

**October 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, October 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 was being recorded. Chairman made note that the Open Meetings Law was posted on the door and the north wall. Present: Chairman, Duane Wilcox, County Board Members, Linda Thomsen, Jeff Quist, Mary Alice Johnson, and Ernest Abariotes. Absent: Kent Clausen and Ron Hineline. Also present, County Clerk Merry Truhlsen. Clausen was absent all day.

It was moved by Quist and seconded by Abariotes that the rules be suspended and that the minutes of the October 13, 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: Wilcox, Thomsen, Quist, Johnson and Abariotes. Nay: None. Hineline absent. Motion carried.

The following correspondence had been received: Dept of Rev August lodging tax is \$928.69, invitation to the Wash Co Recycling Assoc dinner, notice of an NIMS ICS training class, thank you from United Healthcare and notice of the Multi-Hazard Mitigation Plan for the Papio-Missouri River NRD November 4 at Blair City Hall. Motion by Quist and second by Thomsen to receive correspondence and place on file. Vote- Aye: Wilcox, Thomsen, Quist, Johnson and Abariotes. Nay: None. Hineline absent. Motion carried.

Ron Hineline was present. Road Supt. Cheryl Parsons had the following Road Dept items: Joe Ficenc, with E&A Consulting Group, discussed a handout with the Board that went through types of structures and partial costs to replace Bridge #C89-01510. Motion by Quist and second by Abariotes to table action until more complete costs were detailed. Vote- Aye: Wilcox, Thomsen, Quist, Johnson, Hineline and Abariotes. Nay: None. Motion carried.

Darren Brown, Schemmers, handed out information to the Board from entities he contacted that have built an inverted T beam bridge and contractors who have bid on them. After discussing the information, motion was made by Quist and seconded by Thomsen to move ahead with the inverted T bridge replacing Bridge C89-02605. Vote- Aye: Wilcox, Thomsen, Quist, Johnson, Hineline and Abariotes. Nay: None. Motion carried.

At 10:10, Parsons opened bids for a crack sealer machine. Two bids were received: Logan Contractor Supply Co- Craftco, \$27,815; Nebr. Environmental Products- \$37,900. Board questioned the delivery date from Logan. Parsons said she would check on the date and report back to the Board. Motion by Quist and second by Abariotes to table this until later in the day. Vote- Aye: Wilcox, Thomsen, Quist, Johnson, Hineline and Abariotes. Nay: None. Motion carried.

Julie Ogden, JEO, gave the Board her proposal for engineering services for culvert replacement on CR31. This had been discussed at the Road Committee meeting. Motion by Quist and second by Thomsen to approve the engineering bid from JEO in the amount of \$18,885. Vote- Aye: Wilcox, Thomsen, Quist, Johnson, Hineline and Abariotes. Nay: None. Motion carried.

Parsons had an interlocal agreement with Douglas County regarding the replacement of Bridge C89-04205P, located in the SW part of County. This agreement will place the bridge into the federal funding program and Douglas County will be the lead agent. Motion by Thomsen and second by Quist to authorize Chairman to sign Interlocal Agreement with Douglas County. Vote- Aye: Wilcox, Thomsen, Quist, Johnson, Hine and Abariotes. Nay: None. Motion carried.

At the Road Committee meeting Monday night, Oct 26<sup>th</sup>, it was recommended two proposals from Western Engineering Co Inc for asphalt patching on CR15 and CR29 be put on as an emergency item, due to the quarry asphalt plant closing in November. Motion by Hine and second by Abariotes to add asphalt patching on CR15 & 29 to the agenda as an emergency item. Vote- Aye: Wilcox, Thomsen, Quist, Johnson, Hine and Abariotes. Nay: None. Motion carried. Board considered the proposals from Western Engineering. Motion by Quist and second by Thomsen to approve the asphalt patching bids from Western Engineering for CR15 in the amount of \$10,980 and for CR29 in the amount of \$5,277. Vote- Aye: Wilcox, Thomsen, Quist, Johnson, Hine and Abariotes. Nay: None. Motion carried.

Board next considered a resolution to transfer money from Building Fund to the Pub Safety Communication Fund 2501 and the E911 Fund 5907. Clerk read the resolution. Motion by Abariotes and second by Quist to adopt Resolution 2009-47. Vote- Aye: Wilcox, Thomsen, Quist, Johnson, Hine and Abariotes. Nay: None. Motion carried.

#### **RESOLUTION 2009 - 47**

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

WHEREAS, the Washington County Board of Supervisors agree that funds in the amount of \$62,000.00 should be transferred from the Washington County Building Fund #4050 to the Washington County Public Safety Communication Bond Fund #2501 in the amount of \$30,000.00 and to the Washington County E911 Fund #5907 in the amount of \$32,000.00, until levied taxes are collected. Additionally, these monies are to be repaid to the Washington County Building Fund #4050 within the current budget year.

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer is hereby directed to transfer funds in the amount of \$62,000 from the Washington County Building Fund #4050 to the Washington County Public Safety Communication Bond Fund #2501 in the amount of \$30,000.00 and to the Washington County E911 Fund #5907 in the amount of \$32,000.00 until levied taxes are collected. Once levied taxes are collected, these monies are to be repaid to the Washington County Building Fund within the current budget year.

APPROVED AND ADOPTED THIS 27<sup>th</sup> DAY OF OCTOBER, 2009.

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

ATTEST:  
MERRY M TRUHLSEN  
COUNTY CLERK

The Board recessed for a quarterly visit to the Washington County Jail at 10:40 am and returned at 11:00 am.

Parsons was present, the delivery date for the sealing machine from Logan Construction was 10 days. Board discussed the bids further and determined neither bid met the specifications. Board asked Parsons to check with County Attorney on how to proceed and report back to the Board.

Jeff Ramold, Gasrite, introduced himself and his company to the Board. Gasrite Inc buys large quantities of

gasoline from multiple suppliers, enters into contracts with clients and provides detailed invoicing of expenses. Ramold works mainly with Sheriffs and Roads Depts and mentioned several Counties he works with. Road Supt Parsons heard his presentation and Board said Ramold may talk with the Sheriff's Dept to explain their services.

Parsons reported the Co Atty said since neither bid met the specifications, it was up to the Board's discretion as to whether they wanted to accept a bid. After further discussion, motion by Quist and second by Thomsen to award bid to Logan Construction for the amount of \$27,815. Vote- Aye: Wilcox, Thomsen, Quist, Johnson, Hinehline and Abariotes. Nay: None. Motion carried.

At 11:38 am the Board convened as Board of Equalization, see separate minutes. Board adjourned from BOE at 11:44 am and reconvened in regular session. Board recessed for lunch.

Board reconvened for the afternoon session, Ron Hinehline was absent. Doug Cameron discussed a court case with the Board and said he thought he would also be able to address the County Attorney, but County Attorney wasn't present. Cameron had previously requested the Board have the County Attorney investigate this court case and again made that request. Tim Wulf also spoke. Chairman thanked them for their comments.

Ron Hinehline was present. Doug Cook, Planning Administrator had the following items: PUBLIC HEARINGS: 1. Conditional Use Permit request of Karl E. and Caren Jensen for a campground and recreational vehicle park on Tax Lot 19, Section 27-Township 17 North-Range 13 East of the Sixth P.M. (general location: on the west side of the Missouri River immediately north of Gibreal's cabins on the north side of North River Lane). Cook stated that after extensive comments the Planning Commission did recommend approval of the CUP with five conditions. Karl Jensen, applicant, spoke of the number of campsites planned, that the sites will be leased, that the cisterns will be responsibility of the renters and that the road (North River Lane) has been used for 75 years. John and Jim Wooden and David Drew, Attorney for Wooden Properties, were present. Drew had sent the Board a letter stating this proposed development should be considered under the subdivision regulations not under a conditional use permit. Drew also enclosed a copy of the road survey recently done and stated their concerns with the existing road and the increased traffic. Letter from Julie Ogden, JEO, stated that after looking at the survey, it appeared that most of the roadway is outside the 16' easement obtained for access. Ogden recommended Jensen contact US Fish and Wildlife and try to re-negotiate this easement. Cook suggested the Board table this until US Fish and Wildlife have a chance to look at the survey, then Cook proposed meeting with US Fish and Wildlife, Woodens and Jensen to discuss what could be done. Motion by Quist and second by Johnson to table this agenda item until Cook meets with the US Fish and Wildlife, Woodens and Jensen. Vote- Aye: Wilcox, Thomsen, Quist, Johnson, Hinehline and Abariotes. Nay: None. Motion carried.

2. Washington County Zoning Regulation Text Amendment to Article 7: Supplemental Regulations, Section 7.08 Sign Regulations. To permit temporary signs, to change the requirements for subdivision signs and to require a conditional use permit for subdivision related temporary signs. Cook stated this amendment has been a year in the making and had mailed copies of the amendment to the Board. Cook pointed out this amendment would allow temporary signs and would allow 2 subdivision signs at each subdivision entrance. Board discussed the amendment. Motion by Quist and second by Thomsen to concur with the Planning Commission recommendation to approve the Washington County Zoning Regulation Text Amendments to Article 7: Supplemental Regulations, Section 7.08 Sign Regulations with the exception of the deletion of the proposed Section 7.10.07. Doug Demers, Washington County Bank, encouraged the Board to support the motion on the floor. Demers spoke of the use of signs as a part of any business to identify, advertise and promote the economy. Demers worked with the Dept of Roads on a sign in Tekamah and their recommendation was that signs should primarily be regulated by a safety issue. Kay Petersen, American Broadband, stated they also hoped the Board would approve the Zoning amendment and spoke of the importance of signs for any business. Vote- Aye: Wilcox, Thomsen, Quist, Johnson and Hinehline. Nay: Abariotes. Motion carried.

**RESOLUTION NO. 2009 - 48**

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 OCTOBER, 2009,

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

ATTEST:

MERRY TRUHLSEN, COUNTY CLERK

**Exhibit A**

Washington County Zoning Regulation Text Amendments to Article 7: Supplemental Regulations, Section 7.08 Sign Regulations.

1. Section 7.08.05 #2, Other Permitted Signs, letter f
  - \* delete the word "Entrance" as the term Sign, Subdivision is defined in the Regulations; the term "Subdivision Entrance" is not
2. Section 7.08.05 Other Permitted Signs, letter i
  - \* add the word "Sign" after Pole
3. Section 7.08.05 #2, Other Permitted Signs, letter j
  - \* add "Temporary Signs" to the list of Other Permitted Signs
4. Section 7.08.05 #4, chart of allowable signs by zoning district, Sign Type, Subdivision Entrance
  - \* delete the word "Entrance"
  - \* under "Max. Size (Square Ft.)" delete the number 32 across the row
  - \* under "Max. Height (Ft.)" delete the number 8 across the row
  - \* under "Number Allowed \ Subdivision" replace the number "1" with the following

verbiage "no more than 2 signs at each entrance to the subdivision"

- \* add the following requirements for Subdivision Signs:
  - a. May be monument style signs
  - b. To be of such size and construction that if it should topple, it would not land on a road surface

5. Section 7.08.06

- \* add the following phrase " , through the building permit process unless otherwise stated in this Section,"

6. Section 7.10.05 Signs Prohibited under these Regulations

- \* delete #9 "Temporary Signs"

October 2009 Conditional Use Permit reviews:

<u>FILE #</u>	<u>APPLICANT</u>	<u>PURPOSE</u>	<u>STAFF RECOMMENDATION</u>
01-02	Abe's Trash Service	contractor's yard & office	approve, same conditions, 5 yr review
07-05	Joe Zagata	acc. bldg. before hse. in sub.	revoke, no longer necessary.

Motion by Abariotes and second by Thomsen to concur with the Planning Commission recommendation to approve CUP 01-02 for Abe's Trash Service for a contractor's yard and office with the same conditions as original approval and with a review in 5 years. Vote- Aye: Wilcox, Thomsen, Quist, Johnson, Hinehline and Abariotes. Nay: None. Motion carried. Motion by Abariotes and second by Quist to concur with the Planning Commission recommendation to revoke the CUP 07-05 for Joe Zagata as it is no longer necessary. Vote- Aye: Wilcox, Thomsen, Quist, Johnson, Hinehline and Abariotes. Nay: None. Motion carried.

There were no comments from the public. Claims were received and reviewed, following which it was moved by Hinehline 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: Wilcox, Thomsen, Quist, Johnson, Hinehline and Abariotes. Nay: None. Motion carried.

**GENERAL FUND**

EMPLOYEES	Payroll	138,333.52
AMERITAS LIFE INS CORP	Retirement	9,532.94
UNITED HEALTHCARE INS CO	Ins	656.36
WASHINGTON COUNTY BANK	FICA	10,582.59
ADVANCED CORRECTIONAL HEALTHCARE	Serv	4,050.97
ALAMAR UNIFORMS	Supplies	40.00
ALLTEL	Serv	154.59
ANIMAL CARE OF BLAIR	Serv	93.25
PATRICK G BAXTER	Crt Appt Attny	444.00
BLACK HILLS ENERGY	Serv	100.96
CARMICHAEL BUSINESS SYSTEMS	Supplies	117.00
CITY OF BLAIR	Serv	570.98
CLERK OF DISTRICT COURT	Filing Fees	576.00
CONSTELLATION ENERGY	Serv	556.34
DEPARTMENT OF MOTOR VEHICLES	Serv	12.00
DODGE COUNTY SHERIFF	Serv	19.16
DOUGLAS COUNTY COURT	Serv	3.00
DOUGLAS COUNTY SHERIFF	Serv	189.86
EGAN SUPPLY COMPANY	Supplies	86.45
GALLS INCORPORATED	Equip	767.85
GW CUSTOM CABINETS & FURNITURE INC	Treas Cabinet	599.00
HALL LAW OFFICES, PC LLO	Crt Appt Attny	2,579.85
HEALTH MART PHARMACY	Rx	119.99
DEMETRIA W HERMAN	Travel Exp	211.98

J.F. AHERN CO	Serv	234.00
JACK'S UNIFORMS & EQUIPMENT	Supplies	173.83
JETTER'S PLUMBING INC	Bldg Repair	490.82
JOHNSON & MOCK, ATTORNEYS AT LAW	Crt Appt Attny	4,170.62
JUDT ELECTRIC	Bldg Repair	959.88
STEPHEN J KRAVIEC PC LLO	Child Suprt Enf	1,384.61
MIDWEST TRANSPORTATION SPECIALISTS	Inmate Transp	1,336.75
MILLS LAW OFFICE	Crt Appt Attny	975.00
NACO	Workshop	390.00
NACO	Membership	400.00
NE HEALTH & HUMAN SERVICES	Serv	468.00
NEBRASKA PUBLIC HEALTH ENVIRO LAB	Serv	84.00
NEXTEL	Serv	820.14
NO FRILLS SUPERMARKET INC	Jail	2,610.39
NORTHEAST NEBR JUVENILE SERV INC	Serv	398.75
OFFICE DEPOT INC	Supplies	18.46
OFFICE NET	Supplies	120.28
OFFICE WAREHOUSE	Supplies	68.94
OMAHA PUBLIC POWER DISTRICT	Serv	218.16
PERSONALIZED COMPUTER SERVICES	Serv	3,713.85
PHILLIPS 66 - CONOCO - 76	Fuel	275.40
PITNEY BOWES	Rental	978.00
POSTMASTER	Stamps	388.08
REYZLIK ACE HARDWARE	Supplies	6.48
SARPY COUNTY SHERIFF	Serv	27.54
SIDNER, SVOBODA, SCHILKE, THOMSEN	Crt Appt Attny	1,278.00
STATE OF NEBR, AS CENTRAL FINANCE	Network	110.25
STATE OF NEBRASKA	Network	1,280.01
EDMOND E TALBOT III	Travel Exp	264.05
TELRITE CORPORATION	Serv	358.76
THE CLEANER CO	Supplies	727.13
THE SIGN DEPOT	Decals	63.67
THIBAUT, SUHR & THIBAUT, INC	Deposition	400.40
WASHINGTON COUNTY ATTORNEYS TRUST A	Reimb Exp	36.58
WASHINGTON COUNTY REGISTER OF DEEDS	Filing Fees	16.50
WEST PAYMENT CENTER	Supplies	360.00
DUANE WILCOX	Mileage	45.10
WINGATE INN	Workshop	71.00
<b>ROAD FUND</b>		
EMPLOYEES	Payroll	37,194.46
AMERITAS LIFE INS CORP	Retirement	2,491.97
WASHINGTON COUNTY BANK	FICA	2,845.34
B'S ENTERPRISE INC	Signs	5,402.50
BOMGAARS	Supplies	32.49
JEFFREY A BOWSER	Mileage	33.00
CALHOUN OIL COMPANY	Fuel	4,129.08
CARQUEST AUTO PARTS MO	Parts	99.73
CMA TRUCKING	Equip Rental	6,895.21
TOM GILLILAND	Mileage	33.00
KNUDSEN OIL & FEED	Fuel	2,824.91
LYMAN-RICHEY SAND & GRAVEL COMPANY	Gravel	30,890.71
MARTIN MARIETTA MATERIALS	Rock	30,549.45
MEMORIAL COMMUNITY HOSPITAL &	Testing	46.80
NEBRASKA IOWA SUPPLY COMPANY	Fuel	1,385.33
JEFF NICOLA	Equip Rental	187.50
SAPP BROS PETROLEUM, INC	Fuel	1,544.52

SCHEMMER & ASSOC	Engineering	9,493.26
SID DILLON CHEVROLET WAHOO	09 Chev PU	24,130.00
THERMO KING CHRISTENSEN	Tools	432.00
VICTORS, INC	Parts	67.85
WESTERN ENGINEERING COMPANY INC	Millings	2,320.00
<b>ROAD RECONSTRUCTION BOND FUND</b>		
WASHINGTON COUNTY BANK WIRE	Interest	60.42
<b>WEED FUND</b>		
EMPLOYEE	Payroll	1,598.40
AMERITAS LIFE INS CORP	Retirement	107.89
WASHINGTON COUNTY BANK	FICA	122.28
BOMGAARS	Equip	29.75
INTERSTATE ALL BATTERY CENTER	Supplies	88.95
NEXTEL	Serv	41.02
<b>E 911 FUND</b>		
EMERSON NETWORK POWER	Serv	2,631.20
GREAT PLAINS COMMUNICATIONS INC	Serv	113.37
OMAHA PUBLIC POWER DISTRICT	Serv	54,029.00
SIGN-UP LTD	Signs	167.43

There being no further business to come before the Board at this time, it was moved by Quist and seconded by Thomsen that the meeting be adjourned until the next regular Board meeting date, Tuesday, November 10, 2009. 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 October 27th meeting of the Washington County Board of Supervisors.

Merry M. Truhlsen  
Washington County Clerk