

The York County Board of Commissioners met according to law on Tuesday, July 10, 2012 at 8:30 a.m. as per notice in the York News Times on July 5, 2012, with Chairman Kurt Bulgrin presiding, with Bill Bamesberger, Pat Bredekamp, Tom Shellington and Paul Buller. Also present was Melanie Wilkinson, correspondent for the York News Times.

The Board recited the Pledge of Allegiance.

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.

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

Moved by Shellington, seconded by Bredekamp to approve the minutes of the June 26, 2012, Board of Commissioners meeting as presented; roll call: yeas, Shellington, Bredekamp, Buller, Bamesberger and Bulgrin; nays, none; motion carried.

Moved by Shellington, seconded by Bamesberger to adopt the agenda for Tuesday, July 10, 2012; roll call: yeas, Shellington, Bamesberger, Bredekamp, Buller and Bulgrin; nays, none; motion carried.

There were no General Assistance claims to be addressed.

The Board reviewed the payroll and vendor claims.

Moved by Bredekamp, seconded by Buller to approve payroll in the amount of \$133,898.99 and vendor claims as presented; roll call: yeas, Bredekamp, Buller, Bamesberger, Shellington and Bulgrin; nays, none; motion carried.

| <b>Fund</b>    | <b>Name</b>                     | <b>Description</b>    | <b>Total</b> |
|----------------|---------------------------------|-----------------------|--------------|
| Visitors Imprv | AAA                             | Brochure Printing     | 3,944.00     |
| Gen            | Applied Concepts, Inc.          | Safety Equipment      | 109.00       |
| Gen            | Atco International              | Equipment             | 80.25        |
| Gen            | Automated Systems               | Data Proc Equip       | 1,799.49     |
| Visitors Prom  | Avery Outdoor                   | Media-Advertising     | 250.00       |
| Gen            | Bill Bamesberger                | Mileage               | 159.84       |
| Gen            | Bob Barker Company, Inc.        | Equipment             | 286.35       |
| Gen            | Black Hills Energy              | Heating Fuels         | 309.85       |
| Gen            | Blue Knight Security, Inc.      | Security Contract     | 1,308.00     |
| Gen            | George Brugh                    | Mental Health Board   | 150.00       |
| Gen            | Cash-Wa Candy Company           | Board of Prisoners    | 1,998.47     |
| Gen            | Centre Place Dental, P.C.       | Medical-Prisoners     | 70.00        |
| Gen            | Chief/Law Enforcement Supply    | Equipment             | 94.21        |
| Gen            | Clerk of the District Court     | Court Costs           | 5.50         |
| Gen            | Consolidated Management Company | Training              | 38.00        |
| Weed           | Crop Production Services        | Weed Control          | 1,430.00     |
| Gen            | Crossroads Awards               | Office Supplies       | 48.00        |
| Gen            | Dennis Crowell                  | Reimbursement         | 48.04        |
| Gen, Weed      | Dell Marketing L.P.             | Equipment             | 1,274.88     |
| Gen            | Des Moines Stamp Mfg Co.        | Office Supplies       | 453.60       |
| Gen, Visitors  |                                 |                       |              |
| Prom, Emer Mt  | Eakes Office Plus               | Office Supplies       | 590.30       |
| Gen            | Fed Ex                          | Court Costs           | 28.40        |
| Gen            | Fillman Law Offices             | Attorney Fees         | 420.00       |
| Gen            | Grand Central Foods             | Board of Prisoners    | 3,984.40     |
| Visitors Imprv | Henderson Heritage & Tourism    | Construction Grant    | 17,270.54    |
| Emer Mgnt      | Gerald Hinrichs                 | Reimbursement         | 11.10        |
| Gen            | Nancy Hoblyn                    | Mental Health Board   | 150.00       |
| Gen            | Hometown Leasing                | Equipment Rental      | 2,298.15     |
| Gen            | Cynthia Huebert                 | Court Costs           | 36.65        |
| Gen            | Jackson Services Inc.           | Maintenance Agreement | 42.50        |
| Gen            | JM Monograms, Inc.              | Uniform Allowance     | 171.55       |
| Gen            | Kopchos Sanitation, Inc.        | Garbage               | 146.00       |
| Visitors Prom  | The Lamar Companies             | Media-Advertising     | 470.00       |
| Gen            | Lancaster County Court          | Court Costs           | 15.50        |
| Gen            | Lancaster County Sheriff        | Court Costs           | 60.46        |
| Gen            | LaRue Distributing, Inc.        | Equipment             | 70.92        |
| Gen            | Latimer Reporting               | Court Costs           | 36.80        |
| Gen            | Lawson Products, Inc.           | Janitorial Supplies   | 157.09       |
| Gen            | Liermann's Service              | Vehicle Maintenance   | 45.40        |
| Gen            | Mid-American Research Chemical  | Janitorial Supplies   | 159.75       |
| Gen            | MIPS Inc.                       | Data Proc Costs       | 752.84       |
| Gen            | Mogul's Transmission, Inc.      | Vehicle Maintenance   | 129.45       |
| Gen            | Jeanne Morand                   | Court Costs           | 218.50       |
| Visitors Prom  | Mustang Inc.                    | Publication           | 177.50       |
| Gen            | Ne Court of Appeals             | Court Costs           | 129.60       |
| Visitors Prom  | Ne Life                         | Publication           | 245.00       |
| Gen            | Ne Public Power District        | Electricity           | 5,781.28     |

|                |                                      |                       |            |
|----------------|--------------------------------------|-----------------------|------------|
| Gen, Rd, Weed  | NIRMA                                | Insurance             | 239,009.00 |
| Gen            | North Office Supply                  | Office Supplies       | 15.58      |
| Gen            | O'Keefe Elevator Company, Inc.       | Maintenance Agreement | 370.65     |
| Gen            | Paper Tiger Shredding                | Monthly Fee           | 35.00      |
| Gen, Visitors  |                                      |                       |            |
| Prom           | Perennial Public Power District      | Electricity           | 187.53     |
| Gen            | Gerald Peterson                      | Mileage               | 123.21     |
| Gen            | Quartermaster                        | Uniform Allowance     | 49.98      |
| Gen            | Rasmussen Mechanical Services, Inc.  | Building Maintenance  | 992.18     |
| Gen            | Redfield & Company, Inc.             | Office Supplies       | 128.60     |
| Gen            | Region V Services                    | Quarterly Costs       | 6,081.00   |
| Gen            | Saline County Court                  | Court Costs           | 4.00       |
| Gen            | Don Sandman                          | Reimbursement         | 77.75      |
| Visitors Prom  | Bob Sautter                          | Mileage               | 110.46     |
| Gen            | Sequoia Consulting Group             | Cost Allocation       | 1,728.00   |
| Emer Mgnt      | Seward County Courthouse             | June Expense          | 3,697.47   |
| Inher Tax      | Southeast Nebraska Development Dist  | Dues                  | 10,303.00  |
| Gen            | State of Ne Das Communications       | Equipment Rental      | 448.00     |
| Gen            | State of Ne/Dist #5 Probation Office | Budget 11-12          | 850.80     |
| Gen            | Bruce Stephens                       | Attorney Fees         | 1,440.00   |
| Gen            | Svehla Law Offices                   | Attorney Fees         | 6,262.03   |
| Gen            | Time Warner Cable                    | Subscription          | 77.18      |
| Visitors Prom  | USA Outdoor II, LLC                  | Media-Advertising     | 360.00     |
| Gen            | Janet Veleba                         | Mileage               | 38.30      |
| Gen            | Verizon Wireless Services LLC        | Telephone Service     | 275.18     |
| Visitors Imprv | Wallingford Sign Co., Inc.           | Erecting Signs        | 2,350.00   |
| Gen            | Diana Ward                           | Reimbursement         | 18.34      |
| Visitors Imprv | Wessels Living History Farm          | Construction Grant    | 32,078.00  |
| Gen            | West Payment Center                  | Consulting Fees       | 156.50     |
| Gen, E911, 911 | Windstream Communications            | Telephone Service     | 2,703.02   |
| Gen            | York Ace Hardware                    | Grounds Repair        | 84.68      |
| Visitors Prom  | York County Development Corp         | June Expense          | 7,554.67   |
| Gen            | York County District Court           | Court Costs           | 349.00     |
| Gen            | York County Sheriff                  | Reimbursement         | 2,873.71   |
| Gen, Visitors  |                                      |                       |            |
| Prom, Emer Mt  | York News-Times                      | Publication           | 742.79     |
| Gen            | Zee Medical Service                  | Medical-Prisoners     | 59.95      |

Currently, the County is in an agreement with Region V Systems for Emergency Protective Custody services which ran until June 30, 2012. The new contract will be retroactive to July 1, 2012 and will continue to June 30, 2013.

Moved by Shellington, seconded by Bamesberger to authorize the Chairman to sign the Agreement for EPC Services between Region V Systems and York County; roll call: yeas, Shellington, Bamesberger, Buller, Bredenkamp and Bulgrin; nays, none; motion carried.

Highway Superintendent Doht provided a resolution which addresses railroad signage.

Moved by Bamesberger, seconded by Buller to adopt Resolution #12-47 for installation of advance railroad signing; roll call: yeas, Bamesberger, Buller, Bredenkamp, Shellington and Bulgrin; nays, none; motion carried.

#### **RESOLUTION #12-47**

#### **Project No. HRRR-STWD(116)-Advance Railroad Signing C.N. 00868**

**WHEREAS:** The Hazard Elimination Program is a "core safety program" for Highway Safety Construction. This program is provided for the Title 23, Section 148 of U.S. Code, and is part of the Highway Safety Improvement Program (HSIP) which is provided for in 23 CFR, Part 924, which is administered by the Federal Highway Administration,

**WHEREAS:** The State of Nebraska maintains a Multi-Disciplinary High Risk Rural Road Committee to oversee facets of the SHIP,

**WHEREAS:** The High Risk Rural Road Committee has determined that it is desirable to install Advance Railroad Signing on rural county roads to prevent or minimize rail-vehicle crashes on rural county roads throughout the State of Nebraska.,

**WHEREAS:** The High Risk Rural Road Committee on September 14, 2010 approved a project known as HRRR\_STWD(116)-Advance Railroad Signing to accomplish the following:

Purchase and distribution of Advance Railroad Signing, by the State of Nebraska Department of Roads with installation of said signing materials by the County.

**BE IT RESOLVED:** that the State of Nebraska is hereby requested to act on behalf of said County to program a project for the installation of the advance railroad signing shown on Exhibit "A" (Response From) attached,

**BE IT FURTHER RESOLVED:** That sufficient funds of said County are now available or will be

made available and are hereby pledged to the Nebraska Department of Roads in the amount and at the required time for the purpose of matching Federal funds for the contemplated construction.

The estimated cost to said County is \$0.00.

**BE IT FURTHER RESOLVED:** That the Chairman of the County Board is authorized to sign this Resolution on behalf of said Board. In addition the Chairman and the Highway Superintendent are hereby authorized to sign the Certificate of Compliance after completion of the work.

Adopted this 10<sup>th</sup> day of July, 2012

Emily Bausch, Community Development Specialist for SENDD (Southeast Nebraska Development District) came before the Board to give an update on the energy grant which was used to replace the courthouse boilers along with updating lighting in the courthouse, maintenance shop, maintenance shed, Aging office and Historical office.

A letter will be drafted whereby the county will ask for a closeout of the project, reimbursement of the 10% which was withheld and a reduction in the amount of matching funds provided by the County from 25% to 10%. The Chairman will draft the letter.

Highway Allocation Fund Series 2012 documents were reviewed. Included were the following forms: Certificate as to Bond Resolution, Continuing Disclosure Certificate, Closing Certificate of York County, Federal Tax Certificate, Bond Registrar and Paying Agent Agreement, Closing Certificate of Cornerstone Bank, Bonds R-1 through R-8 and IRS form 8038-G.

Moved by Bredenkamp, seconded by Bamesberger to authorize the Chairman to sign the documents; Roll call: yeas, Bredenkamp, Bamesberger, Buller, Shellington and Bulgrin; nays, none; motion carried.

The Board tabled action on appointing a member to the Planning and Zoning Committee.

The Board tabled action on the job description for the Executive Director and amending the bylaws of the York County Visitors Committee.

At this time, it is necessary do interfund transfers.

Moved by Bredenkamp, seconded by Shellington to adopt Resolution #12-48 transferring \$20,000 from the Inheritance Tax Fund to the Area on Aging Fund; roll call: yeas, Bredenkamp, Shellington, Buller, Bamesberger and Bulgrin; nays, none; motion carried.

#### **RESOLUTION #12-48**

WHEREAS, the York County Board of Commissioners met at their regular meeting on the 10th day of July 2012, and discussed the fact that in the proposed budget for 2012-2013, the Area on Aging Fund would be funded by way of interfund transfers from the Inheritance Tax Fund; and

WHEREAS, at this time it is necessary to transfer proposed budgeted funds in order to meet obligations in the amount of \$20,000.00.

NOW BE IT RESOLVED, that the York County Treasurer shall transfer the sum of \$20,000.00 budgeted dollars from the Inheritance Tax Fund to the Area on Aging Fund for the budget year of 2012-2013.

Dated this 10th day of July 2012.

Moved by Bredenkamp, seconded by Bamesberger to adopt Resolution #12-49 transferring \$500.00 from the Inheritance Tax Fund to the Adult Diversion Fund to be repaid when funds will allow; Roll call: yeas, Bredenkamp, Bamesberger, Shellington, Buller and Bulgrin; nays, none; motion carried.

#### **RESOLUTION #12-49**

WHEREAS, the York County Board of Commissioners met at their regular meeting on the 10th of July, 2012, to discuss and act on an emergency created in the funds available in the Adult Diversion Fund to operate until the end of the fiscal year which will be completed on June 30, 2013; and

WHEREAS, operating expenses have unexpectedly exceeded revenue; and

WHEREAS, the York County Board of Commissioners has been advised by the County Clerk that a deficit appropriation in the sum of \$500.00 will be required to complete the obligations of this fund for the fiscal year ending June 30, 2013.

NOW, THEREFORE, BE IT RESOLVED, that the York County Board of Commissioners hereby finds and declares that an emergency exists in the Adult Diversion Fund budget and hereby appropriates from the Inheritance Tax Fund the sum of \$500.00 for the Adult Diversion Fund for the remainder of the fiscal year ending June 30, 2013 for payment of claims. Such funds are to be reimbursed to the Inheritance Tax Fund when monies become available.

Dated this 10th day of July, 2012.

Moved by Buller, seconded by Shellington to adopt Resolution #12-50 to transfer \$15,000.00 from the County General Fund to the Noxious Weed Fund; roll call: yeas, Buller, Shellington, Bamesberger,

Bredenkamp and Bulgrin; nays, none; motion carried.

**RESOLUTION #12-50**

WHEREAS, the York County Board of Commissioners met at their regular meeting on the 10th day of July 2012, and discussed the fact that in the proposed budget for 2012-2013, the Noxious Weed Fund would be funded by way of interfund transfers from the County General Fund; and

WHEREAS, at this time it is necessary to transfer proposed budgeted funds in order to meet obligations in the amount of \$15,000.00.

NOW BE IT RESOLVED, that the York County Treasurer shall transfer the sum of \$15,000.00 budgeted dollars from the County General Fund to the Noxious Weed Fund for the budget year of 2012-2013.

Dated this 10th day of July 2012.

Clerk Heine and Clerk of the District Court Steube submitted their June fee reports in the respective amounts of \$22,539.24 and \$992.00. The reports were reviewed and placed on file.

Sheriff Radcliff submitted his May 2012 fee report in the amount of \$6,421.23. The report was reviewed and placed on file.

Treasurer Scavo submitted the June Fund balances. The report was reviewed and placed on file.

|                              |                |
|------------------------------|----------------|
| General                      | \$549,051.57   |
| Roads                        | \$542,719.77   |
| JV Diversion                 | \$1,379.67     |
| Reappraisal                  | \$50,000.00    |
| Employment Security          | \$4,144.07     |
| Area on Aging                | \$2,617.96     |
| Relief & Medical             | \$5,330.95     |
| State Institutions           | \$4,391.29     |
| Veterans Aid                 | \$25,415.32    |
| Busy Wheels                  | \$8,194.86     |
| STOP                         | \$6,081.58     |
| Drug Fund                    | \$475.00       |
| Debt Service                 | \$1,889.98     |
| Inheritance Tax              | \$1,770,859.26 |
| 911 Wireless Service         | \$30,553.43    |
| 911 Wireless Service Holding | \$18,826.12    |
| Emergency Mgmt               | \$13,331.06    |
| Law Enforcement              | \$20,918.62    |
| Noxious Weed                 | \$701.50       |
| Ambulance                    | \$13,331.77    |
| 911 Emergency                | \$78,731.51    |
| CDBG                         | \$9.32         |
| Visitors Impr Fund           | \$231,294.15   |
| Visitors Prom                | \$60,800.08    |

Committee reports were given.

The Chairman declared the meeting adjourned at 10:19 a.m. The next meeting will be held July 24, 2012 at 8:30 a.m. in the County Commissioners Room, lower level of the Courthouse for the regular meeting.

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Kurt Bulgrin, Chairman  
York County Board of Commissioners

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Cynthia D. Heine, County Clerk  
York, Nebraska