The York County Board of Commissioners met according to law on Tuesday, November 16, 2021 at 8:30 a.m. as per notice in the York News Times, and on the York County Website, on November 11, 2021, with Chairman Randy Obermier, presiding, with Jack Sikes, Daniel Grotz, Bill Bamesberger and Kurt Bulgrin. Also, present at the meeting was Kelly Turner, York County Clerk and Melanie Wilkinson, correspondent with 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.

Obermier announced that the Open Meetings Act was posted outside the door along with copies in the back of the Board Room and on the York County Website. Proof of publication was also available.

Moved by Bulgrin, seconded by Sikes, to approve the minutes of the November 2, 2021, Board of Commissioners meeting; roll call: yeas; Bulgrin, Sikes, Bamesberger, Grotz and Obermier, nays, none; motion carried.

Moved by Grotz, seconded by Bamesberger, to adopt the agenda for Tuesday November 16, 2021, roll call: yeas; Grotz, Bamesberger, Sikes, Bulgrin and Obermier; nays, none, motion carried.

Harvey Keim, Highway Superintendent, met with the Board with update on the Road Department.

Paul Vrbka, County Sheriff, met with the Board to discuss elected officials’ salaries for the years 2023-2027

Willard Peterson, met with the Board about Road 13 condition.

**GENERAL ASSISTANCE**

There were no General Assistance at this time.

**PAYROLL AND VENDOR CLAIMS:**

Moved by Bulgrin, seconded by Sikes, to approve the payroll in the amount of $207,229.19 and vendor claims, with the exception of Blue Valley Community Action claim in the amount of $10,174.00, roll call: yeas; Bulgrin, Sikes, Bamesberger, Grotz and Obermier, nays; none; motion carried.

**Fund Name Description Total**

Visi Promo Avery Outdoor Billboard Rental 300.00

Gen Bob Barker Company Supplies 366.67

Gen/Roads Black Hills Energy Service 1344.14

Gen Blue Knight Security Security 276.00

Gen Buffalo Sheriffs Dept. Service 19.29

Gen Capital Business Systems Equipment 520.08

Area on Age Cash Wa Distributing Supplies 973.86

Vivi Promo Certified Folder Display Service Misc. 4,209.62

Gen Clerk of District Court-Hall County Court Cost 34.25

Gen Continuum Employee Assistance Dues 2,700.00

Gen Cornerstone Bank Maintenance Service 45.00

Gen/Roads/911 Emerg/Area on Age

Child Sup/Drug Corporate Payment Solutions Misc. Supplies 6,131.89

Gen/911 Emer Culligan Supplies 912.50

Road Dan’s Construction Service 10,710.00

Gen David City Discount Pharmacy Medical 63.71

Gen Dickson, Jordan T Training 26.90

Gen Diebold Nixdorf Service 142.71

Gen Eakes Supplies 2,325.70

Gen Fillman Law Offices Court Cost 4,484.00

Road Filter Care Service 18.65

Visi Promo Flagship Publishing Misc. 280.00

Gen Galls Supplies 782.98

Gen Global Tech Service/Equipment 562.48

Gen Grand Central Foods Supplies 2,853.48

Road Grant Built Logistics Rock 289.56

Gen Great Plains Uniforms Equipment 1,234.98

Area on Age Hines, Janet K Mileage/Supplies 38.23

Gen Home Care Plus Medical 110.00

Gen Hometown Leasing Equipment 297.53

Gen/Road Jackson Services Service 161.97

Gen Jefferson County Sheriff’s Office Service 100.00

Road Jensen Lumber Co. Supplies 38.32

Road Johnson Sand & Gravel Gravel 36,445.32

Road Kerford Limestone Co. Rock 17,116.67

Road Kimball Midwest Supplies 269.29

Gen Kopchos Sanitation Service 242.00

Visi Promo The Lamar Companies Billboard Rent 540.00

Gen Lancaster County Sheriff Court Cost 7.18

911 Emerg Language Line Services Service 5.75

Visi Promo Legacy Outdoor Advertising Billboard Rent 673.00

Gen Lexipol Training 871.20

Gen Lichti Oil Fuel 116.12

Gen/Road/911 Emerg

Visi Promo Lincoln Journal Star Printing/Publishing 1,664.84

HWY Allo Mainelli Wagner & Assoc. Road/Bridge Service 11,846.20

Road Matheson Supplies 534.11

Road Medical Enterprises Medical 35.00

Gen Microfilm Imaging Services Service 353.00

Road Midwest Auto Parts of York Supplies 1,027.48

Road Midwest Service & Sales Supplies 5,521.16

Gen MIPS Service 890.30

Gen Mogul’s Transmission Service/Parts 176.00

Gen NACO Training/Dues 2,886.55

Gen/Road Nebraska Door & Window Service/Supplies 3,431.52

Gen Ne Law Enforcement Training Center Training 720.00

Gen NPPD Electricity 131.24

Road Nebraska-Iowa Industrial Fasteners Corp Supplies 162.31

Road NMC Supplies 8,970.59

Gen/Road/Visi Promo

911 Emer North Office Supply Supplies 750.53

Gen O’Reilly Automotive Supplies 11.98

Gen Otoupal Insurance Service 80.00

Gen Paper Tiger Shredding Service 52.00

Road Paulsen, Terry L Telephone 30.00

Road/Visi Prom Perennial Electricity 208.52

Gen Perez Interpreting Service 50.00

Road Platte Valley Communications Equipment 581.30

Road Pomp’s Tire Service Supplies 4,084.34

Road Power Plan Equipment 693.10

Gen/Road/911 Quadient Postage Postage 1,946.00

Road Radar Shop Equipment 637.00

Gen Radiology Associates Medical 168.00

Road Rasmussen, Ashley Telephone 30.00

Gen Rasmussen Mechanical Services Service 3,127.67

Road RDO Truck Centers Supplies 1,044.60

Gen Rees, Jenny Mileage 604.80

Gen Reis, Bradley L. Training 26.90

Gen Ron & Jerry’s Plumbing Supplies 321.00

Road Sahling Kenworth Supplies 866.48

Visi Promo St Joseph’s Athletic Club Ad 90.00

Road Sapp Bros. Supplies 1,555.60

Visi Promo Sautter, Robert R Mileage 93.52

Gen Secretary of State Conference 80.00

Emerg Manage Seward County Misc. 5,394.21

Gen Seward County Detention Center Inmate Holding 5,655.00

Road Slack Auto Supply Supplies 179.71

Gen/911 Emerg State of Nebraska Misc. 160.88

Gen Svehla Law Offices Court Cost 3,168.50

Road Thermo King Supplies 114.16

Gen Thomson Reuters Misc. 538.18

Gen/911 Emerg Time Warner Cable Service 3,511.98

Gen TK Elevator Co. Elevator Service 3,071.81

Gen Tractor Supply Supplies 140.58

Gen/911 Emerg TransUnion Misc. 397.60

Gen US Foods Supplies 1,874.81

Gen Vanguard Appraisals Service Fees 13,946.00

Gen/911 Emerg Verizon Telephone 730.23

Road Village of Bradshaw Service 15.94

Gen Vrbka, Paul Uniform 61.67

Gen Walgreen Company Medical 660.35

Gen Wessling, J. Brian Medical 243.00

HWY Allo Western Engineering Engineering 1,154,987.55

Gen/Road/911 Windstream Service 2,569.42

Gen/Road York Ace Hardware Supplies 466.55

Visi Promo York Chamber of Commerce Misc. 4,212.14

Visi Promo York County Ag Society Grant 5,000.00

Gen York County Clerk Court Cost 55.00

Gen York County Court Court Cost 5,427.88

Visi Promo/Imp York County Development Corp Misc. 1,486.07

Gen York County District Court Court Cost 610.00

Gen York County Highway Department Fuel 6,002.22

HWY Allo York County Register of Deeds Recording Fees 28.00

Gen York County Sheriff Court Cost 1,160.86

Gen York Dental Associates Medical 1,058.00

Road York Equipment Supplies 7,384.85

Gen/Road York Farm Supply Supplies 65.60

Gen/Road York General Hospital Medical 1,540.99

Gen York Medical Clinic Medical 100.97

Gen Zoubek, Gary L 2021 Mowing 1,428.38

**INTERFUND TRANSFERS:**

There were no Interfund Transfers at this time.

Moved by Bamesberger, seconded by Sikes, to authorize the Chairman to sign the Juvenile Diversion Grant for the year 2022-2023, roll call, yeas; Bamesberger, Sikes, Bulgrin, Grotz and Obermier, nays none, motion carried.

Moved by Grotz, seconded by Bulgrin, to designate the York News-Times as the county newspaper for publication purposes for the year 2022 and to designate the yorkcounty.ne.gov Website for publication purposes for the year 2022; roll call: yeas, Grotz, Bulgrin, Bamesberger, Sikes and Obermier, nays, none; motion carried.

Moved by Bulgrin, seconded by Sikes, to authorize the Chairman to sign the Blue Knight Security Proposal for Service Addendum, roll call, yeas; Bulgrin, Sikes, Bamesberger, Grotz and Obermier, nays none, motion carried.

Moved by Bamesberger, seconded by Sikes, to adopt Resolution #21-45 to approve added pledge security with Midwest Bank CUSIP# 3136BHT25 in the amount of $10,000,000.00, roll call, yeas; Bamesberger, Sikes, Bulgrin, Grotz and Obermier, nays none, motion carried.

**RESOLUTION #21-45**

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

**BE IT THEREFORE RESOLVED**, that the deposit of securities heretofore made to secure the County deposits with said Midwest 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 Bank

CUSIP #3136BHT25

Maturity Date: 7/25/2051

Pap Value: $10,000,000.00

DATED this 16th day of November, 2021

Moved by Grotz, seconded by Sikes, to authorize Leila Luft, Communication Director to go forward with the Redundant Internet Connection for Communications Center and Courthouse, the payment will be $257.00 per month, for 24 months, free installation and payments to be coded out of the data processing fund, roll call, yeas; Grotz, Sikes, Bamesberger, Bulgrin and Obermier, nays none, motion carried.

Moved by Bulgrin, seconded by Sikes, to adopt Resolution # 21-46 a resolution approving an amendment to service agreement between the County of York, in the State of Nebraska, and the York Area Solid Waste Agency relating to disposal of solid waste and additional bonds to be issued by said agency; agreeing to provide for a special tax in the event of a deficiency of revenues; authorizing the execution of such amendment to service agreement by officers of the county; and authorizing the chairperson to make certain allocations and certifications relating thereto, roll call, yeas; Bulgrin, Sikes, Bamesberger, Grotz and Obermier, nays none, motion carried.

RESOLUTION NO. 21-46

A RESOLUTION APPROVING AN AMENDMENT TO SERVICE AGREEMENT BETWEEN THE COUNTY OF YORK, IN THE STATE OF NEBRASKA, AND THE YORK AREA SOLID WASTE AGENCY RELATING TO DISPOSAL OF SOLID WASTE AND ADDITIONAL BONDS TO BE ISSUED BY SAID AGENCY; AGREEING TO PROVIDE FOR A SPECIAL TAX IN THE EVENT OF A DEFICIENCY OF REVENUE’S; AUTHORIZING THE EXECUTION OF SUCH AMENDMENT TO SERVICE AGREEMENT BY OFFICERS OF THE COUNTY; AND AUTHORIZING THE CHAIRPERSON TO MAKE CERTAIN ALLOCATIONS AND CERTIFICATIONS RELATING THERETO

BE IT RESOLVED BY THE CHAIRPERSON AND BOARD OF COMMISSIONERS OF THE COUNTY OF YORK, IN THE STATE OF NEBRASKA:

Section 1. The Board of Commissioners (the “County Board”) of The County of York, in the State of Nebraska (the “County”) hereby finds and determines that the York Area Solid Waste Agency (the “Agency”) and the County have previously entered into a Service Agreement dated October 27, 1993 as amended by an Amendment to Service Agreement dated as of January 25, 2000 as further amended by an Amendment to Service Agreement dated December 18, 2002, as further amended by an Amendment to Service Agreement dated as of August 15, 2006, and as further amended by an Amendment to Service Agreement dated as of October 15, 2010 (collectively, the “Service Agreement”); that for the purpose of financing improvements to the solid waste disposal facilities of the Agency, the Agency proposes to issue its Solid Waste Disposal Facilities Revenue Bonds, Series 2022 (the “Bonds”), in an amount to be determined by the Agency not to exceed $5,500,000; that the Bonds shall bear interest at such rate or rates, shall mature at such times, and shall have such initial offering prices and other terms as may be determined by the Agency; that it is necessary and advisable for the County to enter into an Amendment to Service Agreement with the Agency in connection with the issuance of the Bonds; that an Amendment to Service Agreement for such purpose has been prepared and submitted for approval by the County Board and that it is necessary and advisable that said Amendment to Service Agreement be approved and its execution authorized.

Section 2. The Chairperson of the County Board and each and every one of the Commissioners are hereby authorized to execute for and on behalf of the County the Amendment to Service Agreement with the Agency in substantially the form presented but with any such changes as such officers shall deem appropriate for the on behalf of the County, subject to approval of said Amendment to Service Agreement as to form by the County Attorney.

Section3. The County Board hereby finds and determines that said Amendment to Service Agreement provides that any deficiency in revenues from the facilities to be owned and operated by the Agency insofar as meeting the obligations of said Agency with respect to said facilities, including obligations with respect to the Bonds, may be made up from a special tax levied for such purpose upon all the taxable property within the county, such tax to be levied in accordance with Section 13-2024, R.R.S. Neb. 2012, as amended, provided, however, that the obligation to make such deficiency payments under said Service Agreement and Amendment to Service Agreement is to be shared on a pro rata basis with the City of York under the terms of said Service Agreement and a similar agreement and amendment between the Agency and the City of York, and that such provision in said Amendment to Service Agreement is hereby determined by the County Board to be appropriate for and on behalf of the County.

Section 4. The Chairperson is hereby authorized to make any allocations and Certifications relating to the Service Agreement, the Amendment to Service Agreement and the Bonds as the Chairperson shall deem necessary or appropriate, including any and all certifications and allocations relating to compliance with Sections 103,148 and 265 of the Internal Revenue Code of 1986, as amended.

Section 5. This resolution shall be in force and take effect from and after its adoption as provided by law.

ADOPTED this 16th day of November, 2021

Moved by Bulgrin, seconded by Grotz, to adopt Resolution #21-47, to authorize the chairman to sign the end of the year certification of County Highway Superintendent Harvey Keim, for determining incentive payments, for 2021, roll call, yeas; Bulgrin, Grotz, Bamesberger, Sikes and Obermier, nays none, motion carried.

**RESOLUTION #21-47**

**SIGNING OF THE**

**YEAR-END CERTIFICATION OF COUNTY HIGHWAY SUPERINTENDENT FORM 2021**

**WHEREAS:** State of Nebraska Statutes, sections 39-2302, and 39-2501 through 39-2505 detail the requirements that must be met in order for a county to qualify for an annual Incentive Payment; and

**WHEREAS:** The State of Nebraska Department of Transportation (NDOT) requires that each county must annually certify (by December 31st of each year) the appointment of the County Highway Superintendent(s) to the NDOT using the Year-End Certification of County Highway Superintendent form; and

**WHEREAS:** The NDOT requires that such certification shall also include a copy of the documentation of the county highway superintendent’s appointment, i.e.,meeting minutes showing the appointment of the County Highway Superintendent by their name as it appears on their License (if applicable), their License Number (if applicable) and Class of License (if applicable), the type of appointment, i.e., employed or under contract (consultant, or interlocal agreement with another county and/or incorporated municipality), and the beginning date of the appointment; and

**WHEREAS:** The NDOT also requires that such Year-End Certification of County Highway Superintendent form shall be signed by the County Board Chairperson and shall include a copy of a resolution of the County Board authorizing the signing of the Year-End Certification of County Highway Superintendent form by the County Board Chairperson.

**BE IT RESOLVED** that the County Board Chairperson of York County is hereby authorized to sign the attached Year-End Certification of County Highway Superintendent form(s).

Adopted this 16th day of November, 2021 at York, Nebraska.

Brenda Scavo, County Treasurer and Kelly Turner, County Clerk, met with the Board to propose the salary increases for the Elected Officials for the years 2023-2027.

The Board discussed the Commissioners redistricting lines from the Census.

**FEE REPORTS (reports were reviewed and placed on file)**

County Clerk, October 2021 $24,871.50

Clerk of the District Court October 2021 $2,532.84

Sheriff October 2021 $1,553.26

County Treasurer – Fund Balances as of October 31, 2021

0100 General $1,729,170.54

0300 Roads $288,312.03

0650 Highway Bridge Buy Back Program $296,586.90

0676 Juvenile Diversion $7,993.88

0985 Child Support Enforcement Cty Atty $46,245.25

0990 Visitors Promotion $240,064.96

0995 Co Visitors Impr Fund $298,876.39

1100 Reappraisal $169,457.25

1150 ROD Preservation Fund $27,852.31

1200 Employment Security $29,769.41

1300 Area on Aging $35,755.97

1500 Relief & Medical $16,769.28

1700 State Institutions $34,248.29

1900 Veterans Aid Fund $21,373.32

2200 Busy Wheels $12,945.59

2355 STOP $6,393.63

2360 York Co Drug Fund $70,159.38

2390 Drug Court $311.96

2410 Federal Drug Law Enf $264,904.14

2411 Federal Drug Law Cty Att $3,320.86

2580 American Rescue Plan (COVID) $1,328,505.46

2601 Debt Service $303,708.05

2605 Comm Dev Blk Grant $50,000.00

2700 Inheritance Tax $6,619,052.27

2910 911 Emergency $549,881.00

2913 911 Wireless Serv $38,183.92

2914 911 Wireless Serv Holding $239,850.51

2915 Emergency Mgmt $36,425.96

2940 Law Enforcement/911 Comm $62.18

4601 Hwy Allocation Capital Project $6,765,921.56

5502 Ambulance $100,353.77

Committee Reports were given.

Moved by Bulgrin, seconded by Grotz, to go into executive session at 9:53 a.m., to prevent needless injury to an individual, to receive advice from legal counsel, roll call: yeas; Bulgrin, Grotz, Bamesberger, Sikes and Obermier, nays, none; motion carried.

Moved by Bamesberger, seconded by Sikes, to come out of executive session at 10:26 a.m. which no action was taken; roll call: yeas; Bamesberger, Sikes, Bulgrin, Grotz and Obermier nays, none; motion carried.

The Chairman declared the meeting adjourned at 10:28 a.m. The next meeting will be held, November 30, 2021 at 8:30 a.m. in the County Commissioners Room, main floor of the Courthouse for the regular meeting.

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Randy Obermier, Chairman Kelly Turner, County Clerk

York County Board of Commissioners York, Nebraska