

March 24, 2009 Minutes
Washington County Board of Supervisors
Supervisor's Room Courthouse
Blair, NE 68008

The Washington County Board of Supervisors of Washington County, Nebraska, met in regular session at 9:30 a.m. on Tuesday, March 24, 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. Present: Chairman, Duane Wilcox, County Board Members, Linda Thomsen, Kent Clausen, Jeff Quist, Mary Alice Johnson, Ernest Abariotes and Ronald Hinline. Also present, County Clerk Merry Truhlsen.

It was moved by Quist and seconded by Clausen that the rules be suspended and that the minutes of the March 10, 2009 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, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

The following correspondence had been received: Letter from Larry Dix, NACO regarding which County projects will not be eligible for stimulus funding, Letter from OPPD to Roger Gilliland –items recommended for energy efficiency upgrades, Nebr Dept of Rev-Jan Lodging Tax \$875.78, Letter from Dept of Roads stating Bridge C8902605 is eligible for the soft match program, letter from Dept of Roads discussing 2009 bridge inspections, copy of the State Bridge Policy and invitation to the Wash Co Recycling Assoc dinner on Thurs, Apr 16. Motion Abariotes and second by Hinline to receive correspondence and place on file. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

Road Supt, Cheryl Parsons, Mike Tidball, Western Engineering and Tom Brown, Village of Arlington were present for the awarding of the Asphalt Bid. Parsons reported the Road Committee had reviewed the proposals and recommended going with Western Engineering's bid and the Village of Arlington concurred with that decision. Motion by Clausen and second by Thomsen to award asphalt bid to Western Engineering: County - \$809,330.25, Village-\$73,604.00. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

Darin Brown, with Schemmer, had received a copy of the interlocal agreement between Washington and Burt County to share expenses on the replacement of Bridge C89-00205, so is now submitting the engineering agreement for the project. Soft-match funding is pending. Motion by Clausen and second by Thomsen to approve Schemmer's engineering agreement for \$43,445.03 (half to be paid by Burt Co). Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

Parsons had the engineering agreement with JEO on construction phase of STPP-89 (23) Ft Calhoun Southwest project. This is a safety funding project which means the State will reimburse 80% of the engineering costs. Motion Thomsen and second by Clausen to approve JEO's Engineering Agreement, estimated cost \$12,414.28. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

Parsons informed the Board, Hinline had requested a meeting with Township Board 2 and interested parties in the multipurpose room at 6:30 pm regarding improvements to the intersection of CR 39 and CR 28. Hinline

would like to apply for safety funding for this project. Schemmer's will be doing the presenting, this is an informational meeting only.

Parsons requested the Board consider putting an emergency item on the agenda. Parsons, Clausen and Tidball met Monday afternoon and inspected portions of hard surfaced CR39 that are rapidly deteriorating. Due to the fact there is a three week span before the next Board meeting Parsons felt this needed to come before the Board today. Tidball presented the Board an option to stabilize the failed areas. Motion by Clausen and second by Thomsen to add "repairs to armor coat spots on CR39 to prevent further deterioration" as an emergency item to the agenda. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried. Board discussed the proposal from Western Engineering. Motion by Clausen second by Hinline to accept the Western Engineering proposal to repair CR39 in an amount not to exceed \$31,515.00. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

At 10:10, motion was made by Clausen and seconded by Thomsen to enter into closed session. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried. Chairman stated the reason for the closed session was to discuss a personnel matter. At 10:25, motion by Hinline and second by Clausen to end closed session. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried. Chairman again stated the reason for the closed session was to discuss a personnel matter. No action was taken.

Scott Japp, Papio Missouri River NRD Board member, had attended the Papillion Creek Watershed Partnership meeting where the partnership stated they had no intention of building dams in Washington County. At the upcoming NRD meeting Japp has a motion on the floor that the NRD sign a contract with Washington County stating it has no intention to build dams in Washington County without Wash Co Board approval. Japp requested a Board member attend the subcommittee meeting on Apr 7. An amendment to LB 160 states NRD can't build a dam larger than 20 acres without approval from the County Board of the affected county. Cynthia Timmermier, who owns property in the NRD's proposed flood plain, spoke of the justification of why the NRD should enter into an agreement with Wash Co. Timmermier stated property that is involved has a clouded title because it is in the flood plain of one of the large dams and it's hard to receive a marketable price for your property with the threat of eminent domain. Clerk read from the amendment to LB160. Motion Quist and second Clausen to direct Co Attorney's office to draft a working document to limit flood control projects that require eminent domain to 20A or less. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

Mike Robinson, Sheriff, went over the events of March 17, 2006 that led to the claim made by Tom Cristo against the Sheriff's Office for damages done to the Betty Cristo residence. Robinson stated this was an emergency situation and in the best interest of the family the Sheriff's Office responded to the call they had received. County Clerk had mailed a letter to Tom Cristo informing him the Board would be acting on this claim. Cristo had previously submitted this claim to the Sheriff's Office for payment, which the Sheriff's Office denied due to the emergency nature of the call. Motion Clausen and second Quist to deny paying the \$250 claim for damages. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson and Hinline. Nay: Abariotes. Motion carried.

Robinson stated the Lease Agreement with Village of Arlington needed to be updated, the vehicle now being used is a 2009 Ford Crown Victoria. Motion Quist and second Clausen to approve the Lease agreement between the County of Washington and the Village of Arlington. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson and Hinline. Nay: Abariotes. Motion carried.

The Courthouse energy efficient lighting bid and incentive program from OPPD, where the County will be reimbursed for some expenses, were discussed. Motion Clausen and second Quist to accept bid from Superior Lighting for \$27,720, authorizing chairman to sign proposal and to also sign the OPPD Incentive Application

Form 2009 for the project. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hineline. Nay: None. Motion carried.

Bldg and Grounds Committee reported that after looking into options for enlarging the present room or finding another room for the Drivers License Examiners, the plan they came up with was to give the Examiners the adjoining room to where they are now located. The Committee thought some equipment could be placed in this area. Motion Hineline second Quist to leave Driver's License Examiners in the room where they are now located and also make the adjoining room available to them. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hineline. Nay: None. Motion carried.

At the December 9, 2008 Board meeting, MAPA representatives discussed Washington County's participation in establishing a business assistance revolving loan fund program for the MAPA region. These funds would benefit businesses impacted by natural disasters. Washington County was asked to pledge \$15,000 for matching funds, payable out of the Revolving Loan Fund. County Attorney's office had requested a letter from NDED confirming eligibility of CDBG reuse funds as matching funds. Co Atty's office received a letter from NDED on March 11th, approving the use of these funds as proposed by MAPA. Motion Quist and second Abariotes to adopt Resolution 2009-15. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hineline. Nay: None. Motion carried.

RESOLUTION 2009 - 15

A RESOLUTION OF THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY, NEBRASKA COMMITTING MATCHING FUNDS FOR THE MAPA EDD BUSINESS ASSISTANCE REVOLVING LOAN FUND PROGRAM

- WHEREAS,** Washington County is a member of the Omaha Council-Bluffs Metropolitan Area Planning Agency (MAPA) and the MAPA Economic Development District (EDD); and,
- WHEREAS,** the MAPA region has been adversely impacted by a series of natural disasters in 2008; and,
- WHEREAS,** Economic Adjustment funds are available from the United States Department of Commerce- Economic Development Administration to assist local and regional governments to provide resources for economic recovery associated with these natural disaster events; and,
- WHEREAS,** the MAPA Economic Development District intends to establish a Business Assistance Revolving Loan Fund program utilizing Economic Adjustment funds presently available; and,
- WHEREAS,** Receipt of Economic Adjustment funds for the program is predicated upon commitment of local matching funds to establish the Revolving Loan Fund capital base; and,
- WHEREAS,** Washington County recognizes the potential economic benefits to the MAPA region of this program to assist area businesses with financing needs.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Washington County, Nebraska that the County hereby pledges Fifteen Thousand Dollars (\$15,000.00) in funds to aid in the capitalization of the MAPA EDD Business Assistance Revolving Loan Fund, contingent upon receipt by MAPA of \$510,000 in grant funds from the US Department of Commerce- Economic Development Administration for the program; and

BE IT FURTHER RESOLVED that Fourteen Thousand Dollars (\$14,000.00) of said funds are to be directed to the Revolving Loan Fund capital base, and One Thousand Dollars (\$1,000.00) of said funds are to be used by MAPA for expenses associated with program marketing and implementation.

APPROVED AND ADOPTED THIS 24th DAY OF MARCH, 2009.

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

ATTEST: Merry Truhlsen,

At 11:30 the Board convened as Board of Equalization, see separate minutes. Board adjourned from BOE at 12:00 and reconvened in regular session.

Steve Mencke, presented a quote for their GIS Software maintenance from ESRI. Motion Quist and second Clausen to approve ESRI software maintenance quote for \$2,200. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

Board recessed for lunch. Jeff Quist was absent for the afternoon session.

Mike Robinson, Sheriff gave the Board an update on an abandoned trailer in McGowan's Mobile Park. The lienholder is no longer in business so Sheriff will start advertising next week. Sheriff explained the distress warrant can't be returned to the Treasurer as uncollectible until he has the sale, that is the basis of the sale. Mitch McGowan was present.

Steve Mencke, Assessor, discussed several Legislative Bills. No action was taken.

Doug Cook, Planning Admin: PUBLIC HEARINGS PRELIMINARY PLATS

1. Preliminary Plat application for James T. Smith of Burr Oak Estates, a proposed subdivision of 3 residential lots, a subdivision of Tax Lot 60, Section 26-Township 17 North-Range 12 East of the Sixth P.M. (landmark location: northeast quadrant of the intersection of Burr Oak Lane and County Road P43) Motion Thomsen and second Abariotes to concur with Planning Commission action to acknowledge the applicant's withdrawal of this request. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

2. Preliminary Plat application for Joseph B. and Jana L. Webb of Blue's Spirit Acres, a proposed subdivision of 6 residential lots, a subdivision of all of Tax Lot 65 and part of Tax Lot 48, Section 31-Township 18 North-Range 12 East of the Sixth P.M. (landmark location: directly west of the intersection of Buck Lane and County Road P35). Board discussed when bus loops are required. Gary Tinkham, Surveyor, discussed the fact the bus already stops here and picks children up. Motion Clausen and second by Johnsen to concur with Planning Commission action to approve the Preliminary Plat application for Joseph B. and Jana L. Webb of Blue's Spirit Acres provided: (1) the survey issues be resolved; (2) the bus loop be provided along Blue's Spirit Lane unless the Blair School District provides a letter stating the Blair School District no longer requires a bus loop; (3) that Blue's Spirit Lane will be privately maintained not County maintained; (4) that the final plat will show a boundary adjustment between the Langley property and proposed Lot 6 to accommodate the septic drain field; and (5) that the applicant be authorized to proceed with the preparation of a final plat. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

Board was presented with a Special Designated Liquor License for the Arlington Youth Sports Tractor Pull on June 27, 2009. Clerk stated paperwork has been received and read Resolution 2009-16. Motion Hinline and second Clausen to adopt Resolution 2009-16 and authorize Chairman to sign. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

RESOLUTION 2009 - 16

WHEREAS, Arlington Youth Sports, has filed an application for a Special Liquor Permit to dispense alcoholic beverages at the Washington County Fairgrounds, Arlington, Nebraska:

BE IT RESOLVED THAT the Washington County, Nebraska, Board of Supervisors hereby approves the application of Arlington Youth Sports, and grants permission to use the specific area designated in said application for the hours of 12:00 o'clock P.M. on June 27, 2009 to 1:00 o'clock A.M. on June 28, 2009 for the purpose of dispensing of the alcoholic beverages on said premises; provided however, applicant or its agents shall not enter the premises or dispense alcohol until a Release and Hold Harmless Agreement is executed and delivered in form satisfactory to Washington County and a Certificate of Insurance is on file with the Washington County Clerk showing that Applicants have a commercial general liability insurance policy with

limit of liability not less than \$1 Million of combined single limit per occurrence and showing Washington County, Nebraska, as an additional insured.

PASSED, APPROVED, AND ADOPTED this 24 day of March, 2009.

Washington County Board of Supervisors
Duane Wilcox, Chairman

Attest:

Merry Truhlsen, County Clerk

There were no comments from the Public.

Claims were received and reviewed, following which it was moved by Hineline and seconded by Clausen 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 Hineline. Nay: None. Motion carried.

GENERAL FUND

EMPLOYEES	Payroll	129,987.31
AMERITAS LIFE INS CORP	Retirement	9,063.76
UNITED HEALTHCARE INS CO	Ins	35,914.87
WASHINGTON CO BANK	FICA	9,226.40
WASHINGTON CO BANK	Ins	5,998.50
ADAMSON INDUSTRIES CORP	Car Parts	768.90
ADVANCED CORRECTIONAL HEALTHCARE	Serv	1,920.53
ALLTEL	Serv	201.81
BLACK HILLS ENERGY	Serv	1,039.10
BLAIR BOOK & SUPPLY CO	Supplies	77.72
BOMGAARS	Supplies	7.16
CITY OF BLAIR	Canine Impound	80.00
CLERK OF DISTRICT COURT	Filing Fees	611.00
CONSTELLATION ENERGY	Serv	6,603.31
CONTROL SERVICES INC	Serv	450.02
CSI DIVISION	Serv	50.00
DEPARTMENT OF MOTOR VEHICLES	Serv	6.00
DES MOINES STAMP MFG CO INC	Supplies	87.50
DIT COMPUTERS	Computer	886.33
DORNAN, LUSTGARTEN & TROIA PC LLO	Crt Appt Attny	412.00
DOUGLAS COUNTY SHERIFF	Serv	69.10
DOUGLAS COUNTY TREASURER	Coroner Costs	250.00
EGAN SUPPLY COMPANY	Supplies	226.00
GALLS INCORPORATED	Equip	757.99
HALL LAW OFFICES, PC LLO	Crt Appt Attny	791.50
HEADSETTERS	Equip	34.78
MARJORIE HOIER	Reimb Mileage	99.00
IDEAL PURE WATER	Serv	9.63
J.F. AHERN CO	Serv	480.00
LONG'S OK TIRE STORES	Serv	103.85
MONROE SYSTEMS FOR BUSINESS INC	Equip	48.81
NACO	Seminar	120.00
NEBRASKA PUBLIC HEALTH ENVIRO LAB	Serv	84.00
NEXTEL	Serv	651.51
NO FRILLS SUPERMARKET INC	Groceries	2,805.27
O'REILLY AUTOMOTIVE INC	Equip	198.97
OFFICE DEPOT	Supplies	128.71
OFFICE NET	Supplies	101.70

OFFICE WAREHOUSE	Supplies	710.99
OMAHA PUBLIC POWER DISTRICT	Serv	202.24
PERSONALIZED COMPUTER SERVICES	Serv	1,183.50
PHILLIPS 66 - CONOCO - 76	Fuel	172.70
PITNEY BOWES	Rental	978.00
POSTMASTER	Co Attny	153.20
POSTMASTER	April DMV	569.43
POUNDS PRINTING INC	Supplies	1,415.90
REGISTER LAW OFFICE	Crt Appt Attny	300.00
SAPP BROS PETROLEUM, INC	Fuel	77.42
SARPY COUNTY SHERIFF	Serv	17.15
SHELL FLEET PLUS	Fuel	3,386.22
SMITTY'S AUTO SERVICE INC	Serv	478.00
STATE OF NEBR, AS CENTRAL FINANCE	Network	161.16
CAROLYN STODOLA	Reimb Photos	43.09
STOELING CO	Serv	481.36
TARRELL LAW	Crt Appt Attny	1,344.00
TELESYSTEMS LLC	Serv	190.00
TELRITE CORPORATION	Serv	198.51
THE CLEANER CO	Supplies	660.10
THE SIGN DEPOT	Serv	539.44
TOWER PLASTICS MFG INC	Supplies	900.00
TOWN & COUNTRY PEST CONTROL INC	Serv	76.00
ULTRA CAR WASH	Serv	200.00
WASHINGTON CO ATTORNEY TRUST ACCOUN	Reimb Postage	363.45
WASHINGTON COUNTY COURT	Cert Copies	43.75
WASHINGTON COUNTY REGISTER OF DEEDS	Filing Fees	5.50
WEST PAYMENT CENTER	Subscript	25.00
ROAD FUND		
EMPLOYEES	Payroll	35,012.15
AMERITAS LIFE INS CORP	Retirement	2,363.31
UNITED HEALTHCARE INS CO	Ins	7,948.64
WASHINGTON CO BANK	FICA	2,541.53
WASHINGTON CO BANK	Ins	1,567.50
B & D TRUCK PARTS, INC	Trailer	2,500.00
BOMGAARS	Parts	176.03
CARQUEST AUTO PARTS MO	Parts	146.69
CEMEX	Rock	6,452.55
HI-LINE ELECTRICAL & MECHANICAL	Supplies	124.00
JEO CONSULTING GROUP, INC	Engineering	14,077.50
KELLY RYAN EQUIPMENT COMPANY INC	Parts	396.30
KNUDSEN OIL & FEED	Fuel	3,296.40
MCC, LLC	Bridge Repair	247.50
MEDICAL ENTERPRISES, INC	Testing	46.00
MEMORIAL COMMUNITY HOSPITAL	Testing	20.80
MENARDS - FREMONT	Supplies	9.26
MIDWEST SERVICE & SALES CO	Culvert	502.66
NEBRASKA IOWA SUPPLY COMPANY	Fuel	3,420.44
NEBRASKA SALT & GRAIN COMPANY	Ice Control	1,411.01
NIELSEN ENTERPRISES	Chemicals	1,425.60
NMC EXCHANGE LLC	Parts	1,798.45
POWERPLAN	Labor	337.50
SCHEMMER & ASSOC	Engineering	1,626.00
CO VISITORS PROMOTION FUND		
DANA COLLEGE C/O CARRIE L REED	Banners & Promo	1,500.00
ENTERPRISE PUBLISHING CO INC	Visitor Guide	3,000.00

RELIEF & MEDICAL FUND		
CAMPBELL AMAN FUNERAL HOME	Funeral Serv	1,074.00
CITY OF BLAIR	Grave Opening	400.00
HEALTH MART PHARMACY	Rx	41.98
STATE INSTITUTIONS FUND		
NE HEALTH & HUMAN SERVICES	Serv	459.00
COUNTY BUILDING FUND		
GLOBAL EQUIPMENT COMPANY	Chair Caddies	388.03
JUDT ELECTRIC	Light Fixture	2,542.50
COMPUTER FUND		
PERSONALIZED COMPUTER SERVICES	Serv	845.00
WEED FUND		
EMPLOYEES	Payroll	1,552.00
AMERITAS LIFE INS CORP	Retirement	104.76
UNITED HEALTHCARE INS CO	Ins	33.22
WASHINGTON CO BANK	FICA	118.72
NEXTEL	Serv	38.88
E 911 SYSTEM FUND		
GREAT PLAINS COMMUNICATIONS INC	Serv	113.37
MOTOROLA	Maint.	4,188.32

There being no further business to come before the Board at this time, it was moved by Clausen and seconded by Johnson that the meeting be adjourned until the next regular Board meeting date, Tuesday, April 14, 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 March 24th meeting of the Washington County Board of Supervisors.

Merry M. Truhlsen
Washington County Clerk