

**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  
February 21, 2012

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

Debra Finn, Wayne County Clerk

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Wayne, Nebraska  
February 21, 2012

The Wayne County Board of Commissioners met in regular session at 9:15 a.m. on Tuesday, February 21, 2012 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 February 9, 2012.

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 February 6, 2012, meeting were approved as printed in the Commissioner's Record.

Mark Mainelli of Mainelli Wagner & Associates discussed the grading and paving of Burt Street, beginning at east side of Highway 35 and 858<sup>th</sup> Road and ending 1500 feet east (which is just past the second driveway to Bonnie Plants). Due to drainage and gas line issues, the project will need to be completed as a city street with curbs. Ninety percent plans will be prepared to show to the landowners and the City of Wakefield.

Dean Janke asked what the status is on re-opening the Rubeck road. This road is owned by LeRoy & lone Rubeck, and they have rejected the county's offers to purchase the land. County Attorney Pieper is researching options. Mainelli reminded the board that the Rubeck road is not built to state standards. If the county is going to own the road then the county must buy enough land to meet the road width requirements and 30 mph curve requirements, and then rebuild the road accordingly. Janke stated it has been over a year since this started and spring is coming. The effectiveness of a petition or public hearing was discussed. Janke decided he would prepare and circulate a petition amongst area residents requesting the road be reopened.

Other business discussed with Mainelli:

- The compliance dates for developing a traffic signage plan may be extended or eliminated. We should focus on maintenance and upgrading of current signs.
- Softmatch credit can be applied to the county's share of costs for fracture critical bridge inspections.
- Correspondence from Al Berndt of NEMA stating that all disaster projects that received federal fund reimbursement will be inspected by NEMA. The signature of the certifying official at the local level is acknowledgement the project is done or will be completed. If they determine the work was not completed or completed according to the approved statement of work, reimbursement of funds will be pursued. Each board member re-affirmed that the work in his district is complete.
- Work on the One-Year Plan will be underway after the plan is approved.

Motion by Wurdeman, second by Burbach to recess the commissioner meeting and convene a public hearing. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

A public hearing on the proposed One and Six Year Road Improvement Plan convened at 10:37 a.m. Those in attendance included Chairman Rabe, Members Wurdeman and Burbach, Clerk Finn, and Mike Carnes of The Wayne Herald.

Projects in the road improvement plan were reviewed.

Motion by Wurdeman, second by Burbach to close the hearing at 11:21 a.m.

Motion by Wurdeman, second by Burbach to adopt Resolution No. 12-04. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

**Resolution No. 12-04:** Whereas, the County Highway Department has prepared and presented a One and Six Year Plan for Highway Improvement for Wayne County, Nebraska, and;

Whereas, a public meeting was held on the 21<sup>st</sup> day of February 2012, to present this plan, and all objections and recommendations said plan were considered;

Therefore, be it resolved by the County Commissioner of Wayne County, Nebraska, that the plan and data as furnished and/or revised are hereby in all thing accepted and adopted.

TRANE Building Services representatives Kaylinn Nienhuiser and Terry King discussed heating and cooling issues in the courthouse. Even with energy incentives and rebates, upgrading to a 4-pipe system is cost-prohibitive. Estimates will be prepared for correcting the chilled water piping in the current 2-pipe system, a new central controller, replacing valves and actuators in the fan coil units, and new controllers in the fan coil units.

Sheriff Janssen reported he has relocated the Sheriff's department to the court services building. Most of the equipment has been moved, there is still some wiring to be done and the signage on the exterior of the building will be updated.

The Nebraska Department of Roads has hired consultants to conduct fracture critical bridge inspections and re-load ratings for 2012. Wayne County's share of the costs (\$328.17) will be paid for with softmatch funds. Motion by Burbach, second by Wurdeman to participate in the program. Roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; no nays.

Motion by Wurdeman, second by Burbach to withdraw the motion of January 17, 2012, and adopt resolution No. 12-02 authorizing the chairman to sign the program agreement. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

**Resolution No. 12-02:** Whereas: the Nebraska Department of Roads (NDOR) is developing a transportation project, on the behalf of the county, for which it intends to obtain Federal funds;

Whereas: Wayne County as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project;

Whereas: Wayne County and the NDOR wish to enter into an Engineering Services Agreement to provide fracture critical bridge inspection and re-load rating (if necessary) services for the Federal-aid project.

Be It Resolved: by the Board of Commissioners or Supervisors of Wayne County that: James Rabe, Chairperson of the Board is hereby authorized to sign the attached Engineering Services Agreement between Wayne County and the NDOR for Project No. BR-NBIS(95), Control No. 00872, Project Name: 2012 Statewide Fracture Critical Bridge Inspection.

The Junck Dairy Animal Feeding Operation Livestock Waste Control Permit application was reviewed. No concerns were expressed.

No action was taken on the Control Services quote for maintenance/upgrade of the HVAC computer/controller.

A cooperation agreement between Wayne County, the Wayne County District Court Clerk and the Court Administrator of the Supreme Court of Nebraska was again discussed. This agreement provides for the county court and district court to share services when needed as per LB 669 passed in 2011. The primary

concern expressed by Wurdeman is that the state will expect the county to supply clerical assistance to county court without reimbursement. Clerk of District Allemann-Dannelly presented copies of different agreements prepared and signed by various counties. Since it is mandatory to sign an agreement, a motion was made by Wurdeman and seconded by Burbach to sign the following interlocal agreement and submit it to the State Court Administrator for approval. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

**Interlocal Agreement: Whereas**, 2011 LB669, as codified at Neb. Rev. Stat §24-337, §25-507(3)-(4) provides for the basis of this agreement.

**Whereas**, Wayne County Court and Clerk of the District Court, Wayne County, Nebraska, are agreeable that such assistance in the provision of court services is not warranted in Wayne County.

**Now Therefore** it is agreed by and between the undersigned parties that as of the date of this agreement and until further notice in writing, no services are required from nor shall be provided by either party to the other.

Janssen was in agreement with the board's proposal to contact Sparkling Klean and ask them to reconsider their quote for cleaning the Sheriff's side of the court services building.

Wurdeman reported that quotes for replacement of the concrete in the courthouse square parking lot, terraces and sidewalks will be reviewed during the March 6 meeting.

**Fee Reports:** None.

**Claims:**

<b>GENERAL FUND</b>		<b>Salaries \$90,215.94;</b>
Junck, JoAnn M.	RE	14.43
Gansebom, Laurie A.	RE	15.00
Kleensang, Randall	RE	25.35
Woslager, Richard R	RE	13.88
Schuttler, Marlin	RE	130.38
Albin, Mark D.	OE	187.50
AS Central Services	SU,ER	520.00
Barco Products Company	SU	461.34
Big Red Printing	SU	137.56
Binswanger Glass	RP	98.00
Black Hills Energy	OE	129.58
CardMember Service	SU,MA,OE	168.73
Carhart Lumber Company	SU	10.99
Central Community College	OE	115.00
Century Link	OE	74.87
Copy Write/Keepsake	SU	50.19
Eakes Office Plus	SU	111.65
Elite Office Products	ER	192.75
Evans, Cindy	RE	12.95
Farmers Co-operative, Pilger	MA	591.73
Fleet Services	MA	154.46
Fredrickson Oil Company	RP,MA	50.00
Health & Human Services	OE	372.00
Heikes, Alan	RP	150.00

Heikes, Tanya	RE	15.00
Holiday Inn, Kearney	OE	728.55
Iowa Office Supply Inc	SU	32.99
Jager, Huck	RE	5.95
Jorgensen, Kate	OE	806.25
KITUSA	OE	66.00
Madison County Sheriff	OE	950.00
Mainelli Wagner & Assoc Inc	OE	9,897.21
Mercy Medical Clinics	OE	352.00
NACEB	OE	25.00
Nebraska Public Health Env Lab	OE	168.00
Osmond Pharmacy	OE	33.78
Osten, Clara	RE	11.70
Pamida, Inc.	SU	14.99
Pieper & Miller	ER,OE	2,298.00
Pierce County Sheriff's Dept	OE	2,550.00
Puntney, Kelvin	RE	15.00
Quality Inn & Suites	OE	189.00
Quality Printing & Office Supplies	SU	647.02
Ramada Inn, Kearney	OE	75.00
Lancaster County Sheriff	OE	19.18
Sinclair	MA	36.86
Sparkling Klean Service Inc	OE	1,471.20
Staybridge Suites	OE	191.98
Tacos & More	SU	93.50
Topp, Amy	RE	59.40
Toshiba Financial Services	ER	205.62
Tri-State Communications Inc	CO	158.50
Verizon Wireless	OE	243.81
Verizon Wireless	OE	46.54
Waste Connections of Nebraska	OE	161.71
Wattier, Patti	OE	375.00
Wayne County HRA Account	PS	25,000.00
Western Office Technologies	SU	4,815.70
United HealthCare of the Midlands	PS	70,035.98

**COUNTY ROAD FUND**

**Salaries \$21,401.60;**

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B's Enterprises Inc	MA	10,924.05
Carroll Station Inc., The	MA	8,452.39
Caterpillar Financial Services	ER	4,906.12
Farmers Co-operative, Pilger	OE,RP	741.26
Mainelli Wagner & Assoc Inc	CO	5,437.50
Midwest Service & Sales Co	MA	339.02
NMC Exchange LLC	RP	525.12
Norfolk NAPA	SU	4.99
Northeast Equipment	RP	998.08

Rees Mack Sales & Service	RP	481.43
Theisen Construction Inc	CO	2,900.00
Vic's Engine Service Inc	RP	19.99

**LODGING TAX FUND**

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Wayne Herald/Morning Shopper	OE	497.50
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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 February 21, 2012, 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 24th day of February, 2012.

Debra Finn, Wayne County Clerk