

The York County Board of Commissioners met according to law on Tuesday, October 1, 2013 at 8:35 a.m. as per notice in the York News Times on September 26, 2013, with Vice Chairman Bill Bamesberger presiding, with Tom Shellington, Jack Sikes and Paul Buller; Commissioner Kurt Bulgrin was absent. Also present was Melanie Wilkinson, Correspondent for the York News Times.

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

Bamesberger announced that the Open Meetings Act was posted outside the door along with copies in the back of the Board Room.

Moved by Shellington, seconded by Sikes to approve the minutes of the September 17, 2013 Board of Commissioners meeting; roll call: yeas, Shellington, Sikes, Buller and Bamesberger; nays, none; Bulgrin absent; motion carried.

Moved by Shellington, seconded by Sikes to adopt the agenda for Tuesday, October 1, 2013, Board of Commissioners meeting; roll call: yeas, Shellington, Sikes, Buller and Bamesberger; nays, none; Bulgrin absent; motion carried.

Kevin Graves spoke with the Board regarding the information he provided at the prior board meeting. He wanted to clarify/correct some of the information.

Susan Dunavan questioned the Board regarding the Haul Route Agreement which was previously adopted. She questioned if it was voided or still in effect. The Board stated that the County Attorney has advised them that it was void due to the change in the pipeline route.

Moved by Buller, seconded by Shellington to go into Executive Session at 8:47 a.m. for the prevention of needless injury to an individual; roll call: yeas, Buller, Shellington, Sikes and Bamesberger; nays, none; Bulgrin absent; motion carried. Vice Chairman Bamesberger restated the motion.

Moved Sikes, seconded by Buller to go out of Executive Session at 9:14 a.m. where no action was taken; roll call: yeas, Sikes, Buller, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried.

Bob Sautter and Sally Reuben representatives of the York County Visitors Bureau informed the Board of the grant request made by the Wessels Living History Farm to construct a basement for the Zion Evangelical Lutheran Church of Thayer which was donated. They are requesting \$9,322.00.

Moved by Shellington, seconded by Sikes to approve the Wessels Living History Farm grant application in the amount of \$9,322.00 to be used for construction of a basement under the Zion Evangelical Lutheran Church of Thayer which is to be relocated to the Wessels Farm; roll call: yeas, Shellington, Sikes, Buller and Bamesberger; nays, none; Bulgrin absent; motion carried.

Mitch Doht, York County Highway Superintendent and Zoning Administrator came before the Board to answer the questions presented by Randy Campbell regarding the Zoning Regulations and Comprehensive Plan.

Moved by Sikes, seconded by Shellington to continue to research the matter and readdress it in the next regularly scheduled meeting; roll call: yeas, Sikes, Shellington, Buller and Bamesberger; nays, none; Bulgrin absent; motion carried.

Gary Petersen, York/Seward Emergency Manager, requested approval to solicit bids for drafting the Revised Hazardous Mitigation Plan.

Moved by Buller, seconded by Sikes to authorize the Emergency Manager to solicit bids for drafting the Revised Hazardous Mitigation Plan; roll call: yeas, Buller, Sikes, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried.

The Board tabled action on the Lease Agreement for the Probation Office and also the approval of the Nebraska Regional Inoperability Network Tower Agreement.

Bond Drawdown #24 was reviewed.

Moved by Shellington, seconded by Buller to approve Bond Drawdown #24 payable to Kirkham Michael for \$22,920.00; Dixon Construction for \$75,542.45; Commercial Construction for \$190,987.36 and ME Collins for \$12,809.16 in the total amount of \$302,258.97; roll call: yeas, Shellington, Buller, Sikes and Bamesberger; nays, none; Bulgrin absent; motion carried.

**GENERAL ASSISTANCE:**

Moved by Shellington, seconded by Buller to approve General Assistance case #13-7 for \$481.84 payable to SourceGas; roll call: yeas, Shellington, Buller, Sikes and Bamesberger; nays, none; Bulgrin absent; motion carried.

**INTERFUND TRANSFERS:**

Moved by Sikes, seconded by Buller to adopt Resolution #13-55 transferring \$200,000.00 from the Inheritance Tax Fund to the Road Fund to be repaid when funds become available; roll call: yeas, Sikes, Buller, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried.

**RESOLUTION #13-55**

WHEREAS, the York County Board of Commissioners met at their regular meeting on the 1st day of October 2013, to discuss and act on an emergency created in the funds available in the Road Fund to operate until the end of the fiscal year which will be completed on June 30, 2014; 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 \$200,000.00 will be required to complete the obligations of this fund for the fiscal year ending June 30, 2014.

NOW, THEREFORE, BE IT RESOLVED, that the York County Board of Commissioners hereby finds and declares that an emergency exists in the Road Fund budget and hereby appropriates from the Inheritance Tax Fund the sum of \$200,000.00 for the Road Fund for the remainder of the fiscal year ending June 30, 2014 for payment of claims. Such funds are to be reimbursed to the Inheritance Tax Fund when monies become available.

DATED this 1st day of October, 2013.

**PAYROLL AND VENDOR CLAIMS:**

Moved by Buller, seconded by Sikes to approve payroll in the amount of \$140,901.91 and vendor claims as presented; roll call: yeas, Buller, Sikes, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried.

<b>Fund Name</b>	<b>Description</b>	<b>Total</b>
Gen	Jury Fees	2,277.53
Rd	Ace Irrigation and Mfg	Culverts 7,356.80
Gen	Angle, Murphy, Valentino & Campbell	Attorney Fees 1,017.50
Gen	Automated Systems	Data Proc Equip 850.00
Gen	Bob Barker Company, Inc.	Equip 154.05
Gen, Rd	Black Hills Energy	Heating Fuels 145.41
Gen	Blue Knight Security, Inc.	Security Contract 744.00
Inher Tax	Bottorf & Maser	Reimbursement 1,103.08
Rd	Business Telecommunication Systems	Office Equip 204.00
Rd	Car Parts Inc.	Shop Supplies 37.87
Inher Tax	CASA for York County	Budget 13-14 30,375.00
Weed	Central Community College	Registration 120.00
Rd	Cornhusker Cleaning Systems Inc.	Shop Supplies 71.04
Gen	Dennis Crowell	Mileage 35.71
Gen	Eakes Office Plus	Office Supplies 1,335.71
Gen	Eastern Nebraska Forensic Lab	Court Costs 58.00
Rd	Fastenal Industrial & Const Supply	Repair Parts 669.47
Gen	Fillman Law Offices	Attorney Fees 52.50
Rd	Filter Care	Repair Parts 230.85
Gen	First Concord Benefits Group, LLC	Insurance 1,567.57
Gen	Fitness Worx	Contract 25.00
Rd	Five Star Truck Center	Repair Parts 476.88
Gen	Galls	Safety Equip 257.09
Gen	Hall County Court, District Nine	Court Costs 12.00
Gen	Heiden Surveying	Contractual Services 3,598.90
Rd	Bill Heine	Uniform Allowance 50.00
Gen	Hiebner Body Shop	Safety Equipment 250.00
Weed	Hinz Repair	Weed Equip Repair 715.73
Gen	Hometown Leasing	Data Proc Equip 713.06
Gen	Jack's Uniforms & Equipment	Uniform Allowance 116.89
Rd	Jeo Consulting Group, Inc.	Engineering 2,548.75
Rd	John Kohl Auto Center, Inc.	Repair Parts 43.30
Rd	Larry Johnson	Uniform Allowance 50.00
Rd	Johnson Sand & Gravel Co, Inc.	Gravel 15,456.90
Gen	Thomas Kahler	Court Costs 20.00
Gen	Kearney County Sheriff's Office	Court Costs 82.80
Gen	Latimer Reporting	Court Costs 838.69
Rd	Lawson Products, Inc.	Shop Supplies 119.64
Gen	Lichti's Inc.	Office Equip 1,219.90
Gen	Light & Siren	Equipment 40.38
Gen	Dave Long	Bailiff 75.00
Rd	Lyle Signs, Inc.	Signs & Posts 4,848.00
Gen	Mainstay Technologies LLC	Office Equip 100.00
Gen	Manatron, Inc.	Data Proc Costs 4,930.80
Gen	Jamie Martelle	Mileage 62.65
Rd	Martin Marietta Materials	Rock 816.08
Rd	Mead Lumber & Rental	Building Materials 378.92
Gen	Microfilm Imaging Systems, Inc.	Data Proc Equip 155.00
Rd	Midwest Pump and Equipment Co.	Equip 25,242.00
Gen	Jeanne Morand	Court Costs 3,348.77
Gen	Ne Assoc of County Officials	Registration 120.00
Gen	Ne Public Power District	Electricity 144.04
Rd	Ne Safety Council	Safety Equip 161.50
Gen	Ne Sheriffs' Association	Registration 105.00
Gen	Ne State Bar Association	Dues 37.45
Gen	Nebraska.gov	Data Proc Equip 335.60
Gen	Nebraskaland Glass	Vehicle Maintenance 229.00
Rd	O'Reilly Auto Parts	Repair Parts 500.05
Rd	Olsson Associates	Equip 2,000.00
Rd	Orscheln Farm & Home	Repair Parts 647.35
Gen	Lynn Peavey Company	Drug Tests 130.71
Gen, Rd	Perennial Public Power District	Electricity 288.57
Gen	Physicians Laboratory Services PC	Coroner/Autopsy Costs 900.00
State Inst	Region V Systems	EPC Billings 2,211.00
Gen	Saline County District Court	Court Costs 1.50

Gen	Brenda Scavo	Mileage	96.05
Rd	Smith Hayes/National Financial Svcs	Motor Grader Payment	178,228.20
Rd	Standard Battery, Inc.	Repair Parts	283.90
Gen	State of Ne HHSS Laboratory	Court Costs	27.01
Gen	Stephens Law Offices, P.C., L.L.O.	Attorney Fees	960.00
Gen	Sharilyn Steube	Mileage	93.79
Gen	Svehla Law Offices	Attorney Fees	4,748.20
Gen	Thayer County Sheriff's Office	Court Costs	33.37
Gen	Time Warner Cable	Subscription	80.99
Rd	Union Bank & Trust Company	Excavator Payment	41,356.73
Rd	United Farmers Cooperative	Fuel	6,619.60
Gen	University of Nebraska Extension/Polk	Registration	60.00
Gen	USI Education & Govt Sales	Office Supplies	200.79
Gen	Eric Williams	Attorney Fees	2,947.50
Gen	Windstream Communications	Telephone Service	138.22
Gen, Rd	York Ace Hardware	Shop Supplies	539.41
Gen	York County Court	Court Costs	245.00
Weed	York County Highway Dept	Fuel	518.08
Weed	York Farm Supply LLC	Equipment	72.51
Rd	York Printing Company, LLC	Safety Equip	25.00
Gen	Gary Zoubek	Mileage	472.34

Moved by Sikes, seconded by Buller to go into Executive Session at 9:50 a.m. to discuss General Assistance cases and to prevent needless injury to an individual; roll call: yeas, Sikes, Buller, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried. Vice Chairman Bamesberger restated the motion.

Moved by Sikes, seconded by Buller to come out of Executive Session at 9:55 a.m. where no action was taken; roll call: yeas, Sikes, Buller, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried.

Committee reports were given.

The Vice Chairman declared the meeting adjourned at 10:00 a.m. The next meeting will be held October 15, 2013 at 8:35 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