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.

**Fund Name Description Total**

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 Cynthia D. Heine, County Clerk

York County Board of Commissioners York, Nebraska