

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MARCH 29, 2011
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
5:00 P.M.

COMMISSIONERS: Deb Schorr, Chair; Bernie Heier, Vice Chair;
Larry Hudkins; Jane Raybould and Brent Smoyer

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.

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.

THOSE WISHING TO SPEAK ON ITEMS RELATING TO OTHER COUNTY BUSINESS NOT ON THE AGENDA MAY SPEAK DURING THE PUBLIC COMMENT PORTION OF THE AGENDA. EACH SPEAKER IS LIMITED TO FIVE (5) MINUTES. THE PUBLIC COMMENT PERIOD WILL BE LIMITED TO ONE (1) HOUR. THESE TIME LIMITS MAY BE EXTENDED AT THE DISCRETION OF THE COUNTY BOARD CHAIR.

- 1) **MINUTES:** Approval of the [minutes](#) of the Board of Commissioners meeting held on Tuesday, March 22, 2011. (Copies of the minutes are on file in the Lancaster County Clerk's office or can be accessed at www.lancaster.ne.gov).
- 2) **CLAIMS:** Approval of all claims processed through Tuesday, March 29, 2011.
- 3) **SPECIAL PRESENTATION:**
 - A. Report on Lancaster County's Bond Rating – Scott Keene, Ameritas Investment Corporation Vice President and Managing Partner.
- 4) **PUBLIC HEARINGS:**
 - A. Sale of a portion of W. Waggoner Drive as platted in Waggoner Subdivision in the Northwest Quarter of Section 27, Township 10 North, Range 5 East of the Principal Meridian, Lancaster County, Nebraska.
 - B. [County Waiver No. 11003](#), requested by James Schwartzman, to waive the County Land Subdivision design standard on property located at 12755 N. 84th Street. (See Item 6A for correlating document.)
 - C. [County Change of Zone No. 10026](#), a text amendment to the Lancaster County Zoning Resolution relating to commercial wind energy conversion systems/turbines. (See Item 6B for correlating document.)

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.

4) **PUBLIC HEARINGS CONTINUED:**

- D. [County Change of Zone No. 11004](#), a text amendment to the Lancaster County Zoning Resolution delegating final action to the Planning Commission and the County Board of Zoning Appeals. (See Item 6C for correlating document.)

5) **OLD BUSINESS:**

- A. A lease agreement between Lancaster County and the Lincoln Lancaster Mental Health Foundation for a 2000 Toyota Avalon for the benefit of the Community Mental Health Center. The lease will begin April 1, 2011, and will renew each subsequent April unless otherwise terminated in writing. The lease amount is \$1 per year. ([C-11-0147](#))

6) **NEW BUSINESS:**

- A. A resolution in the matter of County Waiver No. 11003, requested by James T. Schwartman, to waive the lot depth-to-width ratio for proposed lots on property generally located at N. 84th Street and Mill Road, specifically 12755 N. 84th Street, Lancaster County, Nebraska. ([R-11-0021](#))
- B. A resolution in the matter of County Change of Zone No. 10026, a text amendment to the Lancaster County Zoning Resolution, amending Article 2, Section 2.030; Article 4, Section 4.007; and Article 13, relating to Commercial Wind Energy Systems/Turbines. The amendments are as provided in Attachment A. ([R-11-0022](#))
- C. A resolution in the matter of County Change of Zone No. 11004, a text amendment to the Lancaster County Zoning Resolution, amending Articles 4, 5, 6, 9, 13, 14 and 19, to delegate final action authority to the Planning Commission and the Board of Zoning Appeals. The amendments are as provided in Attachment A. ([R-11-0023](#))
- D. A recommendation from the Purchasing Agent and the County Engineer to award a contract to Lyman-Richey, Western Sand, Westover Trucking and Gana Trucking, in a total amount of \$96,218.38, for 2011 spring gravel hauling to stockpiles. ([B-11-0018](#))
- E. A unit price contract between Lancaster County and Schmader Electric Construction, Inc., for the maintenance and repair of emergency management sirens on an as needed basis. The County will pay for products and services according to the line item pricing in the contractor's proposal. Term of the contract is two years from the date of execution by both parties. ([C-11-0152](#))
- F. An amendment to County Contract No. C-09-0006 between the City of Lincoln, Lancaster County, the Lincoln-Lancaster County Public Building Commission and Verizon Wireless for digital cellular/PCS equipment and services. The amendment renews the agreement from October 10, 2010, to October 9, 2011. ([C-11-0153](#))
- G. An amendment to County Contract No. C-10-0056 between Lancaster County and Sarpy County for microfilm imaging services. The amendment renews the contract for an additional one-year term from February 9, 2011, to February 8, 2012. ([C-11-0154](#))

6) **NEW BUSINESS CONTINUED:**

- H. An agreement with iXTEND, Inc., for computer consulting services. The County shall pay \$160 per hour for the services. Total cost of the work is not to exceed \$18,000. Term of the agreement is March 1, 2011, to February 28, 2013. (C-11-0155)
- I. A construction contract with Rush Creek Construction, Inc., in the amount of \$110,549.40 for culvert replacement and maintenance; Project No. 11-01. (C-11-0156)
- J. A construction contract with M.E. Collins Contracting Co., Inc., in the amount of \$90,189.92 for culvert and bridge replacement; Project No. 11-24. (C-11-0157)
- K. A construction contract with Cramer and Associates, Inc., in the amount of \$91,128 for concrete bridge deck overlay at County Bridge 0-37; Project No. 11-011. (C-11-0158)

7) **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 the [County Sheriff](#) monthly report for February, 2011.
- B. Setting of a public hearing for Tuesday, April 19, 2011, at 9:30 a.m., in Room 112 on the first floor of the County-City Building regarding an amusement license application from Josh Kadavy to operate a pumpkin patch on Fridays, Saturdays and Sundays beginning the last week in September through the last week in October, 2011, at 575 Bluff Road, Lincoln, Lancaster County, Nebraska.

8) **PUBLIC COMMENT:**

PER COUNTY BOARD RESOLUTION NO. 5465 (AMENDED SEPTEMBER 22, 2009), THE PUBLIC COMMENT PERIOD IS LIMITED TO SIXTY (60) 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.

9) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, March 31, 2011, at 8:30 a.m., in Room 113 on the first floor of the County-City Building.
- B. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, April 5, 2011, at 9:30 a.m., in Room 112 on the first floor of the County-City Building, with the Board of Equalization meeting immediately following.
- C. A public hearing will be held on Tuesday, April 5, 2011, at 9:30 a.m., in Room 112 on the first floor of the County-City Building regarding the automatic renewal of retail liquor and beer licenses issued in Lancaster County and outside the corporate limits of any city, for which the County Clerk has received no protests.

9) **ANNOUNCEMENTS CONTINUED:**

D. The Lancaster County Board of Commissioners meeting is broadcast live. It will be rebroadcast following the meeting and on Saturday afternoon on 5 City-TV, Cable Channel 5. In addition, the meeting may be viewed on Nebraska On Demand Time Warner Channel 101 and on the internet at www.lancaster.ne.gov. Click on 5 City-TV Video on Demand.

E. The County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.

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 www.lancaster.ne.gov on the County Clerk's website.

AGENDA
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MARCH 29, 2011
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE LANCASTER COUNTY
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.

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- 1) **MINUTES**: Approval of the [minutes](#) of the Board of Equalization meeting held on Tuesday, March 22, 2011. (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>).
- 2) **ADDITIONS AND DEDUCTIONS**: Approval of eight additions and deductions to the tax assessment rolls per Attachment "[A](#)".
- 3) **MOTOR VEHICLE TAX EXEMPTION APPLICATIONS**:

Christ's Place Church
Community Blood Bank of the LCMS
Cornhusker Council Boy Scouts of America
Mid-America Union Conference of Seventh-Day Adventists
- 4) **NOTICE OF TAXABLE STATUS**:

City of Lincoln
- 5) **ADJOURNMENT**

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