

The York County Board of Commissioners met according to law on Tuesday, October 2, 2012 at 9:00 a.m. as per notice in the York News Times on September 27, 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 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 Bredenkamp to approve the minutes of the September 18, 2012, Board of Commissioners meeting as presented; roll call: yeas, Shellington, Bredenkamp, Buller, Bamesberger and Bulgrin; nays, none; motion carried.

Moved by Bamesberger, seconded by Shellington, to adopt the agenda for October 2, 2012 as presented; roll call: yeas, Bamesberger, Shellington, Buller, Bredenkamp and Bulgrin; nays, none; motion carried.

Moved by Shellington, seconded by Bredenkamp to adopt the agenda as amended for Tuesday, September 18, 2012; roll call: yeas Shellington, Bredenkamp, Bamesberger, Buller and Bulgrin; nays, none; motion carried.

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

The Board reviewed the payroll and vendor claims. There were two additional claims presented to the Board; After Hour Graphic – graphic designs for Busy Wheels Bus in the amount of \$767.00 and York Senior Center – rental space for \$1,000.00.

Moved by Shellington, seconded by Buller to approve payroll in the amount of \$128,798.60 and vendor claims with two additional claims as presented; roll call: yeas, Shellington, Buller, Bamesberger, Bredenkamp and Bulgrin; nays, none; motion carried.

Fund	Name	Description	al
Rd	Ace Irrigation and Mfg	Culverts	5,331.95
Gen	Adams County Sheriff	Court Costs	18.50
Busy Whls	After Hours Grafix	Pickups	767.00
Aging	Bag N Save	Supplies	2,645.85
Rd	Baum Hydraulics Corp	Repair Parts	289.89
Gen, Rd	Black Hills Energy	Heating Fuels	425.04
Gen	Blue Knight Security, Inc.	Security Contract	1,291.32
Inher Tax	Blue Valley Behavioral Health	Budget 12-13	5,000.00
Gen	George Brugh	Mental Health Board	75.00
Gen	Joni Bushnell	Witness Fees	20.00
Rd	Car Parts Inc	Repair Parts	176.26
Inher Tax	CASA	Budget 12-13	30,375.00
Aging	Cash-Wa Distributing Co.	Supplies	368.92
Gen	Ann Charlton	Mileage	473.41
Gen	City of York	Water	2,008.22
Rd	Cross-Dillon Tire	Tire Repair	1,116.00
Gen	Culligan of York	Monthly Fee	16.00
Gen	DDSS, Inc.	Timeclock Equip	80.63
Gen, Rd	Dell Marketing L.P.	Equipment	1,779.98
Gen	Dugan Business Forms	Office Supplies	1,948.24
Gen, Aging	Eakes Office Plus	Office Supplies	1,030.92
Gen	Election Systems & Software, Inc.	Voting Supplies	660.00
Gen	Employee Data Forms of Mo LLC	Office Supplies	23.00
Rd	Express Truck Center York	Repair Parts	118.22
Rd	Farm Plan	Repair Parts	183.46
Rd	Fastenal Industrial & Const Supply	Signs & Posts	328.19
Gen	Fillman Law Offices	Attorney Fees	4,890.00

Gen	First Concord Benefits Group, LLC	Insurance	2,875.11
Gen	Galls, An Aramark Company	Uniform Allowance	144.99
Gen	General Fire & Safety Equipment	Maintenance Agreement	182.50
Rd	Grainger	Safety Equipment	57.50
Aging	Grand Central Foods	Supplies	289.87
Gen	Hall County Court, District Nine	Court Costs	4.75
Gen	Hall County Sheriff	Court Costs	38.04
Aging	Carolyn Hambleton	Mileage	19.43
Aging	Kay Hilderbrand	Mileage	180.93
Aging	Janet Hines	Mileage	87.27
Gen	Hitz Towing, Inc.	Vehicle Maintenance	252.68
Gen	Nancy Hoblyn	Mental Health Board	75.00
Gen	Hometown Leasing	Data Proc Equip	155.00
Rd	HTR Inc.	Repair Parts	419.39
Gen	Hy-Tec Auto Service	Vehicle Maintenance	909.84
Rd	Hydraulic Equipment Service	Repair Parts/Labor	1,152.54
Rd	J&A Traffic Products	Signs & Posts	2,852.00
Gen	Jackson Services Inc.	Maintenance Agreement	85.00
Gen	JM Monograms, Inc.	Uniform Allowance	10.26
Rd	Johnson Sand & Gravel Co, Inc.	Gravel	568.40
Rd	Kerford Limestone Company	Rock	1,335.10
Rd	Kimball Midwest	Repair Parts	406.57
Gen	Jennifer Stehlik Ladman	Special Fees	255.00
Visitors Prom	The Lamar Companies	Media-Advertising	470.00
Gen	Lancaster County Sheriff	Court Costs	19.17
Gen	Richard Larson	Witness Fees	95.50
Gen	Lichti's Inc.	Equipment	59.95
Gen	Manatron, Inc.	Data Proc Costs	16,014.86
Aging	Jerri Merklinger	Mileage	136.04
Gen	Mid-American Research Chemical	Building Maintenance	623.10
Rd	Tom Mommens	Meals	9.81
Gen	Moses Motor Co.	Vehicle Maintenance	34.56
Gen	Anna Mosqueda	Witness Fees	103.27
Gen	Thalia Mosqueda	Witness Fees	103.27
Gen	Ne Assoc of Professional Veterans	Dues	150.00
Gen	Ne Assoc of County Officials	Registration	40.00
Gen	Ne Emergency Service Comm Assoc	Registration	30.00
Gen	Ne Public Power District	Electricity	266.35
Rd	Ne Safety Council	Registration	570.00
Gen	Nebraskaland Glass	Vehicle Maintenance	40.00
Rd	NMC Exchange LLC	Repair Parts	43,603.38
Aging	North Office Supply	Office Supplies	49.98
Gen	O'Keefe Elevator Company, Inc.	Maintenance Agreement	370.65
Rd	OfficeNet	Office Supplies	67.40
Rd	Orscheln Farm & Home	Shop Tools	356.35
Rd	Overhead Door of Hastings	Building Maintenance	2,088.00
Rd	Overland Sand & Gravel Company	Gravel	7,974.75
Gen, Rd,			
Visitors Prom	Perennial Public Power District	Electricity	398.48
Rd	Power Plan	Repair Parts	1,634.17
Rd	Rasmussen Auto Parts	Repair Parts	417.42
Gen	Rasmussen Mechanical Services, Inc.	Building Maintenance	668.57
Rd	Max Rea	Uniform Allowance	50.00
Gen	Redfield & Company, Inc.	Office Supplies	679.48
Gen	Region V Systems	Budget 12-13	8,666.75
Rd	Reliable Equipment & Serv Co. Inc.	Repair Parts	41.76
Aging	David Rockenbach	Entertainment	50.00
Gen	Ronco Plumbing	Building Maintenance	239.50
Visitors Prom	Bob Sautter	Mileage	158.18
Gen	Secretary of State Election Division	Voting Supplies	20.00
Rd	Smith Hayes Financial/National Financial	Motor Graders	178,228.20
Visitors Imprv	Snitily Carr	Media-Advertising	6,845.00

Gen	State of Ne Das Communications	Equipment Rental	448.00
Gen	State of Ne Dept Correctional Svcs	Mental Health Serv	2,497.36
Gen	Bruce Stephens	Attorney Fees	3,090.00
Gen	Svehla Law Offices	Attorney Fees	547.50
Gen	Time Warner Cable	Subscription	77.18
Gen	Truck Masters	Vehicle Maintenance	187.50
Gen	University of Nebraska	Office Equipment	90.00
Visitors Prom	USA Outdoor II, LLC	Media-Advertising	360.00
Gen	Janet Veleba	Mileage	395.39
Visitors Prom	Waco Community Betterment Org	Grants	1,000.00
Rd	Weldon Industries, Inc.	Repair Parts	1,200.03
Gen, Rd, Aging	Windstream Communications	Telephone Service	445.38
Visitors Prom	York Area Chamber of Commerce	Grants	2,000.00
Gen, Emer Mgnt	York County Clerk	Supplies	60.00
Gen	York County Highway Dept.	Fuel	1,320.26
Rd	York Equipment, Inc.	Repair Parts	273.78
Gen, Visitors			
Prom	York News-Times	Publication	911.90
Gen	Gary Zoubek	Mileage	300.26

INTERFUND TRANSFERS:

Moved by Bamesberger, seconded by Bredenkamp to adopt Resolution #12-68 to transfer \$28,000.00 from the Inheritance Tax Fund to the Area on Aging Fund in the amount as budgeted; roll call: Bamesberger, Bredenkamp, Buller, Shellington, Bulgrin; nays none; motion carried.

RESOLUTION #12-68

WHEREAS, the York County Board of Commissioners met at their regular meeting on the 2nd day of October 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 the remaining proposed budgeted funds in order to meet obligations in the amount of \$28,000.00.

NOW BE IT RESOLVED, that the York County Treasurer shall transfer the sum of \$28,000.00 budgeted dollars from the Inheritance Tax Fund to the Area on Aging Fund for the budget year of 2012-2013.

Dated this 2nd day of October, 2012.

Treasurer Scavo requested the approval of and release of securities with Cornerstone Bank.

Moved by Bredenkamp, seconded by Buller to adopt Resolution #12-69 approving the pledged security with Cornerstone Bank CUSIP#313380FU6 in the amount of \$1,500,000; roll call: yeas, Bredenkamp, Buller, Bamesberger, Shellington and Bulgrin; nays, none; motion carried.

RESOLUTION #12-69

WHEREAS, Cornerstone Bank was heretofore designated as a depository for county funds and to secure the same from time to time, has heretofore deposited securities with Federal Home Loan Bank;

BE IT THEREFORE RESOLVED, that the deposit of securities heretofore made to secure the County deposits with said Cornerstone 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:

Cornerstone Bank,

Federal Home Loan Bank
Maturity Date: 06/05/2020
CUSIP: #313380FU6
Pledged amount: \$1,500,000.00

DATED this 2nd day of October, 2012.

Moved by Bamesberger, seconded by Shellington to adopt Resolution #12-70 releasing pledged security with Cornerstone Bank, CUSIP#3133783V1 in the amount of \$1,500,000; roll call: yeas, Bamesberger, Shellington, Buller, Bredenkamp and Bulgrin; nays, none; motion carried.

RESOLUTION #12-70

WHEREAS, Cornerstone 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 Federal Home Loan Bank in escrow, to secure the County deposits in said Cornerstone Bank the following security:

Federal Home Loan Bank
Maturity Date: 08/24/2017
CUSIP: #3133783V1
Pledge amount: \$1,500,000.00

BE IT THEREFORE RESOLVED that the depository receipts heretofore filed with the County Clerk covering the above described securities, be and hereby are cancelled and discharged, and the County of York hereby releases the said Federal Home Loan 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 Cornerstone Bank.

DATED this 2nd day of October, 2012

The Cost Allocation Plan for reimbursement to the county for costs incurred by the District Court Child Support Division was reviewed.

Moved by Shellington, seconded by Bredenkamp to authorize the Chairman to sign the Cost Allocation Plan document; roll call: yeas, Shellington, Bredenkamp, Buller, Bamesberger and Bulgrin; nays, none; motion carried.

CERTIFICATE OF COST ALLOCATION PLAN

I have reviewed the cost allocation plan submitted herewith and to the best of my knowledge and belief:

1. All costs included in this county-wide cost allocation plan (as dated below) to establish cost allocations or billings for the year ended June 30, 2011 are allowable in accordance with requirements of OMB 2 CFR 225, "Cost Principles for State and Local Governments," and the Federal Awards to which they apply. Unallowable costs have been adjusted for in allocating costs as indicated in the cost allocation plan.

2. All costs included in this county-wide cost allocation plan are properly allocated to Federal Awards on the basis of a beneficial or causal relationship between the expenses incurred and the agreements to which that are allocated in accordance with applicable requirements. Further, the same costs that have been treated, as indirect costs have not been claimed as direct costs. Similar types of costs have been accounted for consistently.

I declare that the foregoing is true and correct.

SS/ Kurt J. Bulgrin

County Treasurer, Scavo requested approval of an Electronic Government Service Level Agreement between York County and Nebraska Interactive, LLC. This agreement is subordinate to the State of Nebraska Contract between NSRB and Manager to operate and manage the Nebraska.gov Network.

Moved by Bamesberger, seconded by Buller to sign the Electronic Service Level Agreement with York County; roll call: yeas, Bamesberger, Buller, Bredenkamp, Shellington and Bulgrin; nays, none; motion carried.

Moved by Bamesberger, seconded by Buller to go into executive session at 9:15 a.m. to prevent the needless injury to an individual; roll call: yeas, Bamesberger, Buller, Bredenkamp, Shellington and Bulgrin; nays, none; motion carried. The Chairman restated the motion.

Moved by Shellington, seconded by Bamesberger to come out of executive session at 9:35 a.m. where no action was taken; roll call: yeas, Shellington, Bamesberger, Buller, Bredenkamp and Bulgrin; nays, none; motion carried.

A funding request was received from the Yorkshire Playhouse for Visitors Bureau Improvement Grant Funds in the amount of \$1,950.00. The funds would be used to reimburse the playhouse for stage lighting and a new Yamaha Piano. The total estimated cost was \$3,893.79. The Visitors Bureau recommended the funding request.

Moved by Bredenkamp, seconded by Shellington to grant \$1,650 for the project submitted by the Yorkshire Playhouse for the Visitors Bureau Improvement Funds; roll call: yeas, Bredenkamp, Shellington; nays, Buller, Bamesberger and Bulgrin; motion failed.

Moved by Bulgrin, seconded by Bamesberger to approve \$931.00 for lighting for the Yorkshire Playhouse for lighting; roll call: yeas; Bulgrin, Bamesberger, Bredenkamp and Buller; nays, Shellington; motion carried.

A Special Exception hearing was held at 10:02 a.m. as advertised in the York News Times on September 18, 2012. The request was made by Carey Goertzen for a second house per quarter/quarter in the NE ¼ of Section 5, Township 10, Range 4. This will be for family use in the family farming operations.

Present for the hearing were: Commissioners Bamesberger, Buller, Shellington and Bulgrin; Commissioner Bredenkamp requested herself from the Board during the hearing. Also present at the hearing were: Mr. and Mrs. Carey Goertzen, Mitch Doht, Planning and Zoning Administrator; Deb Nelson, Assistant Planning and Zoning; Cindi Heiden Nickel, Willard Peterson, Casey and Cody Goertzen, Erma and Herman Goertzen, Clyde and Lenora Goertzen.

Clyde Goertzen, Willard Peterson, Erma Goertzen and Mitch Doht all spoke in favor of granting the exception. The Hearing was closed at 10:14 a.m. A decision will be made at the October 16, 2012 Board Meeting.

Commissioner Bredenkamp resumed her position on the Board.

Mitch Doht, Highway Superintendent updated the Board on the current road projects.

A request for Highway Allocation Funds were reviewed. Drawdown #3 is for professional services rendered by Kutak Rock LLP of Omaha in the amount of \$9,082.50.

Moved by Buller, seconded by Bamesberger to approve drawdown #3 payable to Kutak Rock LLP in the amount of \$9,082.50; roll call: yeas, Buller, Bamesberger,

Shellington, Bredenkamp and Bulgrin; nays, none; motion carried.

Annually a certification of public roads classifications and standards is to be completed and forwarded to the State.

Moved by Bamesberger, seconded by Buller to authorize the Chairman to sign the Certification to Board of Public Roads Classifications and Standards; roll call: yeas, Bamesberger, Buller, Bredenkamp, Shellington and Bulgrin; nays, none; motion carried.

CERTIFICATION TO BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS

In compliance with the provisions of the State of Nebraska Statutes Requiring Annual reporting to the Board of Public Roads Classifications, the County of York or the Department of Roads hereby certifies that the minimum standards of design, construction, and maintenance of roads, streets, and highways under their authority have been met; and all tax revenues, including State, County, and Municipal tax revenues as well as highway-user revenue allocations for roads, streets, and highways, has been expended in accordance with approved plans and standards and the rules and regulations of the Board of Public Roads Classifications and Standards for the period beginning July 1, 2011 and ending June 30, 2012.

Documentation in support of this certificate is on file in the office of the appropriate official and this information is available to the Board upon written request and is located at 722 E 25th St. York, Nebraska.

On This 2nd day of October, 2012.

County Attorney Candace Dick informed the Board that Deputy County Attorney Benjamin Dennis has successfully completed his probationary period. She requested that his salary be set at \$50,000.

Moved by Bamesberger, seconded by Shellington to adopt Resolution #12-71 to adjust Deputy County Attorney, Benjamin Dennis' salary effective upon the completion of his probationary period to \$50,000 and remain effective until December 31, 2014; roll call: yeas, Bamesberger, Shellington, Buller, Bredenkamp and Bulgrin; nays, none; motion carried.

Moved by Bredenkamp, seconded by Buller to amend the motion that the salary be effective at the end of his probationary period and stay the same until December 31, 2014; roll call for the amendment to the motion; yeas, Bredenkamp, Buller, Bamesberger, Shellington and Bulgrin; nays, none; motion carried.

RESOLUION #12-71

WHEREAS, the York County Board of Commissioners met at their regular meeting on October 2, 2012 to discuss the salary proposal submitted by the County Attorney regarding the employment and duties of the Deputy County Attorney, Benjamin Dennis; and

WHEREAS, the Board has been informed by the County Attorney that Benjamin Dennis has successfully completed his probationary period thereby requesting that his salary be in creased to \$50,000.00;

NOW, THEREFORE BE IT RESOLVED that commencing with the upcoming pay period his salary be set at \$50,000.00 a year and that it remain at said \$50,000.00 until the end of the current County Attorney's term, namely December 31, 2014.

Dated this 2nd day of October, 2012.

Moved by Bamesberger, seconded by Shellington to go into executive session at 10:50 a.m. to discuss General Assistance cases and for the prevention of needless harm to an individual; roll call: yeas, Bamesberger, Shellington, Buller, Bredenkamp and Bulgrin;

nays, none; motion carried. Chairman Bulgrin restated the motion.

Moved by Buller, seconded by Bredenkamp to come out of executive session at 11:02 a.m. where no action was taken; roll call: yeas, Buller, Bredenkamp, Bamesberger, Shellington and Bulgrin; nays, none; motion carried.

Bids were opened at 11:00 a.m. as published for construction of a bridge across Lincoln Creek located 2.2 miles north of Highway 34 on County Road C. aka Bradshaw Northwest Bridge Replacement Project. The following bids were received:

Norfolk Contracting Inc. Norfolk, NE.

Base price \$172,923.00
Additional Abutment Piling + \$29.00 Lin-Ft
Less Abutment Piling - \$19.00 Lin-Ft
Start date - June 17, 2013

Dixon Construction Co, Correctionville, IA

Base price \$215,000.00
Additional Abutment Piling +\$30.00 Lin-Ft
Less Abutment Piling -\$18.50 Lin-Ft
Start date – November 5, 2012

Based on the recommendation of the Highway Superintendent.

Moved by Shellington, seconded by Bredenkamp to accept the contract from Norfolk Construction; roll call: yeas, Shellington, Bredenkamp, Buller, Bamesberger and Bulgrin; nays, none; motion carried.

Due to the Christmas holiday being on December 25th which is the regularly scheduled Board Meeting, it is necessary to reset the date.

Moved by Shellington, seconded by Buller to reschedule the December 25, 2012 Board Meeting to December 24, 2012 at 1:00 p.m.; roll call: yeas, Shellington, Buller, Bamesberger, Bredenkamp and Bulgrin; nays, none; motion carried.

Vicki Duey and Laura McDougal of Four Corners Public Health Department and Gary Peterson York/Seward County Emergency Manager met with the Board to discuss a Functional Needs Registry which would be utilized as part of a disaster plan along with maps which emergency planners and responders can access when a disaster strikes. This registry is for those who urgently need care, medical treatment, care and shelter.

Mike Teetor of Nebraska Public Power District updated the Board on their energy savings following replacement of the courthouse boiler and lighting system. A Benchmark Energy Performance report was given.

Clerk of the District Court, Sharilyn Steube submitted her September fee report in the amount of \$1,647.90. The report was reviewed and placed on file.

Committee reports were given.

The Chairman declared the meeting adjourned at 12:05 p.m. The next meeting will be held October 16, 2012 at 9:00 a.m. in the County Commissioners Room, lower level of the Courthouse for the regular meeting.

Clerk
Kurt Bulgrin, Chairman
York County Board of Commissioners

Cynthia D. Heine, County
York, Nebraska