

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
TUESDAY, AUGUST 1, 2006  
11:00 A.M.**

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

Others Present: Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Trish Owen, Chief Deputy County Clerk  
Kristy Mundt, Deputy County Attorney  
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 11:02 a.m.

**AGENDA ITEM**

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, JULY 27, 2006**

**MOTION:** Stevens moved and Heier seconded approval of the Staff Meeting minutes dated July 27, 2006. Heier, Hudkins, Stevens, Workman and Schorr voted aye. Motion carried.

**2 ADDITIONS TO THE AGENDA**

- A. Lincoln-Lancaster County Ecological Advisory Committee (EAC) Meeting
- B. Jail Tour Update
- C. Grant Request from Sheriff's Office (Exhibit A)
- D. County Board Meeting Schedule

**MOTION:** Stevens moved and Heier seconded approval of the additions to the agenda. Workman, Hudkins, Heier, Stevens and Schorr voted aye. Motion carried.

**3 ACREAGE DENSITY CALCULATIONS** - Marvin Krout, Planning Director;  
Mike DeKalb, Planning Department

Discussion was held regarding acreage density calculations and whether to amend the County Zoning Resolution to provide for rounding of fractions.

Mike DeKalb, Planning Department, distributed copies of the City of Portland, Oregon - Bureau of Development Services, Land Division Information Guide noting Portland's rounding rule for maximum density calculations (Exhibit B). He said if the Board wants to do something similar, language could be added to *Article 14, Community Unit Plan*, of the County Zoning Resolution.

Marvin Krout, Planning Director, said the current system is consistent across all the measurements and is consistent with the City of Lincoln.

DeKalb said there are other things that can impact density, such as setbacks, counting the adjacent mile and ½ mile of road right-of-way, and "blended" calculations when there is split jurisdiction with another city or village.

Heier suggested that the County "round up" using existing calculations.

Workman expressed concern regarding "urban sprawl" (the unplanned, uncontrolled spreading of urban development into areas adjoining the edge of a city).

Hudkins said the County can no longer sustain itself agriculturally and said allowing three-acre acreages across the county, to the extent that they are economically feasible, isn't "urban sprawl".

Krout said he believes the County would have a problem providing all of the services that would be expected.

Hudkins said roads and schools are in place and said the additional taxes that those homes would generate will more than pay for the increase in services.

Heier asked what harm would come from "rounding up".

Schorr said she believes "rounding up" could have far reaching implications but said she would like flexibility for the Board to approve a single lot in a unique circumstance.

Kristy Mundt, Deputy County Attorney, said in essence, that would be "rounding up" density. She said the easiest solution would be to pick a number.

There was general consensus to not pursue the matter further.

**NOTE:** The County Change of Zone Policy that was adopted January 13, 1987 was provided to the Board prior to the meeting (Exhibit C).

#### **4 ACTION ITEMS**

A. Board of Equalization Meetings

1. August 7, 2006 - 1:00 p.m. to 4:00 p.m.
2. August 8, 2006 - 1:30 p.m. to 4:30 p.m.
3. August 9, 2006 - 8:00 a.m. to 12:00 p.m.
4. August 10, 2006 - 1:00 p.m. (Final Action)

**MOTION:** Hudkins moved and Stevens seconded approval of the meeting schedule. Heier, Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

#### **ADDITIONS TO THE AGENDA**

A. Lincoln-Lancaster County Ecological Advisory Committee (EAC) Meeting

Heier said the EAC has concerns regarding plans for a sewage line that will cross Old Cheney Road.

Heier also reported that a city in Colorado has enacted Transfer of Development Rights (TDR).

Eagan said representatives from Lancaster County will be meeting with State Senator Schimek later in the day to discuss the TDR legislation that Lancaster County sponsored.

Hudkins noted that plans for a motocross track east of the Abbott Sports Complex appear to be at a standstill and asked whether it is because of ecological concerns.

Kerry Eagan, Chief Administrative Officer, said no, rather a decision by the State's Recreational Trails Program Committee to deny the request for acceleration of grant funding of the track. He said the project could still get additional money for 2007, depending on whether other projects seek funding. The Lincoln Sports Foundation, which owns the Abbott Complex, has not decided whether to proceed with the track project.

The Chair asked Eagan to provide the Board with a list of Lincoln Sports Foundation Board members.

## B. Jail Tour Update

Heier indicated plans to tour a jail facility in Topeka, Kansas on August 16, 2006.

## C. Grant Request from Sheriff's Office (Exhibit A)

Gwen Thorpe, Deputy Chief Administrative Officer, said Bill Jarrett, Chief Deputy Sheriff, approached her at the 9:30 a.m. County Board of Commissioners Meeting and gave her an application for a mini-grant through the Department of Motor Vehicles, Nebraska Office of Highway Safety (NOHS) to provide funding assistance in the amount of \$4,320 for a sobriety checkpoint to be run in conjunction with the "You Drink and Drive, You Lose" campaign on Labor Day weekend. He indicated that today is the deadline for application.

Eagan said the Jarrett should have asked that the item be heard as an emergency item at the County Board of Commissioners Meeting and cautioned the Board that adding the item to the Staff Meeting agenda and taking action on the item is a potential violation of the Open Meetings Act. He suggested that Jarrett be summoned to explain the nature of the emergency.

The Board summoned Jarrett.

## D. County Board Meeting Schedule

Workman asked that consideration be given to holding the County Board of Commissioner Meeting and Staff Meeting on one day, preferably Thursday.

Eagan said having two meetings a week helps facilitate administration of the County's business.

Hudkins said he believes the order is wrong and suggested that Staff Meetings be held on Tuesday and County Board of Commissioner Meetings on Thursday.

Schorr said she prefers the current schedule, including holding the County Board of Commissioner Meetings in the morning.

## **RETURNING TO ITEM 2C**

Jarrett appeared and said the grant application was received by his office on July 26, 2006. It was forwarded to him on the 28<sup>th</sup>, but he was on vacation. He said this type of item is usually handled at the Staff Meeting and said he was not aware that it was appropriate to bring it forward at the County Board of Commissioners Meeting under Emergency Items.

Schorr asked whether the grant application was stamped the date it arrived.

Jarrett said it was not.

Schorr asked that his office take this step in the future.

In response to a question from Stevens, Jarrett said there are not sufficient funds in the budget to fund the sobriety checkpoint.

**MOTION:** Heier moved to approve the grant request.

Eagan read the Board the section of the Open Meetings Act that applies to emergency items.

Heier withdrew his motion.

**MOTION:** Hudkins moved and Workman seconded to declare the grant application an emergency item. Workman, Stevens, Hudkins, Heier and Schorr voted aye. Motion carried.

**MOTION:** Heier moved and Hudkins seconded to approve the grant request. Stevens, Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

#### **4 ADJOURNMENT**

**MOTION:** Heier moved and Stevens seconded to adjourn the meeting at 12:07 p.m. Heier, Workman, Hudkins, Stevens and Schorr voted aye. Motion carried.

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Bruce Medcalf  
Lancaster County Clerk