

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 15, 2016

The Wayne County Board of Equalization met in regular session at 9:00 a.m. on Tuesday, March 15, 2016, in the upstairs conference room of the Courthouse. Chairman Burbach, Members Larson and Rabe, Attorney Pieper, Sheriff Dwinell, Assessor Duffy, and Clerk Finn were present. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on March 3, 2016. A current copy of the Open Meetings Act was posted in the meeting room and accessible to the public.

A motion to approve tax list corrections for Michael & Michelle Meyer dba Mikey's Place, and for Lyle Grone dba White Dog Lawn Service was 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

Wayne, Nebraska
March 15, 2016

The Wayne County Board of Commissioners meeting was called to order by Chairman Larson at 9:05 a.m. on Tuesday, March 15, 2016, in the upstairs conference room of the Courthouse. Chairman Larson, Members Burbach and Rabe, Attorney Pieper, Sheriff Dwinell, and Clerk Finn were present. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on March 3, 2016. 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 March 1, 2016, meeting as printed in Commissioner's Record
- b. Approve fee reports
- c. Approve payroll
- d. Approve withdrawal of Cusip #3136G0YX3 and Cusip #313379MR7 as pledged securities held by Elkhorn Valley Bank
- e. Approve cancellation of check #16020054 in the amount of \$35.24

A motion to approve the consent agenda was made by Rabe and seconded by Burbach. Roll call vote: Rabe, Burbach, Larson - aye; motion carried.

A motion to approve the regular agenda was made by Rabe and seconded by Burbach. Roll call vote: Rabe, Burbach, Larson - aye; motion carried.

Patrick Brentlinger discussed maintenance issues with the water fountain in the main lobby of the courthouse, and presented replacement options. The purchase of an Elkay ADA compliant water-cooler with fill station was approved.

Lawn service bids opened on March 11th were reviewed.

- A motion to accept the Claussen & Sons bid of \$190 for spring and fall service of the lawn sprinkler system was made by Burbach and seconded by Rabe. Roll call vote: Burbach, Rabe, Larson - aye; motion carried.
- A motion to accept the White Dog Lawn Service mowing bids of \$200 for the summer for Pleasant Valley Cemetery and \$300 for the summer for Sons of Herman Cemetery was made by Larson and seconded by Rabe. Roll call vote: Larson, Rabe, Burbach - aye; motion carried.

- A motion to accept the Hytrek Lawn Service bid of \$130 per mowing of the courthouse lawn was made by Rabe and seconded by Burbach. Roll call vote: Rabe, Burbach, Larson - aye; motion carried.
- A motion to accept the Hytrek Lawn Service bid of \$558 for the 1st and 3rd spraying and \$758 for the 2nd spraying with the addition of Merit was made by Rabe and seconded by Burbach. Roll call vote: Rabe, Burbach, Larson - aye; motion carried.

Mark Casey provided a road/bridge project update. Construction has begun on Project C-90(624) ½ mile south of Hwy 35 on 583 Ave. Cost overruns are still being negotiated with Dixon Construction for Project C-90(210), Bridge C009030820.

Bids submitted by Charles Blass Welding, LLC, and Iowa Trailer Mfg Co., LLC for a bottom-dump gravel trailer were opened and reviewed. A motion was made by Burbach to accept the trailer bid submitted by Iowa Trailer, with the addition of powder coating and aluminum wheels, for a total of \$50,450. Roll call vote: Burbach, Rabe, Larson – aye; motion carried.

A public hearing on the proposed creation of Rural Road Improvement District No. 2016-1 (577th Ave) and Rural Road Improvement District No. 2016-2 (Chief's Way) was opened at 10:00 a.m. Chairman Larson, Members Burbach and Rabe, Road/Bridge Project Manager Casey, Attorney Pieper, Sheriff Dwinell and Clerk Finn were present. Aaron Scheffler of KTCH Radio and Mike Carnes of The Wayne Herald were also in attendance. Phil Lorenzen of D.A. Davidson was on speaker-phone.

Notice of this hearing was published in the Wayne Herald on February 25, 2016, March 3, 2016, and March 10, 2016. Notice of the public hearing, including the proposed resolution of creation, was also posted at three locations along the route of the proposed improvements within proposed District No. 2016-1 and District 2016-2.

No written or verbal comments were received on the creation of the Rural Road Improvement Districts. The hearing was closed at 10:10 a.m.

A motion to approve Resolution No. 2016-09, finding compliance with the posting and hearing requirements of the Rural Road Improvement District Act, was made by Burbach and seconded by Rabe. Roll call vote: Burbach, Rabe, Larson - aye; motion carried.

Resolution No. 2016-09: "BE IT RESOLVED BY THE BOARD OF COMMISSONERS OF THE COUNTY OF WAYNE, IN THE STATE OF NEBRASKA, THAT:

Section 1. The Chairman and County Board find and determine as follows:

(a) At the meeting of the Board of Commissioners of the County held February 16, 2016, the County declared the advisability and necessity of creating a rural road improvement district for the improvement of 577th Avenue by the proposal of a Resolution of Necessity for the creation of Rural Road Improvement District No. 2016-1 ("District 2016-1") and set a public hearing for March 15, 2016 on the proposed resolution,

(b) At the meeting of the Board of Commissioners of the County held February 16, 2016, the County declared the advisability and Necessity of creating a rural road improvement district for the improvement of Chief's Way by the proposal of a Resolution of necessity for the creation of Rural Road Improvement District No. 2016-2 ("District 2016-2") and set a public hearing for March 15, 2016 on the proposed resolution,

(c) Notice of the hearing was published in the *Wayne Herald* on February 25, 2016, March 3, 2016 and March 10, 2016 and was posted on February 29, 2016 in three conspicuous places in proposed District No. 2016-1 and in proposed District No. 2016-2,

(d) No written objections to the formation of the District No. 2016-1 were submitted by persons owning property in said District No. 2016-1 prior to the hearing,

(e) No written objections to the formation of the District No. 2016-1 were submitted by persons owning property in said District No. 2016-2 prior to the hearing,

(f) A hearing on the proposed resolution was duly held on March 15, 2016; and

(g) The County has taken all action required by the Rural Road Improvement District Act, Sections 39-1638 to 39-1655, R.R.S. Neb. 2008, as amended prior to adoption of the Proposed Resolution for the creation

of Rural Road Improvement District No. 2016-1 and prior to adoption of the Proposed Resolution for the creation of Rural Road Improvement District No. 2016-2.

Section 2. This resolution shall be in force and take effect from and after its passage.”

A motion to approve Resolution No. 2016-10, creating Rural Road Improvement District 2016-1, was made by Rabe and seconded by Burbach. Roll call vote: Rabe, Burbach, Larson - aye; motion carried.

Resolution No. 2016-10: “BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF WAYNE COUNTY, NEBRASKA:

Section 1. Pursuant to resolution and pursuant to Sections 39-1639 through 39-1655, Reissue Revised Statutes of Nebraska, 2008 (the “Act”), there is hereby created within the County of Wayne, Rural Road Improvement District No. 2016-1 of Wayne County, Nebraska. The limits and boundaries of said Rural Road Improvement District No. 2016-1 shall include the following property, none of which is located within a village or city:

A tract of land in Wayne County, Nebraska, described as follows:

Beginning at the center line of 577th Avenue (South Centennial Road) at its intersection with the south right-of-way-line of Nebraska State Highway 35; thence east on the south right-of-way line of said Highway 35 a distance of 180 feet; thence south on a line parallel with the east right-of-way line of 577th Avenue a distance of 1957 feet; thence west southwesterly a distance of 360 feet (+ or -) to a point 180 feet west of the center line of 577th Avenue; thence north on a line 180 feet west of the Center line of 577th Avenue and parallel to the west right-of-way line of 577th Avenue a distance of 1963 feet (+ or -) to the south right-of-way line of Highway 35; thence east a distance of 180 feet, to the center line of 577th Avenue; thence south 15 feet to the point of beginning.

Section 2. Within said District, improvements shall be made to a county road designated as County Road 577th Avenue (South Centennial Road) from Nebraska State Highway 35 south a distance of 1,957 (+ or -) feet to the existing north bridge approach at South Logan Creek, Wayne County, Nebraska, consisting of grading and construction of concrete pavement, storm drainage structures and improvements and other necessary and appurtenant improvements.

Section 3. The cost of the improvements to said road is estimated to be approximately \$355,282, excluding engineering, testing and miscellaneous costs, which improvements shall be made at public cost and shall not give rise to special assessment. Bonds shall be issued by Wayne County pursuant to Section 39-1648 of the Act to finance the cost of the improvements in said District.

Section 4. The Wayne County Board shall appoint an advisory committee of not less than three persons residing in said District to advise the Board on all matters affecting the road improvements and financing the cost thereof.

Section 5. This Resolution shall take effect and be in force after its passage and approval as provided by law.”

A motion to approve Resolution No. 2016-11, creating Rural Road Improvement District 2016-2, was made by Burbach and seconded by Rabe. Roll call vote: Burbach, Rabe, Larson – aye; motion carried.

Resolution No. 2016-11: “BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF WAYNE COUNTY, NEBRASKA:

Section 1. Pursuant to resolution and pursuant to Sections 39-1639 through 39-1655, Reissue Revised Statutes of Nebraska, 2008 (the “Act”), there is hereby created within the County of Wayne, Rural Road Improvement District No. 2016-2 of Wayne County, Nebraska. The limits and boundaries of said Rural Road Improvement District No. 2016-2 shall include the following property, none of which is located within a village or city:

A tract of land in Wayne County, Nebraska, described as follows:

Lots 1 thru 10, and the Chiefs Way easement for ingress & egress, Logan Valley Industrial Park, a subdivision in Wayne County, NE.

Section 2. Within said District, improvements shall be made to a county road designated as Chief's Way from Centennial Road (577th Avenue) east to the east line extended of Lots 5 and 6 of Logan Valley Industrial Park, in Wayne County, Nebraska, consisting of removal of existing roadway surfaces, grading and construction of concrete pavement, curb and gutter, storm drainage structures and improvements and other necessary and appurtenant improvements.

Section 3. The cost of improvement of said road is estimated to be approximately \$277,302, excluding engineering, testing and miscellaneous costs, which improvement shall be made at public cost, but special assessments shall be levied to reimburse the County for a portion of the cost of the improvements as provided by law. Bonds shall be issued by Wayne County pursuant to Section 39-1648 of the Act to finance the cost of the improvements in said District.

Section 4. The Wayne County Board shall appoint an advisory committee of not less than three persons residing in said District to advise the Board on all matters affecting the road improvements and financing the cost thereof and the levy of special assessments.

Section 5. This Resolution shall take effect and be in force after its passage and approval as provided by law."

Larson reported there would be one more meeting with the Rural Road Improvement District's Advisory Committees to finalize details on the driveways.

Bids submitted by Midwest Service and Sales Co. and B's Enterprises, Inc. for Project C-90(331) on mile 569 of 864th Rd (Cedar County line) were opened and reviewed. A motion to accept the bid of \$35,001.52 submitted by Midwest Service and Sales Co. was made by Burbach and seconded by Rabe. Roll call vote: Burbach, Rabe, Larson – aye; motion carried.

Bids submitted by Midwest Service and Sales Co. and B's Enterprises, Inc. for Project C-90(564) and C-90(627) were opened and reviewed. A motion to accept the bid of \$40,318.12 submitted by Midwest Service and Sales Co. was made by Burbach and seconded by Rabe. Roll call vote: Burbach, Rabe, Larson – aye; motion carried.

A motion to approve the claims listing was made by Burbach and seconded by Rabe. Roll call vote: Burbach, Rabe, Larson - aye; motion carried.

Fee Reports: Debra K. Allemann-Dannelly, Clerk of District Court, \$1,009.50 (Feb Fees); Debra Finn, County Clerk, \$3,951.00 (Feb Fees).

Claims:

GENERAL FUND	Salaries \$53,619.11;	
American Broadband CLEC	OE	2,885.01
Appeara	OE	367.37
AS Central Services	ER	99.00
Black Hills Energy	OE	88.32
CardMember Service	SU	114.83
CardMember Service	SU	269.80
Carroll Public Library	OE	2,250.00
Carroll Station Inc., The	MA	264.48
Copy Write/Keepsake	SU	147.65
Eakes Office Solutions	SU	11.99
Eastern NE Telephone Company	OE	88.49
Electronic Engineering	RP	303.45
Farmer's Co-operative, Pilger	MA	102.32
Floor Maintenance	SU	275.17
Fredrickson Oil Company	MA	59.00
Heartland Fire Protection Company	SU	230.50

Hometown Leasing	ER	122.92
Jorgensen Law Office - Kate Jorgensen	OE	2,724.30
KONE'	RP	1,220.97
Lutt Oil	MA,OE	598.96
Madison County Sheriff	OE	22.85
Madison County District Court	OE	50.00
Microfilm Imaging Systems	ER	155.00
MIPS Inc.	ER,CO	2,778.55
Northeast Nebraska Telephone Co.	OE	112.84
ONE Office Solution	RP	23.90
Pieper & Knutson	OE	2,761.04
Pierce County Sheriff's Dept	OE	2,100.00
Poster Compliance Center	SU	79.00
Providence Medical Center	OE	166.00
Quality Printing & Office Supplies	SU	973.06
Shopko	SU	9.99
Smith, Joseph M.	OE	217.50
Thurston County Sheriff	OE	5,000.00
Topp, Amy	RE	28.50
US Cellular	OE	523.09
University of Nebraska IS Commun Ctr	OE	28.85
Verizon Wireless	OE	40.01
Wakefield Republican	OE	30.00
Waste Connections of Nebraska	OE	115.00
Wattier, Patti	OE	450.00
Wayne County Clerk of District Court	OE	139.00
Wayne County Sheriff	OE	168.58
Wayne Herald/Morning Shopper	OE	1,979.13
Wayne Public Library	OE	6,500.00
Wayne, City of	OE	7,269.24
Winside Public Library	OE	4,250.00
Woehler Trailer Court LLC	ER	700.00
WSC Instructional Resource Center	SU	31.15

COUNTY ROAD FUND

Salaries \$25,506.25;

Appeara	OE	40.00
Arnie's Ford Mercury	RP	526.11
B's Enterprises, Inc.	MA	19,864.32
Backus Sand & Gravel	MA	6,410.90
Cross-Dillon Tire	RP	3,000.00
Carroll, Village of	OE	98.00
Deere Credit Inc.	ER	3,446.15
Farmer's Co-operative, Pilger	OE,MA,SU	8,533.88
Fredrickson Oil Company	MA	6,989.35
Hoskins Mfg Co., Inc.	RP	178.22
John Deere Financial	ER	3,446.15
John's Welding & Tool	RP,SU	713.58
Lutt Oil	MA	2,317.05

Herbst Construction Inc.	CO	69,542.10
Martin Marietta Materials	MA	10,937.72
Marxsen Sand & Gravel	MA	5,113.36
Murphy Tractor & Equipment Co.	RP	710.29
NMC Exchange LLC	RP,MA	797.11
RDO Truck Centers	RP	1,137.40
S&S Willers Inc.	MA	12,822.24
Sooland Bobcat	RP	375.00
Truck Center Companies	RP	127.98
Wayne Auto Parts	RP,SU	338.21
Wayne County Clerk	CO	22.00
Wayne, City of	OE	456.92
Weldon Parts Norfolk	RP	248.62
Winside, Village of	OE	235.92

SNOW REMOVAL & EQUIPMENT FUND

Murphy Tractor & Equipment Co.	CO	25,000.00
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ROD PRESERVATION & MODERNIZATION FUND

MIPS Inc.	OE	128.06
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COUNTY IMPROVEMENT FUND

Beiermann Electric	CO	23,541.88
CardMember Service	CO	511.46
Sand Creek Post & Beam	CO	851.90
Vakoc Builder's Resource	CO	1,481.06

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 March 15, 2016, 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 March, 2016.

Debra Finn, Wayne County Clerk