

Wayne, Nebraska  
April 7, 2020

The Wayne County Board of Equalization meeting was called to order by Chairman James Rabe at 9:00 a.m. on Tuesday, April 7, 2020, in the Public Safety Annex. Chairman Rabe, Members Dean Burbach and Terry Sievers, Assessor Dawn Duffy, and Clerk Debra Finn were present. The meeting was also available by video/teleconference. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on March 26, 2020. A current copy of the Open Meetings Act was posted and accessible to the public.

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

The Nebraska Department of Revenue Property Assessment Division requested the Board review the tax exemption granted to Trinity Lutheran Church of Hoskins on Lots 3 & 4 and the vacated alley (TL74) in Block 10 of Original Hoskins. Duffy reported this house is vacant and will be rented shortly. Due to this non-exempt use, the property should be taxed for 2020. A motion was made by Sievers and seconded by Burbach to deny the exception on this property. Roll call vote: all ayes, no nays.

The Property Assessment Division also requested review of the tax exemption granted to the Wayne Chamber of Commerce on the W 30' of Lots 4 and 5, Block 5 of Original Wayne. The office is used for Economic Development, Chamber of Commerce, and Main Street activities. The Property Assessment Division is threatening to take several counties to the Tax Equalization and Review Commission (TERC) to challenge exemptions granted to Chambers. Executive Director Luke Virgil stated the state chamber association is going to look into the challenge. Duffy recommended the Board deny the tax exemption and let the Chamber take the county to TERC. A motion was made by Burbach and seconded by Sievers to deny the exemption. Roll call vote: Burbach, Sievers, Rabe – aye; motion carried.

The meeting was adjourned.

Debra Finn, Wayne County Clerk

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Wayne, Nebraska  
April 7, 2020

The Wayne County Board of Commissioners meeting was called to order by Chairman Dean Burbach at 9:05 a.m. on Tuesday, April 7, 2020, in the Public Safety Annex. Chairman Burbach, Members James Rabe and Terry Sievers, and Clerk Debra Finn were present. The meeting was also available by video/teleconference. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on March 26, 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 March 17, 2020, as printed in the Commissioners Record
- b. Approve fee reports
- c. Approve payroll
- d. Approve withdrawal of Cusip No. 3136G3FK6 for \$250,000, and No. 3134GANU4 for \$240,000 as securities pledged by State Nebraska Bank & Trust
- e. Approve withdrawal of Cusip No. 3130AH4J9 for \$250,000 as security pledged by State Nebraska Bank & Trust
- f. Approve addition of Cusip No. 166807DH7 for \$250,000, and No. 3130AJAP4 for \$250,000, and No. 3130AJDS5 for \$250,000 as securities pledged by State Nebraska Bank & Trust

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

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

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

County Burial Application No. 20-01 payable to Hasemann Funeral Homes was approved on motion by Rabe and second by Sievers. Roll call vote: Rabe, Sievers, Burbach – aye; motion carried.

Wayne County was included in the Nebraska COVID-19 Pandemic DR-4521 disaster declared on April 4, 2020. A motion was made by Sievers and seconded by Rabe to give formal approval to the Wayne County declaration signed on March 27, 2020. Roll call vote: Sievers, Rabe, Burbach – aye; motion carried. The declaration states:

“Commencing on January 31, 2020, and continuing, the Coronavirus, COVID-19, has impacted the entirety of Wayne County, causing economic hardship to communities, damage to public and private property, disruption of community services and endangerment of health and safety of the citizens of Wayne County.

Therefore, the Chairman of the Wayne County Board of Commissioners is declaring a county disaster authorized under Nebraska State Statute R.R.S. 81-829.50 on behalf of Wayne County, and will execute for and on behalf of Wayne County, the expenditure of emergency funds from all available sources the invoking of mutual aid agreements and the applying to the State of Nebraska for assistance from the Governor’s Emergency Fund and any other resources he deems necessary in the fulfillment of his duties.”

The Lower Elkhorn NRD Hazard Mitigation Plan update has been reviewed and approved by the state and FEMA. The county must adopt the plan to be eligible for project grant funding. A motion was made by Rabe and seconded by Sievers to adopt Resolution No. 20-04. Roll call vote: Rabe, Sievers, Burbach-aye; motion carried.

**Resolution No. 20-04:** “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 the Lower Elkhorn Natural Resources District with assistance from JEO Consulting Group, Inc. of Lincoln, NE.

Whereas, the purposes of the mitigation plan was to lessen the effects of disasters by increasing the disaster resistance of the Natural Resources District and participating jurisdictions located within the planning boundary by identifying the hazards that affect Wayne 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 Update in its entirety.”

Highway Superintendent Mark Casey presented the bid tabulation prepared by Mainelli Wagner for Project C-90(215) on 565 Ave, between 861 Rd and 862 Rd in Wayne County, and C-87(215) on 14 Rd between M and N Ave in Thurston County. Correspondence from the Thurston County Board of Supervisors stated they recommended accepting the bid from B’s Enterprises even though the low bid was from ConTech. They sited past quality of work and thought it was best to go with B’s, the second-lowest bid. The commissioners agreed they had also experienced quality issues with ConTech. A motion was made by Rabe and seconded by Sievers to award the bid to the second-low bidder, B’s Enterprises for \$98,644.00, due to previous quality issues experienced by both counties with products from Contech. Roll call vote: Rabe, Sievers, Burbach – aye; motion carried.

Casey reported the work session on the Road Use/Maintenance Agreement with Tradewinds was very frustrating. It seemed like everything the county added was deleted. These changes were made based on experiences with the Sholes and the Plum Creek windtower projects. It appears that Tradewinds wants just a basic agreement now and to work out the details later. The county wants to nail down as many details as possible up front. The county will have to decide what they won’t budge on, and explain why to Tradewinds. The agreement will be discussed again at the April 21<sup>st</sup> commissioner meeting.

An agreement and signing resolution with the Nebraska Department of Roads for Bridge C009004310 located 2.5 East and 8.9 South of Wayne, and Bridge C009004315 located 2.5 East and 8.7 South of Wayne was presented by Casey. The Program Agreement is for CBMP round (4); Greenwald CBC project. A motion was made by Rabe and seconded by Sievers to adopt Resolution No. 20-05. Roll call vote: Rabe, Sievers, Burbach – aye; motion carried.

**Resolution No. 20-05:** “Whereas: Wayne County is proposing a transportation project for which it would like to obtain County Bridge Match funds;

Whereas: Wayne County understands that it must strictly follow all State and local laws, rules, regulations, policies, and guidelines applicable to the funding of the project and

Whereas: Wayne County and Nebraska Department of Transportation (NDOT) wish to enter into a new Project Program Agreement setting out the various duties and funding responsibilities for the project.

Be it Resolved: by the Board of Commissioners of Wayne County that: Dean Burbach, Chair of the Wayne County Board of Commissioners is hereby authorized to sign the attached Project Program Agreement between Wayne County and the NDOT.

Wayne County is committed to providing local funds for the project as required by the Project Program Agreement.

NDOT Project Number: STWD-CBMP94); NDOT Control Number: 00974C; NDOT Project Name: County Bridge Match Program.

The meeting was recessed to conduct a public hearing.

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A public hearing convened to receive public input on the issuance of a new Class C-123575 liquor license to Hasbirk LLC dba Logan Valley Golf Course. Advance notice of this hearing was published on March 26, 2020. No written on verbal testimony was received. The hearing was adjourned.

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A motion was made by Sievers and seconded by Rabe to approve the issuance of Class C-123575 Liquor License to Hasbirk LLC dba Logan Valley Golf Course. Roll call vote: Sievers, Rabe, Burbach – aye; motion carried.

**Fee Reports:** Debra K. Allemann-Dannelly, Clerk of District Court, \$974.00 (March 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 \$77,970.55; |          |
|--------------------------------------|-----------------------|----------|
| Barnes, Ann M.                       | RE                    | 293.83   |
| Brentlinger, Patrick                 | RE                    | 13.11    |
| Nelson, Dawn                         | RE                    | 70.00    |
| Miller, Amy K                        | RE                    | 3.10     |
| Arnie's Ford Mercury                 | RP                    | 101.41   |
| Axon Enterprises Inc.                | SU                    | 414.40   |
| Big Red Printing                     | SU                    | 219.34   |
| Black Hills Energy                   | OE                    | 649.35   |
| Bomgaars                             | SU,OE                 | 62.47    |
| CardMember Service                   | SU,OE                 | 816.85   |
| Centec Cast Metal Products           | SU                    | 351.40   |
| DAS State Accounting                 | OE                    | 23.00    |
| Dept Correctional Svcs               | OE                    | 3,472.43 |
| Dugan Business Forms                 | SU                    | 3,059.70 |
| Eakes Office Solutions               | OE                    | 331.30   |
| Egley Fullner Montag Morland etal    | OE                    | 1,331.10 |
| Feld Fire                            | OE                    | 228.00   |
| Floor Maintenance                    | SU                    | 518.54   |
| Fredrickson Oil Company              | RP                    | 20.00    |
| Holiday Inn Express                  | OE                    | 96.00    |
| Jorgensen Law Office, Kate Jorgensen | OE                    | 2,014.65 |
| Lincoln Regional Center              | OE                    | 141.00   |
| Lindsay, Daryl                       | SU                    | 53.40    |
| Madison County Sheriff               | OE                    | 28.29    |
| Menford Electric LLC                 | CO                    | 764.59   |
| Miller Law                           | OE,ER                 | 3,983.64 |

|                                    |                              |           |
|------------------------------------|------------------------------|-----------|
| O'Reilly First Call                | RP                           | 9.99      |
| One Office Solution                | SU,CO                        | 2,428.33  |
| Quadient                           | SU                           | 289.46    |
| Quadient Leasing                   | ER                           | 1,284.27  |
| Quality I Graphics                 | OE                           | 700.00    |
| Quality Printing & Office Supplies | SU,OE                        | 1,690.43  |
| Security Shredding Services        | OE                           | 157.50    |
| Tom Hansen CPA                     | OE                           | 20,656.66 |
| Verizon Wireless                   | OE                           | 40.01     |
| Wayne County Clerk                 | OE                           | 10.00     |
| Wayne County Clerk of Dist Court   | OE                           | 36.00     |
| Wayne County Sheriff               | OE                           | 31.00     |
| <b>COUNTY ROAD FUND</b>            | <b>Salaries \$40,394.10;</b> |           |
| Backus Sand & Gravel               | MA                           | 3,209.75  |
| Bauer Built                        | RP                           | 598.00    |
| Black Hills Energy                 | OE                           | 181.07    |
| Bomgaars                           | SU                           | 244.07    |
| Carroll Station Inc., The          | SU,MA                        | 10,667.90 |
| CardMember Service                 | SU                           | 130.00    |
| Cornhusker International Trucks    | RP                           | 126.21    |
| Fredrickson Oil Company            | MA                           | 462.00    |
| Fredrickson Oil Company            | MA                           | 10,582.16 |
| HireRight LLC                      | OE                           | 139.56    |
| John's Welding & Tool LLC          | SU                           | 135.17    |
| Lammers Trailer Repair LLC         | RP                           | 40.00     |
| Martin Marietta Materials          | MA                           | 3,558.44  |
| Matteo Sand & Gravel Co Inc        | MA                           | 38,829.38 |
| NMC Exchange LLC                   | RP                           | 7,653.53  |
| Northeast Glass                    | RP                           | 535.00    |
| Northeast Power                    | OE                           | 255.93    |
| RDO Truck Centers                  | RP                           | 419.14    |
| Roeber Repair LLC                  | RP                           | 154.00    |
| Scheer's Ace Hardware              | RP                           | 37.99     |
| Stanley Petroleum Maint. Inc       | SU                           | 7.75      |
| Vakoc Builder's Resource           | RP                           | 22.84     |
| Weldon Parts Norfolk               | RP                           | 148.92    |
| <b>LODGING TAX FUND</b>            |                              |           |
| Cars N Carroll                     | OE                           | 1,300.00  |
| <b>COUNTY IMPROVEMENT FUND</b>     |                              |           |
| Berggren Architects                | OE                           | 6,996.65  |

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 April 7, 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 9th day of April, 2020.

Debra Finn, Wayne County Clerk