

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
June 19, 2012

The Wayne County Board of Equalization convened at 9:00 a.m. on Tuesday, June 19, 2012. Those in attendance included Chairman Wurdeman, Members Rabe and Burbach, Assessor Reeg and Clerk Finn.

Advance notice of this meeting was published in the Wayne Herald, a legal newspaper, on June 7, 2012.

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

The minutes of the June 5, 2012, meeting were approved as printed in the Commissioner's Record.

The agenda was approved.

Motion by Rabe, second by Burbach to approve an acceleration of taxes for Northeast Equipment Inc. due to the sale of the business. Roll call vote: Rabe-aye, Burbach-aye, Wurdeman-aye; motion carried.

Motion by Rabe, second by Burbach to approve an acceleration of taxes for Eric Fendrick due to a mobile home being moved out of the county. Roll call vote: Rabe-aye, Burbach-aye, Wurdeman-aye; motion carried.

Motion by Burbach, second by Rabe to approve an acceleration of taxes for Rob & Sonya Pearson due to their moving out of the county. Roll call vote: Burbach-aye, Rabe-aye, Wurdeman-aye; motion carried.

An exemption for the United Methodist Church of Carroll was approved on motion by Burbach, second by Rabe. Roll call vote: Burbach-aye, Rabe-aye, Wurdeman-aye; motion carried.

Property valuation protest hearings will be heard on Tuesday, July 17, 2012.

Meeting was adjourned.

Debra Finn, Wayne County Clerk

Wayne, Nebraska
June 19, 2012

The Wayne County Board of Commissioners met in regular session at 9:15 a.m. on Tuesday, June 19, 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 June 7, 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 June 5, 2012, meeting were approved as printed in the Commissioner's Record.

Bid specifications for the purchase of up to 50 two-way radios that meet the year 2013 federal regulations were reviewed with Emergency Manager Nic Kemnitz. Bids will be accepted until Tuesday, August 7 at 9:00 a.m.

The use of county equipment at two recent fires was questioned. The county's LEOP (Local Emergency Operations Plan) states the county will support emergency responders when requested. The request must be made through the emergency manager, and only individuals with NIMS (National Incident Management System) training can be dispatched. County equipment was requested at the fires in question and assistance was dispatched.

Rabe reported he is still waiting for verification of the legal description used on the plans for Winside South, a grading project in Section 23, Township 25N, Range 2E (the Rubeck road). The location of the road in comparison to the section line was discussed with Rubeck's daughter, Linda Kirsch. Kirsch said the county has no right-of-way in the trees, and requested the survey records at the state depository be checked. She

also advised the board that no demolition could take place because the location is on a Nebraska State Historical Site map.

Bids for Project C-90(573), Road 853 between 569 and 570 Avenue, and Project C-90(585) Road 858 between 576 and 577 Avenue, were received from Midwest Service and Sales Co., Contech Engineered Solutions, and B's Enterprises, Inc. Motion by Wurdeman, second by Burbach to accept the bid of \$55,279.72 submitted by B's Enterprises, Inc. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried. Flood Plain Permit applications were signed for both projects.

Motion by Wurdeman, second by Burbach to approve Resolution No. 12-08, requesting a design exception for Project C-90(572), Winside Southeast, Road 850 between 573 and 574 Avenue. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

Resolution No. 12-08: WHEREAS, Wayne County intends to construct project C-90(572), Winside Southeast, which includes the replacement of a deficient bridge and roadway grading on 850 Road, between 573 Avenue and 574 Avenue, approximately 5.3 miles east and 2 miles south of Winside, Nebraska, and;

WEREAS, 850 Road, from State Highway 35 to State Highway 15, has a State Functional Classification "Collector" and has an estimated average daily traffic of less than 50 vehicles a day, and;

WHEREAS, The Nebraska Board of Public Roads Classifications and Standards Minimum Design Standards requires a Rural Collector 3 (RC-3) Design Number which requires a minimum design speed of 40 mph, and;

WHEREAS, The Nebraska Board of Public Roads Classifications and Standards requires a design exception if the minimum design requirements cannot be meet, and;

WHEREAS, To design for these standards would require a significant increase in grading, Right-of-Way and culvert expenses to achieve a design speed of 40 mph and would result in unnecessary hardship to the County and adjoining landowners and additional costs;

NOW, therefore be it resolved, that the County Board of Commissioners of Wayne County, Nebraska: Hereby respectfully request the Board of Public Roads Classification and Standards grant a "Relaxation of Minimum Design Standards" for design speed from the required standard of 40 mph to 35 mph for the sag vertical curve at this project location.

An Interlocal Agreement between Wayne County and Dixon County for Project C-90(585) Wayne North, between Sec. 6-T26N-R4E and Sec. 31-T27N-R4E was reviewed. The preliminary engineering and materials costs will be split equally; Wayne County is responsible for 100% of construction costs. Motion by Burbach, second by Wurdeman to approve the agreement; roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; motion carried.

Solicitation of paving bids for C-90(548) Wakefield East paving project was authorized on motion by Wurdeman, second by Burbach. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried. Bids will be opened on August 7 at 9:30 a.m.

Continuance of the Noxious Weed Board was discussed. Burbach reported talking to the Weed Board during their June meeting, and three of the four members present said it was okay to place the dissolution question on the ballot. The fourth member was concerned if the commissioners could handle the additional tasks, and if they would actively pursue weed issues. A resolution that places the weed board dissolution question on the general election ballot will be considered during the July 3 commissioner meeting.

Motion by Wurdeman, second by Burbach to reappoint Milton Owens to serve a five-year term on the Veterans Service Committee. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried. The term of office runs from July 1, 2012 – June 30, 2017.

A revision of the interest payment made on the Series 2005 General Obligation Bond was received and approved. Motion by Wurdeman, second by Burbach to approve the interest payment of \$1,840.00; roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

A request from the state patrol to open a satellite office in the old sheriff's office was discussed. Demolition of the office space has started, but It is not known when renovation will be complete. Sheriff Janssen has offered to provide a temporary location for the patrol. County Attorney Mike Pieper will be asked to draft an agreement for the patrol's consideration.

Two liquor consumption area permit applications were received from the Wayne County Ag Society. A permit for a consumption area north of the grandstand during the tractor pull, bull riding, and demolition derby; and a permit for the mud drag consumption area during the mud drags were approved on motion by Burbach, second by Wurdeman. Roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; motion carried.

Motion by Wurdeman, second by Burbach to approve Resolution No. 12-09, to permit County Commissioners to perform services for the county in addition to their commissioner duties. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

Resolution No. 12-09: WHEREAS, the Nebraska Legislature has enacted and the Governor has signed legislation relative to the interest of County officers in public contracts, and

WHEREAS, members of the County Board of Commissioners on occasion engage in work for the County beyond their duties and responsibilities as County Commissioners for which they will receive a direct pecuniary fee or commission as a result of such work, and

WHEREAS, members of the Wayne County Board of Commissioners wish to enter into a contract with Wayne County to provide such services for the 2012-13 fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the Wayne County Board of Commissioners that:

1. Any board member may enter into a contract with Wayne County during the 2012-13 fiscal year for the furnishing of services beyond the statutory responsibilities and duties as County Commissioner.
2. Such commissioner entering into such agreement shall comply with the statutes relating to interest in public contracts, Section 49-14, 103.01, et seq.

Motion by Wurdeman, second by Burbach to approve commissioner employment contracts at an hourly rate of \$8.00, not to exceed \$3,000.00 during the fiscal year. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried

Notice was received from the Nebraska Department of Environmental Quality that a modified construction and operating permit was issued to Temme Agribusiness, Inc. Concentrated Animal Feeding Operation.

Wurdeman will check in to quotes for replacing the roof on the Health & Human Services building, and quotes for renovation of the old Sheriff's office.

Refinishing of the steps in the primary stairwells of the courthouse is complete. After visiting with Bob Rotherham of Rotherham Custom Woods and Employers Mutual Insurance Company the board decided not to install stair treads.

The board agreed to a year-end transfer of unexpended funds from County Road and Bridge functions 705, 706 & 707 to Snow Removal and Equipment Fund. Motion by Wurdeman, second by Burbach to adopt Resolution No. 12-10; roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

Resolution No. 12-10: WHEREAS, on June 5, 1990 the Wayne County Board of Commissioners created and established the Snow Removal and Equipment Fund; and

WHEREAS, said Board on said date provided that the revenues of the Snow Removal and Equipment Fund should consist of cash transfers of unexpended funds from the County Road and Bridge Fund; and

WHEREAS, this is the last Commissioners meeting for the 2011-12 fiscal year and unexpended funds in the County Road and Bridge Fund exist,

NOW, THEREFORE, BE IT RESOLVED by the Wayne County Board of Commissioners that the following amounts be transferred from the County Road and Bridge Fund to the Snow Removal and Equipment Fund: District #1 - \$144,334.45; District #2 - \$87,534.21; District #3 - \$205,132.06.

Fee Reports: None.

Claims:

GENERAL FUND	Salaries \$85,385.75;
Schuttler, Marlin	RE 10.00

Kleensang, Randall	RE	127.47
Barnes, Ann M.	RE	31.64
Finn, Debra J.	RE	226.44
Lutt, Louis	RE	14.43
Menke, Lester A	RE	9.99
Woslager, Richard R	RE	13.88
American Broadband CLEC	OE	87.96
Appeara	OE	376.60
AS Central Services	ER	60.00
AVERA Medical Group Pierce	OE	114.00
Big Red Printing	SU	182.50
Black Hills Energy	OE	43.81
Bomgaars	SU	11.27
CardMember Service	CO,SU	1,954.76
Carroll Station Inc., The	MA	770.25
Copy Write/Keepsake	SU	213.16
County Assessor's Assoc of Neb	OE	50.00
DELL Marketing	SU,CO	1,751.03
Eakes Office Plus	SU	260.05
Elite Office Products	ER	306.03
Evans, Cindy	RE	22.20
Farmers Co-operative, Pilger	MA	441.30
Felt, Delores	RE	11.10
Fredrickson Oil Company	MA	704.61
Gilliland, Terry	RE	9.99
GIS Workshop	CO	4,200.00
Health & Human Services	OE	93.00
Heikes, Tanya	RE	102.77
Holiday Inn, Kearney	OE	76.95
Interstate Batteries	SU	365.70
Jager, Huck	RE	16.65
KONE'	RP	1,073.22
Madison County Sheriff	OE	100.00
MailFinance	ER	1,326.00
Mainelli Wagner & Assoc Inc	OE	747.50
MainStreet Auto Care	RP	14.75
Microfilm Imaging Systems	ER	155.00
NACO	OE	85.00
National InterAgency Fire Center	SU	98.92
Nebraska County Attorneys Assoc	OE	15.00
Nebraska Crime Commissioner	SU	7.50
Nebraska Public Health Env Lab	OE	84.00
Northeast Nebraska Public Power	ER	40.00
Northeast Research & Extension Ctr	CO	1,671.10
Osmond Pharmacy	OE	714.49

Osten, Clara	RE	55.50
Otte Construction Inc	CO	10,723.00
Pac-N-Save	SU	14.25
Pamida, Inc	SU	14.99
Pieper & Miller	OE	4,944.46
Pierce County Sheriff's Dept	OE	3,450.00
Postmaster	OE	63.00
ProPrinting & Graphics	SU	22.92
Quality Printing & Office Supplies	SU	48.38
Redfield & Company	SU	350.00
Rotherham Custom Woods	CO	5,930.00
Sparkling Klean Service Inc	OE	1,365.00
Tacos & More	OE	11.98
Thurston County Sheriff	OE	2,400.00
Toshiba Financial Services	ER	205.62
United HealthCare of the Midlands	PS	68,706.70
USPS-Hasler	OE	20,000.00
VanDiest Supply Company	SU	4,316.78
Verizon Wireless	OE	47.85
Verizon Wireless	OE	243.66
Warnemunde Insurance & Real Estate	OE	131,155.00
Wattier, Patti	OE	750.00
Wayne Auto Parts	RP	46.81
Wayne County Sheriff	OE	153.50
Wayne County Treasurer	OE	482.19
Wingate Inn, Kearney	OE	224.85
Wright Express FSC	MA	15.72
Zach Oil Co	MA	168.99

COUNTY ROAD FUND

Salaries \$21,401.60;

Rabe, Jerold S.	RE	57.50
Jenkins, Todd L.	RE	200.00
Appeara	OE	40.04
Backus Sand & Gravel	MA	12,852.00
Central Valley Ag	SU	796.00
Elkhorn Valley Sand & Gravel	MA	3,947.77
Farmers Co-operative, Pilger	RP,MA	32,964.80
Jerry's Body Shop - Jerry Rabe	RP	45.00
John's Welding & Tool	SU	46.40
Mainelli Wagner & Assoc Inc	OE	18,700.00
Midwest Service & Sales Co.	MA,OE	78,565.95
Nebraska Department of Roads	MA	1,161.53
Nebraska Harvestore Systems	ER	125.00
NMC Exchange LLC	RP	3,557.52
Northeast Glass	RP	2,197.83
Northeast Nebraska Telephone Co.	OE	75.55

Owens, Randy	SU	100.00
Parts House Inc., The	RP	169.70
1252 LLC - Andy Roberts	OE	200.00
S&S Willers Inc.	MA	6,415.42
Verizon Wireless	OE	95.70
Wayne Auto Parts	RP,SU	214.44
Wise-Mack, Inc	RP	389.56
SNOW REMOVAL & EQUIPMENT FUND		
Caterpillar Financial Services	CO	72,109.78
Mainelli Wagner & Assoc Inc	CO	26,529.40
LODGING TAX FUND		
WSC Rugby - Darrin Barner	OE	2,000.00

Meeting was adjourned.

Debra Finn, Wayne County Clerk

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 June 19, 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 21st day of June, 2012.

Debra Finn, Wayne County Clerk