

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 9, 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, September 2, 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 9, 2008.
- 3) **SPECIAL PRESENTATIONS:**
 - A. (1) Award of bid, pursuant to Specification No. 08-115, to Prudential Retirement Insurance and Annuity Company for provision of bundled retirement services including record keeping/administration, communication/education, and custodial trustee services, and unbundled investment management services for the Lancaster County, Nebraska Employees 401(a) Retirement and 457 Deferred Compensation plans; and (2) Introduction of John Byrne, Prudential Vice President of Tax Exempt Retirement Plans.
- 4) **PUBLIC HEARINGS:**
 - A. [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. (See New Business Item 5A for correlating documentation.)

<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 CONTINUED:**

- B. Amendment of fees relating to the following resolutions: (See New Business Items 5B through 5E for correlating documentation.)
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.

5) **NEW BUSINESS:**

- A. A resolution in the matter of County Special Permit No. 08030, Sagebrook Estates Community Unit Plan, requested by Jonathan Felts on behalf of F.R. Holdings, L.L.C., on property generally located at North 176th and Holdrege Streets in Lancaster County, Nebraska. ([R-08-0074](#))
- B. A resolution amending Sections VI, IX XV and XXIX of County Resolution No. R-03-0007, Regulations for the Operation of Body Art and Piercing Establishments. The amendment increases various fees for the operation of body art and piercing establishments as provided in Attachment A. ([R-08-0068](#))
- C. A resolution amending Section XIII of County Resolution No. 02-30, Procedures for the Regulation of On-Site Wastewater Treatment Systems. The amendment increases various fees for on-site wastewater treatment permits as provided in Attachment A. ([R-08-0070](#))
- D. A resolution in the matter of amending Resolution No. 5069, the Lancaster County Air Pollution control Resolution of 1993, to increase the fee for open burning permits as provided in Attachment A. ([R-08-0071](#))
- E. A resolution amending Article 1, Section 6, and Article 2, Section 30 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards. The amendments increase the notification fees for the National Emissions Standards for Hazardous Air Pollutants asbestos projects, as provided in Attachment A, and increases the fees associated with construction permits, as provided in Attachment B. ([R-08-0067](#))

5) **NEW BUSINESS CONTINUED:**

- F. A resolution in the matter of authorizing the installation of a "Watch for Stopped Vehicles" sign on Saltillo Road, 600 feet east of South 54th Street for westbound traffic. ([R-08-0072](#))
- G. A resolution in the matter of 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. ([R-08-0073](#))
- H. A resolution in the matter of determining the need for the creation of a Joint Public Agency, pursuant to Neb. Rev. Stat. § 13-2501 et.seq. (Cum. Supp. 2006), to facilitate acquiring, constructing, equipping, furnishing and financing correctional facilities for the benefit of the residents of Lancaster County, and approving the agreement for creation of the Joint Public Agency. The participants in the Joint Public Agency will be Lancaster County and the City of Lincoln. ([R-08-0075](#))
- I. An application for a Special Designated License from [Ken's Liquor Inc.](#) to provide liquor beverage service for a wedding reception on Saturday, September 27, 2008 from 4 p.m. to 1 a.m. at Country Pines, located at 6305 West Adams Street, Lancaster County, Nebraska.
- J. An addendum to a contract between Lancaster County and Bob Barker Company, found under County Contract No. C-07-0367, for the purchase of corrections staff clothing, inmate clothing and accessories on an as-needed basis by the Lancaster County Corrections Department, Youth Service Center and the Community Mental Health Center. The addendum renews the contract for an additional one-year term beginning September 18, 2008. ([C-08-0467](#))
- K. An addendum to the contract between Lancaster County and Robinson Textile, found under County Contract No. C-07-0368, for the purchase of corrections staff clothing, inmate clothing and accessories on an as-needed basis by the Lancaster County Corrections Department, Youth Service Center and the Community Mental Health Center. The addendum amends the agreement to reflect a four percent price increase for all items and renews the contract for an additional one-year term. ([C-08-0468](#))

5) **NEW BUSINESS CONTINUED:**

- L. An addendum to a contract between Lancaster County and Shoe Corporation of Birmingham, Inc., found under County Contract No. C-07-0369, for the purchase of corrections staff clothing, inmate clothing and accessories on an as-needed basis by the Lancaster County Corrections Department, Youth Service Center and the Community Mental Health Center. The addendum renews the contract for an additional one-year term beginning September 18, 2008. (C-08-0469)
- M. An acceptance of proposal and agreement with the Lincoln League of Women Voters to assist with voter registration sites and provide election night workers in Lancaster County. The County will pay up to \$2,500 to the League for the services provided. Term of the agreement is from September 1, 2008 to August 31, 2009. (C-08-0470)
- N. A contract between Lancaster County and Windstream Communications for a digital mobility system, including cabling and installation. The contract will begin at the time of execution and the work will be completed by September 30, 2008. Cost to the County is \$7,493. (C-08-0471)
- O. A Prevention Coalition contract for behavioral health services between the Regional Behavioral Health Authority (Region V) and Lancaster County, on behalf of the Lincoln/Lancaster County Substance Abuse Action Coalition. Region V will pay the County \$133,700 to implement Region V substance abuse prevention plan and to provide substance abuse prevention services through subcontractors. Term of the agreement is from July 1, 2008 through June 30, 2009. (C-08-0472)
- P. An agreement between Lancaster, on behalf of the Youth Services Center, for the provision of detention services for youth committed to, or placed with the State's Office of Juvenile services. The County will be paid \$236 per youth, per day. Term of the agreement is September 1, 2008 through August 31, 2009. (C-08-0473)
- Q. Partial Waiver of Right of Subrogation against benefits or final lump sum settlement paid to Erin Saunders under Workers' Compensation Court case found at Docket 207, Page 2150. (C-08-0474)
- R. A political subdivision tort claim filed against the Lancaster County Corrections Department by [Kathryn C. Smith](#), in the amount of \$100,000 for alleged failure to provide appropriate medical care and alleged violation of Constitutional rights.

5) **NEW BUSINESS CONTINUED:**

- S. A political subdivision tort claim filed against Lancaster County and the Lancaster County Corrections Department by LaDonna Pettit, Special Administrator for the estate of her mother, [Dixie Eggers](#), in the amount of \$1,000,000 for the alleged violation of the Constitutional rights of Dixie Eggers.
- T. Appointment of [Dr. Karla K. Lester](#) to the Lincoln-Lancaster County Board of Health for a term expiring April 15, 2010 (completing Debra A. Humphrey' unexpired term).
- U. Appointments and reappointment of the following individuals to the Air Pollution Control Advisory Board:
 - * [David P. Skipton](#), term to expire September 1, 2011 (reappointment)
 - * [Jeffrey Tomhave](#), term to expire November 1, 2010 (new appointment)
 - * [Wilbur "Bud" Dasenbrock](#), term to expire November 1, 2010 (new appointment)

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 Clerk's](#) Monthly Report for August, 2008.
 - 2. [Clerk of the District Court's](#) Monthly Report for August, 2008.
 - 3. [County Assessor/Register of Deeds](#) Monthly Report for August, 2008.
- 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 amending Section X of County Resolution No. R-06-0005, procedures for the inspection of on-site water supply systems and on-site wastewater treatment systems prior to the sale, transfer or conveyance of property. The amendment increases fees for evaluation and review of property transfer inspector reports and necessary site visits by the Health Director as provided in Attachment A.

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

8) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a Staff Meeting on Thursday, September 11, 2008 beginning at 8:30 a.m. in Room 113 on the first floor of the County-City Building.
- B. A public hearing will be held on 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. 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.
- D. A public hearing will be held on Tuesday, September 30, 2008 at 9:30 a.m. in the County Commissioners Hearing Room, Room 113, on the first floor of the County-City Building 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.
- 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.

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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 9, 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, September 2, 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 8 additions and deductions to the tax assessment rolls per Attachments "A" and "B".

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

BryanLGH Medical Center
Christian Heritages Children's Home
Lincoln Lutheran School Association
Our Lady of Guadalupe Seminary, a division of Priestly Fraternity of St. Peter
School Sisters of Christ the King

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4) **APPEAL OF PENALTY ON 2008 PERSONAL PROPERTY TAX FOR THE FOLLOWING:**

SAIA
Gary Aldridge
Circuit City

5) **APPEALS FILED ON DENIAL OF GREENBELT STATUS:**

Troy and Brenda Hofmann
Michael and Carol Morrow
Mark Tate
Eric and Kayleen Knisley
Laurence Buller
Willard and Cheri Beck
Donald and Annette Hraban
James and Loretta Asche

6) **ADJOURNMENT:**