

**January 27, 2009 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, January 27, 2009 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 Clausen, Jeff Quist, Mary Alice Johnson, Ernest Abariotes and Ron Hinline. Also present, County Clerk Merry Truhlsen.

It was moved by Johnson and seconded by Quist that a correction be made to the Jan 13th minutes to reflect the number of votes for the Vice Chairman- Jeff Quist got 5 votes, G Ernest Abariotes got 1 vote. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.
It was moved by Quist and seconded by Clausen that the rules be suspended and that the minutes of the Jan 13th, 2009 meeting be approved with the above mentioned correction, 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, Clausen, Quist, Wilcox, Johnson and Hinline. Nay: None. Abariotes abstained. Motion carried.

The following correspondence had been received: Quarterly loss report from NIRMA, Information about Blair Community Emergency Response Team, Information from the Douglas/Sarpy Co Ext Office about an upcoming free seminar on Sediment and Erosion Control, letter from NDOR stating Bridge No C89-02705 meets the requirement and is eligible for the soft match program and letter stating November lodging tax is \$976.22. Motion by Abariotes and second by Quist to receive correspondence and place on file. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

Cheryl Parsons, Road Superintendent, was present with the following items:
Parsons read Resolution #2009-1, for a Yield Sign on CR P47. Motion by Hinline and second by Clausen to adopt Resolution 2009-1. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

RESOLUTION 2009-1

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

WHEREAS, The County of Washington, Nebraska desires to place a **YIELD SIGN** to be set & established on the southeast corner of the "T" Intersection of County Road No. P47 and County Road No. P40, located in the S/W ¼ of Section 31, Township 17 North, Range 13 East, in Washington County, Nebraska.

The installation of this sign would require the traffic on County Road No. P47 to yield to the traffic traveling on County Road P40. County Road P40 is the thru road.

Following the passage and the publication of this Resolution, it shall be unlawful, for any person to fail, neglect, or refuse to comply with said **YIELD SIGN** and the violation thereof shall be punishable pursuant to **NEBRASKA STATUTE**.

Passed and Approved this 27th Day of January, 2009.

Duane Wilcox, Chairman
Washington County Board of Supervisors

ATTEST:

Merry M. Truhlsen, County Clerk
Washington County, Nebraska

Parsons discussed when to hold the 1 and 6 Year Road Program Hearing. Hearing will be held in the multipurpose room at the Courthouse. Motion by Quist second by Thomsen to set 1 and 6 Year Road Program Hearing for Wednesday, February 4th, at 7:00 PM. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

Julie Ogden was present to discuss the bridges of Washington County. Ogden gave the Board a Bridge Replacement Priority List showing details on each bridge in the County. This will be helpful as the Board considers bridge repairs and replacements. Ogden had photos of the repairs on Bridge 31920 and photos of the bent piling on Bridge 2403.

Parsons and Ogden will be attending a 5 day training session to study the changes to the environmental requirements and corresponding new forms. Projects not yet bid will need the new detailed environmental updates.

At 10:15 the County Board went to the Law Enforcement Facility to conduct a quarterly visit to the County Jail.

At 11:00, Marj Hoier, County Treasurer, went over the Motor Vehicle Exemption applications with the Board. Applications were received from: Blair Family YMCA, Crowell Memorial Home, Dana College, First Christian Church, First Lutheran Church, First United Methodist Church, Girl Scouts Spirit of Nebraska/Prairie Hills and Good Shepherd Lutheran Community. Motion by Abariotes and second by Clausen to approve the Motor Vehicle Exemption applications presented. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

Board questioned Hoier on LB49, relating to the Treasurer's Office issuing motor vehicle titles. Hoier said when the State takes over the driver's license photos they will pursue implementing this change. Hoier had prepared the Treasurer's Semi Annual Statement, which the Board had each received a copy of prior to the meeting. Motion by Quist second by Abariotes to receive the Treasurer's Semi-Annual Statement and place on file. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

Board discussed the scholarships the Nebraska Association of County Officials offers to dependents of County Employees. Applications must be received by March 2. Information will be distributed to employees.

Board entered into Board of Equalization at 11:30 and ended at 11:45. See separate minutes.

Chairman Wilcox called Larry Pelan, NIRMA, and questioned him about the County's insurance coverage in regard to allowing non-profit groups to use the Annex Building meeting room. Pelan stated the use agreement and hold harmless clause the groups sign should be sufficient. Board recessed for lunch.

Rebecca Versch, Extension Educator, discussed the Annex meeting room lease agreement, with the revision adding the release and hold harmless clause. County Attorney's Office had reviewed the revised agreement. Clerk read the agreement. Motion by Clausen second by Thomsen to approve the Washington County East

Annex Meeting Room(s) Use Agreement. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

The Board discussed the following upcoming Legislative Bills: LB 160 which would give the NRD general bonding authority. Motion by Hinline second by Clausen to send letter of opposition on LB160 and have the Chairman sign. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried. Chairman also discussed LB577, which would change provisions relating to improvement project areas of natural resources districts. Quist suggested keeping track of LB 577. The stimulus package was discussed. Motion by Hinline and second by Clausen to send e-mail in support of the stimulus package. Vote- Aye: Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: Thomsen. Motion carried.

1:30 Doug Cook, Planning Administrator came before the Board with the following items:

PUBLIC HEARINGS

CONDITIONAL USE PERMITS

1. Conditional Use Permit application for Camp Fontanelle (Trent Meyer, Site Director)

Request of Camp Fontanelle (Trent Meyer, Site Director) to allow for a religious camp and retreat center on Tax Lot 28, Section 21-Township 18 North-Range 9 East of the Sixth P.M. (address: 9320 County Road 3). The home is currently occupied by the Assistant Director and this CUP will include this property with the rest of Camp Fontanelle. Motion by Clausen and second by Quist to concur with Planning Commission to approve this Conditional Use Permit request as presented with a review in April 2010. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

2. Conditional Use Permit application for Camp Fontanelle (Trent Meyer, Site Director)

Request of Camp Fontanelle (Trent Meyer, Site Director) to allow for an RV Park (specifically to allow parking for up to 6 recreational vehicles on an intermittent basis) on Tax Lot 28, Section 21-Township 18 North-Range 9 East of the Sixth P.M. (address: 9320 County Road 3). Motion Hinline and second by Clausen to concur with Planning Commission to approve this Conditional Use Permit request as presented with a review in April 2010. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

SUBDIVISION REGULATION TEXT AMENDMENTS

3. Washington County Subdivision Regulation Text Amendment

Amend Article 6; Rural Subdivision (RS-1) Requirements, Section 6.01 Requirements, Roads #19, to read as follows: Central school bus load \ unload area and mail pick-up area required with road surface as per # 20 (internal subdivision roads can be either: a minimum of 6" asphaltic concrete or a minimum of 6" Portland Cement Concrete). Motion Quist and second by Thomsen to concur with Planning Commission to approve this Text Amendment and adopt Resolution 2009-2. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

RESOLUTION NO. 2009 - 2

A RESOLUTION PROVIDING FOR AMENDMENT TO THE WASHINGTON COUNTY ZONING AND SUBDIVISION REGULATIONS.

WHEREAS, the Board of Supervisors of Washington County, Nebraska, deem it to be in the interest of the public health, safety, morals, comfort and general welfare of said County and its residents that amendments be made to the WASHINGTON COUNTY, NEBRASKA, ZONING AND SUBDIVISION REGULATIONS;

WHEREAS, the Planning Commission of Washington County, Nebraska, has after a public hearing recommended amendments to the ZONING AND SUBDIVISION REGULATIONS;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY, NEBRASKA, that the amendment specified on Exhibit A attached hereto and incorporated by this reference herein referring to certain deletions or additions to the Washington County Zoning and Subdivision Regulations, and,

BE IT FURTHER RESOLVED by the Board of Supervisors of Washington County, Nebraska, that the deletions or additions set forth on Exhibit A are hereby adopted and shall be in full force and affect from and after its adoption,

publication, and filing as provided by law and all resolutions or parts of resolutions in conflict herewith are hereby repealed;

BE IT FURTHER RESOLVED that the Washington County Clerk is hereby authorized and empowered to make the appropriate changes in the official ZONING AND SUBDIVISION REGULATION book to reflect the deletions and additions made herein.

APPROVED AND ADOPTED THIS 27 DAY OF JANUARY, 2009.

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

ATTEST: MERRY TRUHLSEN, COUNTY CLERK

EXHIBIT A

Washington County Subdivision Regulation Text Amendment

Amend Article 6; Rural Subdivision (RS-1) Requirements, Section 6.01 Requirements, Roads #19

Revise to read as follows:

Central school bus load \ unload area and mail pick-up area required with road surface as per # 20 (internal subdivision roads can be either: a minimum of 6" asphaltic concrete or a minimum of 6" Portland Cement Concrete).

4. Washington County Subdivision Regulation Text Amendment

Amend Article 8; Rural Acreage Subdivision (RA) Requirements, Section 8.01 Requirements, Roads, add a #19 to read as follows: Central school bus load \ unload area and mail pick-up area required with road surface as follows: a) if property accessed by a paved City, State, County \ Village road, the bus load \ unload area shall be either a minimum of 6" asphaltic concrete or a minimum of 6" Portland Cement Concrete; or b) if property is accessed by a gravel City, State, County \ Village road, the bus load \ unload area can be gravel surfaced (built to County standards). Clausen suggested the bus loop should be hardsurfaced. Cook said this will be discussed further. Motion Quist and second by Clausen to concur with Planning Commission to approve this Text Amendment and adopt Resolution 2009-3. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

RESOLUTION NO. 2009 - 3

A RESOLUTION PROVIDING FOR AMENDMENT TO THE WASHINGTON COUNTY ZONING AND SUBDIVISION REGULATIONS.

WHEREAS, the Board of Supervisors of Washington County, Nebraska, deem it to be in the interest of the public health, safety, morals, comfort and general welfare of said County and its residents that amendments be made to the WASHINGTON COUNTY, NEBRASKA, ZONING AND SUBDIVISION REGULATIONS;

WHEREAS, the Planning Commission of Washington County, Nebraska, has after a public hearing recommended amendments to the ZONING AND SUBDIVISION REGULATIONS;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY, NEBRASKA, that the amendment specified on Exhibit A attached hereto and incorporated by this reference herein referring to certain deletions or additions to the Washington County Zoning and Subdivision Regulations, and,

BE IT FURTHER RESOLVED by the Board of Supervisors of Washington County, Nebraska, that the deletions or additions set forth on Exhibit A are hereby adopted and shall be in full force and affect from and after its adoption, publication, and filing as provided by law and all resolutions or parts of resolutions in conflict herewith are hereby repealed;

BE IT FURTHER RESOLVED that the Washington County Clerk is hereby authorized and empowered to make the appropriate changes in the official ZONING AND SUBDIVISION REGULATION book to reflect the deletions and additions made herein.

APPROVED AND ADOPTED THIS 27 DAY OF JANUARY, 2009.

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

ATTEST: MERRY TRUHLSEN, COUNTY CLERK

EXHIBIT A

Washington County Subdivision Regulation Text Amendment

Article 8; Rural Acreage Subdivision (RA) Requirements, Section 8.01 Requirements, Roads
add a #19 to read as follows:

19. Central school bus load \ unload area and mail pick-up area required with road surface as follows: a) if property accessed by a paved City, State, County \ Village road, the bus load \ unload area shall be either a minimum of 6" asphaltic concrete or a minimum of 6" Portland Cement Concrete; or b) if property is accessed by a gravel City, State, County \ Village road, the bus load \ unload area can be gravel surfaced (built to County standards)

ZONING REGULATION TEXT AMENDMENTS

5. Washington County Zoning Regulation Text Amendment

Amend Article 11: Fees and Sign Deposit, Section 11.01 Fees, Subsection L. to read as follows: L. Corn Milling Biosolds, Sludge, and Paunch Manure CUP \$250 \ site. Cook discussed the current fee isn't sufficient to cover expenses and work involved. Motion by Quist and second by Hineline to concur with Planning Commission and approve this Text Amendment and adopt Resolution 2009-4. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hineline. Nay: None. Motion carried.

RESOLUTION NO. 2009 - 4

A RESOLUTION PROVIDING FOR AMENDMENT TO THE WASHINGTON COUNTY ZONING AND SUBDIVISION REGULATIONS.

WHEREAS, the Board of Supervisors of Washington County, Nebraska, deem it to be in the interest of the public health, safety, morals, comfort and general welfare of said County and its residents that amendments be made to the WASHINGTON COUNTY, NEBRASKA, ZONING AND SUBDIVISION REGULATIONS;

WHEREAS, the Planning Commission of Washington County, Nebraska, has after a public hearing recommended amendments to the ZONING AND SUBDIVISION REGULATIONS;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY, NEBRASKA, that the amendment specified on Exhibit A attached hereto and incorporated by this reference herein referring to certain deletions or additions to the Washington County Zoning and Subdivision Regulations, and,

BE IT FURTHER RESOLVED by the Board of Supervisors of Washington County, Nebraska, that the deletions or additions set forth on Exhibit A are hereby adopted and shall be in full force and affect from and after its adoption, publication, and filing as provided by law and all resolutions or parts of resolutions in conflict herewith are hereby repealed;

BE IT FURTHER RESOLVED that the Washington County Clerk is hereby authorized and empowered to make the appropriate changes in the official ZONING AND SUBDIVISION REGULATION book to reflect the deletions and additions made herein.

APPROVED AND ADOPTED THIS 27 DAY OF JANUARY, 2009.

WASHINGTON COUNTY BOARD OF SUPERVISORS

WASHINGTON COUNTY, NEBRASKA, DUANE WILCOX CHAIRMAN

ATTEST: MERRY TRUHLSEN, COUNTY CLERK

EXHIBIT A

Washington County Zoning Regulation Text Amendment

Article 11: Fees and Sign Deposit, Section 11.01 Fees, Subsection L.

Revise to read as follows: L. Corn Milling Biosolds, Sludge, and Paunch Manure CUP \$250 \ site.

6. Washington County Zoning Regulation Text Amendment

Amend Article 7: Supplemental Regulations, Section 7.16 Sludge Regulations, by adding a Subsection 7.16.07 Other to read as follows:

(1) For the purposes of this Section, the 200-foot notification for the CUP shall mean 200 feet from the outer boundary of contiguous property (in a legally described section of land) owned by the sludge recipient. Road right-of-way shall not be encompassed in the 200-foot determination.

(2) For fee purposes, a site is described as a contiguous property in a legally described section of land, under one ownership.

(3) A sludge conditional use permit is for one year only and shall be reviewed on an annual basis.

(4) By 3:00 p.m. of the day prior (weekends and holidays shall be coordinated through the County Highway Superintendent) written permission (emails and faxes are preferred methods) shall be obtained from the County Highway Superintendent, for the next day, for the transportation of sludge traveling on Washington County Highway Department maintained roads. Copies of such daily written permission from the County Highway Superintendent shall be provided to the Washington County Planning and Washington County Sheriff's Departments and the requesting party. Penalty for violation of this requirement may include a cease and desist order, payment for damages to County Highway Department maintained roads and monetary fines.

(5) A minimum of 15 working days (Saturday, Sunday and County holidays excluded) prior to start-up of hauling operations to a Washington County approved (with a Conditional Use Permit) application site, the Zoning required soil analysis shall be submitted to the County Planning Department for all fields requested to be applied-upon. Also to be provided shall be the calculated application rates based on the soil analysis. The County will then transfer this information to an independent third party for review. Hauling to the site shall not commence until the County Planning Department has received the results of the independent review and has determined the results are in compliance with the County's Zoning Regulations and any other County placed conditions. The County Planning Department will notify the hauler \generator once compliance has been established. Gordon Andersen, City of Omaha, Public Works Dept and Cheryl Parsons, Road Superintendent discussed billing a company if a road is damaged by haulers. Motion by Quist and second by Clausen to concur with Planning Commission to approve this Text Amendment and adopt Resolution 2009-5. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

RESOLUTION NO. 2009 - 5

A RESOLUTION PROVIDING FOR AMENDMENT TO THE WASHINGTON COUNTY ZONING AND SUBDIVISION REGULATIONS.

WHEREAS, the Board of Supervisors of Washington County, Nebraska, deem it to be in the interest of the public health, safety, morals, comfort and general welfare of said County and its residents that amendments be made to the WASHINGTON COUNTY, NEBRASKA, ZONING AND SUBDIVISION REGULATIONS;

WHEREAS, the Planning Commission of Washington County, Nebraska, has after a public hearing recommended amendments to the ZONING AND SUBDIVISION REGULATIONS;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY, NEBRASKA, that the amendment specified on Exhibit A attached hereto and incorporated by this reference herein referring to certain deletions or additions to the Washington County Zoning and Subdivision Regulations, and,

BE IT FURTHER RESOLVED by the Board of Supervisors of Washington County, Nebraska, that the deletions or additions set forth on Exhibit A are hereby adopted and shall be in full force and affect from and after its adoption, publication, and filing as provided by law and all resolutions or parts of resolutions in conflict herewith are hereby repealed;

BE IT FURTHER RESOLVED that the Washington County Clerk is hereby authorized and empowered to make the appropriate changes in the official ZONING AND SUBDIVISION REGULATION book to reflect the deletions and additions made herein.

APPROVED AND ADOPTED THIS 27 DAY OF JANUARY, 2009.

WASHINGTON COUNTY BOARD OF SUPERVISORS

WASHINGTON COUNTY, NEBRASKA, DUANE WILCOX CHAIRMAN

ATTEST: MERRY TRUHLSEN, COUNTY CLERK

EXHIBIT A

Washington County Zoning Regulation Text Amendment

Amend Article 7: Supplemental Regulations, Section 7.16 Sludge Regulations

Add a Subsection 7.16.07 Other to read as follows:

7.16.07 Other

1. For the purposes of this Section, the 200-foot notification for the CUP shall mean 200 feet from the outer boundary of contiguous property (in a legally described section of land) owned by the sludge recipient. Road right-of-way shall not be encompassed in the 200-foot determination.
2. For fee purposes, a site is described as a contiguous property in a legally described section of land, under one ownership.
3. A sludge conditional use permit is for one year only and shall be reviewed on an annual basis.
4. By 3:00 p.m. of the day prior (weekends and holidays shall be coordinated through the County Highway Superintendent) written permission (emails and faxes are preferred methods) shall be obtained from the County Highway Superintendent, for the next day, for the transportation of sludge traveling on Washington County Highway Department maintained roads. Copies of such daily written permission from the County Highway Superintendent shall be provided to the Washington County Planning and Washington County Sheriff's Departments and the requesting party. Penalty for violation of this requirement may include a cease and desist order, payment for damages to County Highway Department maintained roads and monetary fines.
5. A minimum of 15 working days (Saturday, Sunday and County holidays excluded) prior to start-up of hauling operations to a Washington County approved (with a Conditional Use Permit) application site, the Zoning required soil analysis shall be submitted to the County Planning Department for all fields requested to be applied-upon. Also to be provided shall be the calculated application rates based on the soil analysis. The County will then transfer this information to an independent third party for review. Hauling to the site shall not commence until the County Planning Department has received the results of the independent review and has determined the results are in compliance with the County's Zoning Regulations and any other County placed conditions. The County Planning Department will notify the hauler \generator once compliance has been established.

7. Washington County Zoning Regulation Text Amendment

Amend Article 7: Supplemental Regulations, Section 7.18 Corn Milling Biosolids Regulations, by adding the following to Subsection 7.18.07 Other

(3) A corn milling biosolids conditional use permit is for one year only and shall be reviewed on an annual basis.

(4) By 3:00 p.m. of the day prior (weekends and holidays shall be coordinated through the County Highway Superintendent) written permission (emails and faxes are preferred methods) shall be obtained from the County Highway Superintendent, for the next day, for the transportation of corn milling biosolids traveling on Washington County Highway Department maintained roads. Copies of such daily written permission from the County Highway Superintendent shall be provided to the Washington County Planning and Washington County Sheriff's Departments and the requesting party. Penalty for violation of this requirement may include a cease and desist order, payment for damages to County Highway Department maintained roads and monetary fines.

(5) A minimum of 15 working days (Saturday, Sunday and County holidays excluded) prior to start-up of hauling operations to a Washington County approved (with a Conditional Use Permit) application site, the Zoning required soil analysis shall be submitted to the County Planning Department for all fields requested to be applied-upon. Also to be provided shall be the calculated application rates based on the soil analysis. The County will then transfer this information to an independent third party for review. Hauling to the site shall not commence until the County Planning Department has received the results of the independent review and has determined the results are in compliance with the County's Zoning Regulations and any other County placed conditions. The County Planning Department will notify the hauler \generator once compliance has been established. Motion Quist and second by Clausen to concur with the Planning Commission to approve this Text Amendment and adopt Resolution 2009-6. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

RESOLUTION NO. 2009 - 6

A RESOLUTION PROVIDING FOR AMENDMENT TO THE WASHINGTON COUNTY ZONING AND SUBDIVISION REGULATIONS.

WHEREAS, the Board of Supervisors of Washington County, Nebraska, deem it to be in the interest of the public health, safety, morals, comfort and general welfare of said County and its residents that amendments be made to the WASHINGTON COUNTY, NEBRASKA, ZONING AND SUBDIVISION REGULATIONS;

WHEREAS, the Planning Commission of Washington County, Nebraska, has after a public hearing recommended amendments to the ZONING AND SUBDIVISION REGULATIONS;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY, NEBRASKA, that the amendment specified on Exhibit A attached hereto and incorporated by this reference herein referring to certain deletions or additions to the Washington County Zoning and Subdivision Regulations, and,

BE IT FURTHER RESOLVED by the Board of Supervisors of Washington County, Nebraska, that the deletions or additions set forth on Exhibit A are hereby adopted and shall be in full force and affect from and after its adoption, publication, and filing as provided by law and all resolutions or parts of resolutions in conflict herewith are hereby repealed;

BE IT FURTHER RESOLVED that the Washington County Clerk is hereby authorized and empowered to make the appropriate changes in the official ZONING AND SUBDIVISION REGULATION book to reflect the deletions and additions made herein.

APPROVED AND ADOPTED THIS 27 DAY OF JANUARY, 2009.

WASHINGTON COUNTY BOARD OF SUPERVISORS

WASHINGTON COUNTY, NEBRASKA, DUANE WILCOX CHAIRMAN

ATTEST: MERRY TRUHLSEN, COUNTY CLERK

EXHIBIT A

Washington County Zoning Regulation Text Amendment

Article 7: Supplemental Regulations, Section 7.18 Corn Milling Biosolids Regulations

Add the following to Subsection 7.18.07 Other

3. A corn milling biosolids conditional use permit is for one year only and shall be reviewed on an annual basis.

4. By 3:00 p.m. of the day prior (weekends and holidays shall be coordinated through the County Highway Superintendent) written permission (emails and faxes are preferred methods) shall be obtained from the County Highway Superintendent, for the next day, for the transportation of corn milling biosolids traveling on Washington County Highway Department maintained roads. Copies of such daily written permission from the County Highway Superintendent shall be provided to the Washington County Planning and Washington County Sheriff's Departments and the requesting party. Penalty for violation of this requirement may include a cease and desist order, payment for damages to County Highway Department maintained roads and monetary fines.

5. A minimum of 15 working days (Saturday, Sunday and County holidays excluded) prior to start-up of hauling operations to a Washington County approved (with a Conditional Use Permit) application site, the Zoning required soil analysis shall be submitted to the County Planning Department for all fields requested to be applied-upon. Also to be provided shall be the calculated application rates based on the soil analysis. The County will then transfer this information to an independent third party for review. Hauling to the site shall not commence until the County Planning Department has received the results of the independent review and has determined the results are in compliance with the County's Zoning Regulations and any other County placed conditions. The County Planning Department will notify the hauler \generator once compliance has been established.

8. Washington County Zoning Regulation Text Amendment

Amend Article 7: Supplemental Regulations, Section 7.15 Paunch Manure Regulations, add a Subsection 7.15.09 Other to read as follows:

(1) For the purposes of this Section, the 200-foot notification for the CUP shall mean 200 feet from the outer boundary of contiguous property (in a legally described section of land) owned by the paunch manure

recipient. Road right-of-way shall not be encompassed in the 200-foot determination.

(2) For fee purposes, a site is described as a contiguous property in a legally described section of land, under one ownership.

(3) A paunch manure conditional use permit is for one year only and shall be reviewed on an annual basis.

(4) By 3:00 p.m. of the day prior (weekends and holidays shall be coordinated through the County Highway Superintendent) written permission (emails and faxes are preferred methods) shall be obtained from the County Highway Superintendent, for the next day, for the transportation of paunch manure traveling on Washington County Highway Department maintained roads. Copies of such daily written permission from the County Highway Superintendent shall be provided to the Washington County Planning and Washington County Sheriff's Departments and the requesting party. Penalty for violation of this requirement may include a cease and desist order, payment for damages to County Highway Department maintained roads and monetary fines.

(5) A minimum of 15 working days (Saturday, Sunday and County holidays excluded) prior to start-up of hauling operations to a Washington County approved (with a Conditional Use Permit) application site, the Zoning required soil analysis shall be submitted to the County Planning Department for all fields requested to be applied-upon. Also to be provided shall be the calculated application rates based on the soil analysis. The County will then transfer this information to an independent third party for review. Hauling to the site shall not commence until the County Planning Department has received the results of the independent review and has determined the results are in compliance with the County's Zoning Regulations and any other County placed conditions. The County Planning Department will notify the hauler \generator once compliance has been established. Motion by Quist and second by Clausen to concur with the Planning Commission to approve this Text Amendment and adopt Resolution 2009-7. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

RESOLUTION NO. 2009 - 7

A RESOLUTION PROVIDING FOR AMENDMENT TO THE WASHINGTON COUNTY ZONING AND SUBDIVISION REGULATIONS.

WHEREAS, the Board of Supervisors of Washington County, Nebraska, deem it to be in the interest of the public health, safety, morals, comfort and general welfare of said County and its residents that amendments be made to the WASHINGTON COUNTY, NEBRASKA, ZONING AND SUBDIVISION REGULATIONS;

WHEREAS, the Planning Commission of Washington County, Nebraska, has after a public hearing recommended amendments to the ZONING AND SUBDIVISION REGULATIONS;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY, NEBRASKA, that the amendment specified on Exhibit A attached hereto and incorporated by this reference herein referring to certain deletions or additions to the Washington County Zoning and Subdivision Regulations, and,

BE IT FURTHER RESOLVED by the Board of Supervisors of Washington County, Nebraska, that the deletions or additions set forth on Exhibit A are hereby adopted and shall be in full force and affect from and after its adoption, publication, and filing as provided by law and all resolutions or parts of resolutions in conflict herewith are hereby repealed;

BE IT FURTHER RESOLVED that the Washington County Clerk is hereby authorized and empowered to make the appropriate changes in the official ZONING AND SUBDIVISION REGULATION book to reflect the deletions and additions made herein.

APPROVED AND ADOPTED THIS 27 DAY OF JANUARY, 2009.

WASHINGTON COUNTY BOARD OF SUPERVISORS

WASHINGTON COUNTY, NEBRASKA, DUANE WILCOX CHAIRMAN

ATTEST: MERRY TRUHLSEN, COUNTY CLERK

EXHIBIT A

Washington County Zoning Regulation Text Amendment

Article 7: Supplemental Regulations, Section 7.15 Paunch Manure Regulations

Add a Subsection 7.15.09 Other to read as follows:

1. For the purposes of this Section, the 200-foot notification for the CUP shall mean 200 feet from the outer boundary of contiguous property (in a legally described section of land) owned by the paunch manure recipient. Road right-of-way shall not be encompassed in the 200-foot determination.
2. For fee purposes, a site is described as a contiguous property in a legally described section of land, under one ownership.
3. A paunch manure conditional use permit is for one year only and shall be reviewed on an annual basis.
4. By 3:00 p.m. of the day prior (weekends and holidays shall be coordinated through the County Highway Superintendent) written permission (emails and faxes are preferred methods) shall be obtained from the County Highway Superintendent, for the next day, for the transportation of paunch manure traveling on Washington County Highway Department maintained roads. Copies of such daily written permission from the County Highway Superintendent shall be provided to the Washington County Planning and Washington County Sheriff's Departments and the requesting party. Penalty for violation of this requirement may include a cease and desist order, payment for damages to County Highway Department maintained roads and monetary fines.
5. A minimum of 15 working days (Saturday, Sunday and County holidays excluded) prior to start-up of hauling operations to a Washington County approved (with a Conditional Use Permit) application site, the Zoning required soil analysis shall be submitted to the County Planning Department for all fields requested to be applied-upon. Also to be provided shall be the calculated application rates based on the soil analysis. The County will then transfer this information to an independent third party for review. Hauling to the site shall not commence until the County Planning Department has received the results of the independent review and has determined the results are in compliance with the County's Zoning Regulations and any other County placed conditions. The County Planning Department will notify the hauler \generator once compliance has been established.

OLD BUSINESS

1. Conditional Use Permit reviews:

FILE #	APPLICANT	PURPOSE	STAFF RECOMMENDATION
07-09	Rick Muhe	acc. bldg. before home in sub.	revoke, no longer applicable
93-07	Masloski \ Leinbach	yard waste compost site	revoke, no longer applicable
04-01	Perry Baumberger	2 homes temporarily	revoke, no longer applicable
Motion Quist and second by Clausen to concur with Planning Commission and revoke CUP's 07-09, 93-07 and 04-01 as they are no longer applicable. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.			
07-10	Jerry Schueler	2 homes temporarily	
Motion Quist and second by Clausen to concur with Planning Commission and approve CUP 07-10 with a review in February 2009. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.			
98-09	Allen Trumble	sludge	
98-12	Richard Thompson	sludge	
04-02	Neale Farms	corn milling biosolids	
04-08	Jeff Hoier	corn milling biosolids	
07-03	Mike Smith	corn milling biosolids	
07-04	John Tyson	corn milling biosolids	
07-06	Robert Peterson	corn milling biosolids	
07-07	Shaner Family Farms	corn milling biosolids	
07-08	Randy Blomker	corn milling biosolids	
04-05	Boettger\Hoier	corn milling biosolids	
01-08	Laura & Neale Shaner	sludge	
98-07	Hoegermeyer Farms	sludge	
95-13 (1)	Kriete Farms	sludge	

95-13(2) Kriete Farms sludge
04-04 Mike Fitzgerald corn milling biosolids
04-06 Shaner Family Farms corn milling biosolids

Motion by Clausen and second by Thomsen to concur with Planning Commission to approve the following corn milling biosolids and sludge CUP's 98-09, 98-12, 04-02, 04-08, 07-03, 07-04, 07-06, 07-07, 07-08, 04-05, 01-08, 98-07, 95-13(1), 95-13(2), 04-04 and 04-06 with a review in one year and that all abide by the recently adopted/revised regulations. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

William Pook, Region 5/6 Emergency Management Director, introduced Dan Douglas to the Board. Douglas is the Region 5/6 Deputy Director for Washington County (taking Michael Dwyer's place). Pook had mailed the newly rewritten Radiological Emergency Response Plan to the Clerk's Office and asked the Board support this document. Pook spoke of rewriting the plan and preparing for the upcoming May drill. Motion by Abariotes second by Quist to adopt Resolution #2009-8. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

RESOLUTION 2009 - 8

WHEREAS, the Board of Supervisors of Washington County, Nebraska, pursuant to Nebraska Statute, is vested with the authority of administering the affairs of Washington County, Nebraska, and
WHEREAS, it has been determined that an Emergency Response Plan for Nuclear Power Plant Incidents has been developed in order to provide for a coordinated response to the prospective need for the evacuation of the Cities of Blair, Fort Calhoun, and Kennard and of prescribed portions of Washington County; and
WHEREAS, the Board of Supervisors of Washington County, deem it advisable and in the best interest of Washington County to approve said Emergency Response Plan for Nuclear Power Plant Incidents;
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Nebraska, that the Emergency Response Plan for Nuclear Power Plant Incidents be, and hereby is, approved.
PASSED AND APPROVED THIS 27 DAY OF JANUARY, 2009.

BOARD OF COUNTY SUPERVISORS

Washington County, Nebraska
Chairman, Duane Wilcox
Jeff Quist
Linda Thomsen
Mary Alice Johnson
Kent Clausen
G. Ernest Abariotes
Ronald Hinline

ATTEST:

Washington County Clerk
Merry M. Truhlsen

There were no comments from the public.

Claims were received and reviewed, following which it was moved by Clausen 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, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

GENERAL FUND

EMPLOYEES	Payroll	132,132.85
AMERITAS LIFE INS	Retirement	9,163.38
UHC	Ins	35,631.47
WASH CO BANK	FICA	9,373.51

WASH CO BANK	Ins	9,186.06
A & D TECHNICAL SUPPLY	Supplies	489.13
ADAMSON INDUSTRIES	Supplies	307.70
ADVANCED CORR. HEALTHCARE	Supplies	2,220.73
ALLTEL	Serv	161.87
APPANOOSE CO SHERIFF	Serv	16.65
BLACK HILLS ENERGY	Serv	345.38
BOYDSTON LAW	Crt Appt Attny	594.00
CITY OF BLAIR	Serv	593.14
CLK DIST CRT	Filing Fees	133.00
CONNIE'S BAKERY	Jury Exp	20.00
CONSTELLATION ENERGY	Serv	2,194.72
DAVIS LAW	Crt Appt Attny	276.00
DODGE CO SHERIFF	Serv	22.98
DOUGLAS CO SHERIFF	Serv	46.49
ENTERPRISE	Subscriptions	126.00
FERGUSON LAW	Crt Appt Attny	852.00
GODFATHER'S	Jury Exp	67.94
NORA GOLL	Crt Appt Attny	266.00
GRAPHIC CONTROLS	Supplies	316.13
HALL LAW	Crt Appt Attny	258.00
JOHNSON & MOCK	Crt Appt Attny	4,096.98
STEVEN BLAHA	Jury Duty & Mileage	35.49
BARBARA CHRISTENSEN	"	38.39
DANIEL COHER	"	35.49
JUSTIN ERICKSON	"	35.00
DEBRA GLODEN	"	47.61
TERRY GOLDAPP	"	37.91
MATTHEW HALLORAN	"	37.91
MARVIN HEISE	"	45.67
PAUL KULT	"	35.00
KEN LANCASTER	"	42.27
SCOTT LOGEMANN	"	44.70
SHAYA LOVE	"	35.97
BOB MANN	"	35.97
COLLEEN MCAVIN	"	35.49
JANIE MISFELDT	"	41.30
LISA NIELSEN	"	35.49
SHELLY NIEWOHNER	"	42.27
CAROL L PETERSEN	"	37.42
DEWEY PRICE	"	40.82
BETTY RASMUSSEN	"	44.45
LARRY SCHMALE	"	48.58
TRACEY SCHROEDER	"	40.82
ROSALIE SCHUMACHER	"	47.12
KNUDSEN OIL & FEED	Tower Bldg	159.90
KUENY LAW	Crt Appt Attny	2,088.00
LEXISNEXIS	Supplies	503.85
MIPS	Supplies	88.25
NEBR ASSOC CO CLERKS	09 Dues	300.00
NEBR PUBLIC HEALTH LAB	Serv	78.00
NELSON LAW	Crt Appt Attny	702.00
NEXTEL	Serv	2,594.10
NE NEBR ASSOC CO CLK/ROD	09 Dues	20.00
NE NEBR JUVENILE SERV	Yearly Assessmt	28,515.79
OFFICE DEPOT	Supplies	237.33

OFFICE NET	Serv	121.00
OFFICE WAREHOUSE	Supplies	296.95
OPPD	Serv	192.35
ORTMEIER'S TV	Supplies	865.88
PC SERV	Serv	730.85
PHILLIPS 66	Fuel	277.75
PITNEY BOWES	Rental	690.00
POSTMASTER	Treas DMV	389.14
POUNDS PRINTING	Supplies	75.00
REGION 5/6 EMERG	09 Apport	23,992.61
REGION 6, BEHAVIORAL HC	09 Apport	9,930.00
REGISTER LAW	Crt Appt Attny	465.00
SID DILLON CHEV	Serv	488.91
SIDNER, SVOBODA	Crt Appt Attny	90.00
NEBR, AS IMSERVICES	Serv	159.07
CAROLYN STODOLA	Reimb Exp	100.00
TELRITE CORP	Serv	228.82
THE SIGN DEPOT	Serv	610.54
TOWN & CO PEST CONTROL	Serv	76.00
ULTRA CAR WASH	Serv	400.00
WASH CO ATTNY	Reimb Post	15.96
WASH CO BANK	Supplies	79.50
WASH CO SHERIFF	Serv	94.90
WEST PAYMENT	Supplies	114.50
WHITMER WELDING	Supplies	337.09
ROAD FUND		
EMPLOYEES	Payroll	38,332.98
AMERITAS LIFE	Retirement	2,587.48
UHC	Ins	7,761.38
WASH CO BANK	FICA	2,795.61
WASH CO BANK	Ins	1,567.50
BOMGAARS	Supplies	639.42
CALHOUN OIL	Fuel	1,420.11
CARQUEST	Parts	53.56
CEMEX	Rock	5,778.88
JEFFREY CHRISTENSEN	Reimb Electric	100.00
CNH CAPITAL	Parts	239.32
CPM CONSULTING SERV	Software	292.50
L TOM DEIN	Reimb Electric	100.00
HI-LINE ELECTRICAL & MECH	Supplies	151.52
HUSKER CHEM SALES	Ice Control	452.76
JEO CONSULTING GROUP	Engineering Serv	14,375.00
KNUDSEN OIL & FEED	Fuel	5,301.70
RICHARD KRUSE	Reimb Electric	100.00
RICHARD MADSEN	Reimb Electric	100.00
MAINTENANCE ENGINEERING	Supplies	484.52
MCH HEALTH SYSTEM	Testing	46.80
MEDICAL ENTERPRISES	Testing	46.00
TROY MENCKE	Reimb Electric	100.00
DOUGLAS M MUHSMAN	Reimb Electric	100.00
NEBR ASSOC CO ENGINEERS	Dues	25.00
NEBRASKA DEPT ROADS	Supplies	34.80
NE IA SUPPLY CO	Fuel	4,965.45
NE MACHINERY CO INC	Parts	5,811.33
NE SALT & GRAIN CO	Ice Control	2,738.34
NMC EXCHANGE LLC	Motorgrader	121,000.00

ORTMEIER'S TV	Repair	39.99
GALE PETERSON	Reimb Electric	100.00
POWERPLAN	Parts	118.72
RICH'S WELDING	Barricade	124.50
ROYAL TOWEL	Supplies	224.90
SAPP BROS PETRO	Fuel	1,868.10
SCHEMMER & ASSOC	Consulting Serv	3,448.35
STEVE SORENSEN	Reimb Electric	100.00
THERMO KING CHRISTENSEN	Fuel Add	124.00
WHITMER WELDING	Supplies	67.32
STATE INSTITUTIONS FUND		
NE HEALTH & HUMAN SERV	Serv	93.00
COUNTY BUILDING FUND		
O'DELL CONST	Drywall Serv	1,151.00
WEED FUND		
DICK'S ELECTRIC CO	Equip	199.00
KELLY RYAN EQUIP	Repair	74.18
NEXTEL	Serv	38.88
E 911 FUND		
GREAT PLAINS COMM	Serv	145.37
MOTOROLA	Serv	4,188.32

There being no further business to come before the Board at this time, it was moved by Quist and seconded by Clausen that the meeting be adjourned until the next regular Board meeting date, Tuesday, Feb 10, 2009. Vote-Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. 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 Jan 27th meeting of the Washington County Board of Supervisors

Merry M Truhlsen
Washington County Clerk