

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**COUNTY-CITY BUILDING, ROOM 112**  
**THURSDAY, NOVEMBER 1, 2016**  
**6:30 P.M.**

*Advance public notice of the Board of Commissioners meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and emailed to the media on October 28, 2016.*

Commissioners present: Roma Amundson, Chair; Todd Wiltgen, Vice-Chair; Bill Avery, Larry Hudkins and Deb Schorr

Others present: Pam Dingman, County Engineer; David Derbin, Deputy County Attorney; Dan Nolte, County Clerk; Cori Beattie, Deputy County Clerk; and Kelly Lundgren, County Clerk's Office

*The Chair called the meeting to order at 6:35 p.m., the pledge of allegiance was recited and the location of the Nebraska Open Meetings Act was announced.*

**PUBLIC HEARING:**

**A. One and Six-Year Road and Bridge Improvement Program for July 1, 2017 through June 30, 2022.**

The Chair read a prepared statement (Exhibit A).

The Chair opened the public hearing and the oath was administered to those who testified.

Pam Dingman, County Engineer, began the public hearing by introducing staff from the County Engineer's Office. She recognized Eric Hunt, Equipment Operator, for receiving first place in a national training exercise for motor graders.

Dingman noted processes implemented over the last year, which include street and road closure information on the County-City webpage and the purchase of additional Global Positioning System (GPS) equipment resulting in a cost savings to the taxpayer.

Dingman discussed the budget, critical bridges, the need for asphalt overly and subdivision maintenance. She provided an overview of completed and proposed projects. (A copy of the presentation was not provided to the Clerk's Office). Dingman said village meetings were held prior to the public hearing in order to have open dialogue with the residents regarding road and bridge concerns.

Nathan Habe, Malcolm Village Board Member, P. O. Box 228 (Malcolm) and Nadine Link, Malcolm Village Clerk, 137 East 2<sup>nd</sup> Street (Malcolm), submitted a letter requesting improvements (Exhibit B). Habe highlighted the need for bridge work along NW 105<sup>th</sup> Street, paving on East Street/NW 105<sup>th</sup> Street north to W. Bluff Road and paving on W. Bluff Road from NW 105<sup>th</sup> Street to the high school. Link added that there are eight blocks of Malcolm Road (between 55M Spur and NW 112<sup>th</sup> Street) within the Village limits that need repair and they would like to "piggyback" a contract with Lancaster

County. There was also discussion about reclassifying Malcolm Road as a recreational road (similar to NW 112<sup>th</sup> Street) due to the large volume of traffic accessing Branched Oak Lake. Habe noted this would allow State funding to be used for resurfacing, thus, reducing the financial burden on the Village and County.

Brad Werts, 2308 Marilyn Avenue (Lincoln), expressed the need for pavement on South 1<sup>st</sup> Street between Pioneers Boulevard and Old Cheney Road.

John Cummings, 1535 Sioux Street (Lincoln), stated he attends Lincoln City Church and felt that paving South 1<sup>st</sup> Street should be a priority.

Peggy Brown, 11700 North 176<sup>th</sup> Street (Waverly), expressed appreciation for paving on Bluff Road but had concerns with the closure of Bridge H-120 as it limits access to her home and farm.

Dianne Heidtbrink, 1601 North 98<sup>th</sup> Street (Lincoln), appeared in support of paving North 98<sup>th</sup> Street between Holdrege and Adams Streets due to increased traffic.

Pastor Solo Mwanja, 5001 South 1<sup>st</sup> Street (Lincoln), requested paving of a one-mile section of South 1<sup>st</sup> Street near the Lincoln City Church. He stated evening family church activities have been limited and cancelled due to both the street condition and lighting in the area.

Scott and Marcie Haes, 9800 Breagan Road (Lincoln), requested a traffic count be performed on Breagan Road. Mr. Haes expressed concern that the new Lincoln Electric System (LES) substation in the area will create more traffic. In response to Haes' inquiry regarding a petition, Amundson stated he could submit one.

Carrie Schultz, 10601 South 98<sup>th</sup> Street (Lincoln) stated South 98<sup>th</sup> Street, from Saltillo Road to Breagan Road leading into Cheney, is very dangerous due to dust and traffic. She said she would like it paved for safety reasons especially with new businesses and a new school in the area.

Tim Hruza, 520 North 48<sup>th</sup> Street (Lincoln), appeared on behalf of the Lincoln Independent Business Association (LIBA). He stated that LIBA maintains their position regarding the proposed legislative priority that would change the financing mechanism available to the Board for County bridge repair. Hruza said LIBA feels that the issuance of bonds should be approved by the voters.

Wiltgen asked if LIBA was opposed to the concept of bonding for infrastructure or bond issuance without a vote of the public. Hruza stated LIBA's position is not in opposition to any proposal related to bonding for infrastructure projects. He said LIBA believes the current state statute bonding provision allows the County to function and provide necessary buildings such as jails and courthouses. The proposed legislative change would expand bonding authority whereby allowing three members of a county board to make a decision on additional public debt.

Dave Watts, 1701 North 112<sup>th</sup> Street (Lincoln), noted that North 112<sup>th</sup> Street has been part of the One and Six Road and Bridge Improvement Program the last couple of years. He stated continued growth, including new businesses, have increased traffic and he would like to see the paving project completed.

John Lionberger, 9340 Duane Lane (Lincoln), said supported paving along North 112<sup>th</sup> Street as he will be opening a veterinarian clinic on that road resulting in an increase of 30-40 cars per day.

Natalie McCormick, 13421 Montrose Court (Waverly), appeared to request that a portion of South 190<sup>th</sup> Street between A Street and O Street be graveled. She stated it is currently a dirt road and often times impassable.

Paula Peterson, 12700 Rock Creek Road (Waverly), said due to the bridge closures in the area of North 141<sup>st</sup> Street, Rock Creek Road to Agnew Road, they are forced to take alternate routes to reach their crops. She stated this has resulted in increased cost and safety concerns with the farm vehicles and equipment driving on Highway 6.

Gary Kuck, 692 West Lakeshore Drive (Lincoln), questioned the need for a 60' right-of-way on North 27<sup>th</sup> Street between Arbor Road and Waverly Road, which is within the three-mile zoning jurisdiction of the City of Lincoln.

Dingman stated that a 2006 Interlocal Agreement between the City of Lincoln and Lancaster County established the Rural to Urban Transition Street (RUTS) Program whereby a 60' right-of-way is required for roads within the City's three-mile area. Kuck said it seems unnecessary to buy large amounts of right-of-way and to destroy numerous 20' pine trees when there are no immediate plans for development in that area. Wiltgen noted the RUTS program will be discussed with the City at a County Board Staff Meeting on November 3, 2016.

Schorr entered a letter into the record from Craig Larmon (Exhibit C).

Hudkins entered a letter into the record from Malcolm Public Schools (Exhibit D).

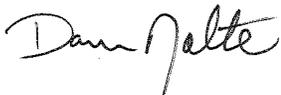
Amundson entered a letter into the record from Tyler Johnson (Exhibit E).

The Chair closed the public hearing.

Dingman thanked the citizens for their concerns regarding the County roads and bridges.

## 2) ADJOURNMENT

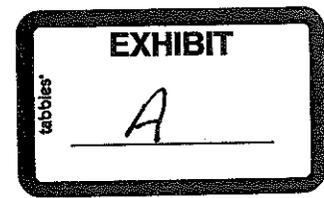
**MOTION:** Wiltgen moved and Schorr seconded to adjourn the public hearing at 8:00 p.m. Avery, Hudkins, Schorr, Wiltgen and Amundson voted yes. Motion carried 5-0.



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Dan Nolte, County Clerk





Good evening!

Welcome to the hearing on the 1 & 6 Road and Bridge hearing. A copy of the Nebraska Open Meetings Act is provided at the rear of the room.

(introduce people; Pledge of Allegiance)Larry Hudkins, Deb Schorr, Todd Wiltgen, Bill Avery – Pledge of Allegiance.

Thank you for joining in.

We welcome your participation and attendance. The decisions relating to the building, maintenance, and repair of roads and bridges are significant ones as they relate not only to the ease, comfort, and safety of the people using them, but also to the economy of the county. We are certain that all of you who are both here in person and who are watching on TV want responsible decision-making, and please be assured that we will listen carefully to all testimony.

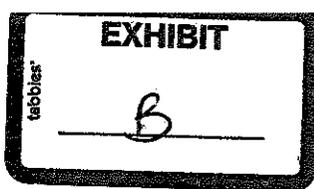
Therefore, in order to provide all participants who would like the opportunity to present their points of view, we are following this process:

- 1) People who plan to speak must have signed in with the County Clerk prior to the hearing.
- 2) In the order of sign-in or by topic, every four will be asked to come forward to be sworn in to give their testimony. Each presenter will be allowed 5 minutes to present their testimony, although the chair does reserve the right to either extend or reduce the time of testimony. Once finished, please take your seat in the audience. Each speaker will immediately follow the other. Once you have made your statement and answered any questions that the commissioners may have of you, you are finished with all further engagement with the commissioners. No time for rebuttals or additional information will be allowed.
- 3) As mentioned, 5 minutes will be allowed for the presentation of testimony per person. We anticipate many speakers, and we want to ensure that everyone has an equal opportunity to present. As chair, I do have the discretion to allow a speaker to finish a sentence if in the middle of it.
- 4) We ask that, when you identify yourself, you also state where you live.

- 5) Courtesy and respect will be extended to all people. Everyone has a right to speak his or her mind and will be allowed to do so in a courteous manner.
- 6) Appropriate language will be used at all times. Should a person use inappropriate language, testimony will be immediately halted and the person will be asked to leave the hearing room.
- 7) No questions will be directed to either the commissioners or to the engineer during the hearing. If you have questions of either, those questions will need to be answered after the hearing.
- 8) All verbal testimony is being taken this evening. Any additional information needs to be submitted in writing.

At this point, will the first four people come forward to be sworn in.

*This is a hearing directed towards roads & bridge. Any ~~other~~ concerns other than roads & bridge are strongly discouraged.*



# Village of Malcolm

137 East 2<sup>nd</sup> Street  
 PO Box 228  
 Malcolm, Nebraska 68402  
 (402) 796-2250

RECEIVED

OCT 26 2016

LANCASTER COUNTY  
 ENGINEERING DEPT.

October 25, 2016

Pamela Dingman  
 Lancaster County Engineer  
 444 Cherrycreek Road, Building C  
 Lincoln, NE 68528

**RE: One and Six-Year Road and Bridge Program**

Pamela,

Following the public meeting held in Malcolm, NE on October 5<sup>th</sup>, 2016 the following items are the issues the Village Board discussed and would like to address for the One and Six-Year Road and Bridge hearing on November 1<sup>st</sup>, 2016:

1. The Bridge located on 105th, right before the Village's sewer plant, the Village would like that bridge to be considered for replacement. That road is used daily by:
  - Volunteer Fire Department
  - Post Office Deliveries
  - School bus route
  - Softball/baseball field usage by the school and MYSA for practices, games and several tournaments, which brings in a lot of people from Lincoln and surrounding areas
  - Farmers to get to their fields
  - The Lutheran Church for access to their cemetery
  - Daily trips to the Villages Sewer plant
  - The homes and developing areas on 105th
2. The Village Board would like to have Malcolm Road dedicated as a "Recreational Road" so that the County, State of Nebraska and the Village of Malcolm are all responsible for maintaining that road. There is just as much lake traffic on that road as there is on 112<sup>th</sup> which is already a "Recreational Road".
3. NW 84<sup>th</sup> Road needs to be paved from Adams Street north to 55 Spur. This road is and has been extremely muddy and dangerous after rain storms and during the winter months.

If you have any questions, please feel free to contact the Village Clerk at (402) 796-2250, otherwise hope to see you on November 1<sup>st</sup>.

Sincerely,

Malcolm Village Board  
 David Rohe, Chairman  
 Teena Hicken, Vice Chairperson  
 Terry Kopecky  
 Nathan Habe

12233 W Pioneers Boulevard  
Denton, Nebraska 68339

CRAIG R. LARMON

RECEIVED

OCT 03 2016

Phone: 402-560-7092

Cell: 402-560-7092

Email: craiglarmon@aol.com

LANCASTER COUNTY  
BOARD

EXHIBIT

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9/29/16

Hello Deb. I hope the County will find a way to replace the bridge at Conestoga Lake. There are many homes west of the bridge, including ours. The closed bridge blocks our access to the one mile of paved road east of the bridge that connects to the SW 89<sup>th</sup> Street highway between Enroll and Denton. The longer route on gravel road to the highway is not a pleasant drive.

Thank you, Deb.

Regards,

Long Julie Farmer

**CRAIG R. LARMON**

**12233 W Pioneers Blvd.  
Denton, NE 68339**

**Phone: 402-795-5895  
Cell: 402-560-7092**

**Email: craiglarmon@aol.com**

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September 29, 2016

Pamela L. Dingman, County Engineer  
444 Cherrycreek Road, Bldg C,  
Lincoln, Nebraska 68528

Dear Ms. Dingman:

I am writing regarding the closed bridge on West Pioneers Blvd. at Conestoga Lake.

We have lived approximately 1 ¾ miles west of the bridge since 1975. Pioneers west of the bridge is a gravel road. At SW 98<sup>th</sup> street immediately east of the bridge the road is paved. Thus, for 41 years we have had to travel only 1 ¾ miles before reaching pavement. With the bridge out, we now must travel 3 ¾ miles on gravel roads via 112<sup>th</sup> Street and West Van Dorn before reaching pavement.

My neighbors tell me that they have been informed by your office that the earliest date to apply for funding to repair the bridge is July 2017. An easement must also be obtained from the government entity that owns the land. It also sounds like the need for the bridge is in question based on traffic count.

According to a 10/13/15 Lincoln Journal Star article, this stretch of West Pioneers Boulevard carried 270 vehicles per day. I am sure I speak for the roughly 35 home owners west of the bridge to the Lancaster / Seward County line, and within ½ mile north and south of Pioneers, and the home owners along West Van Dorn west of SW 84<sup>th</sup> Street, that there is a justifiable need for Pioneers to be open from the west to the SW 84<sup>th</sup> Street highway.

Please consider the following:

- Pioneers Boulevard is the quickest route for the Pleasant Dale fire department responding to emergencies at Conestoga Lake and homes north and east of the lake.
- Increased traffic diverted from Pioneers to Van Dorn has contributed significantly to a noticeable increase in dusty conditions on Van Dorn. On calm days, thick dust clouds hang in the low areas between Highway 103 and SW 112<sup>th</sup> raising traffic safety concerns, notwithstanding unpleasant dusty conditions for home owners.
- Increased travel distance for residents on Pioneers Boulevard west of the bridge on roads that are often dusty, sloppy, and / or rough.
- Potential for negative impact on home values.

I accept the fact that gravel road conditions come with living in the country. And I will say that the Lancaster County maintainers do a good job tending to the gravel roads. That being said, I don't think we should have to accept closure of a road that previously gave us direct access to the existing paved road around Conestoga Lake and the SW 89<sup>th</sup> Street highway.

I ask that you make every effort to expedite the replacement of the bridge at Conestoga Lake. Would it be possible to proceed immediately with obtaining the necessary easement for the bridge thereby avoiding further delay when funding does become available?

Regarding funding priorities, I see that the West Denton Road from SW 112<sup>th</sup> west to Highway 103 is in process of being paved. I am sure there is justification for paving this road, but should it be at the expense of closing other roads for lack of funding to repair bridges? While the answer to this question may be Yes, I hope you will take a look at the acreage developments from west of the lake to the Seward county line, and put the West Pioneers Boulevard bridge on the priority replacement list.

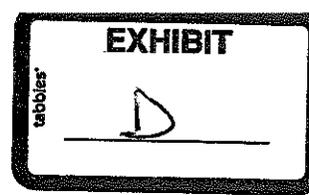
Thank you for your consideration.

Sincerely,

Craig Larmon

Cc: Deb Schorr, Lancaster County Board of Commissioners ✓

# Malcolm PUBLIC SCHOOLS



RYAN TERWILLIGER, Superintendent  
GREG ADAMS, Junior-Senior High School Principal  
AMBER DOLLIVER, K-6 Principal

October 31<sup>st</sup>, 2016

Pam Dingman, Lancaster County Engineer  
Lancaster County Commissioners

Ms. Dingman and County Commissioners,

Please accept this letter for consideration on upgrades and improvements to roads within our school district. For the past four years, we have had the same request—please see the italicized paragraphs below:

*As I peruse old documentation of previous 1-6 county roads hearings, it appears that a stretch of West Bluff Road from NW112th-NW105th was supposed to be completed a couple of different times (2004 and 2006). Unfortunately, to this day, the asphalt stops just east of the high school driveway. The amount of traffic that uses W. Bluff Road to access our campus has increased substantially since 2006. Since our need has heightened and we still do not have a completed road, we are asking that the county commissioners and county engineer consider paving that stretch of road.*

*In addition, we are asking that the commissioners and engineer consider "rocking" and maintaining, the stretch of road on NW 12<sup>th</sup>, between W. Alvo and W. McKelvie. This is currently a minimum maintenance road and is impassible for our buses—we do not allow them to access these roads. This action would save the district considerable time, distance, and money.*

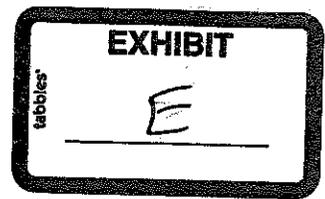
Although the above issues are still a necessity (and have not been completed), we feel there is a pressing need that has come up that supersedes all of our other requests. Earlier this school year, there was a bridge on one of our bus routes (between 27<sup>th</sup> and 40<sup>th</sup> and McKelvie) that was taken out of service for safety concerns. Per my conversation with the County Engineer, timing for fixing this bridge, along with a few other bridges in our district (which are still in use, but may experience the same fate) is unknown at this time.

While all of our requests are important to us, we feel that the bridge work is the most critical. Please consider each item above knowing that bridge repair is our number one priority.

Thanks for your consideration,

A large, stylized handwritten signature in black ink, appearing to read "R-T" followed by a large flourish.

Ryan Terwilliger  
Superintendent  
Malcolm Public Schools



Dear Roma,

I am writing this letter in my opposition to the attention a neighbor brought of paving the stretch of 98<sup>th</sup> street between Saltillo and Breagan road into Cheney.

As I stated previously, we live in the country on acreages for a reason. The peace and quiet of nature and owning land with animals, trees, streams, etc. is a treasure most people do not get to experience. With that said, you living on an acreage in the country share those same values and I hope you can understand why I am opposed to this being brought forward.

The first issue I would like the committee to realize is that the only reason traffic has increased is the "temporary" closing of 84<sup>th</sup> street. The letter I received stated that the increase of traffic is the reason for her wanting it to be paved. That negates the purpose of paving it since the issue being brought forward by Mrs. Schultz is like I said, "temporary."

The second issue is this would encourage more traffic to come by our land and flow into Cheney, a town that I am sure does not want an increase of traffic if it can be avoided. Also, there is a residence directly north of where 98<sup>th</sup> turns into Breagan road. This would mean that all traffic would be funneled into Cheney's residential road. All of this would encourage stoplights and regulations and added congestion to a rural area that does not require any change due it not being a connecting road.

The last thing I would like to add is that many of us that live on the acreages use the road for agricultural purposes and recreation. I have two different neighbors that have horses and have seen them riding on the shoulder numerous times. Farmers use it to access their fields to farm and haul crops. I haul mulch for my trees with my ATV from a neighbor. And lastly, there is an abundance of wildlife that lives and travels through that stretch that would be disrupted and endangered. All of these things would change and not be possible if paved.

In conclusion, I hope you can help anyone involved in this process understand that it is not necessary to pave a road that does not connect anywhere just for "convenience." Especially when the streets East and West are both paved and are connecting. I see so many construction and paving projects already, costing millions of dollars, I would just like to see a part of a rural area that does not need it left as it is for the reasons stated previously.

I enjoy living in the country and know you would not want this to happen in front of you're land and neither do I. Thank you for you're time.

Tyler Johnson