

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
January 7, 2014

The Wayne County Board of Commissioners met in regular session at 9:00 a.m. on Tuesday, January 7, 2014, in the upstairs meeting room of the Courthouse.

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

Advance notice of this meeting was published in the Wayne Herald, a legal newspaper, on December 26, 2013.

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 December 17, 2013, meeting were approved as printed in the Commissioner's Record.

Trane Service Technician, Terry King, told the board that a 7500 watt heater would be a good back-up unit to prevent the furnace room pipes from freezing if the furnace quit working. Burbach reported he had obtained an estimate of \$1,500 from Klein Electric to purchase and install that size of forced-air unit; the board agreed to have Klein proceed with the installation.

Burbach was authorized to sign a listing agreement with Stock Realty and Auction Company dba "Big Iron" to sell a 1999 Ford Sheriff cruiser, (2) 2007 Ford Sheriff cruisers, and a 1976 Chevrolet pickup used by the weed department by online auction on February 12, 2014.

Phil Lorenzen of D.A. Davidson & Co. discussed bond issuance for road/bridge improvement projects focusing on current interest rates and bond markets, the timing and process for issuance of bonds, and new rules and guidelines relative to bond issuance.

Calculations were reviewed for issuing highway allocation bonds only vs. a combination of highway allocation and rural road improvement bonds. By issuing rural road improvement bonds the county could levy a tax and/or have the option of using highway allocation funds to make the payments.

Issuing all the bonds in early 2014 vs. part of the bonds in 2014 and part in 2015 was discussed. Delaying the issuance could delay the need for interest payments, but there is risk of the interest rate increasing. The costs of issuance and processing are similar.

The total amount needed is only an estimate until all construction contracts have been let. A motion was made by Larson, seconded by Rabe to authorize Burbach to sign an underwriting engagement letter confirming that Davidson was chosen to serve as the managing underwriter of the proposed road/bridge improvement bonds, and to sign a Disclosures Statement concerning the underwriter's role. Roll call vote: Larson-aye, Rabe-aye, Burbach-aye; motion carried.

The application process for a tire recycling grant was reviewed. Hauling quotes received from Butler County Landfill, Champlin Tire Recycling and Gill Hauling were reviewed. The low bid of \$82.50 submitted by Butler County Landfill will be used for the application process. The application deadline is February 15, 2014.

Weed Superintendent Doug Deck updated the board on trying to get replacement cost estimates for the weed spraying equipment that was destroyed in the tornado. They are working on specifications for a 300 gallon tank with hose reel and hand gun that slides into the back of a pickup. Quotes will be presented to the commissioners during their January 21st meeting.

Motion by Rabe, second by Larson to accept the net bid of \$187,398.31 submitted by NE Machinery on December 17, 2013, for a 2013 Caterpillar 140M2 with a 12 foot snow wing and lift-group and snow plus tires. Roll call vote: Rabe-aye, Larson-aye, Burbach-aye; motion carried.

A listing of the Wayne County Extension Board members for 2014 was accepted as presented.

Motion by Rabe, second by Larson to cancel Road-Bridge Fund check number 13110158 in the amount of \$960.20 due to duplicate payment. Roll call vote: Rabe-aye, Larson-aye, Burbach-aye; motion carried.

A draft of a board meeting policy was reviewed. Additional posting sites were added to the notice for special and emergency meetings. Motion by Larson, second by Rabe to adopt the following Wayne County Board Meeting Policy; roll call vote: Larson-aye, Rabe-aye. Burbach-aye; motion carried.

WAYNE COUNTY BOARD MEETING POLICY

GENERAL POLICY - The Wayne County Board adopts the following general policy guidelines in accordance with Nebraska Public Meeting laws as outlined in Nebraska Revised Statutes Sections §84-1408 to §84-1414 and other statutes as cited. Any inconsistencies or questions regarding this policy shall be resolved in favor of the statutory provisions.

NOTICE OF MEETING - The county board will give reasonable advance publicized notice of the time and place of each meeting by a method designated by the board and recorded in its minutes. Such notice shall contain a statement that the agenda shall be readily available for public inspection, along with all attachments, at the county clerk's office during normal business hours.

A notice of the time and place of a regular meeting will be published in *The Wayne Herald*, and posted on the county website.

A notice of the time and place of a special or emergency meeting will be posted at the county courthouse, posted at the Wayne Library, posted at the post offices in Carroll, Winside, Hoskins and Wayne. Notice will also be posted electronically on the county website, *The Wayne Herald* website, KTCH Radio website; and announced by KTCH Radio.

AGENDA - The county clerk, as board secretary, shall maintain the agenda for the county board meetings.

Submission of potential agenda items may be made by the public to the county clerk during posted business hours until 9:00 a.m. the day prior to the meeting. Agenda items submitted by the public will be included on the agenda, but discussion of these items is at the board's discretion.

Requests for items to be placed on the agenda shall be described clearly, i.e. discussion of, resolution for, open or award bids, approval of, and whether official action is necessary.

The clerk may request copies of all materials relating to agenda items, one for the clerk and one for each board member.

MEETINGS - The county board may make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings.

A county board may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings. (§84-1412(2)).

Persons wishing to make public comment shall sign in with his or her name and identify his or her position on the issue prior to any testimony.

Time limits on testimony given before the board shall be at the discretion of the board chairman, but shall not exceed 3 minutes per individual per agenda item. The board will attempt to give proponents and opponents equal time on each issue.

An extension of time on a particular issue may be granted by majority vote of the board.

Individuals may speak on items not on the agenda at the discretion of the chair. Absent a statutory "emergency", the speaker shall be informed that no action can be taken until the item is placed on the agenda at a later date.

The board shall make available for public inspection at each meeting the county board policies and the Nebraska Public Meeting Laws, Nebraska Revised Statutes §84-1401 through §84-1414.

DECORUM - Speakers should confine their remarks to the question before the board.

During debate and while the chair is speaking or the board is engaged in voting, the public shall not disturb the board by whispering or being disruptive or distracting.

It is the intention of the board to treat everyone in a fair and impartial way when receiving testimony or taking necessary action.

Rude, obnoxious behavior or profanity will not be tolerated.

The chair reserves the right to have disruptive individuals removed from the meeting.

When the disorder is so great that business cannot be transacted and the chair cannot enforce order, the chair may adjourn the assembly as a last resort.

VIDEO CONFERENCING - The county board may allow a member of the public or any other witness other than a member of the board to appear before the public body by means of video or telecommunications equipment.

ACCOMODATIONS - The board shall make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting.

COMMITTEES/DUTIES - The duties of the chair include, but are not limited to the following: to open the session at the required time by taking the chair and calling the board to order; to announce business before the board in the order it must be addressed; to state and put to a vote all motions; to announce the result of a vote on motion; to restrain members engaged in debate within the rules of order; to enforce order and decorum; to authenticate by his or her signature, when necessary, all of the act, orders and proceedings of the board; and to represent and stand for the board in general.

The board shall appoint committees, boards, and commissions. The chair of the board may serve as a member or chair of a committee.

CLOSED SESSION - The board may hold a closed session by an affirmative vote of a majority of the voting members if it is clearly necessary to protect the public interest or prevent needless injury to the reputation of an individual and if that individual has not requested a public meeting,

A closed meeting may not be held for discussion of the appointment or election of a new member to any such body.

Closed sessions may be held for, but shall not be limited to:

- Strategy sessions with respect to collective bargaining,, real estate purchases, or litigation;
- Discussion regarding deployment of security personnel or devices;
- Investigative proceedings regarding allegations of criminal misconduct; or
- Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if that person has not requested a public meeting. (§84-1410)

Any requests prior to the board meeting for an executive session may be made by a board member with the office of the county clerk in the same manner as an agenda item and shall be filed at the county clerk's office.

The board may request the county clerk's attendance as an observer only at the executive session. Other elected or appointed officials or other interested persons may attend the executive session at the request of the board.

No minutes shall be taken during executive sessions.

MINUTES - The county board shall keep minutes of all meetings showing the time and place of the meeting, members present and absent, and the substance of all matters discussed. The published statement need not contain the full meeting minutes.

The clerk, as secretary to the board, shall sign the minutes upon their completion. If corrections are made to the minutes after publication, a correction shall be published in conjunction with the next publication of minutes.

The clerk need not record debate, but shall enter every principal motion that comes before the board, whether it is adopted or rejected. The published minutes may include only principal motions which are approved and indicate that other topics were addressed but not advanced.

BIDS - The time and date of receipt shall be written on all bid envelopes submitted to the county clerk.

Bid envelopes shall remain sealed until opened on the published date and time. Bids received later than the published date and time to submit bids may be rejected.

The board toured the Lincoln Financial building located at 100 Main Street as a potential location for the Health & Human Services Department. Amir Azimi, Administrator of Support Services Operations, was contacted; he gave the board a six-month extension to relocate the office.

Board Reorganization and committee appointments for 2014 were made. Motion by Larson, second by Rabe that the positions remain Burbach as Chairman and Rabe as Vice-Chairman of the Board of Commissioners, and Rabe as Chairman and Burbach as Vice-Chairman of the Board of Equalization. Burbach stated he felt that Larson should be appointed as Vice-Chairman of each board.

Motion by Burbach, second by Rabe to amend the motion to read Burbach as Chairman and Larson as Vice-Chairman of the Board of Commissioners, and Rabe as Chairman and Larson as Vice-Chairman of the Board of Equalization. Roll call vote: Burbach-aye, Rabe-aye, Larson-aye; motion carried.

Burbach asked for any further discussion on the amended motion. There being none there was a roll call vote: Larson-aye, Rabe-aye, Burbach-aye; motion carried.

Motion by Rabe, second by Larson to appoint Amy Miller as Deputy County Attorney. Roll call vote: Rabe-aye, Larson-aye, Burbach-aye; motion carried.

Motion by Rabe, second by Larson to appoint Dr. James Lindau as County Coroner's Physician. Roll call vote: Rabe-aye, Larson-aye, Burbach-aye; motion carried.

Motion by Rabe, second by Larson to re-appoint the board members to represent Wayne County on the following boards: Area Agency on Aging – Burbach, alternate-Larson; Northeast NE Economic Development – Larson; Northeast Juvenile Services, Inc. – Larson, alternate-Rabe; Northeast NE Public Health – Rabe; Northeast NE RC&D – Rabe; Northstar Services – Rabe; Region IV Mental Health – Rabe, alternate-Burbach; Wayne Area Economic Development – Burbach, alternate-Rabe; Wayne County Safety Committee-Burbach; Wayne Business & Industry Committee – Larson.

A progress report on the 2014 Road/Bridge Plan from Mainelli Wagner & Associates was reviewed. Larson expressed concerns that the project prioritization set by the county was not being followed.

Burbach reported that the meeting with Earl Imler from NEMA scheduled for Thursday, January 16, 2014, did not require a quorum, so the board would not reconvene at that time.

Fee Reports: Debra K. Allemann-Dannelly, Clerk of District Court, \$958.50 (Dec Fees).

Claims:

GENERAL FUND		Salaries \$55,596.94;
Barnes, Ann M.	RE	120.91
Junck, JoAnn M.	RE	1,584.11
Pieper, Michael E.	RE	19.12
American BroadBand CLEC	OE	2,056.16
Appeara	OE	308.80
Arnie's Ford Mercury	MA	110.68
Beiermann Electric	RP	225.43
Black Hills Energy	OE	1,180.43
Bomgaars	SU	36.97
Carhart Lumber Company	SU	7.50
Carroll Station Inc., The	MA	855.32
Clean To A T, LLC	OE	2,600.00
Copy Write/Keepsake	SU	6.24
DELL Marketing	SU	135.99
Doc Jay's Auto Repair - Jason Ladely	RP	16.50
Double Tree Hotel- Omaha	OE	285.00
Eastern NE Telephone Company	OE	86.32
Farm & Home Publishing, Ltd	SU	997.00
Farmers Co-operative, Pilger	MA	214.98
Floor Maintenance	SU	162.32
Hastings Hotel & Convention Co.	OE	154.00
Hilton Omaha	OE	2,440.00

Iowa Office Supply Inc.	RP	132.51
Klein Electric - Mark Klein	RP	387.07
MailFinance	ER	1,326.00
MIPS Inc.	SU,ER,CO	2,628.91
Morland, Easland & Lohrberg	OE	2,546.92
Osmond Pharmacy	OE	150.98
Pender Community Hospital	OE	395.00
Pender Medical Clinic	OE	414.00
Pierce County Sheriff's Dept.	OE	3,950.00
Quality Printing & Office Supplies	SU	176.06
Region IV Behavioral Health System	OE	4,484.00
Region IV Inc.	OE	2,677.25
Shopko	SU	26.00
The Apothecary Shop	OE	34.78
Thurston County Sheriff	OE	5,700.00
Tom Hansen CPA	OE	2,770.00
US Cellular	OE	89.67
Warnemunde Insur & Real Estate	OE	1,749.00
Waste Connections of Nebraska	OE	108.84
Wayne County Clerk	OE	20.00
Wayne County Sheriff	OE	116.60
Wayne Herald/Morning Shopper	OE	369.57
Wayne, City of	OE	4,086.60
Zach Oil Co.	MA	432.91

COUNTY ROAD FUND

Salaries \$33,564.00;

Ambroz, Connie J.	ER	60.00
Appeara	OE	40.46
Black Hills Energy	OE	507.18
Bomgaars	SU	67.73
Elkhorn Valley Sand & Gravel	MA	3,486.54
Fredrickson Oil Company	MA	266.50
Grossenburg Implement	ER	2,000.00
HireRight Solutions Inc.	OE	42.40
Hradec Diesel Inc	RP	52.25
John's Welding & Tool	RP	17.25
Kelly Supply Company, The	RP	27.47
Kimball Midwest	SU	138.45
NMC Exchange LLC	RP	5,449.60
Northeast Nebraska Public Power Dist	OE	262.16
Rees Mack Sales & Service	RP	1,063.47
S&S Willers Inc.	MA	6,827.86
Wayne Auto Parts	SU,RP	122.14

Wayne, City of	OE	416.02
Winside, Village of	OE	186.15
Zach Oil Co.	MA	1,522.96
LODGING TAX FUND		
Wayne Co Agricultural Society	OE	750.00
INHERITANCE TAX FUND		
Beiermann, Merlin	PS	12.00
Clark, Marian	PS	23.08
Johnson, Lorraine	PS	21.00
Kraemaer, Maxine	PS	25.00
Meyer, Leon F.	PS	15.00
Morris, Orgretta C.	PS	25.00
Mundil, Joseph Edward	PS	57.70
Nissen, Robert	PS	17.00
Owens, Eleanor	PS	14.00
Rethwisch, Dwaine	PS	18.69
Rohdes, Earl	PS	34.62
Schmidt, Ralph	PS	11.54
SNOW REMOVAL & EQUIPMENT FUND		
A&R Construction	CO	124,636.90

Motion by Rabe, second by Larson to recess the meeting until Wednesday, January 8th at 9:00 a.m.

The meeting reconvened at 9:00 a.m. on Wednesday, January 8, 2014. Those in attendance included Chairman Burbach, Members Larson and Rabe, and Clerk Finn. Emergency Manager Nic Kemnitz, and Tom & Sandra Hansen were also in attendance.

FEMA representatives Rick Conrado and Jorge Romano will break the recovery work down into multiple projects. Each project must be supported by detailed documentation in the categories of: (A) Labor & equipment for debris removal, (B) Labor & equipment for protective measures, (C) Labor & equipment for roads & bridges, (E) Buildings & equipment lost, (F) Materials and supplies, (G) Administration, and contracts. The paperwork compiled thus far by the county and by Tom Hansen CPA will be reviewed.

Motion by Rabe, second by Larson to recess the meeting until Thursday, January 9th at 11:00 a.m.

The meeting reconvened at 11:00 a.m. on Thursday, January 9, 2014 at the Wayne Fire Hall. Those in attendance included Chairman Burbach, Member Rabe, and Deputy Clerk Sharolyn Biermann.

The board participated in an after-action meeting on the October 4th tornado. Local agency representatives assessed action taken in response to the tornado; they identified what worked well and what goals they have for the future.

The 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 January 7, 2014, 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 16th day of January, 2014.

Debra Finn, Wayne County Clerk