

**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  
July 2, 2013

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

Debra Finn, Wayne County Clerk

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*Note: Randall Larson was sworn in as County Commissioner for District 1 on June 26, 2013.*

Wayne, Nebraska  
July 2, 2013

The Wayne County Board of Commissioners met in regular session at 9:00 a.m. on Tuesday, July 2, 2013 in the upstairs conference room of the courthouse. Those in attendance included Chairman Burbach, Members Larson and Rabe, and Clerk Finn. Advance notice was published in the Wayne Herald, a legal newspaper, on June 18, 2013.

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

An application to place a utility line in county road right of way, and carpet quotes for the elevator and elevator landings were added to the agenda. Motion by Rabe, second by Larson to approve the amended agenda. Roll call vote: Rabe-aye, Larson-aye, Burbach-aye; motion carried.

Motion by Rabe, second by Burbach to approve the minutes of the June 18, 2013 meeting. Roll call vote: Rabe-aye, Burbach-aye, Larson-abstain; motion carried.

Mark Mainelli of Mainelli Wagner & Associates arrived.

Maribeth Bobeldyke, representing Beverly Hills Estates Homeowners Association, asked if the board had decided to accept the dedication of roads in Beverly Hills Estates. Rabe was concerned that accepting the dedication would result in the board receiving similar requests from other subdivisions.

Mainelli stated the subdivision roads must be built to meet road and right-of-way standards before they could be accepted. County funds could not be used to bring the roads up to standards; this would be the responsibility of the subdivision.

An option would be to have an interlocal agreement to maintain the road 3 to 4 times per year and haul gravel. The subdivision would need resources to pay for the services, and interlocal agreements with several entities must be signed, but it has been successful in Madison County.

An interlocal agreement would be less invasive for the residents. Bringing the roads and right-of-ways up to specification would cause damage to lawns and driveways. The dead-end on LA Drive would need to be eliminated. If a culvert was installed the drive could extend to the county road.

Bobeldyke felt the interlocal agreement would be the preference of the homeowners association. She will take the information to the association, and contact Stanton County about a culvert. Mainelli will get a copy of the interlocal agreement used by Madison County.

Mainelli provided the following update:

- Several box culvert projects are still waiting for Army Corps of Engineer Permits.
- Project C-90(546), C009003910, Mile 848 on 577 Avenue - The contractor removed the bridge before the contracts were signed and a bond received. Still waiting for the Corp Permit and signed Right-of-Way Easements. The telephone company says it will be two more weeks before they have cable for the project.

- Project C-90(580), C009012410, Mile 565 on 853 Road - Waiting for the Corp Permit and signed Right-of-Way Easements. Rabe is working on getting the easements signed.
- Bridges 20 foot and longer are recognized for federal funding, the state also recognizes bridges less than 20 feet.
- Highway Allocation Funds can be used to support the issuance of bonds for road improvement projects. If the board feels strongly about paving, they need to move forward.
- Remove gravel from the bridge decks. Equipment operators need to stop at the bridges and back-drag. If there is 1-2" of gravel it dead loads the bridge and that reduces the load limits. Get this done before bridge inspections.
- Check scour critical bridges after each incident and keep inspection notes in the Highway Superintendent's office.
- Need to consider what will be done with the snow in the cul-de-sac in Beverly Hills Subdivision; they have no ditches.
- Charge by the hour for interlocal agreements; use rates set by FEMA.

John Williams and Kevin Davis presented the Ag Society's special designated liquor license applications. A wine tasting event will be held with bottles of wine sold for off-fairgrounds consumption. Williams and Davis also asked if the beer garden could be kept open until 2:00 a.m. on Friday and Saturday nights. Motion by Rabe, second by Larson to approve the consumption of beer, wine and distilled spirits in the designated Little Theater on July 27, 2013; in the designated Mud Drag Consumption Area on July 27, 2013; in the designated North end grandstand consumption area during the Tractor Pulls on July 25<sup>th</sup> and Demolition Derby on July 28, 2013; in the designated North end grandstand consumption area during the Bull Riding on July 26<sup>th</sup> and concert on July 27, 2013; and in the Commercial Building and Ag Hall on August 10, 2013; and to approve a 2:00 a.m. closing time for the beer garden on July 26<sup>th</sup> and 27, 2013. Roll call vote: Rabe-aye, Larson-aye, Burbach-aye; motion carried.

The June 2013 listing of delinquent real estate taxes and special assessments, as presented by Treasurer Karen McDonald, was reviewed and will be placed on file.

Renewal of the courthouse heating/cooling system service agreement with Trane was received. The cost of the agreement increased 4%, the scope of service and terms & conditions remained the same. Motion by Larson, second by Rabe to renew the service agreement with Trane effective July 1, 2013. Roll call vote: Larson-aye. Rabe-aye, Burbach-aye; motion carried.

A contract for the county to provide tie-outs and re-monumenting of land monuments for the Nebraska Department of Roads highway improvement project BR-STP-15-4(118), Wayne So. Bridges, C.N. 31893 (*Highway 15 south*) was reviewed. Motion by Rabe, second by Larson to approve the contract. Roll call vote: Rabe-aye. Larson-aye. Burbach-aye; motion carried.

Motion by Rabe, second by Larson to authorize Sheriff LeRoy Janssen to cast the vote for Wayne County at the National Association of County Officials conference in Fort Worth, TX. Roll call vote: Rabe-aye, Larson-aye, Burbach-aye; motion carried.

US Army Corps of Engineers mitigation requirements for C-90(548), C-90(567), C-90(568), C-90(572), C-90(573), C-90(578), C-90(579), C-90(583), C-90(585) and C-90(586) have been met. Motion by Larson, second by Rabe to submit compliance certifications to the Corps of Engineers. Roll call vote: Larson-aye, Rabe-aye, Burbach-aye; motion carried.

Check number 13060079 for \$200.00 drawn on General Fund was canceled on motion by Rabe, second by Larson due to duplicate payment. Roll call vote: Rabe-aye, Larson-aye, Burbach-aye; motion carried.

The county has 81 non-fracture critical bridges that require inspection. Mainelli Wagner & Associates proposed providing inspection services, PONTIS program documentation, and data submission to the Nebraska Department of Roads for \$122.00 per bridge. This is the same rate paid per bridge last year. Motion by Rabe, second by Larson to accept the proposal. Roll call vote: Rabe-aye, Larson-aye, Burbach-aye; motion carried.

Representation on area boards and committees was discussed; Larson agreed to fill the vacant positions. Motion by Rabe, second by Larson to appoint Larson as a representative to the Northeast NE

Economic Development Board, Northeast Nebraska Juvenile Services, Inc. Board, Wayne Business & Industry Committee, and as an alternate to Area Agency on Aging. Roll call vote: Rabe-aye, Larson-aye, Burbach-aye; motion carried.

ROW Application No. 13-07-01 submitted by Qwest Corporation dba CenturyLink QC to replace cable along 577 Ave for a county bridge project was approved on motion by Larson, second by Rabe. Roll call vote: Larson-aye, Rabe-aye, Burbach-aye; motion carried.

Motion by Rabe, second by Larson to recess for lunch at 11:25 a.m. Roll call vote: Rabe-aye, Larson-aye, Burbach-aye; motion carried.

The meeting reconvened at 1:02 p.m.

Carpet quotes for the elevator and landings were reviewed. The proposal of \$1,285.25 submitted by The Final Touch for flooring tear-out and disposal, and the installation of Compton carpet was accepted on motion by Larson, second by Rabe. Roll call vote: Larson-aye, Rabe-aye, Burbach-aye; motion carried.

Emergency Manager Nic Kemnitz reported no quotes were received for the asbestos clean-up project. Companies did not bid the project due to the unknown trucking expense. The board agreed to separate the asbestos abatement from the trucking.

Kemnitz has been working with Environmental Services Inc. from Norfolk; they will provide inspectors and handle the cleanup for \$3,500.00. Motion by Larson, second by Rabe to accept the estimate of \$3,500.00. Roll call vote: Larson-aye, Rabe-aye, Burbach-aye; motion carried.

Trucking quotes at a per-hour rate to transport the contaminated dirt and debris to David City will be accepted through July 15, 2013.

Resolution No. 13-10, authorizing the commissioners to receive payment for work performed outside of commissioner duties and responsibilities was approved during the June 18, 2013 meeting. Action on employment contracts was deferred until a new commissioner for District #1 was appointed.

Rabe felt the commissioner salary paid the last few years covered their time working with the road crew. He noted that neither he nor Burbach had ever requested additional payment.

Warnemunde Insurance was contacted to determine if the contract was necessary for the commissioners to be covered while operating road equipment; the board is listed separately, the contract is not needed for insurance coverage.

Larson felt it was time to move forward and this was a perfect time to eliminate the commissioner employment contract. Motion by Larson, second by Rabe not to sign employment contracts, and to rescind Resolution No. 13-10. Roll call vote: Larson-aye, Rabe-aye, Burbach-aye; motion carried.

The concrete has been poured for the courthouse parking lot paving project and will be allowed to set for ten days before being opened to the public. Quotes for terrace and parking lot striping will be sought.

The meeting was adjourned at 4:16 p.m.

**Fee Reports:** Debra K. Allemann-Dannelly, Clerk of District Court, \$517.52 (Jun Fees); LeRoy w. Janssen, County Sheriff, \$1,679.80 (May Fees).

**Claims:**

GENERAL FUND		Salaries \$37,891.13;
Barnes, Ann M.	RE	176.85
Allemann-Dannelly, Debra K.	RE	64.41
Janssen, LeRoy W.	RE	57.17
Junck, JoAnn M.	RE	1,508.68
McDonald, Karen S.	RE	226.00
American BroadBand CLEC	OE	1,837.82
Arnie's Ford Mercury	RP,MA	421.45
Black Hills Energy	OE	52.20

Carhart Lumber Company	CO	62.93
Claussen & Sons Irrigation Inc	OE	286.19
Clean To-A-T	OE	2,600.00
Copy Write/Keepsake	OE	8.07
DELL Marketing	CO	1,116.78
Gerhold Concrete Company Inc	CO	15.73
Hansen, KimBerly M.	RE	106.00
Iowa Office Supply Inc	RP,MA	89.59
Legion Post #43	CO	245.00
Lynn Peavey Company	OE	47.88
Mainelli Wagner & Assoc Inc	OE	1,832.92
Mercy Medical Services	OE	116.00
MIPS Inc	ER,CO	2,520.25
Nebraska Public Health Env Lab	OE	196.00
Northeast Nebraska Juvenile Serv Inc	OE	2,247.50
Poster Compliance Center	SU	86.17
Quality Printing & Office Supplies	SU	68.60
Region IV Inc	OE	2,677.25
Shopko	SU	28.54
Sleuth Software	OE	1,338.74
Stanley Steemer	ER	375.00
Wayne County Clerk	OE	10.00
Wayne, City of	OE	1,817.14
WSC Instructional Resource Center	SU	26.40

**COUNTY ROAD FUND**

**Salaries \$20,940.00;**

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Black Hills Energy	OE	41.79
Bomgaars	SU,OE,RP	464.75
Eastern NE Telephone Company	OE	86.87
Fredrickson Oil Company	MA	2,481.45
Grossenburg Implement	ER,RE	3,229.29
Mainelli Wagner & Assoc Inc	CO	4,426.27
Martin Marietta Materials	MA	1,267.66
Matteo Sand & Gravel Co Inc	MA	703.56
Mercy Medical Services	OE	58.00
NMC Exchange LLC	RP,MA	1,257.06
Norfolk Implement Inc	RP,MA	78.39
Northeast Nebraska Public Power Dist	OE	175.70
Quick Draw Tarpaulin Systems	RP,MA	105.00
S&S Willers Inc	MA	3,347.12
Rabe, James A.	RE	57.50
US Cellular	OE	89.35
Wayne, City of	OE	101.34

Weldon Parts Norfolk	RP,MA	16.43
Winside, Village of	OE	97.33
<b>SNOW REMOVAL &amp; EQUIPMENT FUND</b>		
ConTech Engineered Solutions	MA	69,918.34
John Deere Financial	CO	25,000.00
<b>LODGING TAX FUND</b>		
Wayne Bark Park	OE	250.00
Winside Wildcat Jr. Football	OE	250.00
<b>INHERITANCE TAX FUND</b>		
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

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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 July 2, 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 5th day of July, 2013.

Debra Finn, Wayne County Clerk