

The Wayne County Board of Commissioners meeting was called to order by Chairman James Rabe at 9:00 a.m. on Tuesday, September 3, 2019, in the courtroom of the Wayne County Courthouse. Chairman James Rabe, Members Dean Burbach and Terry Sievers, Sheriff Jason Dwinell, Deputy Attorney Eric Knutson, and Clerk Debra Finn were present. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on August 22, 2019. 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 20, 2019, as printed in the Commissioners Record
- b. Approve fee reports
- c. Approve payroll
- d. Approve substitution of Cusip 3134G8JP5 for Cusip 3130AGX59 for \$250,000 as pledged by State Nebraska Bank & Trust
- e. Approve Technology Application No. 19-02 for \$2,149.99
- f. Approve Technology Application No. 19-03 for \$765.57
- g. Receive and place on file the audit of financial statements for the fiscal year ending June 30, 2019, as prepared by Michael J. Pommer, CPA

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

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

A motion was made by Burbach and seconded by Sievers to approve the claims, with Sievers abstaining from taking action on claim #19090045. Roll call vote: Burbach, Sievers, Rabe – aye; motion carried.

County Court Clerk Magistrate KimBerly Hansen presented a quote to order additional chairs to match those currently at the plaintiff and defendant's tables in the courtroom. The chairs would be ordered after the new tables arrive, and could be delivered within two days after order. A motion was made by Sievers and seconded by Burbach to approve ordering four additional chairs for the courtroom from Quality Printing, and paying for them out of the county court budget. Roll call vote: Sievers, Burbach, Rabe – aye; motion carried.

An interest payment of \$3,020.00 on Wayne County, NE Bond Anticipation Bonds, Series 2017 was approved on a motion made by Burbach and seconded by Sievers. Roll call vote: Burbach, Sievers, Rabe – aye; motion carried.

Highway Superintendent Mark Casey reported:

- A two-man crew began removing planks from the Temme Bridge aka BRO-7090(20) Wayne West.
- The culvert for C-90(644) had been installed by county forces; final grade work needs to be completed.
- FEMA doesn't pay direct administrative costs for a CBMP project, but they will cover labor preparing for the job, and labor and equipment from the time of mobilization. This time must be documented in Project Worksheets.
- The Grainland Rd bridge has been reviewed by FEMA and is scheduled for fracture critical inspection this month.
- Driveway locations for the Plum Creek Wind project have not been certified yet. They have started grading and graveling the dirt roads they will be using.
- NextEra decided to pay the remaining balance of \$59,000 plus for road maintenance costs for the Sholes Wind Project.
- Mark Mainelli of Mainelli Wagner & Associates will meet with representatives of NextEra to discuss some of the permanent driveways constructed for the Sholes Wind Project that do not meet contract requirements.
- Effective September 1, 2019, the signing of a county Annual Certification of Program Compliance form and Resolution by the County Board Chairman replaces the annual filing of the One and Six Year Plan and the Standardized System of Annual Reporting with the Nebraska Board of Public

Roads Classifications and Standards (NBCS). A motion was made by Sievers and seconded by Burbach to approve Resolution No. 19-18 authorizing the signing of the compliance form and resolution. Roll call vote: Sievers, Burbach, Rabe – aye; motion carried.

Resolution No. 19-18: “Whereas: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

Whereas: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each county shall be signed by the County Board Chairperson and shall include a copy of a resolution of the governing body of the county authorizing the signing of the certification form.

Be it resolved that the County Board Chairperson of Wayne County is hereby authorized to sign the attached County Annual Certification of Program Compliance form.

Adopted this 3rd day of September 2019 at Wayne, Nebraska.”

A public hearing to receive taxpayer support, opposition or observations on the proposed 2019-20 budget convened at 9:36 a.m.

Notice of this hearing was published in the Wayne Herald, a legal newspaper, on August 29, 2019.

The 2019-20 budget was discussed with the following points noted:

- The total budget is \$23,511,291.79
- The total tax dollar request is \$4,861,483.61
- The total unused budget authority is \$1,634,236.18

There being no public comment the hearing was closed.

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 9:45 a.m.

Notice of this hearing was published in the Wayne Herald, a legal newspaper, on August 29, 2019.

The 2019-20 tax rate was discussed with the following points noted:

- The tax dollar request is \$4,861,483.61, an increase of \$89,707.31
- The total valuation of Wayne County is \$1,922,404,934, an increase of \$31,174,028
- The 2019-20 Wayne County levy will be .252886, an increase of .000575, which is 57.5 cents on \$100,000 of valuation

There being no public comment the hearing was closed.

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

A motion to adopt Resolution No. 19-19 approving the 2019-20 Wayne County budget was made by Sievers and seconded by Burbach. Roll call vote: Sievers, Burbach, Rabe - aye; motion carried.

Resolution No. 19-19: “WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2019, to June 30, 2020, prepared by the Budget Making Authority, was transmitted to the County Board on the 20th day of August 2019.

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, 2019, to June 30, 2020, 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, 2019, and ending June 30, 2020.

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 2019-2020 are approved as follows: General Fund \$3,975,018.40, Road/Bridge Improvement \$386,465.21, County Improvement \$500,000.00, Total \$4,861,483.61.”

A motion to adopt Resolution No. 19-20 setting the 2019-20 tax dollar request was made by Burbach and seconded by Sievers. Roll call vote: Burbach, Sievers, Rabe – aye; motion carried.

Resolution No. 19-20: “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 2019-20 property tax request be set at \$4,861,483.61.”

Jerry Berggren of Berggren Architects reported on the Courthouse Exterior Restoration Project:

- The roofer is starting to tear shingles off the west side of the building. Five of six colors proposed for the new shingles were approved and ordered; they should arrive in about five weeks. Cold weather installation will not be an issue.
- The drainage gutter being installed along the north half of the east side of the building will be covered with a removable, fiberglass grate. Concrete will be poured up to the grate. Drainage will go diagonally to the south and around the corner to the north/south street where a larger collection box will be installed.
- With the exception of the west side, 90% of the original damp proofing around the building looks good. On the west side of the building, it is gone. All damp proofing will be redone.
- There are a couple of brick pavers being considered for the porch floor. They are checking to make sure the surface is not slippery.

Berggren also presented a draft agenda for a Maintenance Exchange Workshop for county board members and maintenance staff. The workshop will be held on October 17th in Wayne.

Fee Reports: None.

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 \$62,210.05;	
Barnes, Ann M.	RE	360.76
Kemnitz, Nicholas C.	RE	70.90
Knutson, Eric	RE	14.79
Albin, Mark D.	OE	2,486.16
Arnie's Ford Mercury	RP	1,520.90
Black Hills Energy	OE	29.51
Bomgaars	SU,CO	140.75
Brown Plumbing Heating & A/C	RP	93.75
Cornhusker state Industries	CO	665.00
Fredrickson Oil Company	RP	124.00
Graduate Lincoln	OE	188.00
Graham Tire Sioux City	RP	540.00

Integration Partners	CO	561.73
IRC-Wayne State College	SU	65.05
Jack's Uniforms & Equipment	SU	117.79
Jorgensen Law Office - Kate Jorgensen	OE	17,115.92
Michael J Pommer, CPA	OE	7,500.00
Miller Law	OE	3,952.82
MIPS Inc	SU	213.83
NE Assoc of Co Clks, ROD, Elect	OE	50.00
Nebraska Educational Tele Comm	ER	582.17
Northeast Nebr Juvenile Services Inc	OE	4,495.00
One Office Solution	SU	74.27
Quality Printing & Office Supplies	SU	64.35
Region IV Behavioral Health System	OE	7,004.17
RR Donnelley	SU	123.50
Smith, Joseph M	OE	463.90
State of Nebraska Dept of Correction	OE	622.39
Wayne, City of	OE	6,365.40
COUNTY ROAD FUND	Salaries \$31,694.30;	
Bomgaars	SU	985.37
Carroll Station Inc., The	MA	14,206.05
Fredrickson Oil Company	RP,SU	2,163.80
Grossenburg Implement	RP	5.90
John's Welding & Tool LLC	RP,SU	106.94
Mainelli Wagner & Assoc Inc.	CO	1,311.70
Martin Marietta Materials	MA	2,675.06
Matteo Sand & Gravel Co Inc.	MA	9,613.56
Midwest Service & Sales Co	OE	89.10
NMC Exchange LLC	RP	145.54
Northeast Power	OE	149.10
RDO Truck Centers	RP	142.50
Steffen Truck Equipment Inc	RP	240.08
Van Diest Supply Company	SU	140.00
Weldon Parts Norfolk	RP	53.95
LODGING TAX FUND		
Sons of the American Legion	OE	1,500.00
Wayne Co Agricultural Society	OE	4,000.00
Wayne Community Theatre	OE	500.00
INHERITANCE TAX FUND		
Hawthorne, Nicholas	CO	765.57
Sievers, Terry	CO	2,149.99

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 3, 2019, 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 4th day of September, 2019.

Debra Finn, Wayne County Clerk