

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
November 1, 2016

The Wayne County Board of Equalization met in regular session at 9:00 a.m. on Tuesday, November 1, 2016, in the upstairs conference room of the Courthouse. Chairman Burbach, Members Larson and Rabe, Sheriff Dwinell, Attorney Pieper, Assessor Duffy, and Clerk Finn were present. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on October 20, 2016. A current copy of the Open Meetings Act was in the meeting room and accessible to the public.

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

A motion was made by Rabe and seconded by Larson to approve a tax list correction for Nicholas Fleer due to the sale of property. Roll call vote: Rabe, Larson, Burbach – aye; motion carried.

The meeting was adjourned.

Debra Finn, Wayne County Clerk

Wayne, Nebraska
November 1, 2016

The Wayne County Board of Commissioners meeting was called to order by Chairman Larson at 9:05 a.m. on Tuesday, November 1, 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 October 20, 2016. A current copy of the Open Meetings Act was in the meeting room and accessible to the public.

Larson presented the following consent agenda items:

- a. Approve minutes of October 18, 2016 meeting as printed in the Commissioners Record
- b. Approve fee reports
- c. Approve payroll
- d. Approve withdrawal of Cusip #86333QAE9 and Cusip #55735CCF4 as pledged by State Nebraska Bank & Trust

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 Burbach and seconded by Rabe. Roll call vote: Burbach, Rabe, Larson - aye; motion carried.

Payment of claim number 16110019 for \$26,145.32 to Northeast Nebraska Public Health was discussed. The claim was for costs incurred during a Mycobacterium Bovis (tuberculosis or TB) outbreak which began in April 2014 and continued into 2015. In a written recommendation County Attorney Pieper made a distinction between ordinary expenses which would be incurred by the Health Department on a day to day basis and those specific to responding to a communicable disease. Once full/part time employee expenses were deducted the remaining balance on Invoice No. FY 16-17-0005 was \$746.14, and there was no remaining balance on Invoice No. FY 15-16-0000. NNPHD Director Julie Rother explained that their budget is for base funding and public health infrastructure, it does not have the funds to cover the costs of a communicable disease investigation. A motion was made by Burbach and seconded by Larson to approve payment of \$746.14 on Invoice No. FY16-17-0005 and deny payment of Invoice No. FY15-16-0000. Roll call vote: Burbach, Larson – aye, Rabe – abstain; motion carried.

Sheriff Dwinell and Emergency Manager Kemnitz reported their handheld radios do not communicate directly with the City of Wayne or Dixon County and they would like to replace them. Motorola negotiated a state contract price on several models of radios with a savings of almost 40%. Replacement of seven handheld radios at about \$7,000 a piece was approved.

Updating the county driveway policy to require county approval before construction, and development of a driveway application form were discussed. Highway Superintendent Casey will prepare a draft driveway application form for the board's consideration. A motion was made by Burbach and seconded by Rabe to approve Resolution No. 16-28. Roll call vote: Burbach, Rabe, Larson – aye; motion carried.

Resolution No. 16-28: “**WHEREAS**, the county receives requests for access driveways and culverts, and **WHEREAS**, the following guidelines have been proposed to be applied to these requests:

All driveway locations must be approved prior to construction and installed in such a manner as to ensure traffic safety and adequate site distances, under the direction of the Wayne County Highway Superintendent.

Farmstead Drives - Wayne County will furnish access across county road ditches to any new home site that has no existing access drive. The drive will be constructed with up to a 40' long culvert. Wayne County will determine size (if needed). Extra width will be at owner's expense. The location must be agreed to by Wayne County.

Farm Field Drives - Wayne County will furnish one (1) drive per inside 80 acres or two (2) per ¼ section or corner 80 acres. Standard drives will be constructed with up to a 40' culvert. Extra widths will be at owner's expense. Wayne County will determine culvert sizes. Acreage's less than 80 acres will be provided one (1) access drive. All existing drives or fills, regardless of when or who installed them, are considered current drives.

Culverts – Culverts removed from existing drives or grade project drives will be the property of Wayne County, unless ownership by others is proven. Wayne County will determine if culverts are needed in driveways and what diameters are necessary.

Right-of-way – Dirt work in county right-of-way by owners/farmers/contractors must have permission from Wayne County.

Road Grade Projects – Existing drives will be reinstalled at no charge. Disturbed gravel drives will be regraded by Wayne County.

Fence Line Ridge – Fence line ridge removal with a patrol along county road right-of-way will normally be done for free.

Wayne County reserves the right to remove any improperly placed fills, tile or culverts installed in county right-of-way, at landowner's expense.

NOW THEREFORE BE IT RESOLVED, that the Wayne County Board of Commissioners adopt the above-described guidelines.”

A supplemental agreement to increase the compensation to translate the Public Involvement Materials to Spanish for Project No. BRO-7090(20) was reviewed. Motion by Burbach, second by Rabe to approve Resolution No. 16-29. Roll call vote: Burbach, Rabe, Larson – aye; motion carried.

Resolution No. 16-29: “Whereas: Wayne County and Felsburg, Holt & Ullevig, have previously executed a NEPA services agreement for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds;

Whereas: Wayne County understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of this Federal-aid project; and

Whereas: Wayne County and Felsburg, Holt & Ullevig wish to enter into a supplemental NEPA services agreement setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

Be It Resolved: by the Board of Commissioners of Wayne County, Nebraska that: Randy Larson, Chair of the Wayne County Board of Commissioners is hereby authorized to sign the attached NEPA services Supplemental Agreement No. 2 between Wayne County and Felsburg, Holt & Ullevig.

Wayne County is committed to providing local funds for the project as required by the Project Program Agreement and any Supplemental Project Agreements.

NDOR Project Number: BRO-7090(20), NDOR Control Number: 32067, NDOR Project Description: Wayne West.”

A motion was made by Rabe and seconded by Burbach to authorize the Chairman to sign Change Order #2 for Project Number: C-90(610), C009012415, Wayne Southwest. This change order reduces the contract price by \$1,972.19. Roll call vote: Rabe, Burbach, Larson – aye; motion carried.

A motion was made by Larson and seconded by Rabe to accept the bid of \$7,850 for a new Caterpillar snowplow submitted by NMC Inc. on October 18th. Roll call vote: Larson, Rabe, Burbach – aye; motion carried.

A motion was made by Burbach and seconded by Rabe to accept the state bid of \$27,825.00 for a 2017 Ford Explorer submitted by Arnies Ford. Roll call vote: Burbach, Rabe, Larson – aye; motion carried.

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

The meeting was adjourned.

Fee Reports: None.

Claims:

| GENERAL FUND | Salaries \$52,698.85; | |
|---|------------------------------|-----------|
| Allemann-Dannelly, Debra K. | RE | 132.84 |
| Junck, JoAnn M. | RE | 2,164.69 |
| Arcadian Marksmanship Club | OE | 100.00 |
| Ashburn Funeral Homes Inc. | OE | 540.50 |
| Barnhill Enterprises LLC | RP | 180.00 |
| Black Hills Energy | OE | 78.74 |
| Bomgaars | SU | 53.47 |
| Carlson, Joel - Stratton DeLay & Doehle | OE | 97.50 |
| Copy Write/Keepsake | SU | 13.98 |
| Cutting, Wendy C. | OE | 973.75 |
| Dahl, Kyle C. | OE | 900.00 |
| Des Moines Stamp Mfg Co | SU | 61.05 |
| Echo Group Inc. | SU | 38.00 |
| Floor Maintenance | SU | 126.55 |
| Garvin's CB Shop | CO | 545.65 |
| Hotel Grand Conference Center | OE | 91.00 |
| Kesting, Brian | RP | 81.15 |
| Mahon, Marcia L. | OE | 64.50 |
| MIPS Inc. | CO | 1,905.32 |
| National Assoc of Counties | OE | 450.00 |
| Northeast Nebraska Public Health | OE | 746.14 |
| Pathology Medical Service of Siouxland | OE | 4,378.22 |
| Pieper & Knutson | OE | 257.28 |
| Quality Printing & Office Supplies | SU | 228.56 |
| Wayne County Clerk of District Court | OE | 33.00 |
| Wayne, City of | OE | 6,000.00 |
| COUNTY ROAD FUND | Salaries \$25,240.00; | |
| Backus Sand & Gravel | MA | 22,771.15 |
| Bauer Built | RP | 3,750.48 |

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|--------------------------------------|-------|-----------|
| Black Hills Energy | OE | 78.74 |
| Bomgaars | SU,MA | 270.37 |
| Caterpillar Financial Services | ER | 3,871.41 |
| Deere Credit Inc. | ER | 3,446.15 |
| Fredrickson Oil Company | MA | 12,825.00 |
| Grossenburg Implement | RP | 117.42 |
| Manzer Equipment Inc. | RP | 168.16 |
| Martin Marietta Materials | MA | 395.87 |
| Marx Repair LLC | CO | 5,100.00 |
| Matteo Sand & Gravel Co Inc. | MA | 348.48 |
| Menard's | RP,SU | 144.95 |
| NMC Exchange LLC | RP | 279.57 |
| Northeast Nebraska Public Power Dist | OE | 184.20 |
| Shopko | SU | 9.78 |
| Titan Machinery | RP | 293.50 |

LODGING TAX FUND

| | | |
|-------------------------------|----|----------|
| Wayne Co Agricultural Society | OE | 4,000.00 |
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INHERITANCE TAX FUND

| | | |
|-------------------|----|--------|
| Johnson, Lorraine | PS | 21.00 |
| Kraemaer, Maxine | PS | 25.00 |
| Meyer, Leon F. | PS | 15.00 |
| Nissen, Robert | PS | 17.00 |
| Owens, Eleanor | PS | 14.00 |
| Tietgen, Shirley | PS | 103.86 |

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 November 1, 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 7th day of November, 2016.

Debra Finn, Wayne County Clerk