

Wayne, Nebraska
November 18, 2025

The Wayne County Board of Commissioners meeting was called to order by Chairman James Rabe, at 9:00 a.m. on Tuesday, November 18, 2025, in the Wayne County Law Enforcement Building. Chairman Rabe, Members Dean Burbach and Terry Sievers, Sheriff Jason Dwinell, Clerk Joni Tietz, Deputy County Attorney, Ted Lohrberg, were present, with County Attorney, Amy Miller, joining at 9:20. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on November 6, 2025. A copy of the Open Meetings Act was posted and accessible to the public.

Chairman Rabe presented the following consent agenda items:

- a. Approve November 4, 2025, minutes as printed in the Commissioners Record
- b. Approve payroll; commissioners abstain from approving personal claims.
- c. Review fee reports: Diane Pieper, Wayne County Clerk of District Court, \$1068.00; Joni Tietz, Wayne County Clerk, \$10,517.85
- d. Approve Burial Application #25-11

Motion to approve the consent agenda was 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 Burbach and seconded by Sievers. Roll call vote: Burbach, Sievers, Rabe-aye; motion carried.

Luke Virgil, Northeast Nebraska Economic Development coordinator, invited the Leadership Wayne class to introduce themselves.

Sandra Bernt, Wayne County's ARPA coordinator, handed out a final report showing the projects that were done with the ARPA funds received by the County. There is one report due yet in April, 2026. She is waiting for a certificate of substantial completion from the Public Health Dept. but doesn't think it will be a problem to receive it.

Wayne County Treasurer, Lisa Lindsay, then informed the Board that the ARPA account will be at zero and she will close the checking account. The County will receive a cashier's check for interest from the end of October to when the account is closed and be put into County General. Interest from the ARPA funds generated around \$70,000. Sievers made a motion to close Fund 2580 (ARPA) and sign the following Resolution 25-21 with Burbach seconding. Roll call vote: Sievers, Burbach, Rabe-aye. Motion Carried.

RESOLUTION NO. 25-21

WHEREAS Wayne County has determined that all American Rescue Plan Act (ARPA) funds have been distributed and there is no longer a need to have Fund 2580 (Covid Relief Fund);

THEREFORE, the Covid Relief Fund 2580 will be closed as of November 30, 2025.

The County Treasurer is directed to transfer all money remaining in Covid Relief Fund 2580 on November 30, 2025, to County General Fund 100.

The County Treasurer is further directed to automatically transfer any future collections for the Covid Relief Fund 2580 directly to County General Fund 100.

Wayne County Highway Superintendent, Kyle Huff, presented a Road Agreement that Vertical Bridge requested the Commissioners sign to put a communications tower off Wayne County minimum maintenance road 848th west of Nebraska State Highway 15. Motion made by Burbach and seconded by Sievers to authorize the chairman to sign the Road agreement. Roll call vote: Burbach, Sievers, Rabe-aye. Motion carried.

Huff also presented three utility permits from Nebraska Telephone for phone & fiber that met all County requirements. Sievers made a motion to approve all permits with Burbach seconding. Roll call vote: Sievers, Burbach, Rabe-aye. Motion carried.

Next Huff informed the Board that due to misuse, bridge #C009000420 (C90-538) in District 2 needed to be replaced. Because of rising steel product prices Huff promptly obtained quotes from Bs Enterprises and Midwest Service & Sales for bridge replacement. Mainelli Wagner will do the corps permit. I-beams are ordered to get the bridge into passable condition. Sievers made a motion to approve the Bs Enterprises' quote for \$43,290 for bridge replacement. Burbach seconded the motion. Roll call vote: Sievers, Burbach, Rabe-aye. Motion carried.

John Dunklau, representing the Burbach recall committee, inquired if Burbach would step down as commissioner or let the county spend the money to which Burbach replied he would not step down. Dunklau stated

that several people would not sign the petition for fear of not getting projects done and retaliation. Burbach then questioned Dunklau about what was told to the people signing by the recall committee and stated all projects were completed.

Motion was made by Sievers, seconded by Rabe, to sign Resolution 25-22 setting the date for the recall election. Roll call vote: Sievers, Rabe, Burbach-aye. Motion carried.

RESOLUTION NO. 25-22

WHEREAS, on September 25, 2025, a Recall Affidavit was filed against Dean Burbach, Wayne County Commissioner District #2 by John Dunklau, Principal Circulator, and

WHEREAS, on October 16, 2025, said petitions were issued to the Principal Circulator, John Dunklau, and

WHEREAS, on November 13, 2025, said petitions were returned to the County Clerk's Office for signature verification, and

WHEREAS, after the completion of the verification of signatures the following certification was made by the Wayne County Clerk on November 14, 2025, and service was made on Dean Burbach and the Governing Board (Wayne County Board of Commissioners) on November 17, 2025, by personal service.

Total Number for recall purpose: 281

Total signatures submitted: 301

Total rejected signatures: 5

Total valid signatures: 296

WHEREAS, the Governing Body, said Board of Commissioners, hereby finds by said certification that the total number of valid signatures required by law for purposes of a Recall Election has been met; and

WHEREAS, the Governing Body, said Board of Commissioners set the date for said Recall Election to be held on January 13, 2026, in the voting precincts of Wayne County, Nebraska;

NOW, THEREFORE, BE IT RESOLVED, by the Wayne County Board of Commissioners that a Recall Election be held on January 13, 2026, for the purpose of submitting to the voters of County Commissioner District 2, County of Wayne, Nebraska the following question:

Shall Dean Burbach be removed from the office
Of County Commissioner District 2?

Yes
 No

Information regarding a tort claim was acknowledged by the County's insurance company, Travelers. Nothing will be done at this time.

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

General Fund: Payroll & Reimbursements: \$72,068.68; Albin, Mark, OE \$3,690.25; Allo Communications, OE \$3,823.12; Antelope County Sheriff, OE \$6,885.00; Appeara, OE \$591.60; Applied Connective Technologies, OE \$19,845.40; AT&T Mobility, SU \$40.04; B's Enterprises Inc., RP \$40.00; Card Services, SU,MA \$331.29; Card Services, SU \$584.55; DAS State Accounting, OE,ER \$205.00; Ecolab Pest Elimination Services, OE \$140.11; Egley, James, OE \$121.00; ESRI Inc., OE \$460.00; Farmers Co-Operative, MA \$239.90; Fast Pik, MA,OE \$1,159.03; Fastwyre Broadband, OE \$144.97; Floor Maintenance, SU \$209.81; Hawthorne, Amanda, OE \$144.00; Jason Sears Flooring, CO \$23,233.61; Madison County Jail, OE \$750.00; Main Street Garage LLC, RP \$1,165.54; McDonald, Christal, OE \$100.00; MIPS Inc., ER,CO \$2,992.42; NACO, OE \$2,455.56; NACVSO, OE \$50.00; Nebraska Weed Control Assn, OE \$135.00; Northeast Nebraska Juvenile, OE \$45.00; Northeast Nebraska Telephone CO, OE \$79.60; Pac-N-Save, SU \$44.49; Physicians Laboratory PC, OE \$30.00; Pieper & Story, OE \$875.00; Security Shredding Services, OE \$100.00; Stover, Ryan, OE \$121.00; Sturgis, Daniel, OE \$121.00; Tilden Drug, OE \$302.37; Trane, RP \$1,665.67; U.S. Cellular, OE \$474.17; UHS Premium Billing, PS \$103,244.14; Visa, SU,OE \$793.08; Visa, SU \$293.52; Visa, SU \$160.39; Waste Connections of Nebraska, OE \$188.50; Wayne County Clerk of Dist Ct, OE \$78.00; Wayne County Court, OE \$172.50; Wayne Herald, OE \$622.15; Wayne, City of, OE \$9,220.20; Lucas Munter, OE \$1,000.00; Woehler Trailer Court LLC, ER \$700.00; Nebraska Bank Acct #244-220, PS \$16,314.89; Aflac, PS \$946.05; Delta Dental of Nebraska, PS \$510.84; First Concord Benefits Group, PS \$1,745.82; Legal Shield, PS \$61.85; Nebraska Department of Revenue, PS \$4,911.99; Retirement Plans Division of Ameritas, PS \$8,383.55; Vision Service Plan, PS \$255.61; Washington National Ins. Co., PS \$55.10; Wayne County Treasurer, PS \$1,951.95; Stonacek Funeral Chapel, OE \$3,348.00;

County Road Fund: Payroll & Reimbursements: \$42,465.60; Appeara, OE \$56.20; B's Enterprises Inc., MA \$11,081.00; Backus Sand & Gravel, MA \$112,746.22; Bauer Built, RP \$680.41; BOKF NA, CO \$398,935.00; Card Services, SU \$65.34; Carroll, Village of, OE \$106.50; Dinkels, RP \$2,072.00; Farmers Co-Operative, SU,MA,RP \$22,389.77; Fast Pik, RP \$308.00; Filtercare of Nebraska, RP \$31.50; John's Welding & Tool LLC, SU,MA \$517.74; Mainelli Wagner & Assoc, CO \$34,745.40; Matheson Tri-Gas Inc., SU \$79.42; Matteo Sand & Gravel Co Inc.,MA \$5,804.61; NMC Exchange LLC, RP,SU,MA \$2,046.62; Pomp's Tire Service Inc., RP \$6,384.00; Stalp Gravel Company, MA \$40,521.11; Stanley Petroleum Maint Inc.,

SU \$591.30; The Trusty Wrench, RP \$1,212.00; Wayne Auto Parts, RP,SU \$1,261.70; Winside, Village of, OE \$97.83; Nebraska Bank Acct #244-220, PS \$9,048.15; Aflac, PS \$170.06; Delta Dental of Nebraska, PS \$372.86; First Concord Benefits Group, PS \$1,158.32; Nebraska Department of Revenue, PS \$2,643.94; Retirement Plans Division of Ameritas, PS \$4,777.38; Vision Service Plan, PS \$57.93; Wayne County Treasurer, PS \$1,348.15;
Lodging Tax Fund: Wayne Area Economic Development Inc., OE \$512.00
ROD Preservation & Maintenance Fund: MIPS Inc., OE \$162.87;
Covid Fund: Wayne County Treasurer, OE \$1,740.60;

State of Nebraska)
County of Wayne) ss.

I, the undersigned, County Clerk of Wayne County Nebraska, hereby certify that all of the subject included in the attached proceedings were contained in the agenda for the meeting of November 18, 2025, 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 18th day of November, 2025.

Joni Tietz, Wayne County Clerk