

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
September 2, 2014

The Wayne County Board of Commissioners met in regular session at 9:15 a.m. on Tuesday, September 2, 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 August 21, 2014.

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 August 19, 2014, meeting were approved as printed in the Commissioner's Record.

Emergency Manager Nic Kemnitz was congratulated on being chosen to receive the Local Hero Award during the 2014 Lt. Governor's Be Prepared Awards Ceremony on September 12th. This award is sponsored by the Nebraska Citizen Corps Program and the Nebraska Emergency Management Agency.

Bids were opened for the rehabilitation of 38' steel girder bridge, C009005505, Wakefield Southeast, C-90(536) located on 585 Ave., between Sections 15 and 16 - T26N - R5E.

Bids were opened for construction of a 100'-8/34" three span concrete deck slab bridge, C009001905, Hoskins East. C-90(564) located on 567 Ave., between Sections 33 and 34 - T35N - R2E.

Motion by Rabe, second by Larson to table action on both sets of bids until Mark Mainelli of Mainelli Wagner & Associates has an opportunity to review them.

A status update on the Projects in the 1 & 6 Year Plan was given by Mark Mainelli. Concerns were expressed on the cost of engineering for small projects. Mainelli explained that the majority of the engineering cost is due to the Corp of Engineers permits, and the amount of effort required is the same regardless of the size of the project.

There was no interest in the Legal Shield benefit program.

Motion by Larson, second by Rabe to open the 2014-15 budget hearing. Roll call vote: Larson-aye, Rabe-aye, Burbach-aye; motion carried.

A public hearing to receive taxpayer support, opposition or observations on the proposed 2014-2015 budget convened at 1:15 p.m.

Advance notice of this hearing was published in the Wayne Herald, a legal newspaper, on August 28, 2014.

The 2014-15 budget was discussed with the following points noted:

- A transfer of \$500,000 from Inheritance Tax was made to offset operating and construction costs.
- The Bond issued in 2005 was paid off in December 2013.
- A 2.5 million dollar bond was issued for road/bridge construction costs in June 2014.
- Rural Road Improvement Bonds totaling 1.5 million are to be issued in 2014/15.
- Unused budget authority created for next year is \$403,382.81

The hearing closed at 1:43 p.m. on motion by Rabe, second by Larson. Roll call vote: Rabe-aye, Larson-aye, Burbach-aye; motion carried.

Motion by Larson, second by Rabe to open the 2014-15 final tax request hearing. Roll call vote: Larson-aye, Rabe-aye, Burbach-aye; motion carried.

A public hearing to receive taxpayer support, opposition or observations on setting the final tax request at a different amount than last year convened at 1:45 p.m.

Those in attendance included Chairman Burbach, Members Larson and Rabe, and Clerk Finn. Also in attendance was Mike Carnes of The Wayne Herald and County Attorney Mike Pieper.

Advance notice of this hearing was published in the Wayne Herald, a legal newspaper, on August 28, 2014.

The following points were noted:

- The total tax dollar request is \$4,672,269.58, an increase of \$440,098.98
- The total valuation of Wayne County is \$1,729,065,913. This is an increase of \$390,722,197
- The Wayne County 2014-15 tax levy will be .270219. On \$100,000 of valuation the taxes will be \$270.22, which is a decrease of \$46.00 from last year.

The hearing closed at 1:57 p.m. on motion by Rabe, second by Larson. Roll call vote: Rabe-aye, Larson-aye, Burbach-aye; motion carried.

Motion by Rabe, second by Larson to approve a 1% increase in restricted funds. Roll call vote: Rabe-aye, Larson-aye, Burbach-aye; motion carried.

Motion by Rabe, second by Larson to approve the 2014-15 budget as per Resolution No. 14-14. Roll call vote: Rabe-aye, Larson-aye, Burbach-aye; motion carried.

Resolution No. 14-14: WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2014 to June 30, 2015 prepared by the Budget Making Authority, was transmitted to the County Board on the 2nd day of September 2014;

NOW, THEREFORE, BE IT RESOLVED by the Wayne County Board of Commissioners as follows:

SECTION 1. That the budget for the fiscal year July 1, 2014 to June 30, 2015 as categorically evidenced by the budget document is, and the same hereby, is adopted as the budget for Wayne County for said fiscal year.

SECTION 2. That the offices, departments, activities, and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2014 and ending June 30, 2015.

SECTION 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

SECTION 4. The tax requests for 2014-2015 are approved as follows: General Fund \$4,316,726.22, County Improvement Fund \$355,543.36, Total \$4,672,269.58.

Motion by Larson, second by Rabe to set the 2014-15 property tax request at \$4,672,269.58 as stated in Resolution No. 14-15, resulting in a tax rate of .270219. Roll call vote: Larson-aye, Rabe-aye, Burbach-aye; motion carried.

Resolution No. 14-15: WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of Wayne County passes by a majority vote a resolution

or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of Wayne County that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, the Governing Body of Wayne County, by a majority vote, resolves that the 2014-15 property tax request be set at \$ \$4,672,269.58.

Wayne City Council Resolution No. 2014-69 for joint dispatch services effective January 1, 2015 was reviewed. Motion by Larson, second by Rabe to approve Resolution No. 2014-69 as presented. Roll call vote: Larson-aye, Rabe-aye, Burbach-aye; motion carried.

Resolution No. 14-69: THIS AGREEMENT is made and entered into by and between The City of Wayne, Nebraska hereinafter referred to as "Wayne," and Wayne County, hereinafter referred to as "County," each being a local governmental subdivision which on its effective date are, or become, signatories hereto:

WITNESSETH THAT:

WHEREAS, it is the recognized responsibility of municipalities, counties, rural fire districts and emergency hospitals to provide and maintain a certain basic level of public services for their residents, including the areas of law enforcement and public health and public safety, and information services; and

WHEREAS, it is recognized that the provision of said basic services are sometimes best accomplished jointly because of certain cost savings and efficiencies or certain hardships which might be experienced if undertaken singularly; and

WHEREAS, Sections 13-804 through 13-814 of the Nebraska Revised Statutes authorize the joint exercise of powers, privileges and authority by agreement of two or more public agencies of any power common to them; and

WHEREAS, these governmental entities do agree that the solution to this problem lies in cooperative action; and

WHEREAS, it is the desire of the parties hereto signed to participate in the joint use of trained dispatch personnel, operational equipment and resources.

NOW, THEREFORE, BE IT RESOLVED, that the City of Wayne and Wayne County hereto signed do agree to the following:

1. Information and Access and Equipment: Each signature agency will provide all necessary information about its respective public safety department and responsibilities, including available geographic and historical data, current location address information for E911 operation, levels of training and areas or businesses with unusual hazardous situations. The dispatch office and equipment will remain the property of the City of Wayne.
2. Administration of the Agreement: A separate entity is not created by this agreement, and the dispatch services provided for by this agreement will be administered by the Wayne City Administrator or his/her designee.
3. Law Enforcement Dispatch Services: The purpose of this agreement is to provide joint dispatch services for the Wayne Police Department and the Wayne County Sheriff's Office. Wayne will provide continuous, answering, and emergency dispatch services to law enforcement and fire department, and rescue services using qualified dispatch personnel that are trained to a competent level.
4. Fees for Services: The total charge by Wayne for services provided for fiscal year 2015 is \$72,000 for the purpose of covering the cost for public safety dispatch service provided January 1, 2015, to December 31, 2015.
5. Agreement Duration: The term of this agreement will be effective upon execution by both parties and shall continue to be in effect until such time either party terminates the agreement after 120 days written notice.
6. Agreement Amendments: This agreement may be amended at any time by the written agreement of all parties.
7. Hold Harmless and Insurance: Each party agrees to indemnify and hold the other party harmless from

any and all liability regarding provision of dispatch services in this agreement. County agrees to maintain liability insurance in the minimum amount of \$1,000,000 with the City of Wayne listed as additional named insured. The City of Wayne and Wayne County agree to indemnify and hold each other harmless from any and all liability regarding law enforcement services in this agreement. The parties shall at all times provide each other with proof of the insurance required by this paragraph.

AND BE IT FURTHER RESOLVED, that the Commissioners of the County of Wayne do declare the County to be a participant in this joint effort to provide public safety dispatch services in the City and the County.

LB863, approved by the Governor on April 9, 2014, changed the provisions relating to cemetery associations. Pieper was asked to review the bill to determine if the provisions would permit a group of individuals to form a new cemetery association and take over management and operation of an abandoned cemetery.

The following security additions were approved on motion by Larson, second by Rabe. Roll call vote: Larson-aye, Rabe-aye, Burbach-aye; motion carried. First Nebraska Bank - Cusip #3128P7TT0 and #3136FTN70; and State Nebraska Bank - Cusip 97750HBA7, #66432LEW8, #66432LEX6, #73232PEN7, #81847EMA1, #97750HBD1, #096587AJ9, #219264KJ6, and #583456EB0.

A five-year extension of the Road District #3 shop towel contract with Appeara was approved on motion by Rabe second by Larson. Roll call vote: Rabe-aye, Larson-aye, Burbach-aye; motion carried.

Wayne County was chosen as a pilot location for a UNL Extension digital display. A 50" flat screen TV, mini pc and mounting hardware will be provided, the county is responsible for installation costs. The board agreed with placing the unit in the main lobby.

ROW Application #14-09.01, submitted by Ted Reeg, to run electrical wire to a bin site ¼ mile east of Road 847 and Mile 573 was approved on motion by Rabe, second by Larson. Roll call vote: Rabe-aye, Larson-aye, Burbach-aye; motion carried.

General Fund checks No. 14080089 and 14080102 drawn on General Fund were cancelled on motion by Rabe, second by Larson. Roll call vote: Rabe-aye, Larson-aye, Burbach-aye; motion carried.

Fee Reports: None.

Claims:

GENERAL FUND		Salaries \$47,265.27;
Frank, Jesse D.	RE	13.34
Junck, JoAnn M.	RE	1,584.11
Albin, Mark D.	OE	1,107.11
American Broadband CLEC	OE	1,983.24
Barnes, Ann M.	RE	338.80
Black Hills Energy	OE	52.48
Bomgaars	SU,OE	94.95
CardMember Service	SU	102.74
Carney Law PC	OE	2,523.28
Claritus	SU	159.34
Copy Write/Keepsake	SU	20.10
Eastern NE Telephone Company	OE	86.63
Elite Office Products	SU	25.04
Floor Maintenance	SU	206.32
Garvin's CB Shop	OE	92.97
Iowa Office Supply Inc	OE	137.05

Klein Electric - Mark Klein	RP	1,858.58
Menard's	OE	609.39
MIPS Inc.	CO	2,490.10
Morland Lohrberg	OE	315.00
Northeast NE Assoc of Co Officials	OE	200.00
Northeast NE Juvenile Services Inc	OE	156.25
Otte Construction Inc.	OE	645.00
Quality Printing & Office Supplies	SU	183.62
Ron's Radio - Ron Wriedt	SU	18.00
Smith, Joseph M.	OE	97.50
Wayne, City of	OE	2,706.25
COUNTY ROAD FUND		Salaries \$22,444.00;
Backus Sand & Gravel	MA	6,931.98
Bauer Built	RP	3,928.32
Black Hills Energy	OE	43.59
Bomgaars	SU, RP	175.27
Carhart Lumber Company	SU	25.98
Grossenburg Implement	ER,SU	3,799.22
Helena Chemical Company	SU	225.00
Johnson Sand & Gravel Co, Inc	MA	1,976.44
Lutt, Delmar	ER	43.00
Martin Marietta Materials	MA	325.38
Matteo Sand & Gravel Co Inc	MA	2,711.76
Midwest Service & Sales Co.	MA	452.50
NMC Exchange LLC	RP	871.23
Norfolk NAPA	RP	62.06
S&S Willers Inc.	MA	15,605.54
Stern Oil Co Inc	MA	3,973.09
Tube City IMS	MA	142.12
Wayne, City of	OE	113.23
SNOW REMOVAL & EQUIPMENT FUND		AMOUNTS
Arnie's Ford Mercury	CO	259.00
NMC Exchange LLC	CO	51,200.00
LODGING TAX FUND		AMOUNTS
Wayne County Ag Society	OE	4,000.00
INHERITANCE TAX FUND		AMOUNTS
Holdorf, Delmar	PS	34.62
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

