

May 24, 2011 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, May 24, 2011 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.

Chairperson, Mary Alice Johnson declared the meeting was in session and that the meeting was being recorded. Chairperson made note that the Open Meetings Law was posted on the door and the north wall. Present: Chairperson, Mary Alice Johnson, County Board Members, Kent Clausen, Jerry Kruse, Jeff Quist, Steven Kruger, Ernest Abariotes and Ron Hinline. Also present, County Clerk Merry Truhlsen and Deputy County Attorney Ed Talbot.

It was moved by Kruger and seconded by Quist that the rules be suspended and that the minutes of the May 10, 2011 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: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried.

The following correspondence had been received: Nebr Safety Center Advisory Council letter asking for county representatives to serve on the council. Hinline had received a response from the Three Rivers Health Dept regarding a \$10,000 payment to Petersen Real Estate. Motion Abariotes and second Quist to receive correspondence and place on file. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried.

Road Superintendent, Cheryl Parsons, had several items to come before the Board. Culvert proposals were advertised at 9:30 for fiscal year 2011-2012. Clerk received three bids from: B's Enterprises, Inc; Midwest Service & Sales and Metal Culverts, Inc. Parsons read the culvert bids. As there were many prices quoted, Board agreed to have Parsons compare the prices, then report back later today who had the low bid.

At 9:40 proposals were received for gravel for fiscal year 2011-2012. Clerk received three bids from: Lyman-Richey Sand & Gravel Co Inc., Stalp Gravel Company and KMG Partners LLC. Parsons read the bids: Lyman-Richey \$8.65 per ton, Stalp \$7.50 per ton, KMG \$7.50 per ton. Motion Clausen second Quist to accept the bids from Stalp Gravel Co and KMG Partners LLC, both at \$7.50 per ton, for Road Superintendent to use at her discretion. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried.

Clerk received one proposal for rock for fiscal year 2011-2012 from Martin Marietta. Parsons read the bid- 1" & 1½" screened \$11.95, 1" & 1½" crusher run \$10.45, 5/8" X #8 chips \$13.70. Kruger motioned, seconded by Clausen, to award the bid to Martin Marietta. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried.

Clerk received 3 proposals for the replacement of a box culvert located on County Road 31 Project No. C89 (472). Julie Ogden, engineer for JEO who prepared the bid documents, read the bids: Investors for Infrastructure \$48,523.10 & rock stilling basin \$9,850.00; M.E.Collins Contracting Co., Inc. \$78,997.20 & basin \$18,055.50; Vrana Construction \$122,019.65 & basin \$16,337.50. Ogden stated all the bidders are on the Nebr Department of Roads qualifying list. Scott Wiekhorst with Investors for Infrastructure answered questions from the Board. Abariotes motioned, seconded by Kruger to award the bid to Investors for Infrastructure, pending verification of figures by Ogden. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried. (Ogden reported later that the figures were correct)

Clerk received 7 proposals for Bridge Replacement C89-02020, County Project #C89 (457). Ogden read the bids: Investors for Infrastructure, LLC-\$193,539.00; Norfolk Contracting, Inc-\$243,648.00; Theisen Construction, Inc-\$245,323.80; McC, LLC-\$247,649.40; Commercial Construction, Inc-\$260,146.54; Dixon Construction Co-\$263,445.00; Vrana Construction-\$355,400.20. Board discussed the bids. Abariotes motioned, seconded by Hinline to award the contract to the low bidder, Investors for Infrastructure, LLC, pending Ogden's verification of calculations. Vote- Aye: Clausen, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: Kruse. Motion carried. (Ogden reported later that the figures were correct)

Road Committee had discussed the bids for two new motor graders at the Road Committee meeting on 5-23-2011 but had not reached a consensus. Clausen discussed buying two machines would put the graders in a 5 year cycle so they would be under warranty and this would eliminate expensive repair bills. After further discussion, Clausen motioned, seconded by Quist to purchase two motor graders. Vote- Aye: Clausen, Kruse and Quist. Nay: Johnson, Kruger, Abariotes and Hinline. Motion failed. Hinline motioned, seconded by Clausen to throw out both motor grader bids from Murphy Tractor Co and Nebraska Machinery Co. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried.

Mike Smith, Weed Dept, cancelled his agenda item for renting an ARM boom mower.

Chairman asked for reports on the following committees: Finance, Assistance, Insurance, Personnel Manual Update-meet May 26, FOP Negotiations, Appointed Official Evaluation Procedure, Joint Co Board/Co Planning, Subcommittee of Fort Calhoun drainage issues- meeting with City at 4:00; and Building & Grounds- talked about new flag pole Gayle Maine is ordering and the law enforcement roof will be needing repairs.

Parsons reported back to the Board, the company that had the low prices on the culvert bids was Metal Culverts Inc. Clausen motioned, seconded by Kruger to award the culvert bid to Metal Culverts Inc. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried. See Clerk's office for a detailed listing of the prices.

Clerk received 2 proposals for the 2010-2011 fiscal year audit report of Washington County: Goracke, Ritterbush & Piotrowski, LLP and Hayes & Associates, LLC. The proposals included bids for a one year, two year and three year audit. Board looked at the three year bid: Goracke= 2011 \$14,520; 2012 \$14,900; 2013 \$15,400. Hayes= 2011 \$11,500; 2012 \$12,000; 2013 \$12,500. Kruse motioned, seconded by Clausen to award the three year audit bid to Hayes & Associates, LLC for the above quoted prices. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried.

At 11:13, motion was made by Clausen and seconded by Kruger to enter into closed session. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried. Chairman stated the reason for the closed session was for the protection of public interest regarding Nebraska Intergovernmental Risk Management Association Courthouse safety audit. At 11:50, motion by Quist and second by Clausen to end closed session. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried. Chairman again stated the reason for the closed session was for the protection of the public interest regarding NIRMA Courthouse safety audit. No action was taken.

At 11:50 the Board convened as Board of Equalization, see separate minutes. Board adjourned from BOE at 12:00 and reconvened in regular session.

Board received a copy of the letter from the Washington County Veterans' Service Committee recommending Dennis Cordle be appointed the new Veterans Service Officer for Washington County. The County has received a copy of the letter from the State Department of Veterans' Affairs approving Cordle's appointment. Clausen motioned, seconded by Kruger to appoint Dennis Cordle as the Washington County Veteran's Service Officer. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried.

Nile Johnson addressed the Board regarding an accident that occurred on County Road 39 and a roadside memorial that had been placed at the site, located by the George Krauss property. Johnson is representing the Krauss' and they want the memorial removed. Johnson stated the County's Zoning Ordinances bans "signs" in the public right of way. Mark Hodson spoke to the Board about the accident that took the life of his daughter, Ashley, and Brandon Tomcak. Hodson stated he had received permission from the County to place the memorial there. Doug Cook, Planning and Zoning Administrator, discussed the ordinance and what falls under the heading of "signs". Board sympathized with Hodson and said this was a tough decision to vote on. After much discussion, Hinline motioned, seconded by Clausen, to follow Zoning Regulations and not allow signs in the right of way. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger and Hinline. Abariotes abstained. Nay: None. Motion carried. Board stated people have 60 days to remove memorials from the county road right of way, this does not apply to state highways.

Doug Cook, Planning & Zoning Administrator had the following agenda item:

PUBLIC HEARINGS: CONDITIONAL USE PERMIT

1. Conditional Use Permit request of Dam's Farms, Inc., % Dwight Dam

To allow for the application of processed sludge cake as a fertilizer substitute and soil conditioner, such product processed and distributed by the City of Omaha Wastewater Treatment System. The product will be applied on the S1/2 of Section 5-Township 19 North-Range 9 East of the Sixth P.M. (general location: north side of County Road 8, between County Road 3 and County Line Road). Clausen motioned, seconded by Kruger, to open the public hearing. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried. Gordon Anderson, City of Omaha discussed the permit.

Kruger motioned, seconded by Clausen to close the public hearing. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried. Quist motioned, seconded by Kruger to concur with the Planning Commission recommendation to approve with the allowance for the sludge to be placed within 1280' of an existing residence and with a review in one year. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried.

Board recessed at 1:40 P.M. to visit the Communications Office and the Veterans' Service Office. Board went back into session at 2:20 P.M.

At 2:20 P.M., motion was made by Kruger and seconded by Clausen to enter into closed session. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried. Chairman stated the reason for the closed session was to discuss a personnel matter, the prevention of needless injury to the reputation of an individual - discussion on pending litigation issues, Sheriff's Office. At 2:28, motion by Clausen and second by Quist to end closed session. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried. Chairman again stated the reason for the closed session was to discuss a personnel matter, the prevention of needless injury to the reputation of an individual – discussion on pending litigation issues, Sheriff's Office. No action was taken.

There were no comments from the public.

Claims were received and reviewed, following which it was moved by Kruger and seconded by Hinline that the following claims be allowed and Clerk ordered to issue warrants on the various funds for the same. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried.

GENERAL FUND

EMPLOYEES	5-27-11 Payroll	139,523.47
UNITED HEALTHCARE INS Co	Ins	41,384.32
WASHINGTON COUNTY BANK	FICA	9,904.17
WASHINGTON COUNTY BANK	Ins	8,584.58
ALLTEL	Serv	72.53
ALLTEL	Serv	71.16
BLACK HILLS ENERGY	Serv	417.12
BOMGAARS	Supplies	64.41
BOYDSTON LAW OFFICE LLC	Crt Appt Attny	2,064.00
CARLSON & BURNETT, LLP	Crt Appt Attny	90.00
CARQUEST AUTO PARTS STORES	Supplies	16.18
CENTEC CAST METAL PRODUCTS	Markers & Flags	490.05
CHIEF SUPPLY	Supplies	17.79
CLERK OF DISTRICT COURT	Filing Fees	413.00
CONSTELLATION ENERGY	Serv	1,376.11
CONTROL SERVICES INC	Serv	288.50
DOUGLAS COUNTY SHERIFF	Child Supt Enfor	40.32
DUGAN BUSINESS FORMS	Supplies	428.14
EASTERN NEBRASKA HUMAN SERVICES AG	Encor & Aging	23,634.00
MARY MICHELE ELLIS	Crt Appt Attny	882.00
GATEWAY DEVELOPMENT CORPORATION	Economic Dev	25,000.00
TOM GILLILAND	Tilling	40.00
HEADSETTERS	Equip	96.92
HEARTLAND ORTHOPAEDIC & SPORTS	Inmate Med Serv	354.00
IDEAL PURE WATER	Serv	41.63
JACK'S UNIFORMS & EQUIPMENT	K9 Uniform	72.94
JETTER'S PLUMBING INC	Serv	112.00
STEPHEN J KRAVIEC PC LLO	Child Supt Enfor	2,769.22
KUENY & BEGLEY LAW OFFICES	Crt Appt Attny	1,218.00
RICHARD P MCGOWAN	Crt Appt Attny	1,332.00
MILLS LAW OFFICE	Crt Appt Attny	855.00
MOBILE BINDERS	Equip	1,580.93
NACO	Workshop	160.00
NE HEALTH & HUMAN SERVICES	Norfolk Center	90.00

NEBRASKA PUBLIC HEALTH ENVIRO LAB	Serv	84.00
GLADYS NELSON	Exception Copy	22.00
NEXTEL	Serv	668.64
NEXTEL	Serv	39.82
NO FRILLS SUPERMARKET INC	Jail Food	5,833.46
NORTHEAST NEBR JUVENILE SERV INC	Serv	5,730.00
OFFICE NET	Copy Paper	98.70
OFFICE WAREHOUSE	Supplies	201.93
OLSEN LAW OFFICES PC LLO	Crt Appt Attny	1,200.00
OMAHA PUBLIC POWER DISTRICT	Serv	250.32
ORTMEIER'S TV & APPLIANCE INC	Supplies	23.94
PAMIDA INC	Supplies	19.99
PHILLIPS 66 - CONOCO - 76	Fuel	853.07
GREGORY A PIVOVAR	Crt Appt Attny	243.00
POSTMASTER	Co Crt Stamps	168.00
POSTMASTER	Treas June DMV	628.16
POSTMASTER	Sheriff Stamps	440.00
POTTAWATTAMIE COUNTY SHERIFFS DEPT	Child Supt Enfor	21.00
CALVIN POULSEN	GIS Serv	1,155.00
POUNDS PRINTING INC	Supplies	1,037.00
QUALITY PRINTING & OFFICE SUPPLIES	Supplies	175.00
HUGH P. REEFE	Crt Appt Attny	564.99
ROHRIG ANIMAL HOSPITAL	Supplies	69.40
PATRICK R RUNGE	Crt Appt Attny	540.00
SHOTWELL GLASS LLC	Serv	425.04
SIDNER, SVOBODA,SCHILKE,THOMSEN	Crt Appt Attny	951.00
STAMP FULFILLMENT SERVICES	Supplies	3.90
STATE OF NEBRASKA	Network	98.25
STATE OF NEBR, DEPT OF CORRECT SERV	Inmate Serv	1,691.76
TELRITE CORPORATION	Serv	366.28
THE CLEANER CO	Supplies	781.18
THRASHER BASEMENT SYSTEMS INC	Serv	89.00
TOWN & COUNTRY PEST CONTROL INC	Serv	76.00
ADAM R TRIPP	Crt Appt Attny	342.00
LAW OFFICES OF KELLY HENRY TURNER	Crt Appt Attny	648.00
UNITED STATES POSTAL SERVICE	Dist Clerk Meter	1,000.00
VERIZON WIRELESS	Serv	40.07
JENNIFER D WALKINGSTICK	Crt Appt Attny	735.00
WASHINGTON COUNTY FAIR	Weed Dept	50.00
WASHINGTON COUNTY SHERIFF	Court Serv	36.50
ROAD FUND		
EMPLOYEES	5-27-11 Payroll	36,794.08
AMERITAS LIFE INS CORP	Retirement	2,502.65
UNITED HEALTHCARE INS Co	Ins	9,807.96
WASHINGTON COUNTY BANK	FICA	2,732.86
WASHINGTON COUNTY BANK	Ins	1,975.50
B'S ENTERPRISE INC	Signs	5,825.00
BARCO MUNICIPAL PRODUCTS INC	Equip	170.70
BOB'S RADIATOR REPAIR CO INC	Serv	425.00
BOMGAARS	Supplies	97.26
BRAKKAN TRUCKING	Equip Rental	1,095.28
JEFFREY CHRISTENSEN	Elec Reimb	150.00
FASTENAL COMPANY	Supplies	86.70
HENTON TRENCHING, INC	FEMA Dirt	1,950.00
HI-LINE ELECTRICAL & MECHANICAL	Supplies	258.45
JEO CONSULTING GROUP, INC	Engineering	9,029.90
KENNARD TRANSFER	Equip Rental	3,029.95
RONALD KERSTETTER	Equip Rental	4,216.92

KNUDSEN OIL & FEED	Fuel	5,978.81
RICHARD C KRUSE	Elec Reimb	150.00
CHAD LAKE	Elec Reimb	150.00
RICHARD MADSEN	Elec Reimb	150.00
MARTIN MARIETTA MATERIALS	Rock	6,252.17
TROY MENCKE	Elec Reimb	150.00
MIDWEST SERVICE & SALES CO	Culverts	2,945.50
DOUGLAS M MUHSMAN	Elec Reimb	150.00
NEBRASKA IOWA SUPPLY COMPANY	Fuel	6,698.50
NMC EXCHANGE LLC	Parts	1,043.51
O'REILLY AUTOMOTIVE INC	Supplies	6.82
GALE D PETERSON	Elec Reimb	150.00
POWERPLAN	Parts	238.03
SHOTWELL GLASS LLC	Serv	50.00
STEVE SORENSEN	Elec Reimb	150.00
STA-BILT CONSTRUCTION CO	Super Patch	999.60
THE SIGN DEPOT	Signs	42.86
THERMO KING CHRISTENSEN	Parts	113.08
U S ASPHALT COMPANY	Equip Rental	2,000.00
UNITED STATES POSTAL SERVICE	Meter	500.00
WASHINGTON COUNTY ROAD DEPARTMENT	Reimb Petty Cash	31.16
WESTERN ENGINEERING COMPANY INC	Patch Work	13,621.03
HARD SURFACING FUND		
FELSBURG HOLT & ULLEVIG	NEPA Doc 1ST Pymt	2,442.79
THIELE GEOTECH, INC	Geotechnical Explorat	4,725.00
PUBLIC SAFETY COMM PROJ FUND		
WASHINGTON COUNTY BANK WIRE	Interest Pymt	37,701.25
COURTHOUSE BOND FUND		
WASHINGTON COUNTY BANK WIRE	Interest Pymt	10,458.75
COURTHOUSE ANNEX BOND FUND		
WASHINGTON COUNTY BANK WIRE	Interest Pymt	14,726.25
E 911 SYSTEM FUND		
INTERACT PUBLIC SAFETY SYSTEMS	Maintenance	20,524.60
MOTOROLA	Maintenance	2,549.59

There being no further business to come before the Board at this time, it was moved by Kruger and seconded by Quist that the meeting be adjourned until the next regular Board meeting date, Tuesday, June 14, 2011. All members present voted aye, Chairperson declared meeting adjourned.

Attest:

Merry M. Truhlsen
Washington County Clerk

Mary Alice Johnson, Chairperson
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 May 24, 2011 meeting of the Washington County Board of Supervisors.

Merry M. Truhlsen
Washington County Clerk