

Wayne, Nebraska  
January 21, 2020

The Wayne County Board of Equalization meeting was called to order by Chairman James Rabe at 9:00 a.m. on Tuesday, January 21, 2020, in the meeting room of the Public Safety Annex. Chairman Rabe, Members Dean Burbach and Terry Sievers, Attorney Amy Miller, Sheriff Jason Dwinell, Assessor Dawn Duffy, and Clerk Debra Finn were present. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on January 16, 2020. A current copy of the Open Meetings Act was posted and accessible to the public.

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

Assessor Duffy presented the following tax list corrections: No. 36, Lot 3, Kardell East 14<sup>th</sup> Street Addition, \$20.42 credit; No. 37, Lot 4, Kardell East 14<sup>th</sup> Street Addition, \$11.46 credit; and No. 38, Lots 1&2, NE ¼ Ley’s Add to Carroll, \$439.34 deduction. A motion was made by Sievers and seconded by Burbach to approve tax list correction numbers 36, 37, and 38 as submitted. Roll call vote: Sievers, Burbach, Rabe – aye; motion carried.

The meeting was adjourned.

Debra Finn, Wayne County Clerk

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Wayne, Nebraska  
January 21, 2020

The Wayne County Board of Commissioners meeting was called to order by Chairman Dean Burbach at 9:05 a.m. on Tuesday, January 21, 2020, in the meeting room of the Public Safety Annex. Chairman Burbach, Members James Rabe 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 January 16, 2020. A current copy of the Open Meetings Act was posted and accessible to the public.

Chairman Burbach presented the following consent agenda items:

- a. Approve minutes of January 7, 2020, as printed in the Commissioners Record
- b. Approve fee reports
- c. Approve payroll
- d. Approve addition of Cusip #946153HB2 for \$220,000, and Cusip #639591LY0 for \$105,000 as securities pledged by State Nebraska Bank & Trust
- e. Approve withdrawal of Cusip #31331JAQ6 for \$250,000 as a security pledged by State Nebraska Bank & Trust
- f. Accept an EMC Insurance 11% Sliding Scale Dividend Premium Check of \$5,590.00. The workman’s comp loss ration from 7/1/18 to 7/1/19 was 0.00%

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

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

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

County Attorney Amy Miller reported a child support case is started for every child receiving any kind of state services. An attorney contracted through the Nebraska Department of Health and Human Services handles these cases if the county does not have a program. The contracted attorney in this area serves several counties and is based out of Norfolk. A parent must travel to Norfolk to meet with the attorney, and this attorney cannot handle criminal non-payment of child-support.

Miller proposed having the county take over the legal services for the county child support program rather than continuing to contract for these for legal services. This would provide local access to legal services for parents, and the ability to pursue unpaid support. To provide this service, Miller would have to hire a full-time staff member, but DHHS

would reimburse the county 66% of that individual's time and benefits, and 66% of office expenses. A reimbursement example from Thurston county was presented. If the program was approved by the board, Miller stated she would be giving up her civil practice so she could spend time on child support. Miller also stated she would like to have some say as to how the reimbursement funds are used.

Implementation of the child support program was discussed. Miller estimated it would be March or April before the state would be able to train them on the software. Sievers questioned if the program could be given back to the state if it didn't work out; Miller replied yes. A motion was made by Rabe and seconded by Sievers to authorize the county attorney to take over the county child support legal services effective in March/April of 2020. Roll call vote: Rabe, Sievers, Burbach – aye; motion carried.

The meeting was recessed for a public hearing

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A public hearing to receive public input on maintaining the position of county surveyor as an elective position convened at 9:36 a.m.

Notice of this hearing was published in the Wayne Herald, a legal newspaper, on January 16, 2020.

No written or verbal testimony was received from the public.

The hearing was closed.

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The meeting reconvened at 9:40 a.m. Upon discussion by the board, they agreed that the decision should be left to the voters. A motion was made by Rabe and seconded by Sievers to approve Resolution No. 20-02, to continue to provide for the election of a county surveyor by the registered voters in Wayne County, Nebraska. Roll call vote: Rabe, Sievers, Burbach – aye; motion carried.

**Resolution No. 20-02:** "A RESOLUTION TO CONTINUE TO PROVIDE FOR THE LAWFUL CONSTITUTIONAL RIGHT OF THE PUBLIC FOR THE ELECTION OF A COUNTY SURVEYOR BY THE REGISTERED VOTERS OF THE COUNTY IN WAYNE COUNTY, NEBRASKA

WHEREAS, Nebraska Revised Statute § 32-525 states that If a county having a population of less than one hundred fifty thousand inhabitants has an elected county surveyor in office on January 1, 2020, the county board may, prior to February 1, 2020, following a public hearing, adopt a resolution to continue to elect the county surveyor for the county; and

WHEREAS, the population of Wayne County is less than one hundred fifty thousand inhabitants according to the most recent official United State Census; and

WHEREAS, as of January 1, 2020 the office of County Surveyor of Wayne County is currently held by a duly elected official; and

WHEREAS, on January 21, 2020, the Board of Commissioners of Wayne County, held a public hearing at its regular meeting upon publication of notice of the same in the legal newspaper in the county to hear public comment and discuss the issue; and

WHEREAS, Article IX, Section 4 of the Nebraska Constitution provides for the election of necessary county officers to be chosen by the voters.

NOW, THEREFORE, be it resolved that the election of county officers is a right of the public and shall be protected in accordance with the Nebraska Constitution and the office of County Surveyor shall remain as an elected office to be chosen by the majority of votes cast by the registered voters of Wayne County, Nebraska at each general election of the county and the question of electing a County Surveyor shall not be submitted to the registered voters of the county at the statewide general election in 2020."

A house moving application submitted by Morrow's Housemoving Inc. to move a two-story wooden house with an attached two-car garage from mile 579 of 851<sup>st</sup> Rd to mile 854 of 582<sup>nd</sup> Ave was approved on a motion made by Sievers and seconded by Rabe. Roll call vote: Sievers, Rabe, Burbach – aye; motion carried.

Resolution No. 20-01, certifying proper completion of structures C009001515 & C009001205, NDOT Project No. STWD-CBMP (2) was approved on a motion made by Rabe and seconded by Sievers. Roll call vote: Rabe, Sievers, Burbach – aye; motion carried.

**Resolution No. 20-01:** “**WHEREAS**, Wayne County and State entered into an agreement entitled “County Bridge Matching Program Agreement”, for the structure numbers C009001515 & C009001205 the Project, Program Agreement number BL1825 signed by State on the 27<sup>th</sup> day of February 2018; and

**WHEREAS**, Wayne County has now completed the construction of the Project that was identified in the Program Agreement; and

**WHEREAS**, this Resolution is to formally notify State of the proper completion of the Project according to the terms of the Program Agreement.

**Be It Resolved:** by the Board of Commissioners of Wayne County:

- (1) The Project, for Structure No. C009001515 & C009001205 has been properly constructed by County and its contractor, in accordance with the terms of the Program Agreement.
- (2) The bridge was constructed in strict compliance with
  - (a) the plans and specifications including any State-approved change orders,
  - (b) all applicable design standards, and
  - (c) the conditions and requirements of the Program Agreement.
- (3) County understands that it is the owner of the bridge, and that it is solely responsible for the design, inspection, construction, reconstruction, repair, and operation of the bridge and roadway and is responsible for meeting any environmental or other post-construction permit or legal commitments applicable to the project
- (4) The project costs were fair, reasonable and necessary for the proper construction of the project.

NDOT Project Number: STWD-CBMP (2); NDOT Control Number: 00974A; NDOT LPA Control Number: 00974BB; NDOT Project Name: County Bridge Match Program”

A motion was made by Rabe and seconded by Sievers to authorize Highway Superintendent Casey to request CBMP reimbursement for \$82,569.95 representing reimbursement for 55% of costs submitted for C009001515 and C009001205. Roll call vote: Rabe, Sievers, Burbach – aye; motion carried.

Casey reported that the Greenwald Project, designed to remove the south bridge and replace it with a box culvert, remove the north bridge and realign the road, and remove the third bridge completely was one of the projects chosen in the 4th round of County Bridge Matching Program. Structures C009004310 and C009004315 located 2.5 miles east and 8.7 and 8.9 miles south of Wayne will be replaced with a culvert. The county will stand part of the cost of the culvert and all of the cost of road straightening.

A draft of the One and Six Year Road Improvement Plan for 2020 was reviewed. A public hearing is scheduled for Tuesday, February 4, 2020, at 10:00 a.m. in the courtroom of the Wayne County courthouse.

**Fee Reports:** Debra Finn, County Clerk, \$12,852.75 (Dec Fees); Jason Dwinell, County Sheriff, \$1,182.12 (Dec 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 \$60,923.41;
Knutson, Eric	RE	52.56
Barnes, Ann M.	RE	296.38
Advanced Consulting Engineering Svs	CO	13,929.44
Albin, Mark D.	OE	412.26
Appeara	OE	356.20
Arnie's Ford Mercury	MA	630.99
Best Buy Business Advantage Acct	CO	129.37
Blue 360 Media	SU	527.59
Brogan & Stafford PC	OE	1,446.20
CardMember Service	OE	90.00
CardMember Service	MA	27.06
CardMember Service	MA	37.68

CardMember Service	OE,SU	359.27
CardMember Service	OE	45.02
Carhart Lumber Company	SU	49.99
Carroll Station Inc., The	MA	270.89
DAS State Accounting	ER,OE	143.88
DataSpec Inc	OE	449.00
Eakes Office Solutions	SU,ER	437.55
Farmer's Co-operative, Pilger	MA	35.80
GovConnection Inc	SU	442.68
Home For Funerals	OE	2,500.00
Hometown Leasing	ER	121.85
Jorgensen Law Office - Kate Jorgensen	OE	16,133.05
Lutt Oil	MA	970.68
Madison County Sheriff	OE	500.00
Main Street Garage LLC	RP	80.00
Microfilm Imaging Systems	ER	115.00
MIPS Inc	SU	300.00
Nebraska Emergency Management Agency	OE	50.00
Nebraska Weed Control Assn	OE	330.00
Norfolk Daily News	OE	63.23
Northeast Nebraska Telephone Co	OE	78.71
O'Reilly First Call	RP	23.08
Pac-N-Save	SU	147.52
Pierce County Sheriff's Dept	OE	2,900.00
Platte County Detention Facility	OE	1,500.00
Quality Printing & Office Supplies	SU	262.74
Region IV Inc	OE	2,677.25
Secretary of State - Election Div	SU	30.00
The Apothecary Shop	OE	198.99
Thurston County Sheriff	OE	5,250.00
US Cellular	OE	520.15
UHS Premium Billing	PS	52,568.22
University of Nebraska	OE	100.00
Waste Connections of Nebraska	OE	135.68
Wattier, Patti	OE	450.00
Wayne Area Economic Development Inc	OE	100.00
Wayne County Clerk of District Court	OE	144.00
Wayne County Sheriff	OE	55.91
Wayne County Treasurer	OE	550.95
Wayne Herald/Morning Shopper	OE	570.97
Wayne, City of	OE	6,556.36
<b>COUNTY ROAD FUND</b>	<b>Salaries \$31,312.70;</b>	
Advanced Consulting Engineering Svs	CO	284.61
Appeara	OE	40.00
Bauer Built	RP	214.00
Beiermann Electric	RP	1,395.25
Carroll, Village of	OE	98.60

Caterpillar Financial Services	ER	8,843.79
CNH Industrial Capital America LLC	ER	2,256.69
Farmer's Co-operative, Pilger	OE,SU,MA	8,815.89
Fischer Supply	SU	653.50
Menard's	SU	1,199.97
Midwest Service & Sales Co	MA	1,005.00
Murphy Tractor & Equipment Co	RP	768.93
NMC Exchange LLC	RP,SU,MA	3,403.98
RDO Truck Centers	RP	1,372.06
Stanley Petroleum Maintenance Inc	SU	45.00
Titan Machinery	RP	222.56
Tri-State Communications Inc	RP	152.00
Vic's Engine Service Inc	RP	324.01
Wayne Auto Parts	RP,SU	555.93

**LODGING TAX FUND**

Janssen, Georgia	RE	26.80
Wayne Herald/Morning Shopper	OE	82.25

**ROD PRESERVATION & MODIFICATION FUND**

Microfilm Imaging Systems	OE	250.00
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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 January 21, 2020, 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 January, 2020.

Debra Finn, Wayne County Clerk