

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, MARCH 20, 2012**  
**COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**9:30 A.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 March 16, 2012.*

Commissioners present: Deb Schorr, Chair  
Larry Hudkins, Vice Chair  
Jane Raybould  
Brent Smoyer

Commissioners absent: Bernie Heier

Others present: Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Brittany Behrens, Deputy County Attorney  
Dan Nolte, County Clerk  
Cori Beattie, Deputy County Clerk  
Angela Zocholl, County Clerk's Office

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 9:30 a.m.

1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, March 13, 2012.

**MOTION:** Hudkins moved and Smoyer seconded approval of the minutes. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier was absent. Motion carried 4-0.

2) **CLAIMS:** Approval of all claims processed through Tuesday, March 20, 2012.

**MOTION:** Raybould moved and Heier seconded approval of the claims. Raybould, Smoyer, Hudkins and Schorr voted aye. Heier was absent. Motion carried 4-0.

3) **SPECIAL PRESENTATIONS:**

A. **Lancaster County Rural Transit application for public transportation assistance – Carol Meyerhoff, Lancaster County Rural Transit Manager.**

Carol Meyerhoff shared stories of riders who have been helped by the Rural Transit system. She discussed the budget (Exhibit A) and the intention to replace one of the vehicles. Hudkins asked how many miles were on the van to be replaced. Meyerhoff said it had over 106,000 miles and its repair bills had become costly. Hudkins questioned the fuel budget of \$3.44 per gallon. Meyerhoff agreed that fuels costs would likely be higher, but she had to use the current rate listed by fleet management. She noted fuel is bought in bulk at the City pumps.

6) **NEW BUSINESS:**

- A. **A resolution instructing Lancaster County Rural Transit to apply for federal funds available under Section 5311 of the Federal Transit Act and for the Nebraska Public Transportation Assistance Program for Federal Fiscal Year 2012. (R-12-0022)**

**MOTION:** Hudkins moved and Raybould seconded approval of the resolution. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

- B. **An application for public transportation operating assistance for Lancaster County Public Rural Transit.**

**MOTION:** Raybould moved and Hudkins seconded approval of the application. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier was absent. Motion carried 4-0.

4) **PUBLIC HEARINGS:**

- A. **County Change of Zone 12001, requested by Lakehouse Farms, LLC, to amend the Lancaster County Zoning Resolution to add "Market Garden" as a special permitted use in the AG and AGR zoning districts.**

The Chair opened the public hearing.

Brittany Behrens, Deputy County Attorney, was administered the oath. She explained that action must be taken on Item 4A before action could be taken on Item 4C.

Sara Hartzell, County Planner, read the definition of market garden as, "... relatively small scale farming operations 20-40 acres in size with a production of a diversity of fruits, vegetables, herbs and flowers as grown for sale primarily for direct human consumption rather than as feed for animals or for major processing before consumption. Market gardens are distinguished from other types of farming by the inclusion of accessory uses not typically found on farms. These accessory uses may include restaurants, agricultural education and training centers, agricultural tourism or the sales of agricultural products not grown on site." She explained the agricultural use itself is already allowed; the accessory use is what needs to be added. Hartzell discussed conditions that may be applied: total of the market garden area is limited to 20-40 acres, combined total of the market garden accessory use is limited to 10% of the total market garden area, size of buildings may be limited by the Planning Commission based on conditions such as road access, and parking is based at one space per 200 with overflow parking required for special events.

Hudkins asked Hartzell to explain the auxiliary uses further. Hartzell said the special permit would allow the applicant to set up a permanent retail area that could be open year round versus being limited on number of days. She said there is currently a provision for expanded home occupation of a family dining restaurant up to 16 people and 2 employees. This permit would allow expansion to a full size restaurant as long as the market garden was associated with the restaurant. In addition, a training center could be used to learn things such as organic gardening or composting.

The Chair closed the public hearing.

## **RETURNING TO NEW BUSINESS:**

- C. **A resolution in the matter of County Change of Zone No. 12001, a text amendment to the Lancaster County Zoning Resolution, amending Article 2, Section 2.088 Definitions; Article 4, Section 4.007 Permitted Special Uses (AG); Article 5, Section 5.007 Permitted Special Uses (AGR); and Article 13, Section 13.001.36, to add Market Garden to the list of specifically permitted uses in the AG and AGR zoning districts. The amendments are as provided in Attachment A. (R-12-0023)**

**MOTION:** Raybould moved and Smoyer seconded approval of the resolution. Raybould, Smoyer, Hudkins and Schorr voted aye. Heier was absent. Motion carried 4-0.

## **RETURNING TO PUBLIC HEARINGS:**

- B. **County Special Permit 12003, requested by Lakehouse Farms, LLC, for authority to operate a Market Garden with a restaurant as an accessory use, on property generally located at N. 112<sup>th</sup> Street and Branched Oak Road.**

The Chair opened the public hearing.

Sarah Hartzell said the restaurant would seat 100 people and be open five evenings during the week in addition to Sunday afternoon/evening. The parking requirement is 2600 square feet with 13 stalls; however, 24 stalls will be provided on the gravel lot along with the three required ADA stalls on pavement. An overflow parking area is included, although it likely will not be needed. Hartzell discussed the property layout and traffic flow. She estimated 110 trips on the gravel road per day based on 100 patrons and 5 employees, which keeps it under the maximum of the 400 cars per day considered acceptable by the County Engineer. She said the zoning code does not require a special permit for alcohol, but the applicant would follow the normal liquor license application with the County.

Schorr discussed concerns submitted via email from Bob and Carol Workman regarding the permit being tied to the land (Exhibit B). Hartzell said historically permits have run with the land, not the applicant. Brittany Behrens said no specific law requires the special permit to run with the land; however, there are many cases around the country stating a special permit may not be conditioned to terminate when the title of the land is conveyed to someone other than the applicant. The courts have the general principle that it is a more effective mode of notice to future landowners that the special permit continue to run with the land even when sold. Schorr asked if a provision could be included to notify the County Board of a change in ownership. Behrens said you could make that requirement, but it would not change the application. Smoyer asked if the permit had to run with the land in perpetuity or if there could be a time limit requiring reapplication. Hartzell said there are a few special permits with a timeline, but they are generally of a temporary nature. Behrens said in most other states the permit runs with the land in perpetuity.

Hudkins discussed the Workmans' concern over the electric fence. Behrens said the Board does not have the authority to look into the fence issue in relation to the special permit; it would best be dealt with between the landowners. The same would apply to their concern over the historical buildings.

Hudkins questioned having liquor service at the restaurant. Hartzell thought the intent was to serve beer and wine but not hard liquor. Behrens said the applicant would go through the same process for a liquor license as anyone else.

## **PUBLIC HEARINGS CONTINUED:**

Sharon Duis, 15401 N. 98<sup>th</sup> Street, was administered the oath. She expressed concern over the added traffic and possible liquor service. In response to Hudkins' question, Duis said there has been increased traffic due to more people moving onto acreages.

Jerry Minchow, 8181 Davy Road, was administered the oath. He discussed the fatal traffic crashes that have occurred in the area and expressed concern over the extra traffic created by the business, especially if alcohol is involved. In response to Hudkins' question, Minchow felt Branched Oak Road would be used to travel to the restaurant.

Jerry and Renee Cornett, permit applicants, were administered the oath. Jerry Cornett discussed traffic concerns, noting the restaurant would be small with only one group per table anticipated each night. He said internet reservations would be accepted and he could use a section on the web site to list traffic conditions. Renee Cornett said the intent of the beer and wine is to complement the food, not to be the focus. Jerry Cornett said they would focus exclusively on produce and source other products locally.

Schorr asked the Cornetts to address the Workmans' concerns. Jerry Cornett said he did not realize the fence fell on the Workmans' property; since the previous owner built it, they would be responsible for it as the new owners. Cornett said an electric fence would be the most effective way to keep deer and other pests away from an organic garden. Hudkins discussed combining a fence, such as barbwire, with the electric fence. He recommended resolving the issue with the Workmans as soon as possible.

Hudkins questioned if the business would work without selling liquor. Jerry Cornett confirmed they would not serve hard liquor at the business. He felt they would need to provide beer and wine to be a viable restaurant. Hudkins asked the Cornetts if they would be willing to attend a hospitality course on serving liquor. Renee Cornett stressed the importance of proper training; she said they would be willing to participate in the course.

Raybould asked if there are currently any other farms offering seasonal roadside stands in that area. Jerry Cornett said a few of the area producers sell through the Nebraska Food Coop and farmers' markets, but he was not aware of any food stands. Raybould asked if there were any recommendations for making the road safer. Renee Cornett suggested speed limits.

Ken Schroeder, County Surveyor, was administered the oath. Schorr asked if he had any concerns on the roads around the business. Schroeder said they did not see any major concerns. Raybould questioned how to make stop signs more visible. Schroeder said any vegetation growing around the sign could be trimmed and stop ahead signs could be used in hilly areas. Schorr noted possible use of a blinking stop sign.

Terry Wagner, County Sheriff, was administered the oath. Schorr asked if he had any concerns over alcohol being served at this business. He said more traffic could result in more conflict situations, but he did not see it as a big hazard. He felt places such as this attracted a more mature clientele.

The Chair closed the public hearing.

Behrens said the Board has the authority to make the final decision – approve the original recommendation from the Planning Commission/approve the permit or approve the appeal/deny the permit.

## **PUBLIC HEARINGS CONTINUED:**

Hudkins asked if the Board could request the applicants to complete hospitality training. Behrens said that could be addressed with the liquor license application. There is no authority to do this with regard to the special permit.

**MOTION:** Raybould moved and Hudkins seconded to direct the County Attorney to prepare the resolution approving County Special Permit 12003, requested by Lakehouse Farms, LLC. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

### **5) OLD BUSINESS:**

- A. **An agreement with the Mental Health Association for a Supported Employment/Education Special Assistant to carry out duties and conduct research for the Community Mental Health Center's participation in the "Recovery after the Initial Schizophrenia Episode (RAISE) project. The County shall pay \$24.03 per hour for no more than five hours of service per week. Term of the agreement is July 13, 2011, to June 30, 2012. (C-12-0132)**

**MOTION:** Raybould moved and Hudkins seconded approval of the agreement. Raybould, Smoyer, Hudkins and Schorr voted aye. Heier was absent. Motion carried 4-0.

- B. **A recommendation from the Purchasing Agent and the Corrections Director to award a contract to AOI Corporation, Office Interiors and Design, and All Makes Office Equipment Company at a total estimated cost of \$241,697.80 for office furniture and accessories for the new detention facility. (B-12-0010)**

Bob Walla, Assistant Purchasing Agent, said the updated amount is \$243,527.91. He explained these contracts would not include chairs, which would come from the City-County contract. Raybould asked about the type of furniture being purchased. Walla said it covers system furniture and private office furniture for the new detention facility. He explained the procedure for selecting the furniture provider and said he would provide a breakdown of the furniture being purchased (Exhibit C). Schorr noted that she and Brittany Behrens served on the committee that helped evaluate and select the furniture.

**MOTION:** Hudkins moved and Smoyer seconded approval of the recommendation. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier was absent. Motion carried 4-0.

### **RETURNING TO NEW BUSINESS:**

Items A, B and C were moved forward on the agenda.

- D. **A request from Emergency Management to make a special purchase of a 2000 Chevy Astro Van from Federal Surplus at a cost of \$2,500. (B-12-0011)**

Doug Ahlberg, Emergency Management Director, said the MPG budget is being used to purchase the van. It would be used to replace a vehicle passed on to Weed Control and an ambulance in poor condition.

**MOTION:** Hudkins moved and Smoyer seconded approval of the request. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

## **NEW BUSINESS CONTINUED:**

Ahlberg said five worksheets submitted to the Federal Emergency Management Agency (FEMA) were denied. He appealed and three of the five were reconsidered; around \$108,000 was received for Public Works snow removal, around \$24,000 was received for Public Building Commission snow removal and around \$15,000 was received for Emergency Management's four-wheel drive transportation services.

- E. A recommendation from the Purchasing Agent and the Corrections Director to award a contract to Norix Group, Incorporated, at a total estimated cost of \$54,436.26 for behavioral health furniture for the new detention facility. (B-12-0012)**

Bob Walla said the updated amount is \$63,847.56. This type of furniture is currently being used in the Lancaster County facility and other correctional facilities in the country for inmate areas. It is made of solid plastic, can be weighted down and is void of sharp edges. It would come directly from the manufacturer who has extended this pricing until August. The Board discussed the need for the new furniture and reuse of the current furniture. The consensus was to hold the item for further discussion.

- F. An interlocal agreement with the Village of Firth for one Sheriff's Deputy for law enforcement services within the corporate limits of the Village of Firth. Term of the agreement is April 1, 2012, to March 31, 2013. (C-12-0138)**

Terry Wagner, County Sheriff, said this is an ongoing contract with Firth for a deputy on an as needed basis. The County is reimbursed by Firth for the deputy's overtime and mileage.

**MOTION:** Hudkins moved and Smoyer seconded approval of the agreement. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier was absent. Motion carried 4-0.

- G. A mini-grant contract application and award from the Nebraska Office of Highway Safety in the amount of \$5,000 to Lancaster County to host a two-day conference on substance abuse prevention. (C-12-0144)**

**MOTION:** Raybould moved and Hudkins seconded approval of the mini-grant contract. Raybould, Smoyer, Hudkins and Schorr voted aye. Heier was absent. Motion carried 4-0.

- H. Adoption of the Declaration of Trust of the Lancaster County, Nebraska, Integral Part Trust in conjunction with the Post Employment Health Plan (PEHP) with ICMA-RC.**

Kerry Eagan, Chief Administrative Officer, explained Items 6H, 6I and 6J are necessary steps to move PEHP funds from Nationwide to ICMA-RC.

**MOTION:** Smoyer moved and Hudkins seconded approval to adopt the Declaration of Trust. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

- I. An agreement with the Lancaster County Deputy Sheriffs' Association Fraternal Order of Police Lodge 29 (FOP 29) authorizing the transfer of funds held in trust on behalf of FOP 29 employees from the multiple employer Voluntary Employee Beneficiary Association (VEBA) under Section 501(c)(9) of the Internal Revenue Code administered by Nationwide Retirement Solutions to a single employer VEBA administered by the International City Management Association Retirement Corporation (ICMA-RC). (C-12-0150)**

## **NEW BUSINESS CONTINUED:**

Kerry Eagan said an agreement was created for the Sheriff Deputies since the members chose to be part of the transfer.

**MOTION:** Smoyer moved and Raybould seconded approval of the agreement. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

- J. **Post Employment Health Plan (PEHP) Transfer Out Forms for the Lancaster County Deputy Sheriffs' Association Fraternal Order of Police Lodge 29 PEHP (Plan # 0038765001); Sheriff Captains – Lancaster County, Nebraska, PEHP 7 (Plan # 0038052001); and Unrepresented Employees – Lancaster County, Nebraska, Non-Collective Bargaining PEHP (Plan # 0038819001).**

**MOTION:** Raybould moved and Hudkins seconded approval of the transfer out forms. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier was absent. Motion carried 4-0.

- K. **Approval of the Keno Human Services Prevention Fund Round 354 funding recommendations: Bright Lights, \$2,500; Bryan LGH Foundation, \$1,750; Catholic Social Services, \$3,331; Community CROPS, \$1,000; Creating Family Choices, Inc., \$5,648; Fresh Start Homes, \$3,331; Friendship Home, \$3,750; Lincoln Literacy Council, \$3,655; Mental Health Association of Nebraska, \$3,000; Voices of Hope, \$3,750; and YWCA, \$5,000.**

**MOTION:** Raybould moved and Hudkins seconded approval of the funding recommendation. Raybould, Smoyer, Hudkins and Schorr voted aye. Heier was absent. Motion carried 4-0.

- L. **A construction contract with H.R. Bookstrom Construction, Inc., in the amount of \$166,545 for culvert replacement and maintenance; Project 12-01. (C-12-0145)**

Raybould questioned using outside contractors for culvert replacement. Ken Schroeder said some jobs are completed by the County Engineer's department, but some require extra equipment.

**MOTION:** Hudkins moved and Smoyer seconded approval of the contract. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

- M. **A pre-construction surveying contract with K and M Land Surveying, Inc., in the amount of \$2,200 for surveying services at Havelock Avenue between N. 162<sup>nd</sup> Street and N. 176<sup>th</sup> Street; Project C55-J-403(2). (C-12-0146)**

**MOTION:** Hudkins moved and Smoyer seconded approval of the contract. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

- N. **A post construction surveying contract with K and M Land Surveying, Inc., in the amount of \$4,050 for surveying services at S. 68<sup>th</sup> Street/Hickman Viaduct; Project C55-S-401(6). (C-12-0147)**

**MOTION:** Raybould moved and Hudkins seconded approval of the contract. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier was absent. Motion carried 4-0.

## **NEW BUSINESS CONTINUED:**

- O. **An agreement with Community Alternatives to provide microfilming and scanning services to the Records and Information Management Department. The County will pay up to \$36,000 for these services. Term of the agreement is January 1, 2012, to December 31, 2012. (C-12-0151)**

**MOTION:** Raybould moved and Hudkins seconded approval of the agreement. Raybould, Smoyer, Hudkins and Schorr voted aye. Heier was absent. Motion carried 4-0.

- P. **A memorandum of understanding between Voices of Hope, St. Monica's, Centerpointe, Friendship Home and the Lancaster County Community Mental Health Center regarding the Open Door Initiative. As a part of the Initiative, the Lancaster County Community Mental Health Center will provide mental health and rehabilitation services to victims of intimate partner violence. The memorandum of understanding is effective upon execution and will continue until September 30, 2014. (C-12-0152)**

**MOTION:** Hudkins moved and Raybould seconded approval of the memorandum of understanding. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

- Q. **A political subdivision tort claim filed against Lancaster County Corrections by Trent N. Dykmann for lost property in the amount of \$55.**

**MOTION:** Hudkins moved and Smoyer seconded denial of the tort claim based on the department director's recommendation. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

- R. **A political subdivision tort claim filed against Lancaster County Corrections by Brittney D. Street for lost property in the amount of \$250.**

**MOTION:** Hudkins moved and Raybould seconded approval of the tort claim for \$40 based on the department director's recommendation. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier was absent. Motion carried 4-0.

- 7) **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. **Right-of-way contracts between the County Engineer and the following:**
  - 1. **William Beck Jr. and Cheri Beck, 8100 Roca Road, in the amount of \$2,862; Project C55-S-404(4). (C-12-0139) (C-12-0140) (C-12-0141)**
  - 2. **Daryl Lynn Behrends, 13505 S. 82<sup>nd</sup> Street, in the amount of \$6,400; Project C55-S-404(4). (C-12-0142) (C-12-0143)**
  - 3. **Doug & Carol Petersen, 13101 Pine Lake Road, in the amount of \$9,204; Project C55-Q-409(1). (C-12-0148) (C-12-0149)**



**CONSENT ITEMS CONTINUED:**

- B. Receive and place on file the following:
1. County Sheriff's monthly report for February 2012
  2. Waverly Municipal Code Book
- C. Setting of public hearings for Tuesday, April 3, 2012, at 9:30 a.m. in Room 112, on the first floor of the County-City Building regarding the following:
1. A Class C liquor license application from Hillcrest County Club, 9401 O Street, Lincoln, Lancaster County, Nebraska.
  2. Automatic renewal of retail liquor and beer licenses issued in Lancaster County and outside the corporate limits of any city, for which the County Clerk has received no protests.

**MOTION:** Raybould moved and Smoyer seconded approval of the consent items. Raybould, Smoyer, Hudkins and Schorr voted aye. Heier was absent. Motion carried 4-0.

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

J. Rock Johnson spoke on the direction of the Community Mental Health Center.

9) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, March 22, 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, March 27, 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 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](http://www.lancaster.ne.gov). Click on 5 City-TV Video on Demand.
- D. The County Commissioners can be reached at 402-441-7447 or [commish@lancaster.ne.gov](mailto:commish@lancaster.ne.gov).

10) **ADJOURNMENT**

**MOTION:** Smoyer moved and Hudkins seconded to adjourn the Board of Commissioners meeting at 11:19 a.m. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

*Dan Nolte*

**Dan Nolte**  
Lancaster County Clerk



**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, MARCH 20, 2012  
COMMISSIONERS HEARING ROOM, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE LANCASTER COUNTY  
BOARD OF COMMISSIONERS MEETING**

**COMMISSIONERS: Deb Schorr, Chair; Larry Hudkins, Vice Chair;  
Bernie Heier; Jane Raybould; and Brent Smoyer**

*Advance public notice of the Board of Equalization meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and emailed to the media on March 16, 2012.*

Commissioners present: Deb Schorr, Chair  
Larry Hudkins, Vice Chair  
Jane Raybould  
Brent Smoyer

Commissioners absent: Bernie Heier

Others present: Scott Gaines, Deputy County Assessor/Register of Deeds  
Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Brittany Behrens, Deputy County Attorney  
Dan Nolte, County Clerk  
Cori Beattie, Deputy County Clerk  
Angela Zocholl, County Clerk's Office

The location announcement of the Nebraska Open Meetings Act was given and the meeting was called to order at 11:19 a.m.

1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, March 13, 2012.**

**MOTION:** Smoyer moved and Raybould seconded approval of the minutes. Hudkins, Raybould, Smoyer and Schorr voted aye. Heier was absent. Motion carried 4-0.

2) **ADDITIONS AND DEDUCTIONS TO THE TAX ASSESSMENT ROLLS (See attached additions and deductions)**

**MOTION:** Hudkins moved and Raybould seconded approval of the additions and deductions. Raybould, Smoyer, Hudkins and Schorr voted aye. Heier was absent. Motion carried 4-0.

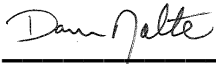
3) **MOTOR VEHICLE TAX EXEMPTION APPLICATIONS:**

Catholic Social Services  
CEDARS Youth Services  
Tabitha, Inc.  
Temple Baptist Church

**MOTION:** Raybould moved and Smoyer seconded approval of the motor vehicle tax exemption applications. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.

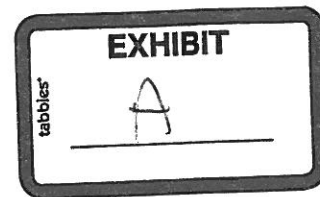
4) **ADJOURNMENT**

**MOTION:** Raybould moved and Smoyer seconded to adjourn the Board of Equalization meeting at 11:21 a.m. Smoyer, Hudkins, Raybould and Schorr voted aye. Heier was absent. Motion carried 4-0.



**Dan Nolte**  
**Lancaster County Clerk**





March 20, 2012

Lancaster County Public Rural Transit  
Request Approval: Application for Public Transportation Operating Assistance  
FY12-13

Lancaster County Commissioners:

Your support and contributions in funding Lancaster County Public Rural Transit allows residents throughout the county, the opportunity to stay connected. With stops as diverse as the riders we serve, public transit supports the riders' need for independence, their choice to 'aging in place', and maintain a positive and productive outlook on life. Whether making a new acquaintance or meeting up with old friends, the ride is a great time for good conversation and looking over the ever-changing landscape.

Public Transit connects seniors, individuals with disabilities (young, old, and in between), residents on fixed incomes, or anyone who does not drive or own a personal vehicle with both essential and non-essential community services and resources. Medical or dental appointments, treatments and procedures are obvious essential trips. But the assortment of shopping stops, walking for "the health of it" in the mall, looking good and feeling better from a hair appointment, keeping socially connected with friends or family for lunch, all contribute to a better quality of life and sense of well-being.

Many riders take advantage of their ability to request additional stops during their trip. Multiple-stop trips are common and are scheduled when calling to make a reservation. Mixing business or medical with shopping or social opportunities add variety and a productive way to fill the hours before heading home. Some riders make arrangements to meet each other for lunch or early afternoon snack before the return trip home, making our public transit service more than transportation. Our drivers are dedicated to the service provided and learn each rider's needs and level of support required to successfully navigate a rural transit trip.

Maintaining a safe, reliable and affordable public transit service offers Lancaster County residents the ability to reach and utilize essential community services. This in turn is a cost-saving option, maintaining independent living in the home of their choice as opposed to a more expensive supportive living environment. We appreciate and thank you for your continued support of public transit in Lancaster County and look forward to providing service to residents in the upcoming year.

**Lancaster County Public Rural Transit**  
**FY2011-2012 and FY2012 -2013 Budget Comparison Sheet**

<b>Budget Category</b>	<b>FY2011-12</b>	<b>Difference</b>	<b>FY2012-13</b>
<b>Personnel</b>	<b>\$70,555</b>	<b>- 3,513</b>	<b>\$67,042</b>
<b>Administrative + Special Services</b>	<b>\$4,730</b>	<b>- 50</b>	<b>\$4,680</b>
<b>Building Space &amp; Utilities</b>	<b>N/A</b>		<b>N/A</b>
	<b>\$12,740</b>		<b>\$13,102</b>
<b>Vehicle Fuel</b>	\$3.26/gallon	<b>+362</b>	\$3.44/gallon
<b>Vehicle Costs</b>	<b>\$3,000</b>	<b>+540</b>	<b>\$3,540</b>
<b>Total Operating Costs</b>	<b>\$91,349</b>	<b>-2,915</b>	<b>\$88,434</b>
<b>Project Income</b>	<b>5,000</b>	<b>-200</b>	<b>4,800</b>
<b>Estimated Operating Deficit</b>	<b>86,349</b>	<b>-2,715</b>	<b>83,634</b>
<b>Section 5311 Federal Funds Requested (50%)</b>	<b>\$43,174</b>	<b>-1,357</b>	<b>\$41,817</b>
<b>State Funds Requested (25%)</b>	<b>\$21,587</b>	<b>-679</b>	<b>\$20,908</b>
<b>Local Matching Funds-County (25%)</b>	<b>\$21,588</b>	<b>-679</b>	<b>\$20,909</b>

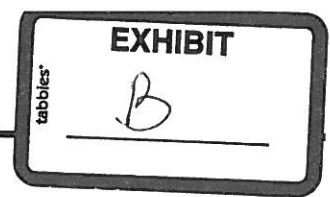
## Lancaster County Public Rural Transit

	<b>Actual 2008-09</b>	<b>Actual 2009-10</b>	<b>Actual 2010-11</b>	<i>Actual 7/10 – 2/11</i>	<b>Budgeted 2011-12</b>	<i>Actual 7/11-2/12</i>	<b>Projected 2012-13</b>
<b>Revenue</b>							
<b>Operations Income And Rider Fares</b>	<b>\$4,539</b>	<b>\$4,814</b>	<b>\$4,968</b>	<i>\$2,995</i>	<b>\$5,000</b>	<i>\$3,404 (1/12)</i>	<b>\$4,800</b>
<b>Boardings (One-Way Rides)</b>	<b>2,072</b>	<b>2,089</b>	<b>2,256</b>	<i>1,387</i>	<b>2,500</b>	<i>1,586</i>	<b>2,400</b>
<b>Vehicle Miles Traveled</b>	<b>26,385</b>	<b>27,952</b>	<b>29,498</b>	<i>18,122</i>	<b>30,000</b>	<i>20,040</i>	<b>31,500</b>

**Revenue received from sale of Rural Transit vehicle: \$2,630.84** (to be used as part of the local match for future vehicle purchase.)

**February ended this year nearly 200 one-way boardings ahead (1,586) of FY2010-11 boardings (1,387) for the same timeframe.**

Angela C. Zocholl



From: Kerry P. Eagan  
Sent: Friday, March 16, 2012 7:22 AM  
To: Dan F. Nolte; Cori R. Beattie; Angela C. Zocholl  
Cc: 'Bob Workman'; Commish; Gwen K. Thorpe  
Subject: RE: Lake House Farms Special Application No 12003

Please include Bob's email as part of the record for the public hearing on this matter set for next Tuesday, March 20, 2012.

-kpe

-----Original Message-----

From: Bob Workman [<mailto:workman.bob@gmail.com>]  
Sent: Thursday, March 15, 2012 11:38 PM  
To: Commish; Kerry P. Eagan; Jane M. Raybould; Brent T. Smoyer; Deb E. Schorr; Gwen K. Thorpe; Minette M. Genuchi; [beh44@aol.com](mailto:beh44@aol.com)  
Cc: [cornettjr4@mac.com](mailto:cornettjr4@mac.com); Ed Zimmer; Sara S. Hartzell  
Subject: Lake House Farms Special Application No 12003

March 16, 2012

Dear Lancaster County Commissioners,

We are not opposed to Lakehouse Farms application No 12003 concerning the operation of a Market garden with associated restaurant.

As immediate neighbors we would respectfully ask the Board to consider three of our concerns as conditions of this special permit:

- 1) We are not in favor of allowing this special permit to run with the land, but to have the special permit apply only to the current applicants.
- 2) Our home to the West of the applicant has been on the National Register of Historic Places since 1980 (The Peter Peterson Farmstead). In regard to any construction associated with the special permit, we request the current historic building's "site views" and general historic nature of the area be respected. (To view the national registration of the Peter Peterson property you may go to either of the following Internet links):

<http://www.nebraskahistory.org/histpres/nebraska/lancastr.htm>

and:

<http://www.nebraskahistory.org/histpres/nebraska/lancaster/LC00-021-Peterson-Farm.pdf>

- 3) There is a common electric fence running approximately 650 feet in length between our property and the applicant's property. This electric fence was installed by the previous owners of the applicant's property and replaced the original wooden posts and barb wire fence. It is our understanding the electric fence is planned to be part of the garden operation. We believe some of this fence may lie a few inches on our side of the original fence line and thus could be considered to lie partially on our property. Because of liability and insurance issues, (ie, the possibility of injury to guests, individuals or animals, lightning strike, fire or any other causal effects which may occur because of the use or misuse of the electric fence separating our properties, particularly in a commercial venture), we request this fence not be electrified.

## NEW CORRECTIONAL FACILITY FURNITURE

AOI

<u>Room</u>	<u>Description</u>	<u>Total</u>	<u>Installation</u>
1J28	3 Armless Caper Chairs	\$282.00	
1K02		\$2,034.51	
1K16		\$1,005.68	
1L03		\$1,005.68	
1L04		\$69.28	
1L28		\$542.21	
1L32	3 Armless Caper Chairs	\$282.00	
1A05		\$1,994.28	
1A06	3 Armless Caper Chairs	\$282.00	
1A07	6 Armless Caper Chairs	\$564.00	
1A09	36 Caper Chairs	\$3,858.48	
1A10		\$10,289.60	
1H04		\$69.28	
1H07		\$6,601.97	
1H26	3 Armless Caper Chairs	\$282.00	
1G27	3 Armless Caper Chairs	\$282.00	
1G29		\$2,022.16	
1B01		\$2,022.16	
1C05		\$2,022.16	
1C18		\$2,022.16	
1C19		\$547.21	
1D06		\$2,022.16	
1D11		\$4,124.46	
1E06		\$2,022.16	
1E09		\$2,022.16	
2A15		\$9,076.11	
2A17		\$1,355.63	
2A29	18 Capers	\$1,692.00	
2A30	18 Capers	\$1,692.00	
2B03		\$4,838.75	
2B04		\$7,746.61	
2B05		\$1,360.63	
2B06		\$1,360.63	
2B08		\$1,360.63	
2B09		\$1,360.63	
2B11		\$2,036.74	
2B12		\$2,036.74	
2B19		\$1,295.57	
2B20		\$1,295.57	
2B21		\$1,295.57	
2B23		\$1,342.35	
2B28-2B34		\$12,856.12	
2B35	4 Armless Caper Chairs	\$376.00	
2C06A		\$69.28	
2C07		\$69.28	
2C08		\$69.28	



<u>Room</u>	<u>Description</u>	<u>Total</u>	<u>Installation</u>
2C10		\$69.28	
2C38		\$1,365.63	
2C39		\$1,356.05	
2C40		\$1,356.05	
2C41		\$69.28	
2C47		\$8,027.79	
2D02		\$4,089.01	
2D14		\$463.81	
2D15		\$605.48	
2D16		\$1,348.83	
2D17		\$1,351.05	
2D18		\$1,351.05	
2D31		\$1,351.05	
2D34		\$2,268.48	
2D38		\$5,495.39	
2D46		\$1,351.05	
2D69		\$2,013.46	
3A08		\$10,975.40	
3A09		\$1,337.35	
3A13		\$1,747.02	
3A14		\$2,143.18	
3A15		\$1,351.05	
3A16		\$1,351.05	
3A17		\$1,351.05	
3A18		\$2,143.18	
3A19		\$2,819.29	
3A20		\$2,143.18	
3A22		\$5,045.31	
3A23		\$2,143.18	
3A24		\$2,819.29	
3A25		\$2,143.18	
3A26		\$2,013.46	
3A27		\$6,780.21	
3A31	3 Armless Caper Chairs	\$282.00	
			\$22,005.00

**TOTAL:      \$207,384.00**

## NEW CORRECTIONAL FACILITY FURNITURE

### OFFICE INTERIORS & DESIGNS (OID)

<u>Room</u>	<u>Description</u>	<u>Total</u>	<u>Installation</u>
1J28	1 Table	\$233.92	\$33.00
1L32	1 Table	\$233.92	\$33.00
1A06	1 Table	\$233.92	\$33.00
1A07	2 Tables	\$554.88	\$66.00
1A09	18x84 Tables	\$3,489.00	\$462.00
1H26	1 Table	\$233.92	\$33.00
1G27	1 Table	\$233.92	\$33.00
2A29	Flip Tables, 24x84	\$2,276.64	\$198.00
2A30	Flip Tables, 24x84	\$2,276.64	\$198.00
2A32	1 Table	\$233.92	\$33.00
2A33	1 Table	\$233.92	\$33.00
2A08	Fixed Top Tables, 36x72	\$348.66	\$33.00
2B10	Conference Table	\$399.16	\$75.00
2B25	Flip Tables	\$4,931.70	\$495.00
2B35	1 Table	\$233.92	\$33.00
2B39	Flip Tables	\$5,260.48	\$528.00
3A28	Conference Table & Credenza	\$1,921.18	\$195.00
3A31	1 Table	\$233.92	\$33.00
2C45	Conference Table & Side Chairs	\$1,142.68	\$195.00

**TOTAL:       \$27,448.30**

#### Human Scale Ergonomic Equipment - AS NEEDED

Keyboard Support Tray	\$174.00
Monitor Support	\$193.00
Table Task Light	\$197.00

Conference Room Task Chair Discount Above Contract Price:     2%

## NEW CORRECTIONAL FACILITY FURNITURE

### ALL MAKES

<u>Room</u>	<u>Description</u>	<u>Total</u>	<u>Installation</u>
3A01	Lounge Furniture	\$7,003.61	\$312.00
1A02	4-6' Benches	\$1,380.00	None

**TOTAL:       \$8,695.61**

Conference Room & Task Chairs discount above Contract Price:

Zody Series	6%
Very Series	5%
Improve Series	6%