

The Wayne County Board of Commissioners meeting was called to order by Chairman James Rabe at 9:00 a.m. on Tuesday, September 4, 2018, in the upstairs conference room of the Courthouse. Chairman James Rabe, Members Dean Burbach and Randy Larson, Sheriff Jason Dwinell, and Clerk Debra Finn were present. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on August 23, 2018. 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 21, 2018, as printed in the Commissioners Record
- b. Approve fee reports
- c. Approve payroll
- d. Approve \$3,020.00 interest payment on Wayne County, NE Bond Anticipation Bonds, Series 2017

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

Ray and Jody Kingsley referenced previous meetings when they asked who authorized NextERA and Northeast Nebraska Public Power to put a power line in their front yard. The commissioners said that the only application approved for the wind power project was located at the Stanton County line. Kingsleys stated they were told by representatives of NextERA and Northeast Nebraska Public Power that Burbach gave them permission. Burbach responded that he was only shown potential routes, and an application was not received.

The Kingsleys said companies are given the impression that only county approval is needed to work in the road right of way; the companies do not need to talk to the landowners. Stakes just show up in the right of way, crops are mowed down, and corners are being widened without anyone talking to the landowners. The Kingsleys felt the county should notify landowners that did not participate in the wind program that they have rights, and anytime work needs to be done there is protocol to follow.

Emergency Manager Nic Kemnitz told the board an applicant briefing for Federal Disaster Declaration 4387 would be conducted on September 6th in Pender. The briefing will include application information and program changes. Kemnitz also said he will be participating in the Missouri River Expo on September 14th – 16th.

Highway Superintendent Mark Casey presented Resolution 18-16, approving the preliminary plans, specifications, and estimates for Federal Aid Project BRO7090(20). A motion was made by Burbach and seconded by Larson to adopt Resolution No. 18-16. Roll call vote: Burbach, Larson, Rabe – aye; motion carried.

Resolution No. 18-16: “Whereas: Wayne County (County) and State entered into an LPA Program Agreement for State to assist County in the development and construction of an LPA Federal-aid transportation project;

Whereas: The State or the design consultant has developed the project plans to the point where they are ready to submit to State’s PS & E Section for final edits for a bid letting;

Whereas: The LPA Program Agreement requires the county to review the preliminary PS & E package and either request modification or approve them as acceptable at this stage;

Whereas: County wishes to approve the preliminary PS & E package as prepared.

Be It Resolved by the Board of Commissioners of Wayne County that:

The Chair, James Rabe, is hereby authorized to sign the bottom of this resolution and submit it to the State signifying the County’s approval of the preliminary PS & E package. NDOT Project Number: BRO-7090(20), Control Number: 32067, Project Description: Wayne West.”

Casey also reported:

- The cost estimate to move the powerline for Project BRO-7090(20) is \$37,000. The state will reimburse a percentage of that cost.
- The state department of roads no longer has a paper form for oversize, overweight vehicle permits. A permit form used by York County will be modified for use in Wayne County.

- Various locations will need the road crest cut down to enable transport of wind tower components. A listing of crest and site values has been received and sent to Mark Mainelli of Mainelli Wagner & Associates for review. Certifications of No Zoning Violations for the wind tower sites and the meteorological testing tower were received from NextERA representative Kim Dickey. Rabe was authorized to sign the certifications in-lieu of a zoning administrator on motion by Larson and second by Burbach. Roll call vote: Larson, Burbach, Rabe – aye; motion carried. The signed certifications will be submitted to the NDOT Division of Aeronautics.

A public hearing to receive taxpayer support, opposition or observations on the proposed 2018-19 budget convened at 10:16 a.m.

Notice of this hearing was published in the Wayne Herald, a legal newspaper, on August 30, 2018.

The 2018-19 budget was discussed with the following points noted:

- The total **budget** is \$21,327,799.91
- The total **tax dollar request** is \$4,771,776.30.
- The amount of unused budget authority created for next year is \$2,155,498.68.
- The total **valuation** of Wayne County is \$1,891,230,906; a decrease of \$17.4 million.

There being no public comment, a motion was made by Burbach and seconded by Larson to close the hearing.

Roll call vote: Burbach, Larson Rabe – 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 10:24 a.m.

Notice of this hearing was published in the Wayne Herald, a legal newspaper, on August 30, 2018.

The 2018-19 tax rate was discussed with the following points noted:

- The total **tax dollar request** is \$4,771,776.30.
- The Wayne County 2018-19 **tax levy** will be .252311; an increase of .0118 cents per \$100 in valuation.

There being no public comment, a motion was made by Larson and seconded by Burbach to close the hearing.

Roll call vote: Larson, Burbach, Rabe – aye; motion carried.

A motion to approve a 1% increase in restricted funds was made by Burbach and seconded by Larson. Roll call vote: Burbach, Larson, Rabe – aye; motion carried.

A motion to adopt Resolution No. 18-17 approving the 2018-19 Wayne County budget was made by Larson and seconded by Burbach. Roll call vote: Larson, Burbach, Rabe - aye; motion carried.

Resolution No. 18-17: “WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2018, to June 30, 2019, prepared by the Budget Making Authority, was transmitted to the County Board on the 21st day of August, 2018.

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

SECTION 1. That the budget for the fiscal year July 1, 2018, to June 30, 2019, as categorically evidenced by the budget document be, 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, 2018, and ending June 30, 2019.

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 2018-2019 are approved as follows: General Fund \$4,321,776.30, Road/Bridge Improvement \$50,000.00, County Improvement \$400,000.00, Total \$ 4,771,776.30.”

A motion to adopt Resolution No. 18-18 setting the 2018-19 tax dollar request was made by Burbach and seconded by Larson. Roll call vote: Burbach, Larson, Rabe – aye; motion carried.

Resolution No. 18-18: “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 2018-19 property tax request be set at \$4,771,776.30.”

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

Abbreviations: **PS** - Personal Services, **OE** - Operating Expenses, **SU** - Supplies, **MA** - Materials, **ER** - Equipment Rental, **CO** - Capital Outlays, **RP** - Repairs, **RE** - Reimbursement.

Claims:

GENERAL FUND	Salaries \$59,582.95	
Big Red Printing	SU	229.89
Black Hills Energy	OE	113.12
Bomgaars	SU	110.53
Cedar County Sheriff	OE	44.45
Consolidated Management Company	OE	346.49
Dahl, Kyle C, Attorney	OE	457.50
Eakes Office Solutions	SU	10.55
Electrical Engineering & Equipment	SU	276.45
Floor Maintenance	SU	44.15
Fredrickson Oil Company	MA	129.00
Hytrek Lawn Service	OE	610.00
Jack's Uniforms & Equipment	OE	127.90
Meyer Brothers Funeral Home	OE	1,650.00
Nebraska Co Assessors Assoc	OE	50.00
Northeast NE Assoc of County Officials	OE	275.00
One Office Solution	SU	19.49
Quality Printing & Office Supplies	SU	1,088.41
Wayne County Clerk of District Court	OE	180.00
Wayne County Court	OE	397.00
COUNTY ROAD FUND	Salaries \$31,136.70	
Bareman, Russell	CO	35,000.00
Black Hills Energy	OE	48.65
Bomgaars	SU	132.93
Caterpillar Financial Services	ER	3,871.41
Dinkel's	ER	5,320.00
Fredrickson Oil Company	RP	25.90
Grosenburg Implement	RP	39.46
Helena Agri-Enterprises LLC	SU	194.00
Martin Marietta Materials	MA	4,197.98
Matteo Sand & Gravel Co Inc.	MA	8,656.80
Midwest Service & Sales Co	MA	213.75
NMC Exchange LLC	RP	1,019.62
Northeast Power	OE	188.15

Peterbilt of Norfolk	RP	113.49
Shopko	SU	15.98
Thurston County Treasurer	MA	9,704.25
LODGING TAX FUND		
Sons of the American Legion	OE	1,500.00
INHERITANCE TAX FUND		
Orma L Beckmann Estate	OE	314.95
COUNTY IMPROVEMENT FUND		
Nebraska State Historical Society	CO	5,119.84

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 September 4, 2018, 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 September, 2018.

Debra Finn, Wayne County Clerk