The York County Board of Commissioners met according to law on Tuesday, May 26, 2015 at 8:30 a.m. as per notice in the York News Times on May 21, 2015, with Chairman Bill Bamesberger presiding, with Kurt Bulgrin, Randy Obermier and Jack Sikes. Paul Buller absent. Also present at the meeting was Melanie Wilkinson, correspondent for the York News Times and Kelly Turner, County Clerk.

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.

Bamesberger 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 Bulgrin, seconded by Obermier to approve the minutes of the May 12, 2015, roll call; yeas, Bulgrin, Obermier, Sikes and Bamesberger, nays none, Buller absent, motion carried.

Moved by Obermier, seconded by Sikes to adopt the agenda for Tuesday, May 26, 2015, roll call; yeas, Obermier, Sikes, Bulgrin and Bamesberger; nays, none; Buller absent, motion carried.

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

**GENERAL ASSISTANCE**

There were no General Assistance at this time.

**PAYROLL AND VENDOR CLAIMS:**

Moved by Bulgrin, seconded by Obermier to approve the payroll in the amount of $143,388.07 and vendor claims with the coding change to the Holthus Convention Center from Improvement Fund to Promotional Fund, roll call; yeas, Bulgrin, Obermier, Sikes and Bamesberger; nays none; Buller absent, motion carried.

**Fund Name Description Total**

General Adams County Sheriff Court Costs 37.36

General Barker Company, Inc., Bob Equipment 309.82

General Blue Knight Security, Inc. Security Contract 1,710.00

General Cima Companies, Inc., The Insurance Renewal 1,315.08

General, Rd,

Aging, Drug

Law Enforce Corporate Payment Systems Monthly Payment 3,646.25

General CWC of York, Inc. Office Supplies 494.30

General Discovery Benefits, Inc. COBRA Monthly 173.40

General, Aging

Visit Promo, Eakes Office Plus Office Supplies 488.16

Aging Eckard, Linda Mileage Allowance 73.60

General Electronic Systems, Inc-2 Service Call 70.00

General EyeCare Associates LLC Medical-Prisoners 189.00

General Fillman Law Offices Court Costs 142.50

Road Five Star Truck Center-York Tire Repair 55.00

General Gillespie, Joshua J Reimbursement 484.25

General GIS Workshop Data Processing 12,500.00

General Global Tech Inc. Data Processing 1,857.27

General Graham Tire Lin. North Fuel 507.64

Aging Grand Central Foods Health Promotion 430.33

General Great Plains Pest Management, Inc. Maintenance Agreement 106.00

General Green, Carla E Reimbursement 11.01

General Hitz Towing, Inc. Fuel 70.00

Visit Promo Holthus Convention Ctr Foundation Special Projects 350.00

General Home Care Plus Medical-Prisoners 189.00

General Hometown Leasing Equipment Rental 295.00

General Hy-Tech Auto Service Fuel 223.13

Road ISCO Industries Culverts 11,185.38

Road Jackson Services Inc. Shop Supplies 107.94

Road Johnson Sand & Gravel Co, Inc. Gravel & Royalty 13,468.76

Road Kerford Limestone Company Rock 5,226.69

Road Lichti Bros Oil Co Inc. Fuel 14,824.80

General Liermann’s Service Fuel 61.15

General Lincoln Orthopedic Center Medical-Prisoners 2,714.00

General Malouf & Associates Janitorial Supplies 1,278.40

Road Mead Lumber Co. Shop Tools/Equip Rental 1,797.46

General NATP Dues 110.00

General NE Assoc. of County Officials Dues 90.00

Hwy Buyback NE Department of Roads Engineering 749.99

State Institute NE Health & Human Services Monthly Fees 426.00

Road NMC Exchange LLC Equipment Repair 9,327.07

General North Office Supply Office Supplies 76.92

General Northern Agri-Services, Inc. Supplies/Service Call 85.60

Road Overland Sand & Gravel Company Gravel & Royalty 26,705.04

Juv Diversion Owens Educational Services Miscellaneous 496.00

General Peavey Company, Lynn Drug & Alcohol Test 92.70

General Perennial Public Power District Electricity 144.04

General Pieper Plumbing & Well Drilling Inc. Equipment Repair 115.00

General Radiology Associates PC Medical-Prisoners 220.00

General Ramada Inn Kearney NE Dues 74.00

General Sacs Investments LLC Equipment 572.00

General Seams Possible Uniform Allowance 36.00

General Secretary of State-Election Division Voting Supplies 10.00

General Seward County Sheriff Court Costs 31.89

Aging Spartan Stores, LLC. Health Promotion 2,605.30

Road Standard Battery, Inc. Shop Supplies/Equip Repair 40.39

General State of NE/DAS Central Finance Data Processing/Equip Rental 84.60

General Stecker, James C. Court Costs 563.92

General Stephens Law Offices, P.C., L.L.O. Court Costs 3,139.50

General Steube, Sharilyn K Reimbursement 28.16

Juv Diversion Stutzman, Shane Office Equipment 1,428.40

General Svehla Law Offices Court Costs 120.00

General Thomson Reuters/West Payment Center Fees 2,679.68

General University of Nebraska-Lincoln Telephone Service 600.00

General Urgent Care of York Medical-Prisoners 90.00

General United States Post Office Postal Services 905.20

Road Village of McCool Junction Water/Sewer 46.75

Visit Promo Web Tech Solutions Miscellaneous 65.83

Road Weldon Industries, Inc. Equipment Repair 750.56

General Williams, Eric J. P.C., L.L.O. Court Costs 95.00

911 Emerg Windstream Communications Telephone Service 937.17

General York Ace Hardware Janitorial Supplies 468.57

Visit Promo York Area Chamber of Commerce Miscellaneous 60.00

General York County Court Court Costs 382.26

General York County Development Corp Meals 19.00

General, Weed York County Highway Dept. Fuel 3,419.65

General York County Register of Deeds Court Costs 10.00

General York County Sheriff Equipment 23.70

General York General Hospital Medical-Prisoners 2,914.50

General, Rd,

Visit Promo,

Weed York News-Times Printing & Publication 2679.94

General Zoubek, Gary Mileage Allowance 331.20

**INTERFUND TRANSFERS:**

There were no interfund transfers at this time.

Moved by Sikes, seconded by Obermier to agree that Nancy Waldron hire a temporary secretary while her secretary is out on medical leave, roll call; yeas, Sikes, Obermier, Bulgrin and Bamesberger, nays none, Buller absent, motion carried.

Recess at 8:50 a.m.

Moved by Bulgrin, seconded by Sikes to authorize the Chairman to sign the agreement for project No STP-NBIS (102) 2015 Fracture Critical Bridge Inspection, roll call; yeas, Bulgrin, Sikes, Obermier and Bamesberger, nays none, Buller absent, motion carried.

THIS AGREEMENT, entered into by and between York County, Nebraska, hereinafter referred to as the “County”, and the State of Nebraska, Department of Roads, hereinafter referred to as the “State”.

WITNESSETH

WHEREAS, certain bridges on county roads in said County have been designated as being eligible for Surface Transportation Program (STP) Funds by the Department of Transportation, Federal Highway Administration, hereinafter call FHWA, in compliance with Federal laws pertaining thereto, and

WHEREAS, STP Funds have been made available by Title 23 of the United States code, providing for the inspection and load re-rating (load re-rating is not necessary if bridge condition remains the same) of the fracture critical bridges on its public roads, and

WHEREAS, the Federal share payable on any project provided for by the above mentioned code shall not exceed eighty (80) percent of the eligible engineering for bridge inspection and load re-rating costs thereof, and

WHEREAS, regulations for carrying into effect the provisions of the above mentioned code provide that the Federal share of the cost of such project shall be paid only to the State, and

WHEREAS, the County’s share of the proposed project shall be twenty (20) percent of the actual project costs and this share shall be from County funds, and

WHEREAS, the State is willing to obtain Federal approval of the proposed work and Federal funds for the proposed project, with the understanding that no State funds including State-Aid Bridge funds are to be expanded on this project, and

WHEREAS, the County has earmarked and will place in its fiscal budget sufficient funds to pay all project costs not paid for by Federal funds; such costs based on twenty (20) percent County participation are currently estimated to be $1,943.20, but such costs may increase or decrease due to variations between the estimated and actual project costs, and

WHEREAS, the County desires the inspection and load re-rating (if necessary) of the fracture critical bridges on its public roads, as evidenced by the Resolution of the County Board dated the 26th day of May, 2015, attached hereto, identified as Exhibit “A”, and hereby made a part of this agreement, and

NOW THEREFORE, in consideration of these facts, the parties hereto agree as follows:

Section 1. The State and the County agree that the Federal share payable on this project shall not exceed eighty (80) percent of the eligible engineering for bridge inspection and load re-rating (if necessary) costs thereof.

Section 2. The State hereby agrees to present this project to the FHWA for its approval, if necessary, and the County understands that no State funds will be expended for this project.

Section 3. The State agrees to cause to be performed the inspection and load re-rating (if necessary) of the fracture critical bridges that are due for inspection in 2015 in the County. The State will continue to have jurisdictional responsibility for all public bridges on the State highway system. Further, the State will be responsible for arranging for the inspection by consultants, for the county, on their fracture critical bridges. It is the intent of the parties that this agreement does not shift to the County any jurisdictional responsibility for bridges on the State highway system, and does not shift any duty to the State for that jurisdictional responsibility of bridges off of the State highway system.

Section 4. The proposed work of the Consultant shall be performed in accordance with the following publications:

1. AASHTO Manual for Bridge Evaluation (MBE) First Edition 2008.
2. AASHTO Standard Specifications for Highway Bridges, 17th Edition, 2002 (LFD)
3. Minimum Design Standards, 2008, Board of Public Roads Classifications and Standards.
4. Safety Inspection of In-Service Bridges, 2004
5. Fracture Critical Techniques for Steel Bridges, 2006
6. Bridge Inspection Program Manual, 2010
7. Coding Guide for Structure Inventory and Appraisal, published by the State, March 2002.
8. AASHTO LRFD Bridge Design Specifications, 4th Edition, 2007

Section 5. The total cost of this work is currently estimated to be $9,716.02, with the County’s twenty (20) percent share being $1,943.20. Both parties recognize this is a preliminary estimate and the final costs may well be higher or lower. Costs incurred by the State with respect to the entire project shall be considered as a part of the total cost of the project to be paid out of County and Federal funds. It is also understood that the costs incurred by the State attributable to this project, will not include and administrative cost or expenses of State administrative officials. Upon full execution of this agreement, the State will invoice the County $1,943.20. The County agrees to pay the State within thirty days after receipt of the billing from the State. The final settlement between the State and County will be made following final audits and when final costs have been determined by the State.

Section 6. It is further understood that the county’s share of the total project costs shall be all costs not paid for by Federal funds. Therefore, if the Federal government refuses to participate in the project with any portion thereof, the County is responsible for full project payment with no cost or expense to the State in such project or portion thereof. Should the project be abandoned before completion, the County will pay all costs incurred by the State prior to such abandonment.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

EXECUTED by the County this 26th day of May, 2015.

Moved by Obermier, seconded by Bulgrin to adopt Resolution #15-25 for project No STP-NBIS (102) 2015 Fracture Critical Bridge Inspection, roll call; yeas, Obermier, Bulgrin, Sikes and Bamesberger, nays none, Buller absent, motion carried.

**RESOLUTION #15-25**

**WHEREAS**, the Nebraska Department of Roads (NDOR) is developing a transportation project, on the behalf of the county, for which it intends to obtain Federal funds,

**WHEREAS**, York County as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid projects;

**WHEREAS**, York County and the NDOR wish to enter into a program Agreement to provide for fracture critical bridge inspection and load re-rating (if necessary) services for the Federal-aid project.

**BE IT RESOLVED:** by the Board of Commissioners of York County that:

Bill Bamesberger, Chair of the York County Board of Commissioners is hereby authorized to sign the attached Project Program Agreement between the York County and the NDOR.

York County is committed to providing local funds for the project as required by the Project Program Agreement.

NDOR Project Number: STP-NBIS (102)

NDOR Control Number: 00924

NDOR Project Name: 2015 Fracture Critical Bridge Inspection

DATED this 26th day of May, 2015.

Carol Knieriem, CASA Director along with Ray Hansen gave the annual report for the Court Appointed Special Advocates. They also asked for funding for 2015-2016 in the amount of $32,225.00. The Board will take the request into consideration when drafting the budget.

Moved by Bulgrin, seconded by Sikes to adopt Resolution #15-26 to update the Comprehensive Plan, roll call; yeas, Bulgrin, Sikes, Obermier and Bamesberger, nays none, Buller absent, motion carried.

**RESOLUTION #15-26**

**WHEREAS,** the York County Board of Commissioners conducted a public hearing on the 12th day of May, 2015 for the purpose of considering the Update Comprehensive Plan as recommended by the York County Planning Commission.

**NOW, THEREFORE, BE IT RESOLVED,** that the York county Board of Commissioners hereby adopts the Comprehensive Plan as recommended by the York County Planning Commission.

DATED this 26th day of May, 2015.

Moved by Obermier, seconded by Sikes to adopt Resolution #15-27 to update the Zoning Regulations, roll call; yeas, Obermier, Sikes, Bulgrin and Bamesberger, nays none, Buller absent, motion carried.

**RESOLUTION #15-27**

**WHEREAS,** the York County Board of Commissioners conducted a public hearing on the 12th day of May, 2015 for the purpose of considering the Update Zoning regulations as recommended by the York County Planning Commission.

**NOW, THEREFORE, BE IT RESOLVED,** that the York county Board of Commissioners hereby adopts the Zoning Regulations as recommended by the York County Planning Commission.

DATED this 26th day of May, 2015.

Moved by Sikes, seconded by Bulgrin to adopt Resolution #15-28 to update the Subdivision Regulations, roll call; yeas, Sikes, Bulgrin, Obermier and Bamesberger, nays none, Buller absent, motion carried.

**RESOLUTION #15-28**

**WHEREAS,** the York County Board of Commissioners conducted a public hearing on the 12th day of May, 2015 for the purpose of considering the Subdivision regulations as recommended by the York County Planning Commission.

**NOW, THEREFORE, BE IT RESOLVED,** that the York county Board of Commissioners hereby adopts the Subdivision Regulations as recommended by the York County Planning Commission.

DATED this 26th day of May, 2015.

At 10:00 a.m. there were no bids for the sale of the said property, with the taxes that have been paid by the land owner Margel Fassnacht since 1932; the County Attorney will draw up a Quit Claim Deed for the said property to Margel Fassnacht.

Moved by Bulgrin, seconded by Sikes, to have the County Attorney draw up a Quit Claim Deed for the sale of the property owned by York County to Margel Fassnacht, Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of Section 34, Township 9, Range 3; roll call, yeas, Bulgrin, Sikes, Obermier and Bamesberger, nays none, Buller absent, motion carried.

Moved by Obermier, seconded by Sikes to stay with Coventry Health Insurance with Strong Financial, as the York County Health Insurance, roll call; yeas, Obermier, Sikes, Bulgrin and Bamesberger, nays none, Buller absent, motion carried.

Moved by Sikes, seconded by Obermier, to reappoint Shannon Siebert and Sally Ruben to the Visitor Bureau Board.

Moved by Bulgrin, seconded by Sikes to amend the motion to reappoint Shannon Siebert and Sally Ruben to make separate Resolutions for each reappointment, roll call; yeas, Bulgrin, Sikes, Obermier and Bamesberger, nays none, Buller absent, motion carried.

Moved by Sikes, seconded by Obermier to adopt Resolution #15-29 to approve reappointing Shannon Siebert to the Visitor Bureau Board for a four (4) year term beginning June1, 2015 through May 31, 2019, roll call: yeas, Sikes, Obermier, Bulgrin and Bamesberger; nays none; Buller absent, motion carried.

**RESOLUTION #15-29**

**WHEREAS**, the Visitors Bureau Board has requested the reappointment of a member to its Board; and

**WHEREAS**, current board members, Shannon Siebert has agreed to be reappointed for another 4 years; and

**NOW, THEREFORE BE IT RESOLVED**, that as of June 1, 2015, Shannon Siebert hereby reappointment to another four (4) year term which will expires May 31, 2019.

**Dated,** onthis 26th day of May, 2015.

Moved by Obermier, seconded by Bamesberger to adopt Resolution #15-30 to approve reappointing Sally Ruben to the Visitor Bureau Board for a four (4) year term beginning June 1st, 2015 through May 31, 2019, roll call: yeas, Obermier, Bamesberger and Sikes; nays Bulgrin, Buller absent, motion carried.

**RESOLUTION #15-30**

**WHEREAS**, the Visitors Bureau Board has requested the reappointment of a member to its Board; and

**WHEREAS**, current board members, Sally Ruben has agreed to be reappointed for another 4 years; and

**NOW, THEREFORE BE IT RESOLVED**, that as of June 1, 2015, Sally Ruben hereby reappointment to another four (4) year term which will expires May 31, 2019.

**Dated,** onthis 26th day of May, 2015.

Committee reports were given.

The Chairman declared the meeting adjourned at 10:56 a.m. The next meeting will be held June 9, 2015 at 8:30 a.m. in the County Commissioners Room, lower level of the Courthouse for the regular meeting.

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William H. Bamesberger, Chairman Kelly Turner, County Clerk

York County Board of Commissioners York, Nebraska