

The York County Board of Commissioners met according to law on Tuesday, August 7, 2012 at 8:30 a.m. as per notice in the York News Times on August 1, 2012, with Chairman Kurt Bulgrin presiding, with Bill Bamesberger, Pat Bredenkamp, Tom Shellington and Paul Buller. Also present was Melanie Wilkinson, correspondent for the York News Times.

The Pledge of Allegiance was recited.

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 Bamesberger to approve the minutes of the July 24, 2012, Board of Commissioners meeting as presented; roll call: yeas, Shellington, Bamesberger, Bredenkamp, Buller, and Bulgrin; nays, none; motion carried.

Moved by Shellington, seconded by Bredenkamp to adopt the agenda for Tuesday, August 7, 2012; roll call: yeas, Shellington, Bredenkamp, Bamesberger, Buller and Bulgrin; nays, none; motion carried.

**INTERFUND TRANSFER:**

Moved by Bulgrin, seconded by Shellington to adopt Resolution #12-54 to transfer \$1,000.00 from the Inheritance Tax Fund to the Juvenile Diversion Fund to be repaid when monies become available; roll call: yeas, Bulgrin, Shellington, Buller, Bredenkamp and Bamesberger; nays, none; motion carried.

**RESOLUTION #12-54**

WHEREAS, the York County Board of Commissioners met at their regular meeting on the 7th day of August, 2012, to discuss and act on an emergency created in the funds available in the Juvenile 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 \$1,000.00 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 Juvenile Diversion Fund budget and hereby appropriates from the Inheritance Tax Fund the sum of \$1,000.00 for the Juvenile 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 7th day of August, 2012.

**GENERAL ASSISTANCE CASES:**

Moved by Bredenkamp, seconded by Shellington to approve General Assistance case #12-22 for utilities payable to NPPD in the amount of \$240.09; roll call: yeas, Bredenkamp, Shellington, Buller, Bamesberger and Bulgrin; nays, none; motion carried.

Moved by Shellington, seconded by Buller to approve General Assistance #12-23 for utilities payable to NPPD in the amount of \$231.39; roll call: yeas, Shellington, Buller, Bamesberger, Bredenkamp and Bulgrin; nays, none; motion carried.

**PAYROLL & VENDOR CLAIMS:**

Moved by Bamesberger, seconded by Bredenkamp to approve payroll in the amount of \$136,694.95 and vendor claims as presented; roll call: yeas, Bamesberger, Bredenkamp, Shellington, Buller and Bulgrin; nays, none; motion carried.

<b>Fund</b>	<b>Name</b>	<b>Description</b>	<b>Total</b>
Rd	Ace Irrigation and Mfg	Culverts	3,370.40
Gen	Automated Systems	Data Proc Equip	178.58
Visitors Prom	Avery Outdoor	Media-Advertising	250.00
Visitors Prom	Benedict Community Assoc	Grant	1,500.00
Gen, Rd	Black Hills Energy	Heating Fuels	320.47
Rd	Car Parts Inc.	Repair Parts	79.03
Gen	Centre Place Dental P.C.	Medical-Prisoners	184.00
Gen	City of York	Water	1,355.21
Gen	Claritus	Supplies	212.12
Debt Svcs	Cornerstone Bank	Interest	750.00
Gen	Dennis Crowell	Reimbursement	52.76
Gen	Culligan of York	Building Maintenance	2,600.00
Gen	DataSpec Inc.	Office Equip	798.00
Gen, Rd	Eakes Office Plus	Office Supplies	635.44
Rd	Farm Plan	Repair Parts	538.77
Gen	First Concord Benefits Group, LLC	Insurance	5,050.79
Gen	Franklin County Sheriff	Court Costs	29.85
Gen	Great Plains Pest Management, Inc.	Maintenance Agreement	45.00
Visitors Prom	Gresham Q125 Commission	Grant	1,000.00
Aging	Carolyn Hambleton	Mileage	42.74
Aging	Janet Hines	Mileage	63.30
Aging	Vanee Holtmeier	Mileage	31.64
Gen	Hometown Leasing	Data Proc Equip	495.00
Rd	HTR Inc.	Repair Parts	9.13

Rd	Inland Truck Parts & Service	Repair Parts	3,048.74
Rd	J & A Traffic Products	Signs & Posts	480.00
Rd	J.I.L. Asphalt Paving Co.	Bituminous Surfacing	88,314.35
Gen	Jackson Services Inc.	Maintenance Agreement	85.00
Gen	JM Monograms, Inc.	Uniform Allowance	57.80
Rd	Johnson Sand & Gravel Co. Inc.	Gravel	7,261.80
Gen	Kopchos Sanitation, Inc.	Garbage	146.00
Visitors Prom	The Lamar Companies	Media-Advertising	470.00
Gen	LaRue Distributing, Inc.	Supplies	48.28
Gen	Madison County Sheriff	Court Costs	37.89
Gen	MailFinance Inc.	Office Equip	840.21
Gen	Medical Enterprises, Inc.	Physical Capacity	31.00
Gen	Microfilm Imaging Systems, Inc.	Data Proc Equip	137.75
Gen	Mid-American Research Chemical	Janitorial Supplies	233.04
Gen	MIPS Inc.	Data Proc Costs	752.84
Gen	Mogul's Transmission, Inc.	Vehicle Maintenance	190.69
Gen	Moor Medical, LLC	Medical-Prisoners	225.97
Visitors Prom	Mustang Inc.	Publication	101.25
Aging	Ne Humanities Council	Senior Citizen Program	75.00
Gen, Rd	Ne Public Power District	Electricity	7,825.00
Visitors Prom	Ne Travel Association	Dues	300.00
Rd	Ne Truck & Equipment Co. Inc.	Repair Parts	106.23
Rd	NMC Exchange LLC	Grader Blades	8,895.41
Gen	North Office Supply	Office Supplies	39.79
Gen	O'Keefe Elevator Company, Inc.	Maintenance Agreement	370.65
Rd	O'Reilly Auto Parts	Shop Supplies	83.89
Weed	OfficeNet	Office Supplies	56.58
Rd	Orscheln Farm & Home	Repair Parts	23.37
Rd	Overland Sand & Gravel Co.	Gravel	6,854.05
Gen	Paper Tiger Shredding	Monthly Fee	70.00
Gen	Pell Reporting	Data Proc Costs	163.45
Visitors Prom	Perennial Public Power District	Electricity	125.54
Gen	C. Jo Petersen	Attorney Fees	2,910.00
Gen	Jennifer Peterson	Court Costs	20.00
Emer Mgnt	Pinnacle Bank/Visa	Fees	67.98
Rd	Power Plan	Repair Parts	1,584.65
Gen	Raymond Pridgeon	Court Costs	20.00
Rd	Rasmussen Auto Parts	Repair Parts	63.23
Gen	Rasmussen Mechanical Services, Inc.	Building Maintenance	3,789.65
Gen	Red Willow County Sheriff	Court Costs	3.00
Aging	Carol Richards	Senior Citizen Program	50.00
Rd	Sapp Bros. Petroleum, Inc.	Fuel	37.41
Visitors Prom	Bob Sautter	Mileage	122.66
Gen	Secretary of State-Election Div	Voting Supplies	30.00
Emer Mgnt	Seward County Courthouse	Monthly Expense	4,214.65
Gen	Betsy Smith	Court Costs	20.00
Gen	Nathaniel Smith	Court Costs	20.00
Gen	State of Ne/Das Central Finance	Data Proc Equip	78.33
Gen	State of Ne/Das Communications	Equip Rental	448.00
Gen	State of Nebraska/Unclaimed Property	Lost Check	83.18
Gen	Bruce Stephens	Attorney Fees	1,437.75
Gen	Svehla Law Offices	Attorney Fees	802.50
Gen	Time Warner Cable	Subscription	77.18
Visitors Prom	USA Outdoor II, LLC	Media-Advertising	360.00
Gen, Rd	Verizon Wireless Services LLC	Telephone Service	413.17
Rd	Weller Tractor Salvage	Tire Repair	684.58
Gen, Relief	Windstream Communications	Telephone Service	180.24
Gen	York Ace Hardware	Building Supplies	149.93
Visitors Prom	York Area Chamber of Commerce	Grant	1,500.00
Gen	York County Court	Court Costs	178.40
Visitors Prom	York County Development Corp	Monthly Fees	1,337.69
Gen	York County District Court	Court Costs	271.00
Gen	York County Sheriff	Reimbursement	3,266.17
Gen, Visitors Prom	York News-Times	Publication	987.58

Treasurer Scavo requested the approval of and release of pledged securities with Henderson State Bank.

Moved by Bamesberger, seconded by Buller to adopt Resolution #12-55 approving pledged securities with Henderson State Bank CUSIP's 98636PAG5 for \$30,000; 98636PAJ9 for \$35,000 and 98636PBC3 for \$20,000; roll call: yeas, Bamesberger, Buller, Shellington, Bredenkamp and Bulgrin; nays, none; motion carried.

#### RESOLUTION #12-55

**WHEREAS**, Henderson State Bank was heretofore designated as a depository for county funds and to secure the same from time to time, has heretofore deposited securities with Midwest Independent Bank;

**BE IT THEREFORE RESOLVED**, that the deposit of securities heretofore made to secure the County deposits with said Henderson State Bank be and the same are hereby approved and that the Depository Receipts herewith filed with the County Treasurer covering the following described securities be approved:

Midwest Independent Bank  
York Cnty NEB Sch Dist 0096  
Maturity Date: 12/15/2015  
CUSIP: #98636PAG5  
Pledged amount: \$30,000.00

Midwest Independent Bank,  
York Cnty NEB Sch Dist 0096  
Maturity Date: 12/15/2017  
CUSIP: #98636PAJ9  
Pledged amount: \$35,000.00

Midwest Independent Bank,  
York Cnty NEB Sch Dist 0096  
Maturity Date: 12/15/2017  
CUSIP: #98636PBC3  
Pledged amount: \$20,000.00

DATED this 7th day of August, 2012.

Moved by Bredenkamp, seconded by Shellington to adopt Resolution #12-56 for release of pledged security with Henderson State Bank CUSIP#425181CX8 for \$85,000.00; roll call: yeas, Bredenkamp, Shellington, Buller, Bamesberger and Bulgrin; nays, none; motion carried.

#### **RESOLUTION #12-56**

**WHEREAS**, Henderson State Bank was heretofore designated as a depository for County Funds and to secure the same from time to time, has heretofore deposited in escrow, certain securities, which have from time to time with the approval of the County Board been submitted for other securities; and

**WHEREAS**, at this time there are on deposit with said Midwest Independent Bank in escrow, to secure the County deposits in said Henderson State Bank the following security:

Midwest Independent Bank  
Security: Henderson NEB  
Maturity Date: 8/1/2025  
CUSIP: #425191CX9  
Pledge amount: \$85,000.00

**BE IT THEREFORE RESOLVED** that the depository receipts heretofore filed with the County Treasurer covering the above described securities, be and hereby are cancelled and discharged, and the County of York hereby releases the said Midwest Independent Bank, Escrow Agent from all liability by reason of the surrender of the said bonds and hereby authorizes and empowers the County Treasurer to surrender the Depository Receipts covering said securities to Henderson State Bank.

DATED this 7th day of August, 2012

Chairman Bulgrin spoke with the Board regarding county facility needs. Several offices within the courthouse are in need of more space. The Board will further discuss the matter at the September 4, 2012 meeting.

Moved by Bamesberger, seconded by Bredenkamp to go into executive session at 8:45 to discuss General Assistance matters (for the prevention of needless injury to an individual); roll call: yeas, Bamesberger, Bredenkamp, Buller, Shellington and Bulgrin; nays, none; motion carried. Chairman Bulgrin restated the motion.

Moved by Shellington, seconded by Bamesberger to come out of executive session at 8:56 a.m.; roll call: yeas, Shellington, Bamesberger, Buller, Bredenkamp and Bulgrin; nays, none; motion carried.

Currently the County has a web site which is administered by Nebraska Online. Chairman Bulgrin has been researching the matter to see if another provider would be more user friendly. He would like to appoint a committee to aid in the search.

Moved by Shellington, seconded by Buller to appoint Amanda Ring, Brenda Scavo and Kurt Bulgrin to the committee; roll call: yeas, Shellington, Buller, Bredenkamp, Bamesberger and Bulgrin; nays, none; motion carried.

Committee Reports were given.

Highway Superintendent, Doht requested to create a new position within the Road Department. This position would be called "General Operations Foreman and Safety Manager". It would be a salaried position and outside of the union contract. A copy of the job description was provided for the Board's inspection.

Moved by Bamesberger, seconded by Buller to approve the job description for the position of General Operations Foreman and Safety Manager; roll call: yeas, Bamesberger, Buller, Bredenkamp, Shellington and Bulgrin; nays, none; motion carried.

**JOB DESCRIPTION**

---

*YORK COUNTY ROAD DEPARTMENT*

722 East 25<sup>th</sup> Street  
York, NE 68467

Date: August 7, 2012

**JOB TITLE:**

**DEPARTMENT:**

**General Operations Foreman & Safety Manager**

**York County Roads**

**JOB DESCRIPTION SUMMARY/PURPOSE:**

**Operates under the general supervision of the Highway Superintendent. Responsible for supervision of employees and equipment to complete road and bridge maintenance and construction projects in a timely and efficient manner. Other duties include evaluation of training and equipment needs, assistance with project and program planning, evaluation of road and bridge conditions and needs, management of Road Department safety programs, and evaluation of requests, complaints and permit applications from the public and other stakeholders.**

ESSENTIAL DUTIES AND RESPONSIBILITIES include but are not limited to:

Provides leadership and motivation for the Department. Promotes good employee morale and maintains a positive attitude. Previous supervisory experience is required. Responsible for employee performance evaluations and disciplinary actions as needed.

Good working relationships with the public, elected officials, workers, supervisors and suppliers is essential. Conveys a professional approach to all communications on behalf of the County. Attendance at meetings with the public, County Board and other stakeholders is expected.

Ability to recognize and adequately define problems and make sound decisions on behalf of the County, based upon previous experience, available data, considering multiple solutions and basic risk management principles. Always has the good of the County and the public in mind. Strong leader, with a fair, firm and consistent attitude toward all situations.

Coordination with Highway Superintendent and other Department foremen to ensure efficient utilization of County equipment and manpower. Maintains a highly efficient and safe working environment. Schedules projects and strives to complete them according to plans, on time and within budget. Ability to adjust schedules as needed and maintain worker and equipment productivity.

Operates, supervises and provides training for the use of all types of heavy road construction equipment. Must have extensive previous civil construction and heavy equipment experience.

Coordination between County forces, contractors, suppliers, utilities, engineers and the public to ensure successful road and bridge project outcomes. Management of several concurrent projects and work crews is typical.

Promotion of quality road and bridge projects. Knowledge of proper road and bridge maintenance and construction techniques is essential. Willing to try new and innovative techniques to save taxpayers money and improve the performance of the County's system of roads and bridges. Thorough inspection of all completed work is expected. Inventory and asset condition reporting as needed.

Abide by, and apply OSHA regulations pertaining to road and equipment safety. Responsible for a safe working environment for all employees, safe facilities and equipment and safe work zones for the public. Department representative at required safety meetings and training opportunities. Promotes safety in all aspects of Department business.

Assists the Highway Superintendent in long-term planning activities and reports. Prepares cost estimates and progress reports for projects. Assists with annual budget as needed.

Meets with the public and other stakeholders to evaluate requests, complaints and permit applications. Presents recommendations to the Highway Superintendent.

On-call duties as assigned, for emergency conditions or snow removal operations.

Assist in other areas within the Department of Roads as needed.

The listed examples do not include all duties that may be assigned. Highway Superintendent retains the discretion to add to or change the duties of this position at any time.

**ENTRY KNOWLEDGE, SKILLS, AND ABILITIES REQUIRED:**

To perform this job successfully, an individual must be able to perform each essential duty satisfactory. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

**Note: CDL CLASS A with Tanker Endorsement and valid Nebraska Drivers License is required.**

**EDUCATION and/or EXPERIENCE:**

High School diploma or general education degree (GED) is required, two-year degree from a vocational school is preferred. 5 years equivalent experience is required, 10 years equivalent experience is preferred.

**Knowledge of:**

Nebraska Minimum Design Standards, NDOR Standard Specifications for Highway Construction, Manual on Uniform Traffic Control Devices, State of Nebraska Highway Regulations, FHWA Regulations, operation of industrial truck driving, heavy equipment, and assorted hand and power tools, road and bridge construction and maintenance methods.

**Skills & Abilities:**

Project evaluation, staff coordination and evaluation, equipment inspection and maintenance, observation and supervision of work, project estimation (time, equipment and materials), ability to follow and provide oral and written instruction, write and sketch legibly, time management skills, ability to multi-task, ability to apply mathematical operations as needed for use in calculating unit of weight, measurement, volume, and distance, good decision-making ability, ability to apply practical experience and common sense understanding to

address a variety of issues in a broad range of situations.

**Physical Requirements:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job.

Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to stand; walk; use hands to finger, handle or feel objects, tools or controls; reach with hands and arms; climb or balance; stoop, kneel, crouch or crawl; and talk or hear; regularly lift and/or move up to 80 lbs. Specific vision abilities required by this job include distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus when performing the essential duties of this job.

The noise level in the work environment is usually moderate to high.

**We are an Equal Opportunity Employer. We do not discriminate on the basis of race, religion, color, sex, age, marital status, national origin, or disability.**

Moved by Shellington, seconded by Buller to go into executive session at 9:30 a.m. to discuss wages within the Road Department which is necessary in order to prevent needless injury to an individual; roll call: yeas, Shellington, Buller, Bredenkamp, Bamesberger and Bulgrin; nays, none; motion carried. Chairman Bulgrin restated the motion.

Moved by Shellington, seconded by Bredenkamp to come out of executive session at 10:10 a.m. where no action was taken; roll call: yeas, Shellington, Bredenkamp, Buller, Bamesberger and Bulgrin; nays, none; motion carried.

Highway Superintendent Doht stated that he had appointed Tom Mommens to the new position of General Operations Foreman and Safety Manager and that he was requesting that he be paid a salary of \$50,000.

Moved by Shellington, seconded by Bamesberger to approve the appointment of Tom Mommens to the position of General Operations Foreman and Safety Manager with a salary of \$50,000.00; roll call: yeas, Shellington, Bamesberger, Buller, Bredenkamp and Bulgrin; nays, none; motion carried.

Moved by Bamesberger, seconded by Shellington to pay Ila Chapman, Road Department Administrative Assistant \$14.00 an hour as proposed by the Highway Superintendent; roll call: yeas, Bamesberger, Shellington and Bulgrin; nays, Bredenkamp; Buller abstained; motion carried.

Moved by Bamesberger, seconded by Bulgrin to amend the motions to add an effective date for Tom Mommens and Ila Chapman's pay increases as August 5, 2012; roll call: yeas, Bamesberger, Bulgrin, Bredenkamp, Shellington and Buller; nays, none; motion carried.

Michelle Kingsley and Cal Strong of Strong Financial Resources, Inc. met with the Board to present their Flexible Spending Account program which would be through Ameriflex. This program covers the Unreimbursed Medical Reimbursement (URM) and Dependent Child Care (DCC) through Section 125. The Board thanked them for the information.

Bids were opened at 11:00 a.m. as advertised for overlay projects which will be funded by the 2012 Highway Allocation Bond. Publication was in the York News Times on July 24 and 31, 2012.

The following bids were received:

**Constructors Inc., Lincoln, NE.**

Benedict East	\$290,596.80
Gresham West	\$425,961.15
Henderson South	\$217,751.45
	<u>Total \$934,309.40</u>

**Werner Construction, Inc., Hastings, NE**

Benedict East	\$350,291.38
Gresham West	\$485,502.15
Henderson South	\$302,466.09
	<u>Total \$1,138,259.62</u>

Moved by Buller, seconded by Bamesberger to go with the recommendation of the Highway Superintendent and award the contract to Constructors Inc., Lincoln, NE. in the amount of \$934,309.40; roll call: yeas, Buller, Bamesberger, Shellington, Bredenkamp and Bulgrin; nays, none; motion carried.

Michael, Jack and Clara Connely, came before the Board regarding the compost site located to the south of their property (1302 Road L York, Ne). They stated their concerns regarding air and water quality.

The Board informed them that the property in question is within the City of York's jurisdiction and therefore the Board would have no authority in the matter. However, Chairman Bulgrin advised that he would speak with the County Attorney regarding the situation.

Clerk of the District Court, Steube, submitted her July fee report in the amount of \$1,549.60. The report was reviewed and placed on file.

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

General	\$339,559.81
Roads	\$379,358.43
Adult Diversion	\$363.30
JV Diversion	\$422.73

Reappraisal	\$50,000.00
Employment Security	\$175.16
Area on Aging	\$10,732.32
Relief & Medical	\$4,572.85
State Institutions	\$2,737.54
Veterans Aid	\$25,415.32
Busy Wheels	\$13,047.51
STOP	\$6,431.58
Drug Fund	\$475.00
Debt Service	\$5,534.28
Inheritance Tax	\$1,821,774.65
911 Wireless Service	\$29,901.95
911 Wireless Service Holding	\$18,826.12
Emergency Mgmt	\$9,557.95
Law Enforcement	\$20,918.62
Noxious Weed	\$5,165.25
Ambulance	\$14,209.76
911 Emergency	\$81,087.45
CDBG	\$9.32
Visitors Impr Fund	\$168,209.90
Visitors Prom	\$63,396.81

The Chairman declared the meeting adjourned at 11:43 a.m. The next meeting will be held August 21, 2012 at 8:30 a.m. in the County Commissioners Room, lower level of the Courthouse for the regular meeting.