the tax assessment rolls per Attachments "A" and "B".

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

Arc of Nebraska
Capitol City Christian Church
Lincoln Christian School
Sacred Heart School
Sisters of Mary, Queen of Mercy

- 4) **APPEAL FILED ON LATE FILED HOMESTEAD EXEMPTION:**

Betty J. Keller

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5) **APPEAL OF PENALTY ON 2008 PERSONAL PROPERTY TAX:**

Family Christian Stores

6) **ADJOURNMENT:**

**ADDENDUM TO AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 2, 2008
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING**

EXECUTIVE SESSION - Mike Thew, Chief Deputy County Attorney;
Tom Fox, Deputy County Attorney