

The Wayne County Board of Commissioners meeting was called to order by Chairman James Rabe at 9:00 a.m on Tuesday January 20, 2026, in the Wayne County Courthouse courtroom. Chairman Rabe, Member Terry Sievers, Sheriff Jason Dwinell, Ted Lohrberg, Deputy County Attorney and County Clerk Joni Tietz were present. Notice of this meeting was published in the Wayne Herald, a legal newspaper, on December 8, 2026. A copy of the Open Meetings Act was posted and accessible to the public.

Chairman Rabe presented the following consent agenda items:

- a. Approve January 6, 2026, minutes as printed in the Commissioners Record
- b. Approve payroll; commissioners abstain from approving personal claim
- c. Approve fee reports: Joni Tietz, Wayne County Clerk, December Fees \$13,616.60; Jason Dwinell, Wayne County Sheriff, December Fees \$1063.66

A motion to approve the consent agenda was made by Sievers, seconded by Rabe. Roll call vote: Sievers, Rabe-all ayes. Motion carried.

A motion to approve the regular agenda was made by Rabe and seconded by Sievers. Roll call vote: Sievers, Rabe – aye; motion carried.

Motion made by Sievers, seconded by Rabe, to approve the recommendations of the Wayne County Convention & Visitors Bureau Commission on the following Lodging Tax Grant Applications A-G, denying H. Roll call vote: Sievers, Rabe-aye. Motion carried.

- A. #25-28 Cruise Main in Wayne - \$2000.00
- B. #25-29 Winside Fire Dept - \$750
- C. #25-30 Carroll Fire Dept - \$750
- D. #25-31 Little Red Hen Theatre - \$750.00
- E. #25-32 Little Red Hen Theatre - \$750.00
- F. #25-33 Little Red Hen Theatre- \$750.00
- G. #25-34 Wayne Area Legacy Fund - \$1000 (advertising only)
- H. #25-35 Winside Museum-Declined, the board felt this did not meet grant guidelines

Wayne County Clerk, Joni Tietz, presented the Board with the certified election results from the recall Election in District 2 showing 341 votes for “YES” and 206 votes for “NO”.

Rabe made a motion with Sievers seconding, to appoint Travis Heft as the interim road foreman for District 2 until such time as a District 2 Commissioner is chosen. Roll call vote: Rabe, Sievers-aye. Motion carried.

The Wayne County Treasurer’s Semi-annual Report was reviewed.

The Board was informed that a new grant had been applied for through the Nebraska Emergency Management Agency for more cybersecurity options.

Kyle Huff, Wayne County Highway Superintendent, reviewed several items with the Board.

Resolution 26-2 was presented for certification of completion of a project under CBMP entitling the county to a reimbursement of \$108,311.08 for C009002810 and C009012725. The project was a pipe project west of Winside in District 3 and a project in District 2 north of Hansens. Motion made by Sievers, seconded by Rabe to approve the following resolution. Roll call vote: Sievers, Rabe-all ayes. Motion carried.

RESOLUTION CERTIFYING PROPER COMPLETION OF PROJECT-26-2

WHEREAS, Wayne County and State entered into an agreement entitled “County Bridge Matching Program Agreement”, for Structure Numbers C009002810 and C009012725 (the Project), Program Agreement Number BL2354 signed by State on the 6th day of March, 2023; 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 Nos. C009002810 and C009012725, 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 State-approved change orders,
 - (b) all applicable design standards, and
 - (c) the conditions 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(7)
 NDOT Control Number: 00974F
 NDOT LPA Control Number: 00974F(m)
 NDOT Project Name: County Bridge Match Program

Motion made by Sievers, seconded by Rabe to approve the Utility Permit Application of Aaron Bierman south of the intersection of 847th Road & 580th Avenue that would include trenching a power meeting all county requirements. Sievers, Rabe-all ayes. Motion carried.

Huff presented a Road Use Agreement with Sholes Energy for battery energy storage. This is on private property west of Carroll in District 2 using existing driveways. The District 2 Foreman will be informed of the progress. Rabe made a motion to approve the Road Use Agreement with Sievers seconding. Roll call vote: Sievers, Rabe-aye. Motion carried.

Huff also proposed a resolution amending the utility line policy. Motion made by Sievers, seconded by Rabe, to approve Resolution 26-3 amending the utility line policy. Roll call vote: Sievers, Rabe-aye. Motion carried.

RESOLUTION No. 26-3

Place a Utility Line Amendment

WHEREAS, on March 7, 1989, the Board of County Commissioners of Wayne County, Nebraska, adopted a policy for accommodating utilities on county road rights of way; and

WHEREAS, on July 16, 1991, said Board clarified and amended said policy; and

WHEREAS, on July 19, 2005, said Board clarified and amended said policy; and

WHEREAS, further amendment and clarification is in the public interest; now therefore

BE IT RESOLVED, by said Board said policy is hereby further clarified and amended as follows: any such utility line running parallel with the roadway which is hereafter buried in a road embankment shall, in the area of any culvert, well clear of the culvert, as near as possible to the right-of-way line, be required to be bored 4' under culverts less than or equal to 36", or bored 8' under culverts greater than 36".

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

General Fund: Payroll & Reimbursements: \$68,351.21; Ace Hardware & Home, SU \$10.95; Albin, Mark, OE \$737.90; Allo Communications, OE \$3,080.75; Antelope County Sheriff, OE \$5,085.00; Appera, OE \$423.29; Applied Connective Technologies, OE \$3,336.40; AT & T Mobility, SU,OE \$133.14; Brogan Lamml PC LLO, OE \$718.75; Candlewood Suites, OE \$1,499.40; Card Services, SU \$111.03; Card Services, SU \$426.37; Claussen, Sarah, PS \$25.00; DAS State Accounting, OE,ER \$205.00; Doescher, Jan, PS \$25.00; Eakes Office Solutions, SU \$77.86; Ecolab Pest Elimination Service, OE \$140.11; Farmers Co-Operative, MA \$239.55; Fast Pik, MA,RP \$824.12; Fastwyre Broadband, OE \$145.08; Fletcher, Irene, PS \$25.00; Floor Maintenance, SU \$160.83; Jamie Miller Law, OE \$803.25; Maximus Inc., OE \$2,100.00; NACO, OE \$75.00; Nebraska Co Assessors Assoc, OE \$100.00; Nebraska Dept of Revenue, OE \$9,362.38; Nebraska Weed Control Assn, OE \$150.00; Northeast Nebraska Telephone Co., OE \$78.04; Physicians Laboratory PC, OE \$424.00; Security Shredding Services, OE \$40.00; Smith, Joseph, OE \$142.50; Thurston Co Sheriff, OE \$1,380.00; Tilden Drug, OE \$33.42; U.S. Cellular, OE \$474.17; UHS Premium Billing, PS \$84,677.52; Visa, OE \$45.02; Visa, MA \$51.47; Visa, SU,MA \$65.35; Waste Connections of Nebraska, OE \$188.50; Wayne America Inc., OE \$100.00; Wayne County Court, OE \$216.00; Wayne Herald, OE \$483.57; Wayne, City of, OE \$1,107.59; Woehler Trailer Court LLC, ER \$700.00; Zach Heating & Cooling, RP \$268.00; Faith Regional Health Services, OE \$121.00; Faith Regional Health Services, OE \$420.00; Burbach, Dean, PS \$29.36; Nebraska Bank Acct #244-220, PS \$15,359.05; Aflac, PS \$688.40; Delta Dental of Nebraska, PS \$452.12; First Concord Benefits Group, PS \$1,745.82; Legal Shield, PS

\$61.85; Nebraska Department of Revenue, PS \$4,965.38; Retirement Plans Division of Ameritas, PS \$7,953.33; Vision Service Plan, PS \$223.77; Washington National Ins. Co., PS \$55.10; Wayne County Treasurer, PS \$1,504.41;

County Road Fund: Payroll & Reimbursements: \$37,039.44; Appera, OE \$100.92; B'S Enterprises Inc., CO \$3,100.00; Carroll, Village of, OE \$106.50; Cornhusker International Trucks, RP \$1,049.19; Farmers Co-Operative, OE,SU,MA \$3,146.04; Fast Pik, RP \$40.00; Floor Maintenance, SU \$176.20; Grossenburg Implement, RP \$69.37; Hansen Brothers Parts & Service Inc., RP \$616.06; John's Welding & Tool LLC, RP \$225.52; Kay Contracting Inc., OE \$2,610.00; Lance, Mike, OE \$110.00; Marx Repair LLC, RP \$151.80; Nebraska Harbestore Systems, RP,MA \$339.96; NMC Exchange LLC, RP \$2,678.83; Powerplan, RP \$2,431.57; Sioux City Truck Sales, RP \$283.63; Wayne Auto Parts, SU,RP \$1,720.87; Winside, Village of, OE \$353.20; Nebraska Bank Acct #244-220, PS \$7,750.26; Aflac, PS \$170.06; Delta Dental of Nebraska, PS \$372.86; First Concord Benefits Group, PS \$1,158.32; Nebraska Department of Revenue, PS \$2,894.26; Retirement Plans Division of Ameritas, PS \$4,166.93; Vision Service Plan, PS \$57.93; Wayne County Treasurer, PS \$1,178.06;

Lodging Tax Fund: Wayne Herald, OE \$132.00; Woslager, David, OE \$58.85;

Inheritance Tax Fund: Carlson, Ellen, PS \$24.00; Clark, Marian, PS \$24.00; Fallesen, Delores, PS \$12.00; Finn, Debra, PS \$96.00; Hefti, Roger, PS \$60.00; Hitchcock, Richard, PS \$84.00; Holdorf, Delmar, PS \$36.00; Janssen, Leroy, PS \$120.00; Johnson, Lorraine, \$252.00; Landanger, Billy, PS \$36.00; Lutt, Melinda, PS \$96.00; McDonald, Karen, PS \$156.00; Miller, Myron, PS \$72.00; Muhs, Douglas, PS \$48.00; Mundil, Joseph, PS \$60.00; Nissen, Robert, PS \$204.00; Reeg, Joyce, PS \$12.00;

Meeting was adjourned

Joni Tietz, 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 subject included in the attached proceedings were contained in the agenda for the meeting of January 20, 2026, kept continually current and available for the 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 20th day of January, 2026.

Joni Tietz, Wayne County Clerk