

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 112
TUESDAY, AUGUST 13, 2019
9:00 A.M.

Advance public notice of the Board of Commissioners meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and emailed to the media on August 9, 2019.

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

Others present: Kerry Eagan, Chief Administrative Officer; Ann Ames, Deputy Chief Administrative Officer; Jenifer Holloway, Deputy County Attorney; Dan Nolte, County Clerk; Cori Beattie, Deputy County Clerk; and Monét McCullen, County Clerk's Office

The meeting was called to order at 9:00 a.m., the Pledge of Allegiance was recited and the location of the Nebraska Open Meetings Act was announced.

1) MINUTES:

A. Approval of the minutes of the Board of Commissioners meeting held on Tuesday, August 6, 2019.

MOTION: Schorr moved and Flowerday seconded approval of the minutes. Schorr, Flowerday, Yoakum, Vest and Amundson voted yes. Motion carried 5-0.

2) CLAIMS:

A. Approval of all claims processed through August 13, 2019.

MOTION: Vest moved and Yoakum seconded approval of the claims. Vest, Schorr, Flowerday, Yoakum and Amundson voted yes. Motion carried 5-0.

3) CONSENT ITEMS: These are routine business items that are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Amendment to the following County contracts:

- 1. C-18-0729 with McKesson Medical-Surgical Government Solutions, LLC using the Sourcewell Contract 061417-MML for Health & Safety, Medical, Surgical and First Aid Related Equipment, Supplies, Accessories and Services, (MOU034. The amendment renews the contract from July 26, 2019 through July 25, 2020. The estimated cost to the County is not to exceed \$50,000.) (C-19-0613)**

2. C-16-0078 with Language Line Services, Inc., using the State of NE Contract No. 48860 O4 for Language Interpretation Services – Phone and Video. (The amendment extends the contract from August 1, 2019 through July 31, 2020. The estimated cost to the County is not to exceed \$1,000.) (C-19-0614)
 3. C-18-0252 with Wellpath for Medical Care Services for the Youth Services Center. (The estimated cost will be increased by \$4,289.19 for the remainder of the contract term. The total contract expenditure will remain the same.) (C-19-0616)
- B. Contract with Peregrine Services, Inc., to provide Annual Services – Print & Mail-Real Estate Tax Statements (Bid No. 19-182). The term of the contract is four years from date of execution with the option to renew for one additional four-year term. The cost to County is not to exceed \$173,760 for the contract term. (C-19-0615)
- C. Contract with MMC Contractors to provide Roof Top HVAC Unit Replacement - County Extension. (Bid No. 19-197. The services included in this Contract shall begin as soon as possible from date of executed contract. The cost to the County is not to exceed \$175,000.) (C-19-0627)
- D. Change Order No. 3 to County Contract C-18-0405 with M.E. Collins Contracting Company (Project No. 19-05, Bid No. 18-152) for Erosion Checks, Type Wattle in lieu of Erosion Checks, Type 3-High installed by Nebraska Hydroseeding, Inc., at Box Culvert N-19; Erosion Control 1-D in place of Seeding, Type "A" and Mulch at CBC B-147 (the decreased amount is \$7,361.17). (C-19-0623)
- E. Right-of-way contracts with the following:
1. Michael A. and Mark D. Leavitt, 9500 Adams Street, in the amount of \$1,067.50. (C-19-0624)
 2. Aginvest, LLC, South 82nd Street between Roca Road and Saltillo Road, in the amount of \$7,555. (C-19-0625)
 3. Nebraska Public Power District, Southwest 50th Street and West Princeton Road, in the amount of \$1,315. (C-19-0626)
- F. Received and placed on file the following reports for July, 2019.
1. Assessor/Register of Deeds
 2. Records and Information Management

MOTION: Schorr moved and Yoakum seconded approval of the consent items. Yoakum, Vest, Schorr, Flowerday and Amundson voted yes. Motion carried 5-0.

4) OLD BUSINESS:

- A. Resolution in the matter of adopting minimum road standards for roads in unincorporated areas pursuant to Nebraska Rev. Stat. 39-1501(5). (R-19-0051)**

Pam Dingman, Lancaster County Engineer, said this resolution will correct a number of older resolutions and create consistency. This is not final and will need to continue to be reviewed and updated. There will also need to be a task force to look at the acreages in Lancaster County.

Schorr asked how many acreage developments will be affected by this change. Dingman said two and one of those is in the process of being replatted.

MOTION: Vest moved and Flowerday seconded approval of the resolution. Flowerday, Yoakum, Vest, Schorr and Amundson voted yes. Motion carried 5-0.

- B. Resolution in the matter of Change of Zone No. 19018, from AG Agricultural to AG Agricultural with historic landmark overlay on approximately 17 acres on property generally located at 17185 Bluff Road in Lancaster County, Nebraska. (R-19-0053) (Note: Action on this item will take place following the public hearing – Item 6A.)**

This item was held until after the public hearing on Item 6A.

- C. Resolution in the matter of County Special Permit No. 19033, (adopted by the Historic Preservation Commission on June 20, 2018 and the Lincoln-Lancaster County Planning Commission on July 10, 2019) for an event center special permit as part of the preservation of a local historic landmark on property generally located at 17185 Bluff Road in Lancaster County, Nebraska. (R-19-0054) (Note: Action on this item will take place following the public hearing – Item 6B.)**

This item was held until after the public hearing on Item 6B.

5) NEW BUSINESS:

- A. Special Designated License application from Seven Diamonds, LLC for an event at the Monnier Farm, 205 Waverly Road, Raymond, Nebraska on September 1, 2019.**

MOTION: Vest moved and Yoakum seconded approval of the special designated license application. Yoakum, Vest, Schorr, Flowerday and Amundson voted yes. Motion carried 5-0.

- B. Amusement License Renewal application from Jan and Darril Hauser for an event at Pine Creek Farms, 11505 North 14th Street, Raymond, Nebraska on September 21, 2019.**

Jan Hauser, 11505 N. 14th Street, said this is a reoccurring event. She said she is aware that no parking is allowed on North 14th Street and signage will be in place for the public.

MOTION: Vest moved and Schorr seconded approval of the amusement license renewal application. Flowerday, Yoakum, Vest, Schorr and Amundson voted yes. Motion carried 5-0.

- C. Contract with Tradebe Environmental Services, LLC., to provide Annual Services – Hazardous Waste Services (RFP No. 19-103). The term of the contract is September 1, 2019 through June 30, 2020 with the option to renew for three additional one-year terms. The cost to the County is not to exceed \$5,000. (C-19-0617)**

Scott Holmes, Lincoln/Lancaster County Health Department Environmental Health Manager, said the Health Department works with hazardous waste centers for services in Lincoln and they add the County in the contract in case hazardous waste services are ever needed.

MOTION: Vest moved and Yoakum seconded approval of the contract. Schorr, Flowerday, Yoakum, Vest and Amundson voted yes. Motion carried 5-0.

- D. Contract with NMC, Inc., (Nebraska Machinery Company) for Annual Supply – Caterpillar Filters (Sole Source No. SS-90). The contract is for one-year with the option to renew for three additional one-year terms. The cost to the County is not to exceed \$23,000. (C-19-0619)**

MOTION: Schorr moved and Yoakum seconded approval of the contract. Vest, Schorr, Flowerday, Yoakum and Amundson voted yes. Motion carried 5-0.

- E. Contract for Annual Supply – Ice Melt (Bid No. 19-153). The contracts are for one-year with the option to renew for three additional one-year terms with the following:**

- 1. Nebraska Landscape Solutions, Inc (the cost to the County is not to exceed \$5,000). (C-19-0620)**
- 2. Egan Supply (the cost to the County is not to exceed \$2,100). (C-19-0621)**
- 3. Helena Chemical Company (the cost to the County is not to exceed \$1,500). (C-19-0622)**

MOTION: Flowerday moved and Vest seconded approval of the contracts. Yoakum, Vest, Schorr, Flowerday and Amundson voted yes. Motion carried 5-0.

- F. Recommendation from the Purchasing Agent and Lancaster County Engineering to award a contract to Sapp Bros. Inc., for Annual Supply of Lubricants (Bid No. 19-190). The estimated amount is \$70,000. (B-19-0190)**

MOTION: Schorr moved and Yoakum seconded approval of the recommendation. Flowerday, Yoakum, Vest, Schorr and Amundson voted yes. Motion carried 5-0.

6) PUBLIC HEARINGS:

A. **Change of Zone No. 19018 - AG Agricultural to AG Agricultural with historic landmark overlay on approximately 17 acres on property generally located at 17185 Bluff Road in Lancaster County, Nebraska. (See correlating item 4B)**

The Chair noted that this public hearing was continued from the July 30, 2019 meeting and asked for new information only.

Erica Thompson, 15500 Bluff Road, was administered the oath and came forward in support.

The following individuals were administered the oath and testified in opposition:

Mary Johnson, 17705 Bluff Road, Waverly. (Exhibit A)

Clarence (Art) Althouse Jr., 8650 N. 134th Street, Waverly.

Vest asked Mr. Althouse if the designation name was changed from Cooley-Dodge to something else would he be more supportive of the change of zone? Althouse said it might help from a personal standpoint, but he is not speaking for just himself - he is speaking for the community.

Marlan Johnson, 5218 N. 202nd Street, Hallam, was administered the oath and testified in opposition.

The clerk stated letters of opposition were received from Nancy Mocroft, David Paulson and Mildred Puchalla. An email in opposition was also received from Nancy Mocroft, David Paulson, Millie Puchalla, Peggy Brown and Mary Alice Pokorny Johnson. (Exhibit B)

No one appeared in the neutral position.

Schorr asked about the historic designation process, the number of historic designations available for the County, component two of the preservation guidelines regarding notice of work needing certificate and the changes that can or cannot be made under this designation.

Ed Zimmer, Lincoln/Lancaster County Planning Department, was administered the oath and said the zoning regulations refer to different categories at which landmarks are designated, but the development has to be representative of the historic conditions. The Historic Preservation Commission (HPC) reviewed the application and recommended unanimously to the Planning Commission that this property met all characteristics. The names associated with the property, through research, showed they were the early names associated with the property. If the name were to change, the process would still remain the same. Future changes to the building, the landscape and any new buildings must be reviewed by the HPC.

Schorr read the list of items that would need to be reviewed by the HPC before making any changes (Exhibit C). Zimmer confirmed some changes can be administrative changes if they are minor.

Vest asked if the standard would preclude modernization that was shown in Exhibit A. Zimmer said interiors are typically not designated as the public does not view the interior.

No one appeared in the neutral position.

The Chair closed the public hearing.

The Board voted on the correlating item.

B. Special Permit No. 19033 - for an event center special permit as part of the preservation of a local historic landmark on property generally located at 17185 Bluff Road in Lancaster County, Nebraska. (See correlating item 4C)

The Chair mentioned this public hearing was also continued from the meeting on July 30, 2019.

Schorr reviewed a list of proposed restrictions (Exhibit D).

Applicants Carol and Jed Hartweg, 17185 Bluff Road, Waverly, said their only concern with the property and the restrictions is how to buffer the outside traffic noise from the interstate. They inquired about having light outdoor music as an attempt to buffer the noise.

Schorr said the restriction is in reference to outdoor music festivals and light buffer music would be acceptable.

Mrs. Hartweg also expressed concern about the timeline. Schorr clarified music and alcohol sales should end at midnight. Clean-up after midnight would still be acceptable.

Flowerday asked if the Camp Creek Antique Machinery & Threshing Show dates are predetermined. Mr. Hartweg clarified that event is always the third weekend in July.

Vest inquired about the number of events that would be held on the property. Mr. Hartweg said in order to make it work financially, they would need to have as many events as possible. Mrs. Hartweg stated they would like to have events every weekend.

Mary Johnson, 17705 Bluff Road, Waverly, was administered the oath and testified in opposition.

Schorr asked if it would be appropriate to add the restriction of no parking on Bluff Road.

Pam Dingman, Lancaster County Engineer, was administered the oath, and said there is already a County regulation that states no parking is allowed on any County road.

The following individuals were administered the oath and testified in opposition:

Peggy Brown, 11700 N 176th Street, Waverly.

Marlan Johnson, 5218 N. 202nd Street, Hallam.

Mary Alice Johnson, 11651 N. 176th Street, Waverly.

Nancy Mocreft, 8705 N. 176th Street, Waverly. (Exhibit E)

Andrew Stock, 9503 286th Street, Murdock.

Steve Henrichsen, Lincoln/Lancaster County Planning Department, was administered the oath, and said the previous change of zone item only added the historic landmark overlay, it did not change the zone from agricultural to commercial, which would allow a vast variety of usage such as car washes

and restaurants. The special permit allows the approval of a historic preservation, which will allow additional usage that might not otherwise be allowed in the AG District. Commercial zoning would not have been recommended in this case as the Lincoln/Lancaster County Comprehensive Plan encourages the more intensive commercial zoning to be in the communities.

No one appeared in the neutral position.

The Chair closed the public hearing.

RETURNING TO ITEM 4B

MOTION: Schorr moved and Flowerday seconded approval of the resolution. Schorr, Flowerday, Yoakum, Vest and Amundson voted yes. Motion carried 5-0.

RETURNING TO ITEM 4C

Schorr asked if the restrictions discussed today are sufficient enough to be included in the resolution and passed today or should it be held a week to allow the County Attorney time to review and draft a new resolution.

Henrichsen said Planning is fine with the restrictions and offered two suggestions. On #7, it would be more directly worded to say, "Outside music concerts are not allowed." With regard to #8, he suggested, "Any portion of event held outdoors must conclude by 10 p.m. All alcohol sales, music and performances shall conclude by 12 a.m."

Vest asked if language needed to be included that stated no outside alcohol should be brought onto the premises. Jen Holloway, Deputy County Attorney, said that is something she needs to research.

Yoakum said she would not want to prohibit a family from bringing alcohol for an event. Henrichsen said if a family decided to bring wine and was not selling it for consumption then that typically would not be prohibited. He noted if the alcohol was being sold on the premises that would require a separate permit. Amundson said allowing families to bring their own alcohol on the premises would be an issue for the owners as other establishments have restrictions in place.

MOTION: Schorr moved and Flowerday seconded to direct the County Attorney to prepare the resolution for approval including the additional six restrictions. Vest, Schorr, Flowerday, Yoakum and Amundson voted yes. Motion carried 5-0.

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

No one appeared for public comment.

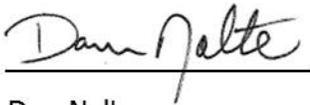
C. ANNOUNCEMENTS:

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, August 15, 2019 at 8:30 a.m., in the Bill Luxford Studio (Room 113) of the County-City Building (555 S. 10th Street, Lincoln).**

- B. The Lancaster County Board of Commissioners will hold its next regular meeting on Tuesday, August 20, 2019 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) with the Board of Equalization immediately following.
- C. The Lancaster County Board of Commissioners will hold a public hearing on Tuesday, August 20, 2019 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) regarding the vacation of West Saltillo Road in the SE Quarter of Section 34, Township 9 North, Range 5 East of the 6th Principal Meridian, and in the NW Quarter of Section 2 and NE Quarter of Section 3, Township 8 North, Range 5 East of the 6th Principal Meridian, Lancaster County, Nebraska.
- D. The Lancaster County Board of Commissioners will hold a public hearing on Tuesday, August 27, 2019 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10th Street, Lincoln) regarding Keno Fund Projects and Lancaster County's Proposed Budget for Fiscal Year 2019-20.
- E. County Commissioners can be reached at 402-441-7447 or commish@lancaster.ne.gov.
- F. The Lancaster County Board of Commissioners meeting is broadcast live on LNKTv City. For the rebroadcast schedule visit lincoln.ne.gov (keyword: LNKTv). Meetings are also streamed live on LNKTv and can be viewed on YouTube (LNKTvcity).

7) ADJOURNMENT

MOTION: Schorr moved and Flowerday seconded to adjourn the Lancaster County Board of Commissioners meeting at 10:45 a.m. Schorr, Flowerday, Yoakum, Vest and Amundson voted yes. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk



7:07

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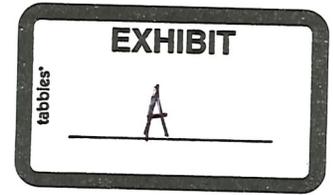
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master suite, and turning the attic into a second family room. We also remodeled the big barn and it is now ready for events! We are loving it here!



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15 Comments

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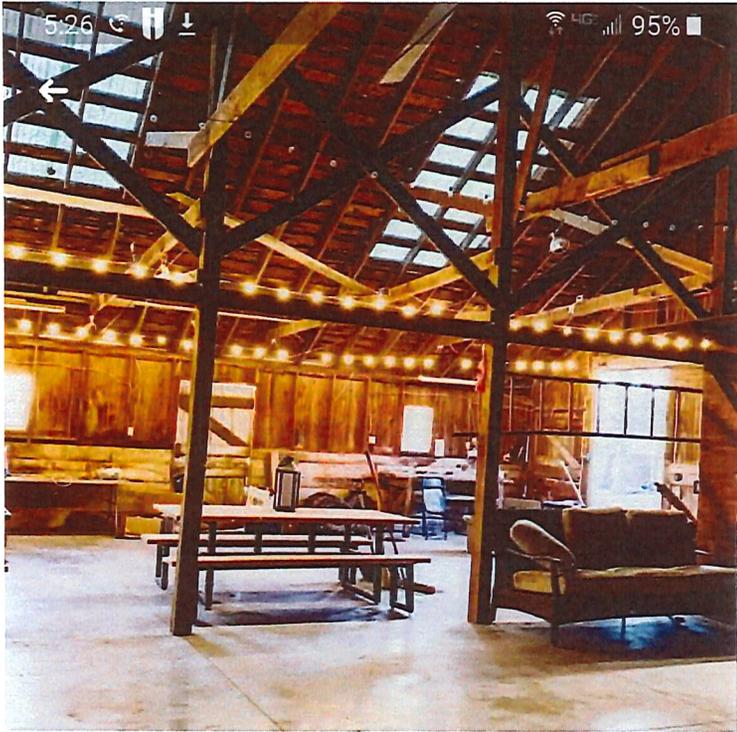




Midwest Home Designs

Dec 1, 2018 at 2:14 PM • 🌐

Hi GUYs! Ok- last phase of remodel here at my farmhouse is going to be the exterior/adding a garage and possibly changing up the exterior look- removing the big bushes around the house, etc. my house is the top- in its current state, bottom is my dream! I am looking for the most budget friendly option to reach a similar look to the bottom. I



Midwest Home Designs

Mar 20 at 10:17 PM • 🌐

White Barn Pines will be available for events, starting this Spring! Located just outside of Waverly, this 100 year old restored barn will be a great place for people to make memories for years to come! Follow the Facebook page for more information:)

  123

16 Comments



August 8, 2019

To the Lancaster County Commissioners:

Why are we making such a big deal about being against CZ 19018? The answer is simple, because the history of this area and our rural ancestry is important to us.

We were surprised when the planning commission said they felt the applicant's property qualified for a historical overlay. First of all, the property has not been continuously owned or farmed by the same family. Secondly, the previous owners of the property, at least the ones we knew that lived there, were nice, hardworking people, but they never made any major historical contributions to Waverly, Lancaster County, or Nebraska. Also, the house and buildings are not unlike other similar, vintage houses in the area. In fact, there are several others that have retained more original features than the applicant's house. Unlike the applicant's house, some of these other houses have rooms that have not been changed, and there are still fun, original features like fluted moldings with rosettes.

Where are the old pictures, documents, and newspaper articles relating to the house and the people who lived there? We thought perhaps we were missing something, so we went through the applicant's business Facebook page. There were no posts about the history of the house except in passing. In fact, the main references we found were about changing the house and barn, and getting the barn ready to rent for events.

The applicants referred to the property as the Cooley Dodge property. Apparently they spent more time on remodeling than researching the

other families who have also lived there. Why? We don't think they care. It appears that, for them, the historical overlay is just a way to further change the property by adding a party barn that has nothing to do with agriculture, the history of the property, or the area. And, if the planning commission and the Lancaster County Board, think that is ok, then we guess you don't care all that much about preserving the history either.

We are very fortunate to be able to live in the country and would not change it. But we fell that this movement, this event barn, will hurt our way of life. We feel that it should be built where it should be and that is in Waverly.

Napoleon Bonaparte is credited with one of our favorite sayings about history. "History is the version of past events that people have decided to agree upon." It is always our hope that the agreed upon version of our history can be supported by good research, so the past will be portrayed as accurately as possible.

The neighbors:

Nancy Mocroft and David Paulson

Millie Puchalla

Peggy Brown

Mary Alice Pokorny Johnson

Attachments:

Screenshot (facebook) 1

Screenshot (facebook) 2

Screenshot (facebook) 3

Screenshot (facebook) 4

Screenshot (facebook) 5



Midwest Home Designs

Dec 1, 2018 at 2:14 PM • 🌐

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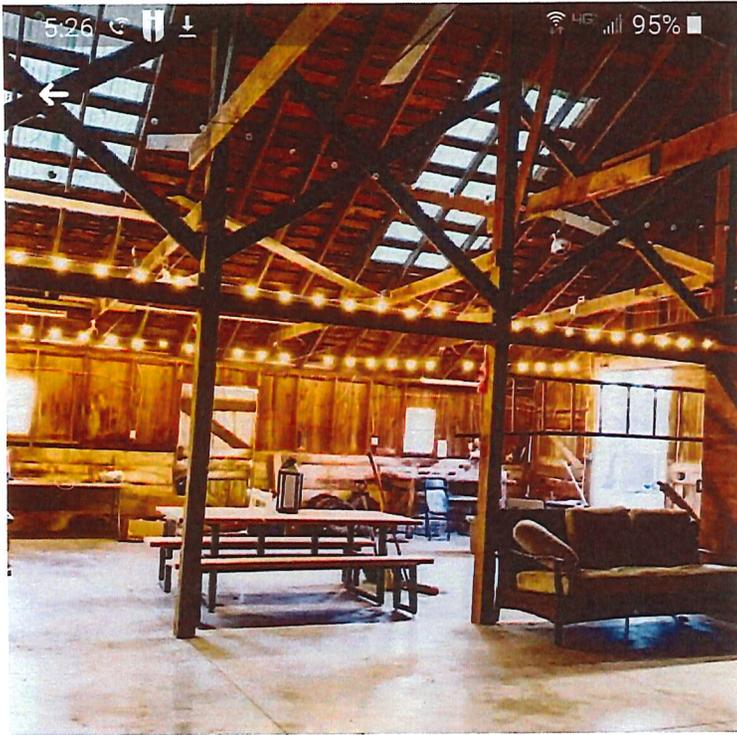
Midwest Home Designs

Dec 1, 2018 at 2:14 PM • 🌐

Hi GUYs! Ok- last phase of remodel here at my farmhouse is going to be the exterior/adding a garage and possibly changing up the exterior look- removing the big bushes around the house, etc. my house is the top- in its current state, bottom is my dream! I am looking for the most budget friendly option to reach a similar look to the bottom. I already have an enclosed wrap around porch- would it be strange to add an open air porch to the front? Im so stumped on this!!!! Please help me with suggestions or opinions! Thank you!

👍❤️😬 54

16 Comments



Midwest Home Designs

Mar 20 at 10:17 PM • 🌐

White Barn Pines will be available for events, starting this Spring! Located just outside of Waverly, this 100 year old restored barn will be a great place for people to make memories for years to come! Follow the Facebook page for more information:)

👍❤️ 123

16 Comments



Midwest Home Designs



Aug 15, 2018 at 5:46 PM • 🌐

First day of school means I'm back to work also! It was great taking some time off with the kiddos and finishing the farmhouse remodel, but now it's time to get to work! Here is the before and after of our kitchen, but we completed the entire house remodel, including adding a master suite, and turning the attic into a second family room. We also remodeled the big barn and it is now ready for events! We are loving it here!



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master suite, and turning the attic into a second family room. We also remodeled the big barn and it is now ready for events! We are loving it here!



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15 Comments

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RECEIVED

AUG 01 2019

LANCASTER COUNTY
CLERK

Lancaster County Clerk,

Two of the enclosed letters were sent to the Planning Commission about CZ19018 and SP19033.

The other two letters were sent to the Lancaster County Board members. Since I have not received any notification that they were received, I am sending them to you so I can make sure they become part of the public record.

Thank you,

Nancy Mocroft

7/22/2019 RECEIVED

AUG 01 2019

LANCASTER COUNTY
CLERK

Lancaster County Commissioners,

Waverly, Nebraska exists because the railroad came here in 1869. Waverly Nebraska exists because the people who came stayed. They stayed because the farmland was so very good. My family bought a section of land from the state of Nebraska in 1869. Most of that land is still owned by us, and is being farmed today. Attached is the plat map for Waverly, so you can see the location of our property.

Our rural way of life is enviable. People want to live here. Change is inevitable, we all know that. Unfortunately, when urban folk move to a rural setting they start wanting the same things they had in the places they left. So, pretty soon the "rural" isn't anymore.

This issue is all about money. We understand that since our Lancaster County property taxes for 2018 are \$35,212.74. We understand that the owners of the property in question want to make money. We just wish that they had chosen a less impactful way to go about it. Turning the existing house or barn into something like a bed and breakfast wouldn't even be noticed in the neighborhood. Even if it is not their intent, a party barn for 300, which they aspire to rent every weekend of the year, will have a negative impact on our rural community in the form of traffic, safety, and noise.

We are not angry, we are just sad. Sad that there isn't a modest compromise being offered by the owners that will let them make a little money, and let all of us keep our neighborhood "rural" for a little longer.

Nancy Mcroft & David Paulson
8705 N 176th Street, Waverly NE 68462

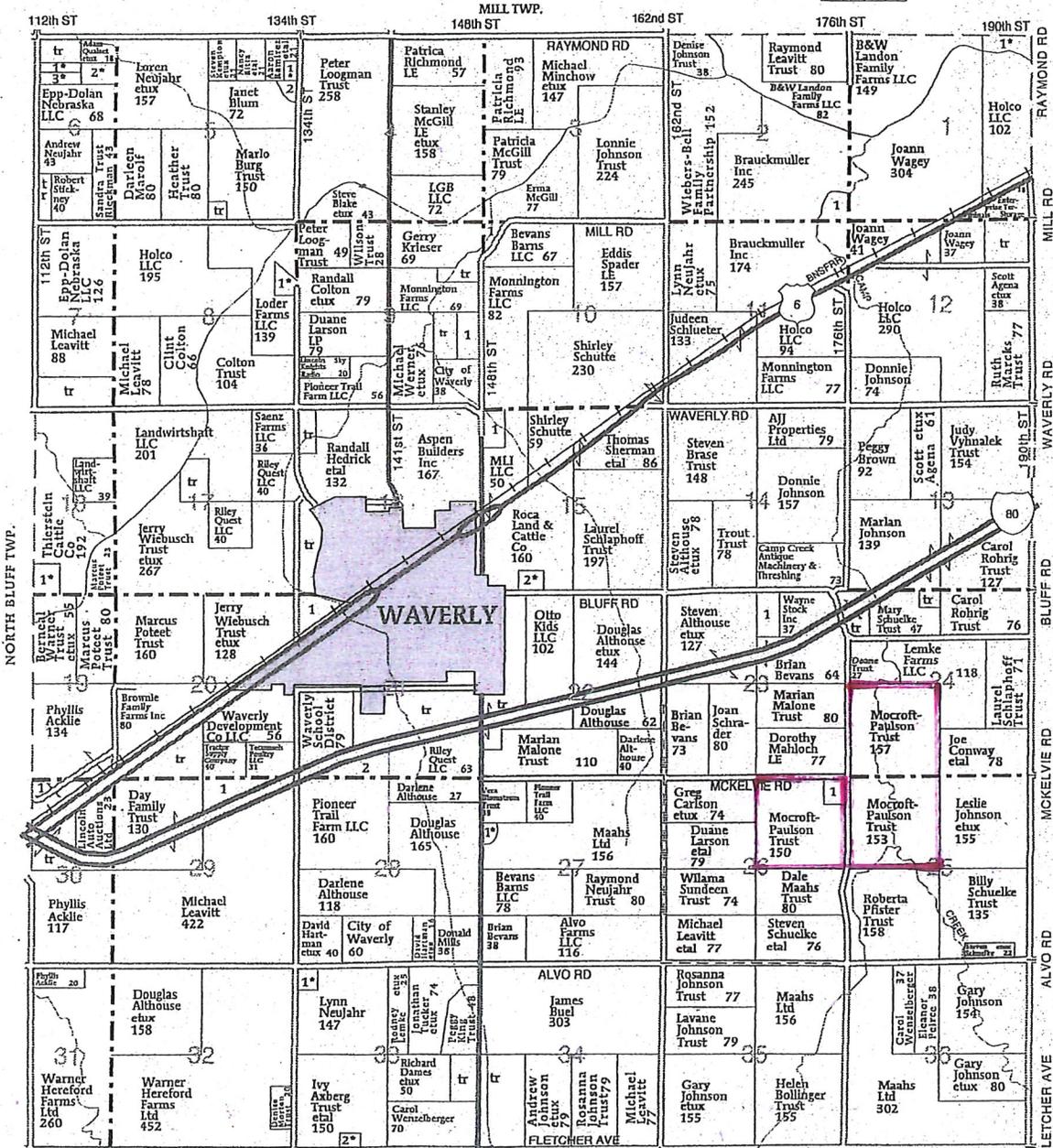


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T-11-N

WAVERLY PLAT
 (Landowners)

R-8-E



STEVENS CREEK TWP.

WAVERLY TOWNSHIP

- SECTION 1**
 1. Claycomb, Dennis etux 16
- SECTION 2**
 1. Vidlak, Larry 14
- SECTION 5**
 1. Hruska, Robert etux 9
 2. Miller, David 8
- SECTION 6**
 1. Shandera, Harold etux 17
 2. Robert etux 16

- SECTION 3**
 1. Lahm, Kenneth etux 9
- SECTION 8**
 1. Kolb, Michael etux 8
- SECTION 9**
 1. MCW. Management LLC 15
- SECTION 10**
 1. Jeffrey, William 9
- SECTION 15**
 1. Midwest Farmers Coop 17
 2. Hoy, Cragl etux 13

- SECTION 18**
 1. Warner Trust, Berneal etux 14
- SECTION 21**
 1. Benes Trust, Robert 15
 2. Pioneer Trail Farm LLC 26
- SECTION 23**
 1. Hartweg, Carol 17
- SECTION 26**
 1. Puchalla LE, Mildred 6
- SECTION 27**
 1. Warriner, Jeremy etux 6

- SECTION 29**
 1. County of Lancaster 14
- SECTION 30**
 1. Acklie, Phyllis 18
- SECTION 33**
 1. Babcock, Jason etux 11
 2. Smith, Shawn etux 11

- WAVERLY SECTION**
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We believe a party barn is not a good thing for this location. If the Lancaster County Board is considering approval of this venture, we also hope you see the need for some compromise. Since we have not heard any from the owners, we are suggesting some possible compromises of our own that might help make this a better fit for our rural neighborhood.

Compromises to Be Considered:

A maximum of 200 people per event.

No more than 30 events in one year.

No event the 3rd weekend in July which is the Camp Creek Threshing Show.

Any night events end at 11 pm.

No overnight camping.

Issues that should be addressed:

148th and Bluff Road is already a busy intersection. Will there be some sort of sign or light at that location?

Will the Lancaster County Sheriff Deputies assigned to Waverly be able to monitor the party traffic on Bluff Road? Now that this road is paved, it gets a great deal of recreational use. For example, while driving into Waverly on Bluff Road about 9 pm on July 10th there was one adult on a bicycle, one adult walking two dogs, two middle school aged kids on scooters, and one middle school aged kid on a bicycle. Bluff Road has a posted speed limit of 55 mph and there are no shoulders on the road.

Since Bluff Road has no shoulders, will there be a turn lane and wider driveway into the property?

Will any new buildings be located well away from Bluff Road like the existing buildings on the property?

Will the venue be fenced?

Will there be lit, on site, concrete parking?

Will there be professional, paid, security at all the events?

Will there be surveillance cameras?

Are there appropriate water and septic sources for a large number of people?

Are the owners aware of the number of permits from appropriate sources needed for each event?

If the owners are catering an event, do they have the appropriate food handler licenses and commercial kitchen for food preparation?

Will the screening of permits to serve alcohol be closely monitored?

Will the owners be on site during all events?

We assume these are the types of questions the Lancaster County Board will be asking.

7/23/19

Lancaster County Commissioners,

After e-mailing all of you yesterday, another thought occurred to us. Since we will be out of town on Tuesday, July 30, 2019 when you will be considering CZ19018 and SP19033, we will present our question and comment here.

If the property in question would receive historical landmark status, how is it possible to put up a new building when the intended use of the building has nothing to do with the history of the farm?

Viewsheds are areas of land, or other environmental elements usually of historical or scenic value, that can be seen from public areas like roadways. The preservation of historic viewsheds should be one of the goals when working with historical landmarks.

A new, party barn, built on property with historical landmark status, would radically alter the historical viewshed of the property, and it would no longer look like what it was originally – farmland.

Nancy Mcroft & David Paulson
8705 N 176th St, Waverly, NE 68462

**Comments on Change of Zone 19018 and Special Permit 19033 for
Cooley-Dodge Farmstead at 17185 Bluff Road, Waverly NE 68462 (Public
Hearing Wednesday, July 10, 2019)**

AUG 01 2019

LANCASTER COUNTY
CLERK

While we applaud Carol and Jed Hartweg's entrepreneurial spirit, the impact of investing in this type of venture on the other landowners in the "neighborhood," and on the residents of Waverly, needs to be taken into consideration.

One of the biggest concerns is the activity on McKelvie Road where it crosses 176th Street. Going east, McKelvie becomes a dirt road and dead ends the other side of the county bridge over Camp Creek.

The Hartwogs, having lived in the neighborhood for only a short time, may not already be aware that there is always too much undesirable activity at this bridge. The Lancaster County Sheriff Deputies monitor it the best they can, but they can't be there often enough to discourage all the drinking, shooting, graffiti, littering, and tearing up of the dirt, county road that takes place. There have also been frequent incidents where people have been on the private property on either side of McKelvie.

Now that 176th Street going south is closed, ATV and 4 wheeler riders have started using it as a riding destination.

Putting 300 people at a party at the Hartweg place will only make these problems worse. I'm sure the Hartwogs don't truly believe that they will be able to "confine" all of those guests to the party venue.

The paving of Bluff Road has increased the amount of traffic from Waverly. There are young and old joggers on a road with no paved shoulders. Golf carts, 3 wheelers, snow mobiles – often being operated by children – have become a common thing. The dangers increase during planting and harvesting season when the farmers are busy moving from field to field and hauling grain.

300 guests at a party would mean lots of vehicles being driven on a busy, shoulderless county road with a posted speed limit of 55 mph by people who have been drinking - a dangerous combination.

Noise pollution is another factor to consider. There is already a noisy freeway in the “neighborhood.” Isn’t that enough? Does the “neighborhood” also need 45 large parties a year?

Had the Hartweg’s proposal been for turning their house or barn into a simple bed and breakfast instead of a party venue for hundreds, I doubt if any of the neighbors in the surrounding sections would object.

The Hartwogs say in their letter that, “We appreciate the chance to work towards this goal for our future.” Apparently their goals don’t include being considerate neighbors, or stewards of the 17.5 acres of land they own.

Moving to the country has become a very popular thing. Once people do that, then they want the country to be like the city they left. The reality is, once farm land is turned into something else, it will never be farm land again – ever.

Nancy Mcroft & David Paulson

8705 N 176th Street, Waverly, NE 68462

Mildred Puchalla

17305 McKelvie Road, Waverly, NE 68462

RECEIVED

AUG 01 2019

7/9/2019 LANCASTER COUNTY
CLERK

Dear Mr. Zimmer,

We see you are recommending Ag with Historical Landmark Overlay status for the Cooley/Dodge property. We are wondering if you are aware of how many farms in this area have a similar, if not more detailed, history? We will use our own family's farm as an example.

In 1869, Nancy's great grandmother's parents bought all of Section 26-11-8 Waverly Precinct, Lancaster County, NE from the State of Nebraska. We have the original deed that states the reason the State of Nebraska was selling land : "An act to provide for the sale of the unsold Lots and Blocks on the Town site of Lincoln, and for the location and erection of a State University and Agricultural College, and State Lunatic Asylum..." They purchased Section 26 for \$3,360.00.

In 1878, Thomas and Jane E. Mocroft (Nancy's great grandparents) moved onto the NW ¼ of the section. The house they built there was also lived in by Nancy's grandfather, her father, and Nancy. Upon Nancy's father, Thomas M. Mocroft's death, the house, and six acres, were given to Roy and Mildred Puchalla.

In 1886, one acre on the Northwest corner of Section 26 was deeded to School District 86 with the provision the land would revert back to the owner when school was no longer held there. It did so, and we still own, and farm that area, along with other parts of the section.

We have all of the original deeds for the various transactions that took place over the years. There are old family pictures and newspaper articles, as well. So, we have extensive proof that the Mocroft family has owned the same property since 1869.

Therefore, if the Cooley/Dodge property qualifies for Ag with Historical Landmark Overlay status, we assume our farm, and several other farms around here with similar histories, would qualify as well.

However, we are not interested in having a "Historical Landmark" status. We know who we are, and where we came from, and what we did. The Mocroft family has been a good steward of the land and has attempted to preserve and promote our rural heritage. We pay our taxes and do our best to support our community, county, and the state of Nebraska.

We may be wrong, but we have a feeling that the folks who now own the Cooley/Dodge place are just looking for a way to reduce their taxes and make money. Since they haven't paid the first half of the taxes on the Cooley/Dodge place, or on another piece of property in Lincoln, this might be a good guess.

We are not opposed to agribusiness. Agribusiness is something that is related to agriculture. A winery, an orchard, a tractor repair place are examples of agribusinesses. A party barn has nothing to do with agriculture, so approval of allowing events with 300 people 45 times a year will do nothing to support agriculture in Lancaster County.

Thank you for allowing us to have our say. We do not know the people involved in this project. In fact, we have never met them. We certainly have nothing personal against them. We are against allowing a party barn for numerous, large events to be approved for our neighborhood.

Nancy J. Mocroft

David H. Paulson



Appendix A: Preservation Guidelines For Sigma Alpha Epsilon Fraternity House

PRESERVATION GUIDELINES FOR SIGMA ALPHA EPSILON HOUSE 635 N. 16TH STREET, LINCOLN, NEBRASKA

1. Architectural Review of Landmark:

- a. Photographs: On file in Planning Department.
- b. Important architectural features:
 - Exterior:** Two-and-one-half-story height, brick and stucco walls, steep gable roofs, decorative woodwork of entry, windows with multiple panes;
 - Interior:** The entry hall, railing protecting the stairs to the basement, main parlor (south of the entry hall), southeast room (in the 1939 addition)—especially the exposed end (south) wall of the original house, and the “Trophy Room” at the west side of the original house, all retain significant woodwork and other character-defining features.
- c. Important landscape features: narrow east yard
- d. Architectural style and date: Tudor Revival, designed by Miller & Craig of Lincoln, 1927
- e. Additions and modifications: two-story south addition of 1939 by Bruce Hazen, 1968 west addition

2. Notice of Work Needing Certificate:

- A. A Certificate for Certain Work can be granted by the Preservation Commission or, in certain instances, by the Director of Planning. The application for the Certificate can be obtained from and should be filed with the Building and Safety Department. The following work to be conducted on the Landmark requires the procurement of a Certificate for Certain Work:
 1. Exterior work requiring a Building Permit as defined in the Lincoln Building Code. Before conducting exterior work, check with the City Building and Safety Department to determine whether a Building Permit is necessary;
 2. Demolition of a structure or portion of a structure as defined in the Lincoln Building Code;
 3. Work involving:
 - a. Reduction of front yard;
 - b. Addition of fencing and walls visible from 16th Street or U St.;
 - c. Replacement of exterior material and trim or visible roofing materials;
 - d. Cleaning and maintenance of exterior masonry;
 - e. Replacement of doors, storm doors, door frames, windows, storm windows, and screens (excluding seasonal) on facades visible from 16th Street;
 - f. Addition of awnings;
 - g. Placement of mechanical systems, such as but not limited to, window air conditioners, solar collectors, etc.;
 - h. The addition or replacement of signs;
 - i. Moving structures on or off the site;
 - j. Installation of electrical, utility, and communications services on principal (east) facade;

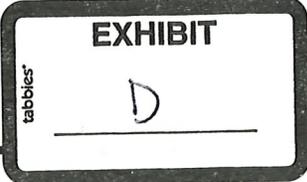
- k. Placement of high intensity overhead lighting, antennae, and utility poles within the areas of the east facade.
 - l. Interior modifications to the features listed in 1.b. above.
- B. The following work to be conducted on the Landmark does not require the procurement of a Certificate for Certain Work:
 - 1. Changes involving routine maintenance and repair for the general cleaning and upkeep of the building but which include no direct physical change in design or material;
 - 2. Changes involving color and landscaping, except as previously noted;
 - 3. Interior changes involving no exterior alteration, except in the areas previously noted (2.A.3.d. above).
- C. The penalty upon conviction for conducting work which requires a Certificate for Certain Work without procuring the Certificate or for doing work contrary to an issued Certificate is a fine not to exceed \$100.00. Each and every day that such violation continues after notification may constitute a separate offense. The City of Lincoln may also pursue the remedies of injunction, mandamus, or other appropriate action to correct a violation.

3. **Standards for Owner and Preservation Commission:**

The following standards serve as a guide to the Landmark property owner in the preservation of their building. It is also intended that these Standards will aid the Commission in making decisions regarding issuance or denial of a Certificate.

When a decision on issuing or denying a Certificate is requested, the more definitive the presentation by the applicant, the easier it will be to convey and comprehend the effect of the proposed change. The owner or representative should plan to attend the public hearing to discuss the proposed work. When an application is being reviewed, it will be the responsibility of the applicant to demonstrate that the new work is compatible with these Standards.

A strict interpretation of these guidelines may be waived by the Preservation Commission if the applicant develops a design solution which meets the spirit and intent of the Historic Preservation Ordinance. In addition, although the owner of the landmark must receive Certificates for work identified above, a broader interpretation of the Guidelines for this property may be allowed by the Preservation Commission.



Steve S. Henrichsen

From: Steve S. Henrichsen
Sent: Monday, August 12, 2019 4:05 PM
To: carolmidwesthomes@gmail.com
Subject: FW: Potential Conditions Version II

Amend Resolution R-19-0054

- 7. Any outside music is not allowed to use speakers or other forms of amplification, except at wedding ceremonies.
- 8. Any portion of an event held outdoors must conclude by 10:00 p.m. All events shall conclude by 12:00 a.m.
- 9. Fireworks are not allowed except on July 3rd and 4th.
- 10. Any individual or entity dispensing alcohol for sale for consumption on the premises must be licensed under the Nebraska Liquor Control Act.
- 11. Prior to occupancy, as required by Article ~~13.001a(11)~~²⁰ of the Lancaster County Zoning Resolution, the Building and Safety Department must approved the final certificate of occupancy for all new construction and/or remodeling of existing buildings under this special permit.
- 12. No events may be held during the weekend (Friday, Saturday and Sunday) of the Annual Camp Creek Antique Machinery & Threshing Show held at 17200 Bluff Road.

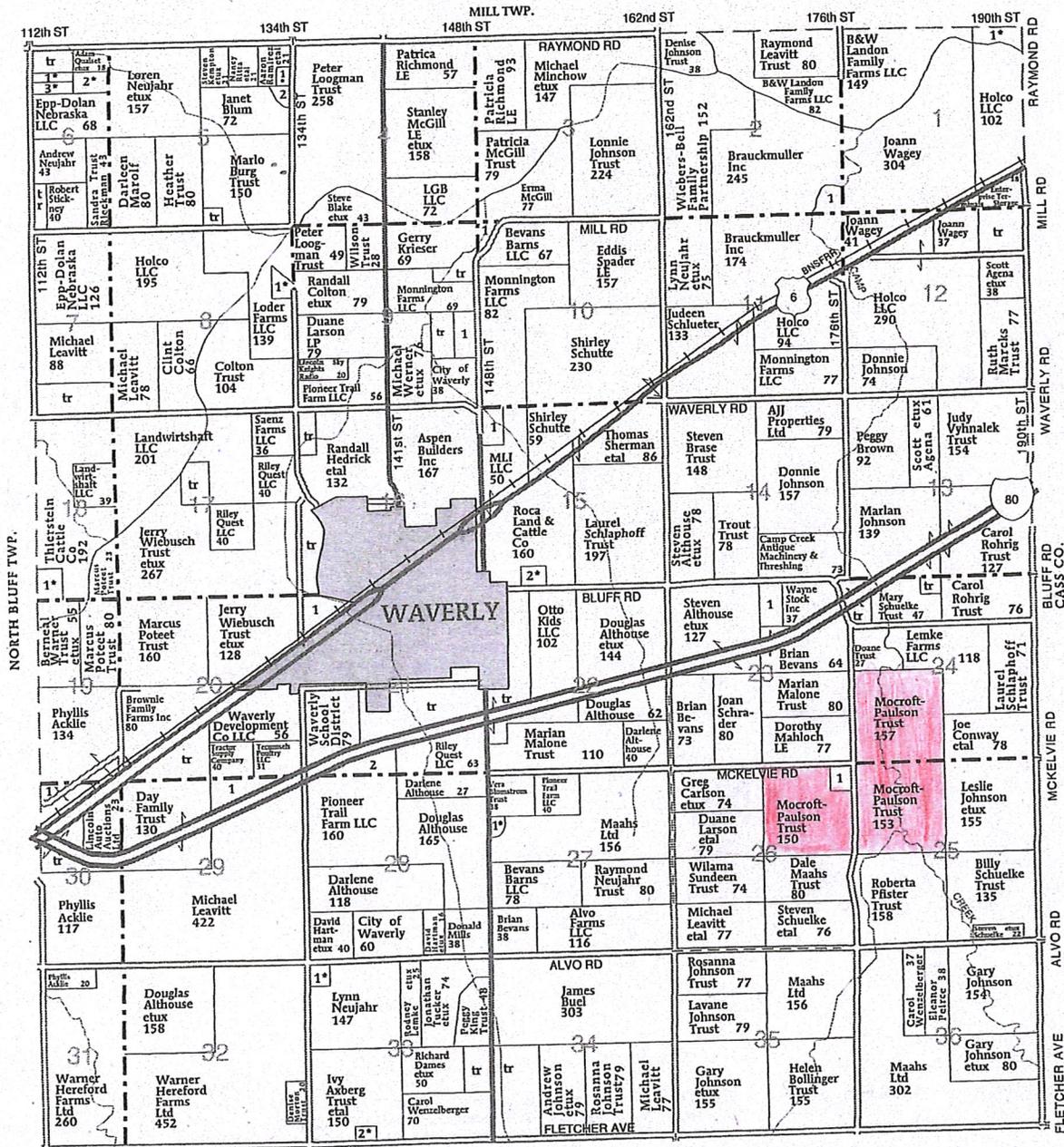
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T-11-N

WAVERLY PLAT (Landowners)

R-8-E



STEVENS CREEK TWP.

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 1. Shandera, Harold etux 10
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- 1. Warner Trust, Berneal etux 14
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