

**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  
September 5, 2017

The Wayne County Board of Commissioners meeting was called to order by Chairman Rabe at 9:00 a.m. on Tuesday, September 5, 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 24, 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 15<sup>th</sup> as printed in the Commissioners Record
- b. Approve fee reports
- c. Approve payroll
- d. Approve substitution of Cusip 749845PD9 and 115583JR8 for Cusip 3136G4LM3 and 3134GA3L6 as securities pledged by State Nebraska Bank & Trust
- e. Approve addition of Cusip 40604FCC4, 945813BC6, 487571GA3, 938119CT9 514028GQ6, 688345EJ2 as securities pledged by State Nebraska Bank & Trust
- f. Receive and place on file personal property inventories submitted by county officials
- g. Receive and place on file the audit of the financial statements for the fiscal year ending June 30, 2017, as prepared by Michael J. Pommer, CPA

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

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

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

A motion to adopt Resolution No. 17-16 was made by Larson and seconded by Burbach. Roll call vote: Larson, Burbach, Rabe – aye; motion carried.

**Resolution No. 17-16:** “WHEREAS, the County of Wayne is the owner and holder of Certificates of Tax Sale No. 64 of parcels of real estate, issued to the County of Wayne for all delinquent and regular taxes thereon, and which having been regularly advertised and offered for sale at tax sale and remaining unsold for want of bidders, was sold to the County of Wayne, and Certificates of Tax Sales No. 64 issued thereon under the provisions of Section 77-1809 (Reissue 2003), and

WHEREAS, more than three (3) years have elapsed since the issuance of such respective certificates of tax sale and by reason thereof the right of redemption of the owners or claimants of such respective tracts has expired and less than six months has elapsed since the right of redemption expired.

NOW, THEREFORE, BE IT RESOLVED that the Michael E. Pieper, Wayne County Attorney be and he is hereby directed, as promptly under the circumstances as is reasonably possible so to do, to institute action to foreclose the lien of all taxes delinquent, whether regular or special, on all real estate within Wayne County, Nebraska, which, having been heretofore advertised and offered for sale and remaining unsold for want of bidders, was sold to the County of Wayne and Certificates of Tax Sales No. 64 issued thereon.

BE IT FURTHER RESOLVED that the County Treasurer of Wayne County, Nebraska, be and the same hereby is directed to issue Treasurer’s Certificates of Tax Sale in the favor of Wayne County that all parcels of real estate offered for sale for less than three (3) consecutive years were not sold for want of bidders.”

Highway Superintendent Mark Casey reported:

- The scrap tire collection exceeded the county’s recycling grant by 3.68 tons; we should be able to obtain additional funds to cover the cost.

- Kirkham Michael will start inspecting fracture critical bridges on September 11<sup>th</sup>. Commissioners were encouraged to have the bridges ready for inspection.
- Wind farm haul agreements received from Webster and Knox counties appear to have been written by NEXtera or a subsidiary. Tower erection is starting in Webster County; they anticipate completing 40 towers in twenty days.
- Mark Mainelli of Mainelli Wagner & Associates updated the board on road/bridge projects.

Jerad Reimers, a community liaison for Congressman Adrian Smith’s office spoke about work being done by various congressional committees including bi-lateral trade agreements, tax reform, and human resources. Reimers encouraged the board to contact Congressman Smith or himself with any questions or concerns. Rabe spoke about the impact of state funding cuts to Region IV.

Bids received from Truck Center Companies, RDO Truck Center, Cornhusker International Trucks, Peterbilt of Norfolk, and I-State Truck Center for a tandem axle truck tractor were opened. Bids from Wick’s Sterling Trucks sent by Fed-Ex were still in-route. A motion was made by Burbach and seconded by Larson to table action on the bids until the September 19<sup>th</sup> meeting. Roll call vote: Burbach, Larson, Rabe – aye; motion carried.

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A public hearing to receive taxpayer support, opposition or observations on the proposed 2017-18 budget convened at 10:00 a.m.

Notice of this hearing was published in the Wayne Herald, a legal newspaper, on August 31, 2017.

The 2017-18 budget was discussed with the following points noted:

- The total budget is \$21,606,880.00
- The total tax dollar request is \$4,590,091.02; a decrease of \$177,298.72 or 3.8%.
  - This is the lowest tax dollar request since 2013.
  - The amount of unused budget authority created for next year is \$1,165,021.79.
  - Beginning cash balances do not include the following: County Court petty cash fund \$150, UNL Extension non-tax cash box \$75.00, Soldiers & Sailors Fund \$1767.04.
- The total valuation of Wayne County is \$1,908,675,422; an increase of \$3.9 million.

Questions asked by Rich Seiken and Ellen Heinemann on unused budget authority and property valuations were answered.

The hearing was adjourned

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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 10:18 a.m.

Notice of this hearing was published in the Wayne Herald, a legal newspaper, on August 31, 2017.

The 2017-18 tax rate was discussed with the following points noted:

- The total tax dollar request is \$4,590,091.02; a decrease of \$177,298.72.
- The Wayne County 2017-18 tax levy will be .240486; down \$9.81 on \$100,000 in valuation.

There being no public comment the hearing was closed.

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

A motion was made by Burbach and seconded by Larson to adopt Resolution No. 17-17

**Resolution No. 17-17:** “WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2017, to June 30, 2018, prepared by the Budget Making Authority, was transmitted to the County Board on the 25<sup>th</sup> day of August, 2017.

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, 2017, to June 30, 2018, 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, 2017, and ending June 30, 2018.

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 2017-2018 are approved as follows: General Fund \$4,590,091.02, Total \$4,590,091.02.”

A motion was made by Larson and seconded by Burbach to adopt Resolution No. 17-18 setting the 2017-18 tax dollar request. Roll call vote: Larson, Burbach, Rabe - aye; motion carried.

**Resolution No. 17-18:** “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 2017-18 property tax request be set at \$4,590,091.02.”

Emergency Manager Nic Kemnitz reported he was asked to assist with the Missouri River Outdoor Expo at Ponca State Park on September 16<sup>th</sup>. The emergency trailer will set up north of the administration buildings.

Topics discussed under Comments, Concerns, Questions:

- Chiefs Way is open; the shouldering of South Centennial Rd should be completed the end of this week.
- The insurance claim on the old county shed at 123 S Lincoln Street will be filed when an electrical bid is received.
- The bulk fuel storage tanks in Wayne have not been repainted.
- The City of Wayne is done grading the extension of East 4<sup>th</sup> Street so fence installation around the county yard on Thorman street can be scheduled.
- The brick for the courthouse garage should be here by the first of next week.
- Holt County revised their road haul agreement with wind energy companies to include snow and driveway issues.

**Fee Reports:** Debra K. Allemann-Dannelly, Clerk of District Court, \$887.91 (Sep Fees); Jason Dwinell, County Sheriff, \$770.15 (July Fees).

**Claims:**

GENERAL FUND		Salaries \$68,967.55;
Deck, Doug	RE	159.10
Knutson, Eric	RE	40.66
Pieper, Michael E.	RE	14.98
Wieland, Bradley K.	RE	163.45
Arnie's Ford Mercury	RP	1,081.01
Black Hills Energy	OE	59.66
Bomgaars	SU,RP	123.51
DAS State Accounting	ER	239.58
Garvin's CB Shop	CO	50.00
Hall, Ken	PS	20.00

Hytrek Lawn Service	OE	520.00
Jaeger, Daniel	PS	20.00
Junck, Casey	PS	20.00
Madison County Treasurer	OE	23,470.79
Mainelli Wagner & Assoc Inc.	OE	180.00
MIPS Inc.	SU	132.20
Mundil, Daryl	PS	20.00
Northeast NE Assoc of Co Officials	OE	300.00
One Office Solution	SU	249.90
Pieper & Knutson	OE	577.15
Pommer,Michael J, CPA	OE	8,700.00
Pottawattamie Co Sheriff's Dept	OE	36.00
Quality Printing & Office Supplies	SU	380.34
Sarpy County Law Enforcement Center	OE	300.00
TRANE	RP	2,069.49
United HealthCare Insurance Company	PS	4,913.92
Warnemunde Insurance & Real Estate	OE	9.00
Wayne County Clerk of District Court	OE	390.00
Wayne County Court	OE	255.00

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**COUNTY ROAD FUND**
**Salaries \$40,356.00;**

Backus Sand & Gravel	MA	22,212.37
Bomgaars	SU,MA,RP	255.05
Carroll Station Inc., The	MA	15,859.71
Caterpillar Financial Services	ER	3,871.41
Deere Credit Inc.	ER	3,446.15
Dinkel's	ER	4,068.00
Grossenburg Implement	MA	343.18
Helena Chemical Company	SU	210.00
Lutt, Delmar	RP	92.70
Mainelli Wagner & Assoc Inc.	CO	62,759.90
Martin Marietta Materials	MA	8,645.51
Matteo Sand & Gravel Co Inc.	MA	5,358.24
Midwest Service & Sales Co.	OE	12.00
NMC Exchange LLC	RP	3,206.72
Northeast Power	OE	201.99
RDO Truck Centers	RP	127.44
RMS-Restore Max LLC	RP	1,038.90
Van Diest Supply Company	SU	253.48
Vic's Engine Service Inc.	OE	503.98
Vyhldal, Arthur	MA	240.00
Wayne County Clerk	OE	28.00
Weldon Parts Norfolk	RP	129.10

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**HIGHWAY BRIDGE BUYBACK FUND**

Gehring Const & Ready Mix Co Inc.	CO	208,015.35
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**ROAD & BRIDGE IMPROVEMENT DIST FUND**

Gehring Const & Ready Mix Co Inc.	CO	269,016.08
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**LODGING TAX FUND**

Sons of the American Legion	OE	1,500.00
Wayne Co Agricultural Society	OE	4,000.00

**INHERITANCE TAX FUND**

Holdorf, Delmar	PS	34.62
Johnson, Lorraine	PS	21.00
Kraemaer, Maxine	PS	25.00
Meyer, Leon F.	PS	15.00
Nissen, Robert	PS	17.00
Reeg, Joyce	PS	11.54

Meeting was adjourned.

Debra Finn, Wayne County Clerk

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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 5, 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 6th day of September, 2017.

Debra Finn, Wayne County Clerk