

The Wayne County Board of Commissioners meeting was called to order by Chairman James Rabe at 9:00 a.m. on Tuesday, November 15, 2022, in the Wayne County Courtroom. Chairman Rabe, Members Terry Sievers and Dean Burbach, Sheriff Jason Dwinell, Attorney Amy Miller, and Clerk Debra Finn were present. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on November 3, 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 November 1, 2022, as printed in the Commissioners Record
2. Approve payroll, with each commissioner abstaining from approving a personal claim
3. Approve fee report: Debra K. Allemann-Dannelly, Clerk of District Court, October Fees, \$1,097.00; Debra Finn, Wayne County Clerk, October Fees, \$5,515.12
4. Approve withdrawal of Cusip #627149AU1 for \$185,000 as a security pledged by Elkhorn Valley Bank.

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

A fund transfer of \$4,086.42 from County Improvement Fund to the Nebraska Department of Revenue was approved on motion by Burbach and seconded by Sievers. Roll call vote: Burbach, Sievers, Rabe – aye; motion carried. This fee payment is necessary for the county to receive historic tax credits for the recently completed courthouse improvement project

County Attorney Amy Miller presented a Memorandum of Understanding between Madison County and Wayne County for the Nebraska Crime Commission's 2023-2024 Community Based Juvenile Services Grant application. Funding is based on usage. Since the 7th District was down, their allotment was cut \$30,000 this year. A motion was made by Burbach and seconded by Sievers to approve signing the agreement with Madison County. Roll call vote: Burbach, Sievers, Rabe – aye; motion carried.

The Nebraska Department of Roads will no longer request separate agreements when survey corners need to be located. A Master Agreement to establish a standard process for locating, setting, and re-establishing monuments when necessary for highway projects was presented. The lump-sum fee will be \$300 for each corner set and \$300 for each corner re-established. A motion was made by Sievers and seconded by Burbach to approve Resolution No. 22-21 that enters the county into a five-year agreement with the state. Roll call vote: Sievers, Burbach, Rabe – aye; motion carried.

Resolution No. 22-21: A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF A MASTER AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF NEBRASKA FOR COUNTY SERVICES.

Be it resolved by the Chairperson of the Board of the County of Wayne, Nebraska, that:

1. The County shall enter into a 5-year Master Agreement with the Nebraska Department of Transportation concerning a Process for County to Provide Survey Services for Highway Projects within the boundaries of Wayne County.
2. The Chairperson of the Board is hereby authorized and directed to execute said agreement on behalf of the County of Wayne and the County Clerk is authorized to attest said execution.
3. This resolution will be marked Exhibit "A" and a copy attached to each Original Agreement.

Projects for the CBMP (7) application were discussed with Mark Mainelli of Mainelli Wagner Engineers. Innovation and the importance of the project will play into the decisions.

A motion was made by Burbach and seconded by Sievers to go into Executive Session at 10:14 a.m. to discuss litigation. Attorney Miller and Clerk Finn were asked to join the board in Executive Session. Roll call vote: Burbach, Sievers, Rabe – aye; motion carried.

Open session reconvened at 10:17 a.m.

A motion was made by Burbach and seconded by Sievers to join in the Joint Defense Agreement with Baylor Evnen in the Rick Hill v. Debra Finn Wayne County Clerk, et al. statewide lawsuit. Roll call vote: Burbach, Sievers, Rabe – aye; motion carried.

Burbach made a motion to approve the following claims, except for 22110118, for which he was abstaining. Sievers seconded the motion. Roll call vote: Burbach, Sievers, Rabe – aye; motion carried.

General Fund: Payroll & Reimbursements: \$67,895.41; Ace Hardware & Home, SU \$14.69; Advanced Consulting and Engineering Services, CO \$1,225.59; Antelope County Sheriff, OE \$10,698.54; Antelope Memorial Hospital, OE \$819.00; Appera, OE \$481.58; Applied Connective Technologies, OE \$3,351.50; Arnie's Ford, MA \$62.52; Bargholz, Cynthia, PS \$237.50; Beiermann Electric, OE \$1,022.53; Black Hills Energy, OE \$341.53; Bruflat, Madge, PS \$247.50; Claussen, Sarah, PS \$257.50; CVSOAN, OE \$100.00; DAS State Accounting, ER \$69.88; Doescher, Jan, PS \$237.50; Dorman, Sherry, PS \$217.50; Eakes Office Solutions, SU \$33.69; Eastern Nebraska Research, OE \$12,938.33; Election Systems & Software, Inc., OE \$2,478.40; Elkhorn Valley Bank, SU, OE \$633.52; Endicott, Kimberly, PS \$221.25; ESRI, Inc., OE \$400.00; Exhaust Pros Total Car Care, OE \$302.00; Fairfield Inn & Suites, OE \$259.90; Farmers Co-operative, MA \$179.81; Fastwyre Broadband, OE \$2,428.85; Fletcher, Irene, PS \$187.50; Floor Maintenance, SU \$280.02; Frontline Private Security LLC, OE \$8,045.70; Hansen, Karen, PS \$187.50; Hasemann Funeral Home, OE \$2,866.38; Hawthorne, Amanda, PS \$217.50; Hometown Leasing, ER \$121.85; Hurlbert, Robyn, PS \$217.50; Hytrek Lawn Service, OE \$620.00; Kemnitz, Jeni, PS \$221.25; Kinzie, Kris, PS \$187.50; Knutson, Eric W, RE \$48.13; Lutt Oil, MA, OE \$1,570.94; Midwest Alarm, RP \$142.62; MIPS Inc., ER, CO \$2,808.22; Moore, Wilma, PS \$217.50; NACO, OE \$2,401.10; National Association of Counties, OE \$450.00; Northeast Nebraska Telephone Co., OE \$77.52; One Office Solution, SU \$68.99; Pac-N-Save, OE \$2.98; Redden, Molly, PS \$207.50; Schenck, Stacy, PS \$241.25; Smith, Joseph M, OE \$104.50; Sturm, Jean, PS \$217.50; The Station, MA \$98.47; U.S. Cellular, OE \$421.72; UHS Premium Billing, PS \$82,433.37; University of Nebraska Cooperative Extension, CO \$1,716.85; Verizon Wireless, OE \$40.01; Wanek Pharmacy, OE \$474.74; Warnemunde Insurance And Real Estate Agency, Inc., OE \$85.00; Waste Connections of Nebraska, OE \$156.01; Wattier, Patti, OE \$475.00; Wayne Area Economic Development, Inc., OE \$100.00; Wayne County Clerk of District Court, OE \$237.00; Wayne County HRA Account, PS \$37,681.17; Wayne Herald/Morning Shopper, OE \$1,348.86; Wayne Police Department, OE \$950.00; Wayne, City of, OE \$10,319.36; Woehler Trailer Court, LLC., ER \$700.00; Wynia, Katie, PS \$217.50; Davis, Diana, PS \$217.50; Nebraska Bank Acct# 244-220, PS \$15,685.80; Aflac, PS \$596.82; Delta Dental of Nebraska, PS \$397.13; First Concord Benefits Group, PS \$2,979.98; Legal Shield, PS \$42.85; Nebraska Department of Revenue, PS \$5,160.12; Retirement Plans Division of Ameritas, PS \$7,641.23 ; Vision Service Plan, PS \$274.86; Washington National Insurance Co., PS \$116.00; Wayne County Treasurer, PS \$1,395.95;

County Road Fund: Payroll & Reimbursements: \$37,491.50; Appera, OE \$47.17; Backus Sand & Gravel, MA \$6,507.79; Black Hills Energy, OE \$46.52; Burbach, Dean, RP \$903.09; Carroll, Village of, OE \$101.60; Dinkel's, RP, ER \$2,028.00; Farmers Co-operative, MA, RP \$46,784.82; Fredrickson Oil Company, MA \$58.50; Grossenberg Implement, RP \$356.13; Heikes, Alan DBA Heikes Automotive Service, RP \$266.84; Hoskins Mfg. Co., Inc., RP \$71.53; Mainelli Wagner & Associates, Inc., CO \$56,162.16; Martin Marietta Materials, MA \$1,909.65; Matteo Sand & Gravel Co., Inc., MA \$1,453.65; Midwest Service and Sales Co., RP \$2,438.00; Murphy Tractor & Equipment Co., RP \$243.10; NMC Exchange LLC, RP \$1,367.66; Robert Woehler & Sons Construction, RP \$1,750.00; S & S Willers Inc. DBA Pilger Sand & Gravel, MA \$15,354.18; Titan Machinery, RP \$1,094.08; Wayne Auto Parts, SU \$324.47; Wayne, City of, OE \$410.73; Weldon Parts Norfolk, RP \$137.81; Winside, Village of, OE \$111.59; Pomp's Tire Service, Inc., RP \$893.50; Nebraska Bank Acct# 244-220, PS \$7,907.16; Aflac, PS \$351.91; Delta Dental of Nebraska, PS \$319.43; First Concord Benefits Group, PS \$1,360.00; Nationwide Retirement Solutions, PS \$40.00; Nebraska Department of Revenue, PS \$2,332.98; Retirement Plans Division of Ameritas, PS \$4,196.70; Vision Service Plan, PS \$79.44; Washington National Insurance Co., PS \$75.40; Wayne County Treasurer, PS \$862.62;

ROD Preservation & Modernization Fund: MIPS, Inc., OE \$136.48;

County Improvement Fund: Wayne County Clerk, CO \$46.00.

The meeting was adjourned.

Debra Finn, Wayne County Clerk

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 15, 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 23rd day of November 2022.

Debra Finn, Wayne County Clerk