

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 10, 2012
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.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. Additionally, a copy of all written material to be discussed at today's open meeting is available from the County Clerk's staff. These materials can also be viewed on the County's web site at 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.

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.

IF YOU ARE HERE TO PARTICIPATE ON AN ITEM AND NEED SPECIAL CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER REASON, PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY ACCOMMODATE YOUR NEEDS.

- 1) **MINUTES:** Approval of the [minutes](#) of the Board of Commissioners meeting held on Tuesday, December 20, 2011.
- 2) **CLAIMS:** Approval of all claims processed through Tuesday, January 10, 2012.
- 3) **SPECIAL PRESENTATION:**
 - A. Presentation of the County Sheriff Employee [Awards](#) for outstanding service in 2011.
- 4) **OLD BUSINESS:**
 - A. A political subdivision tort claim filed against Lancaster County Corrections by Gerald L. [Andersen](#) for lost property in the amount of \$500.
- 5) **NEW BUSINESS:**
 - A. A resolution in the matter of County maintenance of the following roads in The Preserve at Cross Creek First Addition and The Preserve at Cross Creek Second Addition: Approximately 900 feet of South 64th Street, approximately 185 feet of Elderberry Court, approximately 825 feet of Winterberry Lane and approximately 810 feet of South 67th Street. ([R-12-0001](#))
 - B. A utility relocation agreement between Lancaster County and Mid-America Pipeline Company of Greenwood in the amount of \$6,481 to relocate pipeline facilities for a grading project on Havelock Avenue from N. 162nd Street to N. 176th Street; Project C-55-J-403(2). ([C-12-0001](#))

NEW BUSINESS CONTINUED:

- C. A utility relocation agreement between Lancaster County and Norris Public Power District in the amount of \$8,895.03 to relocate utility facilities to accommodate a bridge construction project on W. Sprague Road between SW 2nd Street and SW 14th Street; Project BR-3280(4) – Sprague East. (C-12-0002)
- D. A utility relocation agreement between Lancaster County and Norris Public Power District in an estimated amount of \$115,004.50 to relocate power lines for a road rebuilding project on Denton Road from SW 12th Street to SW 56th Street; Project STPE-3305(9) – Denton East. (C-12-0003)
- E. Approval of sale and warranty deed of County property to the [City of Hickman](#) per County Contract C-07-0360 for a part of Lot 84, irregular tract in the Southeast Quarter of Section 33, Township 8 North, Range 7 East of the 6th Principal Meridian, Lancaster County, Nebraska.
- F. Approval of sale and warranty deed of County property to the [City of Hickman](#) for a part of “Eastlawn Addition to the City of Hickman” located in the Northwest Quarter of Section 34, Township 8 North, Range 7 East of the 6th Principal Meridian, Lancaster County, Nebraska.
- G. An amendment to a contract between Mid-Continent Safety, LLC, Lancaster County and the Lincoln-Lancaster County Public Building Commission for the annual supply of personal protective equipment and first aid supplies. The amendment provides for the replacement of a discontinued item as listed on Attachment A. (C-12-0004)
- H. An affiliation agreement with Forest Institute School of Professional Psychology for students who will collect assessment instruments and data at Lancaster County correctional facilities. Term of the agreement is November 1, 2011, to October 31, 2012. (C-12-0005)
- I. An amendment to County Contract C-05-0382 with CenterPointe for 9,000 square feet located in the Old Juvenile Attention Center at 2220 S. 10th Street. In consideration of the County’s payment of \$18,578.38 for roof repair of the leased premises, CenterPointe agrees to a one-year extension of the lease term. The amendment extends the term of the lease to April 30, 2019. (C-12-0006)
- J. A laboratory services agreement between LabOne, Inc., d/b/a Quest Diagnostics, Inc., Lancaster County and the City of Lincoln for laboratory testing services provided to the Lincoln-Lancaster County Health Department. The County will pay for services in accordance with the fees in Attachment 1. Term of the agreement is August 25, 2011, to March 31, 2012. (C-12-0007)
- K. An interlocal agreement between Sarpy County and Lancaster County to provide microfilming and scanning services. Sarpy County shall pay Lancaster County for microfilm imaging services at a rate of \$0.023 per image plus shipping costs. The term of the agreement is one year from the date of execution. (C-12-0008)

NEW BUSINESS CONTINUED:

- L. A grant contract with Fresh Start, Inc., to provide funding in the amount of \$10,000 for Fresh Start's Shelter Program. Term of the grant contract is July 1, 2011, to June 30, 2012. [\(C-12-0009\)](#)
- M. A grant contract with Lighthouse to provide funding in the amount of \$10,000 for Lighthouse's After School Program. Term of the agreement is July 1, 2011, to June 30, 2012. [\(C-12-0010\)](#)
- N. An amendment to County Contract C-10-0438 between Feinstein Institute for Medical Research and Lancaster County, on behalf of the Community Mental Health Center, for the "Recovery After the Initial Schizophrenia Episode" (RAISE) project. The amendment changes the term of the agreement to September 21, 2011, to September 20, 2012, and sets the funding at \$23,102.12 for the new term. [\(C-12-0011\)](#)
- O. A subcontract between the Feinstein Institute for Medical Research and Lancaster County, on behalf of the Community Mental Health Center, in the amount of \$47,696.35, for products and services provided for the "Recovery After the Initial Schizophrenia Episode" (RAISE) project. Term of the agreement is September 21, 2011, to September 20, 2012. [\(C-12-0012\)](#)
- P. An amendment to County Contract No. C-11-0030 between Ferrellgas, Lancaster County and the City of Lincoln for annual requirements of propane. The amendment renews the agreement for an additional one year term from January 1, 2012 to December 31, 2012. [\(C-12-0026\)](#)
- Q. An amendment to County Contract No. C-11-0095 between Otte Oil & Propane, Lancaster County and the City of Lincoln for annual requirements of propane. The amendment renews the agreement for an additional one year term from January 1, 2012 to December 31, 2012. [\(C-12-0027\)](#)
- R. An agreement with the Connecting Links to provide substance use evaluation services for Community Corrections. The County will pay up to \$125 per participant should the participant not pay within 30 days. Term of the contract is January 1, 2012 to June 30, 2013. [\(C-12-0028\)](#)
- S. A recommendation from the Purchasing Agent and the County Engineer to award a contract to CONTECH Construction Products, Inc., in the amount of \$25,977.77 for miscellaneous sizes of corrugated metal pipe for culverts. [\(B-12-0001\)](#)
- T. A recommendation from the Purchasing Agent and the Request for Proposal (RFP) Selection Committee to award a contract to BVH Architects for space planning services at the current adult detention facility. Total cost of the service is not to exceed \$30,000. [\(B-12-0002\)](#)
- U. A political subdivision tort claim filed against Lancaster County by [Dukhan Mumin](#) for an alleged warrantless search of his cell phone. Mr. Mumin is seeking compensatory and punitive damages in an undisclosed amount.

NEW BUSINESS CONTINUED:

- V. A political subdivision tort claim filed against Lancaster County by [Dukhan Mumin](#) for a child support order allegedly entered in violation of Nebraska statutes. Mr. Mumin is requesting the refund of all money plus interest collected pursuant to the child support order.
- W. The setting of the salary of Ashley Bohnet, Deputy Lancaster County Attorney, in the amount of \$56,000 per year, effective January 3, 2012.
- X. A request from the Personnel Policy Board to revise the [Overtime Pay Policy Personnel Policy Bulletin](#).
- Y. Executive Session – Pending Litigation

6) **CONSENT ITEMS:** *These are routine business items that 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 December, 2011 monthly report for the following:
 - 1. [Clerk of the District Court](#)
 - 2. [County Assessor/Register of Deeds](#)
 - 3. [County Clerk](#)
 - 4. [Records & Information Management](#)
- B. Right-of-way contracts between the County Engineer and the following:
 - 1. Charles and Lia Langston, in the amount of \$1,950, located at SW 14th Street and W. Sprague Road; Project BRO-3280(4) [\(C-12-0013\)](#) [\(C-12-0014\)](#)
 - 2. Judeen Oelling, in the amount of \$605, located at SW 14th Street and W. Sprague Road; Project BRO-3280(4) [\(C-12-0015\)](#)
 - 3. Nickolas and Rae Ann Fraley, in the amount of \$515, located south of Mill Road on N. 40th Street; Project CP-G-44 [\(C-12-0016\)](#)
 - 4. Richard and Dolores Kreiner, Co-Trustees, in the amount of \$1,716.50, located north of Bluff Road on N. 40th Street; Project CP-G-51 [\(C-12-0017\)](#)
 - 5. John Spader, in the amount of \$163, located east of N. 70th Street on Mill Road; Project CP-G-248 [\(C-12-0018\)](#)
 - 6. Dale and Helen Maahs, Trustees, in the amount of \$11,483.75, located on Havelock Avenue between N. 162nd Street and N. 176th Street; Project C55-J-403(2) [\(C-12-0019\)](#) [\(C-12-0020\)](#) [\(C-12-0021\)](#)
 - 7. Kimberly Gift, in the amount of \$275, located north of W. Roca Road on SW 29th Street; Project CP-T-187 [\(C-12-0022\)](#)
 - 8. Lynda Parde and Ricky Rohrs, in the amount of \$235, located west of S. 68th Street on Firth Road; Project CP-X-206 [\(C-12-0023\)](#)
 - 9. Larry and Mary Rademaker, in the amount of \$145, located on Firth Road between S. 54th Street and S. 68th Street; Projects CP-X-206 and CP-X-208 [\(C-12-0024\)](#) [\(C-12-0025\)](#)

CONSENT ITEMS CONTINUED:

C. Setting of public hearings for Tuesday, January 24, 2012 at 9:30 a.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:

1. Comprehensive Plan Amendment No. 11001 (Add language to encourage more options for creation of small lots in the Agricultural (AG) District)
2. Comprehensive Plan Amendment No. 11002 (Amend language to specify that "build-through" standards should only apply to areas within the City of Lincoln's three-mile jurisdiction)
3. Comprehensive Plan Amendment No. 11003 (Designation of commercial and industrial uses at Highway 2 and Highway 43/South 162nd Street)
4. Comprehensive Plan Amendment No. 11005 (Transportation Chapter/Long Range Transportation Plan)
5. Comprehensive Plan Amendment No. 11006 (Add introductory language)

7) **PUBLIC COMMENT:** Those wishing to speak on items relating to County business not on the agenda may do so at this time.

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.

8) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, January 12, 2012, 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, January 17, 2012, at 9:30 a.m., in Room 112 on the first floor of the County-City Building.
- C. The Lancaster County Board of Commissioners will hold a public hearing on Tuesday, January 17, 2012, at 9:30 a.m., in the County Commissioners Hearing Room on the first floor of the County-City Building regarding the sale of property generally located at S. 68th Street and Wagon Train Road, legally described as Lots Seven, Eight, Nine, Ten, Eleven, Twelve, Block Five, East Lawn Addition, except that portion of Lots Seven through Twelve retained for additional road right-of-way purposes, in Hickman, Lancaster County, Nebraska.
- D. The Lancaster County Board of Commissioners will hold a public hearing on Tuesday, January 24, 2012, at 9:30 a.m., in the County Commissioners Hearing Room on the first floor of the County-City Building regarding the purchase of property owned by Alfred Benesch & Company, located at 825 J Street, Lincoln, Lancaster County, Nebraska.

E. The Lancaster County Board of Commissioners meeting is broadcast live. It is rebroadcast on Tuesday and Saturday on 5 City-TV, Cable Channel 5. In addition, the meeting may be viewed on Nebraska On Demand Time Warner Channel 411 and on the internet at www.lancaster.ne.gov. Click on 5 City-TV Video on Demand.

ANNOUNCEMENTS CONTINUED:

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

9) **ADJOURNMENT**

This agenda, which is kept continually current, is available for inspection during regular business hours in the office of the Lancaster County Clerk, located at 555 S. 10th Street, Room 108, Lincoln, Nebraska.

The Board of Commissioners meeting agendas and minutes are also available on the County's web site at www.lancaster.ne.gov.

Interpreters for the hearing impaired are available upon request. Please contact the County Clerk's Office at 402-441-7481 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 need Spanish language assistance, please make arrangements with the Lancaster County Clerk within two days of the public meeting. The phone number for the Lancaster County Clerk is 402-441-7481.

Si necesita ayuda con el idioma español, por favor haga arreglos con el secretario del condado de Lancaster en un plazo de dos días antes de la reunión pública. El número de teléfono del secretario del condado de Lancaster es 402-441-7481.

AGENDA
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JANUARY 10, 2012
COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE LANCASTER COUNTY
BOARD OF COMMISSIONERS MEETING

COMMISSIONERS: Deb Schorr, Chair; Bernie Heier, Vice Chair;
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- 1) **MINUTES**: Approval of the [minutes](#) of the Board of Equalization meeting held on Tuesday, December 20, 2011.
- 2) **ADDITIONS AND DEDUCTIONS TO THE TAX ASSESSMENT ROLLS** (See [attached](#) additions and deductions)
- 3) **MOTOR VEHICLE TAX EXEMPTION APPLICATIONS**

[CenterPointe, Inc.](#)
[Cristo Rey Catholic Church of Lincoln](#)
[City Impact](#)
[Connecting Pointe Church of the Nazarene](#)
[The Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints](#)
[Oak Lake Evangelical Free Church](#)
[School Sisters of Christ the King](#)
[Sisters of St. Francis](#)
[St. Mark's United Methodist Church](#)
[St. Paul's Lutheran Church](#)

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