

**AGENDA**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, NOVEMBER 18, 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, November 4, 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, November 18, 2008.
- 3) **SPECIAL PRESENTATIONS:**
  - A. Appointment of Mark Kohler as the Lincoln-Lancaster County Personnel Director, effective December 11, 2008.
- 4) **NEW BUSINESS:**
  - A. An application for a Special Designated License from [Ken's Liquor, Inc.](#) to provide liquor beverage service for a formal event on Friday, December 5, 2008 at Country Pines, located at 6305 West Adams Street, Lincoln, Lancaster County, Nebraska from 7 p.m. to 1 a.m..
  - B. A resolution in the matter of witness fees paid by Lancaster County which have remained unclaimed for six months or more. ([R-08-0096](#))
  - C. A resolution instituting eminent domain proceedings against Ruth M. Danley, Trustee of the Ruth M. Danley Trust, Project C55-F-406(1), Tract No. 1 (Alvo Road, between North 1<sup>st</sup> Street and North 14<sup>th</sup> Street). ([R-08-0097](#))

<p style="text-align:center"><b>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.</b></p>
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4) **NEW BUSINESS CONTINUED:**

- D. A resolution instituting eminent domain proceedings against JSM Farms, L.L.C., Project C55-F-406(1), Tract No. 7 (Alvo Road, between North 1<sup>st</sup> Street and North 14<sup>th</sup> Street). ([R-08-0098](#))
- E. A resolution instituting eminent domain proceedings against Jon C. and Sharon S. Mumgaard, Project C55-F-406(1), Tract No. 6 (Alvo Road, between North 1<sup>st</sup> Street and North 14<sup>th</sup> Street). ([R-08-0099](#))
- F. An agreement with Orthotic and Prosthetic Solutions to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. The agreement sets forth a reimbursement arrangement in which the County will provide payment for the medical care and Orthotic and Prosthetic Solutions will reimburse the County if/when the General Assistance client is later determined eligible for Medicaid reimbursement. The agreement is effective upon execution of both parties and contains a 30 day termination provision. ([C-08-0594](#))
- G. Interlocal agreements with Dawson, Merrick, Otoe, Pawnee, Seward, Butler, Hamilton and Sarpy counties for the safekeeping, care and sustenance of juveniles while at the Youth Services Center. Lancaster County will be reimbursed \$236 per youth, per day. The agreements are effective upon execution and have 30-day termination provisions. ([C-08-0595](#)) ([C-08-0596](#)) ([C-08-0597](#)) ([C-08-0598](#)) ([C-08-0599](#)) ([C-08-0600](#)) ([C-08-0601](#)) ([C-08-0602](#))
- H. An interlocal agreement with the City of Waverly for three Sheriff's Deputies for law enforcement services within the corporate limits of the City of Waverly. Two deputies will be assigned to provide services beginning October 1, 2008. A third deputy will be assigned to provide services beginning April 1, 2009. The term of the agreement is from October 1, 2008 to September 30, 2009. The County will be reimbursed up to \$212,28.35. ([C-08-0603](#))
- I. A Region V Network Provider contract for services under the Projects for Assistance in Transition from Homelessness (PATH) grant program. The County, through the services of the Community Mental Health Center, will provide outreach services, community mental health services, screening and diagnostic services. Term of the agreement is October 1, 2008 through September 30, 2009. The County will be compensated up to \$32,500 for the services and the County is required to match \$10,833 in cash or in kind. ([C-08-0604](#))

4) **NEW BUSINESS CONTINUED:**

- J. An amendment to a contract between the Nebraska Department of Health and Human Services and Lancaster County on behalf of Lancaster County Human Services, found at County Contract No. C-08-0114, for the organization and sponsoring of three community education events regarding new Americans and language issues. The amendment changes the ending date of the contract to February 15, 2009. [\(C-08-0605\)](#)
- K. An addendum to a contract with Encore Rehabilitation Services, L.L.C., found at County Contract No. C-07-0389, for physical, occupational and speech therapy services at Lancaster Manor. The addendum renews the contract for an additional one-year term beginning November 1, 2008 and ending October 31, 2009. The cost for such services are pursuant to the rates in Attachment A of the addendum. [\(C-08-0606\)](#)
- L. An addendum to a contract between Lancaster County and Schmader Electric, found at County Contract No. 08-0017, to provide and install outdoor warning systems. The addendum renews the contract for an additional one-year term beginning January 15, 2009 and ending January 14, 2010. [\(C-08-0607\)](#)
- M. A contract with Enserv Midwest for infectious waste pickup and disposal at the Lancaster County Jail, the Youth Services Center, Lancaster Manor and the Community Mental Health Center. Term of the agreement is from December 1, 2008 to November 30, 2009. The cost for such services are pursuant to the rates in the contractor's proposal and Attachment "A" of the contract. Services will be requested by the County on an as-needed basis. [\(C-08-0608\)](#)
- N. An agreement with Gana Trucking and Excavating Inc. for snow and ice removal services from City, County and Public Building Commission parking lots at a rate between \$65 per hour and \$95 per hour depending on the type of service performed. Term of the agreement is from the date of execution of the agreement through May 1, 2009. [\(C-08-0609\)](#)
- O. An addendum to an agreement with Magellan Behavioral Health Inc., under County Contract No. C-05-0442, for the provision of mental health services to members of the Nebraska Medicaid Managed Care Program (NMMCP). The addendum contains language required by changes to applicable Nebraska Division of Medicaid and Long Term Care requirements. [\(C-08-0610\)](#)
- P. A utility relocation agreement between Lancaster County and Norris Public Power District, in the amount of \$110,469.02, to relocate utility facilities to accommodate grading on South 82nd Street from Hickman Road to Roca Road; Project No C55-S-405(3). [\(C-08-0611\)](#)

4) **NEW BUSINESS CONTINUED:**

- Q. A utility relocation agreement between Lancaster County and Lincoln Electric System, in the amount of \$20,937, to relocate utility facilities to accommodate the grading and paving of Alvo Road from North 1<sup>st</sup> to North 16<sup>th</sup> Streets; Project C55-F-406(1). (C-08-0612)
- R. Supplemental Agreement No. 2 between Lancaster County and the State of Nebraska, Department of Roads relating to bridge replacement on Panama Road between South 68<sup>th</sup> and South 82<sup>nd</sup> Streets; Project BR-3270(4). The County will perform staking, inspecting and testing services for the project and will be reimbursed for the employee's time on the project. (C-08-0613)
- S. A subdivision agreement between Lancaster County and Pendel, Inc. regarding County Final Plat No. 08041, Parkland Estates Addition, on property generally located at Northwest 118<sup>th</sup> Street and West Fletcher Avenue. (C-08-0614)
- T. A contract with CBM Food Service to provide food service for the Lancaster County Jail, the Lancaster County Correctional Facility, the Detoxification Center, the Youth Services Center, and the Community Mental Health Center. The County will pay for products according to the revised costs as listed in Exhibit 1. Term of the agreement is December 2, 2008 to December 1, 2011. (A copy of the proposal submitted by CBM is on file with the County Clerk's Office for public inspection.) (C-08-0626)
- U. An Asset Transfer Request Form for transfer of all assets from Nationwide Retirement Solutions Case Number 013-80001, the 401(a) Lancaster County, Nebraska Employees Retirement Plan, to Prudential Retirement Insurance and Annuity Company, with a liquidation date of December 31, 2008. (C-08-0627)
- V. An Asset Transfer Request Form for transfer of all assets from Nationwide Retirement Solutions Case Number 013-60001, the Lancaster County, Nebraska Employees 457(b) Deferred Compensation Program, to Prudential Retirement Insurance and Annuity Company, with a liquidation date of December 31, 2008. (C-08-0628)
- W. Recommendation from the Purchasing Agent and the Sheriff's Office to issue an order from State of Nebraska Contract No. 12334 OC, in the amount of \$41,382.50, for two Dodge Grand Caravan minivans. (B-08-0052)

4) **NEW BUSINESS CONTINUED:**

X. Recommendation from the Purchasing Agent and the Lancaster County Engineering Department to award a bid for rock hauling, in the total amount of \$590,129.20, to County stockpiles as follows: (B-08-0053)

Project 09-14H - 4,800 Tons - Waverly Stockpile

Hiskey Trucking (Hauler)	\$3.53/Ton	\$ 16,944.00
Kerford Limestone (Producer)	\$10/Ton	<u>\$ 48,000.00</u>
		\$ 64,944.00

Project 09-15H - 3,240 Tons - Emerald Maintenance Station Stockpile

Hiskey Trucking (Hauler)	\$5.73/Ton	\$ 18,565.20
Kerford Limestone (Producer)	\$10/Ton	<u>\$ 32,400.00</u>
		\$ 50,965.20

Project 09-16H - 2,760 Tons - Raymond Maintenance Station Stockpile

Westover Trucking (Hauler)	\$6.50/Ton	\$ 17,664.00
Kerford Limestone (Producer)	\$10/Ton	<u>\$ 27,600.00</u>
		\$ 45,264.00

Project 09-17H - 7,200 Tons - SW 12<sup>th</sup> & Saltillo Road

Buel Trucking (Hauler)	\$5.40/Ton	\$ 38,880.00
Kerford Limestone (Producer)	\$10/Ton	<u>\$ 72,000.00</u>
		\$110,880.00

Project 09-18H - 7,200 Tons - SW 98<sup>th</sup> & Saltillo Road Stockpile

Husker Trucking (Hauler)	\$7.49/Ton	\$ 53,928.00
Kerford Limestone (Producer)	\$10/Ton	<u>\$ 72,000.00</u>
		\$125,928.00

Project 09-19H - 9,000 Tons - Roca Stockpile

Buel Trucking (Hauler)	\$5.25/Ton	\$ 47,250.00
Kerford Limestone (Producer)	\$10/Ton	<u>\$ 90,000.00</u>
		\$137,250.00

Project 09-20H - 4,200 Tons - Walton Stockpile

Husker Trucking (Hauler)	\$3.19/Ton	\$ 13,398.00
Kerford Limestone (Producer)	\$10/Ton	<u>\$ 42,000.00</u>
		\$ 55,398.00

4) **NEW BUSINESS CONTINUED:**

Y. Request from the [Lancaster County Personnel Policy Board](#) for the following:

- \* Creation of a Board of Equalization Specialist classification at a proposed pay grade of \$41,728.96 to \$53,453.92.
- \* Change the pay grade for the Mental Health Managed Care Coordinator classification from a pay range of \$34,966.88 to \$44,788.64 to \$37,529.44 to \$48,070.88.

Z. Designation of official [newspapers](#) for Lancaster County for publication of transportation projects for 2009 as follows: *Journal Star* (Lincoln), *The Voice* (Hickman), *Seward Independent*, *Crete News*, and *The News* (Waverly).

AA. Request from [Bring & Associates, Inc.](#), on behalf of Toter Home, for a refund of personal property taxes in the approximate amount of \$251 for 2005; in the approximate amount of \$212 for 2006 and in the approximate amount of \$188 for 2007.

AB. A political subdivision tort claim filed against the Lancaster County Corrections Department by [O'Dari Z. Wiley](#) for lost property, in the amount of \$118.80.

5) **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 October, 2008.
2. [Weed Control Authority's](#) Monthly Report for October, 2008.
3. [Weed Control Authority's](#) Monthly Report for the Combined Weed Program with the City of Lincoln for October, 2008.
4. [Record and Information Management's](#) Monthly Report for October, 2008.
5. [Clerk of the District Court's](#) Monthly Report for October, 2008.
6. [County Assessor/Register of Deed's](#) Monthly Report for October, 2008.

B. Setting of a public hearing for Tuesday, December 2, 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 Change of Zone No. 08038](#), requested by Jerry and Karen Fletcher, to change zoning on 80 acres, more or less, from AG Agricultural to AGR Agricultural Residential on property generally located north of the interchange of South 162<sup>nd</sup> Street and Highway 2.

5) **CONSENT ITEMS CONTINUED:**

- C. A leasehold contract relating to a road project between the Lancaster County Engineering Department and Dean Otto, in the amount of \$10, on North 14<sup>th</sup> Street and Alvo Road; Project C55-F-406(1). ([C-08-0615](#))
- D. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:
- \* Gary Blomstrom, Trustee, in the total amount of \$217, on North 134<sup>th</sup> Street and Rock Creek Road; Project CP-A-74. (2 contracts) ([C-08-0616](#)) ([C-08-0617](#))
  - \* Lancaster County School District No. 1, in the total amount of \$59,595, on North 14<sup>th</sup> Street and Alvo Road; Project C55-F-406(1). (2 contracts) ([C-08-0618](#)) ([C-08-0619](#))
  - \* Kathy Findley, in the total amount of \$12,454.46, on South 82<sup>nd</sup> Street from Hickman Road to Roca Road; Project C55-S-404(3). (3 contracts) ([C-08-0620](#)) ([C-08-0621](#)) ([C-08-0622](#))
  - \* Danja Pegram-Siders, in the total amount of \$34,293, on North 14<sup>th</sup> Street and Alvo Road; Project C55-F-406(1). (3 contracts) ([C-08-0623](#)) ([C-08-0624](#)) ([C-08-0625](#))

6) **PENDING:**

- A. A resolution in the matter of County Change of Zone No. 08050, requested by Michael and Judith Rosecrans, to change the zoning on 8.84 acres, more or less, from AG Agricultural to B Business on property generally located one-half mile south of the corner of Hickman Road and Homestead Expressway/Highway 77 in Lancaster County, Nebraska. ([R-08-0093](#)) (Item placed on pending on November 4, 2008.)

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

8) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a Staff Meeting on Thursday, November 20, 2008 beginning at 8:30 a.m.. The meeting will not be held in Room 113; instead, it will be held in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building.

8) **ANNOUNCEMENTS CONTINUED:**

- B. A public hearing will be held on Thursday, November 20, 2008 at 7 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding Lancaster County's proposed One and Six-Year Road and Bridge Improvement Program for the fiscal years beginning July 1, 2009 through June 30, 2014.
- C. The Lancaster County Board of Commissioners has continued a public hearing held on September 30, 2008 to Tuesday, November 25, 2008 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building located at 555 South 10<sup>th</sup> Street in Lincoln, Nebraska regarding a request to vacate a portion of **Southwest 86<sup>th</sup> Street** between West Saltillo Road and West Bennet Road, and regarding the vacation or abandonment of a portion of West Saltillo Road between Southwest 84<sup>th</sup> Street and Southwest 86<sup>th</sup> 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.
- D. 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.

<p><b>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.</b></p>
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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, NOVEMBER 18, 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, November 4, 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 6 additions and deductions to the tax assessment rolls per Attachments "A" and "B".

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

Alzheimer's Association - Great Plains  
Cedars Youth Services  
Christian Retirement Homes, Inc. d/b/a Eastmont Towers  
Community Blood Bank  
Cristo Rey Catholic Church  
Immaculate Heart of Mary Church  
Shepherd of the Hills Lutheran Church

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4) **2008 451 TAX EXEMPTION APPLICATION ON REAL PROPERTY:**

Victory Fellowship Church of Lincoln

5) **NOTICE OF ASSESSED VALUATION CHANGE FOR PROPERTY TAXATION PURPOSES:**

Everett and Kay Larson

6) **NOTICE OF PROPOSED CHANGE IN EXEMPTION STATUS FOR 2008:**

Nebraska School Activities Association

7) **ADJOURNMENT:**