

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
April 21, 2009

The Wayne County Board of Commissioners met in regular session at 9:00 a.m. on Tuesday, April 21, 2009 in the upstairs conference room of the Courthouse.

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

Advance notice of this meeting was published in the Wayne Herald, a legal newspaper, on April 9, 2009.

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 April 7, 2009, meeting were approved as printed in the Commissioner's Record.

Assistant Director Wes Blecke of Wayne Area Economic Development said they would once again be applying for a Building Entrepreneurial Communities Act (BECA) grant. A grant of \$13,000 with \$13,000 match was received in 2006 and used for establishing an Inventors and Entrepreneur's Club and hosting an economic summit. The current grant application will be applied to residential recruitment outside the state of Nebraska through the development of a new website for the city, school, county, and economic development factions. The board agreed to prepare a letter of support for the BECA grant application packet. The county's financial contribution will be the funds already pledged toward the development of a new website.

The Farmers Market will once again be located on the east terrace of the courthouse square beginning June 13th. The county will set up the signage and try to reserve the east terrace parking on Thursday afternoons for vendors.

Jo Junck reported the painting in the kitchen area was complete and supplies were moved back in to the cupboards. A refrigerator was on hold and would be delivered after the flooring was done. Cost estimates of vinyl vs. laminate flooring, and new ceiling tiles were presented. It was noted that Todd Greunke had offered to install the flooring at no charge. The board approved sub-flooring and vinyl, new ceiling tiles, and a new light fixture.

KimBerly Hansen, Clerk Magistrate, asked if she could replace her current office door with the door that has "County Judge" stenciled on the glass. This door came from the area currently occupied by the County Assessor's office and is now in storage. The request will be looked in to.

Anne Shank-Volk requested the board not rush into renovation or furniture replacement projects. Citing the beauty of the courthouse, and the fact it is on the historical register, she encouraged them to seek professional opinions on antique preservation rather than rushing forward and possibly decreasing the historic value. Tours of the courthouse based on changes made and plans for the future could be offered to the public. The availability of grant funds for these projects was questioned.

Clerk of District Court Deb Allemann-Dannelly reported several applications for the cleaning/light maintenance position had been given out. Applications will be accepted until 4:00 p.m. on Friday May 1st, and opened at 2:00 p.m. on Tuesday, May 5th.

Highway Superintendent Carlson was authorized to terminate temporary easements for Soft Match Project C009003025 during the April 7th meeting. The easements for this project were permanent, not temporary. Jeff Wagner of Mainelli Wagner felt the permanent easements were no longer necessary as the culverts are within the right of way. Motion by Wurdeman, second by Burbach to authorize the termination of the permanent easements for Soft Match Project C009003025, 6 miles south, and 3.3 miles east of Wayne. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

Carlson reported receiving additional information on replacing the bulk fuel tanks located on the county maintenance yards from Burbach. Carlson will present the information to the state fire marshal's office for approval.

An engineering service proposal submitted by Mainelli Wagner & Associates for a Federal Aid Project to replace Bridge C009030820, 5 miles north and 2.3 miles west of Wayne, 861st Road, Mile 573 was

accepted on motion by Burbach, second by Wurdeman. Roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; motion carried.

An engineering service proposal submitted by Mainelli Wagner & Associates for a Federal Aid Soft Match Project C009002815, 1 mile south and 6.1 mile west of Winside was accepted on motion by Wurdeman, second by Burbach. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

An engineering service proposal submitted by Mainelli Wagner & Associates for a for Federal Aid Soft Match Project C009001015, 1 mile north and 3.5 miles west of Carroll was accepted on motion by Burbach, second by Wurdeman. Roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; motion carried.

Federal Aid Soft Match Project C009004115, 2 miles east and 5.8 miles south of Wayne was denied on motion by Wurdeman second by Burbach. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

Wurdeman stated the City of Wayne is willing to share the cost of a traffic counter with the county, and he wondered if the other road districts would be interested in sharing the cost also. A counter that would not just count the number of vehicles but be able to provide information on the types of vehicles using the road. The cost is just a little over \$1000. Motion by Burbach, second by Wurdeman to approve the purchase of a traffic counter. Roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; motion carried.

Bids received from A&R Construction, M.E. Collins Construction Co., Inc., and Castle Construction, Inc. for Federal Aid Soft Match Project C009000335, 8 miles west and 0.2 mile north of Carroll were reviewed. It was noted that the lowest bidder, A&R Construction, also has the latest start date, which is October 1st. Motion by Burbach, second by Wurdeman to accept the bid of \$68,127.16 submitted by A&R Construction. Roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; motion carried.

An application submitted by Pierce Telephone Company Inc. to place telephone line in county road right of way was approved on motion by Wurdeman, second by Burbach. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

An application submitted by Kevin Kai/R&B Land Tiling to place tile in county road right of way was approved, subject to the contractor notifying Road District #1 at least 24 hours prior to tiling, on motion by Wurdeman, second by Burbach. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

An application submitted by Roger Willers/P&E Tiling to place tile in county road right of way was approved on motion by Wurdeman, second by Burbach. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

County Burial Application No. 09-02 did not meet residency requirements and was rejected on motion by Burbach, second by Rabe. Roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; motion carried.

Sheriff LeRoy Janssen was present to discuss contributing toward a multi county jail facilitator fee. Janssen opposed the jail study as things had not changed since the City of Wayne and the county spent \$20,000 for a feasibility study a couple of years ago. The new study would just be spending additional money for the same results. The average amount spent of board of prisoners and medical expenses the last nine years was \$80,000 and the daily prisoner population had only raised one person in the last twenty years. Financial concerns of all the counties involved could be an issue. Based on Janssen's recommendation, motion by Wurdeman, second by Burbach to continue attending the meetings but not to commit any county funds at this time. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

Chris Connolly's resignation as deputy county attorney was accepted on motion by Burbach, second by Wurdeman. Roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; motion carried.

Assessor Joyce Reeg presented examples of the residential property files using computer assisted mass appraisal (CAMA). The residential properties are complete, and Reeg requested authorization to add software for commercial and industrial properties to the current package. This would result in a monthly fee increase of \$32.35. Motion by Wurdeman, second by Burbach to approve the addition of commercial and industrial parcels to the CAMA program. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

Approval of Marvin J. Rager as manager for Emerald Enterprises, Inc. dba Logan Valley Golf Course in Wakefield was discussed. It was noted that the county has no liability, approval was just an opportunity for local input prior to the liquor commission's approval. Motion by Wurdeman, second by Burbach to approve the application. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

It was reported that work on the Veteran's Memorial would begin on Thursday, April 23rd. The county is to have a dump truck available.

Anne Shank-Volk asked several questions about the April 7th commissioner meeting/minutes. She felt the board did not respond to all of the concerns and possible solutions listed in a letter presented by Dennis Otte and others to the board, a cost analysis of how the board reached their decisions was not offered, and several points were left unresolved. In order to provide closure Volk encouraged the board to approve, reject, or carry items forward rather than taking no action.

Motion by Wurdeman, second by Burbach to enter executive session at 3:08 p.m. for personnel discussion purposes. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

Motion by Wurdeman, second by Burbach to reconvene in open session at 4:06 p.m. Roll call vote: Wurdeman-aye, Burbach-aye, Rabe-aye; motion carried.

Motion by Burbach, second by Wurdeman, to approve replacement of the sections of wood chairs in the lobby areas with wood benches due to safety concerns. Roll call vote: Burbach-aye, Wurdeman-aye, Rabe-aye; motion carried.

Fee Reports: LeRoy W. Janssen, County Sheriff, \$1,230.84 (Feb Fees), \$1,342.22 (Mar Fees); Debra Finn, County Clerk, \$13,012.70 (Mar Fees).

Claims:

GENERAL FUND		Salaries \$75,394.41;
Abernethy, Sandie	OE	231.00
Albin, Mark D.	OE	1,045.82
All Native Office	SU	20.82
Allemann-Dannelly, Debra K.	RE	49.50
Meadows, Ben	CO	250.20
Black Hills Energy	OE	68.09
Bomgaars	RP,SU,OE	337.55
Cabela's Mktg & Brand Mgt Inc.	CO	1,729.77
Cass County Sheriff	OE	526.77
CVSOAN Treasurer	OE	25.00
Dixon County Jail	OE	1,000.00
Dixon County Sheriff	OE	55.02
Eakes Office Plus	SU	9.48
Ellis Plumbing, Heating & A/C	RP,SU,OE	286.30
First National Bank of Omaha	ER	259.20
Gamble, Keith	PS	20.00
Greunke, Pamela S.	RE	112.64
Iowa Office Supply Inc.	ER	229.68
Kens/The Apothecary Shop	OE	23.95
Madison County Sheriff	OE	1,550.00
Microfilm Imaging Systems	ER	155.00
Nebraska Notary Association	OE	154.23
Norfolk Printing Co., Inc.	SU	195.42
Northeast Research & Extension Ctr	CO	789.97
Nuss, Jean C.	PA	20.00
Olds Pieper & Connolly	ER,OE	2,551.53
Olson Court Reporting	OE	124.50
Owens, Milton	PA	20.00

Pac N Save	OE	20.00
Pamida Inc.	SU	40.98
Qwest	OE	1,157.22
Rohlf, Virgil	PA	20.00
SD Computer Support Inc.	CO	260.00
Thies, Eldon	PS	20.00
Thurston County Sheriff	OE	600.00
Topp, Amy	RE	99.00
Waste Connections of Nebraska	OE	161.13
Wattier, Patti	OE	375.00
Wayne County Treasurer	OE	412.09
Western Office Products Plus	SU	30.97
Wingate Inn, Kearney	OE	140.00
Witt, Duane	OE	326.25
COUNTY ROAD FUND		Salaries \$18,597.60;
Backus Sand & Gravel	MA	6,730.31
Bomgaars	SU,RP,CO,OE	836.43
Carroll Station Inc., The	SU,MA,RP	6,514.86
Caterpillar Financial Services	ER	4,425.61
Elkhorn Valley Sand & Gravel	MA	3,600.97
Farmers Co-operative, Pilger	OE,MA,RP	17,083.23
John's Welding & Tool	SU	87.80
Kimball Midwest	SU	86.83
Linweld	SU	69.13
Lutt Trucking Inc.	MA	200.00
Nebraska Dept of Roads	CO	229.87
NMC Exchange LLC	RP,SU,OE	1,721.65
Qwest	OE	32.53
Walton, Rick	RP	100.00
SPECIAL POLICE PROTECTION FUND		Salaries \$7,732.50;
Farmers Co-operative, Pilger	MA	160.37
NOXIOUS WEED CONTROL FUND		Salaries \$2,660.00;
Black Hills Energy	OE	67.78
Fredrickson Oil Company	MA	203.00
Kleensang, Randall	RE	25.30
Postmaster	OE	84.00
Qwest	OE	32.53
Schuttler, Marlin	RE	34.73
Super 8 Motel	OE	95.30
Woslager, Richard R	RE	13.75

Meeting was adjourned.

Debra Finn, Wayne County Clerk

No Board of Equalization Session was held.

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 April 21, 2009, 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 23rd day of April, 2009.

Debra Finn, Wayne County Clerk