

The Wayne County Board of Commissioners meeting was called to order by Chairman James Rabe at 9:00 a.m. on Tuesday, December 18, 2018, in the courtroom of the Wayne County 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 December 6, 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 December 4, 2018, as printed in the Commissioners Record
- b. Approve fee reports
- c. Approve payroll
- d. Approve payment of \$160,000 principal, \$25,087.50 interest, and \$200.00 paying agent fee for Highway Allocation Fund Pledge Bonds, Series 2014
- e. Approve payment of \$120,000 principal, \$15,468.75 interest, and \$200.00 paying agent fee for Highway Allocation Fund Pledge Bonds, Series 2015
- f. Approve withdrawal of Cusip 086055CD0, 533288GZ3, 255689BV2, 239328CK1, and 40604FCC4 as securities pledged by State Nebraska Bank & Trust
- g. Designate The Wayne Herald as the official county newspaper for 2019
- h. Approve the 2019 Holiday Schedule

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

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

Emergency Manager Nic Kemnitz received his Type 3 All-Hazards Planning Section Chief Certification from the Nebraska Emergency Management Agency on December 13, 2018. The planning section chief facilitates the operational meetings and briefings and is responsible for the development of the Incident Action Plans. The certification process required successfully completing seventy different tasks in the FEMA All-Hazards Planning Section Chief Task Book while working on Type 3 Incidents or Planned Events.

Updates presented by Highway Superintendent Mark Casey:

- A reimbursement check in the amount of \$12,490.50 for the Rattlesnake Creek wind project has been received from Nordex.
- M.E. Collins is working on Project C-90(620), the Beckmann bridge. They will pour the culvert floor on Thursday, after two trees inside the permanent easement are removed.
- Updated bridge signage requirements were distributed. Bridges are now being rated for multi-axle loads resulting in bridges with a capacity in excess of twenty-five ton needing signage.

A Construction Engineering Agreement between Wayne County and Mainelli Wagner & Associates for Project No. BRO-7090(20), Control No. 32067 Wayne West, aka Temme bridge, was reviewed. A motion was made by Larson and seconded by Burbach to adopt Resolution No. 18-23 authorizing the signing of the agreement. Roll call vote: Larson, Burbach, Rabe – aye; motion carried.

Resolution No. 18-23: “Whereas: Wayne (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: County wishes to hire a consultant for the design or construction of LPA’s project;

Whereas: The LPA Program Agreement specifies that consultants be selected using the State’s consultant selection process;

Whereas: The consultant selection process was used to select Mainelli Wagner & Associates to provide engineering services for LPA’s Federal-aid project; and

Whereas: This resolution is to authorize the chair to sign an agreement between County and Mainelli Wagner & Associates.

Be It Resolved by the Board of Commissioners of Wayne County that: The Chair, James Rabe, is hereby authorized to sign the attached LPA Consultant Professional Service Agreement between the County and the Mainelli Wagner & Associates.

NDOR Project Number: BRO-7090(20); NDOR Control Number: 32067; NDOR Project Description: Wayne West.”

Burbach stated he had reviewed the bids opened December 4, 2018, for a new articulated motor grader. Burbach made a motion to accept the net bid of \$247,050.00, plus a \$14,000.00 parts credit, for a 2019 Caterpillar 140 AWD as submitted by NMC, Inc. Larson seconded the motion. Roll call vote: Burbach, Larson, Rabe – aye; motion carried.

The office and courtroom space previously used by the District Judge in the annex building is almost cleared. Sheriff Dwinell and Emergency Manager Kemnitz were asked to consider what they would do with the space if it was made available to them. The board stated they are open to ideas to make the best possible use of the space.

A draft of an agreement with Kingery Construction Co. for the courthouse exterior restoration was received on December 10th, but the final agreement did not arrive until after the meeting had convened. The delay was attributed to waiting for final numbers from the contractor for changes requested by the county.

The owner and contractor agreement included but was not limited to the replacement of the roof, restoration of the brick and stone work, replacement of the south stairs, replacement of the south and east exterior doors and miscellaneous site work. The date of commencement would not be sooner than March 15, 2019. The contract sum would be two million dollars, subject to additions and deductions as provided in the contract documents.

County Attorney Mike Pieper did not have time to review the draft copy; and neither he nor the Deputy County Attorney would have time to review the agreement prior to December 31st. Pieper sent a written recommendation that the board delay any decision on the agreement until the new commissioner and new county attorney were in office.

The board did not want to approve an agreement that had not been reviewed by an attorney. However, the effective date on the bid had already been extended, and would now expire on December 31st.

A motion was made by Larson to accept the AIA Document A101-2017 agreement between Wayne County and Kingery Construction Company as received at 9:15 a.m., subject to attorney approval. Burbach questioned if the approval was preliminary. Larson responded his motion was to approve the agreement. If the county attorney's office approved the agreement, then no further action was necessary. If changes were recommended, action could be taken at the December 31st meeting. Burbach seconded the motion. Roll call vote: Larson, Burbach, Rabe – aye; motion carried.

A masonry workshop organized by the Nebraska Masonry Alliance, and supported by the Nebraska State Historic Preservation Office will be conducted in Wayne on May 7th and 8th, and possibly May 9th and 10th. Masonry conservator Nigel Copsey of Great Britain will lead the workshop(s). The first day will be in a classroom setting at the Wayne Fire Hall, and the second day will be hands-on at the courthouse.

The following claims were approved on a motion by Burbach and second by Larson. Roll call vote: Burbach, Larson, Rabe – aye; motion carried.

Fee Reports: Debra K Allemann-Dannelly, Clerk of District Court, \$852.25 (Nov Fees); Debra Finn, County Clerk, \$8,242.50 (Nov Fees); Jason Dwinell, County Sheriff, \$1,038.40 (Nov Fees).

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 \$59,418.96;
Barnes, Ann M.	RE	278.50
Knutson, Eric	RE	27.25
Albin, Mark D.	OE	698.99
American BroadBand CLEC	OE	2,131.53
Appearra	OE	423.49
Bonderson, Kevin	RE	111.73
CardMember Service	MA,SU,OE	237.87
CardMember Service	OE	13.90
CardMember Service	OE	125.00
Carroll Station Inc., The	MA	22.80
CVSOAN	OE	275.00
D&L Towing & Recovery	OE	198.50
DAS State Accounting	ER	90.00
Eakes Office Solutions	SU	68.26
Eastern NE Telephone Company	OE	97.05
Ewalt Law Office PC LLO	OE	1,293.50

Fairfield Inn & Suites	OE	97.95
Farmer's Co-operative, Pilger	MA	64.12
Finn, Lori	RE	47.96
Floor Maintenance	SU	152.01
Fredrickson Oil Company	RP,MA	159.04
Hometown Leasing	ER	122.92
Hytrek Lawn Service	OE	200.00
Janke, Parker	RE	17.44
Jack's Uniforms & Equipment	OE,SU	691.30
KONE'	RP	1,264.32
Luebbe, Verlyn	OE	360.00
Lundahl, Sherri	RE	24.53
Lutt Oil	MA,OE	1,801.92
Madison County District Court	OE	11.50
Mainelli Wagner & Assoc Inc.	OE	1,994.80
Microfilm Imaging Systems	ER	115.00
MIPS Inc.	ER,CO	2,755.46
NACO	OE	1,891.58
Nebraska Weed Control Assn	OE	210.00
Northeast Nebraska Juvenile	OE	1,123.75
Northeast Nebraska Telephone Co	OE	103.57
One Office Solution	SU	195.26
Osnes, Julie	RE	5.72
Pieper & Knutson	OE,ER	3,174.33
Pierce County Sheriff's Dept	OE	150.00
Postmaster	OE	144.00
Quality Printing & Office Supplies	SU	495.53
Shopko	SU	159.90
The Apothecary Shop	OE	73.98
Thurston Co Sheriff	OE	2,350.00
US Cellular	OE	944.24
UHS Premium Billing	PS	44,664.07
Verizon Wireless	OE	40.01
Wanek Pharmacy	OE	219.43
Waste Connections of Nebraska	OE	135.68
Watchguard Video	SU	165.00
Wattier, Patti	OE	450.00
Wayne County HRA Account	PS	40,000.00
Wayne Herald/Morning Shopper	OE	1,509.57
Wayne, City of	OE	965.71
Wayne, City of	OE	6,180.00
Woehler Trailer Court LLC	ER	700.00
Zach Heating & Cooling	RP	276.50
COUNTY ROAD FUND	Salaries \$31,574.28;	
Appeara	OE	80.00
Backus Sand & Gravel	MA	27,083.58
Beiermann Electric	RP	429.56

Carroll Station Inc., The	MA	16,641.84
Carroll, Village of	OE	98.60
CNH Industrial Capital America LLC	ER	2,256.69
Dinkel's	ER	4,302.60
Farmer's Co-operative, Pilger	OE,MA	305.31
Fredrickson Oil Company	MA	1,521.43
Grossenburg Implement	RP	118.25
Hoskins Mfg Co, Inc.	RP	31.25
Lutt Oil	MA	543.80
Mainelli Wagner & Assoc Inc.	CO	12,755.96
Martin Marietta Materials	MA	2,444.24
Midwest Service & Sales Co.	MA	324.00
NMC Exchange LLC	RP,MA	7,782.02
O'Reilly First Call	RP	48.90
S&S Willers Inc.	MA	7,708.44
Wayne Auto Parts	RP,SU	288.21
Wayne, City of	OE	349.41
Winside, Village of	OE	139.54
LODGING TAX FUND		
Carroll Volunteer Fire Dept Trust	OE	980.58
ROD PRESERVATION & MODIFICATION FUND		
Microfilm Imaging Systems	OE	250.00
MIPS Inc.	OE	124.31
COUNTY IMPROVEMENT FUND		
Baird Holm	CO	1,289.40

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 December 18, 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 20th day of December, 2018.

Debra Finn, Wayne County Clerk