

Wayne, Nebraska  
December 15, 2020

The Wayne County Board of Equalization meeting was called to order by Chairman Rabe at 9:00 a.m. on Tuesday, December 15, 2020, in the Public Safety Annex next to the Wayne County Courthouse. The meeting was available by video and teleconferencing pursuant to the Governor’s Executive Order. Chairman Rabe, Members Sievers and Burbach, Assessor Duffy, Sheriff Dwinell, Emergency Manager Kemnitz, Road Superintendent Casey, Attorney Miller and Deputy Clerk Biermann were present. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on December 3, 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 corrections to personal property tax listings for Brendon Pick, Spahr Trucking Inc. and Verneal Marotz. Roll call vote: Sievers, Burbach, Rabe – aye; motion carried.

Meeting was adjourned.

Sharolyn Biermann, Deputy Wayne County Clerk

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Wayne, Nebraska  
December 15, 2020

The Wayne County Board of Commissioners meeting was called to order by Chairman Burbach at 9:05 a.m. on Tuesday, December 15, 2020, in the Public Safety Annex next to the Wayne County Courthouse. The meeting was available by video and teleconferencing pursuant to the Governor’s Executive Order. Chairman Burbach, Members Sievers and Rabe, Sheriff Dwinell, Emergency Manager Kemnitz, Road Superintendent Casey, Attorney Miller and Deputy Clerk Biermann were present. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on December 3, 2020. A current copy of the Open Meetings Act was posted and accessible to the public.

Burbach presented the following consent agenda items:

- a. Approve minutes of December 1, 2020, as printed in the Commissioners Record
- b. Approve fee reports
- c. Approve payroll, with each commissioner abstaining from approving personal claims
- d. Approve Holiday Schedule for 2021
- e. Designate the Wayne Herald as official paper and the Courthouse bulletin board as official sites for public notices.
- f. Authorize signing of Cost Allocation Plan and Title IV-D Child Support Rate renewal contract with Maximus
- g. Approve withdrawal of Cusip #48128H5V6 for \$250,000; Cusip #3130A3UQ5 for \$1,500,000; Cusip #362640FQ2 for \$220,000; Cusip #25935PAA9 for \$195,000; and Cusip #80373WBA7 for \$70,000 as securities pledged by Elkhorn Valley Bank.
- h. Approve withdrawal of Cusip #3130AH4J9 for \$234,375; Cusip #04315AAB5 for \$100,000; Cusip #486841DM8 for \$155,000; Cusip #79517RDK3 for \$135,000; Cusip #810181ER4 for \$250,000; Cusip #533290AX0 for \$100,000 as securities pledged by State Nebraska Bank & Trust.
- i. Approve addition of Cusip #103097DF5 for \$155,000 as security pledged by State Nebraska Bank & Trust.
- j. Approve substitution of Cusip #751267AU9 for \$200,000 with Cusip #25930EDF5 for \$200,000 as security pledged by Madison County Bank d/b/a Wayne County Bank.

A motion to approve the consent agenda except for item 2c, payroll, was made by Sievers and seconded by Rabe. Roll call vote: Sievers, Rabe, Burbach – aye; motion carried.

A motion was then made by Rabe, seconded by Sievers, to go into Executive session on item 2c. Roll call vote: Rabe, Sievers, Burbach – aye; motion carried. The commissioners requested that the room be cleared with the exception of the board and Attorney Miller and that audio/videoconferencing be ceased.

After opening back up to the public, a motion was made by Rabe, seconded by Sievers, to reconvene the Commissioner's meeting. Roll call vote: Rabe, Sievers, Burbach – aye, motion carried.

A motion was then made by Sievers to approve item 2c with no changes and with each commissioner abstaining from approving personal claims. The motion was seconded by Rabe. Roll call vote: Sievers, Rabe, Burbach – aye; motion carried.

Motion by Sievers and second by Rabe to approve the regular agenda. Roll call vote: Sievers, Rabe and Burbach – aye, motion carried.

Motion by Sievers to approve claims for payment except for claim #20120115 to Kingery Construction. Seconded by Rabe. Roll call vote: Sievers, Rabe, Burbach – aye; motion carried.

Resolution No. 20-23 designating county fund depositories for 2021 was approved on a motion made by Rabe and seconded by Sievers. Roll call vote: Rabe, Sievers, Burbach – aye; motion carried.

**Resolution No. 20-23:** WHEREAS, it appears to the Board of County Commissioners that it is necessary and advisable to the County, all facilities and services of its depository Bank, for the year 2021.

BE IT THEREFORE RESOLVED that the County Treasurer of Wayne County, Nebraska, be and hereby is, authorized and consent is given, to deposit in the following named banks, heretofore duly and legally designated as depositories for county funds, an amount of money in excess of 50% of the paid-up capital and surplus of said Bank, provided said depository Bank gives security as provided in Section 77-2318.01 of the Revised Statutes of Nebraska, Reissue 1958, for protection of any funds of said County such depository Bank may hold to-wit: Elkhorn Valley Bank & Trust, Hoskins & Wayne, Nebraska Branches; F&M Bank, Wayne, Nebraska Branch; Farmers State Bank, Carroll, Nebraska Branch; Madison County Bank dba Wayne County Bank, Winside, Nebraska; State Nebraska Bank & Trust, Wayne, Nebraska.

Resolution No. 20-24 authorizing the County Treasurer to invest and reinvest county funds during the 2021 calendar year was approved on a motion made by Rabe and seconded by Sievers. Roll call vote: Rabe, Sievers, Burbach – aye; motion carried.

**Resolution No. 20-24:** WHEREAS, Wayne County, Nebraska has funds on deposit with various banking institutions in the County of Wayne and the State of Nebraska, and

WHEREAS, said investments come due at irregular intervals during the year, and

WHEREAS, it would be in the best interest of said County if the County Treasurer were authorized to invest and reinvest said County funds in such savings certificates as will be to the benefit of said County.

NOW, THEREFORE, the Board of Commissioners of Wayne County, Nebraska, hereby authorizes the County Treasurer of Wayne County, Nebraska, to invest and reinvest funds of the County of Wayne, Nebraska, during the 2021 calendar year, in the several Banking institutions in said County and State upon such terms and conditions as will be most advantageous to the County of Wayne.

Burbach presented Government bid specifications for three models of pickups for proposed use in road District #2. Two bids being from Arnie's Ford and one from Cornhusker Auto. A motion was made by Sievers and seconded by Rabe to take the lowest bid of \$34,480.00 for a 2021 Chevrolet Silverado 3500 HD 4WD Crew Cab Work Truck through Arnie's Ford. Roll call vote: Sievers, Rabe, Burbach – aye; motion carried.

Rabe stated that he was considering the purchase of a road grader that had been included in a bid letting in October. Attorney Miller interjected that since this machine was declined at that time the purchase of another machine must be re-bid. Road Superintendent Casey will put together the bid specifications and handle publication.

Highway Allocation Fund Series 2014 Pledge Bonds principal payment of \$170,000.00, interest payment of \$3,496.25, and paying agent fee of \$200.00 were approved on a motion made by Sievers and seconded by Rabe. Roll call vote: Sievers, Rabe, Burbach – aye; motion carried.

Highway Allocation Fund Series 2015 Pledge Bonds principal payment of \$125,000.00, interest payment of \$13,018.75, and paying agent fee of \$200.00 were approved on a motion made by Rabe and seconded by Sievers. Roll call vote: Rabe, Sievers, Burbach – aye; motion carried.

Highway Allocation Fund Series 2019 Pledge Bonds interest payment of \$13,230.07, and paying agent fee of \$200.00 were approved on a motion made by Sievers and seconded by Rabe. Roll call vote: Sievers, Rabe, Burbach – aye; motion carried.

Doug Elting of Berggren Architects along with representatives from Kingery Construction and Midwest Roofing were present to address concerns the board had with the building project. A Certificate of Substantial Completion with exceptions for work yet to be completed was discussed. Clarification of issues with roof leaks and frustration with the lack of door locks was discussed. The commissioners decided not to sign the Certificate of Substantial Completion since the timeline for warranties would start.

The discussion then led to the cost and installation of additional snow guards to the courthouse roof to protect the public from falling snow and ice. After some discussion, Sievers made a motion to go ahead with the installation of snow guards in the total amount of \$52,582.00 which includes the snow guards, labor and bond, with delivery and installation as soon as possible after receiving materials. Rabe seconded the motion. Roll call vote: Sievers, Rabe, Burbach – aye; motion carried. Midwest Roofing agreed to take measures for protecting the sidewalks and the County will handle any necessary yard work.

Emergency Manager Nic Kemnitz gave the board an overview of the basic plans for the COVID 19 vaccines that will be coming to the area. Because of shipping and storage requirements there may not be much advance notice before distribution.

Kemnitz was the county representative at the recently held NACO meetings and gave the board his report of the new officers and information received.

Resolution No. 20-25, the year-end Certification of County Highway Superintendent for 2020 was approved on a motion made by Rabe and seconded by Sievers. Roll call vote: Rabe, Sievers, Burbach – aye; motion carried.

**Resolution No. 20-25:** 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; and

WHEREAS: The State of Nebraska Department of Transportation (NDOT) requires that each county must annually certify (by December 31st of each year) the appointment of the County Highway Superintendent to the NDOT using the Year-End Certification of County Highway Superintendent; and

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.

Road Superintendent Casey reported:

- Physical bridge inspections were complete and he was working on the reports.
- Two of the four parties on the Barelman purchase agreement have signed.
- Negotiations for a project in Rabe's district have been started.
- He has started on a maintenance list for each district so that projects can be planned for. There is a bridge in Dist. 1 to look at; a couple bridges in Dist. 2 that will be going to culverts and Dist. 3 has a couple of projects.

- The One and Six Year Road Plan will be his next major project and he is starting to put the information together for that.
- The County borrowed two traffic counters from NDOT earlier in the year that need to be returned.
- Everything has been transferred from his old pickup and it has been returned to Dist. 3.
- He got two price quotes for running boards and mud flaps for his pickup and will go with the lesser quote of \$800-\$900.
- Parking in the Courthouse garage will be possible once construction materials are removed.
- The Haystack Wind Project has been working on tree removal, driveways, build up of minimum maintenance roads and hill cuts. Some of the work is concerning because of the depth they are going and the possibility of weather turning for the worse at this time of year.

**Fee Reports:** Debra K. Allemann-Dannelly, Clerk of District Court \$401.25, (Nov Fees); Debra Finn, County Clerk, \$15,340.42 (Nov Fees).

**Abbreviations:** **PS** - Personal Services, **OE** - Operating Expenses, **SU** - Supplies, **MA** - Materials, **ER** - Equipment Rental, **CO** - Capital Outlays, **RP** - Repairs, **RE** - Reimbursement.

**Claims:**

<u>GENERAL FUND</u>	<u>Salaries \$70,532.04;</u>	
Allemann-Dannelly, Debra K.	RE	8.00
Quinn, Tarrin	RE	25.22
Casey, Mark E.	RE	209.99
Advanced Consulting Engineering	CO	2,517.33
Albin, Mark D.	OE	1,162.76
American BroadBand	OE	2,283.38
AMH Family Practice	OE	1,593.99
Appeara	OE	588.10
Black Hills Energy	OE	670.43
CardMember Service	OE	45.02
CardMember Service	MA	33.68
CardMember Service	SU	31.00
Carroll Station Inc., The	MA	48.01
Farmer's Co-operative, Pilger	MA	154.49
Finn, Lori	OE	12.65
Floor Maintenance	SU	199.12
Fredrickson Oil Company	RP	73.40
Hometown Leasing	OE	121.85
Hytrek Lawn Service	OE	600.00
Janke, Parker	OE	9.20
Kone'	OE	1,351.53
Lutt Oil	MA,OE	1,022.51
Madison County Sheriff	OE	50.00
Mangels, Seth	OE	36.80
Marathon Press	SU	116.47
Microfilm Imaging Systems	SU	23.85
MIPS Inc	SU	510.80
Northeast Nebraska Telephone Co	OE	79.67
Pierce County Sheriff's Dept	OE	1,775.00

Quadient	SU	229.62
Quality Printing & Office Supplies	SU	330.86
Rasmussen, Annette	OE	4.60
Region IV Behavioral Health System	OE	6,532.50
US Cellular	OE	462.02
UHS Premium Billing	PS	69,987.89
University of Nebraska	OE	225.00
Verizon Wireless	OE	40.01
Waste Connections of Nebraska	OE	135.68
Wayne County Clerk of District Court	OE	33.00
Wayne County Court	OE	111.00
Wayne Herald/Morning Shopper	OE	623.35
Wayne, City of	OE	6,556.36
<b>COUNTY ROAD FUND</b>	<b>Salaries \$29,568.50;</b>	
Appeara	OE	40.00
B's Enterprises Inc	MA	9,045.00
Backus Sand & Gravel	MA	24,107.84
Barco Municipal Products Inc	SU	130.22
Black Hills Energy	OE	156.30
Carroll, Village of	OE	98.60
Dinkel's	ER	1,972.40
Farmer's Co-operative, Pilger	MA	14,677.81
Grossenburg Implement	RP,MA	102.64
John's Welding & Tool LLC	RP	184.61
Martin Marietta Materials	MA	1,777.95
Matteo Sand & Gravel	MA	695.25
Midwest Service & Sales Co	SU,MA	7,214.75
NMC Exchange LLC	RP	1,868.53
Northeast Power	OE	240.53
RDO Truck Centers	RP	61.40
S&S Willers Inc	MA	21,957.36
Stanton County Public Power	OE	1,379.48
Titan Machinery	RP	586.28
Wayne Auto Parts	RP	83.40
Winside, Village of	OE	145.07
<b>LODGING TAX FUND</b>		
Wayne Area Economic Development Inc	OE	3,000.00
<b>ROD PRESERVATION &amp; MODIFICATION FUND</b>		
Microfilming Imaging Systems	OE	365.00
<b>COUNTY IMPROVEMENT FUND</b>		
Berggren Architects	CO	311.13

Meeting was adjourned.

Sharolyn Biermann, Deputy Wayne County Clerk

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STATE OF NEBRASKA        )  
                                          ) **ss.**  
COUNTY OF WAYNE        )

I, the undersigned, Deputy 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 15, 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 18th day of December, 2020.

Sharolyn Biermann, Deputy Wayne County Clerk