

The Wayne County Board of Commissioners meeting was called to order by Chairman James Rabe at 9:00 a.m. on Tuesday, September 6, 2022, in the Wayne County Courtroom. Chairman Rabe, Members Terry Sievers and Dean Burbach, 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 August 18, 2022. A copy of the Open Meetings Act was posted and accessible to the public.

Chairman Rabe presented the following consent agenda items:

1. Approve minutes of August 16, 2022, as printed in the Commissioners Record
2. Approve payroll, with each commissioner abstaining from approving a personal claim
3. Approve fee reports: Jason Dwinell, County Sheriff, July Fees \$876.29
4. Approve the Special Designated Liquor License request submitted by Greenhorn Entertainment LLC dba The Greenhorn for a Demolition Derby on September 24, 2022, from 1:00 p.m. until 12:00 a.m. at the Wayne County Fairgrounds

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

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

Wayne Area Economic Development Director Luke Virgil summarized the fifteen projects and activities they participated in from May 2021 to July 2022. Currently, they are focusing on development of housing lots and hotel rooms and the recruitment of new residents and businesses. A request for continuation of the \$10,000 financial contribution was submitted. A motion was made by Sievers and seconded by Burbach to approve the \$10,000 contribution to WAED for the 2022-23 fiscal year. Roll call vote: Sievers, Burbach, Rabe – aye; motion carried.

Treasurer Tammy Paustian Paustian reported 97% of the taxes have been collected. She will be making investments with NPAIT and asked the board about their anticipated expenditures.

A motion was made by Burbach and seconded by Sievers to recess the meeting for the 2022-23 budget and tax rate hearings. Roll call vote: Burbach, Sievers, Rabe – aye; motion carried.

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A public hearing to receive taxpayer support, opposition, or observations on the proposed 2022-23 budget convened at 9:16 a.m.

Notice of this hearing was published in the Wayne Herald, a legal newspaper, on September 1, 2022.

The 2022-23 budget was discussed with the following points noted:

- The total budget is \$28,302,585.52
- The total tax dollar request is \$5,210,975.32, an increase of \$40,046.00
- The unused budget authority is \$1,449,425.45.
- General Fund includes \$3,277,654.71 fund transfer to County Road Fund
- Road Fund received \$460,500 in Wind Energy Cost Reimbursements
- Federal Covid funds to be spent for permitted purposes. \$1,822,926.00

There being no public comment, the hearing was closed at 9:21 a.m.

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A public hearing to receive taxpayer support, opposition, or observations on setting the final tax request for 2022-23 convened at 9:21 a.m.

Notice of this hearing was published in the Wayne Herald, a legal newspaper, on September 1, 2022.

The 2022-23 tax rate was discussed with the following points noted:

- The total tax dollar request is \$5,210,975.32, an increase of \$40,046.00
- The total valuation of Wayne County is \$2,156,987,867, an increase of 9.1827%.
- The Wayne County 2022-23 tax levy will be .241586, a decrease of .020157 cents per \$100 of valuation.

There being no public comment, the hearing was closed at 9:22 a.m..

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A motion to approve a 1% increase in restricted funds was made by Sievers and seconded by Burbach. Roll call vote: Sievers, Burbach, Rabe – aye; motion carried. These funds will be carried forward as unused budget authority.

A motion to adopt Resolution No. 22-16 approving the 2022-23 budget was made by Burbach and seconded by Rabe. Roll call vote: Burbach, Sievers, Rabe – aye; motion carried.

**Resolution No. 22-16:** “WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2022, to June 30, 2023, prepared by the Budget Making Authority, was transmitted to the County Board on the 10th day of August 2022.

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

SECTION 1. That the budget for the fiscal year July 1, 2022, to June 30, 2023, as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the Budget for Wayne County for said fiscal year.

SECTION 2. That the offices, departments, activities, and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2022, and ending June 30, 2023.

SECTION 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.”

A motion to adopt Resolution 22-17 to approve the 2022-23 tax dollar request was made by Sievers and seconded by Burbach. Roll call vote: Sievers, Burbach, Rabe – aye; motion carried.

**Resolution No. 22-17:** “WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of Wayne County passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of Wayne County resolves that:

1. The 2022-2023 property tax request be set at:
  - a. General Fund \$5,010,975.32
  - b. County Improvement Fund \$ 200,000.00
  - Total \$5,210,975.32
2. The total assessed value of property differs from last year’s total assessed value by 9 percent.
3. The tax rate, which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be 0.239729 per \$100 of assessed value.
4. Wayne County proposes to adopt a property tax request that will cause its tax rate to be 0.241586 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of Wayne County will increase last year’s budget by 19 percent.
6. A copy of this resolution will be certified and forwarded to the County Clerk on or before October 15, 2022.”

Sandra Hansen reviewed the grant applications for the American Rescue Plan Act Funds to determine if they were eligible expenses. The following applications were submitted to the commissioners for action:

- Northeast NE Public Health Dept, \$47,627.60, Reimbursement of Covid expenses 7/1/21 – 6/30/22. A motion was made by Sievers and seconded by Burbach to approve the request. Roll call vote: Sievers, Burbach, Rabe – aye; motion carried.
- Wayne County Safety Committee, \$8,700.00, 2-prebuilt tornado shelters. A motion was made by Sievers and seconded by Burbach to approve the request. Roll call vote: Sievers, Burbach, Rabe – aye; motion carried.
- Wayne County Safety Committee, \$11,935.00, 6-AED units. A motion was made by Sievers and seconded by Burbach to approve the request. Roll call vote: Sievers, Burbach, Rabe – aye; motion carried.
- Winside Fire & Rescue Department, \$238,523.00, First Response truck. A motion was made by Sievers and seconded by Burbach to approve the request. Burbach questioned how many more applications would be approved and how much money would be left for the County. It was estimated that \$1.5 million was left. Roll call vote: Sievers, Burbach, Rabe – aye; motion carried.

Resolution No. 22-18 certifying completion of Bridge Project C009001110 and C009001115 was approved on a motion made by Burbach and seconded by Sievers. Roll call vote: Burbach, Sievers, Rabe – aye; motion carried.

**Resolution No. 22-18:** “ **WHEREAS**, Wayne County and State entered into an agreement entitled “County Bridge Match Program Agreement” for the structure numbers C009001110 and C009001115 (the Project). Program Agreement Number BL2119 signed by State on the 26<sup>th</sup> day of February, 2021; 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. C009001110 and C009001115, 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 Stated-approved change orders.
  - b. All applicable design standards and
  - c. the condition 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(5); NDOT Control Number: 00974D; NDOT LPA Control Number: 00974D(t); NDOT Project Name: County Bridge Match Program.”

Bids received from Contech, Metal Culverts, B’s Enterprises, and Midwest Service and Sales were opened for Projects C-90(663) on 857<sup>th</sup> Rd between 564<sup>th</sup> Ave and 565<sup>th</sup> Ave, and C-90(668) on 569<sup>th</sup> Ave between 854<sup>th</sup> Rd and 855<sup>th</sup> Rd. A motion was made by Sievers and seconded by Burbach to accept the low bid of \$173,295.96 submitted by B’s Enterprises. Roll call vote: Sievers, Burbach, Rabe – aye; motion carried.

Upcoming projects on the One & Six Year Road Improvement Plan were discussed with Mark Mainelli of Mainelli Wagner & Associates. The County is considering packaging several bridge projects and bidding them by bridge type. A physical inspection will take place first.

Architect Jill Brodersen spoke to the board about potential window replacement in the courthouse. A physical inspection of the building will be made to determine which windows require replacement. Options for frames and glass will be presented at the next meeting. The Historical Society will be contacted for guidelines.

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

**General Fund:** Payroll & Reimbursements: \$79,174.71; Ace Hardware & Home, SU \$57.31; Albin, Mark D., OE \$1,929.04; Arnie’s Ford, RP \$364.64; AT & T Mobility, OE \$45.12; Black Hills Energy, OE \$140.75; Bomgaars, SU, RP, SU, CO \$297.62; Cardmember Service, SU \$235.00; Carhart Lumber Company, SU \$95.97; Claussen & Sons Irrigation Inc., OE \$225.97; Dept Correctional Svcs Interagency Billing #460, OE \$3,662.79; First Concord Benefits Group, OE \$110.00; Floor Maintenance, SU \$217.81; Hytrek Lawn Service, OE \$765.00; Miller Law, OE, ER \$4,321.65; Nebraska Secretary of State, OE \$20.00; Quality Printing & Office Supplies, SU \$261.96; Regroup, OE \$3,640.044; Secretary of State Election Division, SU \$70.00; Security Shredding Services, OE \$70.00; Sleuth Systems, SU \$3,577.00; Tacos & More, OE \$39.96; The Station, MA \$38.90; Tri-State Communications, Inc., SU \$243.00; Warnemunde Insurance and Real Estate Agency, Inc., OE \$34.00; Wayne County Clerk of District Court, OE \$36.00; Wayne County Sheriff, OE \$37.00; Wayne, City of, OE \$4,570.24; NACO, OE \$30.00; Nebraska Bank Acct# 244-220, PS \$19,579.97; Retirement Plans Division of Ameritas, PS \$8,939.55; Wayne Area Economic Development Inc., OE \$398.00

**County Road Fund:** Payroll & Reimbursements: \$56,143.50; B’s Enterprises, MA \$82,758.00; Bauer Built, RP \$1,995.02; Beiermann Electric, RP \$1,753.14; Black Hills Energy, OE \$45.41; Bomgaars, SU, RP \$715.82; Cornhusker International Trucks, RP \$1,090.10; Filtercare of Nebraska, RP \$177.60; Fredrickson Oil Company, MA \$34,840.93; Grossenburg Implement, RP \$129.32; Hineright, OE \$254.75; Kaup Forage & Turf, SU \$1,037.20; Mainelli Wagner & Associates Inc., CO \$41,073.43; Martin Marietta Materials, MA \$3,763.98; Matheson Tri-Gas Inc., MA \$131.61; Matteo Sand & Gravel Co., Inc., MA \$2,216.85; Menard’s, SU \$353.31; Midwest Service and Sales Co., MA \$1,294.35; Murphy

Tractor & Equipment Co., RP \$5,847.62; NMC Exchange, RP, MA \$2,756.33; Northeast Power, OE \$193.66; Rolling Hills Supply, SU \$605.50; Seals & Service, Inc., RP \$742.14; Stanley Petroleum Maintenance, Inc., SU \$79.20; Wayne, City of, OE \$504.53; Weldon Parts Norfolk, RP \$2,390.08; Nebraska Bank Acct# 244-220, PS \$13,204.55; Retirement Plans Division of Ameritas, PS \$6,295.14

**Snow Removal & Equipment Fund:** Murphy Tractor & Equipment, CO \$351,596.00;

**Lodging Tax Fund:** Cars-N-Carroll, OE \$500.00; The Little Red Hen Theatre, OE \$875.00

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 September 6, 2022, 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 9th day of September, 2022.

Debra Finn, Wayne County Clerk