

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
June 16, 2015

The Wayne County Board of Commissioners meeting was called to order by Chairman Larson at 9:00 a.m. on Tuesday, June 16, 2015, in the upstairs conference room of the Courthouse. Chairman Larson, Members Burbach and Rabe, and Clerk Finn were present. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on June 4, 2015. A current copy of the Open Meetings Act was posted in the meeting room and accessible to the public.

Larson presented the following consent agenda items:

- a. Approve minutes of June 2, 2015, meeting as printed in the Commissioners Record
- b. Approve fee reports
- c. Approve payroll
- d. Approve ROW Application #15-06 submitted by Bob Dahlquist for S&S Construction to run electrical service across 862nd Rd about $\frac{3}{4}$ mile west of Hwy 57
- e. Approve interest payment of \$26,557.50 and \$200 Paying Agent Fee for Wayne County Highway Allocation Fund Pledge Bonds, Series 2014
- f. Approve Lodging Tax Grant Application #15-16 for \$1000 submitted by Sons of American Legion for a Gun Show on July 18th & 19th

Item c. (Approve payroll) was removed from the consent agenda. A motion to approve the amended consent agenda was made by Rabe and seconded by Burbach. Roll call vote: Rabe, Burbach, and Larson - aye; motion carried.

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

Attorney Keelan Holloway appeared on behalf of Daryl Hahn to discuss Project C-90(261) located on Mile 567 of 859th Rd. Holloway asked the board to consider moving the project to the south side of 859 Rd.

Currently, a tributary of Deer Creek is diverted west, along the north side of 859 Rd, and then south to the creek. The diversion has caused the roadbed to erode and caused structural damage to the bridge.

The proposed project would direct the water farther north of the road and then bring it back south to the creek. This would reduce future damage to 859 Rd and the bridge. It would also reduce the amount of farmable ground on the north side of the road and would require leaving a permanent buffer zone that may obstruct the view from the acreage.

The board was asked to consider options that would direct the tributary water south, under the road, and then continue west, along the south side of 859 Rd, to the creek. This would eliminate future erosion to north side of 859 Rd, and would not work against the natural north-south flow of the water. It may require working with more than one landowner, and would require an individual corp permit.

The county had considered moving the channel to the south and was told an individual corp permit would be difficult to obtain. The agencies reviewing the permit application are looking for the least environmentally damaging option. Since the north channel could be done within the 300-foot limit, it was questionable if a permit to move the channel to the south side would be issued. The county will re-evaluate all options.

Dale Krusemark asked when he would receive the letter he was promised on drainage issues. He also questioned if weed control in Section 24-T25N-R4E was being handled correctly. Noxious Weed Superintendent Doug Deck gave a progress update on the three-year plan developed for that location.

Emergency Manager Nic Kemnitz reported that FEMA had approved the Lower Elkhorn NRD Multi-Jurisdictional Hazard Mitigation Plan. Participants in this plan are eligible to pursue grant applications for any project that meets FEMA criteria. A motion was made by Burbach and seconded by Rabe to approve Resolution No. 15-09. Roll call vote: Burbach, Rabe, Larson - aye; motion carried.

Resolution No. 15-09: **WHEREAS**, the Federal Disaster Mitigation Act of 2000 was signed in to law on October 30, 2000, placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes; and

WHEREAS, a Multi-jurisdictional Hazard Mitigation Plan was prepared by Lower Elkhorn Natural Resources District with assistance from JEO Consulting Group, Inc. of Lincoln, NE, which includes the jurisdiction of Wayne County.

WHEREAS, the purpose of the mitigation plan was to lessen the impacts of disasters by increasing the disaster resistance of the county and participating jurisdictions located within the planning boundary by identifying the hazards that affect the county and prioritize mitigation strategies to reduce potential loss of life and property damage from those hazards, and

WHEREAS, FEMA regulations require documentation that the plan has been formally adopted by the governing body of Wayne County in the form of a resolution and further requesting approval of the plan at the Federal Level; and

NOW, THEREFORE, the governing body of Wayne County does herewith adopt the Lower Elkhorn Natural Resources District Multi-jurisdictional Hazard Mitigation Plan in its entirety and request approval of the plan at the Federal Level.”

Governor Ricketts issued a State Disaster Declaration for severe weather response and recovery measures. A motion was made by Rabe and seconded by Burbach to declare a state emergency due to flood damage to public roads, culvert, tubes, and bridges from heavy rain/storms that began on June 6th. Roll call vote: Rabe, Burbach, Larson - aye; motion carried.

Kemnitz continues to support the avian influenza response in Dixon County.

A resolution to issue highway allocation fund pledge bonds, in the principal amount of not to exceed \$1,500,000, was reviewed by Phil Lorenzen of D.A. Davidson & Co. The bond will mature in 2027 with principal payments starting at \$100,000 and ending at \$115,000. The average coupon rate is estimated to be 2.61% Motion by Rabe, second by Burbach to adopt **Resolution No. 15-10** authorizing the issuance of not to exceed \$1,500,000 Highway Allocation Fund Pledge Bonds, Series 2015. Roll call vote: Rabe, Burbach, Larson – aye; motion carried.

Road /Bridge Project Manager Mark Casey presented project updates.

- Proposed Change Order #3 to Wayne County 2014 Box Culverts for Site C-90(605), Bridge C009004325 located on Mile 849 of 579th Ave, was approved on a motion by Rabe and second by Burbach. Roll call vote: Rabe, Burbach, Larson-aye; motion carried.
- Payment applications submitted by Dixon Construction and Theisen Construction were reviewed and approved.
- Lange House Movers was unaware a permit was needed when they moved at house over an 18-ton and a 5-ton bridge in Wayne County. The route was chosen based on high-voltage power lines.
- Casey was directed to request Mainelli-Wagner re-evaluate the issuance of a special permit for Project C-90(261) and estimate the additional engineering costs.

Fund Transfer Resolution No. 15-11 was approved on a motion by Burbach, second by Rabe. Roll call vote: Burbach, Rabe, Larson - aye; motion carried.

“Resolution No. 15-11: WHEREAS, the budget which had been allocated to the Special Police Function of the County General Fund for the 2014-15 fiscal year is insufficient to meet operating expenses, due to the purchase of law enforcement equipment, to the extent that it will be unable to make final payments of claims for the balance of the current year; and

WHEREAS, there are unexpended funds available in the County Sheriff function of the County General Fund for the 2014-15 fiscal year,

NOW, THEREFORE, BE IT RESOLVED by the Wayne County Board of Commissioners that the sum of \$4,900.00 be transferred from the County Sheriff function of General Fund to Special Police Function of General Fund.”

Fund Transfer Resolution No. 15-12 was approved on a motion by Burbach, second by Rabe. Roll call vote: Burbach, Rabe, Larson - aye; motion carried.

“Resolution No. 15-12: WHEREAS, the budget which had been allocated to the County Jail function of the County General Fund for the 2014-15 fiscal year is insufficient to meet operating expenses, due to costs associated with board of prisoners, to the extent that it will be unable to make final payments of claims for the balance of the current year; and

WHEREAS, there are unexpended funds available in the Miscellaneous function of the County General Fund for the 2014-15 fiscal year,

NOW, THEREFORE, BE IT RESOLVED by the Wayne County Board of Commissioners that the sum of \$29,000.00 be transferred from the Miscellaneous function of General Fund to the County Jail function of General Fund.”

Fund Transfer Resolution No. 15-13 was approved on a motion by Rabe, second by Burbach. Roll call vote: Rabe, Burbach, Larson - Aye; motion carried.

“Resolution No. 15-13: WHEREAS, on June 5, 1990, the Wayne County Board of Commissioners created and established the Snow Removal and Equipment Fund; and

WHEREAS, said Board on said date provided that the revenues of the Snow Removal and Equipment Fund should consist of cash transfers of unexpended funds from the County Road and Bridge Fund; and

WHEREAS, this is the last Commissioners meeting for the 2014-15 fiscal year and unexpended funds in the County Road and Bridge Fund exist,

NOW, THEREFORE, BE IT RESOLVED by the Wayne County Board of Commissioners that the following amounts be transferred from the County Road and Bridge Fund to the Snow Removal and Equipment Fund. District #1 - \$126,608.67, District #2 - \$6,979.80, District #3 - \$88,106.50.”

Proposed updates to the Lodging Tax Grant application were reviewed and approved. The updates include an application submission deadline, and partial-funding of events that take place on the Dixon County side of Wakefield.

Clerk of District Court Deb Allemann-Dannelly presented a quote for counter replacement in the district court office. The counter will be built to match the storage cupboard and will meet ADA requirements.

Board of Equalization appointments will be scheduled for July 21st & 22nd.

Payroll approval was discussed. Rabe stated he felt that part-time help should receive comp-time rather than over-time pay. Burbach stated that the position was full-time during the summer, and he offered to pay the employee. A motion was made by Rabe and seconded by Burbach to approve the payroll. Roll call vote: Rabe, Burbach, Larson - aye; motion carried.

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

Fee Reports: Debra Finn, County Clerk, \$11,231.75 (May Fees).

Claims:

<u>GENERAL FUND</u>		<u>Salaries \$51,369.31;</u>
Allemann-Dannelly, Debra K.	RE	58.52

Deck, Doug	RE	125.00
Kleensang, Randall	RE	111.55
Kemnitz, Nicholas C.	RE	374.37
Knutson, Eric W.	RE	236.86
Woslager, Richard R	RE	22.65
Albin, Mark D.	OE	1,727.55
American BroadBand CLEC	OE	87.40
Appera	OE	344.66
AS Central Services	ER	60.00
Bomgaars	OE	326.24
CardMember Service	OE,SU,MA,RP	1,149.50
CardMember Service	CO	3,500.00
CardMember Service	CO, MA	3,305.14
Claritus	SU	163.71
Copy Write/Keepsake	SU	105.35
Cornhusker State Industries	CO	3,485.00
Dahl, Kyle C.	OE	1,095.00
Dixon County Jail	OE	1,550.00
Eakes Office Solutions	SU	409.68
Egley, James G.	OE	125.00
Ekberg, Dennis	RE	9.20
Electronic Engineering	OE	285.00
Evans, Cindy	RE	34.50
Faith Regional Physician Services	OE	59.61
Farmers Co-operative, Pilger	MA	512.19
Felt, Delores	RE	17.25
Floor Maintenance	SU	177.34
Fredrickson Oil Company	MA,RP,OE	702.75
Good Life Counseling & Support LLC	OE	560.00
Holiday Inn Downtown, Lincoln	OE	261.83
Hometown Leasing	ER	122.92
Hughes, Linda	OE	50.00
Iowa Office Supply Inc.	SU	32.99
Jack's Uniforms & Equipment	SU	8,895.73
Jerry's Trailers & Campers Inc.	OE	12.50
Kaczor, Tracy	OE	50.00
KONE'	RP	1,180.26
Loberg, Ken	RE	10.35
Lutt Oil	MA,OE	667.65
Madison County Sheriff	OE	157.34
MailFinance	ER	1,326.00
Microfilm Imaging Systems	ER	155.00
MIPS Inc.	CO	3,848.91
Motorola Solutions Inc.	CO	6,447.75
NACO	OE	1,815.80
NAPA of Wayne	OE	142.70
Northeast Nebraska Public Health	ER	20.00
Northeast Nebraska Telephone Co.	OE	129.04

Northeast Research & Extension Ctr	SU	107.79
Osten, Clara	RE	46.00
Pac-N-Save	SU	34.89
Pender Community Hospital	OE	768.45
Pieper & Knutson	OE,ER	2,740.76
Pieper & Miller	OE	530.10
Pierce BroadBand Networks	OE	75.00
Pierce County Sheriff's Dept.	OE	4,950.00
Providence Medical Center	OE	61.00
Quality Inn & Suites	OE	239.95
Quality Printing & Office Supplies	SU,OE	256.73
Region IV Behavioral Health System	OE	4,815.00
Shopko	SU	27.92
Sinclair	MA	31.30
Sullivan, Michael D.	OE	50.00
Tacos & More	OE	19.50
The Apothecary Shop	OE	23.09
The Farner Co., Inc.	SU	57.24
The Sports Station	SU	1,350.00
Thurston Co Sheriff	OE	200.00
TRANE	RP	885.50
US Cellular	OE	487.31
United HealthCare of the Midlands	PS	50,153.15
University of Nebraska	OE	140.00
University of Nebraska IS Commun Ctr	OE	51.30
Van Diest Supply Company	SU	249.88
Verizon Wireless	OE	40.01
Warnemunde Insurance & Real Est	OE	153,098.00
Waste Connections of Nebraska	OE	112.48
Wattier, Patti	OE,SU	268.18
Wayne Auto Parts	OE	103.05
Wayne Community Schools Foundation	ER	120.00
Wayne County Historical	OE	2,500.00
Wayne County HRA Account	PS	30,000.00
Wayne County Sheriff	OE	7.50
Wayne County Treasurer	OE	442.96
Wayne Fire Hall	ER	40.00
Wayne Herald/Morning Shopper	OE	551.77
Wayne, City of	OE	6,000.00
Western Office Technologies	RP	23.03
Wingate Inn, Kearney	OE	179.90
Winside American Legion	ER	20.00
Woehler Trailer Court LLC	ER	700.00
WSC Instructional Resource Center	OE	3.00

COUNTY ROAD FUND

Salaries \$23,953.00;

Appeara	OE	40.00
Backus Sand & Gravel	MA	29,028.76
Bauer Built	RP	869.57

Carroll, Village of	OE	91.00
Dixon Construction Co.	CO	113,733.68
Faith Regional Physician Services	OE	70.00
Farmers Co-operative, Pilger	RP,SU	37.70
Fredrickson Oil Company	MA,RP	1,951.04
John's Welding & Tool	SU	115.20
Martin Marietta Materials	MA	1,017.08
Matteo Sand & Gravel Co Inc.	MA	8,931.24
Midwest Service & Sales Co.	MA,OE	206.65
Murphy Tractor & Equipment Co.	RP	3,174.95
NMC Exchange LLC	RP	1,826.82
Norfolk NAPA	RP	39.49
RDO Truck Centers	RP	242.45
Sooland Bobcat	RP	442.50
Stalp Gravel Company	MA	16,156.56
Theisen Construction Inc.	CO	58,857.68
Wayne Auto Parts	RP	238.33
Weldon Parts Norfolk	RP	28.63

LODGING TAX FUND

Wayne Herald/Morning Shopper	OE	60.00
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COUNTY IMPROVEMENT FUND

Medallion Construction Co.	CO	204,938.22
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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 June 16, 2015, 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 19th day of June, 2015.

Debra Finn, Wayne County Clerk