

**November 26, 2013 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, November 26, 2013 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 Jeff Quist 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, Jeff Quist, County Board Members, Paul Cerio, Jerry Kruse, Mary Alice Johnson, Steven Kruger, Ernest Abariotes and Ron Hinline. Also present, Deputy County Clerk Carol Kuhr. Chairman announced there was no Board of Equalization today. Motion by Kruger and second by Kruse to approve the agenda for November 26, 2013. Vote-Aye: Cerio, Kruse, Johnson, Quist, Kruger, Abariotes and Hinline. Nay: none. Motion carried.

It was moved by Kruse and seconded by Johnson that the rules be suspended and that the minutes of the November 12, 2013 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: Cerio, Kruse, Johnson, Quist, Kruger, Abariotes and Hinline. Nay: none. Motion carried. In the public comment time slot, Cerio said the newspaper minutes for Nov. 12<sup>th</sup> regarding tabling Sheriff Robinson's request for vehicles didn't agree with the Board's copy of the minutes. Cerio also requested the minutes reflect whether public response to an agenda item was in favor or opposed to item. Board directed him to visit with the County Clerk.

The following correspondence had been received: Dept of Rev Lodging tax for Sept is \$1803.24, letter from Madison Co Commissioner Lee Klein- running for Sec/Treas of NACO, letter from NACO re: Affordable Care Act, letter from Wes Ehlers, Sequoia Consulting Group re: indirect cost allocation services. Motion by Kruger and second by Kruse to receive correspondence and place on file. Vote-Aye: Cerio, Kruse, Johnson, Quist, Kruger, Abariotes and Hinline. Nay: none. Motion carried.

Deputy County Attorney Ed Talbot appeared regarding the approval of hiring an attorney for litigation against American Contractors, bonding company for Investors for Infrastructure. Talbot asked the board to appoint Attorney Charles Campbell from York County who has handled cases of this type in the past. Talbot stated that NIRMA would not handle cases involving contracts. Board discussed price and time line for filing law suit. Motion by Kruger and second by Abariotes to hire Charles Campbell to represent Washington County in litigation against American Contractors, bonding company. Vote-Aye: Cerio, Kruse, Johnson, Quist, Kruger, Abariotes and Hinline. Nay: none. Motion carried.

Cheryl Parsons, Highway Superintendent, not in attendance, had requested the Board schedule a Road Committee meeting. Motion by Kruger and second by Kruse to set the Road Committee meeting for Tuesday, December 3, at 7:00 PM at the Courthouse. Vote-Aye: Cerio, Kruse, Johnson, Quist, Kruger, Abariotes and Hinline. Nay: none. Motion carried.

Sheriff Mike Robinson gave the Board information regarding ordering replacement patrol vehicles, which was tabled from the Nov 12<sup>th</sup> meeting. Cerio stated that the purchase amount was in Sheriff's budget and made a motion to let the Sheriff purchase vehicles as outlined at the last meeting. Motion failed for lack of second. Robinson discussed the vehicles with the Board and the rotation of vehicle purchases. Robinson stated it would be 60 to 90 days for delivery and he would try to include the cost to outfit the vehicles in the lease-purchase agreement. No interest rates had been obtained as financing will occur closer to delivery date. Motion by Cerio and second by Johnson to give Sheriff permission to go ahead and purchase vehicles as stated in e-mail sent November 24, 2013 which included 5 Ford Police Utility Interceptors @ \$27,337 each and 3 Ford Taurus @ \$18,124 each for detectives. Vote-Aye: Cerio, Johnson, Kruger, Abariotes and Hinline. Nay: Quist, and Kruse. Motion carried.

Johnson reported the Personnel Committee had met with County Attorney Shurie Graeve and Talbot regarding proposed revisions to the county personnel manual. Committee will review copy of the current manual and meet again. Hinline spoke regarding revisions to the manual, including a disclaimer for the Sheriff's department because of the union contract, and giving elected official a chance to look at the proposed manual. Hinline went on record asking the Board approve his request for a written legal opinion from the County Attorney on 1) whether law enforcement employees who do not belong to the union are

covered under the FOP Contract as per Article 2 of said contract; 2) whether personnel manual covers elected official's employees. Quist stated he would contact the County Attorney. There were no further committee reports.

Tanna Wirtz, Planning & Zoning Administrator presented the following:

Conditional Use Permit Reviews: File #12-07 for Rhea Cattle Company for long term stockpiling permit for gypsum. Wirtz discussed the CUP. Motion by Kruger and second by Kruse to concur with Planning Commission recommendation to approve with a 1 year review. Vote-Aye: Cerio, Kruse, Johnson, Quist, Kruger, Abariotes and Hinline. Nay: none. Motion carried. CUP File #98-11 for Robert and Linda Brown for additional animal units per acre. Wirtz discussed the CUP. Motion Kruse and second by Abariotes to concur with Planning Commission recommendation to approve for 41 horses with 5 year review. Vote-Aye: Cerio, Kruse, Johnson, Quist, Kruger, Abariotes and Hinline. Nay: none. Motion carried.

Conditional Use Permit: Arnold and Deborah Katt to temporarily allow for two single family residences on one parcel on NE1/4 SW1/4 Section 18-Township 19 North Range 11 East of the sixth P.M; 16640 County Road P10, Herman, NE 68029 Motion by Abariotes and second by Johnson to open public hearing. Vote-Aye: Cerio, Kruse, Johnson, Quist, Kruger, Abariotes and Hinline. Nay: none. Motion carried. Wirtz discussed the permit. Motion by Kruger and second by Kruse to close public hearing. Vote-Aye: Cerio, Kruse, Johnson, Quist, Kruger, Abariotes and Hinline. Nay: none. Motion carried. Motion by Kruse and second by Johnson to concur with Planning Commission recommendation to approve the CUP with a review in one year to obtain a status report on the project. Vote-Aye: Cerio, Kruse, Johnson, Quist, Kruger, Abariotes and Hinline. Nay: none. Motion carried.

Conditional Use Permit for Daniel and Linda Douglas to temporarily allow for two single family residences on one parcel on TL18, Section 4-Township 17 North Range 10 East of the sixth P.M.; 20152 County Road 32, Arlington, NE 68002. Motion by Johnson and second by Kruger to open public hearing. Vote-Aye: Cerio, Kruse, Johnson, Quist, Kruger, Abariotes and Hinline. Nay: none. Motion carried. Wirtz discussed the CUP. Motion by Johnson and second by Kruse to close public hearing. Vote-Aye: Cerio, Kruse, Johnson, Quist, Kruger, Abariotes and Hinline. Nay: none. Motion carried. Motion by Johnson and second by Abariotes to concur with Planning Commission recommendation to approve the CUP with a review in one year to obtain a status report on the project. Vote-Aye: Cerio, Kruse, Johnson, Quist, Kruger, Abariotes and Hinline. Nay: none. Motion carried.

Comments from the public: Joyce Graybill spoke.

Claims were received and reviewed, 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: Cerio, Kruse, Johnson, Quist, Kruger, and Abariotes. Hinline abstained. Nay: none. Motion carried.

#### **GENERAL FUND**

EMPLOYEES	Payroll 11/22/13	156,654.18
AMERITAS LIFE INSURANCE CORP	Retirement	10,930.42
UNITED HEALTHCARE INS CO	Ins	35,708.46
WASHINGTON COUNTY BANK	FICA	11,386.39
WASHINGTON COUNTY BANK	Ins	7,148.26
APCO INTERNATIONAL INC	Membership dues	92.00
ATCO INTERNATIONAL	Supplies	142.00
BARCODE GIANT	Supplies	287.20
AMANDA BARRON LAW LLC	Crt Appt Atty	3,654.00
BART MOORE SUBCONTRACTING INC	Services	1,825.00
BLACK HILLS ENERGY	Services	328.26
BLAIR GARDEN CENTER	Supplies	261.88
BOMGAARS	Supplies	19.98
BOYDSTON LAW OFFICE LLC	Crt Appt Atty	6,583.50
LAW OFFICE OF ERIC R CHANDLER	Crt Appt Atty	600.00
CITY OF BLAIR	Services	2,049.60
CLERK OF DISTRICT COURT	Fees	274.00
CONSOLIDATED MANAGEMENT COMPANY	Food	28.50
CONSTELLATION ENERGY	Services	944.32
CONTROL SERVICES INC	Services	5,006.15
HERBERT C COULTER, D.D.S.	Inmate Care	922.00
DICK'S ELECTRIC CO	Services	115.00
DIESEL POWER EQUIPMENT CO	Services	2,384.57
DODGE COUNTY SHERIFF	Fees	18.60

DOUGLAS COUNTY SHERIFF	Fees	46.12
DREW LAW FIRM	Crt Appt Atty	120.00
DUGAN BUSINESS FORMS	Supplies	983.00
EAKES OFFICE PLUS	Supplies	134.42
EGAN SUPPLY COMPANY	Supplies	31.00
FORNOFF & SCHUTT PC	Crt Appt Atty	1,395.00
IABPA	Membership dues	40.00
STEPHEN J KRAVIEC PC LLO	Child Support Enforc	1,500.00
VICKI KUHLMANN	Reimb	4.47
MATTHEW BENDER & CO INC	Dues	643.26
KAREN MADSEN	Reimb	24.49
MAINTENANCE ENGINEERING LTD	Supplies	405.00
MANATRON INC	Services	5,490.00
STEVEN MENCKE	Mileage/Reimb	110.95
MIDWEST PROCESS SERVICES	Child Support Enforc	27.52
YANCEY SCOTT MOORE MD	Services	1,687.50
MOTOROLA	Supplies	10.00
NACO	Registration Fees	405.00
NE HEALTH & HUMAN SERVICES	Regional Center	186.00
NEBR DEPT OF ENV QUALITY	Certificate Renewal	300.00
NEBR IOWA SUPPLY COMPANY	Supplies	476.64
NEBR SUPREME COURT PUBLICATIONS	Subscriptions	236.00
NEBR WEED CONTROL ASSOC	Membership dues	125.00
GLADYS NELSON	Court Reporter	105.00
NSBA	Dues	770.00
OFFICE DEPOT INC	Supplies	297.30
OFFICE NET	Supplies	98.70
OFFICE WAREHOUSE	Supplies	275.05
OLSON & STEWART CONSTRUCTION	Concrete Work	4,602.00
OMAHA PUBLIC POWER DISTRICT	Services	225.60
ORTMEIER'S TV & APPLIANCE INC	Services	69.95
PERSONALIZED COMPUTER SERVICES	Services	430.00
PFI	Storage Fees	35.00
PHILLIPS 66 - CONOCO - 76	Fuel	1,357.22
PHYSICIANS LABORATORY PC	Services	900.00
GREGORY A PIVOVAR	Crt Appt Atty	1,099.50
POSTMASTER	Supplies	460.00
CALVIN POULSEN	GIS Services	1,337.50
ROHRIG ANIMAL HOSPITAL	Services	156.21
SIDNER, SVOBODA,SCHILKE,THOMSEN	Crt Appt Atty	1,852.50
DESIRAE MICHELLE SOLOMON	Crt Appt Atty	825.00
SPRINT	Services	39.13
STATE OF NEBR, AS CENTRAL SERVICES	Services	98.25
STATE OF NEBR, DEPT OF CORRECT SERV	Services	85.46
STENOGRAPH	Services	599.00
TELESYSTEMS LLC	Services	570.00
TELRITE CORPORATION	Services	332.45
THE CLEANER CO	Supplies	976.08
TOWN & COUNTRY PEST CONTROL INC	Services	76.00
KELLY HENRY TURNER	Crt Appt Atty	1,003.50
JIM VAN CLEAVE	Mileage/Reimb	205.10
VERIZON WIRELESS	Services	42.89
VERIZON WIRELESS	Services	40.01
WASHINGTON COUNTY BANK	Fees/Services	267.83
WASHINGTON COUNTY COURT	Fees	726.84
WATCH GUARD VIDEO	Services	409.00
NICHOLAS E. WURTH	Crt Appt Atty	510.00

**ROAD FUND**

EMPLOYEES	Payroll 11/22/13	40,790.05
AMERITAS LIFE INSURANCE CORP	Retirement	2,753.34
UNITED HEALTHCARE INS CO	Ins	10,238.08
WASHINGTON COUNTY BANK	FICA	2,967.11
WASHINGTON COUNTY BANK	Ins	1,974.50
BARCO MUNICIPAL PRODUCTS INC	Supplies	119.94
BOMGAARS	Supplies	253.57
BRAKKAN TRUCKING INC	Equip Rental	370.83
CMA TRUCKING INC	Equip Rental	369.39
DULTMEIER SALES	Supplies	146.10
HAGERBAUMER BROS INC	Equip Rental	3,837.81
HI-LINE INC	Parts	335.11
JOHNSON SAND & GRAVEL COMPANY	Gravel	5,145.75
KNUDSEN OIL & FEED	Fuel/Supplies	7,945.79
LOGAN CONTRACTORS SUPPLY INC	Supplies	2,746.22
LYMAN-RICHEY SAND & GRAVEL COMPANY	Gravel	6,814.47
MARTIN MARIETTA MATERIALS	Rock	26,644.17
MATHESON TRIGAS DBA LINWELD	Supplies	360.04
MID-STATE ENGINEERING & TESTING	Equip Rental	875.00
NEBRASKA IOWA SUPPLY COMPANY	Fuel/Supplies	8,193.00
NMC EXCHANGE LLC	Parts/Labor/Supplies	4,432.76
OMAHA PUBLIC POWER DISTRICT	Services	447.66
PLAINS EQUIPMENT GROUP	Equip Rental	654.10
RICH'S WELDING, INC	Supplies	125.00
<b>HARD SURFACE FUND</b>		
JEO CONSULTING GROUP, INC	Services	5,356.25
<b>PUBLIC SAFETY FUND</b>		
WASHINGTON COUNTY BANK WIRE	Bond pymt	279,748.75
<b>911 ENHANCED WIRELESS SERV FUND</b>		
CENTURYLINK	Services	6,007.96
GREAT PLAINS COMMUNICATIONS INC	Services	81.05
<b>E911 FUND</b>		
CENTURYLINK	Services	4,915.60
GREAT PLAINS COMMUNICATIONS INC	Services	66.31

There being no further business to come before the Board at this time, it was moved by Kruse and seconded by Johnson that the meeting be adjourned until the next regular Board meeting date, Tuesday, December 10, 2013. All members present voted aye, Chairman declared meeting adjourned at 10:00 AM.

Attest: Carol Kuhr, Deputy  
Washington County Clerk

Jeff Quist, Chairman  
Washington County Board of Supervisors

I, Carol Kuhr, Deputy County Clerk, in and for Washington County, Blair, Nebraska, do hereby certify that the foregoing proceedings took place during the November 26, 2013 meeting of the Washington County Board of Supervisors.

Carol Kuhr, Deputy  
Washington County Clerk