

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING, ROOM 113  
THURSDAY, MAY 10, 2012  
8:30 A.M.**

Commissioners Present: Deb Schorr, Chair  
Larry Hudkins, Vice Chair  
Bernie Heier  
Brent Smoyer

Commissioner Absent: Jane Raybould

Others Present: Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Dan Nolte, Lancaster County Clerk  
Cori Beattie, Deputy County Clerk

*Advance public notice of the Board of Commissioners Staff Meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and provided to the media on May 9, 2012.*

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:30 a.m.

**AGENDA ITEM**

**1 APPROVAL OF THE MINUTES OF THE THURSDAY, MAY 3, 2012**

**MOTION:** Hudkins moved and Heier seconded approval of the minutes of the May 3, 2012 Staff Meeting. Hudkins, Heier and Schorr voted aye. Raybould and Smoyer were absent. Motion carried 3-0.

Smoyer arrived at 8:31 a.m.

**2 ADDITIONS TO THE AGENDA**

- a. Letter to the Nebraska Association of County Officials (NACO) Conference Committee supporting the Convention & Visitors Bureau (CVB) and community partners proposal to host the 2015 and 2016 NACO Annual Conferences in Lincoln

**MOTION:** Heier moved and Hudkins seconded to approve the addition to the agenda. Hudkins, Smoyer, Heier and Schorr voted aye. Raybould was absent. Motion carried 4-0.

**3 CIRCLE DRIVES** - Don Thomas, County Engineer; Ken Schroeder, County Surveyor; Brittany Behrens, Deputy County Attorney; Doug Pillard Design Division Head

Copies of discussion summary points (**see Exhibit A**) and County Resolution 3708 (**see Exhibit B**) were distributed. Brittany Behrens, Deputy County Attorney, noted some of the previous concerns related to circle drives dealt with safety, maintenance and liability.

Don Thomas, County Engineer, said consideration needs to be given with regard to allowing circular drives in subdivisions versus section line roads. The Engineer's Office has tried to limit the number of accesses along the higher speed roads (section line roads). The plats limit the number of accesses to one, although, additional accessory accesses have been granted along section line roads whereby the existing driveway cannot be utilized. With regard to sectional plats, Thomas said if things remain status quo, they would still allow only one access with appeal to the County Board.

With regard to the property at 17655 Prairie Vista Drive (see April 19, 2012 staff meeting minutes), Behrens said the decision was made to limit the waiver to that one lot. She noted the County Engineer, County Attorney and Planning Department are all comfortable with this process for existing plats.

Behrens said County Resolution 3708 states, "Only one means to access will be permitted for tracts of land twenty (20) acres or less unless permission is otherwise obtained from the Lancaster County Engineer." She asked if the Board wishes to continue this policy or give different consideration to section line roads versus subdivisions.

With regard to installation and maintenance costs of additional driveways and/or culverts, Thomas said the initial installation is the owner's responsibility. He questioned who would be responsible for replacement. Hudkins felt the County should be responsible, as that is why people pay taxes. Thomas asked if the County Board would approve the additional expense. Schorr questioned the cost. Thomas said one 18" culvert is around \$350. Ken Schroeder, County Surveyor, noted the County currently has over 7,100 driveway permits.

Schorr suggested the County be responsible for the initial driveway and the property owner the second driveway. Schroeder added it will need to be made clear that those with smaller lots would not qualify for three driveways (two residential and one accessory).

Behrens said currently, the only way someone is granted an additional access is with the County Engineer's permission. If appeals to the Board are now permissible, then the resolution needs to be changed and an appeal procedure drafted. Thomas said he would like something included regarding who is responsible for installation and maintenance costs.

Schorr said she would prefer to limit circle drives to subdivisions due to safety concerns with additional drives along the heavier traveled roads. Smoyer agreed. Hudkins felt any property owner should have the opportunity to have a circle drive unless there are safety concerns from

the County Engineer. Heier said he has a 20-acre lot on a section line road with a circle driveway and did not feel it was a problem for this size of a lot.

With regard to waivers, Behrens said a document was created to allow for a waiver of an existing plat condition. She wanted to make sure this process was acceptable to the Board. The waiver would be signed by the landowner, County Engineer and Planning Department. The landowner would then be responsible for filing the waiver with the Register of Deeds. This would apply to any existing lot that includes the one access condition on the final plat. The process would be the same for properties in subdivisions, as well as along section line roads.

Behrens said removing access limitations from final plats would mean the County's resolution would solely govern access issues. She added all requirements (i.e., installation, maintenance, etc.) would need to be explicitly stated within the resolution.

Heier suggested the County Engineer continue to handle circular driveway requests with appeal to the County Board. Behrens said she would draft language allowing the County Engineer to make a recommendation with appeal to the County Board. This would include direction to the County Engineer that property owners are not limited to just one access.

Kerry Eagan, Chief Administrative Officer, said there needs to be some follow-up on rural address signs regarding maintenance and enforcement. He said it may be desirable to have a County resolution requiring a sign and that moving it would be a criminal offense.

Behrens verified with the Board that property owners would be responsible for the primary culvert installation costs and the County would be responsible for maintenance costs. Installation and maintenance costs associated with any secondary access would be solely up to the property owners. The Board concurred and added this policy would not be retroactive.

Eagan said there could be issues if maintenance falls to the property owner. Smoyer asked if the County Engineer could do the work and bill the property owner. Schroeder said the Engineer's Office could install a new culvert if it is delivered. Thomas said if there is a driveway issue and it is not ultimately going to be the County's responsibility to maintain it, the Engineer's Office would remove the culvert, set it aside, clean the ditch and install the new culvert when it was delivered. He added the owner would be responsible for acquiring the new culvert.

Behrens brought up a previous discussion about a homeowner in Sunrise Estates who placed a secondary drive along Holdrege Street (see April 19, 2012 staff meeting minutes). Both the plat and subdivision agreement require the owner to relinquish access to Holdrege Street. She said direction is needed with regard to contacting the landowner about removing the access. Schroeder said an accessory drive could be installed along the interior road if a permit is filed.

**MOTION:** Heier moved and Smoyer seconded to direct the County Attorney's Office to notify the property owner that the Holdrege Street access is not permitted and that they can apply for an accessory access off the interior street. Hudkins, Smoyer, Heier and Schorr voted aye. Motion carried 4-0.

**4 MODIFICATION OF 20-ACRE RULE (AGRICULTURAL PRESERVATION LOTS)** - Sara Hartzell, County Planner; and Steve Henrichsen, Development Review Manager, Planning Department

Copies of *County Zoning and Subdivision Changes Workshop Questions* were distributed (**see Exhibit C**).

Hartzell said there are four basic questions to review - two deal with the subdivision agricultural (AG) preservation lots and two deal with the proposed CUP (Community Unit Plan) bonus change. She said the original goal was to reduce access points along section and half-section line roads to maximize safety and reduce maintenance costs. This will be done through the proposed shared driveway with a public access easement for the small AG preservation lots.

Hartzell reviewed the options outlined for corner lots (see Exhibit C). Heier questioned the 550' frontage reference. Eagan said this is included in the code. Hudkins felt 330' would be a more logical figure. Schorr questioned how close an access could be to an intersection. Schroeder said the resolution indicates 100' but a revision to 150' may be more appropriate. The consensus was to move forward with Option 3 to include there be at least 330' frontage.

Hartzell discussed the options related to properties over 20 acres and how to accommodate various scenarios related to access. For example, if an owner has 80 acres, they could subdivide a single lot, file a preliminary plat or divide the property 20 acres at a time with four different final plats. Hudkins said he liked Option 3 as some owners do not want to develop all 80 acres. He said the reference to 550' of frontage needs to be changed. Consensus was to support Option 3 with a frontage reduction. Steve Henrichsen, Development Review Manager, said the frontage reference of 550' could be changed to read "minimum frontage."

In reference to Community Unit Plan (CUP) density, Hartzell said some considerations are needed so AG CUPs can get a bonus lot and 160s can get two bonus lots. Currently, there are four ways to get the density bonus: 1) following energy conservation standards; 2) providing affordable or handicapped accessible residential housing; 3) preserving open space (i.e., agricultural or pasture land); and 4) preserving environmental resources (i.e., prairie, wetland, floodplain). Hartzell suggested removing the first two options since the County Board never officially adopted the energy standards proposed in the 1970s and because there is a small likelihood that an affordable/accessible housing development would be built in the County. There was no objection to doing so.

With regard to CUP density, Hartzell proposed that there continue to be two ways to get a bonus lot (i.e., 5 lots on 80 acres). One is to preserve at least 70% of land as open space; the other is to preserve 60% of land when it includes an environmental resource. She said this will simplify things as it doesn't matter if the land is farmed as long as it is open space. It was also noted that the open space would not be buildable in the future. The consensus was to support the proposal.

It was noted that the current language in the County zoning density bonus section states, "and no new County roads are created." Hartzell said this language is included in the text to award bonuses for preservation of AG land but not in the section that awards bonuses for preservation

of environmental resources. She said the two should be uniform and sought the Board's direction on whether to include that these roads be private or public. It was noted that oftentimes the private roads are converted to public in the future.

Henrichsen said currently, once the owner preserves the land and builds the extra dwelling unit, Planning's position is that the road remains private. Behrens said the current language as written doesn't allow people with the bonus to petition the County to take over their road. It must remain private because a condition of getting the bonus was that no new public roads would be created. She said at this time it applies only to the CUP bonus awarded for preserving AG land. Hudkins felt this was a deterrent to seeking the bonus. Heier also did not favor this stipulation. Thomas was concerned with the private road's condition at the time the County would be asked to take it over. Heier and Hudkins said the road should initially be built to County specifications. Thomas pointed out this will be extremely costly for the developer.

Heier questioned the stipulation of the County taking over the CUP road when it reached 60% occupancy. Doug Pillard, County Engineer's Office, said this applies only to roads initially dedicated to the public. Heier thought all CUPs needed to be built to County specifications. Henrichsen said a lot of CUP roads are dedicated to the public day one but then they are privately maintained until they meet certain stipulations after which time they are publicly maintained. A whole separate category includes roads initially designated as privately owned and privately maintained. He said the question is, "Does the County Board want to allow a CUP with a private road and bonus lot to switch to a public road when the stipulation was that no new County roads are created?"

Eagan said the 60% occupancy is not the only factor - there is also a minimum lot requirement. He thought most of these areas with private roads probably do not meet the minimum lot requirement. Pillard said the minimum lot requirement is six (6).

Hartzell confirmed that the two options to consider with regard to the CUP bonus are:

- 1) allow private roads that are privately maintained into the future; or
- 2) allow public roads which are privately maintained until they meet stipulations.

Eagan said either would still require the minimum number of lots. Schorr said the bonus should be removed if the County is to take over the road. Hudkins said the incentive to occupy the lots is knowing the road will be taken over by the County. Schorr said she was trying to reduce the maintenance obligations of the County Engineer. Eagan added the theory was taxes from the 60% occupancy rate would help cover maintenance costs.

Under roads, the consensus was to approve Option 2 which reads, "Allow applicants to plat public roads in both options. This will allow future lot owners to petition to initially create private roads but then later change their minds and switch from private to public through an amendment to their CUP. This option will result in an increase in the number of public roads."

Heier said he would like to round-up the bonus. For example, if the ratio equals 1.5 or more, than two lots could be added as opposed to only one. Hudkins agreed. Schorr suggested this be addressed at a future meeting since it was not on the agenda. Heier said it is related to the 25% CUP bonus and felt anything above .5 should be granted an additional lot.

**MOTION:** Heier moved and Hudkins seconded to round-up the density bonus. Hudkins, Smoyer and Heier voted aye. Schorr voted nay. Raybould was absent. Motion carried 3-1.

**5 (A) AGREEMENT WITH REGION V ON COMMUNITY MENTAL HEALTH CENTER BID PROCESS; AND (B) CRISIS CENTER** - Dean Settle, Community Mental Health Center Director; Ron Sorenson, Appointed Community Mental Health Center Director

(A) Agreement with Region V on Community Mental Health Center Bid Process

Eagan noted C.J. Johnson, Region V Systems Administrator, was unable to attend but felt the agreement was acceptable.

Dean Settle, Community Mental Health Center (CMHC) Director; and Ron Sorenson, Appointed Community Mental Health Center Director, said that they have not seen the document. Behrens indicated she e-mailed the document twice but would resend it. Schorr recommended changes be forwarded to the County Attorney's Office as soon as possible. Eagan said once the agreement is approved, the Invitation to Negotiate (ITN) Committee will begin meeting.

(B) Crisis Center

Eagan said the Board previously indicated a desire to retain the Crisis Center and felt some related decisions need to be made going forward.

Settle thought it may not be best to take action before knowing the results of the ITN process as an entity could come forward who is interested in operating the facility. He said additional consideration should be given to the future of the CMHC's partial hospitalization program and suicide hotline which are closely associated with the Crisis Center's mission.

Eagan said it will be implicit in the bid that the Crisis Center remain at the same location as the needs of the building are somewhat unique, but, a decision will need to be made regarding County ownership. Eagan added Douglas County privatized its Crisis Center and it has been very problematic.

It was also noted that the Crisis Center serves all Region V counties not just Lancaster County. If it separates from the CMHC, clerical support would be lost. Lancaster County was providing this indirect cost which would now need to be built into the contract rates. Settle estimated 1.5 to 2 additional full-time employees would be needed to perform administrative functions (clerical, human resources, billing, etc.) for the Crisis Center.

In response to Heier's inquiry, Settle said the rate for the Crisis Center is roughly \$140 per day. Sorenson said the hospital rate would be \$440+ per day (depending on services). Settle noted that County property tax dollars going into the Crisis Center this year is \$429,000.

Heier felt the County should retain the Crisis Center at this time.

A handout outlining Crisis Center Admission Data was distributed (**see Exhibit D**). Settle said the average length of stay is over six days. Sorenson said while going through the ITN process, attention should be given to keeping people out of the Crisis Center and exploring what other alternatives are available.

Heier said it appears Lancaster County is not recouping enough money from the rural counties who are utilizing the Crisis Center.

Schorr felt the Crisis Center, like the mental health jail diversion program, is a strong link between law enforcement and corrections.

**MOTION:** Heier moved and Hudkins seconded to retain the Crisis Center.

Eagan noted this point can be built into the ITN bid process.

**ROLL CALL:** Heier, Smoyer, Hudkins and Schorr voted aye. Raybould was absent. Motion carried 4-0.

Due to time constraints, it was recommended that additional discussion on the Crisis Center be rescheduled for the staff meeting on Thursday, May 17, 2012 at 8:30 a.m.

#### **ADMINISTRATIVE OFFICER REPORT**

d. Mental Health Transition TV Show

Thorpe said the next 5-City TV show will include Settle, Sorenson, Schorr and Smoyer or Raybould. It will consist of a mental healthcare overview, the ITN time line and committee information.

Heier exited the meeting at 10:05 a.m.

**6 POTENTIAL AND PENDING LITIGATION** - Joe Kelly, County Attorney; Doug Cyr, Chief Deputy County Attorney; Tom Fox, Deputy County Attorney

**MOTION:** Smoyer moved and Hudkins seconded to enter Executive Session at 10:07 a.m. for the purpose of protecting the public interest with regards to potential and pending litigation.

The Chair restated the motion for the record.

**ROLL CALL:** Hudkins, Smoyer and Schorr voted aye. Heier and Raybould were absent. Motion carried 3-0.

**MOTION:** Smoyer moved and Hudkins seconded to exit Executive Session at 10:55 a.m. Hudkins, Smoyer and Schorr voted aye. Heier and Raybould were absent. Motion carried 3-0.

**7 NOXIOUS WEED PROGRAM UPDATE - Brent Meyer, County Weed Superintendent**

Brent Meyer, County Weed Superintendent, provided a brief update of the noxious weed program. He presented a display board highlighting various wetland invaders (**see Exhibit E**). Similar displays will be placed at area lakes, parks and trails to help educate the public. He noted weeds are ahead of schedule this year due to the unseasonably warm weather. This could impact the carryover for next year's budget.

Meyer said on the noxious weed side, 735 inspections have already been performed with 28 legal notices sent. Additionally, a total of 511 inspections were performed and 48 legal notices sent related to weed abatement.

With regard to pioneer cemetery maintenance (see March 22, 2012 staff meeting minutes), Meyer noted a Boy Scout Troop will be mowing Dietz Cemetery for an annual fee of \$200. Contracts with private individuals have been signed for maintenance of Evangelical and Jordan Cemeteries. It was noted that Uphoff and Highland Cemeteries have already been mowed by a good Samaritan. Meyer said he would like to know their identity so the Board could recognize them for their efforts.

Meyer said he followed-up on a recent weed complaint received by the County Board. He and the individual visited the property, whereby, most of the weeds had already been sprayed.

Schorr said she would like to see a breakdown of City versus County inspections and related costs prior to next week's budget meeting.

**8 ASSESSOR/REGISTER OF DEEDS OFFICE REMODEL - Norm Agena, County Assessor/Register of Deeds**

Norm Agena, County Assessor/Register of Deeds, distributed a floor plan showing potential changes to his office space (**see Exhibit F**). He noted the total project amount would be approximately \$30,000 which covers carpentry work and systems furniture. This includes converting a store room to an office and removing some walls to accommodate additional cubicles to be used for preliminary hearings related to property valuation changes.

In response to Schorr's inquiry, Agena confirmed that this remodel does not impact space currently held by the County Clerk or Human Services.

With regard to financing, Agena said he has \$15,000 in vacancy savings he could apply toward the project. Dennis Meyer, Budget & Fiscal Officer, said the remaining \$15,000 could be budgeted in the Building Fund for fiscal year 2012-13. Agena said he would like the work to be completed in July and August as that is the office's slow time of the year.

**MOTION:** Hudkins moved and Smoyer seconded to approve the remodel plan with the understanding that the expense would be split evenly between the Assessor's budget and the Building Fund. Hudkins, Smoyer and Schorr voted aye. Heier and Raybould were absent. Motion carried 3-0.

Meyer clarified that he would transfer half of the project cost from the Assessor's budget to the Building Fund for this purpose.

## 9 BUDGET UPDATE - Dennis Meyer, Budget & Fiscal Officer

Meyer distributed a handout showing Property Tax Funded Budgets FY13 Requested Compared to FY12 Adopted (**see Exhibit G**). He noted the General Fund net change is \$6,781,839. This figure represents requests only; it does not take into consideration keno fund transfers, property valuation increases, etc. Hudkins asked if it includes replenishing cash reserves on insurance. Meyer said it does.

Meyer provided a brief overview of the handout, adding that specifics will be further discussed during next week's budget hearings. He said the increase to the Corrections budget accounts for nearly half of the total increase. County-wide personnel costs (i.e., health insurance, post employment health plan, salary increases, etc.), account for another \$1.5 million. Schorr asked for the highlights in writing prior to next week.

In response to Hudkins' inquiry, Meyer said a 1¢ tax increase would equal an additional \$1.9 million at current valuation levels.

Meyer noted that due to the primary election next week, the Election Commissioner's budget hearing will be scheduled during a staff meeting later in the month.

## ADDITION TO THE AGENDA

- a. Letter to the Nebraska Association of County Officials (NACO) Conference Committee supporting the Convention & Visitors Bureau (CVB) and community partners proposal to host the 2015 and 2016 NACO Annual Conferences in Lincoln

Eagan distributed a draft letter (**see Exhibit H**) to the Nebraska Association of County Officials (NACO) Conference Committee supporting the proposal brought forth by the Convention and Visitors Bureau (CVB) and community partners to host the 2015 and 2016 NACO Annual Conferences in Lincoln.

**MOTION:** Hudkins moved and Smoyer seconded approval of the letter. Hudkins, Smoyer and Schorr voted aye. Heier and Raybould were absent. Motion carried 3-0.

*Note: A copy of the signed letter was provided to the County Clerk's Office following the meeting and is on file with the minutes (**see Exhibit I**).*

## 10 ACTION ITEMS

- a. Juvenile Reentry Grant Application to Office of Juvenile Justice and Delinquency Prevention

Gwen Thorpe, Deputy Chief Administrative Officer, said this reentry grant would work with juveniles in the Youth Services Center. The County would receive \$55,000 in indirect costs - no direct County money is involved.

**MOTION:** Smoyer moved and Hudkins seconded approval to submit the grant application and authorize the Chair to sign the cash match waiver letter. Hudkins, Smoyer and Schorr voted aye. Heier and Raybould were absent. Motion carried 3-0.

*Note: A copy of the signed letter was provided to the County Clerk's Office following the meeting and is on file with the minutes (see Exhibit J).*

## 11 CONSENT ITEMS

There were no consent items.

## 12 ADMINISTRATIVE OFFICER REPORT

### a. Lancaster Manor Medical Service Claim

In response to Hudkins' inquiry, Schorr noted for the record that the outstanding information services bill due to the County had been paid by Lancaster Manor.

Thorpe said this medical claim was previously discussed (see April 19, 2012 staff meeting minutes). She explained the services were correctly billed in 2008 and paid by Medicaid. An audit was later performed and money was taken back from the provider (Gastroenterology Specialties). She noted rebilling is not an option for a variety of reasons.

After discussing the issue with the provider, Thorpe noted they have agreed to split the bill. The County's share would be \$423.59 which could be paid from the Manor Fund. She added the County Clerk's Office may flag the invoice as a claim for review since it is beyond 90-days. The Board's consensus was to consider today's discussion as the review and to proceed with the claim through the normal process.

**MOTION:** Hudkins moved and Smoyer seconded to authorize payment in the amount of \$423.59 to Gastroenterology Specialties to be paid out of the Manor Fund. Hudkins, Smoyer and Schorr voted aye. Heier and Raybould were absent. Motion carried 3-0.

### b. City Declaration of Surplus Property (Vicinity of 21<sup>st</sup> and N Street)

Eagan indicated that this notification is a requirement of the City's surplus property process. The consensus was to forward the information to Don Killeen, County Property Manager, and Don Thomas, County Engineer, for consideration.

### c. Human Services Administrative Assistance

Eagan indicated the Human Services secretary has resigned. It was suggested that Minette Genuchi, Administrative Aide to the County Board, may be able to assist in the interim until a

new person is hired. Doing so would prevent the need for Human Services to hire a temporary employee, thus, saving the County money. He added an exceptional circumstance award could be approved to compensate Genuchi for taking on additional duties. Some concern was expressed about the quantity of work generated by the Human Services Office. Eagan said Genuchi's first priority will be the County Board and, if the Human Services workload becomes too demanding, they will re-evaluate the offer. He said the Human Services staff will also have to help during the transition. Hudkins suggested that Rhonda Ryan, County Grants Manager, may also be able to assist on a temporary basis.

- d. Mental Health Transition TV Show

Item 12d was moved forward on the agenda.

### **13 PENDING**

There were no pending items.

### **14 DISCUSSION OF BOARD MEMBER MEETINGS**

- a. Meeting with the Mayor - Schorr and Hudkins

Schorr said the following items were discussed: additional funding for Centennial Mall and trail widening; the Event Center expansion; the future of Pershing Auditorium; City and County mutual budget concerns (i.e., health insurance and funding for the Joint Budget Committee, 9-1-1 Department and Weed Control); and the Planning Commissioner nomination process.

- b. Human Services Joint Budget Committee - Schorr and Raybould

Schorr said they discussed the 3% budget reduction request and awarded that reduced amount. She added agencies will not be notified until the budget is finalized.

- c. Public Building Commission Meeting with Mayor - Hudkins

Hudkins said one of the primary issues discussed was security for the 233 Building which houses Emergency Management and Information Services. They also discussed the future of the building and possible options, such as the current jail building, for future relocation. Schorr inquired if any word was received from the company investigating whether or not additional supports could be installed in the jail as part of the remodel. Eagan said he would look into it.

- d. Public Building Commission - Hudkins and Raybould

Hudkins said the meeting was very brief and included discussion on boiler plates.

- e. Board of Health - Smoyer

Smoyer said they discussed tattoo parlors and the survey related to smoking in parks.

## ADJOURNMENT

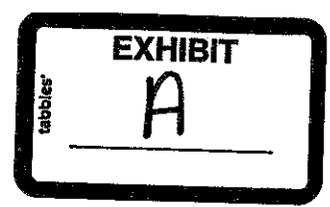
**MOTION:** Smoyer moved and Hudkins seconded to adjourn the meeting at 11:45 a.m. Hudkins, Smoyer and Schorr voted aye. Heier and Raybould were absent. Motion carried 3-0.



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Dan Nolte, Lancaster County Clerk





Thursday, May 10<sup>th</sup> Staff Meeting

Discussion of Circular Drives

Presently, County Resolution No. 3708 governs access issues in Lancaster County. A copy of County Resolution No. 3708 is attached hereto for your convenience.

In order to address concerns that arose at the Thursday, April 19<sup>th</sup> Staff Meeting, it is necessary to discuss the following items related to access:

- General concerns with regard to circular drives
- Circular drives in subdivisions vs. circular drives on section line roads
- Process for handling waivers to existing plats with access limitations
- Suggestion to remove the note on access limitations from the final plat
- Procedure for appeal of Access Drive Application to County Board
- Maintenance of existing and future driveways, to include replacement of culvert pipe by landowner

R-3708 3/13  
2 pgs

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF )  
EROSTON AND DRAINAGE )  
CONTROL ON COUNTY ROADS )

RESOLUTION NO. 3708

WHEREAS, Neb. Rev. Stat. §39-1402 provides that the general supervision and control of the public roads of each county is vested in the county board; and

WHEREAS, the County Board of Lancaster County, Nebraska, deems it to be in the best interest of the residents of said County to enact regulations regarding access to county roads.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, Nebraska, that the following regulations be and hereby are adopted, effective this date:

I.

No person shall construct, use, or permit to be used on property owned or occupied by such person any private entrance or exit, approach road, facility, thing, or appurtenance upon or connected to a public or county road right-of-way without first obtaining a written permit from the County Engineer; Provided, the owner or occupier of property shall not be required to obtain a permit to use or permit to be used in its existing condition, any such private entrance or exit, approach road, facility, thing or appurtenance existing on June 29, 1982, unless the County Engineer determines that the safety and general welfare of the public will be better served by such owner or occupier being required to apply for a permit and the County Engineer gives written notice to such owner or occupier that application for a permit must be filed with the Engineer within 30 days from receipt of such notice.

II.

Such permit so issued may contain such terms and conditions as, in the judgment of the granting authority, may be in the best interest of the public.

III.

Only one means of access will be permitted for tracts of land twenty (20) acres or less unless permission is otherwise obtained from the Lancaster County Engineer. However, the right of reasonable convenient egress and ingress from lands on lots, abutting on an existing street or road, may not be denied except with the consent of the owners of such lands or lots, or with the condemnation of such right of access to and from such abutting lands or lots.

IV.

No access permits shall be issued for any private entrance or exit or approach road located within a one hundred (100) foot radius of the centerpoint of the intersection of any county or public road.

STATE OF NEBRASKA )  
Lancaster County, ) SS  
In and among, 15th day of July, 1982  
\$ 5.30 Clerk P. M. File No. 82-3673  
Per and S  
Al. Richard [Signature]  
County Clerk Deputy

Verified for record in the  
Clerk's Office in Lincoln

v.

The county board and any person acting in its behalf shall have the authority to enter upon private or public property for the above purposes.

DATED this 29th day of June, 1982, in the County-City Building, Lincoln, Lancaster County, Nebraska.

BY THE BOARD OF COUNTY COMMISSIONERS OF LANCASTER COUNTY, NEBRASKA

*Jim Lange*  
*Joseph R. Edwards*  
*John D. ...*

APPROVED AS TO FORM THIS 29th DAY OF June, 1982.

*Michael G. Heavican*  
MICHAEL G. HEAVICAN  
Lancaster County Attorney

MGH/DCJ/jh  
6/3/82



# County Zoning and Subdivision Changes Workshop Questions

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## *Subdivision*

In addition to preserving farmland, one of the main goals of the “AG Preservation Lot” option was to reduce the number of driveways. Reduced access points on a County road means fewer culverts, less maintenance cost and potentially fewer crashes due to the reduced number of conflict points. This is accomplished by requiring a single shared drive for the newly created lots. The determination of the best access point along the frontage of the property is made by the County Engineer.

**Corner Lots Question:** If a person has frontage on more than one County section or one half section line road, should they be allowed to have an access on each frontage?

### OPTIONS:

1. Don't allow two access points since the goal is to reduce the number of access points, or;
2. Make an exception for corner lots, as long as they have at least 550 feet of frontage on each street, or;
3. Make an exception for corner lots, as long as they have at least 550 feet of frontage on each street, and the County Engineer can determine that each access point is at a safe and acceptable location on each frontage

**More than 20 acres Question:** If a person has more than 20 acres do they have to plat all AG Preservation lots at the time of final plat, or can they plat only 1 and leave the remaining lots for later?

The reason for the question is this example: Assume Owner A has 80 acres and is allowed 4 AG Preservation lots. However, Owner A doesn't want to have a shared driveway. The owner could get around the shared driveway by first dividing the 80 acres into four 20 acre parcels by survey. Then they could submit the AG Preservation lot final plat for each 20 acre lot separately. This would allow for four driveways instead of 1 and no progress has been made in reducing driveways.

### OPTIONS:

1. Give the owner the option of going through the Preliminary Plat process to identify where future lots would be located while still identifying the single shared driveway. This would result in the shared driveway while giving the owner the ability to plat one lot at a time, or;

2. Limit the access through the dedication in the final plat so that any future development must take access from the single shared drive, or;
  
3. Allow them to split off 20 acres at a time as long as they retain the 550 feet of frontage on the individual 20 acre parcels. This will not result in a reduction in number of driveways from what it is today.

### *CUP Density*

The current proposal is that bonuses of 25% be allowed for AG CUPs under the following conditions:

#### **AG CUP:s**

Preserve at least 70% of land as open space, or;

Preserve at least 60% of land when it includes

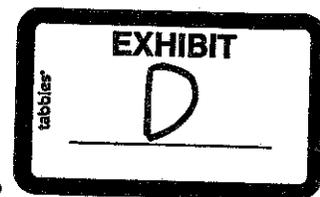
- a. Environmental Resources, Green Space or Ag Stream Corridor as shown in the County Landuse Plan and permanently preserves it, or;
- b. Land that is environmentally sensitive but is not shown in the Landuse Plan and permanently preserves it

**Question:** Does this meet the expectations of the County Board?

**Roads:** Current language in the County zoning density bonus section requires “no new County roads are created” in 14.004(j). The limitation on no new county roads is used in the text to award bonuses for preservation of ag land, but is not included in the section that awards bonuses for preservation of environmental resources. The current proposal should be consistent in both sections.

#### **OPTIONS:**

1. Include the phrase “no new County roads are created” in both sections so all new roads will have to be, and remain, private if one wishes to receive the density bonus. This will help to achieve the goal of limiting the number of new County roads and associated maintenance costs.
  
2. Allow applicants to plat public roads in both options. This will allow future lot owners to petition to initially create private roads, but then later change their minds and switch from private to public through an amendment to their CUP. This option will result in an increase in the number of public roads.



# COMMUNITY MENTAL HEALTH CENTER

## CRISIS CENTER ADMISSION DATA

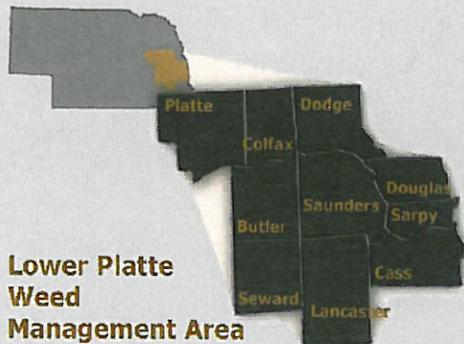
	FY 06	FY 07	FY08	FY 09	FY 10	FY 11	3 Qtrs FY 12
<b>Number of Admissions</b>	612	504	547	512	489	457	339
Lancaster County	177	145	130	154	123	158	110
Rural Counties	789	649	677	666	612	615	449
Total							
<b>Discharges - Referral Only</b>	505	357	420	440	416	437	
Ave. Length of Stay	6.0	7.0	6.56	5.9	6.34	6.73	6.5
<b>Post Commitment - Inpatient</b>							
Number Committed to IP	126	91	81	86	92	80	54
Ave. LOS after Commitment	8.2	16.4	8.3	6.33	8.1	11.5	11.5
Total Ave. Length of Stay	14.2	23.4	4.86	12.23	14.44	18.23	19.4
<b>Post Commitment - Outpatient</b>							
Number Committed to OP	158	201	176	140	104	98	
Ave. LOS after Commitment	0.36	0.6	0.42	1.1	0.97	0.98	
Total Ave. Length of Stay	6.36	7.6	6.98	7.0	7.31	7.71	

## CRISIS CENTER BUDGET

Total Budget	2,429,906
Annual Cost per Bed	161,994
Daily Cost per Bed	443.82

# Lower Platte Weed Management Area

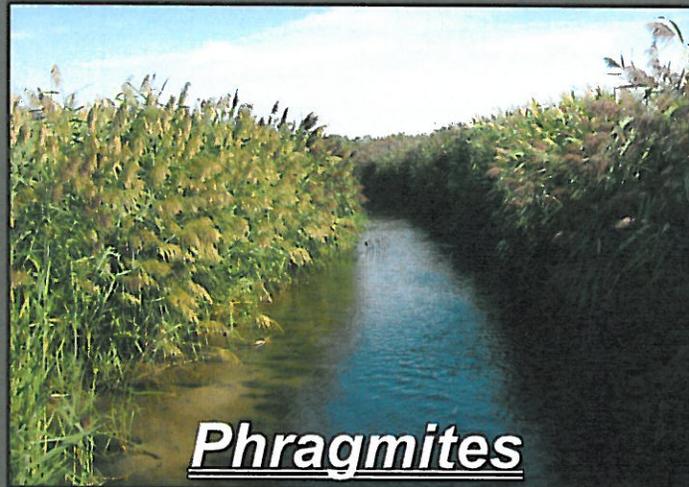
*“Working together  
to control and  
contain the spread  
of noxious and  
invasive plants in  
the Lower Platte  
River drainage.”*



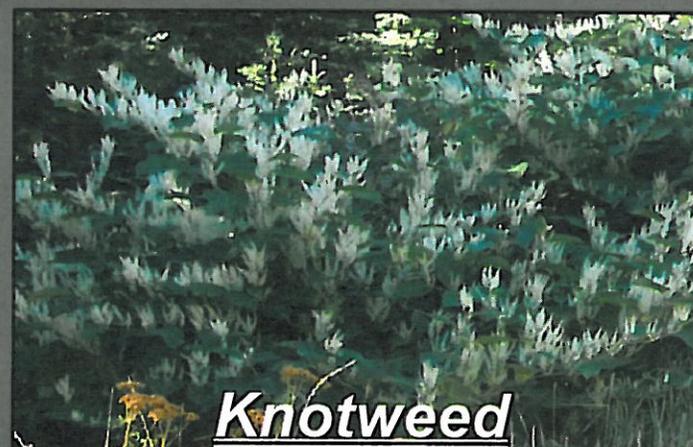
*These invasive plants are  
required by State law to be  
controlled.*

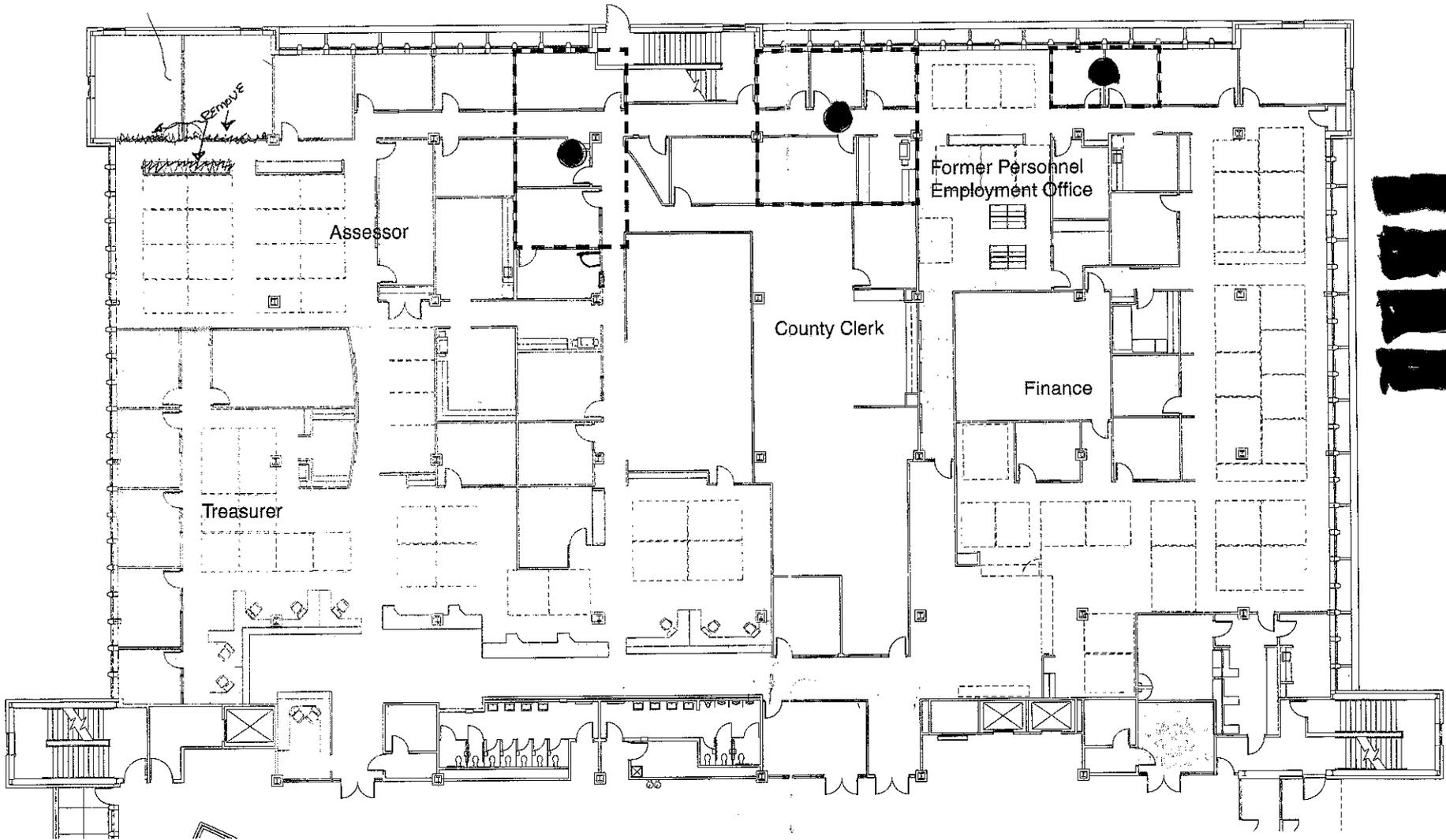
*Report sightings to County  
Weed Control Authority*

*For more information visit  
[www.lowerplattewma.org](http://www.lowerplattewma.org)*



# Wetland Invaders

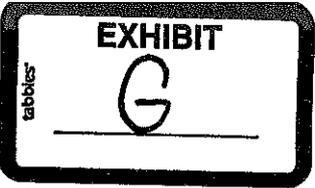




PBC - County/City Building First Floor - Existing  
March 16, 2010



**LANCASTER COUNTY**  
**PROPERTY TAX FUNDED BUDGETS**  
**FY13 REQUESTED COMPARED TO FY12 ADOPTED**



	Expenditures FY12	Adopted Revenues FY12	NET	Expenditures FY13	Requested Revenues FY13	NET	Net Change	Percent Change
<b>GENERAL FUND OPERATING:</b>								
COUNTY BOARD	262,048	-	262,048	270,797	-	270,797	8,749	3.34%
COUNTY CLERK	896,259	56,000	840,259	924,786	63,000	861,786	21,527	2.56%
COUNTY TREASURER	3,329,650	5,350,000	(2,020,350)	3,470,200	5,203,000	(1,732,800)	287,550	14.23%
ASSESSOR	3,859,986	1,900,000	1,959,986	3,864,710	1,900,000	1,964,710	4,724	0.24%
ELECTION COMMISSIONER	950,184	85,500	864,684	1,363,985	360,000	1,003,985	139,301	16.11%
DATA PROCESSING	705,753	10,656	695,097	1,025,947	10,656	1,015,291	320,194	46.06%
BUDGET & FISCAL	194,480	-	194,480	199,605	-	199,605	5,125	2.64%
ADMINISTRATIVE SERVICES	365,341	-	365,341	357,225	-	357,225	(8,116)	-2.22%
G.I.S.	526,097	-	526,097	534,638	-	534,638	8,541	1.62%
BOARD OF EQUALIZATION	291,000	-	291,000	600,000	-	600,000	309,000	106.19%
CLERK OF DIST COURT	1,628,933	390,000	1,238,933	1,579,711	390,000	1,189,711	(49,222)	-3.97%
COUNTY COURT	833,335	45,625	787,710	897,424	43,650	853,774	66,064	8.39%
JUVENILE COURT	1,921,779	1,000	1,920,779	1,864,125	-	1,864,125	(56,654)	-2.95%
DISTRICT COURT	2,272,395	201,500	2,070,895	2,549,369	212,500	2,336,869	265,974	12.84%
PUBLIC DEFENDER	3,302,554	205,671	3,096,883	3,397,177	215,955	3,181,222	84,339	2.72%
JURY COMMISSIONER	130,861	-	130,861	147,694	-	147,694	16,833	12.86%
COOPERATIVE EXTENSION	1,038,158	162,976	875,182	1,007,042	147,660	859,382	(15,800)	-1.81%
RECORDS INFO & MGMT	548,846	102,140	446,706	582,040	102,910	479,130	32,424	7.26%
SHERIFF	9,463,653	1,544,395	7,919,258	9,937,711	1,432,862	8,504,849	585,591	7.39%
COUNTY ATTORNEY	6,634,552	1,265,759	5,368,793	6,463,153	1,347,851	5,115,302	(253,491)	-4.72%
CORRECTIONS	15,794,870	430,200	15,364,670	19,072,542	436,000	18,636,542	3,271,872	21.29%
JUVENILE PROBATION	292,795	-	292,795	284,016	-	284,016	(8,779)	-3.00%
ADULT PROBATION	407,152	-	407,152	401,119	-	401,119	(6,033)	-1.48%
COMMUNITY CORRECTIONS	1,798,451	654,535	1,143,916	1,915,652	658,643	1,257,009	113,093	9.89%
YOUTH SERVICES CENTER	5,673,499	3,088,079	2,585,420	5,675,395	3,482,833	2,192,562	(392,858)	-15.20%
EMERGENCY SERVICES	427,776	236,388	191,388	547,582	396,640	150,942	(40,446)	-21.13%
COUNTY ENGINEER	3,263,693	-	3,263,693	3,311,062	-	3,311,062	47,369	1.45%
MENTAL HEALTH BOARD	153,784	-	153,784	149,170	-	149,170	(4,614)	-3.00%
GENERAL ASSISTANCE	2,527,830	600,000	1,927,830	2,647,315	670,000	1,977,315	49,485	2.57%
VETERANS SERVICE	718,049	-	718,049	708,139	-	708,139	(9,910)	-1.38%
HUMAN SERVICES	276,183	138,091	138,092	278,918	139,459	139,459	1,367	0.99%
<b>TOTAL G.F. OPERATING</b>	<b>70,489,946</b>	<b>16,468,515</b>	<b>54,021,431</b>	<b>76,028,249</b>	<b>17,213,619</b>	<b>58,814,630</b>	<b>4,793,199</b>	<b>8.87%</b>
<b>NON-OPERATING BUDGETS:</b>								
G.F. GENERAL GOVERNMENT	9,702,399	-	9,702,399	9,964,857	-	9,964,857	262,458	2.71%
G.F. JUSTICE SYSTEM	2,232,696	35,000	2,197,696	2,193,146	35,000	2,158,146	(39,550)	-1.80%
G.F. HHS	3,699,830	-	3,699,830	3,747,999	-	3,747,999	48,169	1.30%
GENERAL FUND RECEIPTS (999)		14,452,161	(14,452,161)		14,734,598	(14,734,598)	(282,437)	1.95%
GENERAL FUND BALANCE		11,414,119	(11,414,119)		11,414,119	(11,414,119)	-	0.00%
CASH RESERVE	4,190,000		4,190,000	6,190,000		6,190,000	2,000,000	47.73%
General Fund	90,314,871	42,369,795	47,945,076	-	43,397,336	54,726,915	6,781,839	14.15%

**LANCASTER COUNTY  
PROPERTY TAX FUNDED BUDGETS  
FY13 REQUESTED COMPARED TO FY12 ADOPTED**

	Expenditures <u>FY12</u>	Adopted Revenues <u>FY12</u>	<u>NET</u>	Expenditures <u>FY13</u>	Requested Revenues <u>FY13</u>	<u>NET</u>	<u>Net Change</u>	<u>Percent Change</u>
<b>OTHER FUNDS:</b>								
MENTAL HEALTH	9,720,234	7,259,710	2,460,524	9,502,309	7,220,720	2,281,589	(178,935)	-7.27%
FUND BALANCE		329,697	(329,697)		310,000	(310,000)	19,697	-5.97%
CASH RESERVE	100,000		100,000	100,000		100,000	-	0.00%
CMHC Fund	9,820,234	7,589,407	2,230,827	9,602,309	-	2,071,589	(159,238)	-7.14%
DEBT SERVICE			523,887			523,887	-	0.00%
BUILDING FUND			204,000			204,000	-	0.00%

**DRAFT**

May 10, 2012

NACO Conference Committee Members  
625 South 14th Street, Suite 200  
Lincoln, NE 68508

Dear Committee Members:

The Lancaster County Commissioners strongly support the proposal brought forth by the Lincoln Convention and Visitors Bureau and community partners to host the Nebraska Association of County Officials' 2015 & 2016 Annual Conferences in Lincoln!

In addition to being the home of the University, Lincoln, as the home of state, county and city government, provides many learning and educational opportunities. Our hotels, attractions, restaurants, shopping centers and cultural activities combine to offer a first-class visit to the community that many Nebraskans consider as their second home.

Lincoln is a safe, clean environment that offers visitors a warm welcome and a spirit of goodwill. When we say "welcome" to our visitors, we mean it! In addition, the hard work and effort put forth by the Lincoln CVB, shows their dedication to previous NACO conferences held in Lincoln!

As you consider the proposal, we are hopeful you will choose Lincoln and Lancaster County as the venue for the 2015 and 2106 Annual Conferences.

Sincerely,

---

Deb Schorr, Chair

---

Bernie Heier

---

Larry Hudkins- Vice Chair

---

Jane Raybould

---

Brent Smoyer



LANCASTER COUNTY BOARD OF COMMISSIONERS

Bernie Heier Larry Hudkins Deb Schorr Brent Smoyer Jane Raybould
Kerry Eagan, Chief Administrative Officer Gwen Thorpe, Deputy Administrative Officer

May 10, 2012

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Sincerely,

Handwritten signatures of Deb Schorr, Bernie Heier, Larry Hudkins, Jane Raybould, and Brent Smoyer with their respective titles.

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LANCASTER COUNTY BOARD OF COMMISSIONERS

Bernie Heier      Larry Hudkins      Deb Schorr      Brent Smoyer      Jane Raybould  
Kerry Eagan, *Chief Administrative Officer*      Gwen Thorpe, *Deputy Administrative Officer*

May 9, 2012

Eric H. Holder, Jr.  
Attorney General of the United States  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Mr. Holder:

Lancaster County is asking for a waiver for the 25% cash match in the OJJDP FY 2012 Second Chance Act Juvenile Offender Reentry Program. While Lancaster County sees the importance in implementing services to assist our juveniles when reentering into our community, we simply do not have funds. Our County is facing a \$6.5 million shortfall. All departments have been asked to cut their budgets by at least 3%. This includes layoffs, employee hours being cut and furloughs. Collaborating with other agencies, we will be able to produce a 50% in-kind match contribution towards this project.

Thank you for considering Lancaster County for funding and we hope you understand the financial hardships we are currently facing that do not allow our budget to provide a 25% cash match.

Sincerely,

Deb Schorr, Chair  
Lancaster County Board of Commissioners

cc: Lancaster County Board of Commissioners  
Kerry P. Eagan, Chief Administrative Officer  
Gwen Thorpe, Chief Deputy Administrative Officer

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