

Wayne, Nebraska
September 5, 2023

The Wayne County Board of Equalization meeting was called to order by Chairman Jim Rabe at 9:00 a.m. on Tuesday, September 5, 2023, in the County Courtroom. Chairman Rabe, Members Terry Sievers and Dean Burbach, Assessor Dawn Duffy, Treasurer Lisa Lindsay, Deputy Attorney Teri Lamplot, Sheriff Jason Dwinell, and Clerk Debra Finn were present. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on August 17, 2023. A 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.

Duffy presented an acceleration of taxes for a mobile home that was moved. A motion was made by Burbach and seconded by Siever to approve the acceleration; Tax List Correction No. 80. Roll call vote: Burbach, Sievers, Rabe - aye; motion carried.

Lindsay presented a Form 457 exemption for a different vehicle the Wayne State College Foundation leased. Sievers made a motion to approve the exemption, and Burbach seconded the motion—roll call vote: Sievers, Burbach, Rabe - aye; motion carried.

The meeting was adjourned.

Debra Finn, Wayne County Clerk

Wayne, Nebraska
September 5, 2023

The Wayne County Board of Commissioners meeting was called to order by Chairman Dean Burbach at 9:05 a.m. on Tuesday, September 5, 2023, in the County Courtroom. Chairman Burbach, Members Terry Sievers and Jim Rabe, Deputy Attorney Teri Lamplot, Sheriff Jason Dwinell, and Clerk Debra Finn were present. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on August 17, 2023. A 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 August 15th and 24th, 2023, as printed in the Commissioners Record
- b. Approve fee report: Jason Dwinell, Sheriff, July Fees \$938.75
- c. Approve payroll, Approve payroll; commissioners abstained from approving a personal claim
- d. Approve Special Designated Liquor License application for Greenhorn Entertainment LLC dba The Greenhorn of Stanton, NE, for a Demolition Derby/Beer Garden on September 23, 2023, at the Wayne County Fairgrounds Grandstand.

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

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

District Court Clerk Deb Allemann-Dannelly shared farewell thoughts with the board. The commissioners thanked her for her service to the county.

Treasurer Lisa Lindsay reaffirmed that thirty Distress Warrants were turned over to the Sheriff in November 2022. As of August 1st, nineteen were returned paid to the Treasurer; eleven remained uncollected. Lindsay requested the board strike Distress Warrant #22-03 for Ballard-Ameriprise Financial, parcel #0000000774, for \$12.57 plus interest for the tax year 2018. The taxes will not disappear, but the county will no longer actively pursue them. A motion was made by Rabe and seconded by Sievers to strike Distress Warrant #22-03—roll call vote: Rabe, Sievers, Burbach – aye; motion carried.

Emergency Manager Nic Kemnitz discussed concerns Deputy Attorney Teri Lamplot raised with some of the Local Emergency Operations Plan passages. NEMA stated that the county has some flexibility in the verbiage; it is the county's plan. Action on the policy was tabled until October 3, 2023, to enable Kemnitz and Lamplot a final review. Kemnitz will be assisting at the Ponca State Park Expo next week.

Highway Superintendent Mark Casey:

- Reported receiving 237.69 tons of tires at the scrap tire collection. The county’s grant will cover the \$32,088.21 for the tires, plus labor and advertising.
- Casey and Assistant Highway Superintendent Kyle Huff attended the Transportation Summit in Kearney on infrastructure funding. What used to be federal-aid projects will be grant-based in the future. Applications must meet the guidelines, and projects will be awarded grants.
- There are still some signature issues on the right-of-way and easement documents for the wavy bridge.
- The annual certification of program compliance with the Nebraska Board of Public Roads Classifications and Standards was approved. A motion was made by Rabe and seconded by Sievers to approve Resolution No. 23-17—roll call vote: Rabe, Sievers, Burbach – aye; motion carried.

Resolution No. 23-17: Whereas: State of Nebraska Statutes, section 39-2115, 39-2119, 39-2120, 39-2121, and 39-2510(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and standards; and

Whereas State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each county shall be signed by the County Board Chairperson and shall include the resolution of the governing body of the county authorizing the signing of the certification.

Be it resolved that the County Board Chairperson of Wayne County is hereby authorized to sign the County Annual Certification of Program Compliance.

The County official’s personal property inventories for the 2022-23 fiscal year were approved on a motion made by Sievers and seconded by Rabe—roll call vote: Sievers, Rabe, Burbach – aye; motion carried. The minimum rate for personal property inventories for the 2023-24 fiscal year was set at \$300 on a motion made by Rabe and seconded by Sievers—roll call vote: Rabe, Sievers, Burbach – aye; motion carried.

The meeting was recessed for the budget hearing.

A public hearing to receive taxpayer support, opposition, or observations on the proposed 2023-24 budget convened at 9:45 a.m.

Notice of this hearing was published in the Wayne Herald, a legal newspaper, on August 31, 2023.

The 2023-24 budget was discussed with the following points noted:

- 1) The total budget is \$29,406,440.16
- 2) The total tax dollar request is \$5,787,865.85, an increase of \$576,890.53
- 3) The unused budget authority is \$1,454,171.06

There being no public comment, the hearing was closed at 9:46 a.m.

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

A motion to adopt Resolution No. 23-18 approving the 2023-24 budget was made by Sievers and seconded by Rabe—roll call vote: Sievers, Rabe, Burbach – aye; motion carried.

Resolution No. 23-18: “WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2023, to June 30, 2024, prepared by the Budget Making Authority, was transmitted to the County Board on the 10th day of August 2023.

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, 2023, to June 30, 2024, 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, 2023, and ending June 30, 2024.

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.”

Attorney Beth Farrell of the Nebraska Association of County Officials spoke to the board about upcoming meetings, legislative session, carry-over and new legislation. The commissioners expressed concerns about coming up with replacement funds if they do away with inheritance tax.

Reviewing the proposed rewrite of the 2010 Personnel Policy began with a review of Chapters 1-3. Numerous points were discussed.

Sievers made a motion, and Rabe seconded to enter executive session at 11:37 a.m. to protect the reputation of an individual. Included were Burbach, Sievers, Rabe, Miller, Lamplot, and Finn—roll call vote: Rabe, Sievers, Burbach – aye; motion carried. Open session reconvened at 12:02 p.m. on a motion made by Rabe and seconded by Sievers.

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

General Fund: Payroll & Reimbursements: \$92,228.88; Casey, Mark, RE \$39.84; Keiser, Yancey, RE \$350.00; Huff, Kyle, RE \$57.68; Albin, Mark, OE \$2,255.22; Arnie’s Ford, RP \$1,313.69; AT & T Mobility, OE \$40.04; Black Hills Energy, OE \$138.77; Consolidated Management Company, OE \$10.75; Dept. of Correctional Services, OE \$27,397.41; Floor Maintenance, SU \$490.99; Hilltop Drugs, OE \$157.92; Holiday Inn Express, OE \$449.85; Jorgensen, Kate, OE \$3,521.69; Main Street Garage LLC, RP,OE \$651.17; Matai, OE \$619.00; Miller Law, OE,ER \$1,605.93; MIPS Inc, ER,CO \$2,858.63; NACO, OE \$120.00; Nebraska Educational Telecommunications Commission, ER \$443.15; Nebraska Law Enforcement Training Center, OE \$210.00; Nebraska State Bar Association, SU \$50.00; One Office Solution, SU \$146.01; Tri- State Communications Inc., RP \$63.04; Van Diest Supply Company, SU \$79.20; Verizon Wireless, OE \$40.01; Wayne County Clerk of District Court, OE \$36.00; Wayne County Sheriff, OE \$27.50; Wayne State College, SU \$8.18; Wayne, City of, OE \$3,379.51; Nebraska Bank Account #244-220, PS \$22,226.99; Retirement Plans Division of Ameritas, PS \$10,397.77

County Road Fund: Payroll & Reimbursements: \$62,115.98; Ace Hardware & Home, SU \$8.27; Bauer Built, RP \$368.50; Black Hills Energy, OE \$46.06; Exhaust Pros Total Car Care, RP \$46.88; Fredrickson Oil Company, MA \$28,615.00; Grossenburg Implement, RP \$339.44; John’s Welding & Tool LLC, SU \$105.52; Martin & Marietta Materials, MA \$2,682.69; Matteo Sand & Gravel Co. Inc., MA \$19,955.45; Murphy Tractor & Equipment Co., RP \$337.05; Nebraska Harvestore Systems, RP \$21.28; NMC Exchange LLC, RP \$2,126.35; Norfolk Contracting Inc., CO \$124,811.00; Northeast Power, OE \$162.60; Prairie Fabrication LLC, RP \$256.13; Wayne, City of, OE \$516.55; Nebraska Bank Account #244-220, PS \$14,462.83; Retirement Plans Division of Ameritas, PS \$6,966.95;

Lodging Tax Fund: The Little Red Hen Theatre, OE \$500.00, Wayne Area Economic Development Inc., OE \$4,500.00; Winside Pride, OE \$1,500.00;

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

Sievers motioned to recess until 9:00 a.m. on Thursday, September 7th, to continue the executive session—roll call vote: Sievers, Rabe, Burbach – aye; motion carried.

The Wayne County Board of Commissioners meeting reconvened on Thursday, September 7, 2023, at 9:05 a.m. in the Courthouse basement meeting room. Chairman Burbach, Members Terry Sievers and Jim Rabe, Attorney Amy Miller, Deputy Attorney Teri Lamplot, and Clerk Debra Finn were present. A copy of the Open Meetings Act was posted and accessible to the public.

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

A motion was made by Rabe and seconded by Sievers to go into executive session at 9:06 a.m. to protect the reputation of an individual. Included were Burbach, Rabe, Sievers, Miller, Lamplot, and Finn—roll call vote; Rabe, Sievers, Burbach – aye; motion carried.

At 10:17 a.m., a motion was made by Sievers and seconded by Rabe to reconvene in open session—roll call vote: Sievers, Rabe, Burbach – aye; motion carried.

The meeting was adjourned.

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 5th, 2023, 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 before 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 before the next convened meeting of said body.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of September 2023.

Debra Finn, County Clerk