

**Nov 10, 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 Monday, Nov 10, 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, Jeff Quist, Daryl Miller, Ernest Abariotes and Marvin Rohwer. Kent Wilcox absent. Also present, County Clerk Merry Truhlsen. Corrections to the Oct 28<sup>th</sup> minutes were discussed but no action was taken at this time

It was moved by Rohwer and seconded by Miller that the regular Monthly Fee Reports of the following Officials be received and placed on file: Co Clerk \$9,504.25, Reg of Deeds \$24,068.25, Co Court \$25,692.86, Co Plan Dept \$18,273.00, Clk Dist Crt \$2,077.07, Sheriff \$3,432.46 and Road Dept \$185,288.15. Vote- Aye: Thomsen, Quist, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

The following correspondence had been received: Quarterly Report from NIRMA. It was moved by Miller and seconded by Quist that the correspondence be received and placed on file. Vote- Aye: Thomsen, Quist, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

Cheryl Parsons, Road Supt was present with the following items: Parsons discussed a bridge that had been closed by the State. The bridge has a twisted chord making it structurally unsound.

Ron Worcek, Schemmers, discussed the completion of the Road Reconstruction Project, (Cargill Road). The road has been open since October 3, roadways are seeded and Worcek submitted the final payout for the Project. Motion by Abariotes and second by Rohwer to approve the final payment of \$2,981.97 to Vrana & Son Constr. Vote- Aye: Thomsen, Quist, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

Julie Ogden was present to discuss a change order on a culvert extension, Project C89(479). This was reviewed at the Road Committee meeting. At the start of construction, it was determined the end of the wings didn't line up with the channel as well as planned and the south wing went into Keith Andersen's property, affecting 228 square feet. Andersen was present. Items on the change order that weren't on the original contract were clearing & grubbing, excavating and rip rap to stabilize the area. Ogden said JEO would pay for half of these changes on the change order. Andersen also questioned the culvert to the north and stated the opening of that is in his field. Ogden stated the County will put an elbow on to remedy the situation. Parsons asked Andersen about making a monetary compensation for the damages, this will be discussed further. Motion by Miller and second by Thomsen to approve change order, which is just under \$5,500, cost to the County would be half of that, approximately \$2,750 and authorize payment. Vote- Aye: Thomsen, Quist, Duane Wilcox and Miller. Nay: Abariotes and Rohwer. Motion carried.

Next, Ogden discussed an engineering agreement for the design of a new bridge, Project C89-02705, Kennard East. This bridge was closed at the request of the State, based on inspections and ratings they are currently

doing for all counties in Nebraska. Parsons had requested Ogden put an engineering agreement together to replace this bridge using soft match credits. Ogden had pictures of the damage. Motion by Quist and second by Thomsen to accept the engineering agreement in the amount of \$26,735.00, subject to approval by County Attorney's Office. Vote- Aye: Thomsen, Quist, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

Ogden gave the Board an update on Project C89(408), the culvert ext on CR P26/P33. Culvert walls and top are poured. They will be starting the backfill and grade the slope. Ogden had photos of the area. Tree removal and placing rip rap at the end of the culvert to prevent erosion was discussed. Motion Quist and second by Abariotes to approve partial payment in the amount of \$25,367.35 to ME Collins Contracting Co Inc. Vote- Aye: Thomsen, Quist, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

Kevin Hall asked the Board if Schemmers could be on the list for on call services and would like to discuss this further with the Board.

Harriet Waite came before the Board on behalf of the Tourist Lodging Tax Committee. At a recent meeting of the Committee, they realized the guidelines aren't being met as two of the members were no longer in the lodging industry. Waite went over the guidelines and offered to put a list of names together for the Board to consider, as the County Board appoints people to the committee. Clerk read a letter from Greg Drew stating he was no longer in the lodging business but stated he would be willing to continue to serve as a non-hotel industry member. This item was put on the Nov 25<sup>th</sup> agenda for further discussion and action.

Doug Cook was present to discuss the terms of County Planning Commission Members Kay Voss and Gary Lambrecht. Chairman stated both have indicated they would be willing to serve another term. Joe Peleska was present and asked if any Blair residents were on the Board and said he is interested in serving on the County Planning Commission. Dennis McCormick spoke in favor of Peleska being appointed to Commission, thus having a Blair City representative. The Board discussed the fact that the jurisdiction of the County Planning Commission covers rural areas, while Blair has a separate City Planning Commission. Motion by Miller second by Rohwer to re-appoint Kay Voss and Gary Lambrecht to the County Planning Commission. Vote- Aye: Thomsen, Duane Wilcox, Miller and Rohwer. Nay: Quist and Abariotes. Motion carried.

The following corrections were made to the Oct 28<sup>th</sup> minutes: the Glen Oaks Developers' letter of credit was for \$800,000 (not \$100,000 as stated in the minutes) and Pam Daly called Marvin Rohwer to say the minutes were incorrect, she did not disagree with the statement "the \$100,000 the subdivision paid for road improvements is a separate issue." It was moved by Abariotes and seconded by Rohwer that the rules be suspended and that the minutes of the October 28, 2008 meeting be approved, with the aforementioned corrections, 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, Quist, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

Reservations for the December NACO County Convention in Lincoln were discussed, with new board members being invited to attend.

Clerk read Resolution 2008-45 regarding Inheritance Tax transfers as adopted in the 2008-2009 Budget. Motion by Quist and second by Rohwer to approve Resolution 2008- 45. Vote- Aye: Thomsen, Quist, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

#### **RESOLUTION NO. 2008 – 45**

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

**COUNTY, NEBRASKA, that the following transfers of INHERITANCE TAX FUNDS (Fund 2500) to the following FUNDS, be made as per 2008-2009 adopted fiscal year budget:**

<b>FROM</b>	<b>AMOUNT</b>	<b>TO</b>
<b>INHERITANCE TAX FUND</b>	<b>\$100,000.00</b>	<b>COUNTY GENERAL FUND 100</b>
<b>INHERITANCE TAX FUND</b>	<b>100,000.00</b>	<b>COUNTY ROAD FUND 200</b>
<b>INHERITANCE TAX FUND</b>	<b>50,478.00</b>	<b>COUNTY BUILDING FUND 4050</b>
<b>INHERITANCE TAX FUND</b>	<b>50,000.00</b>	<b>COMPUTER FUND 4600</b>

**BE IT FURTHER RESOLVED BY THE COUNTY BOARD OF SUPERVISORS OF WASHINGTON COUNTY, NEBRASKA, THAT THE County Treasurer of Washington County is hereby directed to make transfers immediately from INHERITANCE TAX FUNDS on hand as of this date.**

**PASSED AND APPROVED THIS 10<sup>TH</sup> DAY OF NOVEMBER, 2008.**

**DUANE WILCOX, CHAIRMAN  
WASHINGTON COUNTY BOARD OF SUPERVISORS**

**ATTEST:  
MERRY M. TRUHLEN  
WASHINGTON COUNTY CLERK**

Clerk read a letter from Marj Hoier, Co Treasurer, stating 113 Distress Warrants, amounting to \$124,898.37 have been turned over to County Sheriff for collection. Motion by Quist second by Abariotes to receive letter and place on file. Vote- Aye: Thomsen, Quist, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

The OPPD Emergency Planning Staff at the Fort Calhoun Station is conducting its 2009 Review of Letters of Agreement concerning emergency response and asked that the annual form be signed and returned. Motion by Miller and second by Quist to authorize Chairman to sign letter. Vote- Aye: Thomsen, Quist, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

Mark Westergaard, E&A Consulting, was present to discuss releasing a letter of credit on the Glen Oaks Sub pursuant to the subdivision agreement. Chairman Wilcox asked Westergaard to answer questions raised at the Oct 28<sup>th</sup> Board meeting. Westergaard addressed the following items: 1. Concerning the letter from DEQ, there is no violation of the NPDES permit at Glen Oaks, there were areas that needed to be resodded and restabilized and those have been resolved. Rohwer discussed minor drainage issues. 2. Swales: The swales are there and are vegetated 3. Trail improvement: The trail easement was shown on the plat but actual construction of the trail is at the developer's option. The trail was not a part of the approval conditions of the subdivision or the subdivision agreement. 4. Some lots appear unbuildable- Westergaard wasn't sure what that had to do with this issue 5. School Bus Loop is gravel: There is nothing in the subdivision agreement that calls for it to be paved. Blair Community School has said they would like it hard surfaced and the developers are planning to hard surface it. So with the resolution of those items, they are requesting releasing the letter of credit. Westergaard also stated, the letter of credit was put up as a surety so the SID would construct and pay for the improvements. As for additional surety, Westergaard stated the contractor's bond and warranty for the public improvements are still in place, they are two independent things. Pam Daly spoke on the purpose of the subdivision agreement and read from the Zoning Regulations. Daly passed out photos of the area and spoke on the problems she sees with the drainage swales, the drainage basin, the trail, the heron area, erosion around a pipe and grading around culverts. Westergaard restated the need to separate the letter of credit from the bonds and warranties on the

public improvements that will still be in place. Jim Buser, Atty for developer and SID, explained as part of the SID statutes in order for the public improvements to be contracted, the contractor must be covered by a bond and have a warranty in place. Because the bond and warranty wasn't in place when the subdivision was signed, the County Attorney asked for the letter of credit. As soon as the contracts were bid out the County in essence had double coverage with the letter of credit and the statutory mandated bond and warranty the contractor has in place. Robbin Jeffrey spoke on the letter of credit, the letter from DEQ, the bus loop and tree mitigation information regarding the trees planted in the subdivision and submitted information for the record. Clerk read the letter from Dep Co Attorney recommending release of letter of credit. Westergaard estimated the cost to hard surface the bus loop at approx \$15,000. Motion by Miller and second by Quist to release \$750,000 of the letter of credit and hold \$50,000. Mary Alice Johnson suggested Board specify what the \$50,000 is being retained for and what needs to be completed for this to be released. Chairman stated motion is to hold \$50,000 of the letter of credit until the bus loop is hardsurfaced and minor drainage grading is done. Vote- Aye: Thomsen, Quist, Duane Wilcox, Miller and Rohwer. Nay: Abariotes. Motion carried.

Richard Hansen, Co Surveyor, was present to request permission to go out for bids on a GPS System for the County. Hansen stated new technology is making the price more affordable and discussed the State of Iowa's new system that is to be operable by Feb 2009. If the County could connect to that system, they possibly wouldn't need a base station. Hansen estimated the cost of the system at \$20,000 and a base station at \$30,000. Motion by Quist and second by Abariotes to approve going out for bids on a GPS System. Vote- Aye: Thomsen, Quist, Duane Wilcox, Miller and Rohwer. Nay: Abariotes. Motion carried.

At 12:20 PM the Board entered Board of Equalization and at 12:25 PM adjourned. See separate minutes.

Steve Mencke, County Assessor, presented a quote from Chris Poulsen for 12 days of GIS training and consulting services. Motion by Quist and second by Miller to approve quote from Poulsen. Vote- Aye: Thomsen, Quist, Duane Wilcox, Miller, Abariotes and Rohwer. Nay: None. Motion carried.

Comments from Public: Dennis McCormick commented on the absence of Kent Wilcox and that the agenda wasn't put on the website.

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

**GENERAL FUND**

EMPLOYEES	Payroll	137,048.93
AMERITAS LIFE INS	Retirement	9,452.67
FT DEARBORN LIFE INS	Ins	35.26
FT DEARBORN LIFE INS	Ins	241.28
UHC INS	Ins	31,924.79
WASH CO BANK	FICA	9,825.04
WASH CO BANK	Ins	4,634.50
ABE'S TRASH SERV	Serv	177.25
ADAMSON INDUSTRIES	Equip	279.75
ALLTEL	Serv	46.71
ATS "THE BEEPER PEOPLE"	Serv	242.83
B & R AUTO PARTS	Supplies	38.99
BLACK HILLS ENERGY	Serv	78.09
BLAIR BOOK & SUPPLY	Supplies	1,035.24
BLAIR GARDEN CENTER	Landscaping	2,375.42
BLAIR SUPERFOODS	Supplies	6.75
BLAIR TELEPHONE	Serv	1,733.26
LORI BLUME	Crt Reporter	180.00

BRO BUSINESS	Copier	117.30
CITY OF BLAIR	Water,Library Fee	600.98
CITY OF FT CALHOUN	Nov Lease	50.00
CLRK OF DISTR CRT	Filing Fees	31.00
CONTROL SERVICES	Serv	359.00
CSI DIVISION	Serv	50.00
DES MOINES STAMP MFG	Supplies	13.90
DIESEL POWER EQUIP	Serv	549.72
DODGE CO SHERIFF	Serv	6.85
DOUGLAS CO COURT	Copies	11.25
DOUGLAS CO SHERIFF	Serv	24.77
ES & S SYSTEMS	Supplies	32.00
ENTERPRISE	Minutes & Notices	1,646.59
FAIRWAY OIL CO	Fuel	432.28
FIREGUARD INC	Serv	671.28
FIRST NATIONAL BANK	Equip	300.00
FIRST NATIONAL BANK	Reg Fee	38.15
FIRST NATIONAL BANK	Equip	1,561.50
FIRST NATIONAL BANK	Seminar	535.66
FIRST NATIONAL BANK	Seminar	427.93
FIRST NATIONAL BANK	Equip	372.53
FIRST NATIONAL BANK	Supplies	20.51
FREMONT TRIBUNE	Ad	204.00
SHURIE GRAEVE	Conf Fee	42.09
HALL LAW OFFICES	Crt Appt Attny	300.00
J.F. AHERN CO	August Inspections	805.00
JOHNSON & MOCK	Crt Appt Attny	1,595.00
JUDT ELECTRIC	Serv	127.00
CAROLE J BACKHUS	Jury Duty	84.04
KELLI JEAN BAKER	"	35.00
RICKEY ALLAN BAXTER	"	43.19
ALICIA MARIE BLEYENBERG	"	46.70
BRANDI JO BOVILL	"	52.55
DAVID L BURRACK	"	35.00
JOHN S CARPER III	"	52.55
ROBERT B CARROLL	"	40.85
AMANDA L CASTANEDA	"	52.55
LAUREL D DERRY	"	70.00
MERRIT RAY GILMORE	"	105.10
BRANDI D GOEBEL	"	46.70
STANLEY A HEYDEN	"	35.00
CORNELL S HILGENKAMP	"	105.10
DUSTIN W HILL	"	45.53
KORI L HODGSON	"	35.00
TIMOTHY S KLOTZ	"	35.00
JANENE C KOPPIT	"	46.70
KIMBERLY A KOSTRUNEK	"	42.02
CRYSTAL K KOZOL	"	105.10
KYLE N KRAMER	"	46.70
SCOTT MARTIN	"	52.55
RHONDA S MATTHEWS	"	35.00
SHERYL A MOLL	"	60.74
KATHRYN A MORLEY	"	46.70
CHRISTINE E MOTTL	"	35.00
LOIS A MUELLER	"	63.08
DANIEL J NAUGHTON	"	44.36

ANN A NEKL	"	35.00
DONNA I NOMAD	"	70.00
CHARLES J O'CALLAGHAN	"	37.34
TODD A OSTBLOM	"	105.10
JOYCE L PENDLEY	"	56.06
GARRETT M PETERSEN	"	70.00
DANIEL ALLAN PETERSEN	"	35.00
BARBARA J STRIDE	"	42.02
KRISTIE E THOMPSON	"	74.68
RICK L TURNER	"	88.72
THOMAS P ULRICH	"	81.70
CHARLENE E VERCRUYSSSE	"	46.70
JASON R WIESE	"	116.80
KEN'S MOTEL	Class/Lodging	40.00
STEPHEN J KRAVIEC ATTY	Child Support Enf	1,426.28
KUENY LAW OFFICE	Crt Appt Attny	570.00
LANCASTER CO SHERIFF	Serv	16.24
MCGOUGH LAW	Crt Appt Attny	510.00
MIPS INC	Serv	1,016.01
MOORE WALLACE	Supplies	243.72
NACO	Conf Fee	390.00
NO FRILLS	Jail Food	7,299.52
OFFICE DEPOT	Serv	191.51
OFFICE DEPOT	Supplies	288.15
OFFICE EQUIP	Copier	174.10
OFFICE NET	Copiers & Supplies	715.07
OFFICE WAREHOUSE	Supplies	1,184.83
OMAHA DOOR & WINDOW	Serv	150.00
OPPD	Serv	4,591.64
ORTMEIER'S TV & APPL	Equip	79.51
PAMIDA INC	Supplies	157.27
PC SERV	Serv	1,129.35
POSTMASTER	Co Attny	228.80
POSTMASTER	Co Crt	135.00
POSTMASTER	Ext	210.00
CALVIN POULSEN	GIS Serv	1,869.00
POUNDS PRINTING	Supplies	80.00
HUGH P. REEFE	Crt Appt Attny	667.98
WENDY REXROAD	Reim Mileage	77.22
REYZLIK ACE HARDWARE	Supplies	126.49
KRIS ROBINSON	Reimb Mileage	1,362.85
MARSHA RUWE	Rent	40.00
SARPY CO CRT	Crt Costs	4.75
SE SMITH & SONS	Supplies	199.14
SHELL FLEET PLUS	Fuel	4,997.94
SID DILLON CHEV-OLDS-PONT	Serv	250.00
SMITTY'S AUTO SERV	Serv	1,098.23
KRIS ROBINSON	Reimb License	25.00
STATE AS CENTRAL FINANCE	Serv	1,216.00
EDMOND E TALBOT III	Conf Fee	129.87
THE CLEANER CO	Supplies	573.23
THE 5TH SEASON	Serv	130.00
TREAT AMERICA FOOD SERV	Class Fee	37.08
TWOHIG LAW OFFICE	Crt Appt Attny	1,122.00
ULTRA CAR WASH	Serv	200.00
VERIZON WIRELESS	Serv	167.64

VILLAGE OF ARLINGTON	Nov Lease	69.50
WASH CO ATTNY TRUST ACCT	Crt Fees	32.50
WASH CO REG DEEDS	Filing Fees	5.50
WASH CO SHERIFF	Filing Fees	1,092.71
DUANE WILCOX	Oct Mileage	49.14
<b>ROAD FUND</b>		
EMPLOYEES	Payroll	35,744.40
AMERITAS LIFE INS	Retirement	2,330.03
FT DEARBORN LIFE INS	Ins	26.89
FT DEARBORN LIFE INS	Ins	56.29
UHC INS	Ins	7,541.28
WASH CO BANK	FICA	2,591.85
WASH CO BANK	Ins	1,454.50
ABE'S TRASH SERV	Serv	61.33
ALLTEL	Serv	129.68
ANDY'S MOW TOWN	Parts	43.50
ARPS RED E MIX	Concrete	329.00
BI-STATE MOTOR PARTS	Parts	169.92
BLACKBURN MFG CO	Equip	71.71
BLAIR BOOK & SUPPLY	Supplies	226.31
BLAIR TELEPHONE	Serv	63.95
CMA TRUCKING CO	Equip Rental	4,478.36
CORNHUSKER INTERNTL TRUCKS	Parts	577.85
COUNTRY TIRE	Parts & Serv	1,518.55
DEEP ROCK WATER	Water	52.62
DULTMEIER SALES	Supplies	136.24
ENTERPRISE	Printing	11.29
FAIRWAY OIL CO	Grease	93.00
FASTENAL CO	Parts	43.16
HAGERBAUMER BROS	Equip	2,435.17
JENSEN SEEDING	Seeding	300.00
KENNARD TRUCKING	Equip Rental	2,809.89
RONALD KERSTETTER	Equip Rental	1,850.69
LARSEN INTERNATIONAL	Parts	6.50
M E COLLINS CONTRACTING CO	Culvert Repair	41,829.54
M.E. COLLINS CONTRACTING CO	Replace Culvert	25,367.35
MAX I WALKER	Serv	162.79
MO VALLEY IMPLEMENT	Parts	86.12
NEBRASKA IOWA SUPPLY	Fuel	5,205.24
O'REILLY AUTOMOTIVE	Parts	36.01
OFFICE NET	Supplies	43.56
OPPD	Serv	316.88
OMAHA TRUCK CENTER	Parts	55.89
PAMIDA	Supplies	33.45
CHERYL K PARSONS	Equip	49.99
PC SERV	Equip	88.00
POWERPLAN	Parts	414.72
REYZLIK ACE HARDWARE	Parts	9.98
RICH'S WELDING	Parts	67.00
SE SMITH & SONS	Lumber	16.19
SHOTWELL GLASS	Repair	80.00
STALP GRAVEL CO	Gravel & Rd Equip	23,846.23
SUPERIOR SIGNALS	Parts	393.50
TITAN MACHINERY	Parts	84.12
WASHCO FEED & SUPPLY	Erosion Contorl	319.98
WHITMER WELDING SUPPLIES	Welder	1,176.10

**VISITOR'S PROMOTION FUND**

BLAIR CHAMBER OF COMMERCE	Advertising	892.50
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**ROAD RECONST CAP PROJECT FUND**

GILMORE & BELL PC	Serv	900.00
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**COMPUTER FUND**

PC SERV	Serv	679.96
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**WEED FUND**

EMPLOYEES	Payroll	1,552.00
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AMERITAS LIFE INS	Retirement	104.76
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FT DEARBORN LIFE INS	Ins	1.97
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FT DEARBORN LIFE INS	Ins	2.60
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UHC INS	Ins	33.22
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WASH CO BANK	FICA	118.58
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ANDY'S MOW TOWN	Parts	36.45
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BLAIR BOOK & SUPPLY	Supplies	88.15
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FAIRWAY OIL	Fuel	432.45
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MAX I WALKER	Serv	38.00
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ORTMEIER's TV & APPL	Equip	19.99
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P-K MANUFACTURING	Serv	50.80
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QUALITY HOTEL & CONVT CENTER	Ldoging	169.84
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**E 911 FUND**

AT & T	Serv	4.90
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BLAIR TELEPHONE	Serv	816.50
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OPPD	Maintenance	104,404.00
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QWEST	Serv	1,321.93
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There being no further business to come before the Board at this time, it was moved by Miller and seconded by Quist that the meeting be adjourned until the next regular Board meeting date, Nov 25, 2008. All members present voted aye, 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 Nov 10<sup>th</sup> meeting of the Washington County Board of Supervisors

Merry M Truhlsen  
Washington County Clerk