

The Wayne County Board of Commissioners meeting was called to order by Chairman James Rabe at 9:00 a.m. on Tuesday, December 3, 2019, in the courtroom of the Wayne County Courthouse. Chairman James Rabe, Members Dean Burbach and Terry Sievers, Attorney Amy Miller, Sheriff Jason Dwinell, and Clerk Debra Finn were present. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on November 21, 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 November 19, 2019, as printed in the Commissioners Record
- b. Approve fee reports
- c. Approve payroll
- d. Approve substitution of Cusip #3130AHDW0 for Cusip #3136G4QY2 as securities pledged by State Nebraska Bank & Trust
- e. Approve withdrawal of Cusip #3133EHEG4 as securities pledged by State Nebraska Bank & Trust
- f. Approve withdrawal of Cusp #80379QAU1 as securities pledged by Elkhorn Valley Bank & Trust

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

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

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

A motion was made by Burbach and seconded by Sievers to approve the principal payment of \$1,365,000.00 and interest payment of \$18,162.85 for Highway Allocation Fund Pledge Bonds, Series 2014. The refinancing of this bond was approved at the November 21, 2019 meeting. The actual amount of cash exchanged will be the December interest payment of \$14,840.35 that was not included in the refinancing. Roll call vote: Burbach, Sievers, Rabe – aye; motion carried.

The commissioner's salary for years 2021 and 2022 must be set by January 15, 2020. In addition to Commissioner responsibilities, the Wayne County Commissioners also supervise their road districts and work on road-related projects. Their current salary compensates them for both commissioner and road-related work. Lowering the commissioner salary to match commissioner duties, and paying an hourly wage for road duties was discussed. The board will see how area commissioners are paid. A motion was made by Burbach and seconded by Sievers to table action on setting the commissioner salary. Roll call vote: Burbach, Sievers, Rabe – aye; motion carried.

Highway Superintendent Mark Casey stated American Engineering Testing, Inc. has contracted to evaluate the haul routes for the Haystack Wind project. They want to bore holes 2 ½" in diameter, 4' deep, every ½ mile along the route. Soil would be tamped into the holes after testing. Casey was directed to notify American Engineering that borings are not permitted this time of year; the work will need to be delayed until March or April. Casey also will inform them that any staking will need to be far enough off the edge of the road that it does not impede snow plowing or winging.

Mark E. Casey, Class A Highway Superintendent License S1125, was appointed Wayne County Highway Superintendent for 2019 on January 15, 2019. A motion was made by Burbach and seconded by Sievers to approve Resolution 19-25, authorizing the signing of the year-end certification of County Highway Superintendent form. Roll call vote: Burbach, Sievers, Rabe – aye; motion carried.

**Resolution No. 19-25: "Whereas:** State of Nebraska Statutes, sections 39-2302, and 39-2501 through 39-2505 details the requirements that must be met in order for a county to qualify for an annual Incentive Payment;

**Whereas:** The State of Nebraska Department of Transportation (NDOT) requires that each county must annually certify (by December 31<sup>st</sup> of each year) the appointment of the County Highway Superintendent to the NDOT using the Year-End Certification of County Highway Superintendent form;

**Whereas:** The NDOT requires that such certification shall also include a copy of the meeting minutes showing the appointment of the County Highway Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable) the type of appointment, i.e., employed or under contract (consultant, or interlocal agreement with another county and/or incorporated municipality), and the beginning date of the appointment; and

**Whereas:** The NDOT also requires that such Year-End Certification of County Highway Superintendent form shall be signed by the County Board Chairperson and shall include a copy of a resolution of the County Board authorizing the signing of the Year-End Certification of County Highway Superintendent form by the County Board Chairperson.

**Be it resolved** that the County Board Chairperson of Wayne County is hereby authorized to sign the attached Year-End Certification of County Highway Superintendent form.”

Virgil Kardell asked the board to include a paving project in the One and Six-Year Road Plan for his future development between East 14<sup>th</sup> Street and East 21<sup>st</sup> Street and Centennial Road.

Representatives of Kingery Construction and Berggren Architects met with the board to give an update on the courthouse restoration project and answer questions. The south entry will have to be functional during the winter while work is underway on the east entrance. The new doors will be like the original doors; oak, 36” wide, and very heavy. Windows should be set in the orioles next month. The lean-tos on the north and west sides of the courthouse were not included in the restoration plans. They can be rebuilt now or the board can wait five-seven years when the roofs need to be replaced.

There were several questions on how the estimates were determined for the change-orders. The board wanted more than just “low bid,” they wanted the breakdowns of material and labor. All available information will be forwarded.

A motion was made by Sievers and seconded by Burbach to table action on the Alph Change Order listing eleven change orders for a net total of \$81,352.24. Roll call vote: Sievers, Burbach, Rabe – aye; motion carried.

A motion was made by Sievers and seconded by Burbach to table action on the Addendum to the agreement between Wayne County and Kingery Construction Company clarifying the use of the masonry allowance. Roll call vote: Sievers, Burbach, Rabe – aye; motion carried.

**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:**

<b>GENERAL FUND</b>	<b>Salaries \$59,414.97;</b>	
Barnes, Ann M.	RE	406.00
Aluma Tower Company	RP	820.26
Antelope County Sheriff	OE	6,640.00
Black Hills Energy	OE	471.80
Bomgaars	SU	409.31
CardMember Service	SU	22.46
Carlson, Joel	OE	737.08
Dixon County Court	OE	3.75
Fischer Supply	SU	68.00
Floor Maintenance	SU	170.24
Fredrickson Oil Company	RP	51.90
Hall, Ken	PS	20.00
Jaeger, Daniel	PS	20.00
Junck, Casey	PS	20.00
Lincoln Regional Center	OE	186.00
Menard's	SU	109.94
Miller Law	OE,ER	3,925.95
Mundil, Daryl	PS	20.00
One Office Solution	SU	46.07
Quality Printing & Office Supplies	SU	620.12
Ramada Inn	OE	152.00
Secretary of State - Election Div	SU	100.00
<b>COUNTY ROAD FUND</b>	<b>Salaries \$32,064.70;</b>	
Bauer Built	RP	3,352.56
Black Hills Energy	OE	4.19
Bomgaars	SU	244.38
CardMember Service	RP	58.64

FilterCare of Nebraska	RP	34.55
Grossenburg Implement	RP,MA	298.25
Martin Marietta Materials	MA	1,442.89
Menard's	SU	17.88
Midwest Service & Sales Co	MA	120.20
NMC Exchange LLC	RP	1,485.14
Northeast Power	OE	222.61
Rollin' Coal Trucking LLC	OE	1,159.88
Stoltenberg, Cory	RP	30.00
Titan Machinery	RP	88.86
<b>LODGING TAX FUND</b>		
Hoskins Craft Show	OE	500.00

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 December 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 5th day of December, 2019.

Debra Finn, Wayne County Clerk