

**August 26, 2008 Minutes**  
**Washington County Board of Supervisors**  
**Supervisor's Room Courthouse**  
**Blair, Nebraska 68008**

The Washington County Board of Supervisors of Washington County, Nebraska, met in regular session at 9:30 a.m. on Tuesday, August 26, 2008 in the Supervisor's Meeting Room at the Courthouse in Blair, Nebraska. Notice of the meeting was given in advance thereof by publication in the Pilot-Tribune. A copy of the proof of publication is on file in the Office of the County Clerk. Notice of the meeting was given to the members and a copy of their acknowledgment of the receipt of notice and the agenda are on record at the office of the County Clerk. Availability of the agenda was communicated in the advance notice and in the notice to the members. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Chairman, Duane Wilcox declared the meeting was in session and that the meeting is being recorded. Chairman made note that the Open Meetings Law is posted on the door and the north wall and that pamphlets are available.

Present: Chairman, Duane Wilcox, County Board Members, Linda Thomsen, Kent Wilcox, Daryl Miller, Ernest Abariotes and Marvin Rohwer. Jeff Quist absent. Also present, County Clerk Merry Truhlsen. Chairman stated Jeff Quist will be gone all day.

It was moved by Miller and seconded by Abariotes that the rules be suspended and that the minutes of the August 12, 2008 meeting be approved but not read at this meeting for the reason that all Board Members were furnished a copy of said minutes prior to the meeting. Vote- Aye: Thomsen, Kent Wilcox, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

The following correspondence had been received: Dept of Rev, June Lodging Tax = \$1,530.47 and information from the Nebr Emergency Management Agency (NEMA) updating County Boards on efforts being made to improve local and regional emergency communications systems. Chairman said he had received a letter from the City of Blair saying the lawsuit on the Industrial Tract had been dropped. Motion by Rohwer and second by Kent Wilcox to receive correspondence and place on file. Vote- Aye: Thomsen, Kent Wilcox, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

Judge John Samson, was present to request Washington County's participation in the District 16 Drug Court. Also present were Co Atty, Shurie Graeve, Robert Denton and Patty Lyon. Drug Court is a criminal justice response to non violent crimes which occur because of drug and alcohol abuse. The components of drug court are intensive supervision, frequent drug testing and accountability. Drug court is the step between supervision and the penitentiary and is not for violent offenders. This program was started in December 2007, is funded by the Supreme Court and typically is an eighteen month program. The cost to the County would be a prorata share of the defense Attorney fees and occasional mileage for Co Atty. Samson stated the drug court has exceeded his expectations on how successful it has been since December. Denton stated Washington County needs to enter into an Interlocal Agreement with the Probation Office. Graeve asked the Board to wait to sign the Interlocal Agreement but did ask the Board for their vote as to whether they supported Washington County's participation. Graeve stated she is generally in favor of the Drug Court but was disappointed it wouldn't be held in Washington County. Dennis McCormick spoke in support of this. Motion by Kent Wilcox and second by Miller to vote in favor of the concept of Drug Court with further details to be worked out. Vote- Aye: Thomsen, Kent Wilcox, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

Cheryl Parsons, Road Supt. and Julie Ogden were present with the following items:

Two Bids were received for Project C89(408), which is the extension of the culvert under CR P26 at the 90 degree curve the County will be working on to lengthen and make safer. The bid from ME Collins Construction

Co. was \$45,061.00. The bid from Gus Construction Co. Inc. was for \$80,822.50. Motion by Abariotes second by Kent Wilcox to have Ogden review bids, check figures and report back to Board. Vote- Aye: Thomsen, Kent Wilcox, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

Next, the Board accepted Sealed Bids for culvert Project C89(479) on CR P17 to repair erosion and a crack in the culvert pipe. The bid from ME Collins was for \$41,250.50. The bid from Gus Construction was \$63,532.75. Motion by Abariotes second by Rohwer to have Ogden review bids, check figures and report back to Board. Vote- Aye: Thomsen, Kent Wilcox, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

Parsons discussed a change order she had received for Project C89(455) CR P35A. Parsons stated the change order is to lower and replace an underground power line that was hit as the concrete was being removed from the road. The power line was right under the concrete slab. Bill Krebs, Project Manager for Vrana Construction, said typically OPPD likes the power line 24" below finish grade but this was directly underneath the concrete. Board asked if this was our cost and Parsons said she is contacting the State and OPPD about receiving help on the cost. Motion by Kent Wilcox and second by Abariotes to approve the change order in the amount of \$3,073.20. Vote- Aye: Thomsen, Kent Wilcox, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

Parsons discussed other matters with the Board: a letter to Glen Oaks Subdivision, an incident on Co Rd P41 and bridge inspections.

Ogden returned, she had checked the bids for Project C89(408) on CR P26 and the totals were correct. Motion by Kent Wilcox second by Thomsen to refer the bids to the Road Committee for their recommendation. Vote- Aye: Thomsen, Kent Wilcox, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried. Next, Ogden said in checking the bids on Project C89(455) on CR P35A, she did find a difference: total for ME Collins' bid is \$41,254.50, total for Gus Construction Co Inc \$64,352.75. Since this is an urgent matter, motion by Kent Wilcox second by Rohwer to accept the bid of ME Collins for \$41,254.50. Vote- Aye: Thomsen, Kent Wilcox, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

It was moved by Kent Wilcox and seconded by Miller to adopt Resolution 2008- 32, transferring \$5,125.00 from the Juvenile Intake Program fund #2500 to the Juvenile Services Grant Fund #2506. Vote- Aye: Thomsen, Kent Wilcox, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

### **RESOLUTION NO. 2008-32**

#### **BE IT RESOLVED BY THE WASHINGTON COUNTY BOARD OF SUPERVISORS OF WASHINGTON COUNTY, NEBRASKA:**

**WHEREAS**, the Washington Board of Supervisors agrees that funds should be transferred from the Juvenile Intake Program Fund #2500 to the Juvenile Services Grant Fund, #2506.

**NOW, THEREFORE, BE IT RESOLVED** that there be a transfer in the amount of \$5,125.00 from the JIP Fund #2500 to the Juvenile Services Grant Fund #2506.

**WHEREAS**, the Chairman of the Washington County Board of Supervisors is hereby authorized by the Board to execute the Resolution herein and the County Clerk is authorized to file said resolution.

Dated this 26 day of August, 2008.

Washington County Board of Supervisors, Washington County, Nebraska

Duane Wilcox, Chairman

ATTEST:

Merry Truhlsen, County Clerk

It was moved by Kent Wilcox and seconded by Miller to adopt Resolution 2008- 33, transferring \$4,875 from General Fund #100 to Juvenile Services Grant Fund #2506. Vote- Aye: Thomsen, Kent Wilcox, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

**RESOLUTION NO. 2008- 33**

**BE IT RESOLVED BY THE WASHINGTON COUNTY BOARD OF SUPERVISORS OF WASHINGTON COUNTY, NEBRASKA:**

**WHEREAS**, the Washington Board of Supervisors agrees that funds should be transferred from the General Fund #100 to the Juvenile Services Grant Fund #2506.

**NOW, THEREFORE, BE IT RESOLVED** that there be a transfer in the amount of \$4,875.00 from the General Fund #100 to the Juvenile Services Grant Fund #2506.

**WHEREAS**, the Chairman of the Washington County Board of Supervisors is hereby authorized by the Board to execute the Resolution herein and the County Clerk is authorized to file said resolution.

Dated this 26 day of August, 2008.

Washington County Board of Supervisors, Washington County, Nebraska  
Duane Wilcox, Chairman

ATTEST:

Merry Truhlsen, County Clerk

It was moved by Miller and seconded by Abariotes to receive the 2008 Annual County Office Inventory Reports from the various departments of County Government, with the exception of the Sheriff's Office, and place on file. Vote- Aye: Thomsen, Kent Wilcox, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

Clerk discussed having Chris Poulson work on the County's website. Poulson has been updating County records on the GIS and said he would be glad to give us some ideas for the website. Board thought it sounded like a good idea.

Dennis McCormick was present and commented on the Courthouse lighting.

Sandy Kuchera, owner of Too Far North, was present. She has applied for a Special Designated One Day Liquor License for the Harvest Moon Festival on September 20. The event is sponsored by the Alternative Growers Group. Clerk read Resolution. Motion by Rohwer second by Abariotes to adopt Resolution 2008-34. Vote- Aye: Thomsen, Kent Wilcox, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

**RESOLUTION 2008 – 34**

**WHEREAS, Too Far North (Sandy Kuchera),** has filed an application for a Special Liquor Permit to dispense alcoholic beverages at Santa's Woods, 3764 Hwy 133, Blair, Nebraska

**BE IT RESOLVED THAT** the Washington County, Nebraska, Board of Supervisors hereby approves the application of Too Far North (Sandy Kuchera) and grants permission to use the specific area designated in said application for the hours of: 8:00 A.M. to 8:00 P.M. on September 20, 2008, inclusive for the purpose of dispensing of the alcoholic beverages on said premises.

**PASSED, APPROVED, AND ADOPTED** this 26 day of August, 2008.

Washington County Board of Supervisors  
Duane Wilcox, Chairman

Attest:

Merry M Truhlsen, County Clerk

Board of Equalization: Board entered into BOE at 11:30 am and ended at 11:35 and went back into regular session. See separate Board of Equalization minutes. Board recessed for lunch.

Phil Lorenzen, DA Davison Company, was present at the Board's request to discuss two financing obligations for the County. The first is the East Annex Bldg, which Lorenzen recommended the Board look at on September 23. Today, Lorenzen brought the financing for the County Roadway Improvements for Road Reconstruction Project C89(455), for \$400,000. In conversations with Schemmers, the project is moving ahead rapidly. The Board discussed the different options. Motion by Kent Wilcox and second by Abariotes to approve Resolution 2008-35. Vote- Aye: Thomsen, Kent Wilcox, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

### **RESOLUTION NO. 2008-35**

A RESOLUTION AUTHORIZING THE ISSUANCE OF HIGHWAY ALLOCATION FUND PLEDGE BONDS OF THE COUNTY OF WASHINGTON IN THE STATE OF NEBRASKA, SERIES 2008, IN THE PRINCIPAL AMOUNT OF FOUR HUNDRED THOUSAND DOLLARS (\$400,000) FOR THE PURPOSE OF PAYING THE COSTS OF CONSTRUCTION OF CERTAIN STREET AND ROADS OF THE COUNTY; PRESCRIBING THE FORM OF SAID BONDS; PLEDGING FUNDS TO BE RECEIVED BY THE COUNTY FROM THE STATE OF NEBRASKA HIGHWAY ALLOCATION FUND FOR THE PAYMENT OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME IF NECESSARY; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND PROVIDING FOR THE DISPOSITION OF BOND PROCEEDS.  
(Please see complete Resolution on file at Clerk's Office).

Doug Cook, Planning Administrator was present with the following items:

PUBLIC HEARINGS:

#### REZONING

##### **1. John and Carrie Sullivan**

Rezoning application from A-1 Agriculture Primary to RS-1 Rural Subdivision-1, of Lots 1-8, Block 62, Fontanelle Village, Section 17-Township 18 North-Range 9 East of the Sixth P.M. (address: 10851 8<sup>th</sup> Street, Fontanelle) this request would allow him to add an 11' x 42' deck onto the front of his existing residence in the Village of Fontanelle. Motion Abariotes and second by Thomsen to concur with Planning Commission to approve as presented. Vote- Aye: Thomsen, Kent Wilcox, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

#### CONDITIONAL USE PERMIT

##### **2. Roberta Eriksen Witherspoon and Zachary Eriksen % Luella A. Eriksen**

Conditional Use Permit application to allow for the temporary placement of a mobile home for a contractor's office in the S1/2 NW1/4 NE1/4, S1/2 NE1/4 NW1/4, SE1/4 NW1/4, SW1/4 NE1/4, N1/2 SE1/4 and Tax Lots 3 and 7, Section 33-Township 18 North-Range 10 East of the Sixth P.M. (general location: the "old" Atlas D Missile Facility on the north side of County Road 30, 1/2 mile east of County Road 15). Lance Overmeyer, Coordinator for Project was present. Chairman made the statement the only thing the Board is approving is a permit for this trailer and that the Board has nothing to do with the other issues on the property. Motion Rohwer and second by Miller to concur with the Planning Commission to approve the conditional use permit with a review in 5 years. Vote- Aye: Thomsen, Kent Wilcox, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

**OLD BUSINESS**

1. Conditional Use Permit reviews:

<b>FILE #</b>	<b>APPLICANT</b>	<b>PURPOSE</b>	<b>STAFF RECOMMENDATION</b>
98-12	Richard Thompson	sludge	approve, 3 month review
04-02	Neale Farms	corn milling biosolids	approve, 3 month review
04-08	Jeff Hoier	corn milling biosolids	approve, 3 month review
07-03	Mike Smith	corn milling biosolids	approve, 3 month review
07-04	John Tyson	corn milling biosolids	approve, 3 month review
07-06	Robert Peterson	corn milling biosolids	approve, 3 month review
07-07	Shaner Family Farms	corn milling biosolids	approve, 3 month review
07-08	Randy Bloemker	corn milling biosolids	approve, 3 month review
04-05	Boettger\Hoier	corn milling biosolids	approve, 3 month review

Motion Miller and second by Kent Wilcox to concur with Planning Commission and accept staff recommendation to approve Conditional Use Permits with a 3 month review. Vote- Aye: Thomsen, Kent Wilcox, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

Mike Robinson, Sheriff, and Phil Brazelton were present to discuss the proposal from InterAct Public Safety Systems. Sheriff's Office has received a grant, for the purchase of laptop computers for use in patrol cars, fire departments and rescue squads. This proposal from InterAct is for the software, additional hardware and services for the laptops, for \$289,250.00, plus a maintenance fee of \$34,800. Board discussed the proposal and will have a committee look into this request. No action was taken.

It was moved by Abariotes and seconded by Thomsen to receive the 2008 Annual Sheriff's Office Inventory Report and place on file. Vote- Aye: Thomsen, Kent Wilcox, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

There were no comments from the Public.

Claims were received and reviewed, following which it was moved by Miller and seconded by Abariotes that the following claims be allowed and Clerk ordered to issue warrants on the various funds for the same Vote- Aye: Thomsen, Kent Wilcox, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

**GENERAL FUND**

EMPLOYEES	Payroll	133,940.81
AMERITAS LIFE INS	Retirement	9,353.16
UHC	Ins	33,584.89
WASH CO BANK	FICA	9,658.74
WASH CO BANK	INS	4,906.52
ADAMSON INDUSTRIES	Equip	939.90
ALAMAR UNIFORMS	Supplies	30.00
ALLTEL	Serv	164.65

AQUILA	Serv	164.03
BLAIR BOOK & SUPPLY CO	Supplies	79.74
CARQUEST	Supplies	2.91
CITY OF BLAIR	Water	1,034.04
CLK DIST CRT	Postage	19.40
CLK DIST CRT	Filing Fees	197.00
CONSTELLATION ENERGY	Serv	85.99
SARAH DEEMER	Reimb Postage	17.00
DMV	Serv	24.00
DICK'S ELECTRIC CO	Go Green Equip	162.69
DODGE CO SHERIFF	Serv	61.98
DOUGLAS CO SHERIFF	Serv	16.77
E T TOWING	Serv	65.00
SHURIE GRAEVE	Reimb Supplies	15.52
GREAT PLAINS CHEMICAL	Serv	310.00
HALL LAW OFFICES	Crt Appt Attny	774.00
IDEAL PURE WATER	Serv	9.63
JEO CONSULTING GROUP	Serv	1,870.00
JASON ARP	Jury Duty	35.00
EDWARD BAKER	Jury Duty & Mileage	49.04
LATICIA CUNNINGHAM	"	35.00
DAVID GENOWAYS	"	40.26
GREG L JONES	"	35.00
LAURA JONES	"	35.00
BARBARA KRUSE	"	49.62
RONALD KRUSE	"	42.02
MATTHEW J KUBAT	"	51.38
VIRGINIA LADD	"	35.00
JO LODE	"	46.70
HEATHER MCKINNIS	"	35.00
DEBBIE MILLER	"	50.21
SHANE REEH	"	35.00
RAYFORD R RENO	"	38.51
ANN SAMSON	"	35.00
HILARIO SANCHEZ	"	42.02
VERONICA SANFORD	"	50.21
RANDY SCHNEIDER	"	52.55
JERRY TOSONI	"	49.62
JEFF WILKINS	"	39.09
STEPHEN KRAVIEC ATTY	Child Support Serv	1,384.61
GAYLE MAINE	Reimb Mileage	128.91
MAINTENANCE ENGINEERING	Go Green Equip	188.18
MAPA	Appropriation	4,724.00
MCGOUGH LAW	Crt Appt Attny	558.00
MED-TECH RESOURCE	Equip	63.78
STEVEN MENCKE	Reimb Mileage	237.63
MOTOROLA	Equip	136.00
NE NEBR ASSOC CO OFFICIAL	Wrkshp Reg	161.00
NE PUBLIC HEALTH ENVIRO LAB	Serv	78.00
NEXTEL	Serv	818.31
NO FRILLS	Jail Supplies	1,883.51
NE NEBR JUVENILE SERV	Serv	778.75
OFFICE NET	Supplies	255.20
OFFICE WAREHOUSE	Supplies	470.15
OLSEN LAW OFFICES	Crt Appt Attny	1,640.00
OPPD	Serv	212.54

PC SERV	Serv	3.95
PHILLIPS 66	Fuel	1,547.68
POSTMASTER	Co Attny	333.60
POSTMASTER	DMV Sept	455.20
POSTMASTER	Co Crt	118.00
POUNDS PRINTING	Supplies	94.00
REGION 6, BEHAVIORAL HC	Appropriation	9,930.00
REGISTER LAW OFFICE	Crt Appt Attny	693.00
ROGERS AUTOMATED ENTRANCES	Annex HC Door	1,625.00
RUNGE LAW OFFICE	Crt Appt Attny	1,404.00
SARPY CO CRT	Serv	5.50
SEC OF STATE, ELEC DIV	Supplies	5.00
SECRETARY OF STATE	Serv	20.00
NEBR, AS IMSERVICES	Serv	160.05
NEBR, DEPT OF CORRECT SERV	Serv	682.02
EDMOND E TALBOT III	Reimb Mileage	326.79
TAYLOR & FRANCIS	Supplies	23.96
TELRITE CORP	Serv	265.93
THE CLEANER CO	Supplies	457.67
TOWN & CO PEST CONTROL	Serv	76.00
TREAT AMERICA FOOD	Supplies	28.60
U SAVE PHARMACY	Jail RX	17.04
ULTRA CAR WASH	Serv	200.00
WASH CO ATTNY	Reimb Postage	7.33
WASH CO CLERK	Title & Lien Fee	34.00
WASH CO COURT	Serv	13.50
WASH CO REG DEEDS	Filing Fees	5.50
WASH CO SHERIFF	Serv CS	134.80
WEST PAYMENT CENTER	Supplies	1,135.00
<b>ROAD FUND</b>		
EMPLOYEES	Payroll	34,205.60
AMERITAS LIFE INS	Retirement	2,239.33
UHC	Ins	7,668.01
WASH CO BANK	FICA	2,586.15
WASH CO BANK	Ins	1,568.00
A & M GREEN POWER	Parts	56.41
ARPS RED-E-MIX	Supplies	297.50
B'S ENTERPRISE	Culverts	10,351.00
BOMGAARS	Supplies	183.52
CARQUEST	Parts	22.80
CEMEX	Rock	21,618.97
CJ'S TREE SERV	Equip Rental	475.00
CMA TRUCKING	Equip Rental	1,561.48
HWS CONSULTING GROUP	Serv	425.00
J & N MACHINE	Serv	50.00
JEO CONSULTING GROUP, INC	Engineering	10,800.00
KNUDSEN OIL & FEED	Fuel	8,231.21
LYMAN-RICHEY	Gravel	7,566.16
MCH HEALTH SYSTEM	Testing	20.00
MID-LAND EQUIP	Parts	410.66
MIDWEST SERV & SALES CO	Culverts	2,041.83
NE NEBR ASSOC CO OFFICIAL	Reg	23.00
NE IA SUPPLY CO	Fuel	6,293.30
NE MACHINERY CO	Parts & Repair	7,426.16
RICH'S WELDING	Equip	227.00
SAPP BROS PETRO	Fuel	1,985.50

SCHEMMER	Engineering	5,708.29
DAN SHAMBURG	Erosion Control	288.75
PEGGY SMITH	Bridge Inspections	2,250.00
H D THOMPSON AGENCY	Notary Bond	50.00
WHITMER WELDING	Supplies	272.42
WINGATE INN	WS Lodging	80.00
<b>STATE INSTITUTIONS FUND</b>		
NE HH SERV	Serv	93.00
<b>COUNTY BUILDING FUND</b>		
SCHEMMER	Serv	124.07
<b>COMPUTER FUND</b>		
PC SERV	Serv	112.60
<b>WEED FUND</b>		
EMPLOYEES	Payroll	1,492.00
AMERITAS LIFE INS	Retirement	100.71
UHC	Ins	33.22
WASH CO BANK	FICA	114.13
BOMGAARS	Equip	5.95
KNUDSEN OIL & FEED	Chemicals	426.28
NE NEBR ASSOC CO OFFICIAL	WS Reg	23.00
NEXTEL	Serv	39.53
EDWARD J SMITH	Serv	100.00
MATT SMITH	Serv	440.00
<b>E 911 FUND</b>		
GREAT PLAINS COMM	Serv	159.37
MOTOROLA	Serv	4,528.26

There being no further business to come before the Board at this time, it was moved by Thomsen and seconded by Kent Wilcox that the meeting be adjourned until the next regular Board meeting date, Sept 9, 2008. Vote-Aye: Thomsen, Kent Wilcox, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried. Chairman declared meeting adjourned.

Attest:  
Merry M Truhlsen  
Washington County Clerk

Duane Wilcox, Chairman  
Washington County Board of Supervisors

I, Merry M Truhlsen, County Clerk, in and for Washington County, Blair, Nebraska, do hereby certify that the foregoing proceedings took place during the August 26<sup>th</sup> meeting of the Washington County Board of Supervisors

Merry M Truhlsen  
Washington County Clerk