

The York County Board of Commissioners met according to law on October 19, 2010 at 9:35 a.m. as per notice in the York News Times on October 14, 2010, with Chairman Augustus M. Brown Jr. with Steve Neujahr, Kurt Bulgrin, Patricia Bredenkamp and Eugene Bergen. Also present were Melanie Wilkinson, correspondent for the York News Times; Bill Sutter, County Attorney; Tom Shellington, Bill Bamesberger and Paul Buller.

The agenda of the meeting was posted on the bulletin board in the County Clerk's office and a copy of the agenda was made available to each Commissioner.

Brown announced that the Open Meetings Law was posted outside the door along with copies in the back of the Board Room. Proof of publication was also available.

The Board met with Elected Officials and Department heads prior to the regular meeting. No action was taken.

Moved by Neujahr, seconded by Bergen to approve the York County Board of Commissioners minutes for October 5, 2010 Board of Commissioners meetings; roll call: yeas, Neujahr, Bergen, Bredenkamp, Bulgrin and Brown; nays, none; motion carried.

Moved by Bredenkamp, seconded by Bulgrin to adopt the agenda for our October 19, 2010 Board of Commissioners meeting as submitted; roll call: yeas, Bredenkamp, Bulgrin, Bergen, Neujahr and Brown; nays, none; motion carried.

There were no General Assistance cases to be brought before the Board.

There were interfund transfers to be brought before the Board.

Payroll and vendor claims were reviewed by the Board along with additional claims from WAW in the amount of \$89,327.66 from the Road Fund; Maximus in the amount of \$2,700.00 and \$624.14 to SENDD from the General Fund, along with Kerry's Restaurant in the amount of \$360.00.

Moved by Bulgrin, seconded by Bergen to approve the payroll in the amount of \$123,498.43 and vendor claims including the claims to Kerrys Restaurant for \$306.00; Maximus for \$2,700.00; SENDD for \$624.14 and WAW for \$89,327.66; roll call: yeas, Bulgrin, Bergen, Neujahr, Bredenkamp and Brown; nays, none; motion carried.

<u>Fund Name</u>	<u>Description</u>	<u>Total</u>
Gen	Bag N Save	Supplies 472.47
Rd	Barrett Bros. Inc.	Repair Parts 72.50
Visitors Prom	Benedict Community Association	Grant 964.00
Gen	Eugene Bergen	Mileage 180.00
Gen	Samuel Bethune	Reimbursement 48.00
Gen	Blue Knight Security	Security Contract 2,070.00
Inher Tax	Blue Valley Community Action	Budget 10-11 9,094.00
Gen	Marjorie Braman	Retirement 11.00
Gen	Buffalo County Sheriff Dept.	Court Costs 18.53
Gen, Aging	Lori Byers	Reimbursement 124.01
Rd	Car Parts	Repair Parts 259.13
Aging	Cash-Wa Distributing Co.	Supplies 409.42
Rd	CCP Industries Inc.	Shop Supplies 231.91
Gen	Centre Place Dental, P.C.	Medical-Prisoners 108.00
Gen	Charlie's U Save Pharmacy	Medical-Prisoners 2,183.85
Gen	Ann Charlton	Reimbursement 977.96
Gen	Gary Charlton	Retirement 11.00
Gen	City of Henderson	Sheriff Costs 5,000.00
Ambulance	City of York-Ambulance	Quarterly Payment 47,000.00
Gen	City of York	Water 1,285.81
Gen	Clerk of the Supreme Court	Court Costs 250.00
Gen	Cornerstone Bank	Data Proc Equipment 62.60
Gen	County Records Inc.	Appraiser's Fees 45.00
Rd	Cross-Dillon Tire	Tire Repair 1,177.48
Gen	Cutting Edge Lawn Service	Mowing Services 200.00
Gen	Gregory C. Damman	Attorney Fees 1,687.50
Gen	Data Tech Computer Services	Data Processing Costs 279.95
Gen	Dell Marketing L.P.	Office Equipment 2,242.84
Gen	Diebold, Inc.	Office Equipment 107.00
Gen, Rd	Eakes Office Plus	Office Supplies 933.07
Gen	Election Systems & Software, Inc.	Voting Supplies 4,157.34
Rd	Farm Plan	Repair Parts 34.99
Rd	Fastenal Industrial & Const Supply	Shop Supplies 45.15
Gen	First Concord Benefits Group, LLC	Insurance 2,905.64
Gen	Stephen Fisher	Mileage 78.50
Gen	Galls, An Aramark Company	Uniform Allowance 43.98
Rd	Garrett Tires & Treads - GI	Tire Repair 27.00
Gen	Deana Gartner	Court Costs 20.00
Rd	General Fire & Safety Equipment	Repair Parts 145.60
Gen	James Golden	Court Costs 20.00
Gen	Grand Central Foods	Board of Prisoners 2,706.96
Gen	Great Plains Pest Management, Inc.	Building Maintenance 97.00
Aging	Carolyn Hambleton	Mileage 14.00
Gen	Harry Hecht	Retirement 16.00
Gen	Hobart Sales & Service	Equipment 177.15

Aging	Nancy Hoblyn	Mileage	144.00
Gen	Hometown Leasing	Office Equipment Rental	1,524.04
Rd	Hooker Bros. Sand & Gravel, Inc.	Gravel	5,202.48
Inher Tax	Hope Crisis Center	Budget 10-11	4,563.00
Gen	Jaime L Hopp Hegr	Attorney Fees	820.21
Rd	Hy-Way Trailer Inc.	Repair Parts	2,625.00
Rd	Jackson Services Inc.	Shop Supplies	80.30
Rd	Johnson Sand & Gravel Co, Inc.	Gravel	7,533.00
Gen	Kerry's Restaurant & Catering, Inc.	Banquet Meal	306.00
Gen	Gayla Knight	Mileage	29.00
Gen	Kopchos Sanitation, Inc.	Garbage	140.00
Gen	Jennifer Stehlik Ladman	Attorney Fees	307.50
Gen	Lancaster County Sheriff	Court Costs	34.96
Gen	LaRue Distributing, Inc.	Supplies	38.78
Gen	Jocelyn M. Lemke	Court Costs	48.00
Gen	Lincoln County Sheriff	Court Costs	8.66
Rd	Linweld, Inc.	Repair Parts	667.92
Gen, Aging	Mainstay Technologies LLC	Internet Service	79.94
Gen	Fran Matzner	Court Costs	45.00
Gen	Maximus, Inc.	Cost Allocation	2,700.00
Aging	Jerri Merklinger	Mileage	48.64
Gen	Metz Mortuary	Autopsy Costs	330.00
Gen	Microfilm Imaging Systems, Inc.	Data Processing Equipment	256.75
Gen	Miller Seed & Supply Co., Inc.	Grounds Maintenance	494.45
Gen	MIPS Inc.	Data Processing Equipment	1,140.87
Gen	Mogul's Transmission, Inc.	Vehicle Maintenance	180.20
Rd	Myers Tire Supply	Shop Tools	192.58
Gen	Naber's Repair Service	Supplies	16.87
Gen	Ne Criminal Defense Attorneys	Registration	175.00
Gen	Ne Lablinc	Medical-Prisoners	114.07
Gen	Ne Public Health Environmental Lab	Drug & Alcohol Tests	84.00
Rd	Ne Public Power District	Electricity	297.61
Rd	Ne Salt & Grain Co.	Chemical Supplies	1,318.34
Rd	Ne Truck & Equipment Co., Inc.	Repair Parts	124.26
Employ Act	Ne Workforce Development	Unemployment Payments	293.33
Gen	Steve Neujahr	Mileage	85.00
Gen	Neurology Associates, P.C.	Medical-Prisoners	355.00
Rd	Nichols Construction Co	Gravel	469.45
Rd	NMC Exchange LLC	Grader Blades	1,790.80
Gen	North Office Supply	Office Supplies	219.18
Rd	O'Reilly Auto Parts	Repair Parts	18.98
Rd	OfficeNet	Office Equipment	424.44
Rd	Overland Sand & Gravel Company	Gravel	5,846.39
Gen	Pamida Stores Operation Co LLC	Medical-Prisoners	14.97
Gen	Lynn Peavey Company	Drug & Alcohol Tests	95.76
Rd	Perennial Public Power District	Electricity	51.27
Gen	C. Jo Petersen	Attorney Fees	285.00
Rd	Precision Industries	Shop Supplies	5.67
Gen	Quality Inn & Suites-North Platte	Lodging	345.00
Gen	Dale Radcliff	Reimbursement	347.09
Gen	Radiology Associates PC	Medical-Prisoners	425.00
Rd	Rasmussen Auto Parts	Repair Parts	7.14
Gen	Rasmussen Mechanical Services, Inc.	Building Maintenance	2,018.67
Gen	Melvin Reetz	Retirement	12.00
Gen	Region V Services	Quarterly Participation	6,496.00
Gen	Region V Systems	Quarterly Participation	5,182.00
Rd	Don Robb	Reimbursement	151.80
Gen	Don Sandman	Mileage/Meals	313.22
Gen	Sarpy County Sheriff	Court Costs	20.65
Visitors Prom	Bob Sautter	Mileage	80.50
Gen	Seward County Sheriff	Court Costs	31.78
Gen	Southeast Nebraska Development Dist	Contract	624.14
Rd	Speece Lewis Engineers	Engineering	5,596.65
Gen	Stahr & Associates	Contractual Services	1,700.00
Gen	State of Ne Das Central Finance	Data Processing Equipment	48.25
Rd	State of Ne-Das Materiel Surplus	Other Equipment	875.00
Gen	State of Ne-Das Communications	Equipment Rental	448.00
Rd	State of Ne-Dept of Revenue	Fuel Tax	3,584.00
Gen	Bruce Stephens	Attorney Fees	765.00
Gen	Svehla Law Offices	Attorney Fees	1,166.18
Gen	Technical Services, Inc.	Equipment Repair	65.00
Gen	Telephone Systems of Nebraska, Inc.	Security Equipment	66.00
Gen	Time Warner Cables	Subscription	70.03
Gen	Transit Works	Appraiser's Fees	44.04
Rd	Tri County Automotive	Shop Tools	9.49
Rd	Truck Equipment Service Company	Repair Parts	299.16
Gen	True Value	Supplies	113.91

Rd	United Farmers Cooperative	Fuel	38,226.20
Visitors Prom	USA Outdoor II, LLC	Billboard Rental	360.00
Gen, Rd	Verizon Wireless Services LLC	Telephone Service	435.61
Rd	Village of Bradshaw	Electricity	9.60
Rd	Village of McCool Junction	Water/Sewer	34.00
Gen	Paul Vrbka	Reimbursement	119.27
Rd	WAW Construction, Inc.	Bridges	89,327.66
Visitors Prom	Web Tech Solutions	Website Maintenance	25.00
Rd	Weldon Industries	Repair Parts	253.56
Gen	Eric Williams	Attorney Fees	1,785.00
Rd	William Williamsen	Reimbursement	50.00
Gen, 911, Rd, Relief	Windstream Communications	Telephone Service	2,946.24
Inher Tax	York Adopt-A-Pet	Budget 10-11	4,000.00
Visitors Prom	York County Ag Society	Grant	2,000.00
Visitors Prom	York County Development Corp	Office Expenditures	4,993.03
Gen	York County District Court	Court Costs	380.00
Gen	York County Highway Dept	Fuel	4,003.32
Gen	York County Sheriff	Reimbursement	7,541.54
Gen	York General Hospital	Medical-Prisoners	4,431.15
Gen	York Medical Clinic PC	Medical-Prisoners	283.68
Gen, Aging, Visitors Prom	York News-Times	Publication	2,837.06
Gen	York Printing Company, LLC	Office Supplies	52.60
Aging	York Wholesale Company	Program Supplies	52.90

Resolution #10-52 and 10-52A set out wages for county employees. It was found that corrections needed to be made to some of the employees and that some employees were inadvertently left out.

Moved by Neujahr, seconded by Bredenkamp to amend Resolution #10-52 and #10-52A to change the following hourly wages: Debra Miller \$10.75; Verla Krula \$9.25; Deb Nelsen for purposes of Planning and Zoning \$15.65; Susan Stahr \$10.65; Stephanie Stanley \$10.25; roll call: yeas, Neujahr, Bredenkamp, Bulgrin, Bergen and Brown; nays, none; motion carried.

RESOLUTION #10-52
(as Amended on October 19, 2010)

WHEREAS, the York County Board of Commissioners met at their regular meeting on September 7, 2010 to discuss the salary proposals submitted by various department heads regarding employment and duties of their staff to the end of the fiscal year, June 30, 2011 and effective July 1, 2010 or until further action by the Board.

BE IT RESOLVED that the wages for the following employees are hereby adopted as follows:

Debra Miller, Driver	\$10.75 pr hr.
Verla Krula, Dispatcher	\$9.25 pr hr.
Deb Nelsen, Planning & Zoning	\$15.65 pr hr.
Susan Stahr, Extension	\$10.65 pr hr.
Stephanie Stanley, Extension	\$10.25 pr hr.

BE IT THEREFORE RESOLVED that from July 1, 2010 to June 30, 2011, the above wages are amended and adopted for the above county employees in the above offices.

Dated this 19th day of October, 2010.

The Nebraska Department of Roads Bridge Division submitted an agreement and proposed resolution whereby the State and County defined the responsibilities each would assume regarding bridge inspections within the county.

Moved by Bredenkamp, seconded by Neujahr to adopt Resolution #10-61 to approve the execution of an agreement with the State of Nebraska Department of Roads regarding the National Bridge Inspection Standards Responsibilities; roll call: yeas, Bredenkamp, Neujahr, Bergen, Bulgrin and Brown; nays, none; motion carried.

RESOLUTION #10-61

A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF AN AGREEMENT WITH THE STATE OF NEBRASKA, DEPARTMENT OF ROADS REGARDING THE NATIONAL BRIDGE INSPECTION STANDARDS RESPONSIBILITIES

Be it resolved by the County Board and Chairperson, York County, Nebraska, that:

1. The county shall enter into an Agreement with the Nebraska Department of Roads for the purpose of defining responsibilities in meeting the National Bridge Inspection Standards
2. The Chairperson for the County Board is hereby authorized and directed to execute said agreement on behalf of York County, 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.

PASSED AND APPROVED THIS 19th DAY OF October, 2010.

AGREEMENT

County of York
State of Nebraska, Department of Roads
National Bridge Inspection Standards Responsibilities

THIS AGREEMENT, made and entered into by and between the County of York, hereinafter referred to as the "Local Bridge Owner," and the State of Nebraska, Department of Roads, hereinafter referred to as the "State" regarding the National Bridge Inspection Standards responsibilities.

WITNESSETH:

WHEREAS, the State is responsible for the inspection and evaluation of all State Highway System bridges.

WHEREAS, the various Counties and Municipalities are responsible for the inspection and evaluation of all bridges on streets and roadways within their respective jurisdictions,

WHEREAS, the Nebraska Bridge Inspection Program (BIP) Manual sets forth methods and procedures that enable local public bridge owners to comply with the NBIS.

WHEREAS, bridge inspections and load ratings are a requirement of the NBIS and the BIP, and

WHEREAS, at the request of FHWA, the parties wish to enter into this agreement to establish uniform bridge inspection and load rating guidelines in accordance with the NBIS.

NOW THEREFORE, in consideration of these facts and the promises of the parties, the parties hereto agree as follows:

SECTION 1: DEFINITIONS

Wherever in this agreement the following terms are used, they will have the meaning here given:

"STATE" means the Nebraska Department of Roads in Lincoln, Nebraska, the director of the Department, or an authorized representative.

"LOCAL BRIDGE OWNER" means a Nebraska county, Nebraska municipality or other entity that has jurisdiction over public roads and the bridges on the same.

"FHWA" MEANS THE Department of Transportation, Federal Highway Administration.

"NBIS" means the National Bridge Inspection Standards, Code of Federal Regulations Title 23, Part 650, Subpart C.

"BIP" means the Nebraska Bridge Inspection Program for implementing the NBIS including all operations required by the NBIS (inspection, load rating etc.) defined in the BIP Manual and described herein.

"BIP MANUAL" means the current version of the compilation of policies and procedures to accomplish the objectives of the NBIS in Nebraska. The BIP Manual currently in effect is the issue dated January 25, 2010.

"PUBLIC ROAD" means any road or street under the jurisdiction of and maintained by a public authority and open to public travel, defined in Code of Federal Regulations Title 23 Part 101(a) (27).

"MAINTENANCE" means the act, operation, continuous process of repair, reconstruction or preservation of the whole or any part of any highway, including surface, shoulders, roadsides, traffic control devices, structures, waterways, and drainage facilities, for the purpose of keeping it at or near or improving upon its original standard of usefulness and safety, defined in Nebraska State Statute 39-101(6). Maintenance encompasses the bridge management practices of inventory inspection and load rating.

SECTION 2: PURPOSE

The purpose of this agreement is to define the Local Bridge Owner's responsibilities in complying with the NBIS, which, in part requires that every bridge be load rated and that inventory inspections are done at specified intervals.

SECTION 3: SCOPE OF LOCAL BRIDGE OWNER RESPONSIBILITIES AND SCHEDULE FOR COMPLETION

1. Load Rating

All bridges; new, reconstructed, and deteriorated (based on inspection results), except those described in subsection 3 below, shall be load rated by the Local Bridge Owner or their consultant using the methods and procedures in the BIP Manual. This requires, in part, that the load rating documents be stamped and signed by a Nebraska professional engineer and submitted to the State's Bridge Division in compliance with the procedures and timeframes in the BIP Manual. All load ratings will undergo a Quality Control check by the Local Bridge Owner or their consultant.

2. Bridge Inventory Inspection

All bridges, except those described in subsection 3 below, shall be inspected by the Local Bridge Owner or their consultant in compliance with the procedures in the BIP Manual. This requires, in part, that the inspection be completed by an NDOR-certified bridge inspection team leader within the specified inspection time interval for a given bridge, and that the reports to be submitted to the State's Bridge Division following the procedures and timeframes set out in the BIP Manual. All inventory inspections will undergo a Quality Control check by the Bridge Owner or their consultant.

3. Bridge Inventory Inspection and Load Rating – Fracture Critical

The State, on behalf of the Local Bridge Owner, will contract with a private consultant for the inspection and load rating of all fracture critical bridges. Funding for these inspections and load ratings will be from a combination of Federal aid and Local funds.

SECTION 4: STATE DUTIES

The State will be responsible for creating and maintaining a database for bridge inventory and load rating data for all public bridges in Nebraska. The State will continue to have jurisdictional responsibility for all public bridges on the State highway system. Further, the State will be responsible for arranging for the inspection by consultants, for the local bridge owners, on the fracture critical bridges as described in Section 3 above. The State will also provide underwater bridge inspection services for the local bridge owner. It is the intent of the parties that this agreement does not shift to the local bridge owner any jurisdictional responsibility for bridges on the State highway system, and does not shift any duty to the State for jurisdictional responsibility of any bridges off of the State highway system.

SECTION 5: SANCTIONS-FEDERAL-AID FUNDING WITHHOLDING

The FHWA and the State on its behalf, retain the right to withhold federal-aid bridge and highway funding from any Local Bridge Owner that fails to inspect and load rate its bridges using the methods or within the applicable time frames of the NBIS or the BIP.

SECTION 6: FUNDING FOR BHIP RESPONSIBILITIES

The Local Bridge Owner may use local funds or Federal aid for completing its BIP responsibilities. If a Local Bridge Owner chooses to use Federal aid for their Bridge Inspection responsibilities, a separate agreement between NDOR and the Local Bridge Owner will be prepared and executed for that purpose.

SECTION 7: RESOLUTION

The Local Bridge Owner shall complete a resolution adopting and approving the execution of this agreement and include it as Exhibit "A" to this agreement.

IN WITNESS WHEREOF, the Local Bridge Owner and State hereto have caused this agreement to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

EXECUTED by the Bridge Owner this 19th day of October, 2010.

Blue Valley Community Action Partnership requested a resolution to appoint a representative from the County Board to serve from November 2010 through November 2013. Eugene Bergen's term on the County Board will end January 2011.

Moved by Bulgrin, seconded by Neujahr to adopt Resolution #10-62 appointing Commissioner Pat Bredenkamp as our representative on the Blue Valley Community Action Partnership Board of directors and furthermore the Board expresses their sincere thanks and appreciation to Gene Bergen for his years of service on the board of directors; roll call: yeas, Bulgrin, Neujahr, Bergen, Bredenkamp and Brown; nays, none; motion carried.

RESOLUTION #10-62

WHEREAS, the York County Board of Commissioners has been advised that Eugene Bergen's term on the Blue Valley Community Action Board of Directors will be expiring on November 2010; and

WHEREAS, the Board is aware that his term as County Commissioner will end on January of 2011; and

WHEREAS, Commissioner Patricia Bredenkamp is presently serving as an alternate to the Board and is willing to serve as York County's representative on the Board of Directors;

NOW, THEREFORE, BE IT RESOLVED that Commissioner Patricia Bredenkamp is hereby appointed to replace Eugene Bergen on the Blue Valley Community Action Partnership Board of Directors for the period of November 2010 through November 2013.

Dated this 19th day of October, 2010.

Committee reports were given.

Roofing bids were opened at 11:00 a.m. as advertised on September 27, October 4 and October 11, 2010. The only bid received was from Conner Roofing Company Inc. in the amount of \$37,850.00 along with the cost of 4 X 8 - 2" ISO insulation at \$30.00 per sheet. Deduct \$1,100.00 for Conner Roofing 10 year warranty instead of 15 year manufacturer's warranty.

Moved by Neujahr, seconded by Bredenkamp to go with the bid and the fifteen (15) year warranty; roll call: yeas, Neujahr, Bredenkamp, Bergen, Bulgrin and Brown; nays, none; motion carried.

Clerk Heine submitted her September 2010 fee report in the amount of \$14,810.87. The report was reviewed and placed on file.

Sheriff Radcliff submitted his July and August fee reports in the amounts of \$8,453.49 and \$5,232.97. The reports were reviewed and placed on file.

The Board conducted the quarterly jail visit.

The Board tabled action on signing the Cost Allocation Plan Certification Statement for Maximus Inc. regarding indirect costs recovered for child support enforcement until the next scheduled meeting as more information needed to be obtained.

The Chairman declared the meeting adjourned at 10:23 a.m. The next meeting will be November 2, 2010 at 8:30 a.m. with Elected Officials/Department Heads; 9:20 a.m. with the General Assistance Administrator and 9:35 a.m. in the County Commissioners Room, lower level of the Courthouse for the regularly scheduled meeting.

Augustus M. Brown, Jr., Chairman
York County Board of Commissioners

Cynthia D. Heine, County Clerk
York, Nebraska