



LANCASTER COUNTY BOARD OF COMMISSIONERS  
STAFF MEETING  
THURSDAY, JANUARY 16, 2020  
COUNTY-CITY BUILDING  
ROOM 113 - THE BILL LUXFORD STUDIO  
8:30 A.M.

*Location Announcement of the Nebraska Open Meetings Act: A copy of the Nebraska Open Meetings Act is located on the wall at the back of the room.*

**AGENDA ITEM**

**1. APPROVAL OF STAFF MEETING MINUTES FOR JANUARY 9, 2020**

Documents:

[Board of Commissioners Staff Meeting Minutes 1.9.20.pdf](#)

**2. 8:30 A.M. - LEGISLATIVE UPDATE**

Joe Kohout and Brennen Miller, Kissel, Kohout, ES Associates LLC

**3. 9:00 A.M. - (A) NATIONAL HIGH SCHOOL FINALS RODEO UPDATE;  
AND (B) FAMILY MOTOR COACH ASSOCIATION'S RV CLUB EVENT  
UPDATE**

Amy Dickerson, Lancaster Event Center Managing Director

**4. 9:30 A.M. - PENSION REVIEW COMMITTEE RECOMMENDATION ON  
FEE LEVELING**

Documents:

[Pension Review Committee Recommendation - Fee Leveling.pdf](#)

**5. 9:45 A.M. - APPROVAL OF NEBRASKA DEPARTMENT OF  
AGRICULTURE ANNUAL REPORTS FROM THE LANCASTER  
COUNTY WEED CONTROL AUTHORITY**

Brent Meyer, Lancaster County Weed Control Superintendent

**A. Control Plan**

Documents:

[2020 Control Plan.pdf](#)

## **B. Activity Report**

Documents:

[2019 Activity Report.pdf](#)

## **C. Budget Report**

Documents:

[2020 Budget Report.pdf](#)

## **D. Board Roster**

Documents:

[2020 Board Roster.pdf](#)

## **E. Infestation Report**

Documents:

[2019 Infestation Report.pdf](#)

## **F. Watch List Form**

Documents:

[Watch\\_List\\_Form 2019.pdf](#)

## **6. 10:00 A.M. - (A) APPEAL OF PC-01682 (SPECIAL PERMIT NO. 19051, CAMP A WAY DEVELOPMENT); AND (B) COUNTY TEXT AMENDMENT NO. 19001, PROPOSED CAMPGROUND REGULATIONS**

David Cary, Planning Director; Steve Henrichsen, Planning Development Review Manager; Tom Cajka, Planner; and Jen Holloway, Deputy Lancaster County Attorney

Documents:

[SP19051 - CB SUMMARY REPORT.pdf](#)

[TX19009 - REVISED CB SUMMARY REPORT.pdf](#)

## **7. 10:30 A.M. - JUVENILE JUSTICE STATISTICS**

Dr. Richard Wiener, University of Nebraska - Lincoln

## **8. CHIEF ADMINISTRATIVE OFFICER REPORT**

### **A. Pension Review Committee Membership**

**B. County Board Representative to Commissioners' Award of Excellence Program**

Documents:

[Commissioners Award of Excellence Program Representative.pdf](#)

**C. Claim for Review**

Claim for review from County Engineer, Pam Dingman, for voucher #667671 in the amount of \$550.00. The claim exceeds the 90-day time frame for claims to be paid, and is contrary to Resolution number R-19-0012 (claiming per diem of other travelers and not properly itemized).

Documents:

[ClaimForReview Voucher 667671.pdf](#)

**9. DEPUTY CHIEF ADMINISTRATIVE OFFICER REPORT**

**A. Lapel Pin Distribution**

**10. DISCUSSION OF BOARD MEMBER MEETINGS ATTENDED**

**A. Home Builders Association of Lincoln Annual Installation of Officers and Awards Ceremony**

Tuesday, January 14, 2020  
Vest / Amundson

**11. SCHEDULE OF BOARD MEMBER MEETINGS**

**A. New Americans Task Force**

Friday, January 17, 2020 @ 12:00 p.m.  
Yoakum

**B. Mutual Aid Meeting**

Monday, January 20, 2020 @ 8:00 p.m.  
Schorr

**C. District Energy Corporation (DEC)**

Tuesday, January 21, 2020 @ 11:30 a.m.  
Schorr / Flowerday

**D. Human Services Joint Budget Committee (JBC)**

Tuesday, January 21, 2020 @ 2:30 p.m.  
Schorr / Yoakum

**E. Lincoln Chamber of Commerce - Face the Chamber | Dr. Steve Joel, LPS**

Wednesday, January 22, 2020 @ 12:00 p.m.  
Vest

**12. EMERGENCY ITEMS**

**13. ADJOURNMENT**



**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
THURSDAY, JANUARY 9, 2020  
COUNTY-CITY BUILDING  
ROOM 113 - BILL LUXFORD STUDIO  
8:30 A.M.**

Commissioners Present: Sean Flowerday, Chair; Rick Vest, Vice Chair; Deb Schorr; Christa Yoakum and Roma Amundson

Others Present: Kerry Eagan, Chief Administrative Officer; Ann Ames, Deputy Chief Administrative Officer; Dan Nolte, County Clerk; Cori Beattie, Deputy County Clerk; and Leslie Brestel, County Clerk's Office

*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 January 8, 2020.*

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:31 a.m.

**AGENDA ITEM**

**1. APPROVAL OF STAFF MEETING MINUTES FOR DECEMBER 19, 2019**

**MOTION:** Vest moved and Schorr seconded approval of the December 19, 2019 Staff Meeting minutes. Schorr, Amundson, Vest, Flowerday and Yoakum voted yes. Motion carried 5-0.

**2. LEGISLATIVE UPDATE – Joe Kohout and Brennen Miller, Kissel, Kohout, ES Associates LLC**

Kohout and Miller discussed the first days of the 2020 Legislative session and reviewed the Board's priorities (Exhibit A). Among the bills introduced were allowing counties with a population of over 150,000 to appoint the county engineer, training for county treasurers, and the Tax Equalization and Review Commission (TERC) process. The first hearings are scheduled for Tuesday, January 21.

Regarding the appointment of county engineers, Eagan said there is an Attorney General opinion and case law that states an elected official position cannot be eliminated without a vote of the people.

Pertaining to the bill that is introduced as a result of LR183 (Interim study to examine whether continuity of care and safety for individuals and the public can be enhanced by allowing mental health providers to coordinate with law enforcement), Schorr stressed the importance of making sure Community Corrections is included in the definition of a criminal justice agency, and that the use of the bill would be broader than handgun permits.

## **CHIEF ADMINISTRATIVE OFFICER REPORT**

### **C. Saline Wetlands Coalition (Email from Mike DeKalb)**

Eagan reviewed the email (see agenda packet) and added the Board had previously decided not to join the Saline Wetlands Coalition, which includes \$10,000 in funds to the coalition. Flowerday added the Coalition wanted to use the funds for existing current staff positions. Pam Dingman, County Engineer, said the County could vacate certain roads back to wetlands.

It was the consensus of the Board to respond to Mike DeKalb explaining the previous Board and Coalition interactions.

### **D. Chief Deputy Elected Official Salaries**

It was the consensus of the Board to move the item to a Tuesday meeting (see agenda packet).

**3. EXECUTIVE SESSION FOR LEGAL ADVICE AND PENDING LITIGATION** – David Derbin, Deputy County Attorney; Jen Holloway, Deputy County Attorney; Pam Dingman, Lancaster County Engineer; Larry Legg, Assistant Engineer; Ron Bohaty, Road Maintenance Superintendent; and Dan Zieg, Deputy County Attorney

**MOTION:** Schorr moved and Amundson seconded to enter Executive Session at 8:55 a.m. for the purposes of receiving legal advice, pending litigation, and to protect the public interest.

The Chair said it has been moved and seconded that the Board enter Executive Session.

**ROLL CALL:** Schorr, Amundson, Vest, Flowerday and Yoakum voted yes. Motion carried 5-0.

The Chair restated the purpose for the Board entering Executive Session.

Schorr and Amundson exited the meeting.

**MOTION:** Vest moved and Yoakum seconded to exit Executive Session at 9:23 a.m. Vest, Flowerday and Yoakum voted yes. Schorr and Amundson were absent. Motion carried 3-0.

### **BREAK**

The meeting was recessed at 9:23 a.m. and reconvened at 9:30 a.m.

Schorr and Amundson returned to the meeting at 9:30 a.m.

**MOTION:** Amundson moved to exit Executive Session at 9:30 a.m.

Flowerday stated the Executive Session had already been exited.

Motion died for lack of a second.

## **CHIEF ADMINISTRATIVE OFFICER REPORT**

### **A. Committee Assignments**

Flowerday reviewed the committee assignments (see agenda packet) and suggested adding the Pension Review Committee, Mutual Aid and the Realtor Association of Lincoln Legislative Committee. Yoakum suggested adding the New Americans Task Force.

Eagan stated he needs to review the membership section of the Pension Review Committee.

After Board discussion, Flowerday will leave the Railroad Transportation Safety District (RTSD) and Joint Budget Committee (JBC), Yoakum will attend the JBC and the New Americans Task Force, Amundson will attend the RTSD and Realtor Association of Lincoln Legislative Committee (related to her realtor career), and Schorr will attend the Mutual Aid Committee.

Regarding the Mutual Aid Committee (in addition to Schorr's attendance) and Realtor Association of Lincoln Legislative Committee (in addition to Amundson's attendance), the Commissioners will rotate their attendance at the meetings.

Ames will prepare the committee assignments list to be reviewed by the Board. The updated list will be moved to a Tuesday meeting.

#### **4. JUVENILE PROBATION UPDATE ON TECHNICAL ASSISTANCE GRANT WITH RFK NATIONAL RESOURCES CENTER FOR JUVENILE JUSTICE – Amoreena Brady; and Lori Griggs, Chief Juvenile Probation Officer**

Griggs and Brady reviewed the Juvenile Probation update (see agenda packet) stating the grant focus is the implementation and the data. Brady noted a trauma screening will be developed and the post-probation assessment tool will be reviewed.

When asked for the caseload of families to staff member, Brady said for high risk youth there are 25 cases assigned to one staff member and 40 cases for youth with less risk.

Regarding the recidivism rate, Griggs stated the County has an average rate that can be impacted by the risk rate of the youth. Brady added how recidivism is defined and how it is reported can lead to a rate that may not be accurate.

#### **5. MONTHLY DISCUSSION WITH PLANNING DEPARTMENT – David Cary, Planning Director**

Cary reported on January 8, 2020, the Confined Animal Feeding Operations (CAFO) Text Amendment 19010 was heard and approved 9-0 with no final amendments. It was the consensus of the Board to not have another briefing on the amendment and to schedule the CAFO text amendment hearing on February 4.

Regarding the campground appeal that is currently scheduled for January 21, Schorr requested the hearing be postponed until January 28.

Cary noted the January 13 Lincoln City Council agenda will have both a public hearing for the annexation of the Fletcher bridge right-of-way to the City of Lincoln. Additionally, there will be a discussion on funding for the 2020 Complete Count Census Committee.

Cary said the Comprehensive Plan will be updated from 2040 to 2050 which a consultant, internal and local staff will head. Additionally, a Community Committee for input throughout the County has been formed. A more formal presentation on the update will be given to the Board later.

Yoakum reported that the Arnold Heights area is excited about the upcoming new high school which they feel will bring new businesses and give them a deeper connection to the City of Lincoln.

**6. MONTHLY DISCUSSION WITH INFORMATION SERVICES** – David Young, Chief Information Officer

Young gave a PowerPoint presentation (Exhibit B). *NOTE: Sensitive, confidential and/or proprietary information was redacted in the copy of Exhibit B provided to the County Clerk's Office.* He said he wants to create a policy regarding document retention and storage clean up.

Regarding the budget, Young stated the request will be \$700,000 for security and \$300,000 for software licensing, with the cost to be split 65/35 City of Lincoln/Lancaster County. He proposed only buying Office365 licenses. Open source systems will be researched by Information Services (IS).

**7. SALE OF HICKMAN AND BENNETT ENGINEERING SUBSTATIONS** – Pam Dingman, Lancaster County Engineer

Dingman stated the \$60,000 appraisal for the Hickman substation was incorrect and has been corrected to \$6,000. The City of Hickman has offered \$5,000 for the property. Schorr and Amundson both felt the offer should be accepted. Eagan advised Dingman to work with the County Attorney's Office on completing the sale.

Regarding the Bennett substation, there has been interest in the property from both the Village of Bennett and the Bennett Historical Society.

**MOTION:** Amundson moved and Vest seconded to authorize the County Engineer to work with the Village of Bennett and the Bennett Historical Society to discuss options for the sale of the Bennett substation. Schorr, Amundson, Vest, Flowerday and Yoakum voted yes. Motion carried 5-0.

**8. HPRM CONFERENCE REPORT AND SOFTWARE UPDATE** – Kelly Lundgren, County Clerk Records Administrator; and Brian Pillard, Records Coordinator

Lundgren reviewed the upcoming Hewlett Packard Records Management (HPRM) system software upgrades, which include improved remote capability, search methods and email groups. The upgrade will cost \$21,900 which was included in the current year's budget. The week of March 2, a consultant will train select HPRM users on the upgrades. Departments will continue to be encouraged to increase their use of the software.

Pillard added the HPRM system offers a standardized approach for records requests. Currently, the

County uses a records request database that was developed and is currently maintained by Information Services. He recommended determining the priorities for records requests and determining what system would best meet those needs.

Amundson requested Pillard to bring various scenarios to the Board in the future.

Additionally, the new Records Administrator (Angela Zocholl) will start soon. Lundgren's last day will be March 20, 2020.

**9. (A) KENO PREVENTION FUND GRANT RECOMMENDATIONS; (B) KENO PREVENTION BOARD APPOINTMENT (SUSAN TATUM); AND (C) VIOLENCE AGAINST WOMEN ACT (VAWA) GRANT APPLICATION** – Sara Hoyle, Human Services Director

(A) Keno Prevention Fund Grant Recommendations

Hoyle reviewed the grant recommendations (see agenda packet), noting all funds were allocated. The recommendations will be moved to a Tuesday agenda for Board action.

(C) Violence Against Women Act (VAWA) Grant Application

Hoyle presented the grant application (see agenda packet) and requested a signature from the Chair (Exhibit C).

**MOTION:** Schorr moved and Amundson seconded to authorize the Chair to sign the VAWA grant forms. Schorr, Amundson, Vest, Flowerday and Yoakum voted yes. Motion carried 5-0.

(B) Keno Prevention Board Appointment (Susan Tatum)

Hoyle stated Susan Tatum is interested in filling the open seat on the Keno Prevention Board.

It was the consensus of the Board for Tatum to be appointed at a Tuesday meeting.

**10. CHIEF ADMINISTRATIVE OFFICER REPORT**

**A. Committee Assignments**

Item moved forward on agenda.

**B. County Board Priorities**

Flowerday reviewed the priorities list (see agenda packet). The Board will review the priorities and submit a revised version for a Tuesday agenda.

**C. Saline Wetlands Coalition (Email from Mike DeKalb)**  
**D. Chief Deputy Elected Official Salaries**

Items C and D moved forward on agenda.

**OTHER MEETINGS**

Flowerday relayed messages from senators that, in the future, the Tri-County Breakfast should be moved to a time later in the day.

**11. SCHEDULE OF BOARD MEMBER MEETINGS**

Informational only.

**12. EMERGENCY ITEMS**

There were no emergency items.

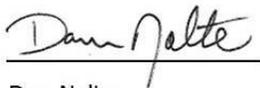
**13. ADJOURNMENT**

**MOTION:** Schorr moved and Amundson seconded to adjourn at 11:31 a.m.

Regarding Chief Deputy salaries (see agenda packet, Item 10 D), Joe Nigro, Public Defender, requested the salaries for Jennifer Houlden and Christopher Turner be equal.

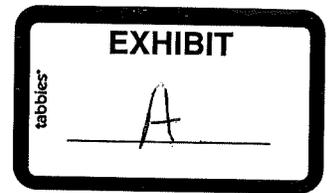
Flowerday restated the motion to adjourn.

**ROLL CALL:** Schorr, Vest, Flowerday, Amundson and Yoakum voted yes. Motion carried 5-0.



Dan Nolte  
Lancaster County Clerk





Kissel, Kohout,  
ES Associates LLC

301 South 13th Street Suite 400  
Lincoln, Nebraska 68508  
kisselkohoutes.com  
Phone: 402-476-1188  
Fax: 402-476-6167

## LEGISLATIVE MEMORANDUM

TO: Lancaster County Board of Commissioners

FROM: Joseph D. Kohout  
Brennen L. Miller

DATE: January 9<sup>th</sup>, 2020

RE: Weekly Report

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Good Morning. Please accept this as your weekly report for the 2020 session of the Legislature for the date noted above.

We would note that today is the second day of the 2020 session, and the second date of bill introduction. As such, there have been 123 bills introduced, and we are still reading through and summarizing each one. Bill introduction will be complete on January 23<sup>rd</sup>, or the tenth day of the session.

Yesterday the body convened, elected the sergeant at arms, and allowed for bill introduction.

### LANCASTER COUNTY PRIORITIES

**Allow for financing of County Bridges under Neb. Rev. Stat. 23-120(3)(b).** Introduced during the 2019 session by Senator Bolz, the bill currently sits on General File after unanimously advancing from the Government, Military and Veterans Affairs Committee. Discussions are ongoing seeking a priority designation for the bill, which will assist in moving it towards floor debate by the full body. Additionally we have engaged in discussions to get the bill considered early in the session.

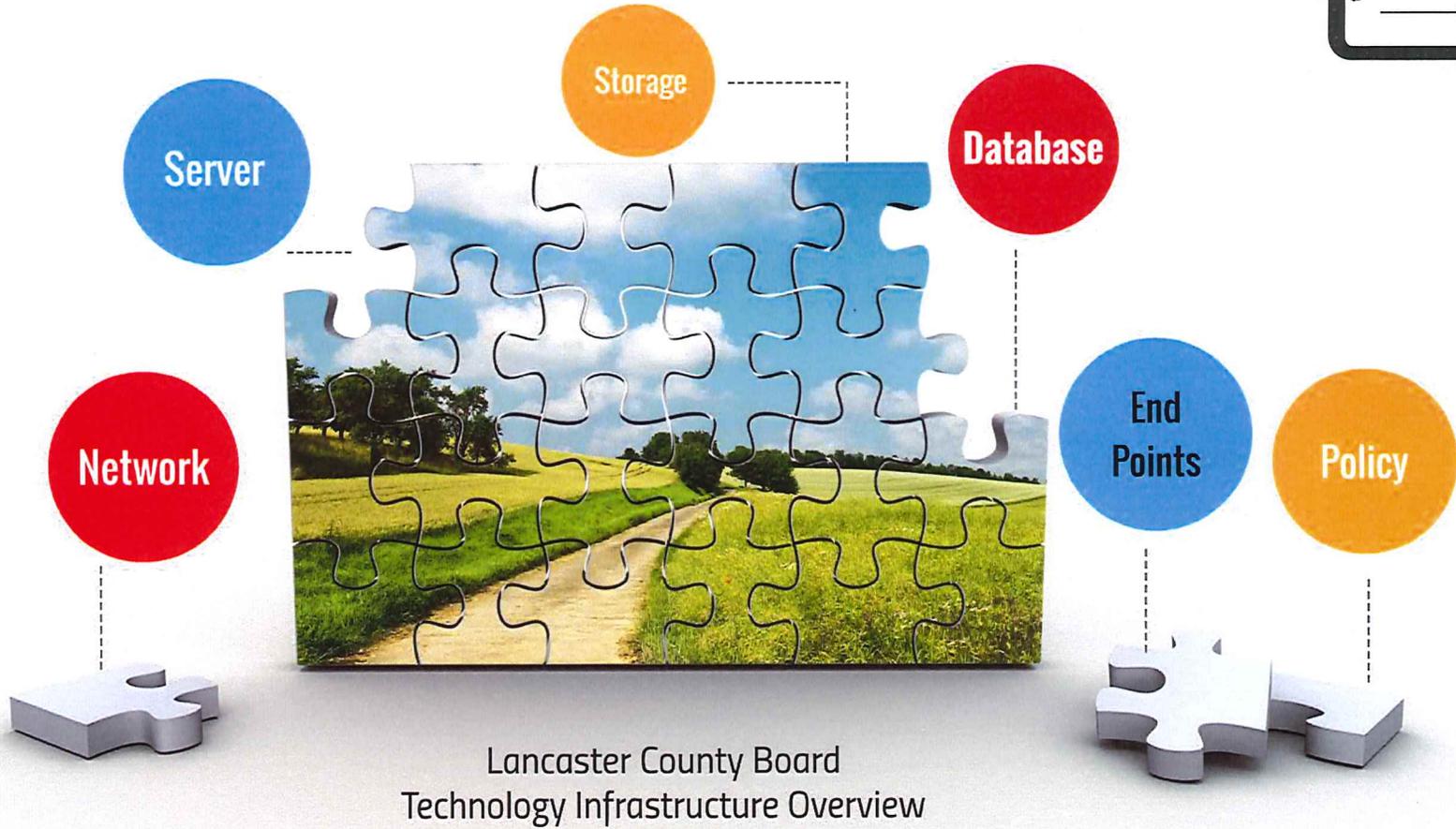
We are beginning the process of potentially identifying a senator to prioritize of the bill.

**Statutory Changes to Implement Statewide 24/7 Sobriety Program.** Introduced by Senator Matt Hansen during the 2019 session, LB335 currently sits in the Judiciary Committee. This interim brought conversations with opposition, which brought fruitful developments towards producing an amendment. We are currently reviewing the redline response provided in recent days.

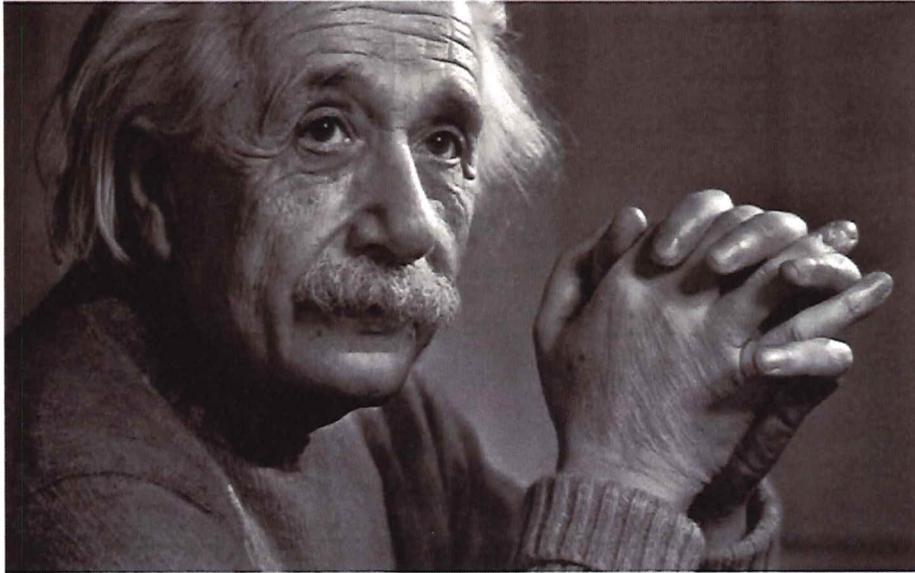
**Amend the Mental Health Commitment Act to allow Sharing of Mental Health Information Among Providers and Law Enforcement Agencies.** After numerous meetings with stakeholders over the interim, produced by LR183 introduced by Senator Geist, the initial draft and subsequent revisions have been completed, and we are currently awaiting the revised version from the revisers' office. The next steps are to approve/edit the revised draft, and if sufficient, have it introduced by Senator Geist who has agreed to carry the legislation.

**Adopt the Advance Mental Health Care Directives Act under LB247.** Introduced by Senator Bolz during the 2019 session, the bill is held by the Judiciary Committee. In our conversations with the senator, she has indicated that she has possibly reached a tentative agreement with opposition parties including the Bar Association on language to address their concerns, and to advance the bill early this session for consideration by the full body.

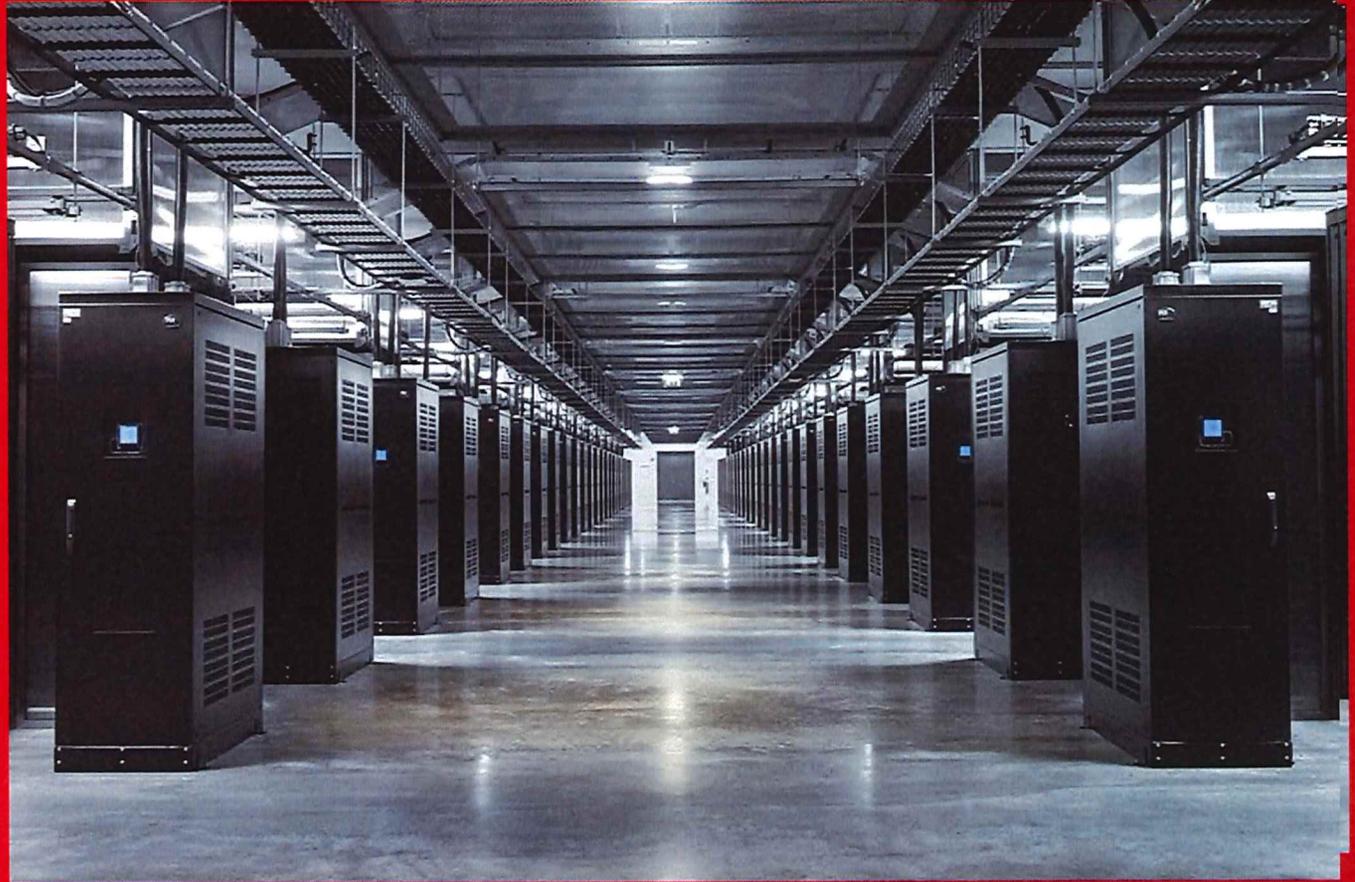
This concludes our report for this week.



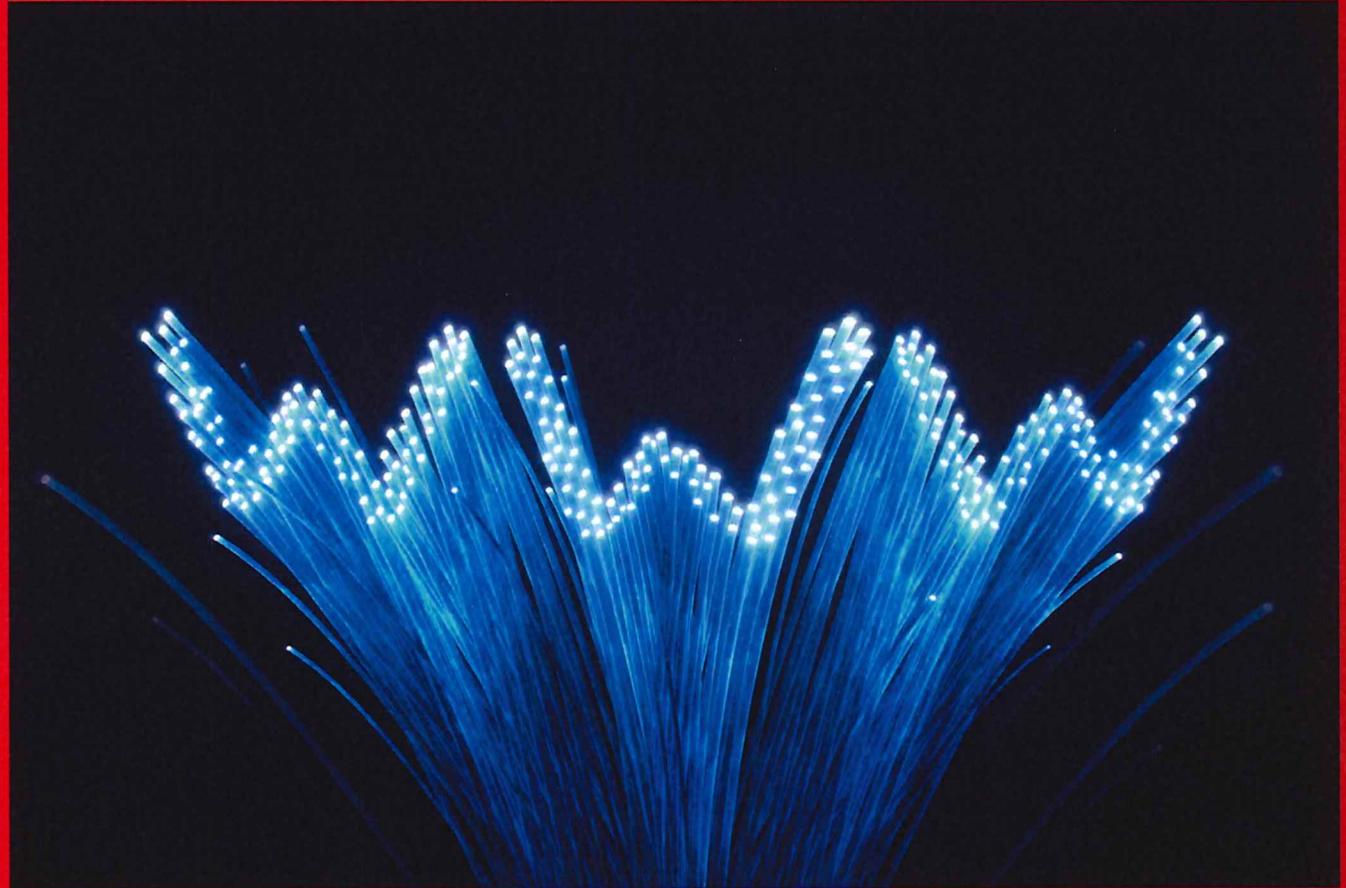
Lancaster County Board  
Technology Infrastructure Overview

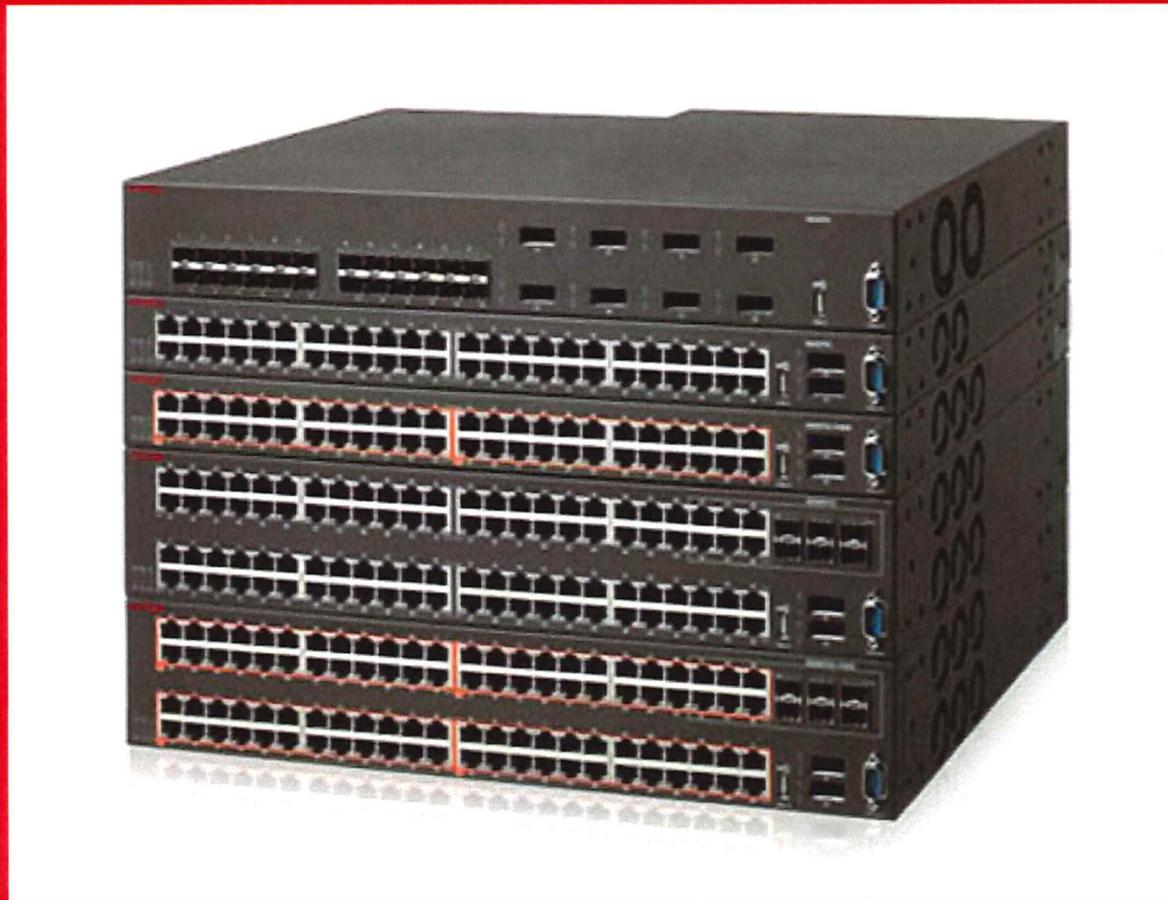


*Out of clutter, find simplicity.  
From discord, find harmony.  
In the middle of difficulty  
lies opportunity.  
- Albert Einstein*



**Fiber -**





# Servers -



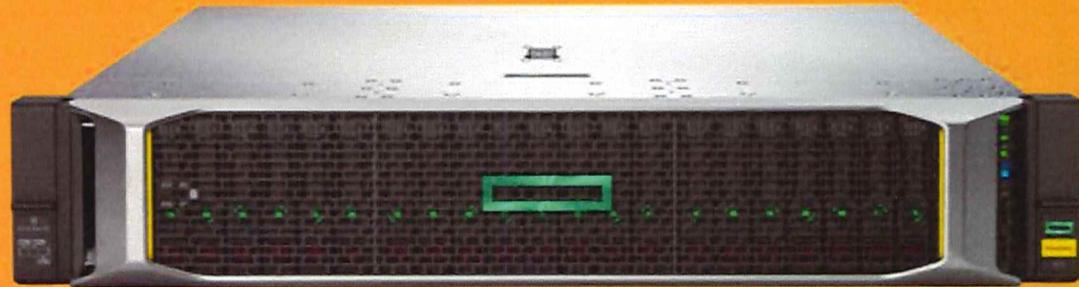
# Operating Systems

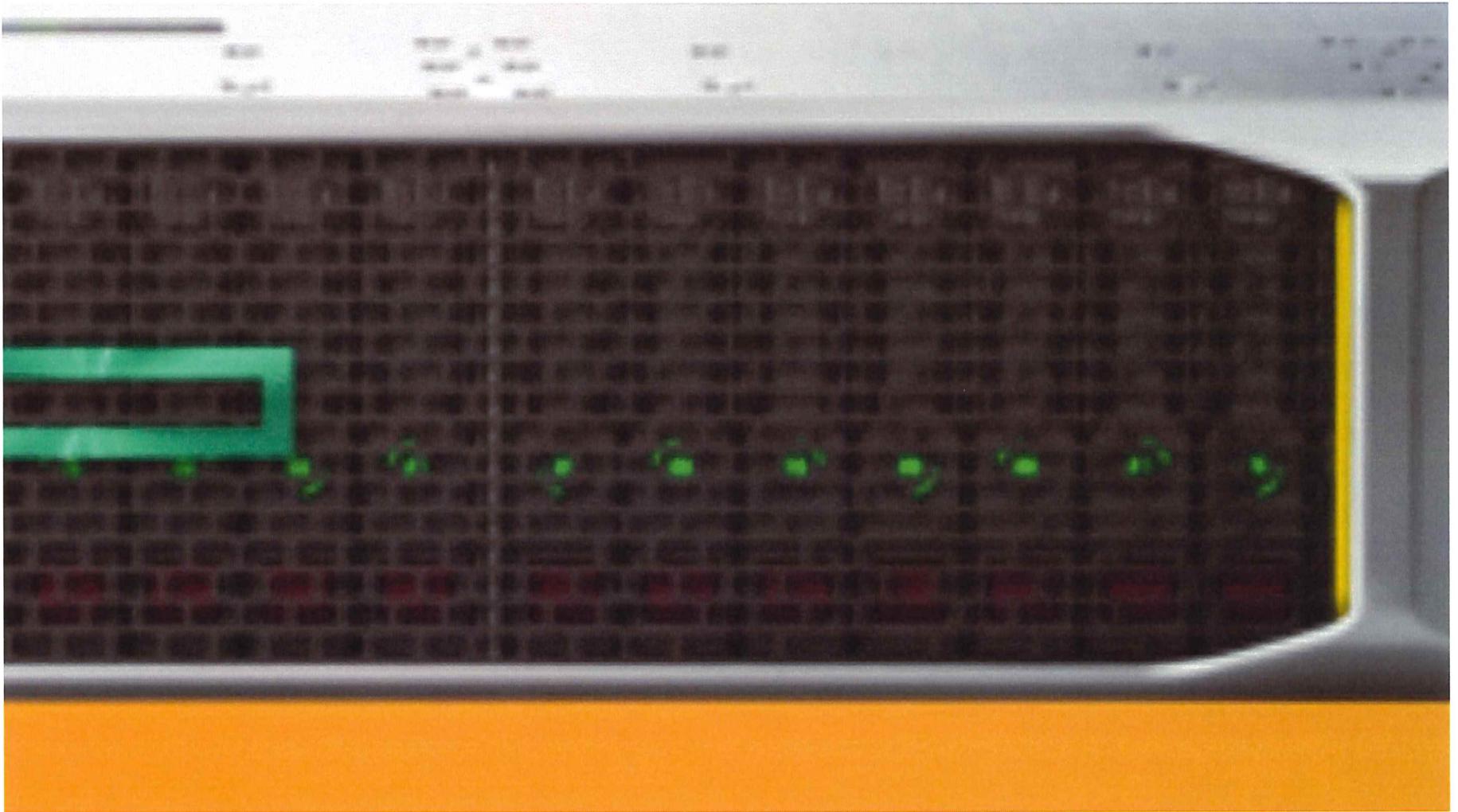
Many Types  
and Versions ...

# Storage



# Storage



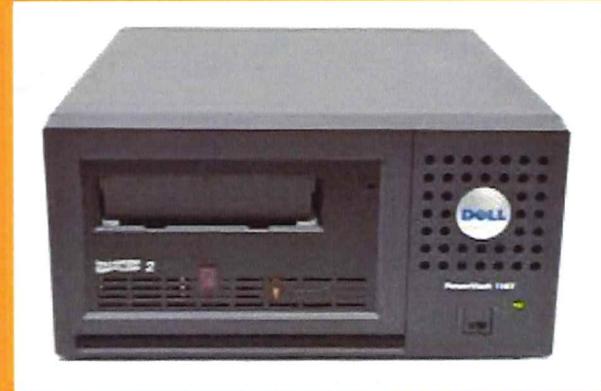
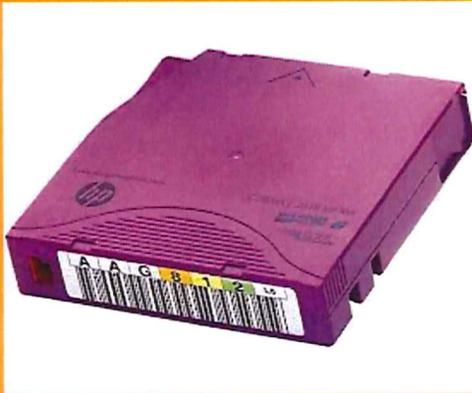


# How Much?

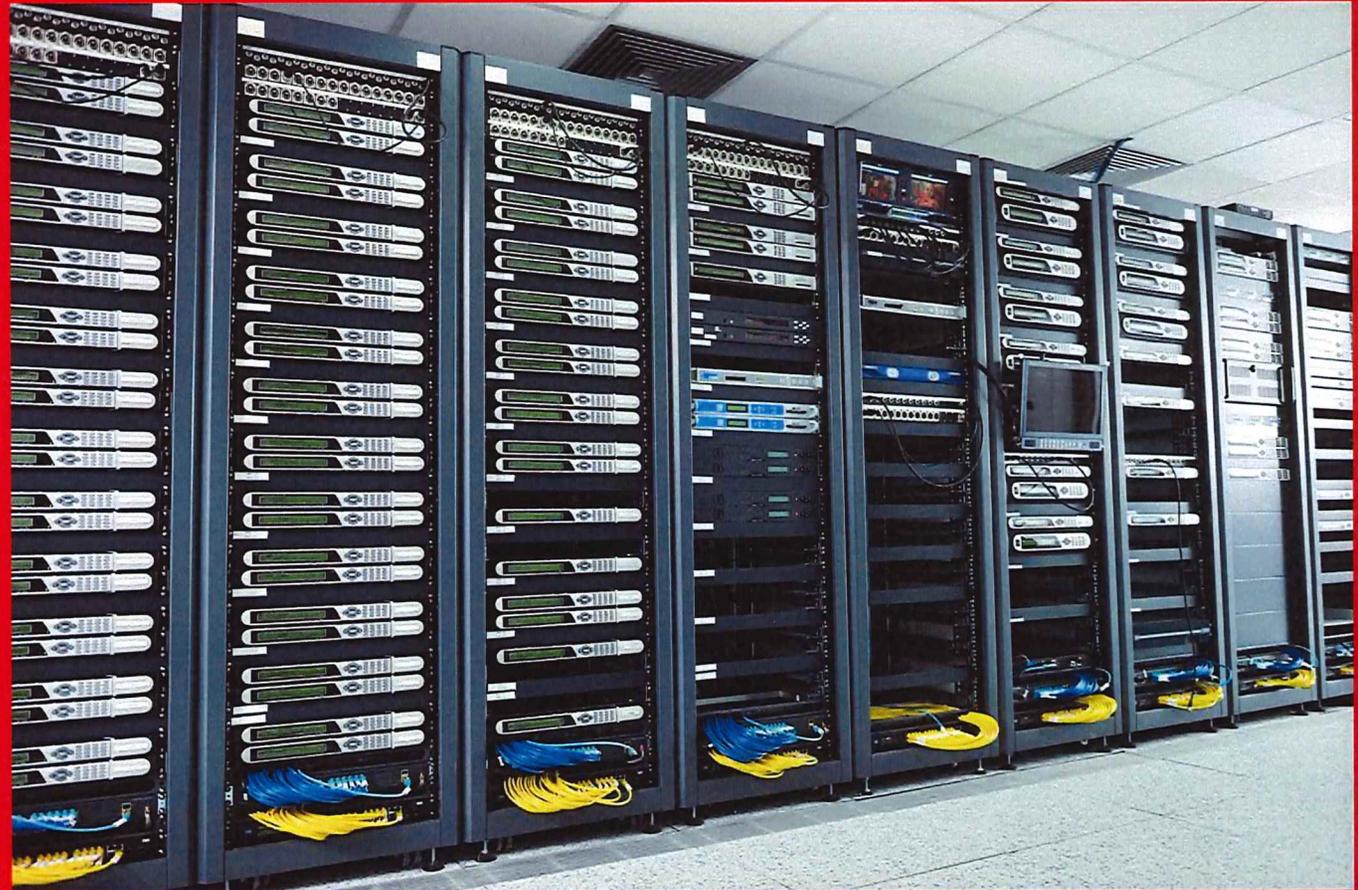
- 15 Terabytes (TB)



# Tape Drives



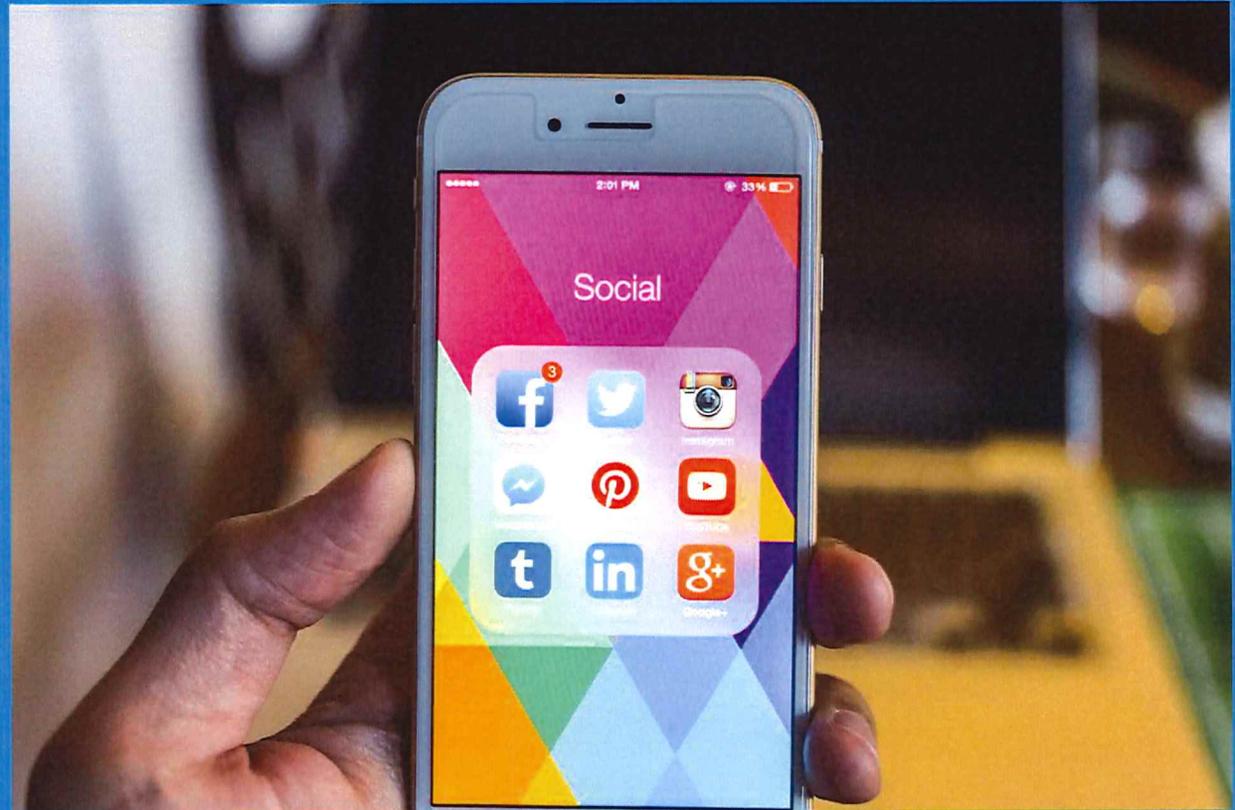
# Database



# Computers



# Mobile

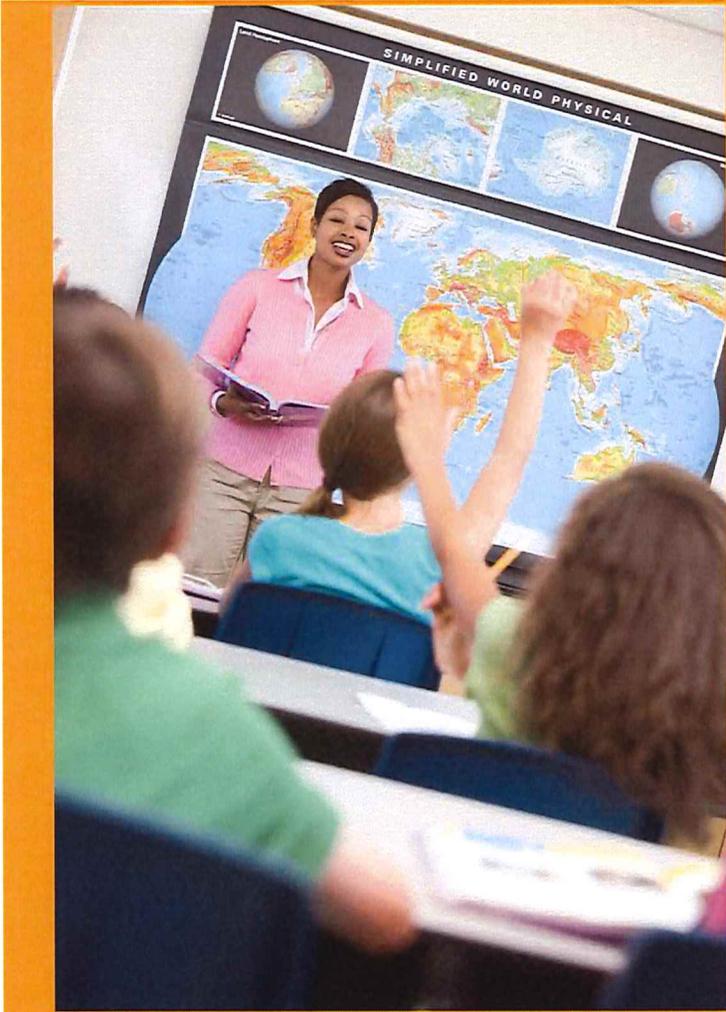


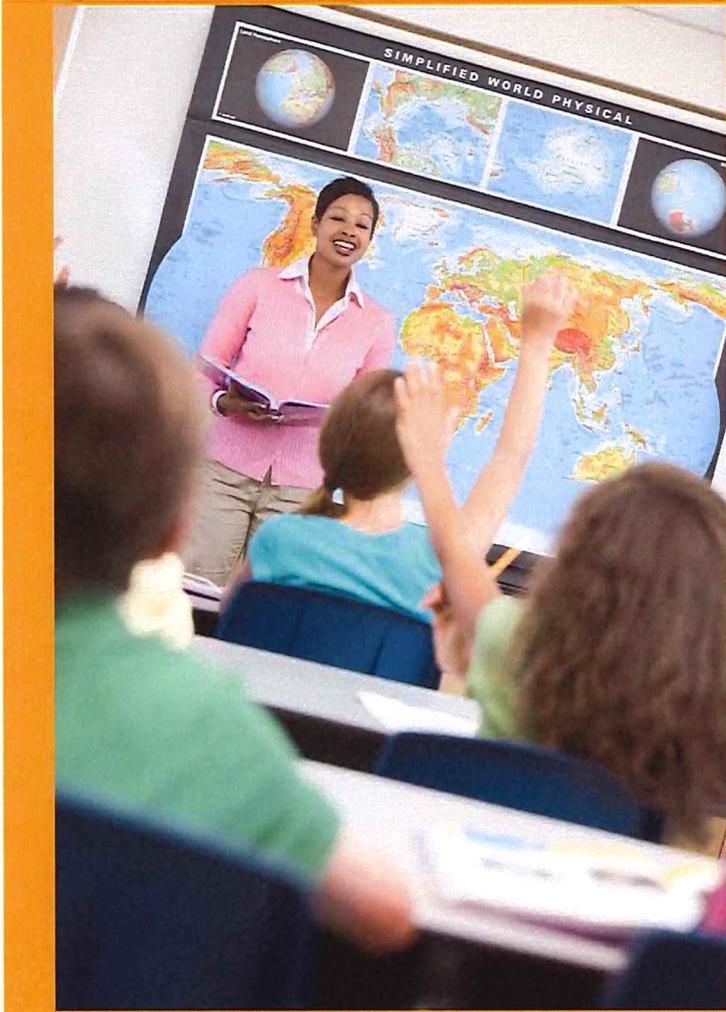


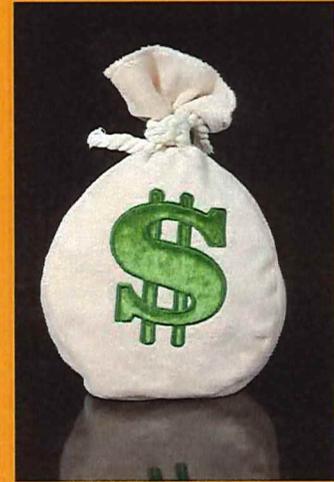
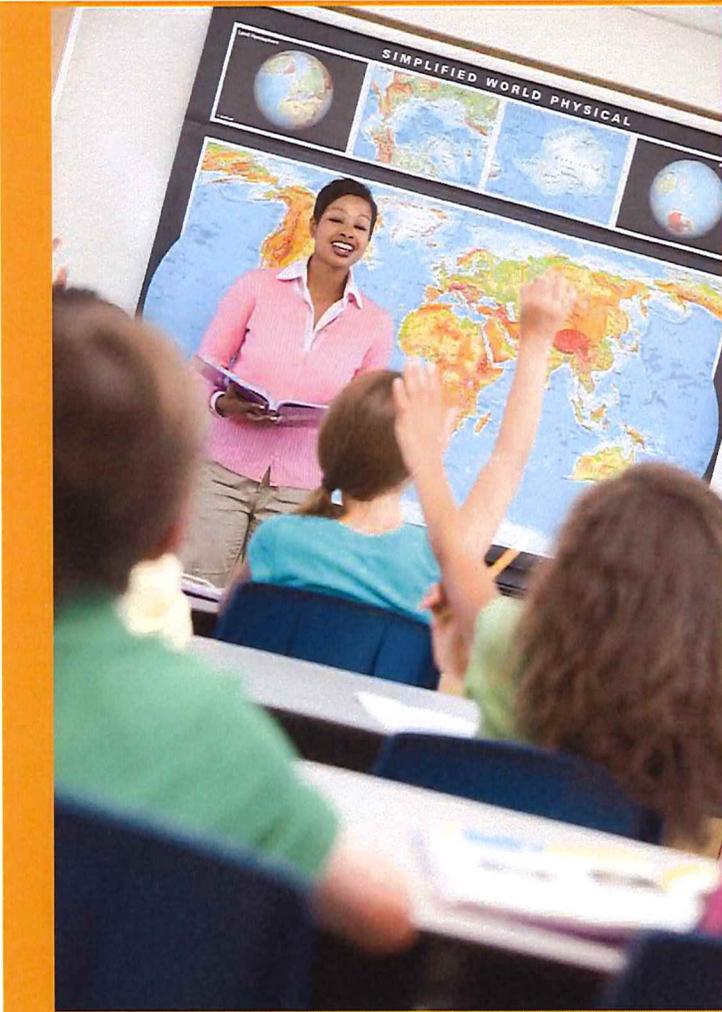
# VoIP

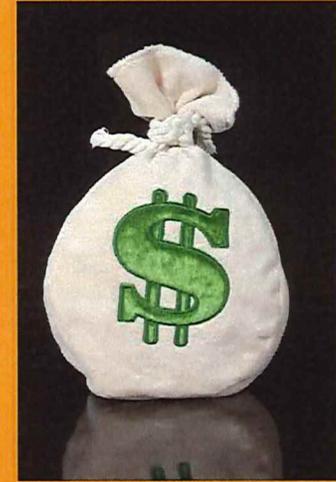
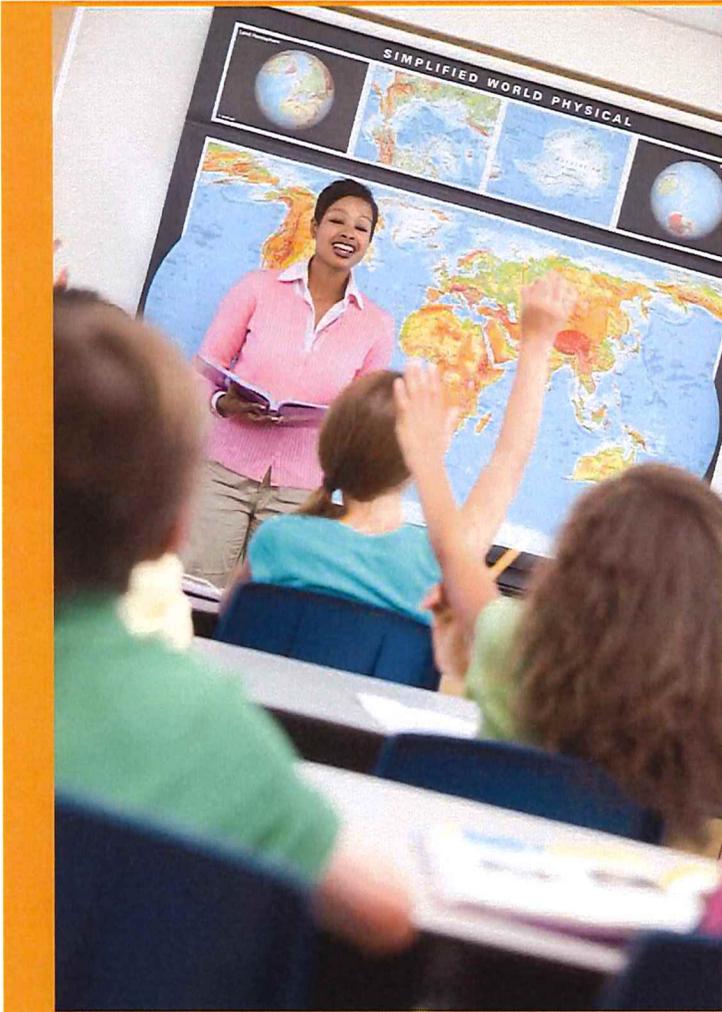














**CERTIFICATIONS: (total 5)**

**1. Certification of Application**

I hereby certify the information in this application is accurate and, as the authorized official for the project, hereby agree to comply with all provisions of the grant program and all other applicable state and federal laws.

Applicant certifies that during the development of this grant application victim services providers were consulted with in order to ensure proposed activities and requests are designed to promote the safety, confidentiality and economic independence of victims of intimate partner violence, sexual assault and staking.

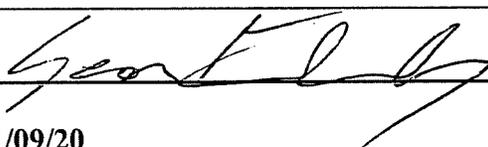
Name of Authorized Official: Sean Flowerday

Title: Lancaster County Board Chair

Address: 555 South 10<sup>th</sup> Street, Suite 110

City, State, Zip: Lincoln, Nebraska 68508

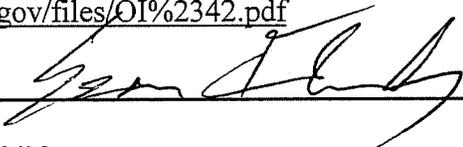
Telephone: (402) 441-7447

Signature of Authorized Official: 

Date Signed (month/day/year): 01/09/20

**2. Discrimination & Harassment Policy Certification**

My signature below hereby acknowledges my review of the Nebraska Crime Commission's Discrimination & Harassment Policy located at:  
<https://ncc.nebraska.gov/sites/ncc.nebraska.gov/files/OI%2342.pdf>

Signature of Authorized Official: 

Date Signed (month/day/year): 01/09/20

**3. Acknowledgement of Notice of Statutory Requirement to Comply with the Confidentiality and Privacy Provisions of the Violence Against Women Act, as Amended**

Under section 40002(b)(2) of the Violence Against Women Act, as amended (34 U.S.C. 12291(b)(2)), recipients (subrecipient/lead agency and subawardees) of Office on Violence Against Women (OVW) funding are required to meet the following terms with regard to nondisclosure of confidential or private information and to document their compliance. By signature on this form, applicants for grants from the Nebraska Crime Commission supported with funds from the OVW (S.T.O.P and SASP) are acknowledging that that they have notice that, if awarded funds, they will be required to comply with this provision, and will mandate that subawards (sub-subrecipient), if any, comply with this provision, and will create and maintain

documentation of compliance, such as policies and procedures for release of victim information, and will mandate that subawardees, if any, will do so as well.

**(A) In general**

In order to ensure the safety of adult, youth, and child victims of domestic violence, dating violence, sexual assault, or stalking, and their families, any recipients of OVW funds under this subchapter shall protect the confidentiality and privacy of persons receiving services.

**(B) Nondisclosure**

Subject to subparagraphs (C) and (D), recipients (subrecipient/lead agency and subawardees) shall not—

(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through subrecipients' and subawardees' programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent.

**(C) Release**

If release of information described in subparagraph (B) is compelled by statutory or court mandate—

(i) subrecipients and subawardees shall make reasonable attempts to provide notice to victims affected by the disclosure of information; and

(ii) subrecipients and subawardees shall take steps necessary to protect the privacy and safety of the persons affected by the release of the information.

**(D) Information sharing**

(i) Subrecipients and subawardees may share—

(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

(III) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.

(ii) In no circumstances may—

(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the subrecipient or subawardee;

(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.

**(E) Statutorily mandated reports of abuse or neglect**

Nothing in this section prohibits a subrecipient or subawardee from reporting suspected abuse or neglect, as those terms are defined and specifically mandated by the State or tribe involved.

**(F) Oversight**

Nothing in this paragraph shall prevent the U.S. Attorney General from disclosing grant activities authorized in this Act to the chairperson and ranking members of the U. S. Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate exercising Congressional oversight authority. All disclosures shall protect confidentiality and omit personally identifying information, including location information about individuals.

**(G) Confidentiality assessment and assurances**

Subrecipients and subawardees must document their compliance with the confidentiality and privacy provisions required under this section.

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As the duly authorized representative of the applicant, I hereby acknowledge that the applicant has received notice that if awarded funding they will comply with the above statutory requirements. This acknowledgement shall be treated as a material representation of fact upon which the Nebraska Commission on Law Enforcement and Criminal Justice will rely if it determines to award the covered transaction, grant, or cooperative agreement.

Sean Flowerday Lancaster County Board Chair  
Typed Name of Authorized Representative Title

Telephone Number (402) 441-7447

 01/09/20  
Signature of Authorized Representative Date Signed

Lancaster County  
Agency Name 10/17/2017

#### 4. CERTIFIED ASSURANCES (Page 1 of 2)

1. The applicant assures that federal block grant funds made available under the Violence Against Women Act (VAWA) STOP Grant Program will not be used to supplant existing funds.
2. The applicant assures that fund accounting, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission) shall prescribe will be provided to assure fiscal control, proper management, and efficient disbursement of funds received under the Act.
3. The applicant assures that they and all subawards under this award have a DUNS number and are registered with the System for Award Management (SAM) (or with a successor government-wide system officially designated by OMB and OVW).
4. The applicant assures that it shall maintain such data and information and submit such reports, in such form, at such times, and containing such information as the Crime Commission may require.
5. The applicant certifies that the proposed project fulfills all program requirements; that all the information is correct; that there has been and will be throughout the life of the grant, appropriate coordination with affected agencies; and, that the applicant will comply with all provisions of the VAWA STOP Grant Program as well as all other applicable federal and state laws.
6. The applicant assures that it will comply, and all its contractors will comply, with all relevant statutory and regulatory requirements which may include, among other relevant authorities, the Violence Against Women Act of 1994, P.L. 103-322 and the Violence Against Women Act of 2000, P.L. 106-386, the Omnibus Crime Control and Safe Streets Act of 1968 as amended, 42 U.S.C. 3711 et seq., the Violence Against Women and Department of Justice Reauthorization Act of 2005, P.L. 109-162, the Violence Against Women Reauthorization Act of 2013, P.L. 113-4, and OVW's implementing regulations at 28 CFR Part 90.
7. The applicant assures it will comply with the Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d. Applicant will take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP).
8. The applicant assures that in the event a federal or state court or administrative agency makes a finding of discrimination after a due process hearing the subrecipient of funds will forward a copy of the finding to the Office of Civil Rights Compliance of the Office of Justice Programs in Washington, D.C. Additionally, a copy of the findings will be sent to the Crime Commission.
9. The applicant assures that, if required, it will formulate an equal employment opportunity program (EEOP) in accordance with 28 CFR 42.301 et. seq., and submit a certification to the state that it has a current EEOP on file which meets the requirements therein.
10. The subgrantee assures that it and its contractors and any subawards will comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 CFR Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 CFR Part 2800 (together, the Part 200 Uniform Requirements), and the current edition of the DOJ Grants Financial Guides as posted on the OVW website to include any amendments made throughout the course of the grant period.
11. The applicant, if a non-Federal entity assures that if it expends \$750,000 or more in Federal funds (from all sources including pass-through subawards) in the organization's fiscal year it will arrange for a single organization-wide audit to be conducted in accordance with the provisions of Title 2 CFR

Subpart F. If less than \$750,000 is expended in a year then the agency is exempt from Federal audit requirements. In this case, the non-Federal entity assures that financial records will be maintained in an acceptable accounting system and be available for review or audit by appropriate officials of Federal, state or local agencies.

12. The applicant agrees to attend training as required by the Crime Commission.
13. The applicant agrees to establish and maintain a Drug Free Workplace Policy.
14. The purpose of the VAWA STOP Grant Program is to improve the response of the criminal justice system to individual who are victims of sexual assault, domestic violence, stalking and dating violence through collaboration. Collaboration is defined as several agencies and/or organizations that make a formal, sustained commitment to work together to develop a comprehensive and coordinated response. The applicant agrees to develop and sustain a collaborative approach between the various criminal justice and victim service entities to jointly address the crimes of sexual assault, domestic violence, stalking and dating violence.
15. Applicant assures there is written documentation of how sexual assault and domestic violence cases are processed through the criminal justice system including what assistance is provided during each step of the criminal justice process.
16. Applicant assures it will maintain copies of current Policies and Procedures for addressing victims of sexual assault and domestic violence for law enforcement agencies, prosecutorial agencies, victim service agencies and any other criminal justice agencies that are part of the Coordinated Response Team.
17. Applicant assures that it and any subawards will document their compliance with the confidentiality and privacy provisions required under the VAWA STOP Grant Program.

**Certification**

I certify that I have read and reviewed the above assurances, that the applicant will comply with all provisions of the Violence Against Women Act STOP Grant Program and all other applicable federal laws and state laws, and the applicant will implement the project as written if approved by the Crime Commission.



01/09/20

Signature of Authorized Official

Date

555 South 10<sup>th</sup> Street, Suite 110

Address

Sean Flowerday

Lancaster County Board Chair

Typed Name

Title

(402) 441-744

Telephone Number

## 5. Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Acceptance of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," 2 CFR Part 2867, "DOJ Implementation of OMB Guidance on Nonprocurement Debarment and Suspension," and 28 CFR Part 83, "Government-wide Debarment and Suspension," and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

### 1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

### 2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

Pursuant to Executive Order 12549, Debarment and Suspension, implemented at 2 CFR Part 2867, for prospective participants in primary covered transactions, as defined at 2 CFR Section 2867.20(a), and other requirements:

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Have not within a two-year period preceding this application been convicted of a felony criminal violation under any Federal law, unless such felony criminal conviction has been disclosed in writing to the Office of Justice Programs (OJP) at [Ojpcompliancereporting@usdoj.gov](mailto:Ojpcompliancereporting@usdoj.gov), and, after such disclosure, the applicant has received a specific written determination from OJP that neither suspension nor debarment of the applicant is necessary to protect the interests of the Government in this case.

(d) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and

(e) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

### 3. FEDERAL TAXES

A. If the applicant is a corporation, the applicant certifies that either (1) the corporation has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, or (2) the corporation has provided written notice of such an unpaid tax liability (or liabilities) to OJP at [Ojpcompliancereporting@usdoj.gov](mailto:Ojpcompliancereporting@usdoj.gov), and, after such disclosure, the applicant has received a specific written determination from OJP that neither suspension nor debarment of the applicant is necessary to protect the interests of the Government in this case.

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

**4. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, Subpart F, for grantees, as defined at 28 CFR Sections 83.620 and 83.650:

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under

the grant, the employee will

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 7th Street, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

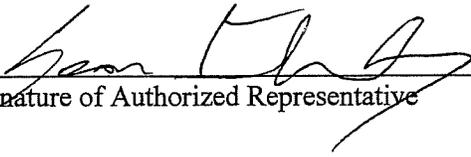
(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

Lancaster County Board of Commissioners 555 South 10<sup>th</sup> Street, Suite 110 Lincoln, Ne 68508

Organization Name and Address

Sean Flowerday Lancaster County Board Chair  
Typed Name and Title of Authorized Representative

  
Signature of Authorized Representative

01/09/20  
Date

**PENSION REVIEW COMMITTEE  
RECOMMENDATION  
ADOPT FEE LEVELING WITH A FLAT FEE PER PARTICIPANT  
December 19, 2019**

**INTRODUCTION**

Lancaster County has contracted with the Prudential Retirement Insurance and Annuity Company (Prudential) to provide record keeping services for the County's 401(a) Employees Retirement Plan and 457(b) Deferred Compensation Program, together referred to as the Plan for purposes of this report. Prudential's fee for these services is paid by Plan participants through revenue sharing fees, which are embedded in the expense ratios of the mutual funds offered in the Plan's investment array. The amount of revenue sharing varies from fund to fund, and according to share class. Some funds in the array generate 35 basis points (bps) of revenue sharing; while all Vanguard funds in the array pay zero revenue sharing. In fact, 39% of the assets held by Plan participants generate zero revenue sharing, and therefore contribute nothing toward the administrative costs of the Plan. Also, 14% of participants pay nothing toward the administrative expenses of the 401(a) plan; and 10% of participants pay nothing toward the administrative expenses of the 457(b) program. Consequently, the administrative costs of the Plan are not being shared fairly by all Plan participants. A more equitable approach to paying administrative costs is clearly needed.

At its September of 2018 meeting the Pension Review Committee (Committee) was presented with an alternative method for managing administrative costs known as fee leveling. At that time Prudential had offered to reduce its annual revenue requirement from 10 bps to 7.5 bps in exchange for a continuation of its Administrative Services Agreement with the County. Subsequently, the County and Prudential agreed to a two-year extension of the agreement at 7.5 bps, effective January 1, 2019. Frank Picarelli of Segal Marco Advisors advised the Committee that the reduction of Prudential's revenue requirement presented the County with an opportunity to reduce fees paid by Plan participants by moving to share classes with less revenue sharing. He also suggested the Committee should consider moving away from the traditional approach of using revenue sharing to pay administrative costs by adopting fee leveling. Under fee leveling all participants pay the same administrative fee, regardless of the expense ratios for their individual investment holdings.

The Committee followed up with several meetings to gather additional information on fee leveling and to discuss how the amount of revenue sharing paid by participants could be reduced. In June of 2019, the Committee received a presentation on fee leveling programs offered by Prudential. The Committee met in August of 2019 to consider fund share class changes to reduce the amount of excess administrative revenue. Finally, the Committee met in October of 2019 to formulate a recommendation to the County Board on fee leveling.

**DISCUSSION**

In addition to the Prudential contract, the County's primary expense for administering the Plan is the consulting contract with Segal Marco Advisors, which carries an annual fee of \$28,500.00. Other expenses include travel costs to Prudential client conferences and membership dues in the National

Association of Government Defined Contribution Administrators (NAGDCA). These additional expenses average less than \$2,000.00 annually, bringing the total to approximately \$30,000.00 per year.

As of June 30, 2019, Plan assets totaled \$180,782,878. With 13 bps of revenue sharing, this balance generates approximately \$235,000.00 annually for administration of the Plan. Prudential's reduced revenue requirement of 7.5 bps for its record keeping agreement totals \$135,000, leaving more than \$100,000.00 available for County administrative purposes, which far exceeds the County's annual expenses of \$30,000.00. These funds are placed in an expense account maintained by Prudential; and must be spent for the benefit of Plan participants. The balance of the expense account is projected to be approximately \$149,000 as of December 31, 2019. While it is possible to return the excess to Plan participants, there is no equitable way for determining how the funds should be distributed. The better approach is to not collect the excess revenue in the first place.

The Committee was presented with two options to reduce the excess administrative revenue being collected from Plan participants. The first option involves the selection of lower-cost share classes for funds within the Plan's existing investment array. Under this approach administrative costs are still covered by revenue sharing, so inequities still exist on how administrative costs are paid. However, reducing the amount of revenue sharing fees is still beneficial to the Plan participants paying the fees. Share class changes can be implemented immediately by Prudential; and can be changed as often as necessary without creating an administrative burden on Prudential.

For these reasons the Committee decided to move ahead with a recommendation to reduce revenue sharing fees. Following the Committee meeting held in August of 2019, the Committee recommended six fund-share changes to reduce administrative revenue. The Committee's recommendation was accepted by the County Board and became effective November 20, 2019. The changes will reduce the amount of County administrative revenue collected annually from \$102,000.00 to \$13,000.00. This will allow the County to spend down the existing expense account balance on administration of the Plan.

The second option for reducing excess administrative revenue is fee leveling. Also referred to as fee equity, this approach does not rely on revenue sharing to pay administrative expenses. Prudential offers the following two approaches to fee leveling: (1) zero-revenue sharing; and (2) most efficient share class. Both approaches to fee leveling can be implemented through the existing investment array for the Plan.

Under the zero-revenue sharing approach, share classes are selected which pay no revenue sharing. Each participant is then charged either a flat fee or an asset-based fee to cover Plan administrative expenses. The fee appears on participant statements as a separate charge for administrative services

Prudential also offers fee leveling through the most efficient share class approach. While this approach is more complicated than the zero-revenue share approach, participants do pay slightly lower net fees. The most efficient share class approach looks for fund share classes which pay the most revenue sharing, but then returns it to the participant who initially paid it. Under this approach the average net manager fee is .2 bps lower than the existing net fee. As with the zero-revenue sharing approach, each participant is then charged a separate administrative fee which appears on their statements. Under

either approach to fee leveling, the true cost of the Plan is more transparent to participants. Also, both approaches will also result in lower fees because the excess administrative revenue collected through the traditional revenue sharing approach is eliminated.

However, the most efficient share class approach is more difficult to administer. Constant monitoring is required to guarantee that the most efficient share class is being used. The revenue sharing must first be collected from participants and then returned. Also, participant statements can get very complicated under this approach to fee leveling. Given these problems, the Committee determined the most efficient share class approach is not the best fee leveling model for the Plan.

On the other hand, the zero-revenue sharing approach is easier to administer. Since revenue sharing is eliminated completely, the extra steps of collecting the revenue and returning it to participants are eliminated. Additionally, participant statements are less complicated with zero-revenue sharing. For these reasons the Committee favors the zero-revenue sharing approach.

Having determined the zero-revenue sharing approach should be used, the Committee then addressed the question of whether the administrative charge should be a flat fee, or an asset-based fee determined by the size of a participant's account. After a thorough analysis the Committee determined a flat fee should be established to pay the administrative costs of the Plan.

The Committee believes the flat fee per participant is the most equitable way to cover the administrative costs of the Plan. With a flat fee every participant supports the Plan equally. Since the flat fee will be included separately on participant statements, there is a clear distinction between investment costs and administrative costs, and therefore greater fee transparency.

In making this determination the Committee noted that a flat fee could be viewed as regressive because it would constitute a larger percentage of a small account than a large account. This concern is mitigated by the size of the actual fee. Prudential's revenue requirement of 7.5 bps generates an annual revenue requirement of approximately \$135,000 (based on the June 30, 2019 Plan balance). This translates to a yearly flat fee of almost \$100 for the 401(a) portion of the Plan, and \$36 for participants enrolled in the 457(b) portion of the Plan. Additionally, County administrative expenses are \$30,000 per year (1.7 bps), which could add another \$22 for the 401(a) portion and \$8.25 to the 457(b) portion. The fee is paid in quarterly installments, which reduces the impact on smaller accounts. The Committee believes the size of the flat fee will not be an unreasonable burden on participants with small accounts. Also, with a 16% combined contribution small accounts in the 401(a) plan will grow rapidly, further mitigating the disparate impact on newer participants.

There are times when a large account may generate more activity than a small account, and record keeping mistakes on large accounts may be more costly and difficult to correct. However, the day to day administrative burden of servicing a small account is basically the same as servicing a large account.

In formulating its recommendation, the Committee is mindful of the possibility of litigation based on a breach of the County's fiduciary duty to set fees which are reasonable for Plan participants. The current system of relying entirely on revenue sharing is inherently unreasonable, with some Plan participants

paying nothing on administration of the Plan. While those participants will see their overall expenses increase with fee leveling, it is more important that all participants help cover the administrative costs of the Plan. Also, a system which charges an asset-based fee may have a disproportionate impact on larger accounts. For example, an account of \$100,000 might generate a fee of \$75 for Prudential, while an account of \$1,000,000 might pay \$750 for essentially the same record keeping services. The committee also noted that the clear trend in the defined contribution pension industry is toward the use of fee leveling with a flat fee per participant.

Fee leveling is a significant change, and the Committee recognizes the critical importance of participant communication and education before it is adopted. An effective communication plan should be developed and presented to participants, explaining why the change is being made and why it is best for the Plan.

Finally, the Committee discussed the need for the County Board to contact all the labor unions representing County employees prior to the implementation of fee leveling. In the case of Scottsbluff Police Officers Association, Inc., F.O.P. Lodge 38 vs. City of Scottsbluff, Nebraska, a City of the First Class, 282 Neb. 676; 805 N.W. 2d 320 (2011), the Nebraska Supreme Court determined that health insurance coverage and related benefits are mandatory subjects of bargaining under Nebraska's Industrial Relations Act. Based on advice from the County Attorney's Office, the County Board should not implement fee leveling until all unions representing County employees have either agreed to it or waived their right to negotiate on its implementation.

#### RECOMMENDATION

Based upon the foregoing information and analysis the Pension Review Committee hereby tenders the following recommendation:

- 1. The Lancaster County Board of Commissioners should adopt fee leveling with a flat fee per participant, in an amount to be determined, for both the 401(a) Lancaster County Employees Retirement Plan and the 457(b) Deferred Compensation Program, subject to approval by all labor unions representing Lancaster County employees**

**Respectfully submitted on behalf of the Pension Review Committee this 19<sup>th</sup> day of December, 2019.**



**Kerry P. Egan**  
**Chief Administrative Officer**

For: Lancaster County

For the year 2020

### **Statement of Finding**

The failure to control noxious weeds on lands in this state is a serious problem which is detrimental to the production of crops and livestock and to the welfare of residents of this state and which may devalue land and reduce tax revenue (Neb. Rev. Stat. 2-945.02(1)).

**Section 2-954 of the Nebraska Noxious Weed Control Act requires each weed control authority to establish a coordinated program for the control of noxious weeds within the county.**

### **Goals**

**List three goals outlining how your county plans to reduce the number of noxious weed infested acres in your county.** Also, explain how your county plans on achieving each goal. Be specific and provide as much detail as possible. If more space is needed, you may attach additional sheets. (You may use a computer generated plan that follows the same format.)

#### **Purpose:**

The purpose of the Lancaster County Noxious Weed Management Plan is to protect effectively against designated noxious weeds which constitute a present threat to the continued economic and environmental value of lands in the County. This Plan implements the mandates of the State of Nebraska Noxious Weed Control Act by setting forth management objectives and plans, methods or practices which utilize a variety of techniques for the integrated management of noxious weeds. In establishing a coordinated program for the integrated management of noxious weeds, it is the County's intent to encourage and require all appropriate and available management methods, while promoting those methods which are the most environmentally benign and which are practical and economically feasible.

#### **Goal 1: Prevent the development of new noxious and invasive weed infestations.**

Prevention is the least expensive and most effective way to halt the spread of noxious and invasive weeds. Integrated weed management includes identifying the pathways of how weeds spread, preventing encroachment onto land that is not infested, detecting and eradicating new weed introductions, containing large-scale infestations using an integrated approach and often re-vegetation.

The elements of weed prevention include:

- Identify the pathways on how weeds spread. *Examples: equipment, wind, water, gravel, retail.*
- Limit the introduction of weed seeds into an area.
- Early detection and eradication of small patches of noxious weeds or plant species with noxious weed potential. *Examples: teasels, knotweeds, sericea lespedeza, and knapweeds.*
- Minimize disturbance of desirable vegetation along roadsides, trails, and waterways.
- Re-vegetate disturbed sites with desirable plants.
- Educate landowners how to manage land to build and maintain healthy communities of native and desirable plants to compete with weeds.
- Train inspectors to identify and monitor presence of these weeds.
- Train other departments and agencies to survey and report invasives while performing their regular duties. *This could include; Engineering, NRD's, City Departments, etc.*

- Alert and encourage others to report any findings of these weeds.
- Careful monitoring of high-risk areas such as human and animal transportation corridors and disturbed or bare ground.
- Aerial surveys of our tributaries for aquatic invaders.
- Clean boots, clothing, equipment and vehicles of weed plant parts to prevent the spread of weed seed and plants from one area to another. Follow Play-Clean-Go practices.
- Use of article inspection and quarantines as needed to control dissemination.
- Provide weed-free forage inspections.
- Provide weed-free gravel inspections to provide clean gravel for our roadsides. Weed infestations along roadsides are high priorities for control because they experience frequent disturbance, which creates favorable habitat for weed establishment, and because vehicles and water are two of the most common agents for spreading weeds. Infestations of new weed species may appear first in disturbed sites such as road edges, ditch banks and stream banks. Vehicles travelling along roads and trails can spread weed seeds to other areas.
- Annual evaluations of the effectiveness of the prevention plan so appropriate actions can be implemented.

## **Goal 2: Provide education and public outreach about noxious and invasive weed control.**

The public is generally not aware of the economic and environmental impacts of noxious weeds. There is a need to improve awareness of noxious and invasive weeds, providing educational information to cooperators, land managers, and the public. As people become more aware of noxious and invasive weeds, the probability of detecting them is greatly increased, which allows for more effective and timely control. Education and awareness assist weed identification, reporting new infestations, prevention and control, and fosters cooperation and partnerships.

The elements of education and outreach include:

- Utilize the **Play-Clean-Go** outreach campaign to help the public understand how to prevent the movement of invasive plants by cleaning their equipment before moving to a new location.
- Utilize our website feature to allow followers to receive the latest information on noxious and invasive weeds.
- Continue to build the **Weed Watcher** program. Identify individuals and groups that could be a part of this effort to identify new infestations of current noxious weeds as well as new invasive weeds that might be in our area.
- Continue to create Noxious Weed educational videos.
- Educate and train Railroad and Department of Transportation contractors to maximize Best Management Practices.
- Weed Awareness special insert to the Lancaster County Cooperative Extension NEBLINE in April. This insert is mailed to around 12,000 homes and available on the web.
- Maintaining and updating the Weed Control Authority Website.
- Pamphlets, bulletins, and brochures are useful at meetings, for follow-up consultations, and educational purposes.
- Presentations / trainings on invasives to; private applicators, highway departments, homeowners associations, master naturalist and other businesses and agencies.
- Set up the display booth at various locations such as; Extension, State Capitol, Farm shows and the County Courthouse.
- Special mailings:
  - Pre-season letters to repeat violators
  - Musk thistle fall control mailers
  - Leafy spurge control mailers
  - Phragmites information letter to help landowners better understand the challenges of controlling this plant.
  - Sericea lespedeza mailings about cost share to landowners
  - Homeowner Associations
  - Public land managers
  - Acreage Owners list serve – UNL Extension

**Goal 3: Provide ongoing management of State of Nebraska and Lancaster County designated noxious weeds, as well as the City of Lincoln Weed Abatement program.**

Noxious weed management is the systematic approach to minimize noxious weed impacts and optimize intended land use. It is very important for all infested areas to be treated with effective methods. Integrated management is a program of noxious weed control that properly implements a variety of coordinated control methods. Types of control methods include mechanical, cultural, chemical, and biological. Integrated management greatly improves the success rate for your weed control plan. All noxious weed management must be applied and evaluated over an extended period of time to be successful.

The elements of noxious weed management include:

- Prepare advanced work orders on sites that are deemed to require inspection and notification to obtain control.
- Work with landowners one on one to help them manage their noxious weed infestations.
- Follow Best Management Practices to ensure successful management of all noxious and invasive weeds.
- Provide inspections and treatment of noxious weeds in a timely manner at both City landfills.
- Follow up on code violations of the City Weed Abatement program and make an anticipated 7,000 to 8,000 inspections on approximately 3,500 properties.
- Use and develop advanced technology to help with the increasing number of inspections annually, assisting in locating new infestations as well as mapping known infestations.
- Issue 10-day or 15-day legal notices promptly on uncontrolled noxious weed violations.
- Issue mowing contracts on City of Lincoln weed abatement violations in a timely manner.
- Monitor the management efforts to determine overall effectiveness.

## General

In this section, list how your county achieved last season's goals and were they successful? Explain.

By following the framework we've adopted, our goals of Prevention, Education and Management have proven successful.

Lancaster County's aggressive eradication program on our invasives such as purple loosestrife, phragmites, saltcedar, sericea lespedeza, knotweed and teasel continues to show signs of success. Our dedication to identifying pathways is helping eliminate new infestations from occurring. An example is our weed-free gravel inspection program, which is preventing new weed infestations along our County right of ways. Our staff continually works to educate our citizens about invasive weeds and always applies Best Management Practices to known infestations.

## Noxious Weed Enforcement

1. Which legal notice(s) will be utilized by the county weed control authority?

\_\_\_\_\_ 10 day \_\_\_\_\_ 15 day \_\_\_\_\_ **XXX** \_\_\_\_\_ Both

2. List the procedure that the control authority has adopted for the weed superintendent to follow when notifying landowners of uncontrolled noxious weed infestations.

- Take action on all uncontrolled infestations
- Notification by other than legal notices to those with good control history or trace infestations.
- Make informal contact with those that have a good control program.
- Send reminder letters to those that have a good control history and those that cannot be reached with an informal contact.
- Send a card to those that have only a trace infestation.
- Send copies of letters and notices to tenants (if known) with return card to report control taken.
- Send copies of letters and notices to real estate agents on property with for-sale signs.
- Make follow-up inspections and send follow-up control letter if control is not complete.
- Issue individual notices to all landowners with a history of poor control efforts.

3. List the guidelines or policy that the control authority has established for the weed superintendent to follow when **issuing and enforcing an individual notice**. (Include information regarding inspections, evidence, officials to be notified, etc.)

- Perform an initial inspection.
- Determine the correct landowner and tenant, if known.
- Notify the landowner regarding infestation and request compliance.
- Notice may be issued any time after non-compliance.
- GPS photos that include time and date stamp taken with each inspection.
- Individual notice must be in writing as prescribed by the Noxious Weed Act.
- Delivery of the notice shall be in the same manner of service as a summons in a civil action in the district court or by certified mail to the last known address.
- Begin disposition report when a notice is issued. (*keep current during the entire process*)
- Re-inspect the property to determine compliance when notice expires.
- Notify County Attorney on 15-day notices.
- Work with Attorney's office throughout the 15-day notice until controlled or prosecution.
- Implement proper and approved control measures on 10-day notices.
- Document all control work accurately and completely.
- Conduct final inspection to ensure the contracted force control is completed.
- Notify the landowner of cost incurred.
- Immediately file notice of possible unpaid weed assessment with Register of Deeds.
- If unpaid for two months, certify to the County Treasurer.
- Complete final disposition report.

## **Public Awareness**

Explain the type of public relations activities that your county will use in the upcoming year to increase public awareness (newspaper articles, interviews, presentations given, weed tours, landowner contacts, etc.). **Do not include the required general notice in this section.**

- Weed Awareness Special insert to the April Lancaster County Cooperative Extension Service NEBLINE with a circulation of around 12,000.
- Play-Clean-Go education and outreach campaign.
- Weed ID trainings and workshops for landowners, agencies, specialty groups.
- Display booth at various locations including UNL-Extension, County courthouse, State Capitol and the Nebraska Power Farming Show.
- Maintaining and updating the internet homepage at [www.lancaster.ne.gov/weeds](http://www.lancaster.ne.gov/weeds) the website continues to be a valuable source of information to the public with 153,779 hits this past year.
- Weed ID videos to help educate the public on how to identify noxious weeds.
- Special mailings to
  - Pre-season letters to owners with multiple violations
  - Owners of problem infestations
  - Homeowner Associations
  - Neighborhood Associations
  - Public land managers
  - Weed Watcher program volunteers
  - Acreage Owners email list serve – UNL Extension
  - Presentation at the Husker Lawn and Leisure Show

## **Cooperative Efforts**

**Does your county actively support and participate in a weed management cooperative group?**

NO \_\_\_\_\_ YES  X  Explain

Lancaster County has been a member of the Lower Platte Weed Management Area (LPWMA) since its beginning in 2002. The LPWMA brings together all parties in a 10 county area that have a common interest in noxious weed management along the Platte River and its tributaries. Tributaries included in Lancaster County are Oak Creek, Middle Creek and Salt Creek.

With the help of the Lancaster County Attorney's office, the Lower Platte WMA created its own separate entity to better protect each County. Lancaster County Weed Department serves as the Official Administrator of the LPWMA.

**How does being part of a weed management cooperative group benefit your county?**

As a result of belonging LPWMA we've been able to bring in grants to help fund the cost of controlling noxious weeds within Lancaster County. The LPWMA also plays a vital role in the cooperation between many Federal, State & local agencies as well as private landowners.

- Lancaster County annually receives grant money from the LPWMA to helicopter survey Salt Creek from Lincoln to the Platte River near Mahoney State Park, Oak Creek from Lincoln to Raymond and Middle Creek from Lincoln to Emerald. We will continue to survey all major tributaries.
- LPWMA provides a 50/50 cost share grant for private landowners who spray phragmites by helicopter on our tributaries including Oak Creek and Middle Creek.
- LPWMA funds 100% of the cost for landowners to spray phragmites by helicopter along Salt Creek.

**Contact List**

| <b>Agency</b>                      | <b>Contact Person</b> | <b>Phone Number</b>  |
|------------------------------------|-----------------------|----------------------|
| Nebraska Game and Parks Commission | Dave Kinnamon         | 402-783-3400         |
| Nebraska Department of Roads       | Roger Kalkwarf        | 402-471-0850         |
| BELF                               | Larry Gibbens         | 308-631-1822         |
| LPSNRD                             | Al Langdale           | 402-432-6839         |
| UNL-Extension, Lincoln             | Karen Wobig           | 402-441-6750         |
| FSA                                | Nick Elting           | 402-423-9683 ext 2   |
| NRCS                               | Cory Schmidt          | 402-423-9683 ext 132 |
| Lincoln Public Works               | Thomas Casady         | 402-441-7548         |
| Nebraska Dept of Agriculture       | Mitch Coffin          | 402-471-6844         |
| Railroads Union Pacific            | Christina Stoner      | 402-544-8007         |
| Railroads BNSF                     | Dennis Mirabal        | 505-301-8411         |
| UNL East Campus                    | T. J. McAndrew        | 402-450-6360         |
| Parks and Recreation               | Chris Myers           | 402-441-7847         |
| Sanitary Landfill                  | Karla Welding         | 402-441-7867         |
| Lincoln Public Works ROW           | Kyle Williams         | 402-432-0320         |
| Lincoln Airport Authority          | Bob McNalley          | 402-458-2423         |

*If more space is needed, you may attach additional sheets.*

1. How many total hours does the control authority anticipate will be dedicated to the county noxious weed program? For the coming year? (Hours per quarter)

|             |                    |
|-------------|--------------------|
| <u>1560</u> | January - March    |
| <u>4000</u> | April - June       |
| <u>2100</u> | July - September   |
| <u>1560</u> | October - December |

2. Has your county's noxious weed infestations increased or decreased in the past year?

Increased

Explain.

I don't feel the noxious weeds are on an alarming increase. I think our inspectors are doing a great job of scouting and reporting the infestations. The awareness of noxious weed control in the County is very good and landowners are doing an excellent job with management. Annual inspections are made on all properties known to have had problems in the past. Lancaster County uses an aggressive inspection and legal notification program to gain compliance of the State of Nebraska's Noxious Weed Act.

**Phragmites** - We continue to work hard to find infestations and educate the landowners how to identify this plant and the destruction it causes. We continue to notice more landowners controlling their infestations prior to being notified by our office, indicating the education is making a difference. Since phragmites is easier to identify during the winter than during the growing season our staff scouts aggressively in the fall and winter to find new infestations. Control efforts on our roadsides have been very successful with our aggressive herbicide treatments. Phragmites is by far the most serious threat we face.

**Musk thistle** - Infested acres remained about the same as they have in recent years. There will always be musk thistle and the level of infestations will vary depending on weather conditions and management techniques. Landowners are aware of this noxious weed and do a good job of managing it.

**Canada thistle** – Infestation levels remained about the same. Since Canada thistle can be moved by root segments brought in with nursery stock. Most of our Canada thistle infestations are located inside City limits.

**Teasel** - Our aggressive scouting and control of this invasive are showing positive results. While we continue to find new infestations, the management of this noxious weed is similar to musk thistle and easier to control than some of our other invasives.

**Leafy spurge** - Infestations on our County roadsides are seeing a significant decrease due to the use of Method herbicide. This herbicide has proven to be safe to adjacent crops and has a lasting residual on leafy spurge. This plant is very difficult to control and landowners understand it will be a long term battle.

**Sericea lespedeza** – While we continue to find new infestations, we are seeing the total number of acres decreasing. Control of this species is not as difficult as some of our other perennials. There are good treatment options available for sericea lespedeza, however, due to the longevity of the seed, landowners that have it, will need to continue to manage the infestation.

**Knotweeds** – Knotweeds were originally sold as an ornamental, so most of our infestations are found in landscaped areas.

3. Provide any other information or policy that the control authority has determined to be relevant to the noxious weed control program.

Lancaster County, along with managing the Noxious Weed Program also manages the Weed Abatement program for the City of Lincoln. Doing inspections inside city limits helps us track noxious weed infestations better in the City. This interlocal agreement began in 1996 and works really well for the citizens of Lancaster County, giving them one location to call for weed problems.

Early Detection and Rapid Response is one of our main goals in Lancaster County. Because of our concern with new invasives, Lancaster County added cutleaf and common teasel to our noxious weed list in 2014.

4. Does your county have a resolution giving your county weed superintendent the authority to issue individual notices?  
NO  YES

How often is this resolution presented and approved by the County Weed Control Authority?

No resolution required, therefore it is not presented.

The opinion of the Lancaster County Attorney; the County Board hires the Weed Superintendent to carry out the duties of the Weed Control Authority office on their behalf; therefore a separate resolution is not necessary.

Submitted, reviewed, and approved by the county noxious weed control authority at a regular board meeting

Dated January 16, 2020

January 16, 2020  
Date

\_\_\_\_\_  
County Weed Superintendent

January 16, 2020  
Date

\_\_\_\_\_  
Control Authority Chairperson

2020 Control Plan.docm



**6. Official 15-day notice results:**

|  |    |
|--|----|
| a. Number of 15-day notices issued.....  | 24 |
| b. Number of 15-day notices which achieved acceptable compliance prior to notice expiration..... | 24 |
| c. Number of notices prosecuted.....   | 0  |
| d. Dollar value of fine notices collected.....   | 0  |
| e. Number of 15-day notice disposition reports completed.....                                    | 24 |

**7. Official 10-day notice results:**

|   |     |
|---|-----|
| a. Number of 10-day notices issued.....   | 25  |
| b. Number of 10-day notices which achieved acceptable compliance prior to expiration..... | 17  |
| c. Number of parcels force controlled by the county.....                                  | 0   |
| d. Number of parcels force controlled by contractors.....                                 | 8   |
| e. Total number of acres force controlled.....  | 115 |
| f. Total number of liens filed for nonpayment.....  | 2   |
| g. Total number of 10-day notice disposition reports completed.....                       | 25  |

**8. Weed Superintendent Education and Training:**

|   |    |
|---|----|
| a. Number of regional Nebraska Weed Control Association (NWCA) meetings attended.....     | 8  |
| b. Number of state NWCA meetings, workshops, or seminars attended.....                    | 3  |
| c. Number of university, state, or federal information or training sessions attended..... | 12 |
| d. Number of private industry training sessions attended.....                             | 3  |
| e. Other (list number of sessions attended).....  | 0  |

**9. Number of meetings weed superintendent held or attended with (other than those listed above):**

|  |    |
|--|----|
| a. Control authority.....                | 10 |
| b. County attorney.....                  | 6  |
| c. District NDA inspector.....           | 6  |
| d. Railroad officials.....               | 8  |
| e. Road departments.....                 | 14 |
| f. Municipalities.....                   | 12 |
| g. Federal officials.....                | 10 |
| h. Other or miscellaneous _____ PRT..... | 10 |

\_\_\_\_\_  
County Weed Superintendent Signature

January 16, 2020  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Control Authority Chairperson/President Signature

January 16, 2020  
\_\_\_\_\_  
Date

Nebraska Department of Agriculture  
Animal & Plant Health Protection  
P.O. Box 94756  
Lincoln, NE 68509  
(402) 471-2351

**BUDGET REPORT**  
(DUE January 31 of each year)

Lancaster County, 2019/ 2020

**Current Year Budget:**

Available Funds: 441,279  
Expenses: 172,808 (*Lancaster County funding*)

**Prior Year Actual:**

Revenues: 218,105  
Expenses: 389,767

**Superintendent Salary:** 73,863

\_\_\_\_\_  
County Weed Superintendent Signature

\_\_\_\_\_  
January 16, 2020  
Date

\_\_\_\_\_  
Control Authority Chairperson/President Signature

\_\_\_\_\_  
January 16, 2020  
Date



# NOXIOUS WEED INFESTATION REPORT LANCASTER COUNTY, 2019

| RAILROAD                  | Musk Thistle | Plumless Thistle | Canada Thistle | Leafy Spurge | Spot/Diff Knapweed | Purple Loosestrife | Saltcedar | Phragmites | Knotweed | Sericea Lespedeza |
|---------------------------|--------------|------------------|----------------|--------------|--------------------|--------------------|-----------|------------|----------|-------------------|
| None                      | 2354         | 2445             | 2444           | 2350         | 2445               | 2445               | 2445      | 2417       | 2445     | 2445              |
| Trace                     | 3            | 0                | 0              | 0            | 0                  | 0                  | 0         | 0          | 0        | 0                 |
| Light                     | 22           | 0                | 1              | 13           | 0                  | 0                  | 0         | 4          | 0        | 0                 |
| Moderate                  | 46           | 0                | 0              | 36           | 0                  | 0                  | 0         | 3          | 0        | 0                 |
| Severe                    | 20           | 0                | 0              | 46           | 0                  | 0                  | 0         | 21         | 0        | 0                 |
| Total Acres               | 2445         | 2445             | 2445           | 2445         | 2445               | 2445               | 2445      | 2445       | 2445     | 2445              |
| <b>ROADS</b>              |              |                  |                |              |                    |                    |           |            |          |                   |
| None                      | 28691        | 28695            | 28692          | 28477        | 28695              | 28695              | 28695     | 28639      | 28695    | 28676             |
| Trace                     | 0            | 0                | 1              | 23           | 0                  | 0                  | 0         | 16         | 0        | 3                 |
| Light                     | 1            | 0                | 1              | 66           | 0                  | 0                  | 0         | 28         | 0        | 13                |
| Moderate                  | 3            | 0                | 1              | 53           | 0                  | 0                  | 0         | 12         | 0        | 3                 |
| Severe                    | 0            | 0                | 0              | 76           | 0                  | 0                  | 0         | 0          | 0        | 0                 |
| Total Acres               | 28695        | 28695            | 28695          | 28695        | 28695              | 28695              | 28695     | 28695      | 28695    | 28695             |
| <b>NON-AG</b>             |              |                  |                |              |                    |                    |           |            |          |                   |
| None                      | 93261        | 93869            | 93822          | 93534        | 93869              | 93831              | 93869     | 92896      | 93858    | 93663             |
| Trace                     | 43           | 0                | 5              | 19           | 0                  | 3                  | 0         | 65         | 2        | 2                 |
| Light                     | 161          | 0                | 15             | 104          | 0                  | 2                  | 0         | 260        | 4        | 15                |
| Moderate                  | 171          | 0                | 15             | 97           | 0                  | 16                 | 0         | 349        | 3        | 35                |
| Severe                    | 233          | 0                | 12             | 115          | 0                  | 17                 | 0         | 299        | 2        | 154               |
| Total Acres               | 93869        | 93869            | 93869          | 93869        | 93869              | 93869              | 93869     | 93869      | 93869    | 93869             |
| <b>PASTURE/RANGE/IDLE</b> |              |                  |                |              |                    |                    |           |            |          |                   |
| None                      | 123037       | 123732           | 123717         | 123344       | 123732             | 123731             | 123732    | 123709     | 123732   | 123635            |
| Trace                     | 11           | 0                | 1              | 11           | 0                  | 1                  | 0         | 4          | 0        | 3                 |
| Light                     | 66           | 0                | 1              | 39           | 0                  | 0                  | 0         | 8          | 0        | 13                |
| Moderate                  | 376          | 0                | 9              | 154          | 0                  | 0                  | 0         | 10         | 0        | 50                |
| Severe                    | 242          | 0                | 4              | 184          | 0                  | 0                  | 0         | 1          | 0        | 31                |
| Total Acres               | 123732       | 123732           | 123732         | 123732       | 123732             | 123732             | 123732    | 123732     | 123732   | 123732            |
| <b>CROPLAND</b>           |              |                  |                |              |                    |                    |           |            |          |                   |
| None                      | 292960       | 293005           | 293004         | 293002       | 293005             | 293005             | 293005    | 292988     | 293005   | 293005            |
| Trace                     | 0            | 0                | 0              | 1            | 0                  | 0                  | 0         | 0          | 0        | 0                 |
| Light                     | 7            | 0                | 1              | 2            | 0                  | 0                  | 0         | 12         | 0        | 0                 |
| Moderate                  | 5            | 0                | 0              | 0            | 0                  | 0                  | 0         | 2          | 0        | 0                 |
| Severe                    | 33           | 0                | 0              | 0            | 0                  | 0                  | 0         | 3          | 0        | 0                 |
| Total Acres               | 293005       | 293005           | 293005         | 293005       | 293005             | 293005             | 293005    | 293005     | 293005   | 293005            |
| <b>COUNTY TOTALS</b>      |              |                  |                |              |                    |                    |           |            |          |                   |
| None                      | 540303       | 541746           | 541679         | 540707       | 541746             | 541707             | 541746    | 540649     | 541735   | 541424            |
| Trace                     | 57           | 0                | 7              | 54           | 0                  | 4                  | 0         | 85         | 2        | 8                 |
| Light                     | 257          | 0                | 19             | 224          | 0                  | 2                  | 0         | 312        | 4        | 41                |
| Moderate                  | 601          | 0                | 25             | 340          | 0                  | 16                 | 0         | 376        | 3        | 88                |
| Severe                    | 528          | 0                | 16             | 421          | 0                  | 17                 | 0         | 324        | 2        | 185               |
| Total Acres               | 541746       | 541746           | 541746         | 541746       | 541746             | 541746             | 541746    | 541746     | 541746   | 541746            |
| TOTAL                     | 1443         | 0                | 67             | 1039         | 0                  | 39                 | 0         | 1097       | 11       | 322               |

Noxious weed(s) petitioned by county: Teasel

Total Acres 43

\_\_\_\_\_  
County Weed Superintendent signature

01/16/2020  
Date

\_\_\_\_\_  
Control Authority Chairperson/President signature

01/16/2020  
Date

**NEBRASKA INVASIVE PLANT WATCH LIST  
INFESTATION REPORT (Due January 31, of each year)**

County: Lancaster

Year: 2019

| COMMON NAME (SCIENTIFIC NAME)                          | Cropland | Pasture/<br>Range | Forest/<br>Woodland | Wetland | Rights of<br>Way | Total<br>Acres |
|--|----------|-------------------|---------------------|---------|------------------|----------------|
| Absinth Wormwood ( <i>Artemisia absinthium</i> L.)     | 0        | 0                 | 0                   | 0       | 0                | 0              |
| Australian beardgrass ( <i>Bothriochloa bladhii</i> )  | 0        | 0                 | 0                   | 0       | 0                | 0              |
| Black knapweed ( <i>Centaurea moncktonii</i> )         | 0        | 0                 | 0                   | 0       | 0                | 0              |
| Brittle naiad ( <i>Najas minor</i> )                   | 0        | 0                 | 0                   | 0       | 0                | 0              |
| Callery Pear ( <i>Pyrus calleryana</i> )               | 0        | 0                 | 5                   | 0       | 0                | 5              |
| (only report these found in non-urban areas)           |          |                   |                     |         |                  |                |
| Common Teasel ( <i>Dipsacus fullonum</i> )             | 0        | 5                 | 0                   | 0       | 7                | 12             |
| Crown vetch ( <i>Securigera varia</i> )                | 0        | 450               | 0                   | 0       | 550              | 1000           |
| Cutleaf teasel ( <i>Dipsacus laciniatus</i> )          | 0        | 0                 | 0                   | 0       | 20               | 20             |
| Eurasian watermilfoil ( <i>Myriophyllum spicatum</i> ) | 0        | 0                 | 0                   | 0       | 0                | 0              |
| Garlic mustard ( <i>Allaria petiolata</i> )            | 0        | 0                 | 300                 | 0       | 200              | 500            |
| Giant reed ( <i>Arundo donax</i> L.)                   | 0        | 0                 | 0                   | 0       | 5                | 5              |
| Giant salvinia ( <i>Salvinia molesta</i> )             | 0        | 0                 | 0                   | 0       | 0                | 0              |
| Henbane ( <i>Hyoscyamus niger</i> )                    | 0        | 0                 | 0                   | 0       | 0                | 0              |
| Houndstongue ( <i>Cynoglossum officinale</i> )         | 0        | 0                 | 0                   | 0       | 0                | 0              |
| Hydrilla ( <i>Hydrilla verticillata</i> )              | 0        | 0                 | 0                   | 0       | 0                | 0              |
| Japanese honeysuckle ( <i>Lonicera japonica</i> )      | 0        | 0                 | 0                   | 0       | 0                | 0              |
| Oriental bittersweet ( <i>Celastrus orbiculatus</i> )  | 0        | 0                 | 0                   | 0       | 0                | 0              |
| Russian knapweed ( <i>Acroptilon repens</i> )          | 0        | 0                 | 0                   | 0       | 0                | 0              |
| Sickleweed ( <i>Falcaria vulgaris</i> )                | 0        | 0                 | 0                   | 0       | 0                | 0              |
| St. Johnswort ( <i>Hypericum perforatum</i> )          | 0        | 2000              | 0                   | 0       | 3000             | 5000           |
| Sulphur cinquefoil ( <i>Potentilla recta</i> L.)       | 0        | 3500              | 0                   | 0       | 1500             | 5000           |
| Water hyacinth ( <i>Eichhornia crassipes</i> )         | 0        | 0                 | 0                   | 0       | 0                | 0              |
| Yellow bedstraw ( <i>Galium verum</i> )                | 0        | 0                 | 0                   | 0       | 0                | 0              |
| Yellow bluestem ( <i>Bothriochloa ischaemum</i> )      | 0        | 0                 | 0                   | 0       | 0                | 0              |
| Yellow flag iris ( <i>Iris pseudacorus</i> )           | 0        | 2                 | 0                   | 0       | 0                | 2              |
| <b>Total Acres Infested</b>                            | 0        | 5957              | 305                 | 0       | 5282             | 11544          |

Return completed report to: Nebraska Department of Agriculture, Animal & Plant Health Protection, PO Box 94756, Lincoln, NE 68509

Rev 2018

The list of Invasive Plants in Nebraska was produced by the Nebraska Invasive Species Council, and include species that have been known to be invasive in at least one habitat type. Some species may not show invasive tendencies in other habitats. These lists are advisory in nature; they are provided as an educational tool and are not intended, alone, to dictate management actions or for regulatory action.

# COUNTY BOARD SUMMARY REPORT

**TO** : County Clerk: Attn: Monet McCullen  
**FROM** : David R. Cary, Director of Planning   
**RE** : **County Special Permit 19051 (Resolution PC-01682)**  
(Campgrounds and related accessory uses – SE Corner of Hwy 77 and Davey Road)  
**DATE** : January 10, 2020

1. Attached is a revised and **amended** Planning Staff Report and application documents (pp.1-23) relating to County Special Permit 19051, to allow for a campground and related accessory uses, on property generally located at the SE corner of Hwy 77 and Davey Road.

This application was included on the December 4, 2019, and December 18, 2019, Planning Commission agendas.

2. As indicated on the revised application, the staff recommendation of conditional approval is based upon the staff report "Analysis" as set forth on pp.2-3 of the Summary Report, concluding that campgrounds are allowed by special permit in the AG District. Campgrounds provide recreation and are an appropriate land use in an agricultural zoned area with certain conditions. This campground meets all conditions that are proposed with the associated Text Amendment TX19009. A water report submitted by the applicant shows that there is adequate water in the area. Nebraska Department of Transportation, Lancaster County Sherriff, County Engineer and Health Department did not object to this application.
3. On December 2, 2019, staff provided a memorandum identifying a revision to the staff report dated November 25, 2019, which can be found on p.24.
4. On December 4, 2019, the Planning Commission held a public hearing on this application. The complete set of meeting minutes with exhibits is 100+ pages and can be found at: <https://lincoln.ne.gov/city/plan/boards/pc/minutes/2019/120419.pdf> . For reference purposes, the staff presentation is found on p.25.
5. The applicant's testimony as well as testimony on behalf of the applicant is found on pp.26-27, including a proposed amendment to the text of Condition 2.1 of the staff report (Exhibit "13"), which is found on p.34. Testimony in opposition is found of pp.27-29. Discussion with the Planning Commission is found on p.29. The applicant's rebuttal is found on pp.29-30.
6. On December 4, 2019, following considerable discussion, the Planning Commission voted 4-2 (Edgerton and Beckius dissenting; Finnegan, Joy and Ryman Yost absent), to approve this special permit as amended as presented on behalf of the applicant (see Exhibit "13" of the December 4, 2019, Planning Commission minutes. Because the Planning Commission's motion to approve failed to receive five votes, this matter was carried over to the December 18, 2019, hearing for action only.

7. On December 18, 2019, the Planning Commission voted 5-3 (Edgerton, Joy and Beckius dissenting; Corr absent), to approve this special permit as amended as presented on behalf of the applicant as referenced in Exhibit "1" of the December 18, 2019, Planning Commission minutes. (See pp. 35-37).
8. On December 30, 2019, two separate appeals were filed by: (1) Phyllis V. Larsen, 17575 No. 70<sup>th</sup> Street, Lincoln, NE 68517; and (2) Karen Kurbis 17500 No. 84<sup>th</sup> Street, Lincoln, NE 68517. (See pp.38-39).
9. To access all public comments and information on this application, click on the following link [www.lincoln.ne.gov](http://www.lincoln.ne.gov) and (Keyword = PATS). Click on the "Selection Screen" under "Featured Links", type in the application number (i.e. SP19051); click on "Search", then "Select". Go to "Related Documents". There were multiple comments and letters submitted by interested parties.

The Planning staff will meet with the County Board on **January 16, 2020, at 10:00 a.m.**, in Studio Room 113 on the First Floor of the County-City Building, to brief the board members on this special permit application. The public hearing on this special permit before the Lancaster County Board is scheduled for Thursday, **January 21, 2020, at 9:00 a.m.**, at the County-City Building, 555 S. 10<sup>th</sup> Street, Room 112, Lincoln, NE.

If you need any further information, please let me know (402-441-6365).

|     |   |                                     |
|-----|---|-------------------------------------|
| cc: | County Board                            | Ann Ames, County Commissioners      |
|     | Tom Cajka, Planning                     | David Derbin, Co. Attorney's Office |
|     | Jenifer Holloway, Co. Attorney's Office | Kerry Eagan, County Commissioners   |
|     | David Queen                             | Kent Seacrest                       |
|     | Mike Eckert                             |                                     |

**AS REVISED, AMENDED AND ADOPTED BY PLANNING COMMISSION FOR CONDITIONAL  
APPROVAL: DECEMBER 18, 2019**

**LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT**

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER  
Special Permit #19051

FINAL ACTION?  
Yes

DEVELOPER  
David and Jolene Queen

PLANNING COMMISSION HEARING DATE  
December 4, 2019

RELATED APPLICATIONS  
TX#19009

PROPERTY ADDRESS/LOCATION  
Highway 77 and Davey Road

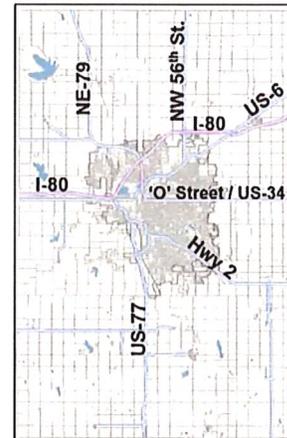
**RECOMMENDATION: CONDITIONAL APPROVAL**



**BRIEF SUMMARY OF REQUEST**

This is a request for a special permit per Section 13.014 of the Lancaster County Zoning Regulations for a campground. The campground is proposed for up to 240 camp sites with electrical, water and sewer hook ups. The campground will also have amenities such as a swimming pool, office, playground facilities and convenience goods shop.

The campground will take access off Davey Road and there will be no access off Highway 77. The campground is proposing 2 wells for water and lagoons for wastewater.



**JUSTIFICATION FOR RECOMMENDATION**

Campgrounds are allowed by special permit in the AG District. Campgrounds provide recreations and are an appropriate land use in an agricultural zoned area with certain conditions. This campground meets all conditions that are proposed with the associated Text Amendment TX19009. A water report submitted by the applicant shows that there is adequate water in the area. Nebraska Department of Transportation, Lancaster County Sherriff, County Engineer and Health Department did not object to this application.

**COMPATIBILITY WITH THE COMPREHENSIVE PLAN**

The proposed campground is in conformance with the Comprehensive Plan and the proposed Lancaster County Zoning Regulations. The Comprehensive Plan encourages recreation and the use will not negatively impact the surrounding properties.

**APPLICATION CONTACT**

Kent Seacrest, 402-432-9060 or  
[kent@sk-law.com](mailto:kent@sk-law.com)

**STAFF CONTACT**

Tom Cajka, (402) 441-5662 or  
[tcajka@lincoln.ne.gov](mailto:tcajka@lincoln.ne.gov)

## KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 5.2 - Lancaster County benefits from many quality of life factors that attract both employers and employees. Lancaster County provides a wide range of art, entertainment, and recreation opportunities. All of these assets should be emphasized to encourage economic development.

P. 5.4 - Agriculture is the dominant land use in Lancaster County, accounting for roughly ¾ of all land. While this land is largely considered “undeveloped,” it is still an important economic factor in the county’s future. Agriculture’s impact on the local economy goes beyond the sale at the end of production. Farms of all sizes make purchase of goods and services in the city and county throughout the year, which contributes to the local tax base and sustain growth for other business in the agriculture industry.

p. 9.3- Public and private partnerships are important in the development of recreational opportunities and the preservation of environmental resources that bring a high quality of life to the City and County.

P. 12.3 - this site is shown as future agriculture on the 2040 Lincoln Area Future Land Use Plan.

P. 12.4 - Agricultural land is principally in use for agricultural production. Agricultural land may be in transition to more diversified agribusiness ventures.

## ANALYSIS

1. This request is for a special permit for a campground per Article 13.014. The applicant is proposing an extensive campground facility with up to 240 RV/campsites with full water, sewer and electrical hook ups. The campground will include a swimming pool, playground, office, convenience goods shop and one residential unit for a caretaker.
2. Of the 240 campsites, the applicant proposes that up to 35% (84) would allow campers to stay up to 180 consecutive days. The remaining campsites would be limited to no more than 30 consecutive days. A text amendment to the Lancaster County zoning regulations is required to allow stays for more than 30 days. An associated text amendment, TX19009, has been submitted by the applicant.
3. Although the AG-Agricultural District is mainly for agricultural purposes, the Lancaster County Zoning Regulations allow other uses by special permit. Other special permitted uses include, but are not limited to, veterinary facilities, garden centers, residential health care facilities, race tracks, commercial wind energy conversion systems and Community Unit Plans (residential cluster developments). Campgrounds have been in the zoning regulations by special permit since 1979.
4. Campgrounds are generally located in rural areas and provide recreation amenities. Campers typically want to get away from the city and enjoy the countryside. Campgrounds also utilize a large amount of ground which makes them cost prohibitive in the city.
5. The site for the campground is zoned AG-Agriculture and is 45.49 acres. The site is located southeast of the intersection of Highway 77 and Davey Road. Access will be off of Davey Road. There will be no access to Highway 77. Davey Road will be paved from Highway 77 to the entrance into the campground.
6. Nebraska Department of Transportation has reviewed this application and is not requiring a right turn lane off of Highway 77 on to Davey Road. Highway 77 is a heavily traveled highway. The Annual Average Daily Traffic at this intersection on Highway 77 was 7,890 in 2018. The amount of traffic generated by the proposed campground will be minimal on Highway 77.
7. The Lancaster County Sheriff’s office note that there have been 11 accidents reported at or near the intersection of Highway 77 and Davey Road between October 2016 and October 2019. Seven of these accidents were vehicles hitting deer. Two were injury accidents and 2 were property damage accidents. The Sheriff’s office did not have concern with motor homes or vehicles towing a trailer making a right turn off of Highway 77 on to Davey Road without a right hand turn lane. There is a left hand turn lane from Highway 77 to Davey Road.
8. Water will be supplied by two wells on the property. The applicant’s engineer has submitted a Ground Water Analysis for the area. The report analyzed 8 wells within the area. The date of well testing range from August 29, 1995 to July 25, 2019. The test results show that the Adjusted Static Water Level went from 1210 in 1995 to 1190 in 2019.
9. The applicant supplied data on water usage at Camp A Way’s current site shows that during the peak July/August

months the campground averaged 68.9 gallons of use per campsite per day. Based on this figure the peak demand for the proposed campground would be 16,536 gallons per day. The test well would need to pump for 330 minutes or 5.5 hours per day to satisfy the peak demand.

10. The Lower Platte South Natural Resource District (NRD) has submitted information on groundwater. The report is attached. The report shows that there are 7 registered wells within one mile of the proposed site. All of the wells are domestic and one is on the proposed site. Six of the wells have a pump rate of 10-25 gallons per minute. One well, the proposed site well, has a pump rate of 50 gallons per minute.

The report further states that based on the variation of pumping rates it appears that the ground water supply in this area is variable, which is consistent with the variable nature of the geologic units characterizing this part of Lancaster County.

11. Sewage waste will be handled by 2 sewage lagoons. The sewage lagoons are required to be reviewed and permitted by Nebraska Department of Environment and Energy (NDEE) and by the Lincoln-Lancaster County Health Department (LLCHD).
12. The majority of the site is not classified as prime farmland. There are no wetlands, native grasses or endangered species on the site.
13. The applicant held an informational meeting for residents of the area on October 22, 2019 at the Davey Community Center. Approximately 50 persons attended the meeting. Issues raised at the meeting concerned impact on the quantity of groundwater, traffic, noise and change to the land use.
14. The following conditions are proposed by TX19009:

- a. The campground shall have a minimum of 40 campsites and shall be supplied with a water supply and sewage disposal facilities, including washing, toilets and similar facilities, all of which meet all applicable codes and regulations.

*The proposed campground has 240 campsites, bathroom and laundry facilities, and water and sewage facilities.*

- b. A front yard setback of 50 feet and side and rear yard of 60 feet shall be maintained on the campground.

*The site plan shows setbacks in conformance with this condition.*

- c. No campground may be occupied by the same person or persons for more than 30 consecutive days.

However, if the campground provides recreation and support facilities including but not limited to a swimming pool, convenience goods shop, and office up to 35% of the campground sites may be occupied for no more than 180 consecutive days.

*The site plan shows that the campground will have a swimming pool, playground, office and store. They are requesting that 35% of the campsites be for stays up to 180 consecutive days.*

- d. The campground shall take access to and from a paved public road.

*The site plan notes that Davey Road shall be paved from Highway 77 to the campground entrance.*

**CONDITIONS OF APPROVAL:** See attached.

**EXISTING LAND USE & ZONING:** AG, Agriculture Farm ground

**SURROUNDING LAND USE & ZONING**

|                       |                                       |
|-----------------------|---------------------------------------|
| North: AG-Agriculture | Farm ground and 4 acreage lots        |
| South: AG-Agriculture | Farm ground and 2 houses              |
| East: AG-Agriculture  | Farm ground and one acreage lot       |
| West: AG-Agriculture  | Farm ground and several acreage lots. |

**APPROXIMATE LAND AREA:** 45.49 acres, more or less

**LEGAL DESCRIPTION:** Lot 28 Irregular Tract located in the NW ¼ of Section 28, Township 12 North, Range 7 East, Lancaster County, NE.

Prepared by

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Tom Cajka, Planner

Date: November 25, 2019 Revised by staff: December 3, 2019;  
Amended by Planning Commission: December 18, 2019

Applicant: David and Jolene Queen  
200 Campers Circle  
Lincoln, NE 68521  
402-476-2282  
davidlqueen@gmail.com

Contact: Kent Seacrest  
1128 Lincoln Mall, Suite 350  
Lincoln, NE 68508  
402-432-9600  
kent@sk-law.com

Owner: Dirt Mine, 77, LLC  
1440 Linwood Lane  
Lincoln, NE 68505  
402-432-9834

F:\DevReview\SP\19000\SP19051 campground\_pc.tjc.revised.docx

## CONDITIONS OF APPROVAL - SPECIAL PERMIT #19051

Per Article 13.014 this approval permits a campground for up to 240 campsites.

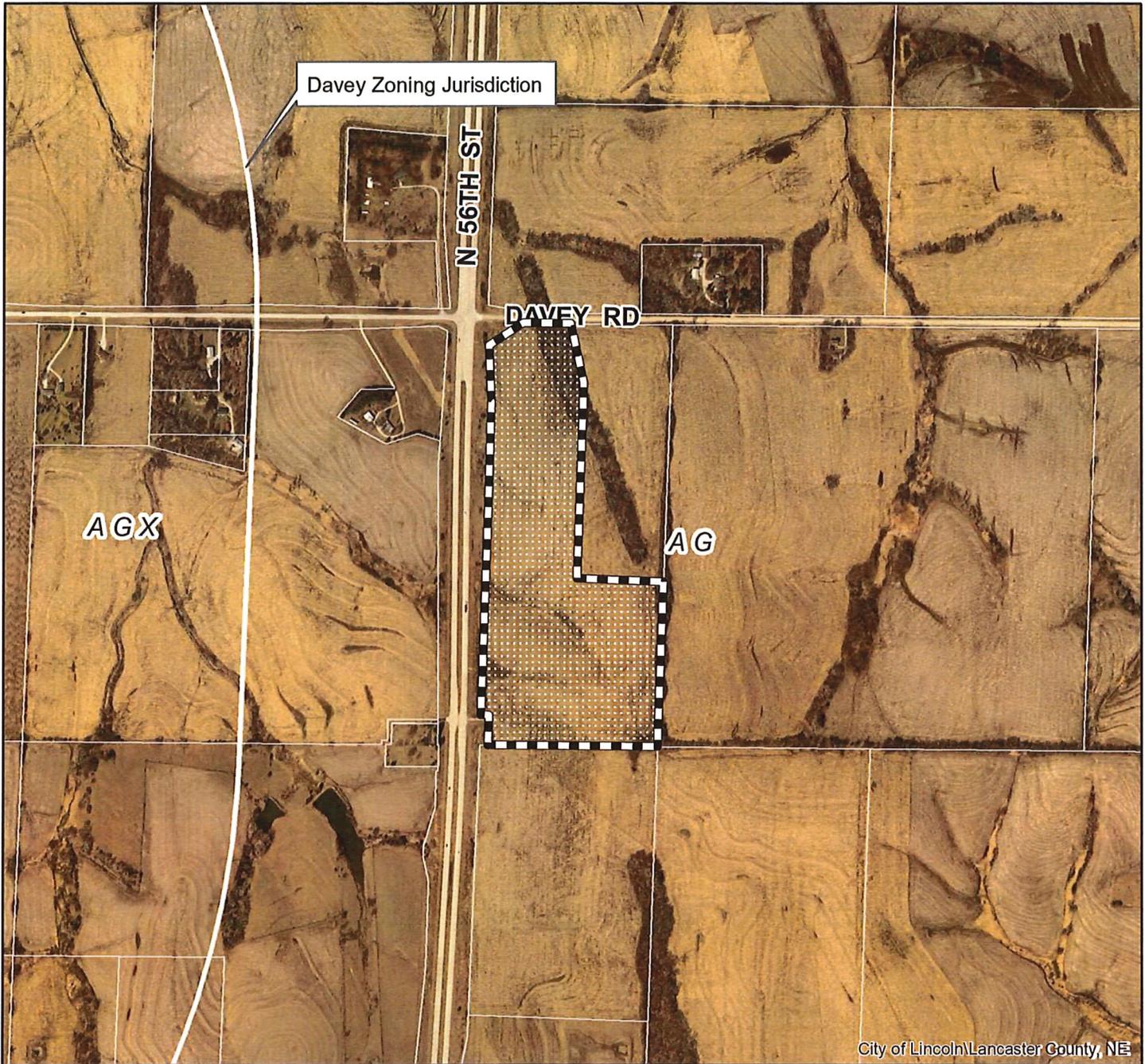
### Site Specific Conditions:

1. The Lancaster County Board of Commissioners City Council approves associated request:
  - 1.1 TX#19009
2. Before receiving building permits (if no final plat is required) or before a final plat is approved (if final plat is required) the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 3 copies with all required revisions and documents as listed below:
  - 2.1 Revise Note #2 to read, "240 campsites are permitted. Up to 35% of the campsites may be occupied for no more than 180 ~~consecutive~~ days in any calendar year. If campground is built in phases, the 35% shall apply to the number of campsites in that phase. For the remaining portion, the same person or persons may not occupy the campground for more than thirty (30) consecutive days"
  - 2.2 Change the line type around Camper Rental Area to distinguish it from the overall camping area. Change Camper Rental Area to Cabin Rental Area.
  - 2.3 Delete Note #6. This will be covered in Note #2.
  - 2.4 Delete Notes 17 and 18.
  - 2.5 Identify the portion of the driveway to be paved.
  - 2.6 Delete Note #10 and add to Note #2.
  - 2.7 Revise Note #16 to read, "Minor accessory retail sales for camper needs is allowed in the office/store. The sale of alcoholic beverages is not allowed."
  - 2.8 Correct the legal description.
  - 2.9 Correct the distance along the west boundary. It does not match the distance shown in the CAD drawing.
  - 2.10 Need to identify the various monument symbol types shown on the drawing either by monument notes, Legend identification or both.
  - 2.11 Survey data shown indicates establishment of various boundary corners. Need method of reestablishment shown along with record source including Surveyor's Certificate for the boundary work.
  - 2.12 Need to show recorded and measured right-of-way widths along adjacent roads.
  - 2.13 Section corner reference ties listed for corners identified as Point D, E and F but locations are not shown on the drawing.
  - 2.14 In the section corner reference ties, the labeling of corner C should be revised to "SE Cor W ½, NW ¼ Sec. 28 T12N, R7E.
  - 2.15 On the drawing, the adjacent lot east of the north portion of this special permit is miss-labeled. Should be Lot 27 IT not Lot 28.
  - 2.16 There is controlled access along Highway 77 which should be noted, listing record document number on the drawing or in the General Notes.

- 2.17 Provide a topo map showing contours and locations of buildings and amenities for our review of drainage patterns.
  - 2.18 Provide a drainage study that includes at a minimum a topographical map showing existing drainage areas and resulting runoff from all land lying outside the limits of the proposed construction which discharge storm water runoff into or through the area; a topographical map showing proposed contour lines, all sub drainage areas, and resulting runoff; and a copy of the drainage computations. The change in land use shall not adversely affect runoff to adjacent properties and county right-of-way; post-development flows should be less than or equal to pre-development flows.
3. Before receiving building permits provide the following documents to the Planning Department:
- 3.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
  - 3.2 Submit road improvement plans for Davey Road to the Lancaster County Engineering Department and to the Nebraska Department of Transportation for review and approval.

**Standard Conditions:**

- 4 The following conditions are applicable to all requests:
- 4.1 Before starting the operation all development and construction shall substantially comply with the approved plans.
  - 4.2 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the ~~Permittee or an appropriately established homeowners association approved by the City.~~
  - 4.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
  - 4.4 Before occupying this campground City/County Health Department is to approve the water and waste water systems.
  - 4.5 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
  - 4.6 The applicant shall sign and return the letter of acceptance to the County Clerk. This step should be completed within 60 days following the approval of the special permit. The Permittee shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds. Building permits will not be issued unless the letter of acceptance has been filed.



2018 aerial

**Special Permit #: SP19051**  
**N 56th St & Davey Rd**

**Zoning:**

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

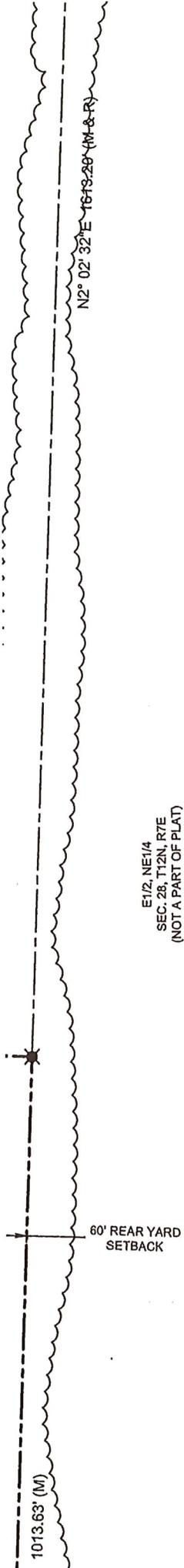
One Square Mile:  
 Sec.28 T12N R07E



|   |                              |
|---|------------------------------|
|  | Area of Application          |
|  | Zoning Jurisdiction Lines    |
|  | City of Lincoln Jurisdiction |







E 1/2, NE 1/4  
 SEC. 28, T12N, R7E  
 (NOT A PART OF PLAT)

**GENERAL SITE NOTES**

1. THE PROPERTY IS CURRENTLY ZONED 'AG' AGRICULTURAL
2. 240 CAMPING SITES AND 16 CAMPER RENTAL SITE ARE PERMITTED.
3. BUILDING LOCATIONS AND AMENITIES ARE CONCEPTUAL AND MAY BE LOCATED ANYWHERE OUTSIDE OF THE SETBACKS.
4. THE CAMPGROUND SHALL INCLUDE A WATER SUPPLY AND SEWAGE DISPOSAL FACILITY, INCLUDING WASHING, TOILETS AND SIMILAR FACILITIES THAT MEET ALL APPLICABLE CODES AND REGULATIONS.
5. ALL CAMPING SITES SHALL HAVE UNDERGROUND SEWER MAIN CONNECTIONS TO THE WASTEWATER LAGOON FACILITIES.
6. THE CAMPER RENTAL UNITS MAY NOT BE OCCUPIED BY THE SAME PERSON OR PERSONS FOR MORE THAN 180 CONSECUTIVE DAYS.
7. CAMPERS MAY BE LOCATED ANYWHERE WITHIN THE CAMPING AREA AND THE CAMPER RENTAL AREA.
8. ALL YARD SETBACKS ARE AS SHOWN.
9. TWO SIGNS ARE ALLOWED IN THE FRONT YARD SETBACK ALONG HWY 77.
10. ONE RESIDENTIAL UNIT IS PERMITTED FOR AN ON-SITE CARETAKER RESIDENCE.
11. THE APPLICANT SHALL PAVE DAVEY RD TO COUNTY SPECIFICATIONS FROM THE PAVED RETURN OFF OF HWY 77 TO THE CAMPGROUND ENTRANCE AS DIMENSIONED ON THE SITE PLAN PRIOR TO RECEIVING OCCUPANCY PERMIT FOR THE MAIN OFFICE FACILITY.
12. ALL INTERIOR DRIVEWAYS MAY BE GRAVEL SURFACE.
13. WORK DONE WITHIN THE LANCASTER COUNTY RIGHT-OF-WAY SHALL BE COMPLETED IN ACCORDANCE WITH THE LANCASTER COUNTY DESIGN STANDARDS.
14. APPLICANT SHALL PROVIDE A STORM WATER DETENTION BASIN AS SHOWN ON THE SITE PLAN TO DIMINISH PEAK FLOWS INTO THE DRAINAGE WAY SOUTH OF DAVEY RD.
15. PARKING LOT AREAS SHALL BE GRAVELED BUT HANDICAP PARKING STALLS, AS REQUIRED, SHALL BE PAVED.
16. RETAIL SALES ARE ALLOWED AS AN ACCESSORY USE.
17. OWNER IS RESPONSIBLE FOR ALL MOSQUITO CONTROL ISSUES.
18. ALL WIND AND WATER EROSION MUST BE CONTROLLED.
19. EXISTING TREE MASSES ARE TO REMAIN.

**DESCRIPTION -SPECIAL PERMIT**

20 AND 21 IRREGULAR TRACTS, LOCATED IN THE NORTH HALF OF 7 TOWNSHIP 10 NORTH RANGE 8 EAST, OF THE SIXTH PRINCIPAL, LANCASTER COUNTY, NEBRASKA.

**LEGEND**

- - - - - SPECIAL PERMIT BOUNDARY
- - - - - STREET CENTERLINE
- - - - - PROPOSED EASEMENTS
-  EXISTING TREE MASS

**DEVELOPER**  
 QUEENLAND, II  
 200 CAMPERS I  
 LINCOLN, NE 6  
 PHONE: (402) 4

**Geological and Ground Water Background Information  
Proposed Lincoln Capital Campground  
W ½, NW ¼, Sec. 28, T12N, R7E, Lancaster County**

**Dick Ehrman, Water Resources Specialist  
Lower Platte South Natural Resources District**

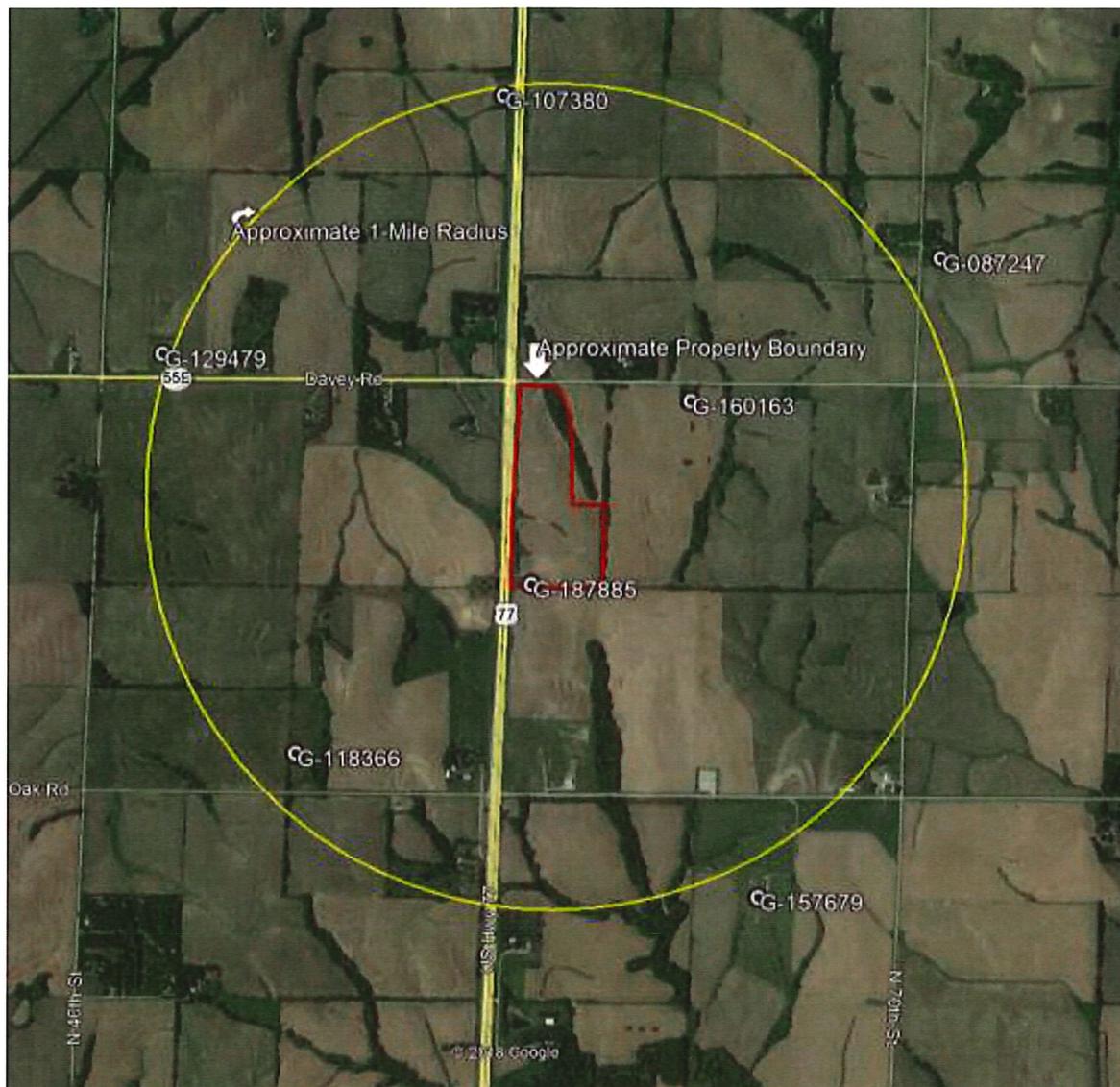
**General Geological and Ground Water Background**

The site is located in north-central Lancaster County a little more than a mile east of Davey, in the Rolling Hills topographic region. In general, the area is underlain by a variety of glacial deposits consisting of windblown silt (loess) and glacial till (a poorly-sorted mixture of clay, silt, sand and gravel but often characterized by thick sequences of clay), and stream-deposited sand and gravel units which can yield variable amounts of ground water. Additionally, the Dakota Group bedrock sandstones which underlie these younger sediments can produce ground water but if wells are drilled too deep into the Dakota, poor water quality from high salt levels can be a concern.

**Ground Water Availability and Use**

Within about a one-mile radius of the proposed facility, the Nebraska Department of Natural Resources' well registration database lists a total of seven registered wells, all of these being domestic wells. One of these is located on the property proposed for development. The table below summarizes the basic characteristics of those wells; the map on the following page shows their locations in relation to the proposed campground:

| Well Registration Number | Use      | Completion Date | Land Surface Elevation | Static Water Level | Water Table Elevation | Well Depth | Screen Interval | Pump Rate (gpm) |
|--------------------------|----------|-----------------|------------------------|--------------------|-----------------------|------------|-----------------|-----------------|
| G-087247                 | Domestic | 1995            | 1355                   | 142                | 1213                  | 185        | 165-185         | 10              |
| G-107380                 | Domestic | 2000            | 1266                   | 55                 | 1211                  | 121        | 111-121         | 10              |
| G-118336                 | Domestic | 2002            | 1345                   | 170                | 1175                  | 305        | 285-305         | 15              |
| G-129479                 | Domestic | 2004            | 1313                   | 158                | 1155                  | 243        | 223-243         | 15              |
| G-157679                 | Domestic | 2010            | 1315                   | 150                | 1165                  | 280        | 270-280         | 25              |
| G-160163                 | Domestic | 2011            | 1306                   | 114                | 1192                  | 285        | 275-285         | 15              |
| G-187885                 | Domestic | 2019            | 1329                   | 138                | 1191                  | 264        | 244-264         | 50              |



In general, the geologic logs for the above wells show several tens of feet of alternating silt, clay, and sand, then sandstone and shale at something more than 100 feet below the land surface. Note that this is only a summary; each of the above wells' logs is slightly different. The northernmost well (G-107380) appears to be screened in a sand and gravel unit in the upper glacial sediments, while the remainder of the wells are screened considerably deeper, probably in sand/sandstone units of the Dakota Group. Most of the wells are registered as pumping between 10 and 25 gallons per minute (gpm), which is fairly typical for domestic and stock wells in southeast Nebraska. However, the newest well on the property proposed for development (G-187885) is registered as pumping 50 gpm, considerably more than the other nearby wells. It therefore appears that the ground water supply in this area is variable, which again is consistent with the variable nature of the geological units characterizing this part of Lancaster County.

### **Ground Water Quality**

The Lower Platte South NRD has not sampled any wells in the area indicated on this map. The nearest wells that the NRD has sampled are around the Village of Davey about one to two miles west of the proposed site. The two municipal wells for Davey have historically shown elevated levels of nitrate, often above 10 parts per million (ppm). The NRD has installed four dedicated monitoring wells in the wellhead protection area for Davey, and these wells have shown elevated levels as well, mostly between 5 and 15 ppm. For reference, the US Environmental Protection Agency's maximum contaminant level (MCL) for nitrate-nitrogen in drinking water is 10 ppm. As a result, in 2009 LPSNRD established a Phase II Ground Water Management Area (GWMA) in the area included in Davey's wellhead protection area, and has been working with farmers and landowners there on programs to reduce the levels of nitrate in ground water. Therefore, the Lower Platte South NRD has some indication of nitrate contamination of ground water in the general vicinity, but no data for the ground water in the area immediately surrounding the proposed facility. As already mentioned, some results from some sampling events have shown slightly elevated levels of dissolved salts (particularly sodium), but these are attributed to natural sources associated with the bedrock units in the area, and are generally considered a nuisance. All other parameters in the NRD's database for samples from this area have been well within associated guidelines for drinking water.

### **Water Quality Considerations**

As noted above, the subsurface materials in this area consist of a variety of silt and clay materials, under which occur different kinds of aquifer materials. As a general rule, the greater the distance from the surface to the ground water, and the more fine-grained the materials that make up this zone (generally known as the unsaturated or vadose zone), the less likely the leaching of materials applied to the surface. That being the case, most of the wells listed that are screened in the deeper aquifer units, especially where there are significant thicknesses of glacial till or clay, appear to be at comparatively low risk from surface contamination. The wells that are constructed and screened at a shallower depth would have a higher vulnerability to contamination from the surface, but even so the fine-grained materials near the surface offer some protection from widespread ground water pollution. Therefore, the overall vulnerability of ground water to contamination from surface sources in this area is fairly low, especially compared to areas with coarse, sandy soils and shallow depths to ground water. However, as with any applied fertilizer materials or operation of any onsite waste facility, careful application and management is necessary to minimize any risks to water quality. Given that this area is characterized by sloping land surfaces, this is especially important to protect surface water from runoff which might contain high amounts of nutrients which can negatively impact water quality in streams, lakes, and wetlands.

### **Helpful References:**

Korus, J.T., L.M. Howard, A.R. Young, D.P. Divine, M.E. Burbach, J.M. Jess, and D.R. Hallum. 2013. *The Groundwater Atlas of Nebraska*. Conservation and Survey Division, University of Nebraska-Lincoln. Resources Atlas # 4b/2013. 64 p.

Divine, D.P. 2014. *The Groundwater Atlas of Lancaster County, Nebraska*. Conservation and Survey Division, University of Nebraska-Lincoln. Resources Atlas #7. 39 p.



# Civil Design Group, Inc.

Consulting Engineers & Land Use Planners  
Civil Design • Site Development • Planning & Zoning

October 15, 2019

Mr. David Cary, Director of Planning  
City of Lincoln /Lancaster County  
555 South 10<sup>th</sup> Street, Room 213  
Lincoln, NE 68508

**Re: Ground Water Analysis information for the Lincoln Capital Campground Special Permit, #19015, at Hwy 77 and Davey Rd., CDG Project No. 2019-0153**

Dear Mr. Cary:

On behalf of Dave and Jolene Queen, attached is a ground water well analysis for the Lincoln Capital Campground Special Permit #1915. Although this report is not required as part of the special permit for a Campground, we thought it would be useful for your review of this application as there has been concern expressed by the neighbors about the availability of groundwater to serve the facility.

A series of maps and exhibits are attached to demonstrate the availability of groundwater in this region of Lancaster County. My analysis was performed on seven registered wells within a 1-mile radius of the site. The attached summary data for those wells demonstrates that the adjusted aquifer level as determined by the adjusted static water level (adjusted for the variable ground surface elevations of the wells) is remarkably consistent over the 18-year period. The well data below is arranged in both geographic and then chronological order based on drilling date to demonstrate the aquifer levels over time.

### REGISTERED WELL DATA FOR THE LINCOLN CAPITAL CAMPGROUND FACILITY

| Well Number on Map | Well Registration Number | Ground Surface Elevation | Registered Well Depth | Static Water Level of Well | Date of Well Testing | Adjusted Static Water Level |
|--------------------|--------------------------|--------------------------|-----------------------|----------------------------|----------------------|-----------------------------|
| 1 (test well)      | G187885                  | 1328                     | 264                   | 138                        | 7/25/19              | 1190                        |
| 2                  | G157679                  | 1314                     | 280                   | 150                        | 8/10/10              | 1164                        |
| 3                  | G118366                  | 1347                     | 305                   | 170                        | 11/5/02              | 1177                        |
| 4                  | G184858                  | 1311                     | 340                   | 130                        | 4/24/18              | 1181                        |
| 5                  | G129479                  | 1312                     | 243                   | 158                        | 4/5/04               | 1154                        |
| 6                  | G107380                  | 1262                     | 121                   | 55                         | 7/21/99              | 1207                        |
| 7                  | G087247                  | 1352                     | 185                   | 142                        | 8/29/95              | 1210                        |
| 8                  | G160163                  | 1310                     | 285                   | 114                        | 3/23/11              | 1196                        |
| AVERAGE            |                          |                          |                       |                            |                      | 1183                        |

**REGISTERED WELL DATA BY DATE**

| Well Number on Map | Well Registration Number | Ground Surface Elevation | Registered Well Depth | Static Water Level of Well | Date of Well Testing | Adjusted Static Water Level |
|--------------------|--------------------------|--------------------------|-----------------------|----------------------------|----------------------|-----------------------------|
| 7                  | G087247                  | 1352                     | 185                   | 142                        | 8/29/95              | 1210                        |
| 6                  | G107380                  | 1262                     | 121                   | 55                         | 7/21/99              | 1207                        |
| 3                  | G118366                  | 1347                     | 305                   | 170                        | 11/5/02              | 1177                        |
| 5                  | G129479                  | 1312                     | 243                   | 158                        | 4/5/04               | 1154                        |
| 2                  | G157679                  | 1314                     | 280                   | 150                        | 8/10/10              | 1164                        |
| 8                  | G160163                  | 1310                     | 285                   | 114                        | 3/23/11              | 1196                        |
| 4                  | G184858                  | 1311                     | 340                   | 130                        | 4/24/18              | 1181                        |
| 1 (test well)      | G187885                  | 1328                     | 264                   | 138                        | 7/25/19              | 1190                        |
| AVERAGE            |                          |                          |                       |                            |                      | 1183                        |

The data above shows the that aquifer in this area has remained consistent over time. The test well's adjusted static water level, or water table elevation was at 1,190' slightly higher than average. The on-site pumping of the test well also showed significant capacity as it was pumped at an estimated 100 gallons per minute (GPM) as determined by Moser Well Drilling. This well was registered for a pumping rate maximum of less than 50 GPM based on the needs of the campground. The draw down depth, from the static water level to the pumped water level was a decrease in elevation of only 12 feet indicating a robust aquifer.

Empirical data for the current Camp-A-Way site (based on City of Lincoln water use records) shows that during the peak July/August months the campground averaged 68.9 gallons of use per campsite, per day (inclusive of swimming, shower and laundry facilities). To extrapolate this past use for the proposed 240 camp site permit, the peak demand would translate to 16,536 gallons per day based on the historical peak average of 68.9 gallons/site/day. The test well would only need to pump for 330 minutes or 5.5 hours/day to satisfy the peak demand at 50 GPM. During the fall, winter and spring months the campground water use drops off significantly, allowing for a lengthy annual aquifer recharge period.

Despite the variability of ground water in this area of the County, the test well drilled by the applicant demonstrates that it can provide an adequate ground water supply for the campground operations. The information above is based on registered well data available via the Nebraska DNR website. There are several unregistered wells adjacent to site. The two closest unregistered wells to the test well are 1,967' and 2,354' from the test well.

As always, please feel free to call me at (402) 434-8494 with questions you may have.

Sincerely,

Mike Eckert, AICP

cc: Kent Seacrest  
Dave Queen

# Moser Well Drilling



# and Service Inc.

Marvin Moser  
Hickman, NE

Allen Moser  
Hickman, NE

Bill Moser  
Roca, NE

Chris Thornton  
Hickman, NE

Hickman, Nebraska 68372  
Phone: (402)792-2515  
Lincoln: 477-7291  
Fax# 792-2922  
www.moserwell.com



Pumps and Well Supplies - Trenching - Drilling

Date: 7/10/2019 Well # 14-19 Driller: Bill NRD Lower Platte South  
Owner/Builder: Dave Queen - 13611 West U.S. Highway 34, Malcolm, NE 68402 Ph - 525-4370  
Location:  
1/2 mile south of Davey Road on Highway 77 - on east side.

- 0- 51 Yellow clay
- 51- 56 Yellow sand
- 56- 70 Yellow and gray clay
- 70-100 Brown clay
- 100-137 Silty gray clay
- 137-139 Black and gray clay
- 139-161 Coarse yellow sandstone
- 161-175 Yellow shale w/little red
- 175-214 Gray shale, some sandy, mostly hard
- 214-215 Ironstone - gray
- 215-224 Fine tan sandstone
- 224-227 Red and gray shale
- 227-230 Ironstone - gray
- 230-276 Fine brown sandstone
- 276-285 Hard yellow and red shale w/ironstone

Depth: 264' Elevation: \_\_\_\_\_

### Casing Information

Type: PVC Thickness: 200#  
Length: 244' Diameter: 5"  
Bore Size: 9.5" SWL: 138' M  
PWL: Est. 150'  
GPM: 100 w/big air compressor

Filler Pack: 25-234'  
Grout: 6-25; 234-239'

### Screen

Length: 10'+10' Diameter: 4"  
Type: PVC Mono;WOP  
Slot: .016;.020  
Area of Screen: 244-264'  
Pack: 239-265'  
Type of Pack: #20 Red Flint

### Chemical Analysis

Total Chlorides 13.2 ppm  
Sodium: 52.2 ppm  
Hardness: 687.0 ppm  
Nitrates: 1.5 ppm  
Bacteria: \_\_\_\_\_  
Iron: .96 ppm

Lat. Degrees 40 Minutes 58 Seconds 48.49  
Long. Degrees 96 Minutes 38 Seconds 27.72

State Sent 8/12/19

CTY/TN Lancaster/Rock Creek

T.N. 12 R.E. 7 SECT. 28

Reg \_\_\_\_\_

# WATER ANALYSIS



Submitted by **6837205**  
**Moser Well Co.**  
**PO Box 308**  
**Hickman, NE 68372-0308**

Submitted for  
**DAVE QUEEN**

Laboratory Sample #  
**BP13722**

Date Received  
**15-Jul-2019**

Date Reported  
**17-Jul-2019**

Information Sheet #  
**60208**

Samples Will Be Stored Until **30-Jul-2019**

## REPORT OF ANALYTICAL RESULTS

| Client Sample Identification | Analysis                | Result |          |
|------------------------------|-------------------------|--------|----------|
| <b>7-12-19</b>               | Water pH                | 7.58   |          |
|                              | Hardness                | 686.60 | ppm      |
|                              | Bicarbonate             | 397.72 | ppm      |
|                              | Carbonate               | 0.01   | ppm      |
|                              | Electrical Conductivity | 1.40   | mmhos/cm |
|                              | Total Dissolved Salts   | 896.00 | ppm      |
|                              | Sodium                  | 52.23  | ppm      |
|                              | Calcium                 | 173.60 | ppm      |
|                              | Magnesium               | 61.61  | ppm      |
|                              | Potassium               | 13.62  | ppm      |
|                              | Sulfate                 | 392.87 | ppm      |
|                              | Nitrate-N               | 1.50   | ppm      |
|                              | Chloride                | 13.20  | ppm      |
|                              | Boron                   | 0.29   | ppm      |
|                              | Phosphate               | 0.18   | ppm      |
|                              | Manganese               | 0.26   | ppm      |
|                              | Iron                    | 0.96   | ppm      |



## LANCASTER COUNTY ENGINEERING DEPARTMENT

1. The submitted "Legal Description – Special Permit" lists the wrong irregular tract numbers and the wrong Section, Township and Range.
2. Need to identify the various monument symbol types shown on the drawing either by monument notes, Legend identification or both.
3. Survey data shown indicates establishment of various boundary corners. Need method of reestablishment shown along with record source including Surveyor's Certificate for the boundary work.
4. Need to show recorded and measured right-of-way widths along adjacent roads.
5. Section corner reference ties listed for corners identified as Point D, E and F but locations are not shown on the drawing.
6. In the section corner reference ties, the labeling of corner C should be revised to "SE Cor W  $\frac{1}{2}$ , NW  $\frac{1}{4}$  Sec. 28 T12N, R7E.
7. On the drawing, the adjacent lot east of the north portion of this special permit is miss-labeled. Should be Lot 27 IT not Lot 28.
8. There is controlled access along Highway 77 which should be noted, listing record document number on the drawing or in the General Notes.
9. Access to this property from Davey Road is from that part of Davey Road in State of Nebraska ownership with permitting and approval through the Nebraska Department of Transportation District 1 Office. Please contact the appropriate State Department and comply with applicable access requirements including meeting necessary setback requirements off existing highway roadway to edge of proposed access driveway.
10. Please provide a topo map showing contours and locations of buildings and amenities for our review of drainage patterns.
11. General Site Note No. 14 states that the applicant shall provide a storm water detention basin to diminish peak flows into the drainage way south of Davey Road. Please provide a drainage study that includes at a minimum a topographical map showing existing drainage areas and resulting runoff from all land lying outside the limits of the proposed construction which discharge storm water runoff into or through the area; a topographical map showing proposed contour lines, all sub drainage areas, and resulting runoff; and a copy of the drainage computations. The change in land use shall not adversely affect runoff to adjacent properties and county right-of-way; post-development flows should be less than or equal to pre-development flows.
12. Please submit road improvement plans for Davey Road to this office and to the Nebraska Department of Transportation for review and approval.
13. Development improvements shall not adversely affect existing roadway drainage or drainage structures

## LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT

The applicant is proposing the use of a sewage lagoon or lagoons for onsite wastewater treatment. This system will require review and permitting by the Nebraska Department of Energy and Environment (NDEE) and by the Lincoln-Lancaster County Health Department (LLCHD).

The applicant is proposing the use of two water wells to provide water for the RV sites, cabins, swimming pool and other facilities. The applicant has drilled a test well on the site and states the test well shows that adequate water capacity exists to serve the proposed facilities.

The applicant must provide information on the data and the process that was used to determine that adequate water will be available at the location utilizing two wells to service the proposed facilities. The information must also include total projected daily water usage expected to service the proposed facility at full capacity for all proposed features. The information must include water quantity and quality information.

The water supply for this facility will be subject to the requirements of the Nebraska Safe Drinking Water Act that is administered by (NDEE). The applicant must supply information indicating how the requirements will be met by the proposed water supply.

A swimming pool is proposed for this campground. Prior to construction, the applicant must obtain a construction permit from the Nebraska Department of Health and Human services.

If the campground amenities include the sale of food products or the preparation of food products, additional review of the proposed facilities will be required. Any food being sold to the public will require a food establishment permit. During the construction and operation of this campground, the owner/operator will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32.



SEACREST & KALKOWSKI, PC, LLO

KENT@SK-LAW.COM | DANAY@SK-LAW.COM

November 21, 2019

REVISED LETTER

Mr. David Cary, Director of Planning  
Lincoln-Lancaster County Planning Department  
555 S. 10<sup>th</sup> Street, Room 213  
Lincoln, NE 68506

**RE: County Special Permit Application and Text Amendment for a Campground per County Zoning Regulation 13.014, generally located at the southeast corner of Hwy 77 and Davey Rd.**

Dear Mr. Cary:

On behalf of Dave and Jolene Queen we submit the enclosed application for the proposed “Lincoln Capital Campground”, a special permit for a campground located on 45.49 acres on the southeast corner of Hwy 77 and Davey Road. The Queens are the current operators and owners of the Camp A Way campground facility located at 200 Campers Circle in Lincoln. This Camp A Way location is operated under a lease with the City of Lincoln as the landowner. The City of Lincoln has provided the Queens with a generous lessor notice that the City desires to reuse the land for a different purpose upon lease expiration and therefore we are requesting this special permit to relocate the Camp A Way facilities at our proposed location.

With our application we are proposing to construct and operate their independent, family oriented RV Park and Campground to the 45.49 acres along the east side of Hwy 77 and south of Davey Road. The site plan shows the proposed layout for the campground that would be developed in at least two phases. Proposed capital improvements and guest amenities would include the following:

- Up to 240 camping sites with full water and electric services/hook-ups. Types of camping sites would include traditional RV/camper sites, tent sites, and specialty camping facility such as “glamping” tent platforms, tipis, covered wagons, recreation park trailers designed to look like log cabins, etc.
- Management and Operational facilities will include: Registration & check-in office/store, maintenance workshop, two wells, sanitary sewer lagoons, a storm shelter and two signage locations along Hwy 77. The site plan includes a proposed caretaker dwelling unit.
- Campground Amenities for paid guests may include: Swimming pools and play ponds, playground facilities, volleyball, horseshoes and basketball play areas, dogs run area,

kitchen, laundry, bathroom & shower facilities, a propane filling station, dump station and internet services.

Access to the proposed Campground will be off of Davey Road approximately 250' east of Hwy 77. The applicant is proposing to pave Davey Road to County asphalt standard between Hwy 77 and the Campground entrance as shown on the site plan. Two groundwater wells will be utilized for the potable supply and a sanitary sewer pipe network will be installed to each camp site (excluding tent sites) and the management facilities to deliver wastewater directly to a common lagoon treatment facility. For your convenience a complimentary groundwater well study of the surrounding aquifer levels is included with this application.

Lastly, in order to permit extended stays at the campground for up to 180 days, we have been working with Planning and County legal staff on the necessary terms and conditions needed to allow this maximum length of stay at this site. Accomplishing this requires a proposed text amendment to the county code that is attached with this letter.

In conjunction with this submittal the following information is enclosed:

Use Permit Application  
County Use Permit Review Fee: \$988.00  
Health Department Review Fee: \$445.00  
Text Amendment Review Fee: \$412.00

I hope this information and site plan provides you with adequate information to review this application. Please contact me with any questions you may have.

Sincerely,



KENT SEACREST  
For the Firm

Enclosures

cc: Dave & Jolene Queen  
Mike Eckert, Civil Design Group

# CAMP A WAY LINCOLN, NEBRASKA

October 11, 2019

To: Neighboring Property Owners

RE: Proposed Campground development of the southeast corner of Hwy 77 and Davey Road; informational meeting will be held on Tuesday, October 22, 2019 at 5:30 P.M., Davey Community Center, 17810 N. 2nd Street, Davey, Nebraska

Dear Neighbors:

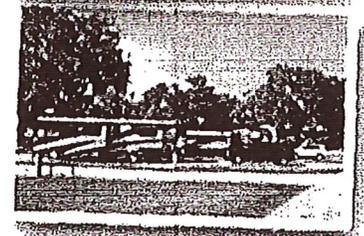
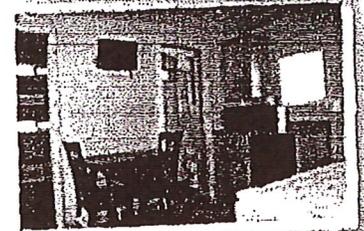
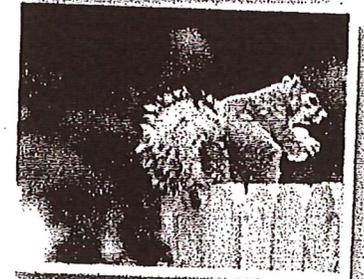
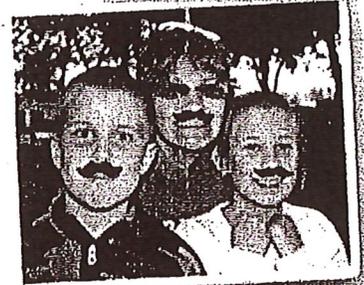
My name is Dave Queen and along with my wife, Jolene Queen ("Queen"), we are the current operators and owners of Camp A Way located at 200 Campers Circle, in Lincoln. Camp A Way is operated under a lease with the City of Lincoln as the landowner. The City of Lincoln has future plans for its land, and we are being asked to relocate Camp A Way after 25 years of serving campers.

After careful study, we are proposing to relocate and operate an independent and family-oriented RV Park and Campground ("Campground") on the 45.49 acres along the east side of Hwy 77 and south of Davey Road ("Property"). We have entered into an agreement with Dirt Mine 77, LLC to purchase the Property.

For your information, I am enclosing a proposed site map of the Property. The proposed Campground will be developed in phases. Proposed improvements would include up to 245 camping sites with full water and electric services/hook-ups. Types of camping sites would include:

- Traditional RV/camper sites;
- Tent sites;
- Specialty camping—e.g., "glamping" tent platforms, tipis, covered wagons, recreation park trailers designed to look like log cabins, etc.;

Along with the camping sites, there will be a registration headquarters area, office store, residence, kitchen, snack bar, laundry, bathrooms/showers, storm shelter, propane filling station, dump station and workshop. Finally, there will be campground amenities and facilities for paid campers that could include zero-entry swimming pool, playground, volleyball, horseshoes, basketball, gaga pit, internet, dog run, etc.



Access to the proposed Campground will be off of Davey Road. We propose to pave Davey Road between Hwy 77 and the Campground entrance. Well water and a lagoon will be utilized. Our family will be seeking a special permit from Lancaster County for a campground facility and related accessory uses on the Property.

We would like to invite you to an informational meeting to review the Campground development plans. The informational meeting will be held on Tuesday, October 22, 2019 at 5:30 P.M., Davey Community Center, 17810 N. 2nd Street, Davey, Nebraska. We have engaged the professional services of Civil Design Group (Mike Eckert) and Seacrest & Kalkowski Law Firm (Kent Seacrest) to assist our family with the relocation of the Campground.

If you are unable to attend the meeting or have questions regarding the above, please feel free to contact Dave Queen or Chris Queen (402.476.2282).

We look forward to meeting you.

Very truly yours,



Dave Queen

Enclosure

cc: Chris Queen

Mike Eckert, Civil Design Group

Kent Seacrest, Seacrest & Kalkowski, PC, LLO

Tom Cajka, Planning Department

Pam Dingman, County Engineer

Rick Vest, County Commissioner

OCT 17 2019

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# MEMORANDUM

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**TO:** Planning Commission

**FROM:** Tom Cajka, Planning

**SUBJECT:** Special Permit #19051 generally located at Highway 77 and Davey Road  
Revision #1 to Staff Report

**DATE:** December 2, 2019

**CC:** David Queen  
Rhonda Haas

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The staff report needs to be amended to delete references to City. This application is under Lancaster County zoning jurisdiction. The text pertaining to homeowners association has been stricken. This application is for a campground and there would be no homeowner association.

The Planning Department staff report of November 25, 2019 is hereby revised as follows:

**Site Specific Conditions:**

1. The Lancaster County Board of Commissioners ~~City Council~~ approves associated request:
  - 1.1 TX#19009

**Standard Conditions**

4. The following conditions are applicable to all requests:
  - 4.2 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee ~~or an appropriately established homeowners associations approved by the City.~~

F:\DevReview\SP\19000\SP19051 Revised Staff report memo.docx

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Lincoln City-Lancaster County Planning Department  
555 S. 10th St., Rm. #213 • Lincoln NE 68508  
Phone: (402) 441-7491 • Fax: (402) 441-6377

# SPECIAL PERMIT 19051

**SPECIAL PERMIT 19051, TO ALLOW FOR A CAMPGROUND AND RELATED ACCESSORY USES, ON PROPERTY GENERALLY LOCATED AT THE SE CORNER OF HWY 77 AND DAVEY ROAD:**

**PUBLIC HEARING:**

**December 4, 2019**

Members present: Al-Badry, Campbell, Edgerton, Finnegan, Ryman Yost, Scheer, Beckius and Corr; Joy absent.

**Staff Recommendation:** Conditional Approval

There were no ex parte communications disclosed.

**Staff Presentation:** Tom Cajka, Planning Department, stated this is a request for a special permit per Section 13.014 of the Lancaster County Zoning Regulations for a campground. The campground is proposed for up to 240 campsites with electrical, water and sewer hook ups. The campground will also have amenities such as a swimming pool, office, playground facilities and a convenience goods shop. Campgrounds are allowed by special permit in the AG District and are an appropriate land use in an agricultural zoned area, with certain conditions. He further stated, that a water report submitted by the applicant shows that there is adequate water in the area. Nebraska Department of Transportation, Lancaster County Sherriff, County Engineer and the Health Department have no objections to this application. This campground would meet all of the text amendments that the Commission just heard.

**Dick Ehrman, Lower Platte South - NRD**, came forward and provided the clerk with a handout that he went over explaining their process (see Exhibit #11). He stated that at the time of his summary of the area, there were only seven registered wells in the area, and since then several unregistered wells were registered. With the water availability with this site, the onsite well registration and log indicates initial capabilities of producing about 100 gallons per minute, with a drawdown of 12 feet in the well, and this is good information. However, pumping for a longer time would give more information about the wells capability of continuing to produce water. They anticipate that this site will need --during the peak months of July, August and September -- to use of 68.9 gallons per campsite per day. For the entire campsite, this would be slightly more than 1 million gallons for the 62 days in July and August, and less during not peak months. He stated that they have not applied for a permit at this time.

Edgerton asked about the difference between domestic and non-domestic. Ehrman stated that domestic means for human consumption. For this site, the well may be considered as a public water supply, which is not the NRD's call; it would be up to the health authorities. With groundwater in Nebraska, it is not a first-come, first served, everyone shares the ground water in Nebraska. Edgerton inquired about registered and non-registered wells in the area, and how that works into the computation of water availability. Ehrman stated that up until 1993 or 1995 small capacity wells did not need to register with the State of Nebraska, and now permanent wells need to be registered with the state.

**Applicant:**

**Chris Queen, 13611 US Hwy. 34**, came forward in support on behalf of their 17 full and part time employees. Camp Away has been at this location since 1965, and this new location fits with the City's plan. Camp Away is nationally recognized and 78 percent of their guests do not even live in Nebraska.

Edgerton ask how many sites they have at their current location. Chris Queen said there are 102. Edgerton asked about the camp rental sites at the campsite. Chris Queen stated that would be the cabins, which they have 18 or 19 of them. Edgerton inquired if they are anticipating having cabins on this site. Chris Queen stated that they are actually RV's, and that is why they have added a special section about the length of stay, and further stated that they are tiny homes, which do still have wheels. Edgerton asked about the about the 18 or 19 cabin stays and if they would be part of the 30-day stay. Chris Queen and Dave Queen both replied yes.

Beckius inquired about the rental of the RV, and stated that they do not have an engine, and that they are just a trailer. Chris Queen said that is correct, they do not have an engine.

Corr inquired if they collect the same type of taxes that a hotel would. Chris Queen said yes they do collect taxes.

**Mike Eckert, Civil Design Group, Inc., 8535 Executive Woods Drive, Suite 200**, came forward to discuss the water and traffic items for this site. He stated that they did a similar water study, and some of the property owners have registered their wells since. He stated that the test well was good. They did a test and the water is there. The analysis that they have now the well would need to run 5 ½ hours a day to supply them with their daily water needs. The Queen's would not be moving forward if they did not feel that they had enough water for the site. He stated that the Queen's would pave a 225-foot section of Davey Road for entrance on the site, and it will be built to the county standards. It has been determined that the traffic will not be an issue, and the store will help with off-site trips, as well as the other amenities. They are proposing a full retention lagoons system for the water waste. He discussed a formaldehyde mix that would be in the camper's trailer already waste system, which was a concern with the neighbors. He stated that formaldehyde naturally dissolves itself in daylight and the NDEE does not feel that it will be a problem.

Corr asked what would be a normal amount of water pumped to a residence per day. Eckert said 20 gallons a minute, would be an average of 100 to 150 gallons a day. Corr asked about the 5 ½ hours a day that it would need to run on this site and if that was a lot. Eckert said with not having a lot to compare to it is considered low volume, and there will be a water tank onsite.

Edgerton inquired what is involved in the Health Department review and approval process. Eckert stated that they would make sure that the lagoons and all connections are approved by NDEE and then the Health Department.

**Allan Moser, owner of Moser Well Company, Hickman**, came forward and provided the clerk with a several handouts that he would go over, for the record (see Exhibit #12). He stated that they have drilled many wells in this County, and when people complain about their water pressure they just need to call and this is something that can be fixed.

Edgerton asked if there was just one well on the property. Moser stated yes, but they will be drilling a new well tomorrow.

**Kent Seacrest, 1128 Lincoln Mall, Suite 105**, came forward in behalf of the Queen family for this special permit and stated that they would like to make an amendment to condition 2.1 and provide proposed text (see Exhibit #13) to provide clarification that they are wanting to allow the 30-day consecutive stay so that guests could come on every weekend.

**Proponents:**

None.

**Opponents:**

1. **Brian Campbell, 6030 Davey Road**, came forward in opposition and submitted written comments (see Exhibit #14).
2. **Denise Kaiser, 5590 Davey Road**, she stated that they have been doing renovations to their property, and they purchased this property to get out of the city. She stated that they do not want signs up on their property for the campgrounds and she expressed concerns of people needing to use her driveway to turn around.
3. **Walter Campbell, no address given**, came forward in opposition and submitted written comments from Jason Minchow (see Exhibit #15).
4. **David Nielsen, 7100 Raymond Road**, came forward in opposition and submitted written comments (see Exhibit #16).
5. **Julie Marshall, 7931 Anna Place**, came forward in opposition and submitted written comments (see Exhibit #17).
6. **Rick Ronhovde, 16555 N. 70<sup>th</sup> Street**, came forward and read a letter for Craig Schneider. This letter indicated that this could be a traffic hazard to the area. He stated that this will have a large number of temp workers and their bad habits. He stated that he wants a fence around this site, because of the proximity of his property, which is just beyond the trees.
7. **Dennis Swanstrum, 16705 X Street, Omaha**, came forward in opposition and stated that he moved to the area in the spring of 1943, and it has been in their family for years. He stated has concerns with the negative impact to the area and this proposal does not provide any meaningful benefit to the community. There is a deer stand in the area and they will have to stop hunting in the area. There is not enough law enforcement in the area. This could be devastating for the wells in the area and on the water table.
8. **Phillis Larsen, 17575 N. 70<sup>th</sup> Street**, came forward in opposition and submitted written comments (see Exhibit #18).
9. **Elaine Swanson, 5507 Davey Road**, came forward in opposition and submitted written comments (see Exhibit #19).

10. **Gary Larsen, 17575 N. 70<sup>th</sup> Street**, came forward in opposition and submitted written comments (see Exhibit #20).
11. **Jerry Minchow, 8181 Davey Road**, came forward in opposition and stated that he has lived on his property for 49 years. He stated that has concerns with the water usage for this site. He stated that others in the area have had some difficulty finding water on their property and have had to dig several wells because they kept coming up dry. He stated that they do not even water their lawns because water is precious out there. He is concerned that they will draw all of the fresh water off the top, and they will have salt water, which has happened in other areas.

[Break at 6:35 P.M.]

Resumed at 6:40 P.M.]

**Commissioners Finnegan and Ryman Yost left at 6:35 p.m.**

12. **Douglas Swanson, 5507 Davey Road**, came forward in opposition and submitted written comments (see Exhibit #21).
13. **Carol Sherman, 6305 Agnew Road**, came forward in opposition and submitted written comments (see Exhibit #22).
14. **Martha Minchow, 8181 Davey Road**, came forward in opposition and submitted written comments (see Exhibit #23).
15. **Scott Johnson, 6333 Rock Creek Road**, came forward in opposition and stated that he lives one mile from the proposed site and was not notified on this proposed special permit. He stated that this ground is prime ground and not hard to sell. He stated that Hwy 77 is not safe and he no longer rides his bike on the road because of the speed on the highway. Trash is a problem in the area and it will be worse. He stated that there would be a lot of theft with something like this in the area, because this will add an additional 700 people to the area. He stated that he is a mail carrier for the Post Office and asked where they would be getting their mail if they were staying for 180 days. He stated that he is a rural postal worker and they do not have room for additional mail holding or delivery. He stated that they do not have room at the post office for another 240 boxes.
16. **John Huck, 3530 Cedar Street**, came forward and stated that he is in opposition to this because he believes that the new data center will bring transit workers to the area. He stated that he has seen the bad that a transit workforce can bring to an area, along with their problems and habits and will bring trouble to the area. He stated that all of this is for the profit of one person and at the expense of the people that live in the area.
17. **Becky Keep, 8601 Davey Road**, came forward in opposition and submitted written comments (see Exhibit #24).
18. **Marlene Tracy, 17500 N. 84<sup>th</sup> Street**, came forward in opposition and submitted written comments (see Exhibit #25).
19. **Tim Kubicek, 18507 N. 70<sup>th</sup> Street**, came forward in opposition and stated that this does not belong here and that there are many details that have been left out. He stated concerns with the water drainage from the campsite that will end up in the Saline Wetlands, which are rare and only 1400 acres remain in the county. These wetlands provide habitat to a number of threatened and endangered species of plants and animals. He has concerns with the wastewater at the site.

**20. Lynn Deshon, 19595 N. 14<sup>th</sup> Street**, came forward in opposition and stated that the water level is low in the area. She stated this campsite would use too much water when the residents in the area use very little water to help conserve water in the area. The additional traffic will be a safety issue for this area, the traffic speed on Hwy 77 is getting faster. She feels that this is a safety issue with all of the traffic that will be in the area and they will be moving slower to get to the site. The Interstate has on and off ramps to help make it safer to get on and off the Interstate, because of the speed on the Interstate.

**21. Karen Kurbis, 17500 N. 84<sup>th</sup> Street**, came forward in opposition and stated that she has lived in the area for 21 years. She stated that she has concerns with the increased traffic in the area and that it will not be safe. This site is for the transit workers that will come to the area; they do not need a swimming pool. She stated that the data center that will be in the area and would bring transit workers to the area. She stated that she has questions about the topography.

**Staff Questions:**

Beckius inquired about the density at the site and the number of users that could be using this site at once. Cajka said that this is for 240 sites and it could be possible that it is full. Beckius asked about the number of people in site. Cajka stated maybe two or three per site.

Al-Badry asked about the increase in the number of wells that are registered and if they are still in support. Cajka said yes.

Scheer ask Cajka to clear up some of the confusion with the Lincoln Municipal Code (LMC) and the AG and AGR zoning. Cajka stated that the Lincoln City code Title 27, is for the City and the area that extends three miles beyond the City limits.

Corr inquired how staff determines if land is prime or not prime. Cajka stated that there is a map on the Development Review section and the viewer shows that one-third or less of the area is prime farmland.

**Applicant Rebuttal:**

Eckert stated with the wastewater they would need to calculate the level of a 100-year storm event on the property, and then go 1-foot above that level. This is so that a 100-year event could not get into the lagoon and so the lagoon could hold in a 100-year event, which would be 10 inches of rain in 24 hours. Then he showed a saturated thickness map on the overhead, and this map shows that there is enough water on this site. He shared that the map also shows that just ¼ of a mile away there is less water for that area.

Seacrest stated that the reason the applicant is looking for a new site is that the City is not renewing their lease. Campers do not want to be in the City limits and with this being by Hwy 77, campers can get in and out quickly. Seacrest handed the clerk a letter from Lynn Johnson (see Exhibit #26). He further stated that this is not considered prime land because of the mining that was done on the land and this property is not located in wetlands.

Edgerton asked about 93 percent of business from guests that stay less than seven days, is that correct. Seacrest said yes. Edgerton stated that 97 percent stay less than a month, and she

questioned the length of stay with the 35 percent for 180-days and asked if this would make or break, this project. Seacrest stated that it is part of their business and there is a need for this type of extended stay.

Campbell moved to close the public hearing on this item, seconded by Edgerton carried 6-0: Al-Badry, Campbell, Edgerton, Scheer, Beckius and Corr voting 'yes'; Finnegan, Ryman Yost and Joy absent.

**SPECIAL PERMIT 19051**

**ACTION BY PLANNING COMMISSION:**

**December 4, 2019**

Scheer moved to approve this Special Permit as set forth in the amended conditions of the staff report as presented on behalf of the applicant (see Exhibit #13). Seconded by Campbell.

Scheer stated that this is an allowable use for this area and complies with what has been presented. He further stated that he does not see any reasons to dispute this because this site could support this application.

Campbell stated that it is very unusual not to have qualifications placed on a project by any of the entities and for this being so clean, he is in support.

Scheer stated that he wanted to add that he was worried about the water and the NRD had helped with this.

Beckius stated that he believes there are many positives for this site and likes that it is adjacent to Hwy. 77. He has been calmed with the water issue, and his only issue is density on this site. He stated that the density is not the same and cannot be compared to the City. The net impact is that there could be 240 users on this site. He stated he does not feel the density corresponds with the objectives and goals of the Comprehensive Plan. He feels it is setting a bar at what the reasonable expectations of what the Lancaster County Community is in terms of density for a project; the guests are coming and going, but there could be density that refers to the City of Lincoln zoning. This density does not conform to the general idea of what has been previously laid out time and time again in the Comprehensive Plan about what the nature and feel of what rural Lancaster County should be.

Edgerton stated that she would be voting no on this special permit because she has concerns regarding the 6 months that the camper could stay. She further stated that she agrees it is an appropriate use and allowed with a special permit. However, is struggling with what this campground means to the surrounding areas.

Corr stated that fellow Commissioners made many good points and this does check all of the boxes, but she has concerns with the density.

Motion failed 4-2 due to a lack of receiving 5 affirmative votes: Al-Badry, Campbell, Scheer and Corr voting 'yes'; Edgerton and Beckius voting 'no'; Finnegan, Ryman Yost and Joy absent.

**David Cary, Planning Department Director**, came forward and stated that due to a lack of a fifth vote either direction; this item will automatically carry over to the regular Planning Commission hearing of December 18, 2019. The public hearing portion on this item has been closed, so the Commission will only be voting on this item.

Note: This is **FINAL ACTION** on **Special Permit 19051**, unless appealed by filing a letter in the Office of the County Clerk within 14 days.

**December 18, 2019, Planning Commission Hearing:**

Finnegan apologized to the audience and staff for leaving early on the December 4, 2019 Planning Commission meeting. She explained the reason for leaving early was that she had major spine surgery in the spring and is still recovering and unable to sit for prolonged periods of time. Over the past two weeks, she has watched every minute of the hearing, and is prepared to vote on Special Permit 19051 today. Apologizing again, to everyone that stayed for the long meeting, including her fellow Commissioners.

**SPECIAL PERMIT 19051, TO ALLOW FOR A CAMPGROUND AND RELATED ACCESSORY USES, ON PROPERTY GENERALLY LOCATED AT THE SE CORNER OF HWY 77 AND DAVEY ROAD:**

**ACTION BY PLANNING COMMISSION:**

**December 18, 2019**

Members present: Al-Badry, Campbell, Edgerton, Finnegan, Joy, Ryman Yost, Scheer and Beckius; Corr absent.

**Staff Recommendation:** Conditional Approval

Clerk noted that there is a 14-day appeal process to appeal the decision onto the County Board. The 14<sup>th</sup> day falls on January 1, 2020 and City offices are closed. Appeal forms can be submitted in person or by mail until December 31, 2019. You may also submit an appeal by email, as long as it is submitted to the Planning Department by January 1, 2020. Only one appeal form needs to be submitted to move this item on to the County Board.

There were ex parte communications disclosed by Joy who stated that she had two contacts concerning this application. She shared there was a person in her office building that was in support of Camp Away, and she instructed him on how to submit his comments of support. He is part of the record that the Commissioners have received by email. Joy further stated a neighbor stopped by to discuss the special permit and left his name and number with her husband, and she text him on how to communicate with the Planning Department. He invited her to a neighborhood meeting and she declined, due to conflict of interest. He is part of the record with his letter of opposition and testimony at the December 4, meeting.

There was no information to be disclosed from visits to the site.

**Staff Questions:** Tom Cajka, Planning Department, came forward to remind the Commissioners that at the last hearing the applicant had proposed a revised condition to 2.1. Cajka handed the Commissioners a copy of the proposed revised condition (see Exhibit 1), wanting to make sure that the Commissioners that were not at the last meeting had been given one.

Campbell moved approval, with the revised language to Condition 2.1, seconded by Al-Badry.

Ryman Yost wanted to add that she too had to leave in the middle of the public hearing at the last meeting. She stated that she has watched all of the video and read all of the materials that were presented.

Campbell stated the reason for the motion is that the campground fits every legality for being in the area. Campbell does empathize with the acreage owners in the area but, as the community grows, there will always be build-out problems. He further stated that he thinks the campgrounds will be based on what they have done with the leased ground from the City, a likeable and pleasant place to stay.

Scheer shared that he does not want to rehash his reasoning from last meeting, but is wanting to piggyback on what Commissioner Campbell stated and he wanted this on the record for this vote. Scheer stated the special permit request meets all of the legal responsibilities and based on the testimony, it meets all of the site conditions that the Commissioners were concerned about including water. Scheer shared that he was extremely concerned about the water and the testimony indicated that it would not be an issue.

Joy stated as she reviewed all of the information and watched the videos several times; there were some positives and negatives to this development. She stated that she is concerned with density as it relates to the Comprehensive Plan with this specific type of land use. In the County's 2040 Comprehensive Plan, and using those guiding principles for community, there is a gradual transition of uses talked about and the need to maximize the use of urban services with the water and sewer, even though there does not appear to be a problem in this situation from the review that they have seen. Joy stated that she does feel it is a goal to minimize the conflicts between urban and acreage uses and reiterated her support to the Planning Department to develop a baseline for the evolution of campground zoning based on what Commissioners had already stated-- looking at this as they move forward to develop County guidelines. Based on the density, she will be voting no on this special permit.

Finnegan stated that she would be voting yes, mainly for the reasons that Commissioners Campbell and Scheer have stated. She shared that staff did their due diligence in checking everything out. There were experts from the City and the State who have weighed in and have been favorable. She further stated that there are safety networks in place. If there is not water, they will not be able to move in. She will be voting yes on this project.

Motion for approval, as amended as presented on behalf of the applicant to Condition 2.1 carried 5-3: Al-Badry, Campbell, Finnegan, Ryman Yost and Scheer voting 'yes'; Edgerton, Joy and Beckius voting 'no'; Corr absent.

Note: This is **FINAL ACTION** on **Special Permit 19051**, unless appealed by filing a letter in the Office of the County Clerk within 14 days.

Revise Condition 2.1 To Read

240 campsites are permitted. Up to 35% of the campsites may be occupied by the same person or persons for no more than 180 ~~consecutive~~ consecutive days in any calendar year. If the campground is built in phases, the 35% shall apply to the number of campsites in that phase. For the remaining portion, the same person or persons may not occupy the campground for more than thirty (30) consecutive days.

# SPECIAL PERMIT 19051

**SPECIAL PERMIT 19051, TO ALLOW FOR A CAMPGROUND AND RELATED ACCESSORY USES, ON PROPERTY GENERALLY LOCATED AT THE SE CORNER OF HWY 77 AND DAVEY ROAD:**

**ACTION BY PLANNING COMMISSION:**

**December 18, 2019**

Members present: Al-Badry, Campbell, Edgerton, Finnegan, Joy, Ryman Yost, Scheer and Beckius; Corr absent.

**Staff Recommendation:** Conditional Approval

Clerk noted that there is a 14-day appeal process to appeal the decision onto the County Board. The 14<sup>th</sup> day falls on January 1, 2020 and City offices are closed. Appeal forms can be submitted in person or by mail until December 31, 2019. You may also submit an appeal by email, as long as it is submitted to the Planning Department by January 1, 2020. Only one appeal form needs to be submitted to move this item on to the County Board.

There were ex parte communications disclosed by Joy who stated that she had two contacts concerning this application. She shared there was a person in her office building that was in support of Camp Away, and she instructed him on how to submit his comments of support. He is part of the record that the Commissioners have received by email. Joy further stated a neighbor stopped by to discuss the special permit and left his name and number with her husband, and she text him on how to communicate with the Planning Department. He invited her to a neighborhood meeting and she declined, due to conflict of interest. He is part of the record with his letter of opposition and testimony at the December 4, meeting.

There was no information to be disclosed from visits to the site.

**Staff Questions:** Tom Cajka, Planning Department, came forward to remind the Commissioners that at the last hearing the applicant had proposed a revised condition to 2.1. Cajka handed the Commissioners a copy of the proposed revised condition (see Exhibit 1), wanting to make sure that the Commissioners that were not at the last meeting had been given one.

Campbell moved approval, with the revised language to Condition 2.1, seconded by Al-Badry.

Ryman Yost wanted to add that she too had to leave in the middle of the public hearing at the last meeting. She stated that she has watched all of the video and read all of the materials that were presented.

Campbell stated the reason for the motion is that the campground fits every legality for being in the area. Campbell does empathize with the acreage owners in the area but, as the community grows, there will always be build-out problems. He further stated that he thinks the campgrounds will be based on what they have done with the leased ground from the City, a likeable and pleasant place to stay.

Scheer shared that he does not want to rehash his reasoning from last meeting, but is wanting to piggyback on what Commissioner Campbell stated and he wanted this on the record for this vote. Scheer stated the special permit request meets all of the legal responsibilities and based on the testimony, it meets all of the site conditions that the Commissioners were concerned about including water. Scheer shared that he was extremely concerned about the water and the testimony indicated that it would not be an issue.

Joy stated as she reviewed all of the information and watched the videos several times; there were some positives and negatives to this development. She stated that she is concerned with density as it relates to the Comprehensive Plan with this specific type of land use. In the County's 2040 Comprehensive Plan, and using those guiding principles for community, there is a gradual transition of uses talked about and the need to maximize the use of urban services with the water and sewer, even though there does not appear to be a problem in this situation from the review that they have seen. Joy stated that she does feel it is a goal to minimize the conflicts between urban and acreage uses and reiterated her support to the Planning Department to develop a baseline for the evolution of campground zoning based on what Commissioners had already stated-- looking at this as they move forward to develop County guidelines. Based on the density, she will be voting no on this special permit.

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Motion for approval, as amended as presented on behalf of the applicant to Condition 2.1 carried 5-3: Al-Badry, Campbell, Finnegan, Ryman Yost and Scheer voting 'yes'; Edgerton, Joy and Beckius voting 'no'; Corr absent.

Note: This is **FINAL ACTION** on **Special Permit 19051**, unless appealed by filing a letter in the Office of the County Clerk within 14 days.

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Revise Condition 2.1 To Read

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-5012

**APPEAL**  
**of Planning Commission action**  
**to Lancaster County Board of Commissioners**

**RECEIVED**

DEC 30 2019

LANCASTER COUNTY  
CLERK

Today's Date

(this form must be received by the County Clerk within 14 days of the action by the Planning Commission)

To: County Clerk  
Dan Nolte  
555 S. 10th St., Ste. 108  
Lincoln NE 68508  
402-441-7484  
coclerk@lancaster.ne.gov

Dear Clerk:

I am submitting this letter of appeal to Resolution No. PC-01682, adopted by the Lincoln-Lancaster County Planning Commission on (Date) 12/18/19, approving Special Permit No. 19051 on property generally located at Hiway 77 and Davey Road

Please advise me of the hearing date before the Lancaster County Board of Commissioners.

Signature of person requesting appeal: Phyllis V Larsen

Printed Name Phyllis V. Larsen

Address 17575 N. 70<sup>th</sup> St. Lincoln, NE 68517  
Street City State ZIP

Phone Number 402-785-7385

Email phyllis.larsen@gmail.com

cc: Planning Department  
Gerl Rorabaugh  
555 S. 10th St., Ste. 213  
Lincoln NE 68508  
402-441-6365  
grorabaugh@lincoln.ne.gov

RECEIVED

DEC 30 2019

LANCASTER COUNTY  
CLERK

# APPEAL

of Planning Commission action  
to Lancaster County Board of Commissioners

Today's Date 12/30/2019

(this form must be received by the County Clerk within 14 days of the action by the Planning Commission)

To: County Clerk  
Dan Nolte  
555 S. 10th St., Ste. 108  
Lincoln NE 68508  
402-441-7484  
coclerk@lancaster.ne.gov

Dear Clerk:

I am submitting this letter of appeal to Resolution No. PC-01682, adopted by the Lincoln-Lancaster County  
Planning Commission on (Date) 12/18/2019, approving Special Permit No. SP19051 on property  
generally located at Highway 77 and Davey Road

Please advise me of the hearing date before the Lancaster County Board of Commissioners.

Signature of person requesting appeal: Karen Kurbis

Printed Name KAREN KURBIS

Address 17500 N. 84 St. LINCOLN NE 68517  
Street City State ZIP

Phone Number 402-785-2077

Email l1ama1mama@gmail.com

cc: Planning Department  
Geri Rorabaugh  
555 S. 10th St., Ste. 213  
Lincoln NE 68508  
402-441-6365  
grorabaugh@lincoln.ne.gov

# COUNTY BOARD SUMMARY REPORT

**REVISED**

TO : County Clerk: Attn: Monet McCullen

FROM : David R. Cary, Director of Planning



RE : **County Text Amendment 19009**  
(Amend Article 13 Special Permit, Section 13.014 and Article 16 Sign, Section 16.003 of the Lancaster County Zoning Regulations regarding special permits for campgrounds and general provisions for signs)

DATE : January 14, 2020

1. On December 4, 2019, the Planning Commission held a public hearing on County Text Amendment 19009.
2. Attached is the Planning staff report that includes the proposed text amendment for **County Text Amendment 19009**, as submitted by Kent Seacrest on behalf of David and Jolene Queen, to amend the Lancaster County Zoning Regulations by adding conditions to Article 13.014 for campgrounds and amending Article 16.003 for signs.
3. The staff recommendation is based upon the Analysis as set forth on pp.1-3, concluding that the proposed conditions will better define what a campground is, provide appropriate conditions, and establish a minimum number of sites for a facility. The staff presentation is found on p.7.
4. Testimony on behalf of the applicant and by the applicant can be found on pp.7-8. Testimony in support is found on pp.8-9. Testimony in opposition is found on p.9.

To access all documentation on this application, including the public comments, click on the following link [www.lincoln.ne.gov](http://www.lincoln.ne.gov) and (Keyword = PATS). Click on the "Selection Screen" under "Featured Links", type in the application number (i.e. TX19009); click on "Search", then "Select". Go to "Related Documents".

5. Planning Commission discussion with staff is found on pp.9-11. Applicant rebuttal is found on pp. 11-12. Based on the discussion of the Planning Commission relative to the allowable length of stays at a campground, the County Attorney recommended revising the language of Section 13.014, Item C of the proposed text of the Lancaster County Zoning Regulations as identified on Page 4 of this report. The highlighted and stricken text on Page 4 reference the Planning Commission's recommendation.
6. On December 4, 2019, following considerable discussion, the Planning Commission voted 5-3 (Ryman-Yost, Finnegan, Campbell, Scheer and Corr voting 'yes'; Al-Badry, Edgerton, and Beckius dissenting; Joy absent) to recommend approval of this text amendment as amended by removing the word "consecutive" from Item C. of Section 13.014.

The Planning staff is scheduled to brief the County Board on this amendment at their regular staff meeting on Thursday, January 16, 2020, at 10:00 a.m., in Room 113 of the County-City Building, 555 South 10<sup>th</sup> Street, Lincoln, Nebraska. The public hearing before the County Board has been scheduled for Tuesday, January 21, 2020, at 9:00 a.m., in Room 112 of the County-City Building, 555 South 10<sup>th</sup> Street, Lincoln, Nebraska.

**County Board Summary Report**  
**RE: Text Amendment 19009**  
**Campgrounds/Special Permit Provisions**

If you need any further information, please let me know (402-441-6365).

cc: County Board  
Jenifer Holloway, County Attorney's Office  
Tom Cajka  
David Queen

Ann Ames, County Commissioners  
Kerry Eagan, County Commissioners  
Kent Seacrest  
Mike Eckert

**AS REVISED AND ADOPTED BY PLANNING COMMISSION FOR APPROVAL ON 12/4/2019**

**LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT**

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

|  |                                  |
|--|----------------------------------|
| APPLICATION NUMBER<br>Text Amendment #19009          | FINAL ACTION?<br>No              |
| PLANNING COMMISSION HEARING DATE<br>December 4, 2019 | RELATED APPLICATIONS<br>SP#19051 |

**RECOMMENDATION: APPROVAL**

**BRIEF SUMMARY OF REQUEST**

This proposed text amendment was submitted by Kent Seacrest on behalf of David and Jolene Queen to amend the Lancaster County Zoning Regulations by adding conditions to Article 13.014 for campgrounds and amending Article 16.003 for signs.

**JUSTIFICATION FOR RECOMMENDATION**

The proposed conditions will better define what a campground is, provide appropriate conditions, and establish a minimum number of sites for a facility.

**APPLICATION CONTACT**

Kent Seacrest, 402-432-9600 or [kent@sk-law.com](mailto:kent@sk-law.com)

**STAFF CONTACT**

Tom Cajka, (402) 441-5662 or [tcajka@lincoln.ne.gov](mailto:tcajka@lincoln.ne.gov)

**COMPATIBILITY WITH THE COMPREHENSIVE PLAN**

The proposed text is in conformance with the Comprehensive Plan by establishing conditions for campgrounds that help encourage recreational activities in the County, while still protecting the surrounding properties.

**KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN**

P. 5.2 - Lancaster County benefits from many quality of life factors that attract both employers and employees. Lancaster County provides a wide range of art, entertainment, and recreation opportunities. All of these assets should be emphasized to encourage economic development.

P. 5.4 - Agriculture is the dominant land use in Lancaster County, accounting for roughly ¾ of all land. While this land is largely considered “undeveloped,” it is still an important economic factor in the county’s future. Agriculture’s impact on the local economy goes beyond the sale at the end of production. Farms of all sizes make purchase of goods and services in the city and county throughout the year, which contributes to the local tax base and sustain growth for other business in the agriculture industry.

p. 9.3- Public and private partnerships are important in the development of recreational opportunities and the preservation of environmental resources that bring a high quality of life to the City and County.

P. 12.4 - Agricultural land is principally in use for agricultural production. Agricultural land may be in transition to more diversified agribusiness ventures.

**ANALYSIS**

1. This proposed text amendment is to add conditions for campgrounds. Campgrounds are allowed in the AG District by special permit. Currently, there are no conditions listed for the special permit.

2. Proposed conditions to Section 13.014 for a campground are:

- a. The campground shall have a minimum of 40 camp sites and shall be supplied with a water supply and sewage disposal facilities, including washing, toilets, and similar facilities, all of which meet all applicable codes and regulations.

*These services are typical of most campgrounds. Requiring a minimum of 40 campsites prevents allowing a property to have a few cabins or recreational vehicle pads. The number provides flexibility in the size of campgrounds. The applicant informed Planning that the average number of campsites in Nebraska is around 70.*

- b. A front yard setback of fifty (50) feet and side and rear yard setbacks of sixty (60) feet shall be maintained on the campground.

*The proposed setbacks will provide a buffer to adjacent properties. The zoning regulations for the AG District for all uses require a 50' front, 60' side and 100' rear yard setback. A 60' setback on the side and rear lot lines provides a sufficient setback to adjacent properties and provides for a uniform setback. The Planning Commission could require screening from the campground to adjacent properties if deemed appropriate.*

- c. No campground may be occupied by the same person or persons for more than thirty (30) ~~consecutive~~ days.

However if the campground provides recreation and support facilities including but not limited to a swimming pool, convenience goods shop, and an office, up to thirty-five (35) percent of the campground sites may be occupied for no more than 180 ~~consecutive~~ days.

*Campgrounds are typically for persons staying less than 30 days. There are situations where a person may need to stay for more than 30 days. This could include a worker that does not live in the area and is on a project that lasts more than 30 days or someone who parks a recreational vehicle and leaves it during the football season. Other situations could include someone building a house and needs a temporary place to live. Or is visiting a family member for an extended time. The support facilities are required, if the campground allows stays over 30 days. The number of campsites for stays up to 180 days is limited to 35% when the support facilities are included. The support facilities provide for a full service campground that will provide needed amenities for campers wanting an extended stay.*

- d. Signs are allowed within the front yard setback.

*Allowing signs in the front yard setback will allow greater visibility for travelers. Most users of the campground are not from the area and allowing the sign closer to the street will help in locating the campground.*

- e. The campground shall take access to and from a paved public road.

*Requiring campgrounds to take access to a paved road will eliminate dust from vehicles impacting adjacent properties. It will also reduce maintenance costs to the public that would be needed with a gravel road.*

- f. All campground operators shall keep accurate records as to the length of time a person stays in the campground, and shall make said records available to the County Attorney, Director of Building and Safety Department or the Director of the Planning Department upon request.

*This will allow county officials to respond to any complaints filed by reviewing the campgrounds records on length of stay.*

- g. One dwelling unit or a campsite occupied by the owner or caretaker year round is permitted.

*Often times a campground will have someone live on site year round. This will allow the owner or caretaker to have a permanent residence at the campground.*

3. The City of Lincoln zoning ordinance has a special permit for campgrounds with conditions. The conditions listed in the special permit served as the starting basis for this amendment.
4. A search of applications for campgrounds revealed that there have been 3 applications for campgrounds in the County. All 3 applications were withdrawn for varying reasons including costs and lack of water. The City has had 4 applications and three were withdrawn. The one remaining special permit in the City is Camp A Way at Interstate 80 and Superior Street. This special permit was approved in 1966.
5. This text amendment also includes a minor change to Article 16 for signs. Currently signs are not allowed within any setback per Section 16.003a. The proposed text would allow signs in a required yard (setback) if it is specifically stated elsewhere in the zoning regulations.

Prepared by

---

Tom Cajka, Planner

Date: November 25, 2019 Revised December 4, 2019

Applicant: David and Jolene Queen  
200 Campers Circle  
Lincoln, NE 68521  
402-476-2282  
davidlqueen@gmail.com

Contact: Kent Seacrest  
1128 Lincoln Mall, Suite 350  
Lincoln, NE 68508  
402-432-9600  
kent@sk-law.com

F:\DevReview\TX\19000\TX19009 campground.pc.tjc.docx

### 13.014. Campground

Campground may be allowed by special permit in the AG zoning district under the following conditions:

a. The campground shall have a minimum of 40 campsites and shall be supplied with a water supply and sewage disposal facilities, including washing, toilets, and similar facilities, all of which meet all applicable codes and regulations.

b. A front yard of fifty (50) feet and side and rear yard of sixty (60) feet shall be maintained on the campground.

c. No campground may be occupied by the same person or persons for more than thirty (30) consecutive days.

However if the campground provides recreation and support facilities including but not limited to a swimming pool, convenience goods shop, and office up to thirty-five (35) percent of the campground campsites may be occupied by the same person or persons for no more than 180 consecutive days in any calendar year.

d. Signs are allowed within the front yard setback.

e. The campground shall take access to and from a paved public road.

f. All campground operators shall keep accurate records as to the length of time a person stays in the campground, and shall make said records available to the County upon request.

g. One dwelling unit or a campground site occupied by the owner or caretaker year round is permitted.

### 16.003. General Provisions

No sign or part thereof shall be erected or maintained in any zoning district except in conformance with the provisions of this article.

a. No sign shall be erected or maintained in a required yard, except as otherwise provided, encroach upon or overhang any adjacent property, or any other land or public right-of-way.



SEACREST & KALKOWSKI, PC, LLO

KENT@SK-LAW.COM | DANAY@SK-LAW.COM

November 21, 2019

REVISED LETTER

Mr. David Cary, Director of Planning  
Lincoln-Lancaster County Planning Department  
555 S. 10<sup>th</sup> Street, Room 213  
Lincoln, NE 68506

**RE: County Special Permit Application and Text Amendment for a Campground per County Zoning Regulation 13.014, generally located at the southeast corner of Hwy 77 and Davey Rd.**

Dear Mr. Cary:

On behalf of Dave and Jolene Queen we submit the enclosed application for the proposed "Lincoln Capital Campground", a special permit for a campground located on 45.49 acres on the southeast corner of Hwy 77 and Davey Road. The Queens are the current operators and owners of the Camp A Way campground facility located at 200 Campers Circle in Lincoln. This Camp A Way location is operated under a lease with the City of Lincoln as the landowner. The City of Lincoln has provided the Queens with a generous lessor notice that the City desires to reuse the land for a different purpose upon lease expiration and therefore we are requesting this special permit to relocate the Camp A Way facilities at our proposed location.

With our application we are proposing to construct and operate their independent, family oriented RV Park and Campground to the 45.49 acres along the east side of Hwy 77 and south of Davey Road. The site plan shows the proposed layout for the campground that would be developed in at least two phases. Proposed capital improvements and guest amenities would include the following:

- Up to 240 camping sites with full water and electric services/hook-ups. Types of camping sites would include traditional RV/camper sites, tent sites, and specialty camping facility such as "glamping" tent platforms, tipis, covered wagons, recreation park trailers designed to look like log cabins, etc.
- Management and Operational facilities will include: Registration & check-in office/store, maintenance workshop, two wells, sanitary sewer lagoons, a storm shelter and two signage locations along Hwy 77. The site plan includes a proposed caretaker dwelling unit.
- Campground Amenities for paid guests may include: Swimming pools and play ponds, playground facilities, volleyball, horseshoes and basketball play areas, dogs run area,

kitchen, laundry, bathroom & shower facilities, a propane filling station, dump station and internet services.

Access to the proposed Campground will be off of Davey Road approximately 250' east of Hwy 77. The applicant is proposing to pave Davey Road to County asphalt standard between Hwy 77 and the Campground entrance as shown on the site plan. Two groundwater wells will be utilized for the potable supply and a sanitary sewer pipe network will be installed to each camp site (excluding tent sites) and the management facilities to deliver wastewater directly to a common lagoon treatment facility. For your convenience a complimentary groundwater well study of the surrounding aquifer levels is included with this application.

Lastly, in order to permit extended stays at the campground for up to 180 days, we have been working with Planning and County legal staff on the necessary terms and conditions needed to allow this maximum length of stay at this site. Accomplishing this requires a proposed text amendment to the county code that is attached with this letter.

In conjunction with this submittal the following information is enclosed:

Use Permit Application  
County Use Permit Review Fee: \$988.00  
Health Department Review Fee: \$445.00  
Text Amendment Review Fee: \$412.00

I hope this information and site plan provides you with adequate information to review this application. Please contact me with any questions you may have.

Sincerely,



KENT SEACREST  
For the Firm

Enclosures

cc: Dave & Jolene Queen  
Mike Eckert, Civil Design Group

# TEXT AMENDMENT 19009

**TEXT AMENDMENT 19009, AMENDING ARTICLE 13 SPECIAL PERMIT, SECTION 13.014, AND ARTICLE 16 SIGNS, SECTION 16.003 OF THE LANCASTER COUNTY ZONING REGULATIONS, REGARDING SPECIAL PERMITS FOR CAMPGROUNDS AND GENERAL PROVISIONS FOR SIGNS.**  
**PUBLIC HEARING:** December 4, 2019

Members present: Al-Badry, Campbell, Edgerton, Finnegan, Ryman Yost, Scheer, Beckius and Corr; Joy absent.

**Staff Recommendation:** Approval

There were no ex parte communications disclosed.

**Staff Presentation:** Tom Cajka, Planning Department, stated this proposed text amendment submitted by Kent Seacrest on behalf of David and Jolene Queen to amend the Lancaster County Zoning Regulations by adding conditions to Article 13.014 for campgrounds and amending Article 16.003 for signs. This proposed text amendment is to add conditions for campgrounds. Campgrounds are allowed in the AG District by special permit. Currently, there are no conditions listed for the special permit. The proposed conditions will better define what a campground is, provide appropriate conditions, and establish a minimum number of sites for a facility.

Corr stated that the City code has a minimum width for the roads in this type of area, and asked if there was a reason that the road width was not added to the text amendment proposed. Cajka stated that campgrounds are self-contained and self-sufficient, and the designer would design for this type of vehicle. Corr inquired asked about screening with adjacent properties if deemed appropriate, and if this would this be a case-by-case basis or something that would be added now with the text amendment. Tom said this would be case-by-case. Corr wondered if she was correct that signs not allowed in setbacks or any other portion of the code now. Cajka said correct.

**Applicant:**

**Kent Seacrest, 1128 Lincoln Mall, Suite 105,** came forward on behalf of the Queen Family, and stated campgrounds have been in the text amendment since 1978 or even longer, but there is not one standard. Working with the city on this text amendment to come up with the right standards to protect the people. He stated one question would be why 35 percent could stay beyond the 30 days. We have seen with this type of facility that there are construction workers that will not be in town for long, or family members are coming to visit to take care of needs, and there are some people that just need someplace for a short time while they are building their new house. Other campsites save 40 percent for those longer stays. We will be providing this with real amenities, store, bathroom, and several others amenities onsite for the campers.

Beckius inquired why they feel that the amenities at the campground help facilitate a longer stay. Seacrest stated that some of this is just for the traffic, and this helps so that they do not need to leave the campsite, making it easier for the camper. Beckius inquired if there would be anything to stop an owner from renting out the camper that they own. Seacrest stated that they could it would need to fit within the 35 percent. Beckius asked of the owner could buy a RV and rent it out. Seacrest explained that there would be a home allowed for an owner or caretaker. He stated that there is not anything now that would stop the owner from renting an RV out; they would need to fit within the 35 percent and they would need to move the camper after the 180 days.

Edgerton stated with regards to the 35 percent, the current laws for the applicants current site, which is within the City does not have that opportunity, is that correct. Seacrest said that it is stated in the city code about the 30-day limit. Edgerton inquired what the rational was for the difference between the city and a rural area on the 35 percent longer stay. Seacrest stated that he does not see the difference, but the industry that is growing and there is a need.

Ryman Yost inquired about a storm shelter that will be included, and asked if it was required. Seacrest stated that he did not think that I was a requirement, but that it should be.

Corr inquired about making the records available and asked if there was a reason that their text amendment has more detail than the cities. Eckert said that they listed what they thought would be the appropriate agencies requests.

**Dave Queen, 13611 US Hwy. 34**, came forward and stated that they are looking for a new area because their lease will be running out in 2025. They have been looking for a new site for the couple of years when they found this one. Camping is affordable and enjoyed by all levels of households. This is another great reason to visit the City and the County. He stated that they do not rent RV's by the month. He shared that while we need the text start-ups and the data centers we also need recreational opportunities for visitors and our community. He stated that 93 percent of their reservations stay less than 7 days and 97 percent stay one month or less. There are several reasons that there might be a need for extended stays and some of those reasons might be construction workers, traveling nurses, house built, campers here for the football games and natural disasters.

**Proponents:**

1. **Lynn Deshon, 19519 N. 14<sup>th</sup> Street, Davey**, came forward and stated that she is in support of the storm shelter for this site and safety and the general store. She stated that the store would help minimize the traffic and campers needing to go to town and getting on and off Hwy 77. She stated that she does not want a 6-month trailer park, but does say that she does understand when campers would need to stay longer than the 30 days.

## Opponents:

1. **Marlene Tracy, 17500 N 84<sup>th</sup> Street**, came forward as part of a group Concerned Citizens for the Protection of Rural Life. She stated that she was in opposition and submitted written comments (see Exhibit #3). Beckius asked if she has been in contact with anyone from the Planning Department. Tracy said yes, Tom.
2. **Becky Keep, 8601 Davey Road**, came forward in opposition and submitted written comments (see Exhibit #4).
3. **Phyllis Larsen, 17575 N. 70<sup>th</sup> Street**, came forward in opposition and submitted written comments (see Exhibit #5).
4. **Martha Minchow, 8181 Davey Road**, came forward in opposition and submitted written comments (see Exhibit #6).
5. **Carol Sherman, 6305 Agnew Road**, came forward in opposition and submitted written comments (see Exhibit #7).
6. **Phil Pfeiffer, 15746 N. 56<sup>th</sup> Street**, came forward in opposition stating that he is seven blocks from the proposed site. He stated that the restriction of 30 days should be per person, per unit and per year total. He stated that he feels that 180 days is too long and he feels that the record keeping should be very detailed.
7. **Christopher Hall, 3525 Cedar Street, Davey**, came forward in opposition and submitted written comments (see Exhibit #8). Edgerton asked the location of his property. Hall stated that it would be on the southeast end.
8. **Karen Kurbis, 17500 N. 84<sup>th</sup> Street**, came forward in opposition and submitted written comments (see Exhibit #9). (Petition in opposition was handed in Exhibit #10)
9. **Rick Ronhovde, 16555 N. 70<sup>th</sup> Street**, came forward and stated that the fencing should be required.
10. **Denise Kaiser, 5590 Davey Road**, came forward and stated that she does not want them to place a sign on her property and that is not why they purchased their property.

## Staff Questions:

Beckius asked Mr. Cajka to describe the process that he has gone through with the applicant and other parties to develop the text amendment. Cajka most of the text amendments are proposed by an applicant and then there is discussions about what the applicant is wanting. In this case, we did look at what the city had as a starting point with these suggested changes, and then conditions can be added. Beckius inquired if Cajka has concerns with the text amendment as proposed if a party ran the RV equivalent of a short-term housing unit. Cajka stated based on what there is that would be allowed. He stated they were trying to avoid this and that is why it says campground and not campsite. Beckius asked about campground/site language that was used. Cajka stated if it said 35 percent of the campground could be occupied for more than 180 days, then it would include the entire campground and they want the 35 percent to be just the campsites. Beckius stated that a person could stay in the campground all year as long as they move sites. Cajka explained with the way it is worded someone could stay for 180 consecutive days, move out for a day and then move back in. Beckius asked would they need to move out of the campground or campsite. Cajka stated campground.

Corr stated that they could not go from one campsite to another campsite. Cajka said no.

Edgerton said that they could leave, drive around for a day and then come back in. Tom said yes, with the way that it is written.

Beckius said no person can occupy the campground for more than 30 days, however, if the campground meets certain requirements, as proposed in this text amendment, then a person could stay there for up to 180 days. **Jenifer Holloway, County Attorney's Office**, said correct. Beckius inquired about the language where the first sentence relates to campgrounds and the second relates to campground sites. He asked what stops a person from moving from a campsite to another campsite within the same campground. Holloway explained that there is a distinction for the campground as a whole verses a campsite. The intent of including the word site was to specify the 35 percent of the sites. The campground wording is specifically used so that they could not hop from site to site.

Ryman Yost stated if it said that for no more than 180 consecutive days within the campgrounds, would that work. Beckius stated that he did not know if that is what the county is proposing. Cajka stated that they are proposing that you could stay up to 180 days if the campgrounds has the amenities, and after 180 days you need to leave the campground.

Corr inquired if there was anything in the code that defines mobile home verses a recreational vehicle. Tom stated that there is a definition for mobile home in the zoning code, but he did not think there was a definition for recreational vehicle. Corr stated that part of the concern is that they do not want it to be a trailer park, so how do you differentiate between the two. Cajka stated that a trailer park is for permanent residence and trailer parks are not allowed in AG District zoning district code.

Scheer inquired about the conditions of this text amendment and stated that currently there are no conditions, and asked if that was correct. Cajka said that is correct. Scheer asked if as they went through the process of making conditions, was there reasons that they are different or could they be the same. Cajka said that the planning staff is always looking at zoning code and the municipal code to make changes when needed. He further explained that this code is for the county, but if someone wanted to do a RV Park in the city, we might look at the city's code then. Scheer asked about screening or fencing around the area on a case-by-case basis. Cajka said that they would not object to either.

Al-Badry asked for clarification on the setbacks. Cajka stated that currently in the AG District for all uses it is a 50-foot front yard setback, 60-foot side yard setback and 100-foot rear yard setback. Front yard setback applies to any lot line that sits adjacent to a street; corner lot would have two front yard setbacks. The rear yard was reduced to 60-foot to have it uniformed all the way around, except along the street.

Corr inquired about why the current City code does not apply in the County. Cajka stated that the City code covers Lincoln and the 3 miles beyond the City limits. The County code covers everything outside the 3 miles.

Finnegan asked if they could guarantee that all operators will follow the rules. Cajka said that he could not guarantee on any special permit that they are going to follow the conditions. Finnegan

stated that it was said twice that is why something was not added in. Cajka said that was on the access roads, but with the internal items they will not want to develop something that no one will come to.

Beckius inquired why having these amenities then it makes it allowable to have a longer stay. Cajka stated if you added these requirements, there may be less campgrounds wanting to do this and it provides amenities for the people staying there.

**Applicant Rebuttal:**

Seacrest stated that you cannot do everything by zoning text and that is why there is special permits. The property owners want to do this correctly. He stated that there really was not a radical difference with what the applicant proposed and what the staff proposed. Various departments have reviewed this text amendment and you do not have them expressing concern; they felt that it was reasonable. With the density, they are only proposing 240 sites and it could be over 700, because with the number of acres, it could be a greater density. He stated that they have discussed the text amendment and they would be willing to say that no person or persons can stay in the campground more than 180 days a year.

Campbell asked if they would be willing to accept fencing and screening as part of the requirements. Seacrest said depends, but they would prefer to use the massive tree mass that is on the property and they do not think this area needs a fence. He further stated that they would be willing to place a fence where it is appropriate and the fence maybe should be done at the special permit stage.

Beckius asked why the applicant wants to do this text amendment instead of getting a special permit. Seacrest said that they wanted to do this the proper way and that it needs to be done right. The standards need to be appropriate.

Ryman Yost stated that there was conversation about difference with camper and mobile home and asked about the mobile home language. Seacrest said that he could not quote the definition, but it would be skirting and things of this nature and that protection is already in the code.

Corr asked about skirting in the RV park. Queen stated this is something that they might do in the winter or for a couple of months. Typically they will wrap something around the bottom. He further stated that they do have rules on this being done and how long it can be left on. Corr asked if they check IDs. Queen said that they do get credit card information and other personal information, although they do not ask to see driver license. He stated that they want to do the right thing.

Beckius inquired if they would be receiving something from the County Attorney. Holloway offered some proposed text to help clarify that the same person or persons cannot be there for 180-days, and further stated that she feels the word consecutive should be removed for the 180-days and the 30-days.

Edgerton stated to do that and remove consecutive language from both of the sections, what that means is the typical less than 30-day-camper would not be able to come back as often as they might otherwise. Holloway stated as an example if someone wanted to go camping every weekend they

would not be able to do this because there are 52 weeks in a year and that would be 52 times. There are cons with doing it this way and you cannot have the language to do it both ways.

Campbell moved to close the public hearing on this item, seconded by Scheer carried 8-0: Al-Badry, Campbell, Edgerton, Finnegan, Ryman Yost, Scheer, Beckius and Corr voting 'yes'; Joy absent.

**TEXT AMENDMENT 19009**

**ACTION BY PLANNING COMMISSION:**

**December 4, 2019**

Scheer moved approval as amended to revise the proposed text to remove the word "consecutive" from 13.104, Item C. Seconded by Campbell.

Scheer stated that he is in favor of the motion because today there are no conditions for campgrounds in the county. Today, we are in the process of adding a baseline of conditions for special permits, which is required for any campground in the county. On a case-by-case basis, the Commission can add conditions when needed because each case is different.

Campbell shared that he totally concurs with Scheer about putting rules in place for a campground in the county.

Edgerton stated that she appreciates that and that this particular applicant has impeccable intentions and has been working in this area and has a great track record. She further stated that these amendments have been put forward to be a broad set of conditions and agrees that they are more than what is in place now, but is unsure if they go far enough to protect the AG district area landowners and will be voting no.

Beckius stated that he will be voting no as well and not because the applicant helped with the drafting. He further stated that he does appreciate that we are going from zero to some regulations. A broader conversation with a broader coalition of community citizens of Lancaster County would be helpful. They have the ability to put conditions on with the special permits, which they can and will do. He feels there needs to be a broader discussion.

Henrichsen came forward wanting to clarify what was being voted on. He stated that the County Attorney provided the Commission some text and referred to other text. Scheer stated with the County Attorney's comments that explained what the intent of that was. Henrichsen stated that the applicant was not given any rebuttal time on that condition and does not agree with the change that was verbally suggested by the County Attorney. He further stated that it adds another element to it, which puts a different limitation on the applicant and those are two different sections. Holloway came forward and stated that when you get to the discussion phase, the Commission does not need to give them a chance for rebuttal.

Corr wanting to clarify that Scheer was taking the word consecutive out. Scheer said that was correct.

Al-Badry stated that she would echo what Edgerton and Beckius have stated and that this should be a wider community conversation. She thanked the applicant for bringing this forward.

Ryman Yost stated that regarding the consecutive stay portion, because there are people that return to the same place every weekend, so if passed as introduced then the special permit allows something different to that so that people could stay for more than 30 total days. Scheer assumed that they could get a waiver.

Finnegan stated that she is going to support this because there is nothing in place now, and she feels they need a starting point. She further stated that she feels it would be good to talk with others on this.

Corr said that she agrees and that this is a good starting point and that they need to form a task force for more detail and viewpoints.

Motion carried 5-3: Campbell, Finnegan, Ryman Yost, Scheer and Corr voting 'yes'; Al-Badry, Beckius and Edgerton voting 'no'; Joy absent.

## CPR Life (Citizens for the Protection of Rural Life)

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plan@lincoln.ne.gov  
Lincoln-Lancaster County Planning Department  
555 S 10<sup>th</sup> St, Room 213  
Lincoln, NE 68506

RE: Lancaster County Zoning Regulations Article 13.014, Campgrounds

My name is Marlene Tracy. I have resided at 17500 N. 84<sup>th</sup> Street for twenty nine years. The proposed campground access on Davey Road is part of my daily travels

When did Lancaster County start allowing the attorney for a developer to write county zoning ordinances? It appears that this is the case with TX91009.

The special permit application for the campground was submitted in April of this year. Our 1<sup>st</sup> notification was an informational meeting on October 11<sup>th</sup>. Had we known about this sooner, we could have been involved with the development of the zoning conditions. Considering the time of the year and the fact that the Queens have an established campground with a lease for years to come we would propose the consideration of a campground task force.

A task force allows residents to provide input into the creation of zoning ordinances that lack any specific requirements, and allows for collaboration of planners, developers, and concerned residents. It appears the county is not being proactive with development issues in the county. This has created problems for well over a decade in issues that CPR Life has been involved in. There is no action taken until a special permit application is filed, resulting in unnecessary conflict with all involved. Examples that come to mind are the following:

- Special permit application for a drag strip which was ultimately denied/withdrawn. During the process a Motorsports Task Force was established to assist the County Board in addressing the complex issues involved with motorsports facilities. Two of our CPR Life neighborhood members served on this task force.
- Special permit application for soil mining permits. A Soil Mining Task Force was created to discuss such issues as oversight/enforcement of conditions placed on such proposals, development of regulations, inspection fees, development of stringent re-seeding and vegetative guidelines. Again, a member of CPR Life served on the task force.

In response to The November 25, 2019 staff report by Tom Cajka, the members for the group CPR Life would like to offer the following proposals for Lancaster County Zoning Regulations Article 13.014 Campgrounds. Since Mr. Cajka has commented that the applicant's proposal was fashioned after the current Lincoln City Municipal Code 27 Zoning, Chapter 27.63 Special Permits, and Article 27.63.270 Campgrounds, we are proposing that the County adopt all the current language found in this Article. It appears that Mr. Seacrest and Dave and Jolene Queen have chosen to PICK from the current Municipal Code the items that promote their application of an RV Park near Highway 77 and Davey Road in northern Lancaster County. We, the concerned citizens residing in northern Lancaster County (CPR Life), would like the entire current language in the Municipal Code to be the basis of the establishment of campgrounds throughout Lancaster County and not just address the wishes of the applicant.

As noted by Mr. Cajka the current Camp A Way facility is exempt from the municipal code due to being created prior to the 1979 Comprehensive Plan. The Lancaster Event Center is a public entity, and as such, does not have to abide by any campground municipal code. The development of the campground language for 13.014 needs to set the county wide standard for decades to come.

We, CPR Life, would like to propose adoption of the current municipal code language for 13.014, along with the following modifications:

Lancaster County Zoning Code Section 13.014 Campgrounds

Campgrounds for tents, tent-trailers, and recreational vehicles may be allowed by special permit in the AG and AGR zoning districts under the following conditions:

- a. **Each campsite shall contain at least 2,500 square feet.** The campsite shall be so designed that the required 2500 square feet can be enclosed within a rectangle of which one side shall not exceed three times any other side. *(It is up to the Planning Department to add the minimum of 40 campsites as desired).*
- b. The campground shall be supplied with a water supply and sewage disposal facilities, including washing (laundry), toilets, and similar facilities, all of which meet all applicable county codes and regulations.
- c. A side yard of fifty feet and a front yard of 100 feet shall be maintained on the campground; provided, however, that the 100 foot front yard requirement may be waived if the front yard abuts on a public street which has a right of way width of 200 feet or more. **Screening required from the campground to adjacent properties.**  
*Incorporate the AG district definition of 100 feet for rear yard setback.*
- d. The access to public roads and highways shall be paved or surfaced in a similar manner to the adjacent public roads, and shall be approved by the county.
- e. Access roads shall be provided to each campsite and all access roads shall have a minimum unobstructed width of fourteen feet for all one-way roads, and twenty feet for all two-way roads.
- f. **No campground may be occupied by the same person or persons more than thirty days in any one calendar year.**
- g. **No mobile homes shall be located in any campground, except as provided for in ~~Section 27.83.010 (d) (5)~~** *Add applicable county code reference.*
- h. **All special permits issued under this section are temporary and valid during the period that the campground and associated facilities comply with the provisions of this title and all other applicable ordinances and regulations.**
- i. All Campground operators shall keep accurate records as to the length of time a person stays in the campground, and shall make records available to any county official upon request. **An annual report is to be filed with Building and Safety or applicable County department. This report should be available for public access.**

**Modification of additional proposed conditions:**

- j. Signs, **non-lighted**, are allowed within the front yard setback.
- k. One **non-trailer** dwelling unit or a campsite occupied by the owner or caretaker year round is permitted.

**In addition, we would like to propose adding the following:**

- l. **All persons who reside at the campground must have a background check for sex offenders, and must be reported to the appropriate authorities.**
- m. **No skirting shall be allowed on said camping trailers or recreational vehicles.**

**CPR LIFE**

(Citizens for the Protection of Rural Life)

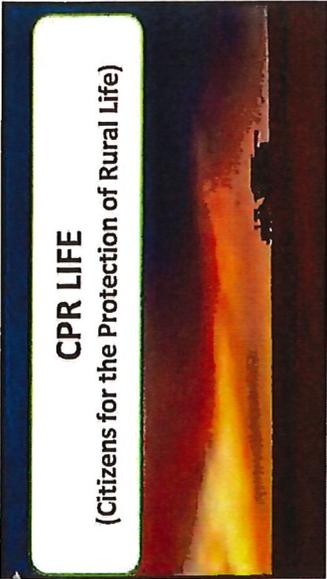


**We oppose the development of an RV Campground at Hwy 77 & Davey Road (SP19051).**

**We also oppose the lenient amendments proposed by the Camp A Way organization to the Lancaster County Zoning Ordinances (TX19009).**

**Our concerns include, but are not limited to, water availability and environmental impact of sewer/lagoon, highway safety, light/noise pollution, and general non-conformity with existing land uses.**

| Printed Name        | Signature          | Address                              | Email address                    | Phone #        |
|---------------------|--------------------|--------------------------------------|----------------------------------|----------------|
| Brian P. Campbell   | <i>[Signature]</i> | 6030 DAVEY RD                        | brian.c@campbellelectricsinc.com | 402-450-4687   |
| Cassie Campbell     | <i>[Signature]</i> | 6030 Davey Rd                        | Cassie.L.Campbell@hotmail.com    | 402-430-2157   |
| Denise Montan       | <i>[Signature]</i> | lots N. 134th St.                    | denise@bestcoservices.com        | 402-430-1907   |
| Sandy Schachenmeyer | <i>[Signature]</i> | 14900 Country Lane Lincoln Mo        |                                  | 785-2285       |
| Kent Simpson        | <i>[Signature]</i> | 6160 Rock Creek Rd                   | chopperflyinhigh@yahoo.com       | 402-217-3098   |
| Lauren McLane       | <i>[Signature]</i> | 4307 29th Ave PL, Kearney NE         | lmpolme@comcast.net              |                |
| Amber Simpson       | <i>[Signature]</i> | 11160 Rock creek Rd                  | amandahansen2@yahoo.com          | (402) 617-1896 |
| Cindy Kaiser        | <i>[Signature]</i> | 3530 Elm St. Davey NE                | Kaiser0930@windstream.net        | 402-785-2946   |
| Karen Edstrom       | <i>[Signature]</i> | 3540 Elm St Davey NE                 | trapspt35@aol.com                | 402-785-2525   |
| Mary J Sayers       | <i>[Signature]</i> | 13932 S Cottonwood Dr<br>Olathe KS   |                                  | 402-430-2328   |
| Shirley Pries       | <i>[Signature]</i> | 10020 Raymond Rd<br>Lincoln NE 68517 | spriess863@aol.com               | 402-786-7363   |



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| Printed Name       | Signature                 | Address                                | Email address            | Phone #        |
|--------------------|---------------------------|--|--------------------------|----------------|
| Tasha Huk          | <i>Tasha Huk</i>          | 800 W Davey Rd                         |                          | 402-785-5601   |
| Rogene Isaacson    | <i>Rogene Isaacson</i>    | 8701 Davey Rd                          |                          | 402-785-5325   |
| Sherry Isaacson    | <i>Sherry Isaacson</i>    | 8701 Davey Rd                          |                          | 402-785-5325   |
| Gary Larsen        | <i>Gary Larsen</i>        | 17575 N. 70th St                       |                          | 402-785-5325   |
| Phyllis Larsen     | <i>Phyllis Larsen</i>     | 17575 N. 70th St                       |                          | 402-785-5325   |
| Gary Carol Sherman | <i>Gary Carol Sherman</i> | 6305 Agnew Rd, Berea, NE 68017         | cavalisherman@gmail.com  | 402-890-9850   |
| Christoph Hall     | <i>Christoph Hall</i>     | 3525 Cedar St<br>Davey Rd<br>68536     | Christoph.Hall17@gmail   | 612-44-2468    |
| Hannah Dovel       | <i>Hannah Dovel</i>       | 1240 Peach St. Lincoln NE 68502        | hannahdove@gmail.com     | (402) 570-9244 |
| Rogene Isaacson    | <i>Rogene Isaacson</i>    | 7401 Davey Rd<br>68517                 |                          |                |
| David W. Nielsen   | <i>David W. Nielsen</i>   | 7100 Raymond Road<br>Lincoln, NE 68517 | dave.nielsen82@gmail.com | 402            |
| Jerry L. Minchow   | <i>Jerry L. Minchow</i>   | 8181 Davey Rd.<br>Lincoln, NE 68517    |                          | 560-0106       |

**CPR LIFE**

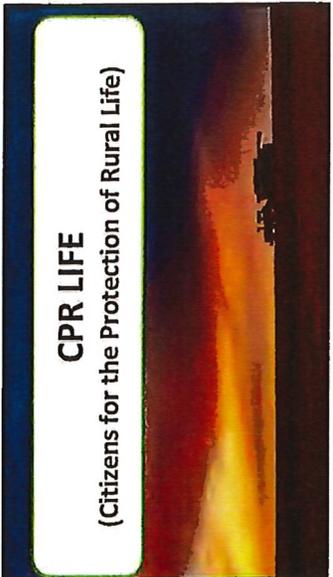
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| Printed Name        | Signature | Address                                   | Email address                 | Phone #      |
|---------------------|-----------|---|-------------------------------|--------------|
| Rebecca A. Campbell |           | 1430 208th Dr.<br>Seward, NE 68434        | beckypca2766@gmail.com        | 402-641-2766 |
| WALTER R. CAMPBELL  |           | 1430 208th Dr.<br>Seward NE 68434         | wuff.campbell11@gmail.com     | 402-641-8873 |
| Natalie Campbell    |           | 4115 Vim St<br>Loca NE 68430              | nataliecampbell2012@gmail.com | 402-803-9173 |
| James Campbell      |           | 4115 Vim Street<br>Loca NE 68430          | thepowerofwin@hotmail.com     | 402-803-9172 |
| JOHN D. SCHERNIKAW  |           | 635 S STEVENSON<br>CARTERSVILLE, NE 68331 | john.schernikaw@gmail.com     | 402-450-0292 |
| DAVID SCHERNIKAW    |           | 2038 Glenview Park<br>Loca NE 68430       | dave@fishermenrealt.com       | 407-230-9651 |
| REBECCA SCHERNIKAW  |           | 1768 Rural Key Blvd<br>Seward, NE 68434   | gndzabka@windstream.net       | 407 230 9654 |
| Gregory Zabka       |           | 2229 Arvo Rd.<br>Seward, NE               | just.brednick@comcast.net     | 402-641-3485 |
| Jack Brednick       |           | 1411 205th Dr.<br>Seward NE               | dbank1@gmail.com              | 402-641-2057 |
| Doug Barker         |           | 1444 208th Dr Seward NE                   | ldoehring@aol.com             | 402-324-1366 |
| Lee Doehring        |           |   |                               |              |

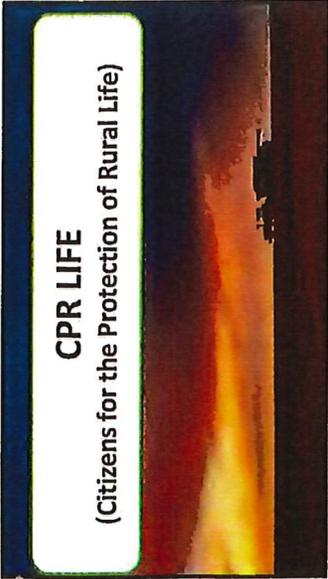


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| Printed Name            | Signature                      | Address                          | Email address        | Phone #        |
|-------------------------|--------------------------------|----------------------------------|----------------------|----------------|
| Diane Black             | <i>Diane Black</i>             | 4707 Rock Creek Rd               |                      | 540-8944       |
| Chris Knoche            | <i>Chris Knoche</i>            | 6000 Rock Creek Rd               |                      | 523-0387       |
| <del>ATTIE FORNER</del> | <del><i>Attie Forner</i></del> | 17600 NBX                        |                      | 560-4101       |
| <del>RICA FORNER</del>  | <del><i>Rica Forner</i></del>  | "                                |                      | 432-7557       |
| Herman Knoche           | <i>Herman Knoche</i>           | 6000 Rock Creek Rd               | dknoche@gmail.com    | 785-7585       |
| Darlene Knoche          | <i>Darlene Knoche</i>          | 6000 Rock Creek Rd               |                      | 785-7558       |
| Jim Oldfield            | <i>Jim Oldfield</i>            | 214 Oak St Curlew                |                      | 840-3959       |
| Lazy Hole Camp          | <i>Lazy Hole Camp</i>          | 1362 Bennett Ave<br>Curlew, NC   | Chakenkamp@gmail.com | (100) 802-7862 |
| Mel Sloug               | <i>Mel Sloug</i>               | 1302 Garnett Ave<br>Curlew, NC   | " "                  | 402-802-7862   |
| David Hanson            | <i>David Hanson</i>            | 2355 Ash Grove Rd.<br>Curlew, NC | " - - - -            | 898 402-5760   |
| Louis Ronhorde          | <i>Louis Ronhorde</i>          | 14555 N 70th<br>Huntersville, NC | ronhorde1961@aol.com | 402-429-8233   |



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| Printed Name                                 | Signature      | Address   | Email address            | Phone #         |
|--|----------------|---|--------------------------|-----------------|
| Rebecca Keep                                 | Rebecca Keep   | 8601 Davey Rd<br>Lincoln NE 68517                               | takeepster@gmail.com     | 402-456-9189    |
| MARILYN KAHLER                               | Marilyn Kahler | 3635 CEORC<br>DAVEY NE  |                          | 402<br>785-3565 |
| John Mure                                    | John Mure      | 7449 DAVEY RD<br>LINCOLN NE 68517                               |                          | 307-680-4895    |
| CAPTAIN GIBSON<br>Craig & Renee<br>Schnieder | Captain Gibson | 7449 Davey Rd.<br>LINCOLN NE 68517<br>380 E m<br>Davey ne 68336 | craig&reneeschnieder.net | 307-622-8977    |
| DR AD ALLEN                                  | Dr Ad Allen    | 3640 Maple<br>Box 113 Davey                                     |                          | 402 435 7235    |
| Martene Tracy                                | Martene Tracy  | 1500 N 34th St<br>Lincoln NE 68517<br>6333 Rock Creek           | giggy1759@aol.com        | 402-304-2579    |
| Scott Johnson                                | Scott Johnson  | CASSA NE 68517<br>17330 N 84 68517                              |                          | 408-560-9582    |
| CRAIG STEED                                  | Craig Steed    | 17330 N. 84th St  |                          |                 |
| Teri Nielsen                                 | Teri Nielsen   | 800 W Davy Rd   |                          | 402 785 5611    |
| Pam Huck                                     | Pam Huck       |   |                          |                 |

**CPR LIFE**

(Citizens for the Protection of Rural Life)

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| Printed Name | Signature           | Address                                     | Email address                         | Phone #      |
|--------------|---------------------|---|---------------------------------------|--------------|
| John Byhr    | <i>John Byhr</i>    | 638 <sup>Vulpago, NE 68065</sup> Ave SW     | —                                     | 402-784-2245 |
| Tom Neal     | <i>Tom Neal</i>     | 1767 <sup>Wichoo, NE 68066</sup> Co. Road F | —                                     | 402-277-0560 |
| Lynn Maxson  | <i>Lynn Maxson</i>  | 421 Beech Box 71 <sup>Ceresco, NE</sup>     | 68017                                 | 402-665-6201 |
| Erma Walter  | <i>Erma Walter</i>  | 112 N 3 <sup>rd</sup> <sup>Peru, NE</sup>   | 68017                                 | 402-665-2133 |
| Mary Trudy   | <i>Mary Trudy</i>   | 6495 <sup>Little Salt</sup> Colorado        | 68017                                 | 402-785-2545 |
| Brian Roland | <i>Brian Roland</i> | 109 Laura Lane <sup>Peru, NE</sup>          | 68017                                 | 402-665-2335 |
| LANA TILSON  | <i>Lana Tilson</i>  | <sup>VA</sup> 1014 RARISO<br>123 N PINE ST  | —                                     | 402-890-0170 |
| TACK JOHNSON | <i>Tack Johnson</i> | 21305 NB 70th                               | —                                     | 402-310-8866 |
| KEVIN STARK  | <i>Kevin Stark</i>  | 634 DAVEY ROAD, DAVEY NE <sup>68034</sup>   | Davey 37290 <sup>WINDSTREAM.NET</sup> | 402-785-7295 |
| LAMMY STARK  | <i>Lammy Stark</i>  | 324 Co. Rd-19, CERESCO NE 68017             | —                                     | 402-781-2253 |
| PAT STARK    | <i>Pat Stark</i>    | 324 Co. Rd 19, CERESCO NE 68017             | —                                     | 402-784-2283 |



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| Printed Name      | Signature          | Address                                  | Email address              | Phone #      |
|-------------------|--------------------|--|----------------------------|--------------|
| KELYN NIGHTENGALE | <i>[Signature]</i> | 1205 S. 37th St Lincoln, NE 68510        | jknightengale@se@gmail.com | 402-314-9035 |
| Melissa Rose      | <i>[Signature]</i> | 4254 S 11th Ln<br>Cortland NE 68331      | melenders1975@gmail.com    | 402-440-9069 |
| Amy Hunt          | <i>[Signature]</i> | 6850 NW 7th St<br>Lincoln NE 68521       | sparkygj19@hotmail.com     | 402-217-0913 |
| DENISE NEVERVE    | <i>[Signature]</i> | 4609 Grassing Rd City 68576              | denise.neverve@gmail.com   | 402-432-2635 |
| Jessica Sedoris   | <i>[Signature]</i> | 4116 Lenox Ave, Lincoln, NE 68510        | Jessamosh14@gmail.com      | 402-419-1652 |
| Sommer Harrison   | <i>[Signature]</i> | 7020 Holdrege St. Lincoln 68505          | splitke@hotmail.com        | 402-580-0461 |
| Alex Sedoris Sr   | <i>[Signature]</i> | 4116 Lenox Ave Lincoln NE 68510          |                            | 402-304-1540 |
| Alex Sedoris Jr   | <i>[Signature]</i> | 4116 Lenox Av Lincoln NE 68510           |                            | 402-484-3070 |
| Jill Gansamer     | <i>[Signature]</i> | 2700 S 157th - Walton 68461              | gansamerj@yahoo.com        | 402-269-5091 |
| Corie Gorton      | <i>[Signature]</i> | 2818 H Rd, Sutherland, 68416             | 60213333@yahoo.com         | 402-429-8284 |
| Nicole Tietz      | <i>[Signature]</i> | 115 Snowvunen Circle<br>Palmyra NE 68418 | nikc:mane689@yahoo.com     |              |

**CPR LIFE**

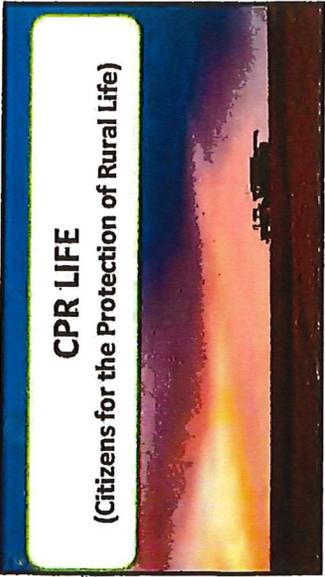
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| Printed Name       | Signature          | Address                                    | Email address             | Phone #      |
|--------------------|--------------------|--|---------------------------|--------------|
| Jeremiah Durkin    | <i>[Signature]</i> | 761 N Sycamore<br>Wichoo NE 68066          | jeremiah@chob.com.net     | 402-587-9176 |
| Sarah Goggin       | <i>[Signature]</i> | 211 Curtis<br>Wichoo NE 68066              | sgoggin@home.com          | 402-525-7482 |
| Joni Durkin        | <i>[Signature]</i> | 761 N Sycamore<br>Wichoo, NE 68066         | jidurkinsech@att.net      | 402-729-7750 |
| Heather Potter     | <i>[Signature]</i> | 3048 Country Rd A<br>Valparaiso NE 68088   | hpatters4@hotmail.com     | 402 432 4822 |
| Jill Rattovec      | <i>[Signature]</i> | 2420 31 RD<br>Brainard, NE 68026           | jill.rattovec@aol.com     | 402-641-3583 |
| Sandy Schachemeyer | <i>[Signature]</i> | 14900<br>Country Lane<br>Lincoln, NE 68517 | sandydovone68@gmail.com   | 402-318-2464 |
| James Marsh        | <i>[Signature]</i> | 125 Camden St,<br>Ceresco, NE 68017        | jmarsh5457@windstream.net | 402-665-5487 |
| Judy White         | <i>[Signature]</i> | 1055 Escalante<br>Ceresco                  |                           | 402-665-5391 |
| Tammy Norton       | <i>[Signature]</i> | 19030 NW 112th Raymond                     | Judy.white1947@gmail.com  | 402-340-6614 |
| Krista Zobel       | <i>[Signature]</i> | 705 3rd South St                           | innmln@hotmail.com        | 402-860-2242 |
| Krista Zobel       | <i>[Signature]</i> | 13050 N 14th Raymond<br>68017              | Kristazobel@gmail.com     | 402-440-6687 |



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| Printed Name | Signature          | Address                      | Email address           | Phone #      |
|--------------|--------------------|------------------------------|-------------------------|--------------|
|              | <i>[Signature]</i> | 704 Pine Ceresco NE          |                         |              |
|              | <i>[Signature]</i> | 704 Pine Ceresco NE          |                         |              |
|              | <i>[Signature]</i> | 1520 CA-B Ceresco            |                         |              |
|              | <i>[Signature]</i> | 20655 N. 80th Ceresco        | saeichmeier@hotmail.com |              |
|              | <i>[Signature]</i> | 705 S. 3rd St., Ceresco      | imnorlen@hotmail.com    |              |
|              | <i>[Signature]</i> | 209 W. Pine St. - Ceresco NE | Pattin19@gmail.com      | 402-318-2820 |
|              |                    |                              |                         |              |
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**CPR LIFE**

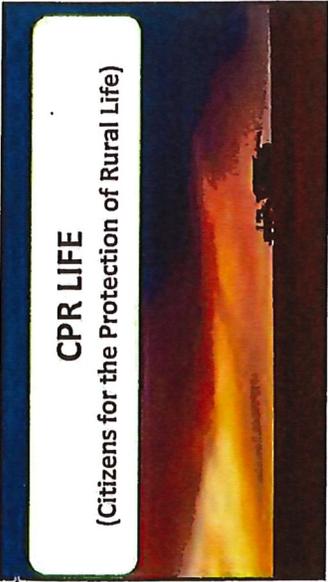
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| Printed Name          | Signature                        | Address  | Email address  | Phone #                      |
|-----------------------|----------------------------------|--|--|------------------------------|
| Ben Kaiser            | <i>Ben Kaiser</i>                | 5590 Davey Rd<br>Ceresco NE 68017                    | 28kaiser@gmail.com                                       | 402-525-7046                 |
| Brian Kaiser          | <i>Brian Kaiser</i>              | 5590 Davey Rd<br>Ceresco NE 68017                    | bkaiser1@gmail.com                                       | 402-518-0145                 |
| Phil Pfeiffer         | <i>Phil Pfeiffer</i>             | 15740 N 50 St<br>Lincoln, NE 68514<br>17800 110 8444 | <del>philpfeiffer@gmail.com</del>                        | 402-429-3181                 |
| Kay Mellen            | <i>Kay Mellen</i>                | Lincoln, NE 68512                                    |  | 402-785-2081                 |
| Timothy J. Kubisek    | <i>Timothy J. Kubisek</i>        | 18507 N 70th St<br>Ceresco, NE 68017                 | T.J. Kubisek@gmail.com                                   | 402-550-2502                 |
| Doug & Elaine Swanson | <i>Doug &amp; Elaine Swanson</i> | 5507 Davey Rd<br>Ceresco, NE 68017                   | Doug Swanson Ford@gmail.com<br><del>Elaine Swanson</del> | 402-430-3334<br>402-525-6803 |
| Martha Mischew        | <i>Martha Mischew</i>            | 8181 Davey Rd, Lincoln 68517                         | martyminchow@hotmail.com                                 | 402-785-7585                 |
|                       |                                  |  |  |                              |
|                       |                                  |  |  |                              |
|                       |                                  |  |  |                              |
|                       |                                  |  |  |                              |



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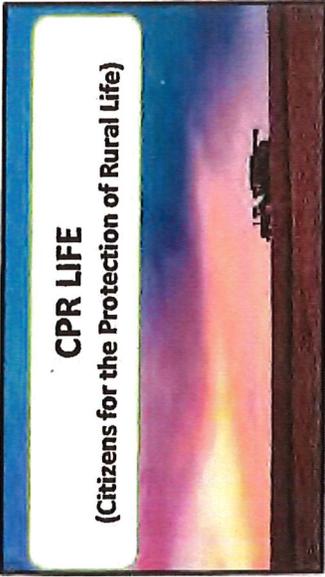
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| Printed Name   | Signature             | Address                         | Email address          | Phone #                                 |
|----------------|-----------------------|---------------------------------|------------------------|---|
| Cheryl Sloop   | <i>Cheryl Sloop</i>   | 474 C.R. 17<br>Ceresco ne 68017 | -                      | <del>402-405-3505</del><br>402-405-3505 |
| Torie bidfield | <i>Torie Oddquist</i> | Ceresco ne                      |                        | 402-416-8874                            |
| Brian Prohaska | <i>Brian Prohaska</i> | Ceresco ne                      |                        | 402-432-9618                            |
| Theresa Tyrby  | <i>Theresa Tyrby</i>  | 6495 Cattle Salt Co             | theresatyrby@gmail.com |   |
|                |                       |                                 |                        |   |
|                |                       |                                 |                        |   |
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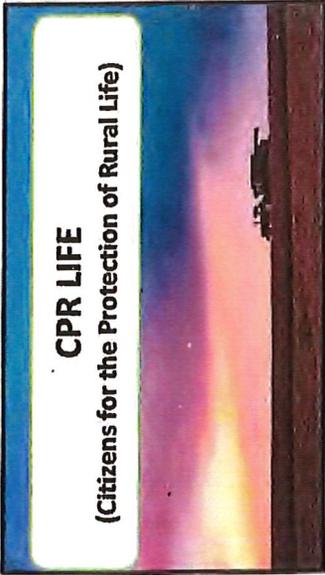


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| Printed Name       | Signature                 | Address                                 | Email address | Phone #        |
|--------------------|---------------------------|---|---------------|----------------|
| Tony Fisher        | <i>Anthony C. Fisher</i>  | 5601 Agnew Rd Ceresco 68017             |               | 402 785-2034   |
| Christina M Fisher | <i>Christina M Fisher</i> | 5601 Agnew Road<br>Ceresco NE 68017     |               | (402) 785-2031 |
| Alexandra M. White | <i>Alexandra M White</i>  | 19030 NW 112<br>Raymond, NE 68428       |               | 402-416-8216   |
| Martin Gestdes     | <i>Martin Gestdes</i>     | 3500 West LITTLEFIELD<br>Wayne NE 68065 |               | 402-525-1712   |
| Gary Otto          | <i>Gary Otto</i>          | 1430 CORLA Ceresco Nebra.<br>68017      |               | 402-450-7073   |
| Alex L. Lowell     | <i>Alex L. Lowell</i>     | 4821 Tomashook Ln 68516                 |               | 402-580-1758   |
| ARNOLD D. LOWELL   | <i>Arnold D. Lowell</i>   | 444 WEST EYE CERESCO 68017              |               | 402-580-1767   |
|                    |                           |   |               |                |
|                    |                           |   |               |                |
|                    |                           |   |               |                |
|                    |                           |   |               |                |



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| Printed Name      | Signature                | Address  | Email address | Phone #      |
|-------------------|--------------------------|--|---------------|--------------|
| Allen N Naprstek  | <i>Allen Naprstek</i>    | 8005 W. Litke Salt Rd  |               | 402-326-0797 |
| Caroline Naprstek | <i>Caroline Naprstek</i> | Waparouso NE 68065<br>8005 W Litke Salt Rd<br>Ceresco NE 68017 |               | 402-326-0797 |
| Kent Hansen       | <i>Kent Hansen</i>       | 21205 No. 84th   |               | 402-432-2010 |
| Chris Subraska    | <i>Chris Subraska</i>    | 751 South 3rd<br>Box 172 Ceresco NE 68017                      |               | 402-429-8531 |
| John Anderson     | <i>John Anderson</i>     | P.O. Box 155 Ceresco NE  |               | 402-430-1572 |
| Mark Egan         | <i>Mark Egan</i>         | 1555 Davey Rd Davey NE<br>68038                                |               | 402-450-9200 |
|                   |                          |  |               |              |
|                   |                          |  |               |              |
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|                   |                          |  |               |              |
|                   |                          |  |               |              |

## Testimony in opposition to TX19009

My name is Becky Keep and I live at 8601 Davey Road,  
Lincoln.

I am here today to speak in opposition text amendment 19009  
creating campgrounds under AG zoning in Article 13.014.

While I don't believe campgrounds belong in AG or AGR at all,  
I will go on and address subparagraphs a. and b. of the proposed  
ordinance. The proposed language in a. calls for a minimum 40  
campsites with a water supply and sewage disposal, etc., and b.  
provides for the setbacks to be 50' front and 60' rear. This is  
wholly inadequate.

Campgrounds in AG zoning should be given the same  
conditions as the City campground ordinance in Article  
27.63.270, subs a-c. Since campgrounds in both cities and rural  
areas can have similar population density and proximity to  
neighboring homes, the Municipal ordinance could easily be

applied in rural areas as well. Why create a second set of regulations with no other rationale other than it's what a special permit applicant is asking for?

I also suggest that you include additional language in .b to provide screening from adjacent property, as described in the staff report. Our reason for screening is aesthetics, highway safety, and adjacent farming activity. Thank you.

## **TITLE 27 ZONING**

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### **Chapter 27.63 SPECIAL PERMITS**

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#### **27.63.270 Campgrounds.**

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**Campgrounds** for tents, tent-trailers, and recreational vehicles may be allowed by special permit in the AG and AGR zoning districts under the following conditions:

- a. Each campsite shall contain **at least 2,500 square feet**. The campsite shall be so designed that the required 2,500 square feet can be enclosed within a rectangle of which one side shall not exceed three times any other side.
- b. The campground shall be supplied with a water supply and sewage disposal facilities, including washing, toilets, and similar facilities, all of which meet all applicable city codes and regulations.
- c. A side yard of fifty feet and a **front yard of 100 feet** shall be maintained on the campground; provided, however, that the 100-foot front yard requirement may be waived if the front yard abuts on a public street which has a right-of-way width of 200 feet or more.

Ordinance Text Amendment #19009

Dec. 4, 2019

My name is Phyllis Larsen and I live at 17575 N 70<sup>th</sup> St, Lincoln. I'm interested in the proposed ordinance text amendment. Much of the verbiage has been developed by the special permit applicant. This approach is sure to meet business needs, but not necessarily public needs.

Rather than create a whole new set of rules, I propose using the ones currently in place in Lincoln's Municipal Code 27.63.270. County campgrounds can have just as dense a population and just as much impact on neighboring homes as those in the city. So if the Municipal code is working in Lincoln, it should work in the county, too.

I'm especially interested in this part of the Municipal Code.

"No campground may be occupied by the same person or persons for more than 30 days in any calendar year. "(part f.)

This succinctly specifies the amount of time someone can spend in a campground and prevents it from becoming a mobile home park with long term residents who simply want cheap housing.

A 30-day rule is also consistent with County Zoning Regulation 2.004.

It defines a Campground as a parcel of land intended for temporary occupancy by a tent, tent trailer, or recreational vehicle. **Temporary occupancy** are the key words here. Anything more than that and the campground becomes a residence.

Campgrounds being used as residences is a well documented trend all over the country—especially for temporary construction workers. A recent headline in the Omaha World-Herald said "They Aren't Camping, it's Home." It describes temporary construction workers who choose to live in RVs rather than pay for extended stay motels.

[https://www.omaha.com/special\\_sections/outlook/they-aren-t-camping-it-s-home/article\\_051b2b21-4c85-5d23-a720-4ff2531e68b3.html](https://www.omaha.com/special_sections/outlook/they-aren-t-camping-it-s-home/article_051b2b21-4c85-5d23-a720-4ff2531e68b3.html)

But why allow people looking for cheap, long term housing to take up residence on land that's zoned for agriculture? Why create a densely populated trailer town thinly disguised as a recreation campground? It stresses area resources and is contrary to the county's Comprehensive Plan. The plan specifically mentions preservation of ag land over and over. It's in sections 2.7, 5.5, 5.4, 7.12, 7.2, 12.4 and so on.

If campgrounds truly are a "parcel of land intended for temporary occupancy," as defined in County Zoning, then the Lincoln Municipal Code is a good model. The Code's 30-days in a calendar year rule is exactly what we need.

Please protect rural neighborhoods just as much as those in Lincoln. We need your support to create an ordinance that prevents not encourages creation of densely populated trailer towns with long term residents. 30-day stays are enough in a recreational campground.

Thanks for listening.

My name is Martha Minchow. I live at 8181 Davey Rd. Our family owns land within 1 mile as well as across the road from this proposed site.

Pulling from the Text Amendment #19009, under Key Quotes from the 2040 Comprehensive Plan, P.5.4- the last sentence states:“ Farms of all sizes make purchase of goods and services in the city and county throughout the year, which contributes to the local tax base and sustain growth for other business in the agriculture industry.”

I would like to share one example that shows how important this is.

Let’s take into account just the purchase of one tractor tire for \$1700-\$2000. That one purchase generates around \$93-\$110 in taxes, which allows a business to remain open and offer employment to numerous individuals. These employees will then be using their salary to make other purchases which will in turn generate even more tax dollars.

Whenever land is taken out of agricultural production, there will be an impact on our economic health.

Will our county recoup a similar amount of return on ‘purchases of goods and services in the city and county...’ from the visitors at the campgrounds?

P. 12.4 In part states: “...Agricultural land may be in transition to more diversified agribusiness ventures”

Tell me how a campground is a ‘more diversified agribusiness venture’?

In conclusion, under Lincoln Municipal Code, Title 27 Zoning, Chapter 27.63 Special Permits, 27.63.270 Campgrounds, there are nine conditions listed. Why are these being modified? It would seem that the developers of the site at Highway 77 and Davey Rd. are tailoring these conditions to meet their wishes. Do you really desire to have these altered conditions to be the standard for all future campgrounds in AG and AGR districts?

Thank you. Do you have any questions?

Planning Commissioner,

I am Carol Sherman and I speak today on behalf of my husband Gary & myself. We live on our farm at 6305 Agnew Rd. I speak in opposition to the suggested text for TX#19009.

The Lincoln Municipal Code, Title 27 Zoning, Chapter 27.63 Special Permit, 27.63.270 Campgrounds.

We urge you to adopt the above Lincoln code as written, for use in Lancaster County for Campgrounds. There is no need to change any of the language or pick only part of it and change other parts as suggested in TX#19009..

Thank You,

Carol J Sherman

Testimony—Ordinance Text Amendment #19009

Dec. 4, 2019

My name is Christoph Hall and I'm a fourth-generation farmer. I live in Davey and farm the land adjoining the special permit application area.

I'd like to address this part of the proposed text amendment: "A front yard setback of fifty (50) feet and side and rear yard setbacks of sixty (60) feet shall be maintained on the campground."

In Lancaster Zoning Article 4.017, Height and Area Regulations are addressed.

Resolution R-18-0078 specifies that land zoned as Ag district requires a front yard of 50 feet, 60 feet on the sides and 100 on the back yard.

The staff report on this amendment says "a 60' setback on the side and rear lot lines provides a sufficient setback to adjacent properties." I disagree and support having at least 60 feet on the sides and 100 feet on the back for safety reasons.

This campground is described as being family friendly. People may decide to go exploring not knowing the boundaries and not knowing the inherent dangers. For example, have you ever touched an electric fence?

Or picture this. I'm driving a 15,000 pound, 16 foot wide combine through corn that's about 7 feet tall. It's thick—you can't see through it. The combine is filled with 5 tons of grain. It's noisy and dense dust is in the air. It's all part of harvest season. Then a child darts out in front of me and there's no way I have time to stop.

Or imagine sitting outside your RV as a tractor applying anhydrous ammonia drives past. Farmers are trained in safety measures but in certain environmental conditions, the gas can drift. You should know that exposure can irritate the skin burn your throat and lungs, and burn your eyes, causing temporary or permanent blindness.

Safety and liability are real issues here. How about adding this safety measure to the ordinance?

In Iowa, commercial campground zoning says: "Rear and/or side yards shall be screened from adjacent property by a planting screen not less than ten feet in width and six feet in height or by a fence, wall, berm or other comparable means."

( <https://www.boonecounty.iowa.gov/home/showdocument?id=355> )

Requiring a fence and other barriers between campground users and adjacent properties sounds like a good idea. I encourage you to add it to the proposed text amendment. Also please increase the setbacks to at least 100 feet.

###

My name is Karen Kurbis. I have resided on the road less traveled at 17500 N. 84<sup>th</sup> Street for twenty nine years. My daily commute to work goes past the proposed campground access on Davey Road. I am a member of CPR Life (Citizens for the Protection of Rural Life). Our members reside in various parts of the county and we have been corresponding with our counterparts in northwest Lancaster County in regards to the campground text amendment.

I am opposed to the proposed language in the Text Amendment TX91009. I consider this to be a watered down version of the Lincoln Municipal Code for Campgrounds. It appears to be focused more on the current special permit application desires than a comprehensive county wide ordinance.

Several items were left out that I consider significant.

- **No mobile homes shall be located in any campground.** *I have visited several campgrounds in an effort to more fully understand the nature of the campground. I found too many RVs that gave the flavor of a trailer park. Skirting made of various materials from green indoor/outdoor carpeting, Styrofoam, plywood, cloth, and plastic landscape materials were seen at Camp A Way, Pine Grove, and the Gretna KOA campgrounds.*
- **All special permits issued under this section are temporary and valid during the period that the campground and associated facilities comply with the provisions of this title and all other applicable ordinances and regulations.** *We have witnessed too many times the start-up of special permits followed by failure to follow the conditions of the special permit. Without this guideline we have little recourse to engage the county offices in following up on non-compliance.*
- **All Campground operators shall keep accurate records as to the length of time a person stays in the campground, and shall make records available to the county upon request.** This should be modified to include "An annual report will be filed with Building and Safety or other applicable County Department. This report should be available for public access.

My lack of faith in the county oversight can be demonstrated in several examples but I will limit it to one of the soil mining special permits. SP08017 originated in 2008, but the site was not opened and in accordance with the conditions the permit expired. It was renewed in 2009 and again in 2013 for a 3 year period. As a member of the Soil Mining Task Force I am aware that one of the conditions is that the land must be 'reclaimed' and top soil redistributed on the land. As part of the mining process, the top soil is removed from the surface and collected in storage area berms during the mining process. As you will see in the photo taken a few weeks ago, the topsoil was never returned to the land and consequently the land reclamation was not completed.



On March 3<sup>rd</sup> of 2016 there was a Rega Engineering Group request to Tom Cajka, Planner, to close out permit & subsequent release of performance bond.

On March 4<sup>th</sup> of 2016 there was a Memorandum from Tom Cajka (Planning Dept.) to Rick Peo (City Attorney Office) stating “enclosed letter signed by a licensed engineer states that the **requirements have been met....**Please release the \$9,870 performance bond”.

On March 10<sup>th</sup> of 2016 there is an Order signed by David Cary (Planning Director) to release “\$9,870 to **guarantee the final reclamation plan** as required for Special Permit No 08017B as the **final grading and drainage have been satisfactorily completed**”.

Why is the planning department releasing performance bonds when the conditions of special permits are not completed?

The availability of access to the length of stay is really our only opportunity to monitor the compliance of the campground stays. In a conversation with Tom Cajka prior to Thanksgiving, Marlene Tracy inquired who was going to monitor the length of stays and he smiled and said “the neighbors”. Unfortunately we have seen too many special permits approved and the county fails to do any monitoring to insure the conditions are followed. At the informational meeting with the Queens on October 11<sup>th</sup>, I expressed this concern with Tom Cajka and he insisted that there are processes in place to ensure compliance. I responded that is not the standard that we have witnessed and mentioned the soil mining site on Hwy 77 near Bluff Road. This is soil mining site that he signed off on.

I use the soil mining permit as an example of why the public should be entitled to access campground length of stay reports. Once a soil mining permit is issued, there is no further monitoring unless initiated by public complaint. I have no faith that this proposed special permit would be any different.

I would like to propose that campground annual reports, or others as requested by the county, contains the camper’s name, a unique number assigned to the camper for all their future visits, RV license number (this would eliminate the potential to game the system by registering under a different name), campsite number,

date of arrival, and date of departure. If campgrounds provided this information in a spreadsheet the county could easily remove the camper's name and provide the rest of the data for public access.

Another neighbor mentioned the potential for a task force. I believe that this special permit application should be delayed to consider the potential of a task force or at least spend more time to enhance the proposed text amendment. As a prior member of the Motorsports Task Force and the Soil Mining Task Force, I would appreciate the opportunity to serve on a Campground Task Force should the County Board authorize one.

Thank you for your time.



LINCOLN-LANCASTER COUNTY  
HUMAN RESOURCES DEPARTMENT  
555 South 10th Street Room 302 Lincoln, NE 68508  
402-441-7597 fax: 402-441-8748 lincoln.ne.gov



January 10, 2020

RECEIVED

JAN 13 2020

LANCASTER COUNTY  
BOARD

**INTER-OFFICE**

Kerry Eagan  
Chief Administrative Officer

Dear Mr. Eagan:

According to the by-laws for the Commissioners' Award of Excellence Program, the County Board representative's term expires January 31, 2020. I am requesting the County Board of Commissioners nominate one individual to serve on the committee for a two year term to replace Lori Gokie.

I'd like to let you know that you may re-nominate Lori, if you so choose and if she is willing. Lori has 66% attendance at the 3 meetings held since June 2019.

If possible, please submit the name you are recommending to me at [asadler@lincoln.ne.gov](mailto:asadler@lincoln.ne.gov) by February 10, 2020. The first meeting for this individual will be February 12, 2020 at 3:00 p.m. in the Front Personnel Conference Room, 3rd Floor of the County-City Building. The Committee meets on the second Wednesday of each month.

I appreciate your help and your support of the Commissioners' Award of Excellence Program. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Amy Sadler".

Amy Sadler  
Human Resources

# LANCASTER COUNTY CLERK

County-City Building | 555 South 10th Street | Lincoln, NE 68508-2803  
402-441-7484 | Fax 402-441-8728

January 8, 2020

DAN NOLTE  
Clerk

Pamela Dingman  
Lancaster County Engineer

RE: Claim to be reviewed by the Lancaster County Board of Commissioners

The Lancaster County Board of Commissioners will be reviewing the following claim on Thursday, January 16, 2020, during the County Board Staff Meeting in Room 113, on the first floor of the County-City Building:

Voucher 667671 on batch 249121 to Pamela Dingman (Employee), dated December 4, 2019, in the amount of \$550.00. The claim is a meal reimbursement for a group of 22 County employees who were attending a conference in May 2019 in Grand Island. The Employee has requested to be reimbursed the supper per diem rate of \$25 per employee.

Staff in the County Clerk's office is requesting that the claim be reviewed by the Lancaster County Board of Commissioners for the following reasons:

Per resolution R-19-0012, "travelers may submit a claim for only her/his own per diem for meals that are authorized pursuant to this Resolution. A Traveler may not submit a claim for another Traveler's per diem for meals, and aggregated claims for actual meal expenses or per diem for meals submitted by one Traveler on behalf of multiple Travelers are not authorized pursuant to this Resolution."

Per resolution R-19-0012, "within ten (10) working days after completion of the authorized travel, the Traveler shall submit to the Agency Head, an itemized claim for travel expenditures, attaching all necessary support receipts, and other documentation."

Per State Statute 23-135, "all claims against a county shall be filed with the county clerk within ninety (90) days from the time when any materials or labor which form the basis of the claims, have been furnished or performed."

Any additional documentation to support your claim may be submitted to the County Clerk's office or if you wish to appear and/or provide additional clarification regarding this claim(s) on January 16, 2020, please contact Kerry Eagan, Chief Administrative Officer, so he can schedule a specific time.

Sincerely,

  
Dan Nolte  
County Clerk's Office

email: Kerry Eagan, County Board Office  
Jen Holloway, County Attorney's Office  
Ann Ames, County Board Office  
Kevin Nelson, County Clerk's Office  
Danielle Buck, County Board Office  
Angela Zocholl, County Engineering Office

Lancaster County, NE  
Voucher Journal Report

| Document       | G/L Date        | Due Date            | Co                  | Address#       | Supplier Name            | Amounts       |        | Ty    |
|----------------|-----------------|---------------------|---------------------|----------------|--------------------------|---------------|--------|-------|
| Number         | Item            | Inv Date            | G/LClass            | P.O. #         | JE - Remark              |               | Gross  | LT PC |
| Account Number | Invoice Number  |                     | Account Description |                |                          |               |        |       |
| Batch Number   | 249121          | Type V              | Date 12/4/2019      | User ID CFEACZ | Transaction Originator   | CFEACZ        |        |       |
| 00011          | 12/4/2019       | 1/3/2020            | 00011               | 71040          | A                        |               |        |       |
| PV 667671      | 001             | 12/4/2019           |                     |                |                          |               |        |       |
|                | DINGMAN MAY2019 |                     |                     |                | Dingman, Pamela          |               |        |       |
|                |                 |                     | 71040               |                | 1763 Surfside Dr         |               |        |       |
|                |                 |                     |                     | Lincoln        |                          | NE 68528-1747 |        |       |
| 7030.64710     |                 | Meals               |                     |                | Texas Roadhouse May 2019 |               | 550.00 | AA    |
|                |                 | Totals for Document | PV 667671           | 00011          |                          |               | 550.00 | AA    |

*over 90 days  
no receipt*

The undersigned hereby certifies that the above material and/or service has been received and/or performed and funds have been appropriated for said purpose.

By: Kenneth D. Schaefer

## Lancaster County Claim for Travel Expenditures

| Last Name, First Name, MI<br>Dingman, Pamela  |           |       |        | Organization<br>County Engineering |      | Phone Number<br>441-7681 |       |        |        |
|---|-----------|-------|--------|------------------------------------|------|--------------------------|-------|--------|--------|
| Date<br>05/07/2019  |           | Time  |        | Date<br>05/09/2019                 |      | Time                     |       |        |        |
| Location Traveled To (City and State):<br>Winter Maintenance Conference -Grand Island, Nebraska |           |       |        |                                    |      |                          |       |        |        |
| <b>Meals Claimed</b>  |           |       |        |                                    |      |                          |       |        |        |
| Date  | Breakfast | Lunch | Supper | Amount                             | Date | Breakfast                | Lunch | Supper | Amount |
| 05/08/19  |           |       | 550.00 | 550.00                             |      |                          |       |        | 0.00   |
|   |           |       |        | 0.00                               |      |                          |       |        | 0.00   |
|   |           |       |        | 0.00                               |      |                          |       |        | 0.00   |
|   |           |       |        | 0.00                               |      |                          |       |        | 0.00   |
|   |           |       |        | 0.00                               |      |                          |       |        | 0.00   |
|   |           |       |        | 0.00                               |      |                          |       |        | 0.00   |
|   |           |       |        | 0.00                               |      |                          |       |        | 0.00   |

Circle the meals to be paid and write in the amount to be reimbursed.

Reimbursement for meals is not to exceed:

most localities \$52.00 ( \$11 breakfast, \$16 lunch, \$25 supper)

high-cost localities \$65.00 ( \$14 breakfast, \$20 lunch, \$31 supper)

Total for meals \$ 550.00

TRAVEL BY PRIVATE AUTO (OWNER/OPERATOR):    YES    NO

IF YES, NUMBER OF MILES CLAIMED: \_\_\_\_\_ @ 0.580 = \$ 0.00

DID YOU RECEIVE A TRAVEL ADVANCE:    YES    NO

IF YES, PAYMENT VOUCHER NUMBER \_\_\_\_\_ AMOUNT \$ \_\_\_\_\_ DATE: \_\_\_\_\_

| Date | Reimbursable Expenditures (Excluding Meals)<br>Description | Amt Claimed | Allowed |
|------|--|-------------|---------|
|      |  |             |         |
|      |  |             |         |
|      |  |             |         |
|      |  |             |         |
|      |  |             |         |
|      |  |             |         |
|      |  |             |         |
|      |  |             |         |

**Receipts are required for: lodging (detailed), auto rental, airline tickets, out of pocket expenses for County owned vehicle.**

|   |  |                        |
|---|--|------------------------|
| I hereby claim any amount due me. The statements and attachments are true and complete. | Signature of Claimant<br>                    | Date<br><u>12/4/19</u> |
| I certify that I have reviewed and approve this claim.                                  | Signature of Department Head or Designee<br> | Date<br><u>12-4-19</u> |

County Engineering Employees on Texas Roadhouse Receipt:

- Bob Larsen
- Chris Fisser
- Lyndon Loschen
- Lou Gasper
- LeRoy Geistlinger
- Ron Bohaty
- Jared Johnson
- John Juricek
- Carl Siefert
- Larry Legg
- Steve Slapnicka
- Erik Hunt
- Pam Dingman
- Curtis Pokorny
- Bob Hanna
- Keith TenHulzen
- Ed Hall
- Terry Cadwallader
- Rick DeBoer
- Mike Hula
- Erick Russell
- Nathan Bauer

22 employees at \$25 per diem each = \$550.00