

Wayne, Nebraska
November 16, 2021

The Wayne County Board of Equalization meeting was called to order by Chairman James Rabe at 9:00 a.m. on Tuesday, November 16, 2021, in the Public Safety Annex. Chairman Rabe, Members Dean Burbach and Terry Sievers, Attorney Amy Miller, Assessor Dawn Duffy, and Clerk Debra Finn were present. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on November 4, 2021. A current copy of the Open Meetings Act was posted and accessible to the public.

The agenda was approved on a motion made by Burbach and seconded by Sievers. Roll call vote: Burbach, Sievers, Rabe – aye; motion carried.

Tax List Correction No. 59 was a result of the owner’s death. It was approved on motion by Burbach and second by Sievers. Roll call vote: Burbach, Sievers, Rabe – aye; motion carried.

Tax List Correction No. 60 was a result of a homestead exemption changed by the state. It was approved on motion by Sievers and seconded by Burbach. Roll call vote: Sievers, Burbach, Rabe – aye; motion carried.

The meeting was adjourned.

Debra Finn, Wayne County Clerk

Wayne, Nebraska
November 16, 2021

The Wayne County Board of Commissioners meeting was called to order by Chairman Terry Sievers at 9:05 a.m. on Tuesday, November 16, 2021, in the Public Safety Annex. Chairman Sievers, Members Dean Burbach and James Rabe, Attorney Amy Miller, and Clerk Debra Finn were present. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on November 4, 2021. A copy of the Open Meetings Act was posted and accessible to the public.

Chairman Sievers presented the following consent agenda items:

- a. Approve minutes of November 2, 2021, as printed in the Commissioners Record
- b. Approve fee reports: Debra Finn, County Clerk, October Fees, \$11,265.25; Debra K. Allemann-Dannelly, Clerk of District Court, \$2,412.56
- c. Approve payroll, with each commissioner abstaining from approving a personal claim
- d. Approve withdrawal of Security Cusip 3130A0G20 for \$1,000,000 pledged by Elkhorn Valley Bank

The consent agenda was approved on a motion made by Rabe and seconded by Burbach. Roll call vote: Rabe, Burbach, Sievers – aye; motion carried.

The regular agenda was approved on a motion made by Rabe and seconded by Burbach. Roll call vote: Rabe, Burbach, Sievers – aye; motion carried.

The Nebraska Department of Economic Development updated its procurement requirements relating to development districts. The verbiage “including CDBG administration” was added to the interlocal agreement. A motion was made by Burbach and seconded by Rabe to approve Resolution No. 21-24. Roll call vote: Burbach, Rabe, Sievers – aye; motion carried.

Resolution No. 21-24: “A resolution of Wayne County, Nebraska providing for full participation by Wayne County, Nebraska, in the Northeast Nebraska Economic Development District through the execution of an Intergovernmental agreement.

It is hereby resolved as follows by the County Commissioners of Wayne County.

Section 1 That Wayne County is hereby authorized to join and cooperate with other counties, incorporated villages and cities that are eligible, and may wish to participate in the creation of the Northeast Nebraska Economic Development District through the execution of an intergovernmental agreement. Said agreement is attached hereto and made a part hereof.

Section 2. That all Resolutions and parts of Resolutions in conflict herewith are hereby repealed.

Section 3. This resolution shall take effect and be in full force and effect from and after its passage approval and publication as provided by Law.”

County Burial Application No. CB21-01 was approved on a motion by Rabe and seconded by Burbach. Roll call vote: Rabe, Burbach, Sievers – aye; motion carried. Payment will be made to Hasemann Funeral Home.

A motion was made by Rabe and seconded by Burbach to approve the following bond payments due on December 15, 2021: Highway Allocation Fund Pledge Bonds, Series 2014, \$176,881.25, Fee \$200.00, Total \$177,081.25; Highway Allocation Fund Pledge Bonds, Series 2019, \$22,451.25, Fee \$200.00, Total \$22,651.25; Highway Allocation Fund Pledge Bonds, Series 2021, 142,070.00, Fee \$200.00, Total \$142,270.00. Roll call vote: Rabe, Burbach, Sievers – aye; motion carried.

A motion was made by Rabe and seconded by Burbach to approve Resolution No. 21-25 authorizing the signing of the Annual Certification of Program Compliance form and Resolution with the Nebraska Board of Public Roads Classifications and Standards. Roll call vote: Rabe, Burbach, Sievers – aye; motion carried.

Resolution No. 21-25: “**Whereas:** State of Nebraska Statutes, sections 39-2302, and 39-2501 through 39-2505 detail 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(s) to the NDOT using the Year-End Certification of County Highway Superintendent form; and

Whereas: The NDOT requires that such certification shall also include a copy of the documentation of the county highway superintendent’s appointment, i.e., meeting minutes showing the appointment of the County Highway Superintendent by their name as it appears on their License (if applicable), their License Number (if applicable) 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(s).”

Highway Superintendent Mark Casey said there is one day left of bridge inspections and some entries to be made in the state system. Casey will prepare a list of his findings for each district.

Address signs will be ordered for the Haystack Project when it is close to finished. An Emergency Management exercise in the Plum Creek Wind area was a good test of the signage use.

The meeting was recessed for a public hearing on the commissioner voting districts.

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A public hearing to receive input on the proposed redistricting of the commissioner voting districts convened at 9:30 a.m. Notice of this hearing was published in the Wayne Herald on November 4, 2021, and was posted on the courthouse bulletin board.

Commissioner district boundaries are redrawn at the completion of each federal census. The districts must be compact and contiguous territory and the population variance within 5%. Because 2/3 of the county’s population resides within the City of Wayne, each commissioner district must include part of the city.

The goal was to have the commissioner voting districts and maintenance districts as similar as possible. All but 13 sections in Strahan precinct will vote for the commissioner maintaining their roads. The strip in Strahan precinct brings the other two commissioners into the City of Wayne. The final population variance is 1.36% with District #1 being over by 21 residents, District #2 being under by 44 residents, and District #3 being over by 24 residents.

Dennis Lutt requested clarification on his property.

There being no further questions or comments, the hearing closed at 9:38 a.m.

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The commissioner meeting reconvened.

A motion was made by Rabe and seconded by Burbach to approve Resolution No. 21-26 establishing the county commissioner voting districts effective January 1, 2022. Roll call vote: Rabe, Burbach, Sievers – aye; motion carried.

Resolution No. 21-26: “**WHEREAS,** Section 23-151 of the Nebraska Revised Statutes provides that each county under commissioner organization with a population of 300,000 or less shall be divided into three districts; and

WHEREAS, such districts shall consist of two or more voting precincts comprising compact and contiguous territory; and

WHEREAS, Section 5-108 provides that such districts shall be substantially equal in population, as determined by the most recent federal census; and

WHEREAS the Wayne County Board of Commissioners have drawn district boundaries that follow the precinct lines and the City of Wayne ward lines as nearly as possible, and said districts are comprised of a substantially equal division of the population of Wayne County; and

WHEREAS a public hearing to receive comments on the proposed districts /was conducted on November 16, 2021 and no objections were received;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Wayne County, Nebraska, that the County of Wayne shall be divided as follows:

1. Commissioner District #1 shall consist of Hunter, Plum Creek, Logan and Leslie precincts. In Strahan precinct it contains the south ½ of sections 13-15, and all of sections 16-36. In the City of Wayne it contains First Ward, with the exception of that part starting from the corner of 6th St and Main St, thence east to the corner of Logan St, thence south to the corner of Clark St, thence west to the corner or Main St, thence north to the corner of Main St and 6th St. It also contains Second Ward with the exception of that part lying west of the area starting from the corner of E 10th St and Walnut St, thence north to Lindahl Dr., thence east to the corner of E 14th St and Claycomb Rd, thence north to corner of W 21st St thence west and north following city limits to Highway 35.
2. Commissioner District #2 shall consist of Deer Creek, Sherman, Garfield and Wilbur precincts. In Strahan precinct it includes sections 1 and 12. In the City of Wayne it contains Third Ward. It also contains that part of Second Ward lying west of the area starting from the corner of E 10th St and Walnut St, thence north to Lindahl Dr., thence east to the corner of E 14th St and Claycomb Rd, thence north to corner of W 21st St thence west and north following city limits to Highway 35.
3. Commissioner District #3 shall consist of Hoskins, Hancock, Brenna and Chapin precincts. In Strahan precinct it includes sections 2-11, and the north ½ of sections 14 and 15. In the City of Wayne it contains Fourth Ward. It also contains that part of First Ward starting from the corner of 6th St and Main St, thence east to the corner of Logan St, thence south to the corner of Clark St, thence west to the corner or Main St, thence north to the corner of Main St and 6th St.”

Bradley Construction Management representatives said they hope the wind tower blades for the last 11 towers will be in by the week after Thanksgiving. Fourteen of the 2.4 towers are on-line. They will be able to do reclaiming work as long as the weather stays warm and dry; the rest will then be finished in the spring. Some of the crews going home for Thanksgiving won't be coming back.

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

Abbreviations: SU-Supplies, MA-Materials, RP-Repairs, OE-Operating Expense, ER-Equipment Rent, CO-Capital Outlays

General Fund: Payroll & Reimbursements: \$65,668.86 Ace Hardware & Home, SU \$81.79; Albin, Mark D., OE \$1,501.86; American Broadband, OE \$2,286.80; Appera, OE \$518.00; Cardmember Service, SU, MA, OE \$290.29; Cardmember Service, SU \$136.85; Cardmember Service, SU \$144.94; The Carroll Station, Inc., MA \$74.78; Copy Write/Keepsake, OE \$12.16; CVSOAN, OE \$110.00; DAS State Accounting, OE, ER \$114.88; Des Moines Stamp Manufacturing Co., SU \$164.15; Eakes Office Solutions, SU \$119.96; Egley, Fullner, Montag, Morland & Easland, OE \$342.04; ESRI, OE \$400.00; Farmers Co-operative, MA \$362.82; Floor Maintenance, SU \$75.33; Grossenburg Implement, RP \$92.79; Hometown Leasing, ER \$121.85; Hytrek Lawn Service, OE \$475.00; Jack's Uniforms & Equipment, SU \$106.00; Jorgensen, Kate DBA Jorgensen Law Office, OE \$686.75; Lutt Oil, MA, RP, OE \$1,233.27; NACO, OE \$1,906.91; Northeast Nebraska Telephone Co., OE \$77.82; Pac-N-Save, SU \$32.85; Quality Printing & Office Supplies, SU \$83.74; The Radar Shop, SU \$245.00; Ramada Inn, OE \$156.00; Seward County Jail, OE \$260.00; Tacos & More, OE \$17.98; U.S. Cellular, OE \$469.69; UHS Premium Billing, PS \$76,097.56; Verizon Wireless, OE \$40.01; Wanek Pharmacy, OE \$197.08; Waste Connections of Nebraska, OE \$175.17; Wattier, Patti, OE \$450.00; Wayne Area Economic Development, Inc., OE \$100.00; Wayne County Court, OE \$104.00; Wayne Herald/Morning Shopper, OE \$474.49; Wayne, City of, OE \$9,586.11; Woehler Trailer Court, LLC, ER \$700.00; Farmers State Bank Acct# 244-220, PS \$14,948.24; Aflac, PS \$692.24; Delta Dental of Nebraska, PS \$519.65; First Concord Benefits Group, PS \$2,896.64; Legal Shield, PS \$61.80; Nebraska Department of Revenue, PS \$4,842.33; Retirement Plans Division of Ameritas, PS \$7,386.53; Vision Service Plan, PS \$284.78; Washington National Insurance Co., PS \$116.00; Wayne County Treasurer, PS \$1,387.84; Claussen & Sons Irrigation, Inc., OE \$120.00; Ecolab Pest Elimination Service, OE \$61.42; Hasemann Funeral Home, OE \$2,950.00; Rolling

Hills Supply, SU \$950.00

County Road Fund: Payroll & Reimbursements: \$32,856.30; Appeara, OE \$43.10; Backus Sand & Gravel, MA \$51,108.68; Carroll, Village of, OE \$99.10; Dinkel's, RP, ER \$3,063.95; DMC Repair, SU \$90.00; Farmers Co-operative, RP, SU, MA, \$36,186.20; Grossenburg Implement, SU \$121.00; Heikes, Alan DBA Heikes Automotive Service, RP \$107.00; Horter's, RP \$650.00; Hundertmark, RP \$33.39; John's Welding & Tool, LLC, RP \$45.36; Lutt Oil, RP, \$16.00; Mainelli Wagner & Associates, Inc., CO \$12,847.10; Martin Marietta Materials, MA \$8,998.43; Matteo Sand & Gravel Co., Inc., MA \$5,073.64; Menard's, RP \$227.99; Midwest Service and Sales Co., MA \$260.53; NMC Exchange, RP, MA \$1,102.04; Powerplan, RP \$748.58; RDO Truck Centers, RP \$852.64; S & S Willers, Inc. DBA Pilger Sand & Gravel, MA \$25,589.20; Wayne Auto Parts, SU, RP \$155.14; Wayne, City of, OE \$421.01; Winside, Village of, OE \$92.93; Farmers State Bank Acct# 244-220, PS \$6,856.65; Aflac, PS \$351.91; Delta Dental of Nebraska, PS \$381.75; First Concord Benefits Group, PS \$1,341.64; Nationwide Retirement Solutions, PS \$40.00; Nebraska Department of Revenue, PS \$2,055.45; Retirement Plans Division of Ameritas, PS \$3,675.24; Vision Service Plan, PS \$79.44; Washington National Insurance Co., PS \$75.40; Wayne County Treasurer, PS \$792.65; Titan Machinery, RP \$301.00

Lodging Tax: Wayne Area Economic Development, Inc., OE \$3,000.00

ROD Preservation & Modernization Fund: Microfilm Imaging Systems, OE \$365.00

County Improvement Fund: Kingery Construction, CO \$10,419.44; Berggren Architects, CO \$3,955.00

The meeting was adjourned

Debra Finn, Wayne County Clerk

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State of Nebraska)
County of Wayne) ss.

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 November 16, 2021, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in such 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 ten working days and prior to the next convened meeting of said body.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of November, 2021.

Debra Finn, Wayne County Clerk