

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
March 5, 2013

The Wayne County Board of Commissioners met in regular session at 9:00 a.m. on Tuesday, March 5, 2013, in the upstairs conference room of the Courthouse.

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

Advance notice of this meeting was published in the Wayne Herald, a legal newspaper, on February 21, 2013.

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

The agenda was approved.

Commissioner Wurdeman requested the minutes of the February 19th meeting be amended to include the board seeking legal advice before rescheduling the Board of Equalization's Public Hearing. Motion by Rabe, second by Wurdeman to amend the minutes. Roll call vote: Rabe-aye, Wurdeman-aye, Burbach-aye.

The minutes were amended as follows:

"As Chairman of the Board of Equalization, Commissioner Wurdeman requested the Board of Equalization's public hearing be removed from the agenda and rescheduled in March. *After seeking legal advice from the county attorney, motion by Rabe, second by Wurdeman to approve the amended agenda.* Roll call vote: Rabe-aye, Wurdeman-aye, Burbach-aye; motion carried."

Motion by Rabe, second by Wurdeman to approve the amended minutes. Roll call vote: Rabe-aye, Wurdeman-aye, Burbach-aye; motion carried.

Emergency Manager Nic Kemnitz provided the following information:

- There is a possibility of Nebraska hosting an Inland Search and Rescue Planning Course in 2014
- A Northeast Nebraska Region full- scale Search and Rescue exercise is schedule for April 20, 2013 in Creighton
- National Weather Storm Spotter Training is scheduled for April 18th at the Wayne Fire Hall
- Work on the LEOP continues
- A copy of the Department of Health & Human Services Emergency Support Function-8 Mass Fatality Plan and Matrix dated July 2012 was distributed.

Motion by Rabe, second by Wurdeman to appoint Art Greve to complete the unexpired term of Lester Menke on the Noxious Weed Board. The term of this appointment is through January 2015. Roll call vote: Rabe-aye, Wurdeman-aye, Burbach-aye; motion carried.

Motion by Wurdeman, second by Rabe to approve the security substitution of Cusip #316G0V65 for Cusip #3136F9CB7 as submitted by Farmers State Bank of Carroll. Roll call vote: Wurdeman-aye, Rabe-aye, Burbach-aye; motion carried.

The Nebraska Department of Natural Resources has requested Wayne County update their resolution for participation in the National Flood Insurance Program. The current resolution appoints the County Highway Superintendent as administrator of the program, and Wayne County no longer has a Highway Superintendent. The Natural Resources Department will provide training for the appointee. The commissioners will look into sharing a flood plain administrator with the City of Wayne.

Jessica Hendricks, a Community Liaison for Congressman Adrian Smith, said she is trying to find out what is going on in the areas Congressman Smith represents, and how the Congressman can be of assistance. They are willing to serve as a resource and can assist with most dealings with federal agencies. Congressman Smith is working to make the tax code simpler and make it work. A news release on the "sequester" and the Budget Control Act was handed out; it was noted that a lot of scare tactics being used.

Bids for a 42,000 lb. hydraulic excavator were opened. The following bids were received:

- Titan Machinery, Case CX160C, Purchase price \$179,900, Trade-in \$45,000, Net price \$134,900

- Murphy Tractor & Equipment Co., John Deere 180G LC, Purchase price \$211,534, Trade-in \$60,500, Net price \$151,034
- Murphy Tractor & Equipment Co., Hitachi ZX180LC-5, Purchase price \$201,801, Trade-in \$60,500, Net price \$141,301
- NMC Inc., Caterpillar 318EL, Purchase Price \$220,347, Trade-in \$47,000, Net price \$173,347

Action on the bids was tabled until the March 19th meeting.

Wurdeman reported that he talked to Otte Construction and Korey Leseberg about repaving the courthouse parking lot from the east driveway to the east side of the parking lot. The biggest concern is what will be found once the sinkhole is opened. The county will tear out the current concrete and attempt to fill the sinkhole. Motion by Wurdeman, second by Rabe to bid out the paving portion of the project; the bids will request 47B concrete, 7" deep, with no rebar. Roll call vote: Wurdeman-aye, Rabe-aye, Burbach-aye; motion carried. Bids will be opened on April 2nd at 9:30 a.m.

Lawn services for the courthouse and DHHS building were discussed. The county has been bidding the services for one year, and if the county was satisfied with the service received, the vendor is asked if they would provide the services for a second year at the same rate. The only concern with the services received in 2012 was the charges for picking up sticks. The 2012 providers for the irrigation system, mowing, and spraying will be contacted to see if they will grant a one-year renewal at the 2012 rate.

Motion by Rabe, second by Wurdeman to recess at 12:03 p.m. for lunch and reconvene at 1:15 p.m. Roll call vote: Rabe-aye, Wurdeman-aye, Burbach-aye; motion carried.

Motion by Wurdeman, second by Burbach to reconvene at 1:21 p.m. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-absent; motion carried. Rabe joined the meeting at 1:28 p.m.

Burbach reported Stanley Steemer had cleaned several carpets and hallways in the courthouse. Flooring estimates for the elevator access areas will be obtained.

Veterans Service Officer Brad Wieland asked if the avenue of flags along the sidewalk south of the courthouse could be taken down. The poles need to be replaced, so since the Veterans Memorial is now on the courthouse grounds Wieland proposed eliminating the avenue of flags. The board recommended Wieland contact the Wayne, Winside and Carroll veterans associations to see if they have any objections.

Wieland also talked about the landscaping work that needs to be done around the monuments south of the courthouse. Wieland also asked Wurdeman if he would require his men to help with snow removal around the veteran's memorial. That will depend on if they are available.

Clerk of District Court Deb Allemann-Dannelly expressed her concerns with the executive session conducted during the February 19th commissioner meeting. She was not a participant in the session, but asked the board to consider if the motion to go in to executive session to discuss "personnel issues" was a specific enough, if the entire discussion qualified for executive session, and if a decision had been made in executive session. Allemann-Dannelly stated she had spoken to others about the Open Meetings Act and the board could be subject to fines if they did not stay within the guidelines.

Finn left the meeting at 3:38 p.m.

The meeting was adjourned on motion by Rabe, second by Wurdeman at 3:56 p.m. Roll call vote: Rabe-aye, Wurdeman-aye, Burbach-aye; motion carried.

Fee Reports: Debra K. Allemann-Dannelly, Clerk of District Court, \$923.00 (Feb Fees); LeRoy W. Janssen, County Sheriff, \$1,275.38 (Jan Fees).

Claims:

GENERAL FUND

Janssen, LeRoy W	RE	145.21
Junck,JoAnn M.	RE	1,508.68
American Broadband CLEC	OE	1,683.21
Appeara	OE	300.05

Arnie's Ford Mercury	MA,RP	119.81
AS Central Services	ER	60.00
Black Hills Energy	OE	994.37
Bomgaars	SU	246.88
CardMember Service	OE	122.45
Copy Write/Keepsake	SU	172.98
CVSOAN Treasurer	OE	150.00
DELL	SU	368.99
Doc Jay's Auto Repair - Jason Ladely	RP	53.99
Electronic Engineering	SU	136.00
Iowa Office Supply Inc	RP	91.95
Klein Electric - Mark Klein	RP	1,165.29
Mainstreet Auto Care	RP	138.00
MARCO Inc	RP	247.48
Mercy Medical Services	OE	116.00
MIPS Inc	ER,CO	4,288.19
Nebraska Assoc of Emerg Mgmt	OE	135.00
Northeast NE Assoc of Co Officials	OE	200.00
Pathology Medical Serv of Siouxland PC	OE	1,906.59
Quality Printing & Office Supplies	SU	254.49
Ramada Inn, Kearney	OE	124.00
RR Donnelley	OE	109.46
United Communications Group Inc	CO	3,200.00
Wayne County Clerk of District Court	OE	64.00
Wayne County Sheriff	OE	178.99
Wayne Herald/Morning Shopper	OE	1,210.83
Wayne, City of	OE	4,285.26

COUNTY ROAD FUND

Salaries \$20,940.00;

Appeara	OE	20.00
Backus Sand & Gravel	MA	6,788.32
Black Hills Energy	OE	428.56
Bomgaars	SU,MA	226.66
Carhart Lumber Company	SU	11.72
Fredrickson Oil Company	RP	275.00
Grossenburg Implement	ER,RP	2,456.73
Hradec Diesel Inc	RP	295.86
John's Welding & Tool	RP	18.00
Kelly Supply Company, The	RP	168.99
Menard's	SU	133.51
Northeast Nebraska Public Power Dist	OE	256.36
S&S Willers Inc	MA	14,804.27

Sooland Bobcat	RP	47.24
US Cellular	OE	91.90
Wayne Auto Parts	SU,RP	443.86
Wayne, City of	OE	234.91
Weldon Parts Norfolk	RP	352.65
Winside, Village of	OE	175.09
Zach Heating & Cooling	RP	89.50

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

Debra Finn, Wayne County Clerk

Wayne, Nebraska
March 5, 2013

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

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 March 5, 2013, 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 8th day of March, 2013.

Debra Finn, Wayne County Clerk