

**February 9, 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, February 9, 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 is being recorded. Chairman made note that the Open Meetings Law is 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 Ronald Hinline. Also present, County Clerk Merry Truhlsen.

It was moved by Clausen and seconded by Quist that the rules be suspended and that the minutes of the January 26, 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 and Abariotes. Hinline abstained. Nays: None. Motion carried.

It was moved by Quist and seconded by Thomsen that the regular monthly fee reports of the following Officials be received and placed on file: Co Clerk \$178.80, Reg of Deeds \$14,997.50, Co Court \$20,070.34, Co Plan Dept \$1,872.00, Clk Dist Crt \$1,469.74, Sheriff \$3,077.55 and Road Dept \$152,449.59. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nays: None. Motion carried.

The following correspondence had been received: State Emergency Management Agency letter regarding revisions to Washington County's LEOP; Letter from Bill Pook, Emergency Management RE: upcoming training on Friday, Feb 19; Julie Ogden sent an additional comment received regarding CR 39 & P39 improvements. It was moved by Abariotes and seconded by Clausen that the correspondence be received and placed on file. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nays: None. Motion carried.

Road Superintendent, Cheryl Parsons read the additional comment on CR P39 the Board received from Julie Ogden. Parsons next reviewed changes on federally funded projects. The Nebraska Department of Roads is now requiring any County receiving federal funds must have a designated Responsible Charge person for the project. Parsons attended the schooling and received her RC certificate. The State is further requesting the County adopt a Resolution appointing an RC for each federally funded project. Parsons stated she wished she could have had another person also take the RC training, as the overseeing of the project will take a lot of time. Thomsen brought up the idea of sharing an RC with a neighboring county. Motion Hinline second Thomsen to adopt Resolution 2010-1, appointing Road Supt Parsons as Responsible Charge (RC) for NDOR Project Blair West, BRO-7089(23). Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nays: None. Motion carried.

**RESOLUTION 2010 - 1  
(DESIGNATING RC)**

Washington, County, Nebraska  
Resolution No. 2010-1

**Whereas:** Washington County, Nebraska has a full-time public employee on staff, or has obtained the services of a full-time public employee (an inter-local cooperation agreement, if applicable, is attached) who is fully

qualified and has the time and interest in serving as a “Responsible Charge” (RC) for this project. The designated RC will be in day-to-day responsible charge of all aspects of the project, from planning through post-construction activities, with the express purpose of doing all things necessary for the project to remain eligible for federal-aid transportation project funding; and

**Whereas:** the RC will ensure that, at a minimum, (1) the project receives independent and careful development, supervision and inspection, (2) the project is constructed in compliance with the plans and specifications, (3) all aspects of the project, from planning through construction activities, including all environmental commitments, remain eligible for federal funding, and (4) decisions made and actions taken for the project have adequate supporting documentation filed in an organized fashion.

For purposes of this resolution, the following definitions will apply:

**Fully qualified** means a person who has satisfactorily completed all applicable Nebraska Department of Roads (NDOR) training courses and who has met the other requirements necessary to be included on the NDOR list of qualified Local Public Agency (LPA) RCs.

**Full-time public employee** means a public employee who meets all the requirements and is afforded all the benefits of full-time employees as that phrase is applied to other employees of the employing public entity. A person is not a full-time public employee if that person provides outside private consulting services, or is employed by any private entity, unless that person can prove to NDOR in advance, that employee’s non-public employment is in a field unrelated to any aspect of the project for which federal aid is sought.

**Public employee** means a person who is employed solely by a county, a municipality, a political subdivision; a Native American tribe; a school district; another entity that is either designated by statute as public or quasi-public; or an entity included on the list of entities determined by the NDOR, and approved by the Federal Highway Administration (FHWA), as fulfilling public or quasi-public functions.

**Responsible charge** means the public employee who is fully empowered by the LPA and has actual day-to-day working knowledge and responsibility for all decisions related to all aspects of the federal-aid project from planning through construction project activities, including all environmental commitments. The RC is the day-to-day project manager, and the LPA’s point-of-contact for the project. Responsible charge does not mean merely delegating the various tasks; it means active day-to-day involvement in identifying issues, investigating options, working directly with stakeholders, making decisions, and actively monitoring project construction. It is understood that the RC may delegate or contract certain technical tasks associated with the project so long as the RC actively manages and represents the owner’s interests in the delegated technical tasks.

**Be It Resolved:** by the Board of Supervisors, of Washington County, Nebraska that:

**Cheryl K. Parsons, Washington County Highway Superintendent** is hereby designated as Responsible Charge (RC) for pre-construction and construction phases, in accordance with the Project Program Agreement previously executed, the NDOR LPA Guidelines Manual for Federal-aid Projects, and all Federal, State and local laws, rules, regulations, policies and guidelines for the following Federal-aid transportation project:

**NDOR Project Number BRO-7089(23),**

**NDOR Control Number 22026,**

**NDOR Project Name is Blair West.**

**Washington County, Nebraska** assures and agrees that:

- 1) It has authorized and fully empowered the RC to be in day-to-day responsible charge of the subject federal-aid project; this does not mean merely supervising, overseeing or delegating the various tasks, it

means active day-to-day involvement in the project including identifying issues, investigating options, working directly with stakeholders, and decision-making.

- 2) The RC is a full-time public employee.
- 3) The RC is fully qualified and has successfully completed required training to serve as a RC.
- 4) It will allow the RC to spend all time reasonably necessary to properly discharge all duties associated with the project, including ensuring that all aspects of the project, from planning through post-construction activities, remain eligible for federal-aid highway project funding.
- 5) It will not assign other duties to the RC that would affect his or her ability to properly carry out the duties set out in this agreement.
- 6) It will provide necessary office space, materials and administrative support for the RC.
- 7) It will fully cooperate with, support and not unreasonably interfere with the day-to-day control of the RC concerning the acts necessary for making the project eligible for federal funding.
- 8) It will take all necessary actions and make its best good faith efforts to comply and assist the RC in complying with all federal and state requirements and policies applicable to federal-aid transportation projects, including, but not limited to, all applicable requirements of 23 CFR 635.105.
- 9) It will take all necessary actions and make its best good faith efforts to ensure that the RC's work on the project would be deemed to meet the same standards that the Nebraska Department of Roads must meet under 23 CFR 635.105.
- 10) It will comply with the conflict-of-interest requirements of 23 CFR 1.33.
- 11) It will notify NDOR immediately in the event the designated RC(s) will no longer be assigned to the project. **A supplemental agreement designating a replacement RC may be required by NDOR.**
- 12) It is ultimately responsible for complying with all federal and state requirements and policies applicable to federal-aid highway projects. This includes meeting all post-construction environmental commitments. The LPA understands that failure to meet any eligibility requirements for federal funding may result in the loss of all Federal funding for the project. In the event that the acts or omissions of RC, the LPA or its agents or representatives result in a finding that a project is ineligible for Federal funding, the LPA will be required to repay NDOR some or all previously paid Federal funds and any costs or expenses NDOR has incurred for the project, including but not limited to, those costs for the RC.

**Washington County, Nebraska** understands that the following are the duties of the RC:

- a) Serve as the LPA's contact for issues or inquiries for Federal-aid projects assigned by the LPA;
- b) Ensure that all applicable Federal, State and local laws, rules, regulations, policies and guidelines are followed during the development and construction of the project;
- c) Know and follow the NDOR LPA Guidelines Manual for Federal-aid Projects;
- d) Have active day-to-day involvement in identifying issues, investigating options, working directly with stakeholders, and decision-making;
- e) Ensure that the project plans and specifications are sealed, signed and dated by a professional engineer licensed in the State of Nebraska, and that estimates have been prepared and the construction has been observed by a professional engineer licensed in the State of Nebraska or a person under the direct supervision of a professional engineer licensed in the State of Nebraska (reference Neb. Rev. Stat. § 81-3445);
- f) Competently manage and coordinate the project day-to-day operations, including all project-related decisions, on behalf of the LPA, which includes the LPA's governing body, staff and any extended staff dedicated to the project such as consulting engineers;
- g) Ensure that project documents are thoroughly checked, reviewed and have had quality control measures applied, prior to submitting to NDOR and/or FHWA;
- h) Monitor the progress and schedule of the project and be responsible for ensuring that the project is completed on time in accordance with established milestone dates;

- i) Properly serve as the owner's representative, and to visit the project site during construction on a frequency commensurate with the magnitude and complexity of the project;
- j) Ensure that proper construction management processes have been developed and implemented for the project;
- k) Serve as a steward of the public funds, i.e. ensure that the public gets what it is paying for;
- l) Attend all required training including the annual workshop; and
- m) Fulfill continuing education requirements as specified in the NDOR LPA Guidelines Manual for Federal-aid Projects.

Adopted this 9<sup>th</sup> day of February, 2010 at Blair, Nebraska.

The Board of Supervisors of Washington County, Nebraska: Duane Wilcox, Chairman, Mary Alice Johnson, Ernie Abariotes, Jeff Quist, Kent Clausen, Linda Thomsen, Ronald Hineline.

Attest: Merry M. Truhlsen, County Clerk

Parsons also said another change for Counties receiving federal funds is to have a Title VI Non-Discrimination Agreement in place. The County needs to have a committee to work on this. Parsons read an overview which stated this would be a legal obligation to ensure that all persons are afforded an equal opportunity to benefit from that assistance. NACO may help develop this agreement.

The Washington County Extension Office had submitted their Annual Report for the period of October 1, 2008 through September 30, 2009, and a Quarterly Report for the Board's review. Motion Johnson second Clausen to receive Annual Report and place on file. Vote- Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hineline. Nays: None. Motion carried.

Ron Hineline had sent the Board members letters outlining three procedures he would like changed: eliminate Vice Chairperson position, vote on Chairperson taken by secret ballot, and fill committees at second meeting in January. Hineline contacted Senator Lautenbaugh's office with these changes and gave the Board a copy of their response. Hineline stated toward the end of this year, he will discuss these changes further.

Chairman Wilcox asked the Clerk to read the County Board's letter dated January 29 that was sent to the Papio-Missouri River NRD. The letter addressed the Board's concerns with the NRD's request to issue bonds in the amount of 13.3 million dollars without specifying what projects the money will be used for. Cynthia Timmermier, Secretary for Papio Valley Preservation Association, thanked the Board for sending the letter. Timmermier discussed the last NRD meeting she attended and said of particular concern is after the NRD passes a bonding resolution that's it, they do not vote on those proceeds again. Timmermier further stated the need for the County Board to be watchful, in order not to wave their ninety day window to approve/disapprove of the bond issuance. PVPA would like to see a wording change to LB160 and see projects listed by priority and allocation. As Board members will be attending a meeting in Kearney, Board asked Doug Cook, Planning & Zoning Administrator, to attend the NRD meeting and read the Board's letter into the record. Scott Japp, NRD Board member, was also present. Clerk read a letter the Board received from NRD in response to their Jan 29<sup>th</sup> letter.

At 11:30 the Board convened as Board of Equalization, see separate minutes. Board adjourned from BOE at 11:35 and reconvened in regular session.

Comments from Public: Dennis McCormick asked about the Deputy County Attorney ad in the paper. William Burdess asked about the questions he submitted at the last meeting. Chairman Wilcox stated the letter had been given to the County Attorney's Office.

Claims were received and reviewed, following which it was moved by Quist and seconded by Clausen 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. Nays: None. Motion carried.

**GENERAL FUND**

EMPLOYEES	Payroll	135,427.25
AMERITAS LIFE INS CORP	Retirement	9,392.95
FORT DEARBORN LIFE INS	Ins	31.12
FORT DEARBORN LIFE INS	Ins	237.77
UNITED HEALTHCARE INS CO	Ins	37,254.49
WASHINGTON CO BANK	FICA	9,525.00
WASHINGTON CO BANK	Ins	7,154.00
ABE'S TRASH SERVICE INC	Serv	158.97
ADVANCED CORRECTIONAL HEALTHCARE	Serv	925.25
ALLTEL	Serv	47.97
ANDY'S MOW TOWN INC	Equip	52.60
PAM ASHLEY	Reimb Mileage	30.00
ATS "THE BEEPER PEOPLE"	Serv	242.83
PATRICK G BAXTER	Crt Appt Attny	492.00
ROBERT BELLAMY	Reimb Equip	85.00
BLAIR BOOK & SUPPLY CO	Supplies	568.75
BLAIR TELEPHONE CO	Serv	1,774.66
LORI A. BLUME	Crt Reporter	187.00
KIT CEDFELDT	Reimb Mileage	45.14
CITY OF FORT CALHOUN	Feb Lease	50.00
CLERK OF DISTRICT COURT	Filing Fees	300.00
CLYDE'S REPAIR	Serv	118.00
CONTROL SERVICES INC	Serv	735.00
COUNSEL OFFICE & DOCUMENT	Serv	124.34
CREIGHTON MEDICAL LABORATORIES	Serv	562.99
CSI DIVISION	Serv	25.00
DEPARTMENT OF MOTOR VEHICLES	Copies	24.00
DOUGLAS COUNTY SHERIFF	Serv	37.50
ENTERPRISE PUBLISHING CO INC	Notices	563.77
FAIRWAY OIL COMPANY	Fuel	409.25
FIRST NATIONAL BANK VISA	Transport	23.71
FIRST NATIONAL BANK VISA	Transport	40.01
FIRST NATIONAL BANK VISA	Equip	596.11
FIRST NATIONAL BANK VISA	Transport	227.58
FIRST NATIONAL BANK VISA	Program	79.00
FORNOFF & SCHUTT PC	Crt Appt Attny	2,961.00
GLOBAL EQUIPMENT COMPANY	Equip	99.96
SHURIE GRAEVE	Reimb Mileage	41.53
GREAT PLAINS CHEMICAL COMPANY SOUTH	Testing	540.00
HALL LAW OFFICES, PC LLO	Crt Appt Attny	390.00
HEALTH MART PHARMACY	Rx	575.86
SUE HILGENKAMP	Reimb Exp	10.14
INFOSAFE SHREDDING, INC	Serv	602.50
INTERNATIONAL CODE COUNCIL INC	Supplies	65.00
STEPHEN J KRAVIEC PC LLO	Child Support Enf	1,473.45
KUENY & BEGLEY	Crt Appt Attny	336.00
GAYLE E MAINE	Reimb Mileage	130.00
VIRGINIA MANLEY	Reimb Supplies	6.01
MAPA	Appropriation	4,865.50
MCGOUGH LAW P.C., L.L.O.	Crt Appt Attny	678.00
STEVEN MENCKE	Reimb Mileage	186.47

MID AMERICA FIRST CALL, INC	Coroner Exp	120.00
MILLS LAW OFFICE	Crt Appt Attny	1,050.50
MORLEY CEMETERY	Maintenance	300.00
MOTOROLA	Equip	99.28
MULTI-COUNTY INFORMATION &	Programing	1,215.08
NEBRASKA CODE OFFICIALS ASSOCIATION	Dues & Conf Reg	200.00
NEBRASKA LOESS HILLS, R C & D INC	Appropriation	1,200.00
NEBRASKA NOTARY ASSOC	Sheriffs	152.25
O'REILLY AUTOMOTIVE INC	Equip	134.73
OFFICE DEPOT CREDIT PLAN	Supplies	1,490.88
OFFICE EQUIPMENT FINANCE SERVICES	Copier Lease	179.71
OFFICE NET	Supplies	1,048.26
OFFICE WAREHOUSE	Supplies	129.95
OLSON & STEWART CONSTRUCTION	Snow removal	750.00
OMAHA PUBLIC POWER DISTRICT	Serv	5,872.01
PAMIDA INC	Supplies	325.78
PERSONALIZED COMPUTER SERVICES	Serv	3,579.30
PITNEY BOWES	Postage Machine	303.51
POLK COUNTY SHERIFF'S OFFICE	Serv	46.00
POSTMASTER	Sheriffs Postage	352.00
POSTMASTER	Ext	220.00
CALVIN POULSEN	Programing	1,995.00
POUNDS PRINTING INC	Supplies	235.00
REGION 6, BEHAVIORAL HEALTHCARE	Appropriation	9,930.00
REYZLIK ACE HARDWARE	Supplies	173.55
KRIS ROBINSON	Reimb Mileage	355.00
ROHRIG ANIMAL HOSPITAL	K9 Serv	97.89
SARPY COUNTY SHERIFF	Serv	20.03
SEC OF STATE, ELECTION DIVISION	Supplies	4.00
SHELL FLEET PLUS	Fuel	5,164.63
SMITTY'S AUTO SERVICE INC	Serv	2,543.09
STATE OF NEBR, AS CENTRAL FINANCE	Network	1,280.01
THE CLEANER CO	Supplies	1,375.91
J A THOMSEN, MD LLC	Coroner Exp	900.00
STEVE TONN	Reimb Mileage	58.00
MERRY TRUHLSEN	Reimb Supplies	39.00
PAUL J VAUGHAN	Crt Appt Attny	1,206.00
VERIZON WIRELESS	Serv	299.57
BECKY VERSCH	Reimb Exp	102.36
VILLAGE OF ARLINGTON	Feb Lease	69.50
WARDEN CONSTRUCTION	Bldg Repair	160.00
WASHINGTON COUNTY ATTORNEYS TRUST A	Reimb Postage	12.50
WASHINGTON COUNTY COURT	Fees	715.50
WASHINGTON COUNTY EXTENSION CASH FU	Reimb meeting Exp	215.00
WASHINGTON COUNTY REGISTER OF DEEDS	Filing Fees	5.50
WASHINGTON COUNTY SHERIFF	Serv	82.50
WASHINGTON COUNTY SHERIFF	Cost on Fees	1,088.06
WASHINGTON COUNTY SHERIFF	Reimb Exp	127.14
WATCH GUARD DIGITAL IN CAR VIDEO	Equip	33.00
WOODHOUSE FORD INC	Serv	437.16
<b>ROAD FUND</b>		
EMPLOYEES	Payroll	39,071.97
AMERITAS LIFE INS CORP	Retirement	2,637.37
FORT DEARBORN LIFE INS	Ins	26.20
FORT DEARBORN LIFE INS	Ins	54.47
UNITED HEALTHCARE INS CO	Ins	8,618.47

WASHINGTON CO BANK	FICA	2,795.06
WASHINGTON CO BANK	Ins	1,703.50
A & L HYDRAULICS INC	Parts	33.95
ABE'S TRASH SERVICE INC	Serv	55.00
ALLTEL	Serv	184.59
B'S ENTERPRISE INC	Equip	2,436.00
BI-STATE MOTOR PARTS INC	Parts	1,302.45
BLAIR BOOK & SUPPLY CO	Supplies	134.40
BLAIR SUPERFOODS	Supplies	33.41
BLAIR TELEPHONE CO	Serv	66.95
CRA PAYMENT CENTER	Parts	706.51
DEEP ROCK WATER COMPANY	Serv	68.86
GLENN DEIN	Equip Rental	400.00
E & A CONSULTING GROUP, INC	Consulting	10,500.00
ENTERPRISE PUBLISHING CO INC	Notice	13.78
FAIRWAY OIL COMPANY	Fuel	16.00
INTERSTATE BATTERY SYSTEM SIOUXCITY	Parts	204.90
JAPP BROTHERS GRADDING LLC	Equip Rental	7,280.00
KELLY RYAN EQUIPMENT COMPANY INC	Parts	209.03
MAX I WALKER	Serv	166.44
MEDICAL ENTERPRISES, INC	Testing	46.00
MIDWEST SERVICE & SALES CO	Equip	1,040.92
NEBRASKA IOWA SUPPLY COMPANY	Fuel	4,652.39
NEBRASKA SALT & GRAIN COMPANY	Ice Control	4,405.27
O'REILLY AUTOMOTIVE INC	Parts	22.17
OFFICE NET	Supplies	45.96
OLSON & STEWART CONSTRUCTION	Equip Rental	104.70
OMAHA PUBLIC POWER DISTRICT	Serv	737.31
PAMIDA INC	Supplies	28.25
PERSONALIZED COMPUTER SERVICES	Serv	137.50
POWERPLAN	Equip Rental	4,016.84
REYZLIK ACE HARDWARE	Supplies	60.77
RICH'S WELDING, INC	Parts	415.00
SAPP BROS PETROLEUM, INC	Fuel	1,846.42
SID DILLON CHEV-OLDS-PONT, INC	Serv	160.00
STALP GRAVEL COMPANY	Gravel	4,671.10
WICK'S STERLING TRUCKS, INC	Parts	200.39
<b>WEED FUND</b>		
BLAIR BOOK & SUPPLY CO	Supplies	5.99
MAX I WALKER	Serv	44.00
REYZLIK ACE HARDWARE	Supplies	17.98
<b>E 911 FUND</b>		
BLAIR TELEPHONE CO	Serv	837.48
INTERACT PUBLIC SAFETY SYSTEMS	Maintenance	20,318.56
Q WEST	Serv	750.05

There being no further business to come before the Board at this time, it was moved by Quist and seconded by Clausen that the meeting be adjourned until the next regular Board meeting date, February 23, 2010. Vote-Aye: Thomsen, Clausen, Quist, Wilcox, Johnson, Abariotes and Hinline. Nays: None. Motion carried. 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 February 9, 2010 meeting of the Washington County Board of Supervisors.

Merry M. Truhlsen, Washington County Clerk