

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
TUESDAY, MAY 24, 2005  
9:00 A.M.**

Commissioners Present: Larry Hudkins, Chair  
Deb Schorr, Vice Chair  
Bernie Heier  
Bob Workman  
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Bruce Medcalf, Lancaster County Clerk  
Trish Owen, Chief Deputy County Clerk  
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 9:04 a.m.

**AGENDA ITEM**

**1 APPROVAL OF THE STAFF MEETING MINUTES OF THURSDAY,  
MAY 19, 2005**

**MOTION:** Stevens moved and Heier seconded approval of the Staff Meeting minutes dated May 19, 2005. Workman, Heier, Stevens and Hudkins voted aye. Schorr was absent from voting.

**2 ADDITIONS TO THE AGENDA**

None were stated.

Schorr arrived at 9:06 a.m.

**3 STATE PLANNING FOR HIGHWAY 2 (148<sup>TH</sup> & 162<sup>ND</sup> STREET  
INTERSECTIONS) - Lou Lenzen, Nebraska Department of Roads; Don  
Thomas, County Engineer**

Lou Lenzen, Nebraska Department of Roads, presented a plan for realignment of 148<sup>th</sup> and 162<sup>nd</sup> Streets (see map in Exhibit A).

Lenzen said the plan is currently in the study phase. He said once there is a consensus on alignment, his department will proceed with an environmental assessment and surveys.

**NOTE:** Projects & Studies: Lincoln Area Street & Roadway Improvements 2025 (map) was also circulated (Exhibit B).

The Board was generally in agreement with the relocation of 148<sup>th</sup> and 162<sup>nd</sup> Streets to an interchange at the Bennet corner, indicating a preference to have the realignment to stay as close as possible to the half section line. The Department of Roads was asked to give consideration to a right turn south of the 148<sup>th</sup> Street intersection and Bennet's plans for commercial development along Highway 43. Concerns were noted regarding the distance between interchanges along the East Beltway.

Also present were: Marvin Krout, Planning Director; Mike DeKalb, Duncan Ross and David Cary, Planning Department; Larry Worrell, County Surveyor; Roger Figard, City Engineer; Randy Hoskins and Mike Brienzo, City Public Works/Utilities; Harold Roper, 7441 North 40<sup>th</sup> Street.

**4 BENNET AREA PLANNING** - Marvin Krout, Planning Director; Duncan Ross, Planning Department

Marvin Krout, Planning Director, indicated plans to coordinate with Lancaster County's incorporated cities and villages as part of the Lincoln and Lancaster County Comprehensive Plan update. He said one special area of analysis is Highway 2, from 148<sup>th</sup> to 162<sup>nd</sup> Street, south to the Bennet zoning jurisdiction (see Exhibits C & D). Key information to be reviewed:

- County Road Network
- State Highways/Interchange
- Future Beltway
- Future Omaha Public Power District (OPPD) Transmission Line
- Intersection/Vehicle Safety
- Public Infrastructure
- Land Use
- Future Vision/Comprehensive Plans of Villages

Krout noted that Bennet is in the early stages of developing an update to its Comprehensive Plan and is facing difficult infrastructure issues, including sewage treatment and capacity. He said Bennet is also talking with a developer about a proposal for a large scale residential project north of Bennet, that is proposed as an Sanitary Improvement District (S.I.D.).

Krout estimated that the Planning Department's analysis will take five months, but said Bennet may not have their plan completed within that period.

Paula Dicerio, Bennet Planning Commission Chair, appeared and said Bennet would appreciate assistance with its Comprehensive Plan.

Hudkins asked whether Bennet has considered light industrial, heavy industrial or commercial use north or south of the highway.

Dicerio said Bennet has not addressed that issue yet.

Schorr asked Dicerio whether she would like to comment on proposed realignment of 148<sup>th</sup> and 162<sup>nd</sup> Streets.

Dicerio asked that consideration be given to the steep grade to the north. She noted that the Highway 43 spur goes through the village and said traffic is an issue.

Heier noted the earlier proposal to cut access to the south from Highway 2 and asked whether Bennet has considered using Apple Street, which is a "back door" into Bennet and an alternate route to Highway 43, as a way to go around the village.

Dale Smith, Bennet Engineer, appeared and said there is potential for substantial growth and additional traffic coming out of Bennet. He said there will be traffic coming from the north on 148<sup>th</sup> that will also want to turn onto Highway 2 and said the left turn onto Highway 2, coming out of Bennet, could be a problem. Continuation of 148<sup>th</sup> south and right turns might relieve some of that congestion. Smith said Apple Street is not as critical.

Stevens asked whether there is consensus among Bennet residents as to whether State Spur 43 should bypass Bennet's main street.

Dicerio said the Planning Commission has discussed this issue and sent a survey out to residents. Town hall meetings are also planned.

Schorr asked what percentage of traffic terminates at Bennet and what percentage continues on through.

Lou Lenzen, Nebraska Department of Roads, said his department has that information and agreed to provide it to the Village of Bennet and the Board.

Also present were Bruce Dahlberg, Bennet Planning Commission; Don Murray, Bennet Village Board; Patricia Rule, Bennet Clerk/Treasurer; Mike DeKalb, Planning Department; Don Thomas, County Engineer; Larry Worrell, County Surveyor.

## 5 LAKESIDE DEVELOPMENT - Mike DeKalb, Planning Department

Mike DeKalb, Planning Department, gave a brief history of lakeside development in Lancaster County, referring to the following:

- County Lakes Review Committee Report
- A County Attorney's opinion, dated September 17, 1996, relating to requiring a special permit for development around publicly owned lakes.
- County Resolution No. 5428 (In the matter of County Change of Zone No. 163: Text amendment to Articles 5 and 13 of the 1979 Zoning Resolution of Lancaster County (Resolution No.3440) to require a special permit for dwelling units within 1,320 feet of public lakes of 30 acres or more)
- Lancaster County Zoning Regulation, Section 13.012, Special Permit (Exhibit E)

DeKalb noted the following: 1) The zoning regulation only applies to Agricultural Residential (AGR) zoning; 2) It only applies to dwellings within 1,320 feet of the property line of a publicly owned lake property of 30 acres or more (see Exhibit E for a map of the 15 lakes in Lancaster County that meet that criteria); and 3) The County Board may amend the conditions of the special permit upon a showing that exceptional and unusual circumstances exist in connection with the specific parcel of land.

Heier said he considers it to be a taking of a property right and would like to see it changed.

Brief discussion followed with consensus to not pursue changes at this time.

## 6 ACTION ITEMS

- A. Letter to Nebraska Legislature Regarding State Prisoner Reimbursement

The Board reviewed a draft of the letter (see agenda packet).

The following revisions were requested:

- Add the following language to the third sentence in the second paragraph: *LB 695 reimburses counties for approximately one half the cost of performing this function.*
- Reword the third paragraph to read as follows: *While \$800,000 does not replace all the lost funding it is a step in the right direction. Removing this funding is a step in the wrong direction. The property tax payers in this State need relief now.*

**MOTION:** Stevens moved and Workman seconded to: 1) Approve the letter, with those revisions; 2) Prepare letters for each of the state senators, with signature by the full Board; and 3) Hand deliver the letters if the Governor vetoes the jail reimbursement increase passed by the Legislature. Stevens, Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

## **7 EMERGENCY ITEMS AND OTHER BUSINESS**

Stevens reported on the Downtown Lincoln Association (DLA) meeting, noting a presentation on a proposal to redevelop the City's "K" Street Building, 440 South 8<sup>th</sup> Street, into residential housing. The building currently serves as a storage facility for City, County and State records. He said the group voted to support redevelopment of the building, in keeping with the Downtown Master Plan.

The Board requested that discussion of the City's plans for the building be scheduled on the May 26, 2005 Staff Meeting agenda and invited Dave Kroeker, Budget and Fiscal Officer; Vince Mejer, Purchasing Agent; Dallas McGee, Urban Development; and representatives of the County Attorney's Office and the Mayor's Office to participate. Topics of discussion will include:

- Appraisal of the building
- The cost to replace the land and building
- The impact to existing legal agreements
- Difficulty in acquiring property in the area to meet the needs of City and County government
- The process the County would need to go through to purchase the building
- Request for Proposals (RFP) Review Committee Membership
- Will Tax Incremental Financing (TIF) be used

## **8 ADJOURNMENT**

**MOTION:** Heier moved and Schorr seconded to adjourn the meeting at 10:55 a.m. Workman, Heier, Schorr, Stevens and Hudkins voted aye. Motion carried.

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Bruce Medcalf  
Lancaster County Clerk