

The Wayne County Board of Commissioners meeting was called to order by Chairman Dean Burbach at 9:00 a.m. on Tuesday, October 3, 2023, in the Public Safety Annex. Chairman Burbach, Members Terry Sievers and Jim Rabe, Sheriff Deputy Daniel Claussen, Attorney Amy Miller, and Clerk Debra Finn were present. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on September 21, 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 September 19th and September 22nd, 2023 minutes, as printed in the Commissioners Record.
- b. Approve fee report: Diane Pieper, Clerk of District Court, September Fees \$458.00
- c. Approve payroll; commissioners abstain from approving a personal claim
- d. Approve County Burial Application No. 23-03.
- e. Approve Central Services Countywide Cost Allocation Plan for FY ended June 30, 2022, for IV-D Child Support costs as prepared by MAXIMUS.
- f. Approve addition of Cusip #63939LAC1 for \$1,300,000 pledged by Bankfirst
- g. Approve Special Designated Liquor License for Andrew Hoehne on October 7, 2023, from 1:00 p.m. to 11:30 p.m. at the Wayne County Fairgrounds

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 amended to remove Julie Schultz, and approved, on motion by Rabe and second by Sievers. Roll call vote: Rabe, Sievers, Burbach – aye; motion carried.

County Treasurer Lisa Lindsay reported:

- a. All 2021 taxes have been paid except those sold on active tax sales in 2022 and 2023. The 2022 tax collection rate is at 92.98%. Twenty-day notices will be sent out for delinquent personal property taxes.
- b. The State Auditor has determined that you cannot earn interest on federal money, so any interest earned on ARPA money must go into the General Fund. The interest earned will be moved by claim.
- c. Interest collections are continuing to rise. Last month, we collected \$30,000; this month, we have collected over \$49,000 on our seven main accounts.

Steve Muir presented the United HealthCare 2022 premium rebate check for \$27,638.20. Rebates are paid when the company does not spend 80% of the premiums on losses.

Disaster Recovery Specialist Sandra Hansen presented a new grant application from the Nebraska Public Health Department to build a new office building for \$900,000. They asked for their previous grant of \$125,000 to be rolled over to this building. The main concern was if the health department had followed proper procurement procedures. The health department felt they were exempt from bidding as this project fell under a public exigency or emergency, and there was inadequate competition. A motion was made by Rabe and seconded by Sievers to defer action on the application until November 7<sup>th</sup> to give the health department time to advertise for bids. Roll call vote: Rabe, Sievers, Burbach – aye; motion carried.

Emergency Manager Nic Kemnitz updated the board on various meetings and workshops. Final amendments were made to the 2023 Local Emergency Operations Plan. A motion was made by Rabe and seconded by Sievers to approve Resolution No. 23-16 adopting the 2023 LEOP. Roll call vote: Rabe, Sievers, Burbach – aye; motion carried.

**Resolution No. 23-16:** Whereas the Board of Commissioners of Wayne County, Nebraska, pursuant to Nebraska Statute, is vested with the authority to administer the affairs of Wayne County, Nebraska; and

Whereas, it has been determined that the Wayne County Local Emergency Operations Plan has been developed to provide for a coordinated response to a disaster or emergency in Wayne County, the Cities of Wakefield and Wayne, and Villages of Carroll, Hoskins, Sholes, and Winside in Wayne County; and

Whereas the Board of Commissioners of Wayne County deems it advisable and in the best interest of Wayne County to approve said Local Emergency Operations Plan;

Whereas the acceptance of this 2023 Local Emergency Operations Plan supersedes all previously approved Wayne County Local Emergency Operation Plans;

Now, therefore, be it resolved by the Board of Commissioners of Wayne County, Nebraska, that the Wayne County Local Emergency Operations Plan be, and hereby is, approved.

Burbach reported speaking to Jeanne Harris about having a county representative on the Wayne Community Housing Board. Wayne Area Chamber Director Luke Virgil stated a county representative would serve two purposes: it would fill a vacancy on the board, and it would represent the county's investment. A motion was made by Sievers and seconded by Rabe to appoint Burbach to serve as the county's representative on the Wayne Community Housing Board. Roll call vote: Sievers, Rabe, Burbach – aye; motion carried.

Highway Superintendent Mark Casey reported they are still working on the Dangberg paperwork. They need to get title searches done for the Nau and Janke documents.

Eastern NE Telephone Company dba Fastwyre Broadband once again requested the county relax their requirements for their proposed Fiber-to-the-Home project in Carroll, NE. The board directed Casey to respond: 1. The depth requirement of 8' below ditches is based on the county's need to clean and modify ditches without damaging utilities in the future. 2. The county would modify the depth beneath culverts to 4" under culverts less than or equal to 36" diameter and 8' under culverts greater than 36" diameter. 3. Cable should be placed in the roadway, approximately three feet from the edge. 4. The county should not be responsible for re-graveling and repairing damage caused by FastWyre's project. The county will continue to require 30 tons of road gravel per mile.

Chapter 4 and part of Chapter 5 of the Personnel Policy were reviewed. A consensus could not be reached on sick leave, vacation leave, and the introduction of retention pay.

Sievers made a motion, and Rabe seconded to enter executive session at 11:18 a.m. to protect the reputation of an individual. Included were Burbach, Sievers, Rabe, Miller, and Finn. Roll call vote: Sievers, Rabe, Burbach – aye; motion carried. Open session reconvened at 11:27 a.m. on a motion made by Sievers and seconded by Rabe. Roll call vote: Sievers, Rabe, Burbach – aye; motion carried.

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

**General Fund:** Payroll & Reimbursements: \$65,354.17; Antelope County Sheriff, OE \$7,685.00; Applied Connective Technologies, CO \$927.50; AT & T Mobility, OE \$735.81; Black Hills Energy, OE \$139.04; Bomgaars, RP,SU \$151.89; Dept. of Correctional Services, OE \$5,137.95; Eakes Office Solutions, OE,SU \$118.51; Ecolab Pest Elimination Services, OE \$61.42; GovConnection Inc., CO \$1,057.00; Hasemann Funeral Home, OE \$5,100.00; Main Street Garage LLC, RP \$186.70; Miller Law, OE,ER \$1,622.03; NACO, OE \$80.00; Nebraska Secretary of State, OE \$120.00; One Office Solution, SU \$159.78; Pac-N-Save, SU \$16.09; Porter & Company PC, OE \$10,515.00; Quadient, SU \$64.60; Quadient Leasing, ER \$1,049.70; Smith, Joseph M., OE \$494.00; Wayne County Clerk of District Court, OE \$36.00; Wayne County Sheriff, OE \$240.64; Nebraska Bank Account #244-220, PS \$14,672.49; Retirement Plans Division of Ameritas, PS \$7,508.72;

**County Road Fund:** Payroll & Reimbursements: \$41,629.10; Black Hills Energy, OE \$45.60; Bomgaars, SU,MA \$663.78; First Source Title & Escrow Co., CO \$330.00; Fredrickson Oil Company, SU,MA \$4,554.00; Grossenburg Implement, RP,MA \$779.98; Martin Marietta Materials, MA \$3,324.91; Matheson Tri-Gas Inc., \$576.02; Matteo Sand & Gravel Co. Inc., MA \$23,197.52; Murphy Tractor & Equipment Co., RP \$867.99; NMC Exchange LLC, RP \$5,261.57; Northeast Glass, RP \$450.00; Northeast Power, OE \$179.76; Weldon Parts Norfolk, RP \$185.97; Nebraska Bank Account #244-220, PS \$8,673.72; Retirement Plans Division of Ameritas, PS \$4,662.18; Vital Records, CO \$16.00;

**COVID Fund:** Wayne County Treasurer, OE \$31,421.25

The meeting was adjourned.

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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 October 3<sup>rd</sup>, 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 6<sup>th</sup> day of October 2023.

Debra Finn, County Clerk