

July 24, 2012 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 8:30 a.m. on Tuesday, July 24, 2012 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, Mary Alice Johnson 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, 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. Chairman said there would be no Board of Equalization at 8:30, but BOE would convene at 10:30.

Motion Quist second Kruse to approve the agenda for July 24, 2012. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried. It was moved by Clausen and seconded by Quist that the rules be suspended and that the minutes of the July 10, 2012 meeting be approved. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried. Motion by Kruger second by Kruse that the minutes of the July 12, 2012 budget workshop 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 and Hinline. Nay: None. Abariotes abstained as he wasn't at the meeting. Motion carried.

The following correspondence had been received: Nebr Dept of Roads Surface Transportation Program book and letter from FEMA regarding an August 10th meeting with the Wash Co Planning & Zoning Dept. Motion Kruger and second Clausen to receive correspondence and place on file. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried.

Cheryl Parsons, Highway Superintendent, gave a brief update on road issues.

At 8:45 A.M., motion was made by Kruse 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 a discussion with legal counsel and possible action RE: Bridge Litigation, for the protection of the public interest. At 9:05 A.M., motion by Kruger and second by Hinline 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 discussion with legal counsel and possible action RE: Bridge Litigation, for the protection of the public interest. Johnson said the only action taken was to say a subcommittee consisting of Hinline, Johnson and Quist, may meet with Parsons and Talbot if necessary, before the next regular Board meeting.

At 9:15, Board considered a Substantial Damage Assessment appeal from John Wooden. Board had requested Wooden provide papers showing ownership of the property previously leased by Jeri Hoffman. Quist said the ownership papers were provided. Motion Clausen second Kruse to approve the SDA appeal from John Wooden. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger and Abariotes. Hinline abstained. Nay: None. Motion carried.

The Board room was filled with people for the public hearings on conditional use permits. Barb Brazelton, Interim Planning and Zoning Administrator, had the following items:

1. Conditional Use Permit application for Jerome & David Sperling % Monke Brothers Fertilizer/Tom Monke - To construct an Anhydrous Ammonia Plant on the SE1/4 SE1/4 in Section 17-Township 17 -Range 10 (general location: corner of County Roads 36 and 15). Motion by Kruse, second by Clausen to open a public hearing. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried. Brazelton discussed the CUP and went through the Planning Board recommendation to approve with the following conditions: 1) That County Road 36 is paved 100 foot past the last entrance into the plant. 2) That Co Rd 15 has a paved turning and passing lane at the intersection of Co Rd 36, to be paved at the expense of the applicant. 3) No access off of County Road 15. 4) A site plan must be available before going to the County Board. 5) Any upgrade to the shoulder must be cement. Kruse asked to see the site plan. Tom Monke apologized

for not having the site plan completed. Monke said modifications were made, after meeting with the Road Dept, to the entrance, exit and other changes as requested and it did not get completed. Chairman stated the CUP would not be voted on today as the site plan was not completed but public testimony would be heard. Those speaking in opposition to the CUP were Mary Thompson, Amy Vermeleen- who also handed in a petition requesting denial of the CUP, Bob Pfeiffer, Sara Hasenauer and Ted Henkenius. Tom Christensen spoke in support of the CUP. Motion by Kruger second by Kruse to close the public meeting. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried. Motion by Hinline second by Abariotes to refer this back to the Planning Commission to get all the applicable information before bringing it back to the Board. Vote- Aye: Kruse, Johnson, Kruger, Abariotes and Hinline. Nay: Clausen and Quist. Motion carried.

2. Conditional Use Permit application for Scott and Linda Swanson- To allow the operation of a private recreation area on Tax Lot 10 all in Section 6-Township 17 -Range 12 (address: 6817 County Road P35). Motion Kruger second Kruse to open a public hearing. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried. Brazelton discussed the CUP and the Planning Commission's recommendation to deny this. Greg Drew, Atty for Swansons, discussed the CUP, spoke of the conditions that have been met and stressed this would be good only until November 4, 2012. Several people spoke in support of Swanson's CUP: Brenda Orr, Cindy Mailloux, Nick Swanson and John Wakefield. Board discussed the CUP. Motion by Kruse second by Kruger to close the public hearing. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried. Motion Abariotes second Hinline to approve the Conditional Use Permit to allow for the operation of a private recreation area on Tax Lot 10 in Section 6- Township 17 -Range 12 as long as they meet the conditions set forth by the State Fire Marshall and County Building Inspector and said permit to be in effect until November 4, 2012. Vote- Aye: Clausen, Kruse, Quist, Kruger, Abariotes and Hinline. Nay: None. Johnson abstained as she has a property in Blair for the same purpose. Motion carried.

OLD BUSINESS 1. Conditional Use Permit reviews:

FILE #	APPLICANT	PURPOSE	STAFF RECOMMENDATION
91-5	Leisure Properties (Lemley's)	Mobile Home Park	Continue to August meeting
93-20	Wooden Properties	Mobile Home Park	Continue to August meeting
91-10	Desoto Park Estates	Mobile Home Park	Continue to August meeting

Board discussed the CUPs for the mobile home parks. Motion by Clausen second by Kruse to concur with the Planning Commission recommendation to continue CUPs 91-5, 93-20 & 91-10 and give them a 45 day extension on their CUP. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried.

FILE #	APPLICANT	PURPOSE	STAFF RECOMMENDATION
04-04	Mike Fitzgerald	Corn Milling Bio-Solids	Continue to August meeting

Board discussed CUP 04-04. Motion Clausen second Kruger to concur with Planning Commission recommendation to continue CUP 04-04 to the August meeting and give them a 45 day extension on their CUP. Vote- Aye: Clausen, Kruse, Quist, Johnson, Kruger, Abariotes and Hinline. Nay: None. Motion carried.

Brazelton said the Planning Commission would like the Board to adopt a policy on how to handle complaints and items when something isn't in compliance with the zoning regulations. Brazelton said she would e-mail this to the Board and put it on the August 28th agenda.

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	Payroll 7-20-12	150,020.51
AMERITAS LIFE INS CORP	Retirement	10,330.89
UNITED HEALTHCARE INS CO	Ins	42,476.03
WASHINGTON CO BANK	FICA	10,883.59
WASHINGTON CO BANK	Ins	7,755.82
ADVANCED CORRECTIONAL HEALTHCARE	Jail Serv	2,098.62
B-GREEN LAWN SERVICE	Lawn Applications	458.80
PATRICK G BAXTER	Crt Appt Attny	882.00
BERNTSEN INTERNATIONAL, INC	Supplies	127.27
BLACK HILLS ENERGY	Serv	83.40
BURT COUNTY SHERIFFS OFFICE	Serv	7.00
CITY OF BLAIR	Library Fees & Impound	248.00
CLERK OF DISTRICT COURT	Filing Fees	343.00
CONSTELLATION ENERGY	Serv	94.53
DOUGLAS COUNTY SHERIFF	Serv	6.59

EAKES OFFICE PLUS	Supplies	379.99
ENTERPRISE PUBLISHING CO INC	Subscriptions & Notice	228.50
FORNOFF & SCHUTT PC	Crt Appt Attny	282.00
FRAHMS STUMP REMOVAL	Serv	130.00
PAMELA LYNN HOPKINS	Crt Appt Attny	3,091.50
IDEAL PURE WATER	Serv	28.13
ISECURETRAC CORPORATION	Serv	30.00
J P COOKE COMPANY	Serv	156.00
JOHNSON & MOCK ATTORNEYS AT LAW	Crt Appt Attny	2,803.75
KNUDSEN OIL & FEED	Serv	20.00
STEPHEN J KRAVIEC PC LLO	Child Support Enf	1,500.00
KAREN MADSEN	Reimb Mileage	124.32
MENARDS - FREMONT	Supplies	39.99
MILLS LAW OFFICE	Crt Appt Attny	555.00
MOORE MEDICAL LLC	Supplies	131.30
JOHN L MURPHY	Mow Serv	210.00
NE HEALTH & HUMAN SERVICES	Lincoln Serv	90.00
NEBRASKA LAW ENFORCEMENT	Certification	50.00
NEXTEL	Serv	39.88
OFFICE NET	Supplies & Copiers	603.60
OFFICE WAREHOUSE	Supplies	661.25
OMAHA DOOR & WINDOW CO INC	Bldg Repair	2,729.00
OMAHA PUBLIC POWER DISTRICT	Serv	309.87
ORTMEIER'S TV & APPLIANCE INC	Supplies	141.96
OTIS ELEVATOR COMPANY INC	Maintenance	5,736.73
PAY-LESS OFFICE PRODUCTS INC	Supplies	550.05
PHILLIPS 66 - CONOCO - 76	Fuel	1,142.41
PITNEY BOWES INC	Postage Machine	978.00
POC REGISTRAR	Seminar	150.00
POSTMASTER	Treas Aug DMV	620.76
CALVIN POULSEN	GIS Serv	1,155.00
PUBLIC SAFETY EQUIPMENT COMPANY LLC	Drug Testing	259.00
ROGERS SEED COMPANY	Weed Control	292.25
ROHRIG ANIMAL HOSPITAL	K-9 Serv	273.47
PATRICK R RUNGE	Crt Appt Attny	510.00
SHELL FLEET PLUS	Fuel	6,884.93
SHIPLEY CEMETERY HISTORICAL ASSN	Maintenance	575.00
SID DILLON CHEV-OLDS-PONT, INC	Deductable	250.00
SIDNER, SVOBODA,SCHILKE,THOMSEN	Crt Appt Attny	198.00
STATE OF NEBRASKA	Network	422.56
TELRITE CORPORATION	Long Dist Serv	440.69
THE CLEANER CO	Supplies	348.69
TOWN & COUNTRY PEST CONTROL INC	Serv	76.00
ADAM R TRIPP	Crt Appt Attny	108.00
ULTRA CAR WASH	Serv	200.00
VERIZON WIRELESS	Serv	66.27
VERIZON WIRELESS	Serv	40.01
WASHINGTON COUNTY BANK	Supplies & Box Rent	120.17
WASHINGTON COUNTY SHERIFF	Serv	71.10
WASHINGTON COUNTY SHERIFF	Cost on Fees	636.22
WATCH GUARD VIDEO	Equip	790.00
ROAD FUND		
EMPLOYEES	Payroll 7-20-12	38,417.15
AMERITAS LIFE INS CORP	Retirement	2,593.17
UNITED HEALTHCARE INS CO	Ins	10,335.37
WASHINGTON CO BANK	FICA	2,781.62
WASHINGTON CO BANK	Ins	1,906.50
A & L HYDRAULICS INC	Parts & Labor	455.03

B'S ENTERPRISE INC	Culverts	2,853.90
BOMGAARS	Supplies	134.78
BRAKKAN TRUCKING	Equip Rental	698.41
CJ'S TREE SERVICE	Equip Rental	2,200.00
CULLIGAN OF OMAHA	Serv	22.35
FASTENAL COMPANY	Supplies	23.10
INLAND TRUCK PARTS AND SERVICE	Parts & Labor	835.55
JEO CONSULTING GROUP, INC	Engineering	2,460.00
KNUDSEN OIL & FEED	Fuel	5,374.33
LOGAN EAST RURAL WATER SYSTEM	Road Repair	17.10
MALLARD SAND & GRAVEL CO	Gravel	21,767.01
MARTIN MARIETTA MATERIALS	Rock	11,612.08
LOGAN MCNEW	Mow Serv	1,120.00
MEMORIAL COMMUNITY HOSPITAL & MIDWEST STRIPING INC	Drug Testing	30.30
NEBRASKA IOWA SUPPLY COMPANY	Pavement Markings	20,894.40
NMC EXCHANGE LLC	Fuel	5,344.26
ORTMEIER'S TV & APPLIANCE INC	Parts	1,656.51
PAXTON-MITCHELL COMPANY	Supplies	25.99
THE SIGN DEPOT LLC	Supplies	3.56
THERMO KING CHRISTENSEN	Signs	185.28
WALKERS UNIFORM RENTAL	Supplies	26.96
HARD SURFACING FUND	Serv	181.20
JEO CONSULTING GROUP, INC	Engineering	720.00
911 ENHANCED WIRELESS FUND		
GEO COMM, INC	Maintenance	1,800.00
911 FUND		
CARMICHAEL BUSINESS SYSTEMS	Maintenance	3,330.00
GEO COMM, INC	Maintenance	1,800.00
MOTOROLA	Maintenance	3,986.13
911 COMMUNICATIONS	Equip	17,823.38

There being no further business to come before the Board at this time, it was moved by Clausen and seconded by Kruger that the meeting be adjourned until the next regular Board meeting date, Tuesday, August 14, 2012. All members present voted aye, Chairman declared meeting adjourned.

Attest: Merry M. Truhlsen
Washington County Clerk

Mary Alice Johnson, 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 July 24, 2012 meeting of the Washington County Board of Supervisors.

Merry M. Truhlsen
Washington County Clerk