

The York County Board of Commissioners met according to law on July 13, 2010 at 9:40 a.m. as per notice in the York News Times on July 6, 2010, with Chairman Augustus M. Brown, Jr., with Steve Neujahr, Kurt Bulgrin and Patricia Bredenkamp. Commissioner Eugene Bergen was absent. Also present were Melanie Wilkinson, correspondent for the York News Times; Bill Bamesberger and Tom Shellington.

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.

Brown announced that the Open Meetings Law was posted outside the door along with copies in the back of the Board room. Proof of publication was also available.

The Board met with Elected Officials and Department heads prior to the regular meeting. No action was taken.

Moved by Neujahr, seconded by Bredenkamp to approve the minutes of the York County Commissioners meeting of Tuesday, June 29, 2010; roll call: yeas, Neujahr, Bredenkamp, Bulgrin and Brown; nays, none; Bergen absent; motion carried.

Moved by Bulgrin, seconded by Neujahr to approve the agenda for the Board of Commissioners for Tuesday, July 13, 2010; roll call: yeas, Bulgrin, Neujahr, Bredenkamp and Brown; nays, none; Bergen absent; motion carried.

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

Moved by Bredenkamp, seconded by Neujahr to pay payroll in the amount of \$116,832.01 and vendor claims along with the additional claims to Roman and Wiemers & Associates in the amount of \$6,950.00 and Kermith Friesen in the amount of \$50.00;

Discussed was to correct coding for Data Processing since we no longer have this fund and also that the claim for KHGI/KWNB be changed from Visitors Promotion Fund to Visitors Improvement Fund ,

Moved by Bulgrin, seconded by Neujahr to amend the motion to move the claim from Visitor Improvement Fund for the amount of \$300.00 to be moved to Visitor Promotion Fund; roll call: yeas, Bulgrin, Neujahr and Bredenkamp; nays, Brown; Bergen absent; motion carried.

Roll call on the amended motion; yeas, Bulgrin, Neujahr, Bredenkamp and Brown; nays, none; Bergen absent; motion carried.

<u>Fund</u>	<u>Name</u>	<u>Description</u>	<u>Total</u>
Rd	Ace Machine Shop and Sales	Repair Parts	372.00
Rd	Aurora Cooperative Elevator Co.	Fuel	19,602.00
Gen	Automated Systems	Data Proc Costs	1,403.52
Visitors Prom	Avery Outdoor	Billboard Rental	240.00
Aging	Bag N Save	Supplies	1,430.44
Gen	Bob Barker Company, Inc.	Supplies	228.52
Gen	Behlen Video Services	Court Costs	381.00
Gen, Rd	Black Hills Energy	Heating Fuels	85.40
Gen	Blue Knight Security, Inc.	Security Contract	1,218.00
Gen	Patricia Bredenkamp	Mileage	52.00
Gen	Briggs	Medical-Prisoners	47.29
Gen	Brown Electric	Other Equipment	70.00
Gen	Lori Byers	Reimbursement	252.50
Rd	Car Parts Inc.	Repair Parts	585.42
Gen	Centre Place Dental, P.C.	Medical-Prisoners	65.00
Gen	Charlie's U Save Pharmacy	Medical-Prisoners	1,524.47
Rd	Constellation NewEnergy Gas Div	Heating Fuels	78.77
Gen	Teresa Contatore	Mileage	13.50
Gen	Don Copeland	Reimbursement	36.45
Rd	Cornhusker Cleaning Systems Inc.	Shop Supplies	23.40
Rd	Brad Covert	Reimbursement	27.50
Rd	Cross-Dillon Tire	Tire Repair	1,787.34
Gen	Crossroads Fuel Stop	Fuel	43.30
Rd	Del-Ray Quality	Repair Parts	195.00
Gen	Des Moines Stamp Mfg Co	Office Supplies	135.35
Aging	Karen Doran	Mileage	38.00
Gen	Douglas County Court	Court Costs	2.75
Gen, Visitors Prom	Eakes Office Plus	Office Supplies	1,797.52
Gen	Jeffrey Epp	Court Costs	20.00
Rd	Mark Fagan	Reimbursement	12.50
Visitors Prom	Fairway Outdoor Advertising, LLC	Billboard Rental	440.00
Rd	Farm Plan	Repair Parts	673.34
Rd	Fastenal Industrial & Const Supply	Repair Parts	58.12
Gen	Fillman Law Offices	Attorney Fees	2,220.75
Rd	Filter Care	Repair Parts	54.75
Gen	First Concord Benefits Group LLC	Insurance	258.00

Rd	Five Star Truck Center – York	Tire Repair	56.00
Rd	Flail-Master	Grader Blades	263.88
Rd	Kermith Friesen	Uniform Allowance	50.00
Rd	Garrett Tires & Treads	Tire Repair	896.08
Gen, Aging	Grand Central Foods	Board of Prisoners	3,688.66
Gen	Great Plains Pest Management, Inc.	Building Maintenance	108.00
Aging	Carolyn Hambleton	Mileage	18.50
Rd	Hansen International Truck Inc.	Repair Parts	522.20
Gen	Hitz Towing, Inc.	Vehicle Maintenance	70.00
Aging	Nancy Hoblyn	Mileage	760.70
Aging	Vanee Holtmeier	Mileage	9.50
Gen	Hometown Leasing	Equipment Rental	1,793.37
Rd	Hradec Diesel	Repair Parts	859.20
Gen	Jackson Services Inc.	Building Maintenance	42.50
Gen	Jefferson County Sheriff's Office	Court Costs	41.32
Rd	Jensen Lumber Company	Supplies	95.12
Gen	JM Monograms, Inc.	Uniform Allowance	56.80
Rd	John Kohl Auto Center, Inc.	Repair Parts	109.36
Visitors Prom	KHGI/KWNB	Publication	300.00
Gen	Kopcho's Sanitation	Garbage	140.00
Gen	Eileen Krumbach	Mileage	68.00
Visitors Prom	The Lamar Companies	Billboard Rental	460.00
Gen	Lancaster County Court	Court Costs	3.50
Gen	Lancaster County Sheriff	Court Costs	29.30
Gen	Latimer Reporting	Court Costs	108.73
Rd	Lawson Products, Inc.	Shop Supplies	294.30
Rd	Linweld, Inc.	Repair Parts	153.00
Gen	Loup Valley Lighting, Inc.	Building Maintenance	165.00
Rd	Mac Tools Distributor	Shop Supplies	29.99
Gen, Aging	Mainstay Technologies LLC	Internet	39.95
Gen	Mason Electric	Building Maintenance	83.25
Rd	Mead Lumber & Rental-York	Supplies	90.09
Rd	Medical Enterprises, Inc.	Safety Equipment	29.90
Aging	Jerri Merklinger	Mileage	21.00
Gen	Microfilm Imaging Systems, Inc.	Data Proc Equip	256.75
Gen	Miller Seed & Supply Co., Inc.	Ground Maintenance	289.00
Gen	MIPS	Data Proc Equip	719.08
Gen	Mogul's Transmission, Inc.	Vehicle Maintenance	313.82
Rd	Ryan Molt	Reimbursement	28.75
Gen	Jeanne Morand, Court Reporter	Labor	75.00
Rd	Myers Tire Supply	Vehicle Maintenance	37.19
Gen	Naber's Repair Service	Building Maintenance	3.74
Gen	NATP	Registration	80.00
Visitors Prom	Ne Life	Publication	225.00
Gen, Rd	Ne Public Power District	Electricity	6,022.15
Rd	Ne Truck & Equipment Co., Inc.	Repair Parts	50.14
Employment			
Security	Ne Workforce Development	Unemployment	1,785.00
Gen	Steve Neujahr	Mileage	42.50
Rd	Dillon Nielsen	Reimbursement	47.62
Rd	NMC Exchange LLC	Grader Blades	3,295.15
Aging	Anita Norquest	Mileage	78.09
Gen	North Office Supply	Office Supplies	163.85
Gen	O'Keefe Elevator Company Inc.	Building Maintenance	972.16
Rd	Orscheln Farm and Home	Shop Tools	81.91
Gen	Pamida Stores and Operation Co LLC	Medical-Prisoners	98.00
Gen	Paper Tiger Shredding	Services	35.00
Rd, Visitors Prom	Perennial Public Power District	Electricity	168.43
Gen	Gerald Peterson	Mileage	200.00
Gen	Platte County Sheriff Dept.	Court Costs	18.50
Rd, 911	Platte Valley Communications	Telephone Service	407.45
Rd	Power Plan	Repair Parts	543.50
Rd	Precision Industries	Shop Supplies	65.99
Gen	Sharilyn Ramsey	Reimbursement	164.64
Rd	Rasmussen Auto Parts	Repair Parts	777.05
Gen	Rasmussen Mechanical Services, Inc.	Maintenance Agreement	2,762.00
Gen	Region V Services	Quarterly Statement	6,496.00
Gen	Romans, Wiemer & Associates	Audit Costs	6,950.00
Gen	Ronco Plumbing	Building Maintenance	105.00
Gen	Don Sandman	Mileage	86.50

Rd	Sapp. Bros. Petroleum, Inc.	Fuel	1,830.34
Gen	Sarpy County Sheriff	Court Costs	8.24
Visitors Prom	Bob Sautter	Mileage	30.00
Gen	Kevin Schlender	Attorney Fees	1,215.00
Rd	Sellers Equipment, Inc.	Repair Parts	78.26
Emer Mgnt	Seward County Courthouse	Office Expenditures	3,310.24
Rd	Shur-Co	Repair Parts	45.97
Gen	Kim Siebert	Court Costs	44.20
Gen	Matt Siebert	Court Costs	42.00
Rd	Snap-On tools	Shop Tools	82.15
Rd	Standard Battery, Inc.	Repair Parts	69.95
Gen	State of Ne Das Central Finance	Equipment Rental	448.00
Rd	State of Ne Dept of Revenue	Fuel Tax	4,286.00
Gen	Kelly Thomas	Attorney Fees	202.50
Sheriff	Time Warner Cable	Subscription	70.03
Rd	Titan Machinery	Repair Parts	475.43
Gen	UNL Extension Keith County	Front Door Forum	100.00
Gen	Urology, PC	Medical-Prisoners	109.00
Visitors Prom	USA Outdoor II, LLC	Billboard Rental	360.00
Gen, Rd	Verizon Wireless Services LLC	Telephone Service	564.57
Rd	Village of Bradshaw	Electricity	9.30
Rd	Village of McCool Junction	Water/Sewer	35.50
Gen	Voss Lighting	Building Maintenance	325.35
Visitors Prom	Web Tech Solutions	Website Maintenance	286.75
Gen	Fred Weisheit	Mileage/Telephone	138.90
Rd	Weldon Industries, Inc.	Repair Parts	555.34
Gen	West Payment Center	Research Service	32.00
Gen	Eric Williams	Attorney Fees	907.50
Gen, 911, Rd	Windstream Communications	Telephone Service	2,055.40
Aging	York County Ag Society	Booth Rental	60.00
Gen	York County Court	Court Costs	185.00
Visitors Prom	York County Development Corp	Office Expenditures	4,827.98
Gen	York County District Court	Court Costs	447.00
Gen	York County Highway Dept.	Fuel	2,522.87
Gen	York County Sheriff	Reimbursement	3,913.56
Rd	York Equipment	Repair Parts	274.29
Gen	York General Hospital	Drug & Alcohol Testing	385.90
Gen	York Medical Clinic PC	Medical-Prisoners	486.87
Gen, Visitors Prom			
Aging, Emer Mgnt	York News-Times	Publication	1,111.52
Gen	York Printing Company, LLC	Office Supplies	382.90

The Board reviewed the Agreement with State of Nebraska Department of Road and York County for Federal and State Public Transportation Operating Assistance for fiscal year, July 1, 2010 until June 30, 2011.

Moved by Bulgrin, seconded by Bredenkamp to authorize the Chairman to sign the agreement between York County and the State of Nebraska Department of Roads for Federal and State Public Transportation Operating Assistance; roll call: yeas, Bulgrin, Bredenkamp, Neujahr and Brown; nays, none; Bergen absent; motion carried.

Committee reports were given.

Moved by Bulgrin, seconded by Bredenkamp to go into executive session at 10:03 to discuss personal matters; roll call: yeas, Bulgrin, Bredenkamp, Neujahr and Brown; nays, none; Bergen absent; motion carried.

Moved by Bulgrin, seconded by Neujahr to come out of executive session at 10:31 where no action was taken; roll call, Bulgrin, Neujahr, Bredenkamp and Brown; nays, none; Bergen absent; motion carried.

Written testimony was received from the public concerning the special exception request by John and Rachel Pinkerton to allow the vacant motel located on IT 2 in 20-10-4 to be used as an assisted living facility.

Moved by Bulgrin, seconded by Bredenkamp to close the public hearing at 10:34 a.m.; roll call: yeas, Bulgin, Bredenkamp, Neujahr and Brown; nays, none; Bergen absent; motion carried.

John and Rachel Pinkerton addressed the Board to answer questions which were brought up at the June 29, 2010 meeting which included 1. Sewage lagoon (Jeff that owns the garage that is out of business – we have an easement – if anything goes wrong they fix it and assess the cost to us – we don't own it we just fix it; 2. Deficiencies with HHS – their license was suspended for 90 days until we correct these deficiencies (never been closed up) which they have always done – never had license cancelled. The number of deficiencies that we have had from 4 locations for 10 years of service and 160 people we feel is minimal.

Letters in support of the facility were received from: John and Rachel Pinkerton; Kevin – a resident of the Liberty

House; Vogt Pharmacies Inc. of Wahoo and Jeff Adair, HandiJeff Inc.

Letters of non-support: Henderson Rural Fire Board; Hy-Way Trailer Inc.; Cheryl Ratzlaff - EMT; Tim & Lori Barr; Lelan and Marlene Thieszen; Ruth Peters; Randy Campbell of York concerning zoning; Dr. Christopher Vandernick; Larry Cox (2 letters); Nancy Regier (3 letters); Jim Mestl and York County Sheriff.

Zoning Administrator, Stahr read into the record the zoning regulations and voiced his concerns. 1. An assisted living facility cannot justify an interstate location 2. Introducing a long term residential use in a commercial area would create some conflicts; he recommended that it be declined.

Moved by Bulgrin, seconded by Bredenkamp to deny the special use permit requested by Mr. & Mrs. Pinkerton based on my feeling that their proposed use for that property would not benefit further development of that Henderson Exit inside the interstate commercial district; roll call: yeas Bulgrin, Bredenkamp, Neujahr and Brown; nays none; Bergen absent; motion carried. Also mentioned by Chairman Brown were the following reasons: Security, Sheriff Department and Fire and Rescue.

Bids were opened as published on July 1, 2010. The following bids were received for two box culverts located between 10-10-2 and 3-10-2 (Road 12 between O & P) Project YOC-10-10-2.

Gus Construction Co., Inc, Casey, IA	\$346,487.89
Dobson Brothers Construction, Lincoln, NE	\$275,805.00
WAW Construction, Inc., Stromsburg, NE	\$206,445.48
Stephens & Smith Construction Co., Inc., Lincoln, NE	\$252,849.81

Highway Superintendent recommended that the Board accept the bid from WAW Construction of Stromsburg for \$206,445.48.

Moved by Bulgrin, seconded by Neujahr to accept the recommendation from the Highway Superintendent and accept the bid from WAW Construction out of Stromsburg for a total amount of \$206,445.48; roll call: yeas Bulgrin, Neujahr, Bredenkamp and Brown; nays none; Bergen absent; motion carried.

Moved by Neujahr seconded by Bulgrin to table the Audit Report for two weeks so the Auditor would be present for any discussion; roll call: yeas Neujahr, Bulgrin, Bredenkamp and Brown; nays none; Bergen absent; motion carried.

County Treasurer Scavo discussed with the State Auditors office the possibility of rescinding the motion made to transfer individual funds (Law Enforcement Sheriff, Handi-cap Accessibility and Data Processing) under the General Fund. It was determined that expenses were not budgeted to zero the accounts out. After discussion, it was found that there was no provision to do so. Due to the above information, no action could be taken.

Bud Anderson from Trans American Pipe Line had an unscheduled stop to update the Commissioners on their progress.

District Court Clerk Sharilyn Ramsey submitted her June fee report in the amount of \$1,439.17. County Clerk Cynthia Hiene submitted her June fee report in the amount of \$14,998.04. The reports were reviewed and placed on file.

Brenda Scavo submitted the June 30, 2010 Fund Balances:

General	\$1,089,705.34
Roads	700,887.90
Jv Diversion	2,394.92
Data Processing	-0-
Unemployment Security	11,734.67
Area on Aging	17,077.18
Relief & Medical	23,424.57
State Institutions	9,464.36
Veterans Aid	-0-
Busy Wheels	8,460.63
STOP	11,215.31
Drug Testing	-0-
Homeland Security	-0-
Debt Service	21,251.03
Inheritance Tax	1,315,980.32
Emergency Mgmt	24,843.27
Law Enforcement Operations	-0-
Courthouse Bldg	-0-
Handicapp Access	-0-
Noxious Weed	49,994.63
Ambulance	93,360.01
911 Emergency	55,573.78
Comm Dev Blk Grant	34,526.47
County Visitors Impr	124,226.29
Visitors Promotion	17,310.38

The Chairman declared the meeting adjourned at 1:27 p.m. The next meeting will be July 27, 2010 at 8:30 a.m. with Elected Officials/Department Heads; 9:20 a.m. with the General Assistance Administrator and 9:35 a.m. in the County Commissioners Room, lower level of the Courthouse for the regularly scheduled meeting.

Augustus M. Brown Jr. Chairman
York County Commissioners

Cynthia D. Heine, County Clerk
York, Nebraska