

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 2, 2009

The Wayne County Board of Commissioners met in regular session at 9:00 a.m. on Tuesday, June 2, 2009 in the upstairs conference room of the Courthouse.

Roll call was answered by Chairman Rabe, Members Wurdeman and Burbach, and Clerk Finn.

Advance notice of this meeting was published in the Wayne Herald, a legal newspaper, on May 21, 2009.

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

The agenda was approved.

The minutes of the May 19, 2009, meeting were approved as printed in the Commissioner's Record.

The Nebraska Historical Society was removed from the agenda as the recommendations had not arrived. Motion by Wurdeman, second by Burbach to approve the amended agenda. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

City of Wayne representatives Lowell Johnson and Lee Wrede appeared on a fact-finding trip regarding the creation of a Mutual Finance Organization (MFO) for rural fire districts. The Mutual Finance Act provides state aid to rural fire protection districts and MFO's for operational and equipment needs. An agreement is created that requires all members of the MFO to levy the same property tax rate within their boundaries. The amount of state aid is unknown, the impact would depend on the membership of the MFO, and if the funds were used to maintain or increase current budgets.

Auditor Harlan Aevermann pointed out that the board is responsible for the audit report and presented management letters of representation for signatures. Aevermann recommended methods of implementing better internal control of fuel usage. The board was encouraged to consider reporting commuting when using county pickups.

As per Cuming County, papers are being prepared to withdraw from the emergency management interlocal agreement. Interim emergency management director LeRoy Janssen recommended the board re-appoint Nick Kemnitz as a deputy emergency manager. Kemnitz has previously served in this capacity, has attended basic academy and is state certified. Motion by Wurdeman, second by Burbach to appoint Kemnitz deputy emergency manager with expense reimbursement.

Janssen also noted that the county's appointment to the North East Planning, Exercise, Training (PET) and Interoperable Communications Region needed to be updated, and recommended that the board make the appointment by position rather than by name. Motion by Wurdeman, second by Burbach that the Wayne County Emergency Manager, and in his/her absence the Deputy Wayne County Emergency Manager, be appointed to the group known as the North East PET & Interoperable Communications Region to fulfill all duties as required by the regional group. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

An application for a special designated liquor license submitted by Wayne County Ag Society for the sale and consumption of beer and wine in the beer garden area during the county fair, July 30 – August 2, 2009 was reviewed. The application included a request for waiver of fencing for the consumption beer garden. After discussing the application, a motion was made by Burbach, seconded by Wurdeman to approve the application subject to fencing of the consumption area. Roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; motion carried.

An application for a special designated liquor license submitted by Wayne County Ag Society for the sale and consumption of beer and wine in the consumption area during the tractor pull on July 30 and the demolition derby county fair on August 2, 2009 was reviewed. The application included a request for waiver of fencing for the consumption beer garden area. After discussing the application, a motion was made by Burbach, seconded by Wurdeman to approve the application subject to fencing of the consumption area. Roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; motion carried.

Bids received for fire-resistance double-wall above ground storage tanks, fuel pumps, and installations were reviewed. Motion by Wurdeman second by Burbach to accept the bids submitted by Stanley Petroleum

Maintenance Inc. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried. Additional information on site preparation and location of dispensers and meters will be sought.

Motion by Wurdeman, second by Burbach to adopt Resolution No. 09-07. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

Resolution No. 09-07: WHEREAS it is necessary to regrade a section of road on 846th Road, Miles 577 and 578, on the south line of Sections 32 and 33, T. 25 N., R. 4 E. of the 6th P.M., Plum Creek Precinct, Wayne County, Nebraska, 10.0 miles south and 1.0 mile east of Wayne; now therefore

BE IT RESOLVED by the Board of County Commissioners of said county that such regrading be added to the current One Year Road Plan of said county as Project C-90 (557).

Motion by Burbach, second by Wurdeman to adopt Resolution No. 09-08. Roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; motion carried.

Resolution No. 09-08: WHEREAS a short bridge on 863rd Road, Mile 561, on the line between Sections 3 and 10, T. 27 N., R. 1 E. of the 6th P.M., Sherman Precinct, Wayne County, Nebraska, 4 miles north and 5.1 miles west of Carroll has failed and must be removed and replaced with a culvert; now therefore

BE IT RESOLVED by the Board of County Commissioners of said county that such removal and replacement be added to the current One Year Road Plan of said county as Project C-90 (558).

Motion by Wurdeman, second by Burbach to adopt Resolution No. 09-09. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

Resolution No. 09-09: WHEREAS a short bridge on 570th Avenue, Mile 849, on the east line of Section 13, T. 25 N., R. 3 E. of the 6th P.M., Brenna Precinct, Wayne County, Nebraska, 2 miles east and 2.2 miles south of Winside has failed and must be removed and replaced with a culvert; now therefore

BE IT RESOLVED by the Board of County Commissioners of said county that such removal and replacement be added to the current One Year Road Plan of said county as Project C-90 (559).

Highway Superintendent Carlson reported no traffic during the study conducted on the portion of Childs Avenue that runs east and west in Section 10, Logan Precinct. A public hearing for the proposed vacation is scheduled for June 16.

A public hearing for the change in the National Functional Classification of that portion of Centennial Road from South Logan Creek to 855th Road and 855th Road, Mile 576 will be held on July 7 at 10:00 a.m.

An application submitted by Jerry Allemann and Trevor Topp / R&B Land Tiling to place tile line in county road right of way was approved on motion by Burbach, second by Wurdeman. Roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; motion carried.

Qwest Communication was authorized to place new cable where a bridge is being rebuilt on 559th Avenue on motion by Burbach, second by Wurdeman. Roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; motion carried.

As per the recommendation of the Wayne County Convention & Visitors Bureau a motion was made by Burbach, seconded by Wurdeman to approve a grant of \$100 to the Wayne Community Theatre for the musical melodrama "The Drunkard". Roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; motion carried.

Motion by Wurdeman, second by Burbach to recess the commissioner meeting and convene as Board of Equalization at 11:33 a.m. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

The Board of Commissioners meeting reconvened at 11:47 a.m.

General Fund warrants 09010003 and 09010040 had not been submitted for payment and were cancelled on motion by Burbach, second by Wurdeman. Roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; motion carried.

Fee Reports: Debra K Allemann-Dannelly, Clerk of District Court, \$867.75 (May Fees); Debra Finn, County Clerk, \$6,492.97 (April Fees).

Claims:

GENERAL FUND		Salaries \$1,460.83;
All Native Office	SU	157.52
Allemann-Dannelly, Deb	RE	83.60
Big Red Printing	SU	271.73
Black Hills Energy	OE	107.95
Bomgaars	SU	72.61
Control Services Inc.	RP	963.50
DELL	CO	619.33
Electronic Engineering	CO	3,312.50
Fallesen, Delores	RE	59.78
Iowa Office Supply Inc.	CO,RP	310.96
Junck, Jo	RE	1,145.24
Legion Post #43	SU	385.00
Microfilm Imaging Systems	ER	155.00
MIPS Inc.	CO	2,225.54
Postmaster	OE	183.00
State National Bank & Trust	SU	123.84
Tacos & More	OE	25.16
Thomas & Thomas Court Reporters	OE	234.45
United HealthCare of the Midlands	PS	52,389.69
Wayne County Clerk of District Court	OE	133.00
Wayne, City of	OE	3,000.00
Wayne, City of	OE	1,159.77
White Horse	MA	35.00
Wingate Inn, Kearney	OE	139.90
XM Satellite Radio	OE	51.99
COUNTY ROAD FUND		Salaries \$18,597.60;
Backus Sand & Gravel	MA	6,699.93
Black Hills Energy	OE	55.05
Bomgaars	RP,SU,OE	689.07
Carroll Station Inc., The	MA	11,222.29
CEMEX	MA	1,070.90
Cornhusker International Trucks	RP,SU,OE	313.59
Eastern NE Telephone Company	OE	41.34
Elkhorn Valley Sand & Gravel	MA	4,702.19
Gary Backhaus Gravel	MA	1,373.45
Kelly Supply Company, The	SU	67.36
Kimball Midwest	SU	77.36
Midwest Service & Sales Co.	MA	5,539.86
Northeast Nebraska Public Power Dist	OE	91.77
Oberle's Market	SU	21.90

S&S Willers Inc.	MA	18,566.57
US Cellular	OE	99.17
Wayne, City of	OE	91.72
Winside, Village of	OE	87.74
REAPPRAISAL FUND		
Big Red Printing	SU	86.72
DELL	CO	619.32
Miscellaneous Costs	CO	22,000.00
MIPS Inc.	CO	214.25
INHERITANCE TAX FUND		
Beiermann, Merlin	PS	12.00
Johnson, Lorraine	PS	21.00
Kraemaer, Maxine	PS	25.00
Lindsay, Russell Jr.	PS	14.00
Meyer, Leon F.	PS	15.00
Morris, Orgretta C.	PS	25.00
Nissen, Robert	PS	17.00
Owens, Eleanor	PS	14.00
Rees, Dorothy	PS	16.00
Stipp, Doris M.	PS	23.00
SPECIAL POLICE PROTECTION FUND		
Nebraska Public Health Env Lab	OE	84.00
NOXIOUS WEED CONTROL FUND		
Wayne, City of	OE	32.43

Meeting was adjourned.

Debra Finn, Wayne County Clerk

Wayne, Nebraska
June 2, 2009

The Wayne County Board of Equalization convened at 11:30 a.m. on Tuesday, June 2, 2009. Those in attendance included Chairman Wurdeman, Members Rabe and Burbach, and Clerk Finn.

Advance notice of this meeting was published in the Wayne Herald, a legal newspaper, on May 21, 2009.

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

The minutes of the May 19, 2009, meeting were approved as printed in the Commissioner's Record.

The agenda was approved.

Motion by Rabe second by Burbach to amend the agenda to include tax list corrections. Roll call vote Rabe-aye, Burbach-aye, Wurdeman-aye; motion carried.

A motor vehicle exemption was approved for the Red Cross on motion by Rabe, second by Burbach. Roll call vote: Rabe-aye, Burbach-aye, Wurdeman-aye; motion carried.

Tax list corrections for Ron Billheimer and Andres Salcedo/Araceli Galvan were approved.

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 June 2, 2009, 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 June, 2009.

Debra Finn, Wayne County Clerk