

**August 9, 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, August 9, 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.

Vice Chairman, Jeff Quist, declared the meeting was in session and that the meeting is being recorded. Quist made note that the Open Meetings Law is posted on the door and the north wall. Present: Vice Chairman, Jeff Quist, County Board Members, Kent Clausen, Jerry Kruse, Steve Kruger and Ron Hinline. Mary Alice Johnson absent until 10:30. Ernest Abariotes absent all day. Also present, County Clerk Merry Truhlsen and Deputy County Attorney Ed Talbot.

Motion Kruger second Kruse to approve agenda for August 9, 2011. Vote- Aye: Clausen, Kruse, Quist, Kruger and Hinline. Johnson and Abariotes absent. Nay: None. Motion carried. It was moved by Hinline and seconded by Clausen that the rules be suspended and that the minutes of the July 26, 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, Kruger and Hinline. Johnson and Abariotes absent. Nay: None. Motion carried.

It was moved by Kruse and seconded by Hinline that the regular monthly fee reports of the following officials be received and placed on file: Co Clerk \$294.00, Reg of Deeds \$20,726.25, Co Court \$21,431.75, Co Plan Dept \$11,594.00, Clk Dist Crt \$1,578.42 and Road Dept \$409.41. Vote- Aye: Clausen, Kruse, Quist, Kruger and Hinline. Johnson and Abariotes absent. Nay: None. Motion carried.

The following correspondence had been received: e-mail from Phil Green giving an update on the flood relief housing at Holling Hall. It was moved by Kruse and seconded by Kruger that the correspondence be received and placed on file. Vote- Aye: Clausen, Kruse, Quist, Kruger and Hinline. Johnson and Abariotes absent. Nay: None. Motion carried.

Cheryl Parsons, Road Supt, had Julie Ogden, JEO Consulting, discuss flooding and road concerns. Ogden gave Board a handout and went through the emergency declaration we are under now and the steps to be followed for making emergency repairs. Ogden then discussed as the County begins the process for permanent repairs what the requirements with Federal Emergency Management Agency / Nebraska Emergency Management Agency and Nebraska Dept of Roads / Federal Highway Administration are. The formal Disaster Recovery Declaration has been submitted but has not yet been approved by the President. Once the declaration has been made, approval must be provided by FEMA before beginning any construction work on a project. This will take many months based on past disasters. In the meantime, deciding when to open roads, even if they don't appear to have damage, should be done with caution and Ogden outlined a process to follow. Parsons said the Road Dept is ready to start working on black top to repair shoulders. Board discussed checking subgrade by digging a hole to check the water levels. Ogden stressed the importance of documenting the damage and the Board authorized Parsons to purchase a video camera. Kruger stated he was still concerned about doing too many repairs until the Corps drops the large releases from the dams, if a heavy rain occurred, the water could rise. Parsons said they will be assessing and documenting damage as quickly as possible.

Mike Blackley, Union Pacific Railroad, read an excerpt from the January 25, 2011 Supervisor's minutes where the Road Committee recommended the RR and the land owner have further negotiations regarding the CR28/29 railroad crossing and the Board tabled further action. Talbot explained Resolution 2011-35 was drawn up to clarify the Board's intent and to state the project was not tabled as to Union Pacific moving forward with negotiations and right of way acquisition, and is an active project. Parsons read the resolution. Motion Clausen second Kruger to adopt Resolution 2011- 35. Vote- Aye: Clausen, Quist, Kruger and Hinline. Johnson and Abariotes absent. Kruse abstained. Motion carried.

RESOLUTION NO. 2011- 35

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

That, Washington County Road Project No. C89(522), for lowering the hill on County Road 28 west of the intersection with County Road 29, and acquisition of temporary property rights needed for such project as approved, is removed from the Table, and the Union Pacific Railroad Company its contractor is authorized to proceed with the project in accordance with the plans submitted and dated April 9, 2010, under the general supervision of the Washington County Highway Superintendent. The Union Pacific Company shall be responsible for all acquisition of property and construction efforts and expenses.

Passed and Approved this 9th Day of August, 2011.

Jeff Quist, Vice-Chairman
Washington County Board of Supervisors

ATTEST: Merry M. Truhlsen, County Clerk
Washington County, Nebraska

Board had requested the County Highway Superintendent do a road study for the vacation of County Road 28 between County Road 27 & 29. This road study was in regard to the petition filed by Union Pacific Railroad at the July 12th Board meeting. Parsons read the road study and concluded with urging the Board to not close County Road 28. Motion Kruger second Clausen to accept the Road Study on County Road 28 between CR 27 & 29. Vote- Aye: Clausen, Kruse, Quist, Kruger and Hinline. Johnson and Abariotes absent. Nay: None. Motion carried.

Parsons requested permission to advertise for the purchase of a new dump truck, plow & sander (as a unit) and a new 1-Ton sign truck. Board discussed the vehicles and the trade-ins. Motion Clausen second Kruse to bid a new dump truck, plow and sander. Vote- Aye: Clausen, Kruse, Quist, Kruger and Hinline. Johnson and Abariotes absent. Nay: None. Motion carried. Motion Kruger second Kruse to bid a 1-ton truck, getting bids on a 4 wheel drive and a 2 wheel drive 1-ton truck. Vote- Aye: Clausen, Kruse, Quist, Kruger and Hinline. Johnson and Abariotes absent. Nay: None. Motion carried. Parsons also discussed doing some micro-surfacing on County Road P43. Consensus of the Board was to wait and see how the present micro-surfacing holds up before doing anymore. Motion Kruger second Clausen to table the micro-surfacing on County Road P43. Vote- Aye: Clausen, Kruse, Quist, Kruger and Hinline. Johnson and Abariotes absent. Nay: None. Motion carried.

Mary Alice Johnson was present.

Phil Lorenzen, DA Davidson, gave the Board information on bonds the County has. Lorenzen discussed refunding the \$340,000 Series 2006 Public Safety Bonds. Motion Hinline second Quist to direct Lorenzen to proceed with the process and preparation of resolutions and related documents. Vote- Aye: Clausen, Kruse, Johnson, Quist, Kruger and Hinline. Abariotes absent. Nay: None. Motion carried.

Marj Hoier, County Treasurer, submitted the Sheriff's Distress Warrant Report, which reports the activity on the 2010 Distress Warrants that were turned over to the County Sheriff for collection on November 1, 2010. Motion Hinline second Kruger to receive the Sheriff's Distress Warrant Report and place on file. Vote- Aye: Clausen, Kruse, Johnson, Quist, Kruger and Hinline. Abariotes absent. Nay: None. Motion carried.

Talbot discussed the Region 6 Inter-local Agreement, which was initially approved at the June 14, 2011 meeting. Clausen moved, seconded by Quist to approve the amended and restated Region 6 Behavioral Healthcare Inter-local Agreement. Vote- Aye: Clausen, Kruse, Johnson, Quist, Kruger and Hinline. Abariotes absent. Nay: None. Motion carried.

Trevor Kruger handed out pictures of his property and addressed the Board about his unique situation in regard to flooding that is occurring in the area. Trevor's house is not under water, but County Roads 34 and 49 going to Trevor's residence are under water. The county roads have been under water before and when this happens, Trevor has permission to go through a neighbor's property, Kent Clausen's, and then through the Kruger's farm field, to reach his home. Electricity has been shut off to the area and before electricity can be restored, the County Building inspector must do an inspection. Trevor requested the Board grant the County Bldg inspector permission to drive through his neighbor's property and their own property to inspect his house. Several residents from the area were present. Doug Cook, Planning and Zoning Administrator, said it was his understanding the building inspector was to use public access to reach properties that need to be inspected. Clausen offered to drive the building inspector to Kruger's property. Steve Fanslau and Robert Snyder, from OPPD, were present and said OPPD can't turn the power on until they can drive down the county road and inspect their electrical utilities. Kruse moved, seconded by Kruger to refer this to the emergency flood sub-committee, including Talbot and Cook, to resolve these issues. Vote- Aye: Clausen, Kruse, Johnson, Quist, Kruger and Hinline. Abariotes absent. Nay: None. Motion carried.

At 11:40 the Board convened as Board of Equalization, see separate minutes. Board adjourned from BOE at 11:54 and reconvened in regular session.

At 11:55, motion was made by Kruse and seconded by Clausen to enter into closed session. Vote- Aye: Clausen, Kruse, Johnson, Quist, Kruger and Hineline. Abariotes absent. Nay: None. Motion carried. Chairman stated the reason for the closed session was for the protection of the public interest with respect to collective bargaining negotiations with the labor organization representing employees in the Sheriff's Office. At 12:12, motion by Kruger and second by Clausen to end closed session. Vote- Aye: Clausen, Kruse, Johnson, Quist, Kruger and Hineline. Abariotes absent. Nay: None. Motion carried. Chairman again stated the reason for the closed session was for the protection of public interest with respect to collective bargaining negotiations with the labor organization representing employees in the Sheriff's Office. In open session Clausen moved, seconded by Kruger to retain Paul Essman, as presented in his proposal to the County, to do a comparability study as to wages and benefits. Vote- Aye: Clausen, Kruse, Johnson, Quist, Kruger and Hineline. Abariotes absent. Nay: None. Motion carried.

Board discussed changing the starting time of County Board meetings to 8:30 A.M. Kruger moved, seconded by Clausen that beginning in September, Board meetings will start at 8:30 A.M. Vote- Aye: Clausen, Kruse, Johnson, Quist, Kruger and Hineline. Abariotes absent. Nay: None. Motion carried.

Talbot discussed amending Resolution 2011-31 regarding the applicant of the special liquor permit for the figure eight race at Washington County Fairgrounds on August 20th. Clerk read resolution. Kruger moved, seconded by Quist to adopt Resolution 2011 – 31A approving the special liquor permit for Arlington Youth Foundation. Vote- Aye: Clausen, Kruse, Johnson, Quist, Kruger and Hineline. Abariotes absent. Nay: None. Motion carried.

RESOLUTION 2011 - 31-A (Amended)

WHEREAS, Arlington Youth Foundation, 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 Foundation, and grants permission to use the specific area designated in said application on August 20, 2011, for the hours of 4:00 PM to 1:00 AM, for the purpose of dispensing of the alcoholic beverages on said premises.

This Resolution amends 2011-31, which was adopted on July 12, 2011.

PASSED, APPROVED, AND ADOPTED this 9 day of August, 2011.

Washington County Board of Supervisors
Jeff Quist, Vice-Chairman

Attest: Merry Truhlsen, County Clerk

A large group consisting of members of the Sheriff's Department and other interested parties were present. Robert Bellamy, President of FOP, said even though the FOP has filed a claim against the County with the Commission of Industrial Relations on the Sheriff's Office budget, specifically as to wages and benefits, they would still be open to further negotiations with the Board, and asked if that would be possible. Talbot said the attorneys should be consulted as litigation has begun. Bellamy said they would prefer to negotiate with the Board rather than go through the CIR. Lou Brown and Renee Jensen-Brown discussed their concerns with the increasing problem of the crime in the southern part of the county. They have appreciated the good job done by the Sheriff's Dept and feel the Dept is very understaffed to deal with the problems from Douglas County that are coming into this County. Board recessed for lunch.

Board went through the 2011-2012 Budget. Board approved 1% raises. Dennis McCormick made a comment. Cindy Heng talked about the money the County has spent on an attorney for the salary negotiations with the FOP and said she thought the Sheriff's deputies' pay was too low. Board continued with the budget discussion. County Attorney Shurie Graeve was present to go over her budget. Board will finalize budget figures at the August 23 meeting. There were no comments from the public.

Claims were received and reviewed. Kruger said the claim held up last month to Douglas County had been checked and was being paid in this issue. Johnson read through the County Visitor Promotion claims submitted, following which it was moved by Kruger and seconded by Kruse that the following claims be allowed and Clerk ordered to issue warrants on the various funds for the same. Vote- Aye: Clausen, Kruse, Johnson, Quist, Kruger and Hinline. Abariotes absent. Nay: None. Motion carried.

GENERAL FUND

EMPLOYEES	Payroll 8-5-11	137,977.34
AMERITAS LIFE INS CORP	Retirement	9,492.24
FORT DEARBORN LIFE INS	Ins	32.11
FORT DEARBORN LIFE INS	Ins	278.05
UNITED HEALTHCARE INS CO	Ins	39,318.11
WASHINGTON COUNTY BANK	FICA	9,722.18
WASHINGTON COUNTY BANK	Ins	7,628.50
A & D TECHNICAL SUPPLY CO INC	Supplies	150.00
ABE'S TRASH SERVICE INC	Serv	158.97
ALLTEL	Serv	48.44
AT&T	Serv	35.02
ATS "THE BEEPER PEOPLE"	Serv	354.10
BI-STATE MOTOR PARTS INC	Parts	16.18
BLACK HILLS ENERGY	Serv	73.28
BLAIR BOOK & SUPPLY CO	Supplies	814.79
BLAIR TELEPHONE CO	Serv	1,754.00
CAMPBELL AMAN FUNERAL HOME	Serv	300.00
CCH	Subscription	1,590.00
CITY OF BLAIR	Flood Relief, water	2,756.05
CITY OF FORT CALHOUN	Aug Lease	50.00
CLERK OF DISTRICT COURT	Filing Fees	209.00
CONSTELLATION ENERGY	Serv	131.36
CONTROL SERVICES INC	Maintenance	582.95
COUNSEL OFFICE & DOCUMENT	Supplies	232.28
COUNTRY TIRE SERVICE CENTER	Serv	1,471.14
DELL MARKETING LP	Supplies	110.99
DES MOINES STAMP MFG CO INC	Supplies	73.00
DICK'S ELECTRIC CO	Serv	278.12
DODGE COUNTY SHERIFF	Serv	26.34
DOUGLAS CO-DEPT OF GENERAL ASSIST	Rent & Supplies	1,333.67
DOUGLAS COUNTY SHERIFF	Serv	40.23
DOUGLAS COUNTY TREASURER	Morgue Fees	500.00
EGAN SUPPLY COMPANY	Supplies	195.64
ELECTRIC FIXTURE & SUPPLY CO	Supplies	161.20
ENTERPRISE PUBLISHING CO INC	Notices & Minutes	795.51
ERICKSON & SEDERSTROM PC	Fairgrounds	648.98
EXPRESS COMPANIES INC	Supplies	54.10
FAIRWAY OIL COMPANY	Fuel	476.41
FIRST NATIONAL BANK VISA	Transport Fees	19.02
FIRST NATIONAL BANK VISA	Equip	762.76
FIRST NATIONAL BANK - VISA	Equip	59.48
FIRST NATIONAL BANK VISA	Equip	728.99
FIRST NATIONAL BANK VISA	Program	79.00
SHURIE GRAEVE	Reimb Cell	134.21
HANSEN AGENCY INC	Bond Fee	40.00
HARDING & SHULTZ PC LLO	FOP Contract	14,081.54
JONES' - RAY'S TOWING SERVICE	Towing	100.00
KANSAS POLYGRAPH ASSOCIATION	Seminar	125.00
STEPHEN J KRAVIEC PC LLO	Child Support Enf	1,588.55
MCGOUGH LAW P.C., L.L.O.	Crt Appt Attny	384.00
STEVEN MENCKE	Reimb Mileage	103.68
MODERN MARKETING	Promotional	1,394.65

MULTI-COUNTY INFORMATION & NE HEALTH & HUMAN SERVICES	Programing	1,260.14
NEBRASKA DEPARTMENT OF REVENUE	Serv	93.00
NEBRASKA NOTARY ASSOC	Workshop Reg	1,120.00
GLADYS NELSON	Notary	152.25
O'REILLY AUTOMOTIVE INC	Crt Reporting	42.00
OFFICE NET	Parts	489.15
OFFICE WAREHOUSE	Copiers	1,004.43
OMAHA PUBLIC POWER DISTRICT	Supplies	1,128.19
ORTMEIER'S TV & APPLIANCE INC	Serv	7,503.10
PAMIDA INC	Supplies	21.97
PERSONALIZED COMPUTER SERVICES	Supplies	214.82
POTTAWATTAMIE COUNTY SHERIFFS DEPT	Software	430.00
CALVIN POULSEN	Serv	62.00
POUNDS PRINTING INC	GIS	1,985.00
REYZLIK ACE HARDWARE	Supplies	562.00
KRIS ROBINSON	Supplies	162.04
SAUNDERS COUNTY SHERIFF	Reimb Mileage	767.01
SECRETARY OF STATE	Serv	96.17
SHELL FLEET PLUS	Election WS	60.00
SHOTWELL GLASS LLC	Fuel	6,949.72
SID DILLON CHEV-OLDS-PONT, INC	Serv	116.12
SMITTY'S AUTO SERVICE INC	Serv	633.48
STATE OF NEBRASKA	Serv	1,443.84
TALLEY COMMUNICATIONS	Programing	1,280.01
TINKHAM LAND SURVEYING INC	Parts	186.16
MERRY TRUHLSEN	Flood Elevations	840.00
ULTRA MAX	Reimb Supplies	65.59
UNITED STATES POSTAL SERVICE	Supplies	464.00
US BANCORP EQUIPMENT FINANCE INC	Meter	250.00
VILLAGE OF ARLINGTON	Copiers	185.88
WASHINGTON COUNTY BANK	Aug Lease	69.50
WASHINGTON COUNTY COURT	Fees	124.00
WOODHOUSE FORD INC	Costs	3.75
	Deductable & Serv	445.88
ROAD FUND		
EMPLOYEES	Payroll 8-5-11	36,039.94
AMERITAS LIFE INS CORP	Retirement	2,432.70
FORT DEARBORN LIFE INS	Ins	21.57
FORT DEARBORN LIFE INS	Ins	62.85
UNITED HEALTHCARE INS CO	Ins	9,807.74
WASHINGTON COUNTY BANK	FICA	2,649.15
WASHINGTON COUNTY BANK	Ins	1,975.50
ABE'S TRASH SERVICE INC	Serv	55.00
ALLTEL	Serv	143.14
BI-STATE MOTOR PARTS INC	Parts	711.50
BLAIR BOOK & SUPPLY CO	Supplies	95.76
BLAIR TELEPHONE CO	Serv	71.99
BRAKKAN TRUCKING	Equip Rental	1,633.20
CMA TRUCKING	Equip Rental	1,944.18
CORNHUSKER INTERNATIONAL TRUCKS,INC	Parts	938.29
COUNTRY TIRE SERVICE CENTER	Tires	77.45
CRA PAYMENT CENTER	Parts	1,115.46
DEEP ROCK WATER COMPANY	Serv	68.61
ENTERPRISE PUBLISHING CO INC	Notice	218.59
FASTENAL COMPANY	Supplies	39.48
FILTER CARE OF NEBRASKA	Serv	93.65
ROBERT & JANE FRAHM	Temp Easement	200.00
HAGERBAUMER BROS INC	Equip Rental	851.76

INLAND TRUCK PARTS AND SERVICE	Parts & Labor	2,450.86
INVESTORS FOR INFRASTRUCTURE, LLC	Pymt Bridge	76,566.60
GLORIA JENSEN	Paint Serv	351.28
KELLY RYAN EQUIPMENT COMPANY INC	Part	7.15
LARSEN INTERNATIONAL	Parts & Labor	1,141.44
MEDICAL ENTERPRISES, INC	Testing	46.00
MIDWEST SERVICE & SALES CO	Culvert	982.33
NEBRASKA IOWA SUPPLY COMPANY	Fuel	8,984.42
OFFICE NET	Supplies	27.96
OMAHA PUBLIC POWER DISTRICT	Serv	490.19
OMAHA TRUCK CENTER INC	Parts	549.04
PAMIDA INC	Supplies	35.86
POWERPLAN	Parts	489.91
SE SMITH & SONS	Lumber	51.01
SID DILLON CHEV-OLDS-PONT, INC	Parts	123.19
STALP GRAVEL COMPANY	Gravel	2,819.03
STERN OIL CO INC	Oil	2,436.62
THE CURE, INC	Supplies	43.15
THE SIGN DEPOT	Signs	277.02
THERMO KING CHRISTENSEN	Parts	123.35
WALKERS UNIFORM RENTAL	Serv	170.17
WASHCO FEED & SUPPLY	Erosion Control	104.48
COUNTY VISITOR'S PROMOTION FUND		
ALTERNATIVE GROWERS GROUP	Promo Advertising	500.00
BLAIR AREA CHAMBER OF COMMERCE	Promo Advertising	335.75
WASHINGTON COUNTY FAIR	Promo Advertising	1,000.00
WASHINGTON COUNTY HISTORICAL	Promo Advertising	1,135.75
911 ENHANCED WIRELESS SERVICE FUND		
BLAIR TELEPHONE CO	Serv	354.23
Q WEST	Serv	317.86
E 911 FUND		
BLAIR TELEPHONE CO	Serv	354.24
Q WEST	Serv	317.86
SIGN-UP LTD	Serv	2,073.00

There being no further business to come before the Board at this time, it was moved by Kruse and seconded by Clausen that the meeting be adjourned until the next regular Board meeting date, August 23, 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
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I, Merry M. Truhlsen, County Clerk, in and for Washington County, Blair, Nebraska, do hereby certify that the foregoing proceedings took place during the August 9, 2011 meeting of the Washington County Board of Supervisors.

Merry M. Truhlsen, Washington County Clerk