

**December 28, 2010 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, December 28, 2010 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, Ernest Abariotes and Ron Hinline. Also present, County Clerk Merry Truhlsen and Deputy County Attorney Ed Talbot.

It was moved by Hinline and seconded by Abariotes that the rules be suspended and that the minutes of the December 14, 2010 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: Dept of Rev- Oct Lodging Tax \$1,031.28, Notice of NIRMA Board vacancies and notification from State Auditor that the mileage reimbursement rate will be .51¢ beginning Jan 1, 2011. Motion Clausen and second 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 Supt. and Darin Brown, Schemmers & Assoc addressed the Board regarding additional costs on Bridge C89-02605, project #240. Board discussed the expenses. Motion Clausen second by Thomsen to pay the additional construction cost of \$10,071.03, plus the \$2,829.67 retained, for a final payment of \$12,900.70. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried. Motion Clausen and second Thomsen to pay the additional engineering costs of \$6,244.53, plus the \$559.50 retained, for a final payment of \$6,804.03. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

Kris Robinson, Building Inspector, had published and given the Board an explanation of adoption of new Building, Electrical, Mechanical and Plumbing Codes for the County. Motion by Clausen second by Thomsen to open the public hearing. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried. Robinson and the Board discussed the changes. There were no comments from the public. Motion by Abariotes second by Clausen to close the public hearing. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried. Motion by Thomsen second Clausen to adopt the following Building, Electrical, Mechanical and Plumbing Codes for the County:

**1. Adopt the 2009 IBC (this covers everything except one and two-family dwellings).**

a) Specifically not adopted are Appendix's: A (Employee qualifications), B (Board of Appeals), D (Fire Districts), E (Supplementary Accessibility Requirements), F (Rodent-proofing), G (Flood Resistant Construction), H (Signs), J (Grading) and K (Administrative Provisions). **These same Appendices were also not adopted in 2003**

b) The following Appendix's will be adopted: Appendix C -Group U - Agricultural Buildings  
Appendix I- Patio Covers (this is the same as was adopted with the 2003 codes).

**2. Adopt the 2009 IRC (International Residential Code for one and two-family dwellings).**

a) Specifically not adopted Section R313 - Automatic Fire Sprinkler Systems (page 62). This entire Section, including all subsections is to be replaced with Section R317-Dwelling unit separation from the International Residential Code, 2006 Edition.

b) Delete Part VIII electrical covering chapters 34 through 43 and Appendix's A (Sizing and Capacities of Gas Piping), B (Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances listed for use with Type B Vents), C (Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems), D (Recommended Procedure for Safety Inspection of an Existing Appliance Installation), E (Manufactured Housing used as Dwellings), F (Radon Control Methods), I (Private Sewage Disposal), K (Sound Transmission), L (Permit Fees), N (Venting Methods), O (Gray Water Recycling Systems), P (Sizing of Water Piping System), and Q (ICC International residential Code Electrical Provisions/National Electrical Code Cross-reference) **These same Appendices were also not adopted in 2003**

c) The following Appendix's will be adopted: G (Swimming Pools, Spas, and Hot Tubs), H (Patio Covers), J (Existing Buildings and Structures) and M (Home Day Care – R-3 Occupancy)

**3. Washington County Amendments to the 2009 IRC:**

a) Section R202 Definitions. Add the following definition (pg 19) sleeping room. Any room in the house that is greater than 70 square feet, has a built-in closet space and typically could be used as a bedroom. This does not include rooms used for cooking, eating, family living or gathering and excludes bathrooms, toilet rooms, halls, storage, utility and workshop space and all unconditional space (defined as unfinished area with no electrical, heat or air) space.

b) Page 48 Table R301.5 Minimum uniformly distributed live load. Change this table by deleting the number "30" (live load for sleeping room) and replacing it with the number "40".

c) Section R314.3.1 - Smoke Detectors - Alteration, Repairs and Additions- add to exceptions a number 3 – permits limited to the installation, alteration or repairs of electrical systems are exempt from the requirements of this Section.

d) Section R315.2 Carbon Monoxide Alarms - Where required in existing dwellings, the following exceptions are added: 1) Work involving the exterior surfaces of dwellings, or the addition or replacement of windows and doors, or the addition of a porch or deck, are exempt from the requirements of this Section.

2) Permits limited to the installation, alteration or repairs of plumbing, mechanical or electrical systems are exempt from the requirements of this Section.

**4. Adopt the 2009 IPC (International Plumbing Code)**

**5. Adopt the 2009 IMC (International Mechanical Code)**

**6. Adopt the 2009 IECC (International Energy Conservation Code)**

**7. Adopt the 2008 NEC NFPA70 (National Electrical Code) and new electrical codes when adopted by the State.**

Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Abariotes and Hinline. Nay: Johnson. Motion carried.

Chairman announced the next item is the appointment of the Planning Board members. Thomsen excused herself as she applied for the position. Barb Brazelton, Planning Dept, read the report of the Board Committee regarding Planning Commission vacancies. Brazelton stated they republished the notice in the paper and had received 3 new applications from William Kermoade, Dennis McCormick and Terry Rasmussen in addition to the six already received from: Steve Neuverth, Dan Rosloniec, Lyle Schjodt, Eileen Stamp, Linda Thomsen and Douglas Wolfe. Motion by Hinline second by Quist to approve the Committee's recommendations regarding Planning Commission vacancies. Vote- Aye: Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Thomsen absent. Motion carried. The following people spoke: Talbot, Neuverth, Rasmussen, McCormick, Burdess, Schjodt, Stamp and Rosloniec. Ballots were passed out to the Board. Clerk and Talbot tallied the results: Rasmussen received 6 votes, Schjodt received 4 votes and there was a tie for the third position. Rasmussen and Schjodt's name were crossed off the ballot and Board revoted for the third person. After voting, there was still a tie. Motion by Hinline second by Clausen to vote once more between the two people who were tied. Talbot stated the two people were Neuverth and Wolfe. Vote- Aye: Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Thomsen absent. Motion carried. Board voted a third ballot. Talbot stated Neuverth received 4 votes. The new Planning Commission members are Rasmussen, Schjodt and Neuverth and their terms will expire in January 2014.

Thomsen was present. Wilcox discussed the Weatherization Program money that is available for Washington County low income residents through Goldenrod Hills.

Board had discussed former employee Russ Johnson not being vested in the County Retirement program at the Dec 14<sup>th</sup> meeting. Motion Quist second Clausen to hire Russ Johnson to work for the Courthouse Maintenance Dept for 10 days, working half days, for a total of 40 hours at minimum wage, \$7.25. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

Motion by Quist and second by Clausen to receive and place on file the Extension Office report of their work and expenditures for the preceding year and a budget estimate for the ensuing year as per statute. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

A Public Hearing was held to consider issuing industrial development revenue bonds not exceeding \$20,000,000 for Cargill, Inc Recovery Zone Facility Project. Motion by Quist and second by Abariotes to open public hearing. Vote- Aye: Wilcox, Thomsen, Clausen, Quist, Johnson, Abariotes and Hinline. Nay: None. Motion carried. Curtis Christensen, Kutak Rock LLP, reviewed the Board's action last August when they passed a resolution authorizing the issuance of \$26,880,000 Industrial Development Rev Bonds. Christensen stated on December 10<sup>th</sup> the County was informed the State awarded an additional \$20,000,000 benefiting the Cargill project. This is not cash money but is permission to do the transaction based on the federal stimulus bill. Bonds are issued under the Industrial Development Bond Act. Christensen reminded the Board Washington County and its taxpayers bear no liability with respect to repayment of the bonds, that is entirely on Cargill Inc. The IDB Act authorizes Counties to act as conduit issuers. Sandy Stricklett, Cargill, stated the bonds will be used to expand the sweetener manufacturing facility at the Blair Cargill site. Sarah Chatt, Gateway Development Corp President, spoke. Dan Flynn spoke, urging the Board to look at all sides of the issue. The Board did not receive any written comments from the public at or before the public hearing. Motion by Clausen and second by Quist to close public hearing. Vote- Aye: Wilcox, Thomsen, Clausen, Quist, Johnson, Abariotes and Hinline. Nay: None. Motion carried. Board had a copy of Resolution 2010-47. Motion by Hinline and second by Clausen to adopt Resolution 2010-47 and authorize Chairman to sign corresponding documents. Vote- Aye: Wilcox, Thomsen, Clausen, Quist, Johnson, Abariotes and Hinline. Nay: None. Motion carried. **(Please contact Clerk's Office for Resolution 2010 – 47)**

Bill Pook, Region 5/6 Civil Defense had informed the Board this is the year the Local Emergency Operating Plan was to be rewritten. Pook said the new plan has been available for review for 2 months. Tom Lamb, Sheriff's Deputy, said it looks good but they would like more time to read it over. Motion Clausen second Abariotes to table the rewritten LEOP until February 8<sup>th</sup>, 2011. Vote- Aye: Wilcox, Thomsen, Clausen, Quist, Johnson, Abariotes and Hinline. Nay: None. Motion carried.

Comments from Public: Dennis McCormick spoke. There was no Board of Equalization today.

Chairman announced the Board would enter into a Closed Session regarding Personnel Matters- Discussion on Collective Bargaining. Motion Clausen second Quist to go into closed session at 11:30 AM. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Hinline and Abariotes. Nay: None. Motion carried. Motion Clausen second Hinline to end closed session at 12:13 PM. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Hinline and Abariotes. Nay: None. Motion carried. Chairman stated the reason for closed session was to discuss collective bargaining. No action taken.

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.

AMERITAS LIFE INS CORP	Retirement	9,836.42
UNITED HEALTHCARE INS CO	Ins	42,290.20
WASHINGTON COUNTY BANK	FICA	10,008.08
WASHINGTON COUNTY BANK	Ins	57,208.32
PATRICK G BAXTER	Crt Appt Attny	132.00
BISHOP BUSINESS EQ CO	Copier	1,436.73
BLACK HILLS ENERGY	Serv	134.33
BLOOMFIELD PRINTING	Supplies	155.00
BOB BARKER CO	Inmate Clothing	580.40
BOMGAARS	Supplies	18.99
CARLSON & BURNETT, LLP	Crt Appt Attny	150.00
LAW OFFICE OF ERIC R CHANDLER	Crt Appt Attny	756.00
CITY OF BLAIR	Water & Library Fee	629.41
CLERK OF DISTRICT COURT	Filing Fees	102.00
CONNIE'S BLAIR BAKERY	Jury meals	20.00
CONSTELLATION ENERGY	Serv	338.37
DODGE COUNTY C/O FRED MYTTY	Probation Costs	9,236.93
DODGE COUNTY SHERIFF	Serv	19.59
DOUGLAS COUNTY HEALTH CENTER	Coroner Costs	606.90
DOUGLAS COUNTY SHERIFF	Serv	8.65
EMBASSY SUITES LINCOLN	Naco Conv	262.00
FORNOFF & SCHUTT PC	Crt Appt Attny	1,188.00
ROGER GILLILAND	Reimb Mileage	86.00
NORA H GOLL	Crt Appt Attny	1,734.00
GREAT SOUTHERN BANK	Car Pymts	3,121.97
HALL LAW OFFICES, PC LLO	Crt Appt Attny	4,442.04
HEALTH MART PHARMACY	Rx	34.94
MARJORIE HOIER	Reimb Mileage	78.00
JERRY W JONES	Coroner Costs	920.00
STEVE ANDERSEN	Jury Duty & Mileage	48.00
JEANENNE M BALL	" "	40.00
LAYNE BEEMER	" "	36.00
LORI BOGATZ	" "	44.00
KIMBERLY JACOBSEN BURDEN	" "	45.00
CONNIE CARSTENS	" "	40.00
MIKE ERWIN	" "	43.00
SUSAN GEISE	" "	35.00
REBECCA GOODMAN	" "	38.00
SUSAN GOCHANOUR	" "	35.50
STEVE HYTREK	" "	41.50
CINDY JACOBSON	" "	41.00
KAREN LADEHOFF	" "	51.00
KEVIN LEVY	" "	35.00
WENDY LUKERT	" "	36.00
DAVID MONKE	" "	42.50
JOE POLICKY	" "	43.00
STACIE POSSNECKER	" "	45.00
ROBERT POUNDS	" "	35.50
KATHY SILVEIRA	" "	39.00
GEORGE TROBAUGH	" "	46.00
LINDA WHITESIDES	" "	49.00
HAROLD WISECUP	" "	35.00
STEPHEN J KRAVIEC PC LLO	Child Suppt Enf	1,384.61
KUENY & BEGLEY	Crt Appt Attny	864.00
VICKI KUHLMANN	Reimb Supplies	7.72
LAND AIR SEA	Surveillance Serv	49.89

MAPA	Appropriation	4,865.50
MCGOUGH LAW P.C., L.L.O.	Crt Appt Attny	2,100.00
MILLS LAW OFFICE	Crt Appt Attny	1,170.00
MULTI-COUNTY INFORMATION &	Program Serv	2,603.66
NEXTEL	Serv	718.40
NEXTEL	Serv	39.64
NSBA	Dues	355.00
OFFICE NET	Supplies	219.90
OFFICE WAREHOUSE	Supplies	83.97
PERSONALIZED COMPUTER SERVICES	Serv	269.95
GREGORY A PIVOVAR	Crt Appt Attny	756.00
PIZZA HUT	Jury meals	53.80
POSTMASTER	Treas Jan DMV	546.35
POSTMASTER	PO Box Rentals	180.00
POTTAWATTAMIE COUNTY SHERIFFS DEPT	Serv	56.00
POUNDS PRINTING INC	Supplies	320.00
REDFIELD & COMPANY INC	Supplies	122.00
SUSAN REFF LAW PC LLO	Crt Appt Attny	576.00
KRIS ROBINSON	Reimb License	25.00
ROGERS SEED COMPANY	Chemicals	188.13
KEVIN A RYAN	Crt Appt Attny	240.00
SID DILLON CHEV-OLDS-PONT, INC	Assessor Serv	1,004.94
SIDNER, SVOBODA,SCHILKE,THOMSEN	Crt Appt Attny	1,605.00
STATE OF NEBR, DEPT OF CORRECT SERV	Program Serv	178.40
TELRITE CORPORATION	Serv	335.75
THE CLEANER CO	Supplies	516.45
TOWN & COUNTRY PEST CONTROL INC	Serv	76.00
ADAM R TRIPP	Crt Appt Attny	1,944.00
LAW OFFICES OF KELLY HENRY TURNER	Crt Appt Attny	2,039.40
ULTRA CAR WASH	Sheriffs	200.00
UNITED STATES POSTAL SERVICE	Board & Clerk	1,500.00
JIM VAN CLEAVE	Reimb Mileage	181.50
WASHINGTON COUNTY COURT	Co Attny Supplies	5.00
WATCH GUARD VIDEO	Serv	264.25
WEST PAYMENT CENTER	Subscriptions	147.50
DUANE WILCOX	Reimb Mileage	91.50
WOODHOUSE	Supplies	327.21
<b>ROAD FUND</b>		
EMPLOYEES	Payroll 12-24-10	40,042.46
AMERITAS LIFE INS CORP	Retirement	2,702.87
UNITED HEALTHCARE INS CO	Ins	10,965.02
WASHINGTON COUNTY BANK	FICA	2,862.30
WASHINGTON COUNTY BANK	Ins	14,648.60
BOMGAARS	Parts & Supplies	226.17
DULTMEIER SALES	Fuel Tank	469.00
HI-LINE ELECTRICAL & MECHANICAL	Supplies	284.07
HIPNAR AUTO PARTS & TOWING	Parts & Supplies	175.00
HOLIDAY INN LINCOLN	NACO Conv	210.64
HOTSY EQUIPMENT COMPANY INC	Parts	367.86
KELLY RYAN EQUIPMENT COMPANY INC	Serv	267.01
KNUDSEN OIL & FEED	Fuel	6,335.89
MARTIN MARIETTA MATERIALS	Rock	24,772.13
MEDICAL ENTERPRISES, INC	Testing	46.00
MEMORIAL COMMUNITY HOSPITAL &	Testing	20.80
MIDWEST SERVICE & SALES CO	Parts	185.00
NEBRASKA IOWA SUPPLY COMPANY	Fuel	3,659.51

NEBRASKA MACHINERY COMPANY	Parts & Labor	747.42
NEBRASKA SALT & GRAIN COMPANY	Ice Control	1,468.79
OMAHA PUBLIC POWER DISTRICT	Serv	450.74
POUNDS PRINTING INC	Supplies	72.00
LANE ROGERS	Equip Rental	1,300.00
SCHEMMER & ASSOC	Engineering	6,804.03
SUPERIOR SIGNALS INC	Lights	396.15
THIELE GEOTECH, INC	Geo-Testing	425.00
<b>E 911 FUND</b>		
GRAINGER	Radio & Equip	301.25
GREAT PLAINS COMMUNICATIONS INC	Serv	113.37
NINE ONE ONE, INC	Maintenance	5,533.00

There being no further business to come before the Board at this time, it was moved by Clausen and seconded by Wilcox that the meeting be adjourned until the next regular Board meeting date, Tuesday, January 11, 2011. 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 December 28, 2010 meeting of the Washington County Board of Supervisors.

Merry M. Truhlsen  
Washington County Clerk