

**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 18, 2013

The Wayne County Board of Equalization met in regular session at 9:07 a.m. on Tuesday, June 18, 2013 in the upstairs conference room of the courthouse. Those in attendance included Chairman Rabe, Member Burbach, Assessor Duffy and Clerk Finn.

Advance notice was published in the Wayne Herald, a legal newspaper, on June 6, 2013.

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

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

An acceleration of taxes on Ellis Plumbing & Heating was approved on motion by Burbach, second by Rabe. Roll call vote: Burbach-aye, Rabe-aye; motion carried.

Duffy presented her 3-Year Plan of Assessment for years 2014-2016. Duffy intends to continue improving the quality of assessment in compliance with generally accepted mass appraisal practices.

Property valuation protests will be heard on Tuesday, July 16, 2013 starting at 1:30 p.m.

Motion by Burbach, second by Rabe to adjourn at 9:22 a.m. Roll call vote: Burbach-aye, Rabe-aye; motion carried.

Debra Finn, Wayne County Clerk

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Wayne, Nebraska  
June 18, 2013

The Wayne County Board of Commissioners met in regular session at 9:23 a.m. on Tuesday, June 18, 2013 in the upstairs conference room of the courthouse. Those in attendance included Chairman Burbach, Member Rabe and Clerk Finn.

Advance notice was published in the Wayne Herald, a legal newspaper, on June 6, 2013.

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

Motion by Rabe, second by Burbach to approve the June 18<sup>th</sup> agenda, and the minutes of the June 4, 2013 meeting. Roll call vote: Rabe-aye, Burbach-aye; motion carried.

Dale Krusemark asked what was being done about the water in the ditch along mile 578 of 849<sup>th</sup> Rd. He had spoken to the board in April and the water is still there. Rabe said he would check out the silted tube, and try to contact the landowner.

Krusemark said he had concerns about the road maintenance in his area, but agreed to wait until a new commissioner was in place.

Krusemark also said he has been in contact with the Noxious Weed Department regarding 10-15 acres of thistles in the N ½ NW ¼ of Sec 24-T25N-R4E.

Mark Mainelli of Mainelli Wagner & Associates discussed the following items with the board:

- If the county wants to be responsible for the “roadway” items, including removal and disposal of the current culvert, earthwork, gravel and seeding, then they should only approve the “box” items on the culvert bids opened on June 3<sup>rd</sup>.
- A distribution of Federal Highway buyback funds (BR and STP funds) will occur in February. The county needs to track these funds in the road budget, or place them in a separate fund.

- The state will do the fracture critical bridge inspections at a cost of \$1,600 - \$1,800 per bridge; the cost will be deducted from the county's buyback funds. The county could do their own inspections or hire someone else; it would cost less and result in the county receiving about 30% more of their buyback funds.
- The process of obtaining Corp of Engineer permits is delaying the engineering process about a year.
- We only need to meet state regulations on future road/bridge projects since we are participating in the federal buyout program. Completed plans are being reworked one project at a time. Waiting for the new plans has delayed projects up to three months, but it saves the county money by not having to meet federal regulations.
- The county cannot work for free for any person or entity. Everything has value. If you are going to trade services have it spelled out in an inter-local agreement; otherwise, you must charge whatever the going rate is for that service.

Bids received for Hoskins Northeast, C-90(549) Structure No. C009000912, Mile 848 on 561 Ave Langenberg); and Wayne South, C-90(546), Structure No. C0090003910, Mile 848 on 577 Ave (Mikkelsen); and Winside Northwest, C-90(580), Structure No. C009012410, Mile 565 on 853 Road (Roberts) were reviewed with Mainelli. Motion by Rabe to accept the bid of \$419,395.72 submitted by A&R Construction for the box culvert work; the county will do the roadway work. Roll call vote: Rabe-aye, Burbach-aye; motion carried.

An agreement permitting the county to assist in the demolition of a restroom building in the Winside Village Park, in exchange for the riffraff, was approved on motion by Rabe, second by Burbach. Roll call vote: Rabe-aye; Burbach-aye; motion carried. The agreement will be presented to the Winside Board of Trustees for their approval.

The Federal Highway Administration requires local entities that receive Federal funds through Nebraska Department of Roads to establish a Title VI Program. The intent is to prevent discrimination in the provision of benefits and services. An ADA Policy and Transition Plan must be on file by July 1, 2013. Melissa Rabbass and Dean Burbach have spent several days surveying the county property and working on a plan. A copy of a proposed plan, along with several pages of areas that need addressing, was presented to the board. After reviewing highlights of the plan the board decided to table further review until 9:00 a.m. on Monday, June 24, 2013 in the Roads office.

A sub grant agreement between the county and DHHS Child Support Enforcement Program from October 1, 2013 through September 30, 2014 was approved on motion by Rabe, second by Burbach. Roll call vote: Rabe-aye, Burbach-aye; motion carried. This agreement permits the county to be reimbursed a percentage of time and expenses for the Title IV-D (Child Support Enforcement) Program.

Motion by Rabe, second by Burbach to recess the meeting for lunch at 12:03 p.m. Roll call vote: Rabe-aye, Burbach-aye; motion carried.

Motion by Rabe, second by Burbach to reconvene at 1:26 p.m. Roll call vote: Rabe-aye, Burbach-aye; motion carried.

Emergency Manager Nic Kemnitz and LeRoy Janssen reported they had met with Environmental Services to discuss clean up procedures and equipment for asbestos abatement at the burn site. The estimated cost of clean up is under \$15,000. Kemnitz will solicit three informal quotes for the cleanup. The quotes are to include the dump fees, and factor in the county providing an excavator and operator. Quotes will be reviewed during the July 2, 2013 meeting.

Change Order #1 for the courthouse parking lot repaving was approved on motion by Rabe, second by Burbach. Roll call vote: Rabe-aye, Burbach-aye; motion carried. The \$2,400 change order was to replace an 18' x 25' concrete approach on the west side of the garage.

District #1 Road Foreman Terry Sievers gave an update to the board on gravel hauling, fuel levels, and road projects. They are ready to start work on C-90(457), Structure C009011615 (Austin).

Sievers also reported on the preparation work, dirt donation, debris disposal, and equipment rental for the courthouse parking lot project. Demolition and removal of old concrete would begin on Wednesday, June 19<sup>th</sup>.

An interest payment of \$1,365 on the Series 2005 Bond was approved on motion by Rabe, second by Burbach. Roll call vote: Rabe-aye, Burbach-aye; motion carried.

Dixon County had agreed to reimburse Wayne County \$6,000 per year for five years for C-90(548) Wakefield East roadway paving project. The first payment of \$6,000 was received in March 2013. Dixon County had additional funds available at the end of the fiscal year so they issued a check for the balance due of \$24,000. The check was accepted and deposited.

A resolution authorizing the commissioners to receive payment for work performed outside of commissioner duties and responsibilities was up for renewal. Rabe felt the salary their commissioner salary also covered any time spent operating equipment. Upon discussion, the board decided to approve the resolution, but not sign any employment contracts until the new commissioner was in place. Motion by Rabe, second by Burbach to approve Resolution No. 13-10. Roll call vote: Rabe-aye, Burbach-aye; motion carried.

**Resolution No. 13-10:** 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 2013-14 fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the Wayne County Board of Commissioners that: Any board member may enter into a contract with Wayne County during the 2013-14 fiscal year for the furnishing of services beyond the statutory responsibilities and duties as County Commissioner. Such commissioner entering into such agreement shall comply with the statutes relating to interest in public contracts, Section 49-14, 103.01, et seq.

Employment contracts were reviewed but not signed.

Renewal rates for employees covered by Delta Dental insurance were received.

Resolution No. 13-11 was approved on motion by Rabe, second by Burbach. Roll call vote: Rabe-aye, Burbach-aye; motion carried.

**Resolution No. 13-11:** WHEREAS, the budget which had been allocated to the County Assessor function of the County General Fund for the 2012-13 fiscal year is depleted due to hiring of replacement staff; and

WHEREAS, the depletion of these funds was anticipated during the budgeting process, and funds for the potential over-run were included in the Miscellaneous function of the County General Fund for the 2012-13 fiscal year;

NOW, THEREFORE, BE IT RESOLVED by the Wayne County Board of Commissioners that the sum of \$1,400.00 be transferred from the Miscellaneous function of General Fund to the County Assessor function of General Fund.

Resolution No. 13-12 was approved on motion by Rabe, second by Burbach. Roll call vote: Rabe-aye, Burbach-aye; motion carried.

**Resolution No. 13-12:** WHEREAS, the budget which had been allocated to the County Emergency Management function of the County General Fund for the 2012-13 fiscal year is depleted due to paying for additional hours worked by the Emergency Manager; and

WHEREAS, the depletion of these funds was anticipated during the budgeting process, and funds for the potential over-run were included in the Miscellaneous function of the County General Fund for the 2012-13 fiscal year;

NOW, THEREFORE, BE IT RESOLVED by the Wayne County Board of Commissioners that the sum of \$6,600.00 be transferred from the Miscellaneous function of General Fund to the Emergency Management function of General Fund.

Resolution No. 13-13 was approved on motion by Rabe, second by Burbach. Roll call vote: Rabe-aye, Burbach-aye; motion carried.

**Resolution No. 13-13:** 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 2012-13 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 - \$301,480.77, District #2 - \$103,963.74, District #3 - \$257,211.06.

Greg Owens requested permission for Roger Wortman Plumbing & Electric to run a water line for irrigation north of the intersection of Road 860 and Ave 563 in ROW Application No. 13-06-01. The application was approved on a motion by Rabe, second by Burbach. Roll call vote: Rabe-aye, Burbach-aye; motion carried.

Preparation of the 2013-14 budget was discussed; Finn will assist the board.

Motion by Rabe, second by Burbach to recess the meeting at 4:18 p.m. until Monday, June 24, 2013 at 9:00 a.m. in the Roads office. Roll call vote: Rabe-aye, Burbach-aye; motion carried.

Motion by Rabe, second by Burbach to reconvene on Monday, June 24, 2013 at 9:06 a.m. Roll call vote: Rabe-aye, Burbach-aye; motion carried. Those in attendance included Chairman Burbach, Member Rabe and Clerk Finn.

Melissa Rabbass reported that the county has up to ten years to complete the projects in the ADA Plan. The projects were broken down into categories:

Level 1 - Alarms, signage, and moving furniture. Work would be completed in the 2013-14 fiscal year,

Level 2 - Concrete work, handrails and drinking fountain. Work would be completed in the 2014-2016 fiscal years,

Level 3 - Restrooms and telephones. Work would be completed in the 2016-2019 fiscal years.

Motion by Rabe, second by Burbach to adjourn at 11:10 a.m. Roll call vote: Rabe-aye, Burbach-aye; motion carried.

**Fee Reports:** Debra K. Allemann-Dannelly, Clerk of District Court, \$784.25 (May Fees); LeRoy W. Janssen, County Sheriff, \$1,355.33 (Apr Fees); Debra Finn, County Clerk, \$11,993.00 (May Fees).

**Claims:**

<u>GENERAL FUND</u>		<u>Salaries \$90,760.27;</u>
Allemann-Dannelly, Debra K.	RE	19.15
Greve, Arthur G.	RE	6.22
Junck, Lynn	RE	14.69
Kleensang, Randall	RE	77.97
Lutt, Louis	RE	21.94
Schuttler, Marlin	RE	24.94
Woslager, Richard R	RE	28.26
Academic Choir Apparel	SU	264.00
Albin, Mark D.	OE	142.50
American BroadBand CLEC	OE	87.38
Appeara	OE	379.81

AS Central Services	ER	60.00
Black Hills Energy	OE	47.18
Bomgaars	SU	153.76
CardMember Service	SU,MA,CO	475.72
CardMember Service	SU,CO	333.99
CardMember Service	SU	56.75
CardMember Service	SU,MA	139.83
Carroll Station Inc., The	MA	775.42
Cedar County Sheriff	OE	1,150.00
Connecting Point	SU	296.00
CVSOAN Treasurer	OE	200.00
Eakes Office Plus	SU	227.70
Egley Fullner Montag & Hockabout	OE	75.00
Electronic Engineering	CO	6,557.97
Elite Office Products	ER	176.24
Evans, Cindy	RE	22.60
Farmers Co-operative, Pilger	MA	606.70
Felt, Delores	RE	16.95
Fredrickson Oil company	MA	400.25
Gerhold Concrete Company Inc	CO	432.73
Health & Human Services	OE	150.00
Heartland Fire Protection Company	SU	35.00
Holiday Inn Express	OE	77.00
Hughes, Linda	RE	50.00
Hytrek Lawn Service	OE	1,161.00
JP Cooke Co	SU	35.20
Jager, Huck	RE	16.95
Jerry's Body Shop	RP	50.00
Jochum-Schramm, Nancy	OE	310.00
United HealthCare of the Midlands	PS	66,249.40
Klein Electric Inc	RP	200.07
KONE'	RP	1,105.95
Long, Michael	SU	108.24
MailFinance	ER	1,326.00
Menke, Lester	RE	1.70
Microfilm Imaging Systems	ER	155.00
Miss Molly's Coffee Company	ER	80.00
Morland, Easland & Lohrberg	OE	2,547.70
NACO	SU,OE	180.00
Nebraska Dept of Labor-Safety Div	RP	36.00
Norfolk Daily News	OE	30.87
NE Nebraska Public Health	ER	40.00
Osmond Pharmacy	OE	14.61
Osten, Clara	RE	33.90
Pieper & Miller	ER,OE	3,096.84

Pierce County Sherriff's Dept	OE	5,650.00
Platte Valley Communications	CO	3,446.00
Providence Medical Center	OE	60.00
Quality I Graphics	CO	800.00
Quality Inn & Suites	OE	218.85
Quality Printing & Office Supplies	SU	373.16
Ron's Radio	SU	392.78
Schaffer, Marjorie	OE	50.00
Shopko	SU	21.98
Sinclair	MA	54.41
Thurston County Sherriff	OE	3,250.00
Tom's Body & Paint Shop Inc	RP	26.50
Toshiba Financial Services	ER	205.62
Topp, Amy	RE	36.97
United Rentals	CO	104.00
University of Nebraska	OE	140.00
University of Nebraska IS Comm Ctr	OE	49.28
Verizon Wireless	OE	60.71
Verizon Wireless	OE	243.14
Warnemunde Insurance	OE	139,473.00
Waste Connections of Nebraska	OE	170.85
Wattier, Patti	OE	375.00
Wayne Auto Parts	SU	4.47
Wayne County Clerk of Dist Court	OE	234.00
Wayne County HRA Account	PS	60,000.00
Wayne County Sheriff	OE	423.66
Wayne County Treasurer	OE	571.38
Wayne Fire Hall	ER	20.00
Wayne Herald/Morning Shopper	OE	1,636.11
Wayne, City of	OE	3,000.00
Western Office Technologies	SU	3.08
WEX Bank	MA	205.59
Winside American Legion	ER	20.00
Zach Oil Co	MA,OE,RP	1,326.29

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**COUNTY ROAD FUND**

**Salaries \$22,956.00;**

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Appeara	OE	40.54
B's Enterprises, Inc.	MA	24,527.84
Backus Sand & Gravel	MA	6,172.60
Carroll, Village of	OE	76.11
ConTech Engineered Solutions	MA	13,532.01
Elkhorn Valley Sand & Gravel	MA	9,412.15
Fredrickson Oil Company	MA	163.00
Hradec Diesel Inc	RP	338.56
John's Welding & Tool	RP	134.34
Matteo Sand & Gravel Co Inc	MA	1,315.97

Midwest Service & Sales Co.	MA	377.00
NMC Exchange LLC	RP	932.11
Norfolk Truck Center	RP	998.20
Northeast Nebraska Telephone Co.	OE	83.84
Peterbilt of Norfolk	RP	1,684.30
S&S Willets Inc	MA	26,267.41
Stalp Gravel Company	MA	1,025.01
Stanley Petroleum Maint, Inc	RP	162.75
Verizon Wireless	OE	121.42
Wayne Auto Parts	RP,SU	756.27

**LODGING TAX FUND**

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Nebraska Life Publishing Inc	OE	700.00
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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 June 18, 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 25th day of June, 2013.

Debra Finn, Wayne County Clerk