

**November 24, 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, November 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 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, Kent Clausen, Jeff Quist, Mary Alice Johnson, Ron Hine and Ernest Abariotes. Also present, County Clerk Merry Truhlsen.

It was moved by Quist and seconded by Clausen to correct the November 10th minutes as follows: On Quist's motion RE: Ogden's recommendation for the LoHo LLC Request for Deviation add this wording at the end- "and also in the Register of Deeds Office file a notice concerning the deviations and that the interior roads, in some places, do not meet minimum design standards." and correct the ending date on the minutes to November 10th. Vote- Aye: Wilcox, Thomsen, Clausen, Quist, Johnson, Hine and Abariotes. Nay: None. Motion carried.

It was moved by Clausen and seconded by Thomsen that the rules be suspended and that the minutes of the November 10, 2009 meeting be approved with 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: Wilcox, Thomsen, Clausen, Quist, Johnson, Hine and Abariotes. Nay: None. Motion carried.

Cheryl Parsons had the following items: Residents using CR P43 had approached Parsons about installing a street light at the intersection of US Hwy 75 & CR P43. Board discussed this as being within the City jurisdiction. Motion by Clausen and second by Thomsen to have Parsons approach the City with the request from Southern Heights city residents for a street light. Vote- Aye: Wilcox, Thomsen, Clausen, Quist, Johnson, Hine and Abariotes. Nay: None. Motion carried.

The Union Pacific Railroad is needing some right of way located by the Village of Kennard. The property in question is part of an old abandoned County road. UP made a presentation at the Road Committee meeting, after which the Committee recommended vacating the property and having it revert back to the adjacent land owners, which would be the UP and other owners. Dick Hansen, Co Surveyor told the Board he had researched the property and confirmed the County owned it. Motion by Clausen and second by Thomsen to proceed to vacate/abandon the old county road beginning at First Street, from eastern edge of Kennard to County Road 27. Vote- Aye: Wilcox, Thomsen, Clausen, Quist, Johnson, Hine and Abariotes. Nay: None. Motion carried.

Parsons had prepared a Resolution setting the date and time of the public hearing to vacate/abandon the old county road beginning at First Street from eastern edge of Kennard to County Road 27. Motion by Thomsen and second Clausen to adopt/not adopt Resolution 2009-51. Vote- Aye: Wilcox, Thomsen, Clausen, Quist, Johnson, Hine and Abariotes. Nay: None. Motion carried.

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

WHEREAS, The Washington County Board of Supervisors proposes to hold a "Public Hearing," regarding the vacation or abandonment of a portion of old County Road Right-of-Way, beginning at First Street on the eastern edge of the Village of Kennard and continuing east to County Road No. 27. Said parcel of land located in a County Road, in the northeast quarter of Section 5, Township 18 North, Range 11 East of the Sixth P.M., Washington County, Nebraska, and more particularly described in Exhibits A, B & C, which are attached with this resolution.

WHEREAS, pursuant to Neb. Rev. Stat 39-1724 (1943), as amended, it is necessary to adopt a resolution fixing the time, date, and place for a public hearing to consider the proposed vacation or abandonment, and

NOW THEREFORE, BE IT RESOLVED BY THE WASHINGTON COUNTY BOARD OF SUPERVISORS as follows:

- 1 That a Public Hearing be held on the proposed vacation or abandonment of a portion of County Road Right-of-Way, beginning at First Street on the eastern edge of the Village of Kennard and continuing east to County Road No. 27. Said parcel of land located in a County Road, in the northeast quarter of Section 5, Township 18 North, Range 11 East of the Sixth P.M., Washington County, Nebraska, and more particularly described in Exhibits A, B & C, which are attached with this resolution. Said hearing to be held on **Tuesday December 22, 2009 at 10:00 a.m.** in the meeting room of the Washington County Board of Supervisors, Washington County Courthouse, Blair, Nebraska.
- 2 That this Resolution be published once a week for three consecutive weeks in a legal newspaper published in Washington County, Nebraska.
- 3 That copies of this Resolution be served by certified mail upon the owners of land abutting the road to be vacated.

PASSED AND APPROVED ON THIS 24TH OF NOVEMBER, 2009.

WASHINGTON COUNTY BOARD OF SUPERVISORS
WASHINGTON COUNTY, NEBRASKA
Duane Wilcox, Chairman

ATTEST:
Merry M. Truhlsen, County Clerk

Clerk had received a request from Census Bureau for space for a person to work 15hrs a week from February – April, to assist people in filling out the Census Report. Motion by Thomsen and second by Clausen to allow the Census Bureau space in Courthouse for assisting with Census Reports and authorize Chairman to sign agreement. Vote- Aye: Wilcox, Thomsen, Clausen, Quist, Hinehline and Abariotes. Nay: Johnson. Motion carried.

The following correspondence had been received: Dept of Rev September lodging tax is \$796.64, Letter from Doris Karloff and Mark Masterton regarding their seeking re-election to the NIRMA Board of Directors and a letter from Pam Daly about the roads in Glen Oaks. Motion by Clausen and second by Thomsen to receive correspondence and place on file. Vote- Aye: Wilcox, Thomsen, Clausen, Quist, Johnson, Hinehline and Abariotes. Nay: None. Motion carried.

William J. Briggs had sent the County a claim for \$60.00. Briggs said he incurred this expense when the water heater in a Ft Calhoun home failed to pass inspection by the Building Inspector Kris Robinson. Copies of the information Briggs had submitted were mailed in advance of the meeting to all Board members. Briggs was not present at the meeting. Robinson gave the Board a handout regarding the requirements for nameplate markings and installation of appliances. Robinson discussed the inspection with the Board. Motion by Clausen and second by Abariotes to deny payment of claim. Vote- Aye: Wilcox, Thomsen, Clausen, Quist, Johnson, Hineline and Abariotes. Nay: None. Motion carried.

Sheriff Mike Robinson had the annual federal asset forfeiture audit sheet that needed his signature and the Board Chairman's signature. Motion by Abariotes and second by Clausen to authorize Chairman to sign the audit sheet after a review by the County Attorney's Office. Vote- Aye: Wilcox, Thomsen, Clausen, Quist, Johnson, Hineline and Abariotes. Nay: None. Motion carried.

Doug Dahlhauser, Signal 88 Security, discussed the security services they provide at the Dodge County Courthouse and what services they could offer Washington County. Dan Stover, Dodge County Board Supervisor spoke favorably of the company. Sheriff Robinson discussed the security equipment presently used at the Wash Co Courthouse. Motion by Quist second by Clausen to refer this to the Building and Grounds Committee. Vote- Aye: Wilcox, Thomsen, Clausen, Quist, Johnson and Abariotes. Nay: None. Hineline abstained. Motion carried.

Sheriff Mike Robinson brought information for updating the Law Enforcement break room: larger sink, dishwasher and cabinets for storage at a cost of \$2,101, with the Sheriff's Office personnel doing the labor. Robinson next discussed constructing a car port on the east side of the sally port, at an estimated cost of \$2,000, with the Sheriff's Office personnel doing the labor. Motion by Hineline and second by Quist to authorize Sheriff's Dept to refer both proposals to the Building & Grounds Committee. Vote- Aye: Wilcox, Thomsen, Clausen, Quist, Hineline and Abariotes. Nay: Johnson. Motion carried.

Board members Abariotes, Johnson and Hineline had met with County Officials to discuss the Official's Salary Resolution for the next term, January 2011 through December 2014. This Resolution must be in place by January 15. County Surveyor Dick Hansen discussed changing the Surveyor position from part-time to full time. Some officials were present as the Board discussed the Resolution. No action was taken.

At 11:45 a.m. the Board convened as Board of Equalization, see separate minutes.
Board adjourned from BOE at 11:50 a.m. and reconvened in regular session.

William Burdess had a handout for the Board and discussed the Sheriff's Dept taking cars home and the IRS codes for taxing vehicle benefits. Sheriff Robinson had a handout for the Board which addressed the benefits of having assigned vehicles and spoke of the exemptions law enforcement have from some IRS vehicle rulings. Wes Stamp and Renee Jensen Brown also spoke.

Doug Cook, Planning Administrator

PRELIMINARY PLAT

1. Preliminary plat request by John Combine

Of Tuscany Ridge Subdivision, a proposed 10 lot residential subdivision (all lots greater than 5 acres in size), a subdivision of Tax Lot 53 and the N1/2 SW1/4, Section 35-Township 17 North-Range 12 East of the Sixth P.M. (general location: west side of County Road P43 approximately ¼ mile north of the Dutch Hall Road \ County Road P43 intersection (aka 1385 County Road P43). Cook stated he had received a phone call from Scott McGowan, agent representing the applicant, stating they were going to withdraw this preliminary plat request. Motion by Clausen and second by Thomsen to concur with Planning Commission recommendation to deny preliminary plat request. Vote- Aye: Wilcox, Thomsen, Clausen, Quist, Johnson, Hineline and Abariotes. Nay: None. Motion carried.

ZONING REGULATION TEXT AMENDMENT

2. Washington County Zoning Regulation Text Amendment

Planning Department staff request Zoning Regulation text amendment to Article 4: Districts, Section 5.03 A-1 Agricultural Primary District, Section 5.04 TA-1 Transitional Agricultural District, Section 5.05 H-A Homestead Agricultural District to delete conflicting references regarding wind energy systems; and in the zoning matrix change the term “wind energy installation” to “small wind energy system”. Cook stated this request is to clean up some conflicting portions of the Zoning Regulations relating to wind ordinances. Motion by Quist and second by Clausen to concur with Planning Commission recommendation to approve Zoning Regulation Text Amendment, Resolution 2009-52. Vote- Aye: Wilcox, Thomsen, Clausen, Quist, Johnson, Hineline and Abariotes. Nay: None. Motion carried.

3. 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). Board had tabled this from the Oct 27th meeting so US Fish and Wildlife would have a chance to look at the survey, and discuss how to proceed with Woodens and Jensen. Cook asked that this be tabled again due to the fact the refuge has still not hired a new manager and they wanted the new manager to review this request. Motion by Abariotes and second by Clausen to table this agenda item until the January 12th meeting. Vote- Aye: Wilcox, Thomsen, Clausen, Quist, Johnson, Hineline and Abariotes. Nay: None. Motion carried.

Pam Daly had hand outs for the Board, discussed the roads in the Glen Oaks subdivision in regard to public safety and compliance to the zoning laws and said the Board didn’t have all the information when they voted Nov 10th . Daly also stated two curves don’t meet street criteria, voiced concern on other issues in regard to the subdivision and asked the Board to revoke vote made at the Nov 10th meeting, reconsider and vote again. Wes Stamp, Paul Cerio, Robbin Jeffrey, Marcia McGill and Dennis McCormick also spoke. No action was taken.

Public comment: Jim Sanford discussed the grading of the county road by his house.

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

GENERAL FUND

EMPLOYEES	Payroll	142,280.94
AMERITAS LIFE INS CORP	Retirement	9,911.43
UNITED HEALTHCARE INS CO	Ins	35,429.11
WASHINGTON COUNTY BANK	FICA	10,199.45
WASHINGTON COUNTY BANK	Ins	5,811.50
ALLTEL	Serv	155.64
BAM'S TOWING & REPAIR	Serv	101.00
BLACK HILLS ENERGY	Serv	145.81
BOMGAARS	Supplies	1.49
C'NJ PLUMBING INC	Serv	925.85
CAMPBELL AMAN FUNERAL HOME	Serv	3,584.00
CITY OF BLAIR	Grave	400.00
CLERK OF DISTRICT COURT	Filing Fees	128.00
CONSTELLATION ENERGY	Serv	433.19
CONTROL SERVICES INC	Serv	140.00
DOUG COOK	Reimb Workshop	30.00
COUNTRY TIRE SERVICE CENTER	Tire	283.57
DEPARTMENT OF MOTOR VEHICLES	Serv	18.00
DODGE COUNTY SHERIFF	Serv	32.32

DOUGLAS COUNTY COURT	Fees	3.25
DOUGLAS COUNTY HEALTH CENTER	Morgue Fee	250.00
DOUGLAS COUNTY SHERIFF	Serv	40.06
FARM & HOME PUBLISHERS LTD	Plat Books	317.00
FASTENAL COMPANY	Supplies	37.79
NORA H GOLL	Crt Appt Attny	72.00
HEALTH MART PHARMACY	RX	513.98
JACK'S UNIFORMS & EQUIPMENT	Supplies	70.94
JETTER'S PLUMBING INC	Serv	78.00
KATSKEE, HENATSCH & SUING	Crt Appt Attny	689.98
STEPHEN J KRAVIEC PC LLO	Child Supt Enf	1,384.61
KUENY LAW OFFICE	Crt Appt Attny	294.00
LYNN PEAVEY COMPANY	Supplies	39.90
MEMORIAL COMMUNITY HOSPITAL	Serv	50.00
MILLS LAW OFFICE	Crt Appt Attny	2,360.00
MIPS INC	Serv	900.00
NATIONAL DISTRICT ATTORNEYS ASSOC	Dues	95.00
NE HEALTH & HUMAN SERVICES	Serv	186.00
NEBRASKA HUMANE SOCIETY	Serv	300.00
NEBRASKA NOTARY ASSOC	Sheriffs	152.25
NEBRASKA PUBLIC HEALTH ENVIRO LAB	Supplies	168.00
NEBRASKA STATE BAR ASSOCIATION	Dues	740.00
NELSON LAW, LLC	Crt Appt Attny	1,320.00
NEXTEL	Serv	820.71
NO FRILLS SUPERMARKET INC	Jail Supplies	4,507.48
OFFICE NET	Copiers	287.70
OFFICE WAREHOUSE	Supplies	113.93
OMAHA PUBLIC POWER DISTRICT	Serv	194.39
ORTMEIER'S TV & APPLIANCE INC	Supplies	14.97
PERSONALIZED COMPUTER SERVICES	Equip	58.85
PHILLIPS 66 - CONOCO - 76	Fuel	381.27
POSTMASTER	PO Box Rent	110.00
SUSAN REFF	Crt Appt Attny	498.00
REGION 6, BEHAVIORAL HEALTHCARE	Appropriation	9,930.00
ROHRIG ANIMAL HOSPITAL	Supplies	8.20
SHOTWELL GLASS	Serv	200.00
STAMP FULFILLMENT SERVICES	Supplies	255.60
STATE OF NEBRASKA	Serv	98.25
TELRITE CORPORATION	Serv	340.74
TERRASCAN INC	Maint	8,972.13
THE CLEANER CO	Supplies	101.27
TOWN & COUNTRY PEST CONTROL INC	Serv	76.00
MERRY TRUHLSEN	Reimb Postage	24.40
WASHINGTON COUNTY BANK	Safe Box	35.00
WASHINGTON COUNTY BANK	2007 Dodge Pymt	8,114.34
WASHINGTON COUNTY COURT	Court Costs	2.25
WASHINGTON COUNTY REGISTER OF DEEDS	Filing Fees	32.50
WASHINGTON COUNTY SHERIFF	Serv Fees	116.40
ROAD FUND		
EMPLOYEES	Payroll	36,733.38
AMERITAS LIFE INS CORP	Retirement	2,426.26
UNITED HEALTHCARE INS CO	Ins	7,948.64

WASHINGTON COUNTY BANK	FICA	2,669.88
WASHINGTON COUNTY BANK	Ins	1,567.50
BOMGAARS	Supplies	77.11
CALHOUN OIL COMPANY	Fuel	1,131.41
CARQUEST AUTO PARTS MO	Supplies	19.80
CMA TRUCKING	Equip Rental	474.68
FASTENAL COMPANY	Supplies	52.73
JEO CONSULTING GROUP, INC	Engineering	2,778.00
KELLY RYAN EQUIPMENT COMPANY INC	Supplies	61.25
KNUDSEN OIL & FEED	Fuel	4,791.29
LITTLE ENGINES	Parts	47.85
LOGAN CONTRACTORS SUPPLY INC	Equip	29,257.86
LYMAN-RICHEY SAND & GRAVEL COMPANY	Gravel	23,597.75
MARTIN MARIETTA MATERIALS	Rock	31,197.28
MIDWEST FENCE COMPANY	Guard Rail	1,350.00
NEBRASKA IOWA SUPPLY COMPANY	Fuel	2,210.11
ORTMEIER'S TV & APPLIANCE INC	Supplies	2.99
POUNDS PRINTING INC	Supplies	50.00
SAPP BROS PETROLEUM, INC	Fuel	1,844.75
SHOTWELL GLASS	Serv	24.95
THE CURE, INC	Supplies	25.98
WESTERN ENGINEERING COMPANY INC	Asphalt	18,565.77
PUBLIC SAFETY COMMUNICATIONS		
WASHINGTON COUNTY BANK - WIRE	Pymt	240,283.75
COURTHOUSE BOND FUND		
WASHINGTON COUNTY BANK - WIRE	Pymt	225,900.00
WEED FUND		
EMPLOYEES	Payroll	1,598.40
AMERITAS LIFE INS CORP	Retirement	107.89
UNITED HEALTHCARE INS CO	Ins	33.22
WASHINGTON COUNTY BANK	FICA	121.26
WOODHOUSE FORD INC		123.65
E 911 FUND		
CARMICHAEL BUSINESS SYSTEMS	Equip	4,671.00
GREAT PLAINS COMMUNICATIONS INC	Maint	149.37
KNUDSEN OIL & FEED	Serv & Fuel	360.84

There being no further business to come before the Board at this time, it was moved by Clausen and seconded by Quist that the meeting be adjourned until the next regular Board meeting date, Tuesday, December 8, 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 November 24th meeting of the Washington County Board of Supervisors.

Merry M. Truhlsen
Washington County Clerk