

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
August 15, 2017

The Wayne County Board of Commissioners meeting was called to order by Chairman Rabe at 9:00 a.m. on Tuesday, August 15, 2017, in the upstairs conference room of the Courthouse. Chairman Rabe, Members Burbach and Larson, Attorney Pieper, Sheriff Dwinell, and Clerk Finn were present. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on August 3, 2017. A current copy of the Open Meetings Act was posted and accessible to the public.

Rabe presented the following consent agenda items:

- a. Approve minutes of August 1st & 8th, 2017, as printed in the Commissioners Record.
- b. Approve fee reports
- c. Approve payroll
- d. Accept and place on file the Distress Warrant Certification Return dated August 2, 2016. Forty-three warrants totaling \$30,118.70 were issued; twenty-five warrants totaling \$6,852.50 were returned paid.

Larson made a motion to move Item d. "Accept and place on file the Distress Warrant Certification Return dated August 2, 2016. Forty-three warrants totaling \$30,118.70 were issued; twenty-five warrants totaling \$6,852.50 were returned paid" from the consent agenda to the regular agenda due to the filing of a corrected certification. Burbach seconded the motion. Roll call vote: Larson, Burbach, Rabe – aye; motion carried.

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

A motion to approve the regular agenda as amended by the addition of the Distress Warrant Certification was made by Larson and seconded by Burbach. Roll call vote: Larson, Burbach, Rabe – aye; motion carried.

A motion to accept the Distress Warrant Certification Return stating "Forty-three warrants totaling \$30,118.70 were issued; twenty-five warrants totaling \$23,226.18 were returned paid" was made by Burbach and seconded by Larson. Roll call vote: Burbach, Larson, Rabe – aye; motion carried.

A claim to JMB Contracting LLC was added to the claims listing. A motion to approve the claims as amended was made by Larson and seconded by Burbach. Roll call vote: Larson, Burbach, Rabe – aye; motion carried.

Kevin Davis, Merlin Felt and Jared Heithold of the Wayne County Ag Society presented their preliminary tax dollar request for 2017-18. They spoke to the board about the five-year plan for fairgrounds improvements. The plan includes a new building for the 4-H and Catholic food stands with a food court in the middle and handicapped restrooms, and replacing the grandstand with all aluminum bleachers that seats 2400 people. A comparison of county fair budgets from area counties was distributed.

Wayne Police Chief Marlen Chinn presented an amended interlocal agreement for dispatching services. The original agreement approved in 2015 set the annual rate at \$72,000. The amended agreement provided for 3% annual inflationary adjustments effective January 1, 2018. A motion was made by Larson and seconded by Burbach to approve Resolution No. 2017-67. Roll call vote: Larson, Burbach, Rabe – aye; motion carried.

Resolution No. 2017-67: "A RESOLUTION AMENDING INTERLOCAL AGREEMENT TO JOINTLY PROVIDE DISPATCH SERVICE FOR PUBLIC SAFETY IN WAYNE COUNTY.

THIS AGREEMENT is made and entered into by and between The City of Wayne, Nebraska herein after 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 13-04 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 E9 11 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 purposes of covering the cost for public safety dispatch services provided January 1, 2015, to December 31, 2015,~~
The base charge by Wayne for services provided for 2018 will be \$74,160 for the purpose of covering the cost for public safety dispatch service provided January 1st to December 31st. Thereafter, said base charge will be increased 3% annually to cover inflationary costs associated therewith.
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.

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

Highway Superintendent Casey presented Project C-90(595), Grading and Paving of 577th Ave, Change Order No. 1 for \$263,284.06. This change order was for additional work to complete the paving of Chiefs Way. A motion was made by Larson and seconded by Burbach to approve Project C-90(595) Change Order No. 1. Roll call vote: Larson, Burbach, Rabe; motion carried.

Casey reported:

- Project C-90(595), paving of 577th Ave (South Centennial Rd), was poured in one day and they are working on the driveway returns.
- There was a good response to the scrap tire collection conducted on August 11th and 12th
- Bids for a gravel truck for District #3 will be advertised the next two weeks and opened on September 5th

- Culverts for Project C-90(645) ordered from Contech Engineering Solutions will be made at the Wahoo plant which will make pre-delivery inspection easier to complete.
- To meet the request that the county lower 859th Rd to be compatible with the drive to the building currently under construction for Sholes Piggery an engineer needs to be hired and the project must be added to the 1&6 Year Road Improvement Plan.

In accordance with Wayne County Resolution No. 88-11 adopted April 19, 1988, a motion was made by Larson and seconded by Burbach to designate Mark Casey as Wayne County Flood Plain Manager effective August 1, 2017. Roll call vote: Larson, Burbach, Rabe – aye; motion carried.

Advanced Consulting Engineering Project Manager John Zwingman reported he had met with a couple of different wind tower companies looking at Wayne County. They were still in the land acquisition and mapping phase, but he was estimating 50-70% of the section corners will have to be located. After talking to other counties, Zwingman recommended deputizing someone from the wind tower company’s survey crew to do the field work and then give it to Terry Schulz, the county surveyor for review and completion. Zwingman estimated the county surveyor’s time and paperwork would run about \$250.00 per section.

Emergency Manager Nic Kemnitz reported he was meeting with representatives of Hoskins Rural Fire and the Village of Hoskins to determine the feasibility of acquiring a generator for the fire hall and the well.

Preliminary tax dollar requests were reviewed. A motion was made by Larson and seconded by Burbach to approve Resolutions No. 17-09 through 17-15. Roll call vote: Larson, Burbach, Rabe – aye; motion carried.

Resolution No. 17-09 setting the preliminary tax allocation for the Ag Society General Fund at \$90,039.01.

Resolution No. 17-10 setting the preliminary tax allocation for the Wayne County Library Association at \$13,000.00

Resolution No. 17-11 setting the preliminary tax allocation for the Carroll Rural Fire Protection District No. 1 General Fund at \$35,000.00 and Bonds at \$43,833.00

Resolution No. 17-12 setting the preliminary tax allocation for the Wayne Rural Fire District No. 2 General Fund at \$58,150.00 and Sinking Fund at \$21,000.00

Resolution No. 17-13 setting the preliminary tax allocation for the Hoskins Rural Fire District No. 3 General Fund at \$55,000.00 and Sinking Fund at \$10,000.00

Resolution No. 17-14 setting the preliminary tax allocation for the Winside Rural Fire District No. 4 General Fund at \$32,821.00 and Sinking Fund at \$14,000.00

Resolution No. 17-15 setting the preliminary tax allocation for the Wakefield Rural Fire District General Fund at \$115,000.00

Subjects discussed under Comments, Concerns, Questions:

- The structural engineer hired by EMC Insurance reported he thought the old county shed at 123 S Lincoln Street was repairable. A settlement will not be reached until a cost estimate is received;
- The bulk fuel storage tanks in Wayne have not been repainted;
- The fence around the new county shed on Thorman Street will not be installed until after the City of Wayne is done grading 4th Street;
- Consideration of a change order to the courthouse garage project to replace one or two heaved sidewalk squares on the north side of the garage while pouring the garage approach.

A budget work session was held. The merits of a percentage vs. a flat dollar cost of living raise was discussed. A motion was made by Burbach to grant employees a \$1500.00 cost of living raise for 2018. Larson agreed with granting a raise but felt it should be a percentage increase. Rabe seconded the motion. Roll call vote: Burbach, Rabe – aye, Larson – abstain; motion carried.

The budget hearing is scheduled for Tuesday, September 5, 2017, at 10:00 a.m.

Fee Reports: Debra K. Allemann-Dannelly, Clerk of District Court, \$327.74 (July Fees); Debra Finn, County Clerk, \$14,429.75 (July Fees).

Claims:

GENERAL FUND		Salaries \$56,090.82;
Rabbass, Melissa H.	RE	25.00
Barnes, Ann M.	RE	273.39

Kleensang, Randy L.	RE	32.20
McDonald, Karen S.	RE	15.21
Woslager, Richard R	RE	22.65
Advanced Consulting Engineering Svs	CO	1,292.50
American BroadBand CLEC	OE	2,092.61
Antelope County Sheriff	OE	1,240.00
Appera	OE	409.29
Arnie's Ford Mercury	MA,OE	970.68
Black Hills Energy	OE	91.14
Bomgaars	SU	18.28
CardMember Service	OE	295.02
Carroll Station Inc., The	MA	79.50
Copy Write/Keepsake	SU	6.99
Eakes Office Solutions	SU	194.78
Eastern NE Telephone Company	OE	94.41
Farmer's Co-operative, Pilger	MA	138.66
Floor Maintenance	SU	144.29
Fredrickson Oil Company	MA	73.61
Hometown Leasing	ER	122.92
Hytrek Lawn Service	OE	1,208.00
Jerry's Trailers & Campers Inc.	RP	114.72
Lutt Oil	MA,OE	989.40
Madison County Sheriff	OE	100.00
Microfilm Imaging Systems	ER	155.00
MIPS Inc.	ER,CO	2,814.29
Nebraska Educational Tele Comm.	ER	590.78
Northeast Nebraska Telephone Co.	OE	106.10
One Office Solution	SU	129.32
Pieper & Knutson	ER,OE	3,073.79
Pierce County Sheriff's Dept	OE	5,400.00
Pierce Telephone Company	OE	75.00
Quality Printing & Office Supplies	SU	366.44
Thurston County Sheriff	OE	2,150.00
US Cellular	OE	308.98
Verizon Wireless	OE	40.01
Wanek Pharmacy	OE	45.44
Waste Connections of Nebraska	OE	120.00
Wattier, Patti	OE	450.00
Wayne County Clerk of District Court	OE	66.00
Wayne County Sheriff	OE	193.08
Wayne Herald/Morning Shopper	OE	716.17
Wayne State College	SU	11.25
Wayne, City of	OE	9,777.68
Woehler Trailer Court LLC	ER	700.00
United HealthCare Insurance Company	OE	64,024.77

COUNTY ROAD FUND

Salaries \$27,304.00;

Rabe, Jerold S.	RE	57.50
Appera	OE	40.00

Backus Sand & Gravel	MA	20,788.08
Bauer Built	RP,SU,MA	1,290.40
Black Hills Energy	OE	29.08
Carroll, Village of	OE	95.00
Caterpillar Financial Services	ER	3,871.41
Hoskins Mfg Co., Inc.	RP,SU,MA	155.40
Martin Marietta Materials	MA	1,993.14
Matteo Sand & Gravel Co Inc.	MA	1,711.68
Midwest Service & Sales Co.	SU	12.00
NMC Exchange LLC	RP	1,270.08
RDO Truck Centers	RP	2,429.88
S&S Willers Inc.	MA	29,223.62
Shopko	SU	21.47
Wayne Auto Parts	RP,SU	83.63
Wayne, City of	OE	439.30
Weldon Parts Norfolk	RP	167.39
Winside, Village of	OE	89.20
Wayne NAPA	RP,SU,MA	521.09
CNH Industrial Capital America LLC	ER	2,256.69

LODGING TAX FUND

Lutt, Denny	OE	538.02
News Channel Nebraska 35.1	OE	250.00
Wayne Area Economic Development Inc	OE	1,000.00
Wayne Radio Works Lilac	OE	100.00

ROD PRESERVATION & MODIFICATION FUND

Microfilm Imaging Systems	OE	250.00
MIPS Inc.	OE	121.14

COUNTY IMPROVEMENT FUND

LP Gill Inc.	CO	181.36
Bethune, Jared M	CO	51,504.36

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 August 15, 2017, 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 18th day of August, 2017.

Debra Finn, Wayne County Clerk