

The York County Board of Commissioners met according to law on October 5, 2010 at 9:37 a.m. as per notice in the York News Times on September 30, 2010, with Chairman Augustus M. Brown Jr. with Steve Neujahr, Kurt Bulgrin, Patricia Bredenkamp and Eugene Bergen. Also present were Melanie Wilkinson, correspondent for the York News Times; Bill Sutter, County Attorney; Tom Shellington, Bill Bamesberger and Pete Walbrecht.

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 Bergen to approve the York County Board of Commissioners minutes for September 16 and September 21, 2010 Board of Commissioners meetings; roll call: yeas, Neujahr, Bergen, Bredenkamp and Bulgrin; nays, none; Brown abstained; motion carried.

Moved by Bergen, seconded by Bulgrin to adopt the agenda for October 5, 2010 Board of Commissioners as presented; roll call: yeas, Bergen, Bulgrin, Bredenkamp, Neujahr and Brown; nays, none; motion carried.

A General Assistance cases was reviewed.

Case #10-33 was a request for utilities in the amount of \$137.60.

Moved by Bredenkamp, seconded by Bergen to approve General Assistance case #10-33 payable to NPPD in the amount of \$137.60 for utilities; roll call: yeas, Bredenkamp, Bergen, Bulgrin, Neujahr and Brown; nays, none; motion carried.

Payroll and vendor claims were reviewed by the Board.

Moved by Neujahr, seconded by Bergen to approve the payroll in the amount of \$129,438.79 and vendor claims as presented; roll call: yeas, Neujahr, Bergen, Bredenkamp, Bulgrin and Brown; nays, none; motion carried.

<u>Fund</u>	<u>Name</u>	<u>Description</u>	<u>Total</u>
Rd	Anderson Auto Parts	Repair Parts	32.03
Visitors Prom	Avery Outdoor	Billboard Rental	240.00
Aging	Bag N Save	Supplies	708.73
Gen	Bob Barker Company, Inc.	Supplies	505.12
Gen, Rd	Black Hills Energy	Heating Fuels	236.25
Gen	Blue Valley Behavioral Health	Budget 10-11	5,000.00
Rd	Car Parts Inc.	Repair Parts	344.29
Inher Tax	CASA for York County	Budget 10-11	29,198.00
Aging	Cash-Wa Distributing Co.	Program Supplies	203.45
Rd	Central Ne Wood Preservers, Inc.	Lumber	955.20
Gen	Adam Cheek	Court Costs	20.00
Gen	City of York	Water	124.67
Gen	Claritus	Postage Supplies	44.38
Gen	Clerk of the Supreme Court	Court Costs	125.00
Gen, Rd	Constellation NewEnergy Gas Div	Heating Fuels	225.14
Gen	Cornerstone Bank	Office Supplies	12.73
Rd	Cornhusker Cleaning Systems, Inc.	Shop Supplies	47.65
Rd	Cross-Dillon Tire	Tire Repair	2,380.00
Gen	Data Tech Computer Serv	Computer Repair	50.00
Gen, Rd,			
Emer Mgnt	Eakes Office Plus	Office Supplies	575.49
Gen	Election Systems & Software, Inc.	Voting Supplies	720.00
Visitors Prom	Fairway Outdoor Advertising, LLC	Billboard Rental	440.00
Rd	Farm Plan	Shop Supplies	178.28
Gen	Fillman Law Offices	Attorney Fees	337.50
Rd	Filter Care	Repair Parts	156.20
Gen	First Concord Benefits Group, LLC	Insurance	1,083.37
Rd	Flail-Master	Grader Blades	457.95
Rd	Brady Friesen	Reimbursement	27.50
Gen	Melissa Golden	Court Costs	20.00
Gen	Scott Grafton	Attorney Fees	352.00
Aging	Kay Hilderbrand	Mileage	97.00
Gen	Hitz Towing, Inc.	Vehicle Maintenance	70.00
Gen	Hometown Leasing	Equipment Rental	398.02
Rd	J & A Traffic Products	Signs & Posts	863.75
Gen	Jackson Services Inc.	Building Maintenance	85.00
Gen	Leslie Jennings	Court Costs	20.00
Gen	Jill Kaczor	Court Costs	20.00
Gen	David Kimble	Attorney Fees	113.00
Visitors Prom	The Lamar Companies	Billboard Rental	460.00
Gen	Lancaster County Sheriff	Court Costs	25.59
Gen, Rd	Lawson Products, Inc.	Janitorial Supplies	269.80

Rd	Linweld, Inc.	Shop Tools	2,091.99
Gen	Dana London	Attorney Fees	1,477.50
Rd	Lyle Signs, Inc.	Signs & Posts	535.44
Rd	Mac Tools Distributor	Shop Supplies	37.98
Gen	Malouf & Associates	Janitorial Supplies	678.30
Gen	Midwest Seamless Gutters	Building Repair	2,467.00
Gen	Paul Mueller, CPA	Budget Preparation	4,800.00
Rd	Murphy Tractor	Motor Graders	200,000.00
Emer Mgnt	NACO-Central District Meeting	Registration	40.00
Gen	National Association of Counties	Dues	400.00
Gen	Ne Air Filter, Inc.	Building Maintenance	223.90
State Inst	Ne Health & Human Services	Regional Center Fees	372.00
Gen	Ne Public Health Environmental Lab	Drug & Alcohol Testing	84.00
Gen	Ne Public Power District	Electricity	6,464.86
Rd	Ne Truck & Equipment Co., Inc.	Repair Parts	185.42
Rd	Nichols Construction Co	Gravel	5,761.98
Rd	NMC Exchange LLC	Grader Blades	1,591.49
Aging	Anita Norquest	Mileage	263.50
Gen	North Office Supply	Office Supplies	159.61
		Maintenance	
Gen	O'Keefe Elevator Company, Inc.	Agreement	354.53
Rd	O'Reilly Auto Parts	Repair Parts	125.24
Rd	Orscheln Farm & Home	Shop Supplies	62.97
Rd	Overland Sand & Gravel Company	Gravel	14,178.51
Gen	Pamida Stores Operation Co LLC	Janitorial Supplies	12.99
Rd	Penner's Tire & Auto, Inc.	Tire Repair	208.22
Gen, Rd,			
Visitors Prom	Perennial Public Power District	Electricity	362.46
Gen	Pieper Plumbing & Well Drilling Inc.	Building Maintenance	26.45
Gen	Platte County Sheriff Dept.	Court Costs	18.50
Rd	Precision Industries, A DXP Company	Shop Tools	34.50
Gen	Sharilyn Ramsey	Mileage	42.50
Rd	Rasmussen Auto Parts	Shop Supplies	21.37
Rd	Sahling Kenworth Inc.	Repair Parts	60.37
Rd	Snap-On Tools	Shop Tools	35.65
Visitors Imprv	Snitily Carr	Media-Advertising	4,595.00
CDBG	Southeast Nebraska Development Dist	Economic Development	900.77
Rd	Standard Battery, Inc.	Repair Parts	269.90
Gen	Susan Stearns	Court Costs	20.00
Gen	Bruce Stephens	Attorney Fees	1,395.00
Rd	Thermo King Christensen	Shop Supplies	22.50
Rd	United Farmers Cooperative	Fuel	18,955.00
Gen	University of Nebraska	Office Supplies	25.00
Gen	Urology, PC	Medical-Prisoners	109.00
Gen	Janet Veleba	Mileage	150.00
Rd	Village of Bradshaw	Electricity	9.23
Rd	Village of McCool Junction	Water/Sewer	34.00
Visitors Prom	Waco Community Betterment Org	Grant	1,000.00
Rd	Weldon Industries, Inc.	Repair Parts	284.70
Gen	West Payment Center	Legal Fees	26.00
Visitors Prom	York Area Chamber of Commerce	Grants/Meal	4,814.70
Aging	York Area Senior Center	Program Supplies	3,006.00
Gen, Rd, Aging	York County Clerk – Petty Cash	Reimbursement	1,176.43
Gen	York County Sheriff	Medical-Prisoners	68.47
Rd	York County Treasurer	Registration Fee	10.00
Rd	York Equipment, Inc.	Repair Parts	1,822.15
Rd	York Farm Supply LLC	Shop Supplies	12.90
Gen	York General Hospital	Medical-Prisoners	3,031.20
CDBG	York House & Development Corp	Economic Development	7,418.00
Gen	York News-Times	Publication	26.86
Gen, Visitors Prom	York Printing Company, LLC	Office Supplies	365.05
Visitors Prom	Yorkshire Playhouse	Grants	1,000.00
Gen	Zee Medical Service	Safety Equipment	52.35

No interfund transfers will need to be made at this time.

Treasurer Scavo requested the approval of securities from Cornerstone Bank.

Moved by Bredenkamp, seconded by Bulgrin to adopt Resolution #10-58 to approve the custody receipts for Cornerstone Bank for the two cusips in the amount of \$1,000,000. each; roll call: yeas, Bredenkamp, Bulgrin, Bergen, Neujahr and Brown; nays, none; motion carried.

**RESOLUTION #10-58**

WHEREAS, **Cornerstone Bank, N.A.** was heretofore designated as a depository for county funds and to secure the same from time to time, has heretofore deposited securities with U.S. Bank N.A.

BE IT THEREFORE RESOLVED, that the deposit of securities heretofore made to secure the County deposits with said Cornerstone Bank N.A. be and the same is hereby approved and that the Depository Receipt herewith filed with the County Clerk covering the following described security be approved:

Federal Home Loan Bank  
Security Description: 07/14/22 Bonds  
Maturity Date: 07/14/2022  
CUSIP: 3133702Z0  
Rate: 4.00000  
Pledged amount: \$1,000,000.00

Federal Home Loan Bank  
Security Description: 03/02/20 Bonds  
Maturity Date: 03/02/2020  
CUSIP: 3133XX6E2  
Rate: 4.3750000  
Pledged amount: \$1,000,000.00

DATED this 5th day of October, 2010.

Moved by Bulgrin, seconded by Neujahr to authorize the Chairman to sign the Certification to Board of Public Roads Classifications and Standards on behalf of the County; roll call: yeas, Bulgrin, Neujahr, Bergen, Bredenkamp and Brown; nays, none; motion carried.

#### **CERTIFICATION TO BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS**

In compliance with the provisions of the State of Nebraska Statutes Requiring Annual reporting to the Board of Public Roads Classifications, the County of York or the Department of Roads hereby certifies that the minimum standards of design, construction, and maintenance of roads, streets, and highways under their authority have been met; and all tax revenues, including State, County, and Municipal tax revenues as well as highway-user revenue allocations for roads, streets, and highways, has been expended in accordance with approved plans and standards and the rules and regulations of the Board of Public Roads Classifications and Standards for the period beginning July 1, 2009 and ending June 30, 2010.

Documentation in support of this certificate is on file in the office of the appropriate official and this information is available to the Board upon written request and is located at 722 E 25<sup>th</sup> Street, York, Nebraska.

On this 5<sup>th</sup> day of October 2010.

Committee reports were given.

At 11:00 a.m. the Board discussed the lease purchase documents which need to be executed for purchase of the motor graders.

Moved by Neujahr, seconded by Bergen to adopt Resolution #10-59 approving the lease purchase agreement with Butte, Inc.; roll call: yeas, Neujahr, Bergen, Bredenkamp and Brown; nays, Bulgrin; motion carried. Under discussion, Bulgrin advised that he did not disagree with the wording of the documents but instead disagreed with the purchase of the five motor graders.

#### **THE COUNTY OF YORK, NEBRASKA RESOLUTION #10-59**

#### **A RESOLUTION APPROVING, ADOPTING, RATIFYING AND AFFIRMING THE EXECUTION AND PERFORMANCE OF A LEASE-PURCHASE AGREEMENT WITH BUTTE, INC., FOR ACQUISITION OF PROPERTY.**

**BE IT RESOLVED** by the Board of Commissioners of the County of York, Nebraska (the "**County**") that this Board hereby approves and authorizes the acquisition of the property described on **Exhibit A** attached hereto by the County through a Lease-Purchase Agreement with Butte, Inc. The Lease-Purchase Agreement shall include the following terms, with such changes as are deemed reasonable or necessary by the Chair of the Board of Commissioners.

1. Principal Amount \$ 521,590.84
2. Interest Rate: 1.25%
3. Payment Amount: **See Attachment 2 to Exhibit A**
4. Term: October 13, 2010 through October 13, 2013
5. Payment Frequency: annually, beginning October 13, 2011

Settlement and closing of the Lease-Purchase Agreement shall be on or about October 13, 2010. Butte, Inc., shall send payment to SMITH HAYES Financial Services Corporation which shall provide funds on the date on which Butte, Inc., receives the signed Lease-Purchase Agreement and accompanying documents from the County to the County for payment by the County to the equipment vendor or owner for acquisition of the property.

**BE IT FURTHER RESOLVED**, that the Chair or Vice Chair of the Board of Commissioners and the Clerk are hereby authorized and directed to sign the Lease-Purchase Agreement and related certificates and documents.

This Resolution shall be in full force and effect from and after its passage and all resolutions or orders, or parts thereof, in conflict with the provisions of this Resolution, are to the extent of such conflict, hereby repealed.

**PASSED:** October 5, 2010, at York, York County, Nebraska  
**BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF YORK, NEBRASKA**

Moved by Neujahr, seconded by Bergen to sign the Delivery and Acceptance Certificate; roll call: yeas, Neujahr, Bergen, Bredenkamp and Brown; nays, Bulgrin; motion carried.

Moved by Neujahr, seconded by Bergen to sign the Certificate Regarding Budget and Bidding Procedures; roll call: yeas, Neujahr, Bergen, Bredenkamp and Brown; nays, Bulgrin, motion carried.

Moved by Neujahr seconded by Bergen to approve the signing of the Certificate of Clerk; roll call: yeas, Neujahr, Bergen, Bredenkamp and Brown; nays, Bulgrin; motion carried.

Moved by Neujahr seconded by Bergen to approve and sign the Lease Purchase Agreement; roll call: yeas, Neujahr, Bergen, Bredenkamp and Brown; nays, Bulgrin; motion carried.

Moved by Neujahr, seconded by Bergen to sign the Federal Tax Certificate; roll call: yeas, Neujahr, Bergen, Bredenkamp and Brown; nays, Bulgrin; motion carried.

Moved by Neujahr, seconded by Bergen to sign the Purchase Letter; roll call: yeas, Neujahr, Bergen, Bredenkamp and Brown; nays, Bulgrin; motion carried.

Moved by Bulgrin, seconded by Neujahr to go into executive session now at 11:20 a.m. with Commissioners Brown, Neujahr, Bergen, Bredenkamp and Bulgrin; County Attorney, Bill Sutter and Highway Superintendent, Don Robb to discuss road department personnel matters where no action will be taken; roll call: yeas, Bulgrin, Neujahr, Bergen, Bredenkamp and Brown; nays, none; motion carried. Chairman Brown restated the motion and the purpose of the session.

Moved by Bulgrin, seconded by Neujahr that now at 12:20 p.m. to come out of executive session where nothing was decided or acted upon where we were joined by County Attorney Bill Sutter and Highway Superintendent Don Robb; roll call: yeas, Bulgrin, Neujahr, Bergen, Bredenkamp and Brown; nays, none; motion carried.

Sharilyn Ramsey, Clerk of the District Court submitted her September 2010 fee report in the amount of \$1,051.00. The report was reviewed and placed on file.

Brenda Scavo, County Treasurer submitted the Fund Balance Report for the month ending September 30, 2010.

General	\$1,144,768.17
Road	\$855,138.82
Juvenile Diversion	\$6,316.12
Child Supp. Enf.Cty Atty	\$101.28
Unemployment Sec	\$15,411.58
Area on Aging	\$22,912.66
Relief & Medical	\$20,978.71
State Institutions	\$12,084.74
Busy Wheels	\$8,915.96
STOP	\$12,415.31
Debt Service	\$195,098.73
Inheritance Tax	\$1,404,875.62
911 Wireless	\$6,347.52
Emergency Mgmt	\$43,605.82
Noxious Weed	\$34,195.80
Ambulance	\$50,870.96
911 Emergency	\$56,518.14
CDBG	\$8,328.44
Visitors Improvement	\$146,238.12
Visitors Prom	\$73,344.54

The Chairman declared the meeting adjourned at 12:21 p.m. The next meeting will be October 19, 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.

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Augustus M. Brown, Jr., Chairman  
York County Board of Commissioners

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Cynthia D. Heine, County Clerk  
York, Nebraska