

**Abbreviations for this legal:** **PS** - Personal Services, **OE** - Operating Expenses, **SU** - Supplies, **MA** - Materials, **ER** - Equipment Rental, **CO** - Capital Outlays, **RP** - Repairs, **RE** - Reimbursement.

Wayne, Nebraska  
December 6, 2011

The Wayne County Board of Equalization did not convene – no items needing action.

Debra Finn, Wayne County Clerk

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Wayne, Nebraska  
December 6, 2011

The Wayne County Board of Commissioners met in regular session at 9:15 a.m. on Tuesday, December 6, 2011 in the upstairs conference room of the Courthouse.

Roll call was answered by Chairman Rabe, Members Wurdeman and Burbach, and Clerk Finn.

Advance notice of this meeting was published in the Wayne Herald, a legal newspaper, on November 24, 2011.

A current copy of the Open Meetings Act was posted in the meeting room and accessible to the public.

The agenda was approved.

The minutes of the November 15, 2011, meeting were approved as printed in the Commissioner's Record.

Emergency Manager Kemnitz encouraged the board to attend a radio communications training session on February 7. The workshop covers how existing systems operate, compatibility with interoperable communications, and sustainability requirements.

Snow removal on the courthouse terraces was discussed. Correspondence will be sent to surrounding residents requesting vehicles be removed from the terraces during snow removal. County –owned vehicles will be parked next to the garage.

Sheriff Janssen presented an estimate for scratch and dent furniture to be used in relocating his office and staff to the court services building. A second estimate is expected within a day or two. Janssen was authorized to proceed with the purchase of furniture.

County Court Clerk Magistrate Hansen presented an estimate for sanding and refinishing the oak steps and one landing located in the three main stairwells of the courthouse, and a second estimate for refinishing the steps leading to the attic. New stair treads will be installed when the refinishing is complete. Wurdeman expressed his concern that the county was spending money on having the wood refinished, only to cover part of the steps with tread. He asked if the bid could be amended to varnish only the area not covered by tread. Wurdeman also questioned contracting with someone that lived so far away. Hansen reported difficulty finding someone local to do the project, and that this individual came highly recommended. Motion by Burbach, second by Wurdeman to approve the quote of \$4570 submitted by Rotherham Custom Woods of Neligh for sanding and refinishing the three main stairwells and landing. Roll call vote: Burbach-aye, Wurdeman-nay, Rabe-aye; motion carried.

Hansen asked the board to consider permitting the county employees to use their ½ day Christmas Eve holiday on Friday, Dec 23, rather than reducing the number of paid holidays for 2011. An option would be to carry the half-day over to 2012 and use it on Christmas Eve morning, which falls on a Monday. The board agreed to consider the suggestions.

Thurston County Supervisor Leonard Peters stated Thurston County is considering a 30-bed lease-to-own jail facility in Pender. It would be located close to the new hospital and would include work-release prisoners housed in a dormitory type situation. Thurston County would like to have prisoner-housing

commitments from Stanton, Cuming, Burt and Wayne counties, as well as the Bureau of Indian Affairs. The commitment requested from Wayne County is about \$50,000 per year in prisoner housing for a five-year period. Peters will be visiting with Burt and Cuming counties and the BIA in the near future.

Distribution of tax dollars between General Fund and County Road/Bridge Fund was proposed In Resolution No. 11-24.

Resolution No. 11-24: WHEREAS, the 2011-12 county budget was balanced by a fund transfer of \$1,614,978.61 from General Fund to County Road and Bridge Fund, now therefore,

BE IT RESOLVED that the Wayne County Treasurer is hereby directed by the Wayne County Board of Commissioners to transfer 43.99752876% of the 2011 General Fund tax collections to County Road and Bridge Fund, not to exceed \$1,614,978.61.

Motion by Wurdeman, second by Burbach to adopt Resolution No. 11-24; roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

Motion by Burbach, second by Wurdeman to approve the withdrawal of Cusip #31331JT94, for \$200,000, as submitted by Farmers State Bank. Roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; motion carried.

Motion by Burbach, second by Wurdeman to approve the addition of Cusip #3136F9CB7, for \$50,000, as submitted by Farmers State Bank. Roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; motion carried.

Applications submitted by Elkhorn Valley Bank & Trust of Hoskins, Farmers State Bank of Carroll, F&M Bank, First National Bank and State National Bank of Wayne; and Winside State Bank of Winside for designation as a county depository were reviewed and approved on motion by Wurdeman, second by Burbach. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

Investment authorization for the County Treasurer was proposed by Resolution No. 11-25.

Resolution No. 11-25: WHEREAS, it appears to the Board of County Commissioners that it is necessary and advisable to the County, all facilities and services of its depository Bank, for the year 2012.

BE IT THEREFORE RESOLVED that the County Treasurer of Wayne County, Nebraska, be and hereby is, authorized and consent is given, to deposit in the following named banks, heretofore duly and legally designated as depositories for county funds, an amount of money in excess of 50% of the paid up capital and surplus of said Bank, provided said depository Bank gives security as provided in Section 77-2318.01 of the Revised Statutes of Nebraska, Reissue 1958, for protection of any funds of said County such depository Bank may hold to-wit: Elkhorn Valley Bank & Trust of Hoskins, Farmers State Bank of Carroll, F&M Bank, First National Bank and State National Bank of Wayne; and Winside State Bank of Winside.

Motion by Wurdeman, second by Burbach to adopt Resolution No. 11-25; roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

Authorization for the County Treasurer to invest and reinvest funds was proposed by Resolution No. 11-26.

Resolution No. 11-26: WHEREAS, Wayne County, Nebraska has funds on deposit with various banking institutions in the County of Wayne and the State of Nebraska, and

WHEREAS, said investments come due at irregular intervals during the year, and

WHEREAS, it would be in the best interest of said County if the County Treasurer were authorized to invest and reinvest said County funds in such savings certificates as will be to the benefit of said County.

NOW, THEREFORE, the Board of Commissioners of Wayne County, Nebraska, hereby authorizes the County Treasurer of Wayne County, Nebraska, to invest and reinvest funds of the County of Wayne, Nebraska, during the 2012 calendar year, in the several Banking institutions in said County and State upon such terms and conditions as will be most advantageous to the County of Wayne.

Motion by Wurdeman, second by Burbach to adopt Resolution No. 11-26; roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

Motion by Wurdeman, second by Burbach to approve the withdrawal of Cusip #68905FDH9, for \$200,000, as submitted by Elkhorn Valley Bank. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

Motion by Wurdeman, second by Burbach to approve the addition of Cusip #68905FDH9, for \$186,666.67, as submitted by Elkhorn Valley Bank. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

The Wayne Herald was designated as the county's official newspaper for 2012 on motion by Wurdeman, second by Burbach. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

The 2012 Holiday Schedule was approved as follows: January 2, 2012-New Years Day observed, January 16-Martin Luther King Day, February 20-President's Day, April 27-Arbor Day, May 28-Memorial Day, July 4-Independence Day, July 27-noon, Wayne County Fair, September 3-Labor Day, October 8-Columbus Day, November 12-Veterans Day observed, November 23 & 24-Thanksgiving Holiday, December 24 & 25-Christmas Holiday, January 1, 2013-New Year's Day.

A proposal for completion of an indirect cost allocation plan, and indirect rate computations for the period of FY 2011 through FY 2013 was submitted by MAXIMUS Consulting Services, Inc. The plan includes reimbursement of the time and expenses incurred by the Clerk of District Court office on child support work as well as reimbursement of indirect costs for building use, equipment use, insurance, etc. The plan also determines reimbursement of direct and indirect costs for office space provided for the Nebraska Department of Health and Human Services. Motion by Wurdeman, second by Burbach to sign the agreement with MAXIMUS Consulting Services, Inc. for a fee not to exceed \$4,200 per fiscal year. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

Discussion was held on setting the salary for the office of county commissioner for the calendar years 2013 and 2014. The following resolution was proposed:

Resolution No. 11-27: WHEREAS, Section 23-1114 of the Nebraska Revised Statutes requires that the salaries of all elected officers of the County shall be fixed by the County Board prior to January 15 of the year in which a general election will be held for the respective offices; and

WHEREAS, a general election will be held for the office of District #2 County Commissioner in 2012.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Wayne County, Nebraska, as follows:

The annual salary for the office of Commissioner shall be established at \$39,500.00 for the calendar year 2013.

There shall be an annual adjustment of \$1,500.00 during the term of office for the year of 2014.

In addition to the above salary, the official shall receive during his or her term of office, full family health insurance coverage at County expense, if economically feasible.

Motion by Burbach, second by Wurdeman to adopt Resolution No. 11-27; Roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; motion carried.

The Wayne County UNL Extension Annual Report dated November 2011 was reviewed and will be placed on file.

A proposed bylaw change to amend the makeup of the NACO board was discussed.

Correspondence from Philip A. Lorenzen of D.A. Davidson & Co. regarding the county's bonds was reviewed. The county has two series of bonds; the last payment on each bond will be made on December 15, 2012.

Boyd W. Strobe of Strobe & Gutschall filed a damage claim against the county on behalf of Jack and Bev Beeson on November 1, 2011. The claim requested payment for damages resulting from the county removing a fence line and dirt from property leased by the Beesons. Motion by Wurdeman, second by Burbach to deny the damage claim as EMC Insurance Companies found no negligence on the county's behalf. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

A right-of-way agreement obtained from the Nebraska Department of Roads was reviewed. Wurdeman felt the agreement would not have prevented the miscommunication with Jack and Bev Beeson or with Lila Kay so no action was taken on the agreement.

William Willers, Trustee of the Louis O. & Emma Willers Trust, presented a plat for Sig-Nature Lake Estates, a Subdivision in part of the SW ¼ and the S ½ of the S ½ of the NW ¼ of Section 34, Township 25 North, Range 1 East of the 6<sup>th</sup> P.M., Wayne County, Nebraska. As per the county's request, verbiage had been added to the plat stating, "Nothing in this plat shall be construed to be a dedication or an acceptance of a dedication of any road, street, or alley to the public. Wayne County, Nebraska assumes no responsibility for construction or maintenance of any road, street, or alley except existing county road R.O.W." Motion by Wurdeman, second by Burbach to approve the plat and sign a Subdivision Agreement for Sig-Nature Lake Estates. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

The board discussed upcoming projects and started working on the One and Six Year Road Improvement Plan.

**Fee Reports:** Deb Allemann-Dannelly, Clerk of District Court, \$1,242.01 (Nov Fees).

**Claims:**

**GENERAL FUND**

Junck, Joann M	RE	1,469.16
Reeg, Joyce A	RE	95.85
Bratcher, Clayton W	RE	37.01
Advanced Consulting Engineering Svs	CO	3,622.49
American Broadband CLEC	OE	1,774.38
Appeara	OE	373.13
Arnie's Ford Mercury	MA,RP	300.55
Black Hills Energy	OE	473.11
Bomgaars	SU	384.62
Carroll Station Inc., The	MA	897.85
Copy Write/Keepsake	OE	60.93
DELL Marketing	CO	449.95
Eakes Office Plus	RP,SU	6.18
Ecolab Pest Elimination Service	OE	46.50
Elite office Products	SU	119.38
First National Bank of Wayne	SU	78.00
Heartland Fire Protection Company	SU	91.00
Iowa Office Supplies Inc.	RP	309.27
Jorgensen, Kate	OE	3,441.25
Luken Memorials Inc	RP	500.00
Maul & Bodlak LLP	OE	1,203.56
Menard's	RP	47.97
Microfilm Imaging Systems	ER	155.00
MIPS Inc	SU,ER,CO	2,707.90
NACO	OE	405.00
Nebraska Sheriffs Association	OE	210.00
Northeast Nebraska Juvenile	OE	4,328.75
Pamida Inc	SU,OE	508.14

Postmaster	OE	110.00
Postmaster	OE	110.00
Providence Medical Center	OE	110.00
Quality Printing & Office Supplies	SU	34.52
Tacos & More	OE	11.98
United Healthcare of the Midlands	OE	70,035.98
Waste Connections of Nebraska	OE	183.15
Wayne County Clerk of District Court	OE	142.00
Wayne County Court	OE	334.50
Wayne County Sheriff	OE	212.30
Wayne Herald/Morning Shopper	OE	438.12
Wayne, City of	OE	4,063.70
Western Office Technologies	SU	116.99
Wingate Inn	OE	603.85
Woodbury County Emergency Mgmt	OE	25.00
Zach Oil Co	MA,OE	635.73

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**COUNTY ROAD FUND**

**Salaries \$30,336.00;**

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Appeara	OE	40.00
Backus Sand & Gravel	MA	727.25
Bauer Built	RP	570.58
Black Hills Energy	OE	108.47
Bomgaars	SU	72.99
Carroll Station Inc., The	SU,MA	15,677.29
Cross-Dillon Tire	RP	3,230.00
DMC Repair	SU	32.40
Eastern NE Telephone Company	OE	84.78
Fredrickson Oil Company	RP	100.80
GI Trailer	RP	41.51
Hank's Front End Services Inc.	RP	38.00
Hradec Diesel Inc	RP	120.50
Kimball Midwest	MA	85.53
Midwest Services & Sales Co.	MA	2,581.80
NMC Exchange LLC	RP	511.20
Northeast Equipment	RP,ER	2,088.44
Northeast Nebraska Public Power Dist	OE	283.13
Northeast Nebraska Telephone Co	OE	76.17
Royal Towel	SU	303.60
S&S Willets Inc.	MA	2,383.91
US Cellular	OE	88.49
Wayne Auto Parts	RP,MA	246.53
Wayne, City of	OE	80.96
Weldon Parts Norfolk	RP	385.55
Winside, Village of	OE	118.68

**LODGING TAX FUND**

Wayne County Jaycees OE 88.00

**INHERITANCE TAX FUND**

Beiermann, Merlin	PS	12.00
Johnson, Lorraine	PS	21.00
Kraemaer, Maxine	PS	25.00
Meyer, Leon F.	PS	15.00
Morris, Orgretta C.	PS	25.00
Nissen, Robert	PS	17.00
Owens, Eleanor	PS	14.00
Rees, Dorothy	PS	16.00

Meeting was adjourned.

Debra Finn, Wayne County Clerk

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STATE OF NEBRASKA     )  
   ) ss.  
 COUNTY OF WAYNE        )

I, the undersigned, County Clerk of Wayne County, Nebraska, hereby certify that all of the subjects included in the attached proceedings were contained in the agenda for the meeting of December 6, 2011, kept continually current and available for the public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least 24 hours prior to said meeting; that the said minutes of the meeting of the County Commissioners of the County of Wayne were in written form and available for public inspection within 10 working days and prior to the next convened meeting of said body.

IN WITNESS WHEREOF, I have hereunto set my hand this 9th day of December, 2011.

Debra Finn, Wayne County Clerk