

**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  
April 21, 2015

The Wayne County Board of Equalization meeting was called to order by Chairman Burbach at 9:00 a.m. on Tuesday, April 21, 2015, in the upstairs conference room of the Courthouse. Chairman Burbach, Members Larson and Rabe, Assessor Duffy, and Clerk Finn were present. Advance notice of this meeting was published in the Wayne Herald, a legal newspaper, on April 16, 2015. A current copy of the Open Meetings Act was posted in the meeting room and accessible to the public.

The agenda was approved on a motion made by Larson and seconded by Rabe. Roll call vote: Larson, Rabe, Burbach-aye; motion carried.

The minutes of the April 7, 2015 meeting were approved as printed in the Commissioners Record on a motion made by Larson and seconded by Rabe. Roll call vote: Larson, Rabe, Burbach-aye; motion carried.

Tax list corrections for Swans Boutique, Daryl Hahn, and Dollar Plus were approved on a motion made by Rabe and seconded by Larson. Roll call vote: Rabe, Larson, Burbach-aye; motion carried.

The meeting was adjourned.

Debra Finn, Wayne County Clerk

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Wayne, Nebraska  
April 21, 2015

The Wayne County Board of Commissioners meeting was called to order by Chairman Larson at 9:10 a.m. on Tuesday, April 21, 2015, in the upstairs conference room of the Courthouse. Chairman Larson, Members Burbach and Rabe, and Clerk Finn were present. Advance notice of this meeting was published in the Wayne Herald, a legal newspaper, on April 16, 2015. A current copy of the Open Meetings Act was posted in the meeting room and accessible to the public.

Larson presented the following Consent Agenda items:

- a. Approve minutes of April 7, 2015 meeting as printed in the Commissioners Record;
- b. Approve fee reports;
- c. Approve payroll;
- d. Approve Lodging Tax Grant Application #15-07 for \$2,000 submitted by the Winside Q-125 Committee for the Q-125 Celebration on June 19 - 21, 2015;
- e. Approve Lodging Tax Grant Application #15-08 for \$750 submitted by Hoskins Woodland Park Rescue for a Golf Scramble on June 13, 2015;
- f. Approve Lodging Tax Grant Application #15-09 for \$2,000 submitted by Wayne County Agricultural Society for printing fair books;
- g. Approve Lodging Tax Grant Application #15-10 for \$2,000 submitted by Wayne County Agricultural Society for advertising the County Fair on July 29 - August 2, 2015;
- h. Approve Lodging Tax Grant Application #15-11 for \$250 submitted by the Wakefield Alumni Association for the Alumni Reunion Banquet on July 3, 2015;
- i. Approve Lodging Tax Grant Application #15-12 for \$1,000 submitted by Downtown Wayne Promotions for Ladies Night Out on May 28, 2015;
- j. Approve the addition of Cusip 533288GZ3, 372136FR7, 514025GX7, 397802HP7, 590127CR5, 255689BV2, 590127CP9, 886096AG1, 382782BB5, 3133EENU0, 3134G6JG9,

3136G1LL1, 3133EEHF0, 590127CN4, 388178AV7, 557354CU9, 365208BS5, 533290AX0, 361098BY1, 006058BG5, 71366VEV8, 239328CK1, 255689BX8, 590127CW4, 239328CJ4, 854749CZ9, 533279BY0, 006067DE9, 406036FW8, 79517RDF4, 388178AW5, 590127CV6, 64044XAY7, 66432LET5, and 34460CAW5 as pledged securities held by State Nebraska Bank & Trust;

- k. Approve the addition of Cusip 3130A4FV9, 8136FTN70, 3136G0YX3, 313380UU9, and 313379MR7 as pledged securities held by Elkhorn Valley Bank.

The consent agenda was approved as presented on a motion made by Rabe and seconded by Burbach. Roll call vote: Rabe, Burbach, Larson - yea; motion carried.

The regular agenda was approved on a motion made by Rabe and seconded by Burbach. Roll call vote: Rabe, Burbach, Larson - aye; motion carried.

Larson opened a public hearing at 9:30 a.m. to receive input on the proposed Frese Farms 1st Subdivision, containing 2.85 acres, located in the SW ¼ of the NW ¼ of the SW ¼ of Section Fourteen (14), Township Twenty-Six (26) North, Range Three (3) East of the 6th P.M. Advance notice of the hearing was published in The Wayne Herald on April 9 and April 16, 2015.

Wayne City Planner Joel Hansen explained that Hollis Frese wanted to sell this tract so her tenant would not have to farm both sides of the creek. Frese had to create a subdivision to sell the property since it is within the city's zoning jurisdiction, and is 10 acres or less.

The hearing was closed at 9:35 a.m. on a motion made by Burbach and seconded by Rabe. Roll call vote: Burbach, Rabe, Larson - aye; motion carried.

A motion was made by Burbach and seconded by Rabe to approve Frese Farms 1st Subdivision and to authorize the Chairman to sign the plat. Roll call vote: Burbach, Rabe, Larson - aye; motion carried.

A request for deferral from all special assessments from Sanitary Sewer Extension District 2015-01 and Water Extension District 2015-01 was received for property owned by Steven Mrsny. Hansen explained that the request was filed timely, and the property qualified for the Ag deferral, which defers payment until the property is hooked up to the utilities. A motion was made by Rabe and seconded by Burbach to approve the special assessment deferral request. Roll call vote: Rabe, Burbach, Larson - aye; motion carried.

Road/Bridge Project Manager Mark Casey prepared a letter to approve contracting with the Nebraska Department of Roads for the Responsible Charge duties for bridge replacement Project BRO-7090(20), Wayne West, #C009003315. A motion was made by Burbach and seconded by Rabe to authorize the Chairman to sign the letter. Roll call vote: Burbach, Rabe, Larson - aye; motion carried.

The appraisal for Project C-90(261), Bridge C009001220, aka Hahn Bridge, was reviewed. A written offer and notice of intent to condemn will be on the agenda for the May 5th meeting.

A representative from Nebraska Emergency Management inspected and approved the repair work to Bridge C009011620, Project C-90(599), aka 2 x 4 bridge, which was damaged in the October, 2013 tornado. A request for partial reimbursement from FEMA and NEMA will be made when the final bills are received.

Resolution No. 15-04 was presented for discussion. A right-of-way easement across Midland Equipment gives the county access to the new county yard from Centennial Road. This right-of-way lies north of the projected extension of 4th Street. Relocating the right-of-way easement so that it would align with 4th Street was proposed.

A motion was made by Burbach and seconded by Rabe to adopt Resolution No. 15-04 and to issue a Quitclaim deed to Midland Equipment. Roll call vote: Burbach, Rabe, Larson - aye; motion carried.

**Resolution No. 15-04:** WHEREAS, the County of Wayne needs access for heavy equipment from Centennial Road to their county yard located at Lot 1, Pace Addition to the City of Wayne, Wayne County, Nebraska; and

WHEREAS, there currently exists a dedicated public right-of-way across the property of Midland Equipment, Inc. and specifically described as:

Commencing at the Northeast corner of the Northeast Quarter (NE ¼) of Section Eighteen (18), Township Twenty-six (26) North Range Four (4); thence Southerly along the East line of said Northeast Quarter, a distance of 1,072.06 feet to the point of beginning; thence continuing Southerly along the East line of said Northeast Quarter, a distance of 60 feet; thence Westerly and parallel to the North line of said Northeast Quarter, a distance of 468.03

feet; thence Northerly and parallel to the East line of said Northeast Quarter, a distance of 60 feet; thence Easterly and parallel to the North line of said Northeast Quarter, a distance of 468.03 feet, to the point of beginning; and

WHEREAS, the County and Midland Equipment, Inc. have agreed to relocate said public road right-of-way to be more convenient for Midland Equipment, Inc., County and the City of Wayne, Nebraska by aligning for a future 4th Street extension.

NOW, THEREFORE, be it resolved by the Board of Commissioners of Wayne County, Nebraska that the County of Wayne will quitclaim to Midland Equipment, Inc. the following described property to Midland Equipment, Inc.:

Commencing at the Northeast corner of the Northeast Quarter (NE ¼) of Section Eighteen (18), Township Twenty-six (26) North Range Four (4); thence Southerly along the East line of said Northeast Quarter, a distance of 1,072.06 feet to the point of beginning; thence continuing Southerly along the East line of said Northeast Quarter, a distance of 60 feet; thence Westerly and parallel to the North line of said Northeast Quarter, a distance of 468.03 feet; thence Northerly and parallel to the East line of said Northeast Quarter, a distance of 60 feet; thence Easterly and parallel to the North line of said Northeast Quarter, a distance of 468.03 feet, to the point of beginning;

and conditioned upon Midland Equipment, Inc. executing a new road right-of-way easement to the City of Wayne and covering the following described property:

A tract of land located in the Northeast ¼ of the Northeast ¼ of Section 18, Township 26 North, Range 4 East of the 6th P.M., Wayne County, Nebraska, more particularly described as follows:

Beginning at the Southeast corner of Lot 1, "PACE ADDITION" to the City of Wayne, Wayne County, Nebraska, said point being on the East line of said Addition; thence North 88° 03' 21" East on an assumed bearing on the Easterly extension of the North Right-of-Way line of East 4th Street, 453.00 feet to a point on the East line of the Northeast ¼ of Section 18, Township 26 North, Range 4 East of the 6th P.M., Wayne County, Nebraska; thence South 01° 44' 43" East on said East line and parallel to the East line of said "PACE ADDITION", 60.00 feet; thence South 88°03' 21" West on the Easterly extension of the South Right- of-Way line of said East 4th Street, 453.00 feet to the Northeast corner of Lot 7, of said "PACE ADDITION", thence North 01° 44' 43" West on said East line, 60.00 feet to the point of beginning, containing 0.62 acres, more or less.

Further, it is resolved that the Chairman of the Wayne County Board of Commissioners is hereby authorized to execute a Quitclaim Deed to Midland Equipment, Inc. terminating and abandoning said easement upon the execution of a new easement by Midland Equipment, Inc. to City of Wayne, Nebraska.

Bids for the HVAC, electrical, and plumbing projects for the noxious weed and county road buildings to be constructed at 515 Thorman Street were opened. A motion was made by Rabe and seconded by Burbach to accept the bid of \$59,050.00 for the electrical work submitted by Beiermann Electric, and to accept the bid of \$12,634.00 for the HVAC submitted by Zach Heating and Cooling. After discussion, the motion was amended to include the addition of \$516.00 to Zach Heating and Cooling for an upgrade to two-stage burners. Roll call vote on the amended motion: Burbach, Rabe, Larson - aye; motion carried. Larson was authorized to further explore plumbing bids.

The purchase of chairs for the emergency management trailer, and computers for the Assessor's office and University of Nebraska Extension were approved.

An updated listing of funds recovered from Disaster #4156 (October 2013 tornado) and Disaster 4183 (June 2014 tornado) was reviewed and discussed.

Terms for the renewal of the John Deere tractor lease program were discussed. Rabe questioned if Titan Equipment has a similar program; he will report his findings at the May 5th meeting.

Renewal of the county health insurance was discussed. The board agreed to bid coverage with an effective date of September 1, 2015. Bid specifications will be developed.

The following claims and fee reports were approved on a motion by Burbach, second by Rabe. Roll call vote: Burbach, Rabe, Larson - aye; motion carried.

**Fee Reports:** Debra Finn, County Clerk, \$11,818.75 (Mar Fee).

**Claims:**

GENERAL FUND

Salaries \$50,294.33;

Wieland, Bradley K.	RE	49.02
Greunke, Pamela S.	RE	43.70
AS Central Services	ER	60.00
Big Red Printing	SU	113.74
Bomgaars	CO	8.30
CardMember Service	MA,OE	105.24
CardMember Service	MA	30.00
CardMember Service	OE	53.24
CardMember Service	MA,OE	38.55
Cellcom-Hartington	OE	74.98
Clean To A T, LLC	OE	2,600.00
Consolidated Management Company	OE	85.50
Copy Write/Keepsake	SU	30.07
Farmers Co-operative, Pilger	MA	225.93
Floor maintenance	SU	140.03
Good Life Counseling & Support LLC	OE	420.00
Hometown Leasing	ER	122.92
Johnson, Mark	RE	57.99
Madison County Sheriff	OE	2,250.00
Mainstreet Auto Care	RP	18.00
Menard's	RP	68.66
NACEB	OE	100.00
NACO	OE	260.00
NE Assoc of County Treasurers	OE	125.00
Pieper & Miller	ER,OE	2,624.76
Pierce County Sheriff's Dept	OE	5,050.00
Quality Inn & Suites	OE	268.00
Quality Printing & Office Supplies	SU	97.24
TRANE	RP	1,444.25
United HealthCare of the Midlands	PS	50,675.26
University of Nebraska IS Comm Ctr	OE	47.15
Verizon Wireless	OE	40.01
Volkman Plumbing & Heating Inc.	RP	2,391.88
Wayne County Clerk of Dist Court	OE	35.00
Wayne County Sheriff	OE	18.50
Wayne County Treasurer	OE	495.59

**COUNTY ROAD FUND**

**Salaries \$22,708.00;**

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B's Enterprises Inc.	MA	20,160.00
Bomgaars	SU	182.02
Farmers Co-operative, Pilger	OE,RP,SU	416.98
Herbst Construction Inc.	CO	9,599.00
HireRight Solutions Inc.	OE	127.20
Martin Marietta Materials	MA	1,346.05
Matteo Sand & Gravel Co Inc.	MA	2,070.24
Midwest Service & Sales Co.	OE	480.00
NMC Exchange LLC	RP	280.01
Peterbilt of Norfolk	RP	1,800.03

Roto-Rooter	RP	550.52
Vakoc Builder's Resource	OE	181.14
Weldon Parts Norfolk	RP	161.53
<b>LODGING TAX FUND</b>		
Carroll Fire Dept	OE	300.00
Wayne Booster Club	OE	469.59
<b>INHERITANCE TAX FUND</b>		
Claussen, Daniel	OE	97.86

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 April 21, 2015, 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 April, 2015.

Debra Finn, Wayne County Clerk