

The York County Board of Commissioners met according to law on December 28, 2010 at 9:35 a.m. as per notice in the York News Times on December 23, 2010, with Chairman Augustus M. Brown Jr. with Steve Neujahr, Kurt Bulgrin and Eugene Bergen. Also present were Melanie Wilkinson, correspondent for the York News Times; Bill Sutter, County Attorney; Bill Bamesberger, Paul Buller and Tom Shellington. Commissioner Pat Bredenkamp was absent.

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 Bergen, seconded by Neujahr to approve the minutes of the December 14, 2010, Board of Commissioners meeting as presented; roll call: yeas, Bergen, Neujahr, Bulgrin and Brown; nays, none; Bredenkamp absent; motion carried.

Moved by Bulgrin, seconded by Neujahr to take emergency action to amend the agenda to discuss and act on the resignation of the Public Defender; roll call: yeas, Bulgrin, Neujahr, Bergen and Brown; nays, none; Bredenkamp absent; motion carried.

Moved by Bulgrin, seconded by Neujahr to adopt the amended agenda for the York County Board of Commissioners for Tuesday, the 28th day of December, 2010; roll call: yeas, Bulgrin, Neujahr, Bergen and Brown; nays, none; Bredenkamp absent; motion carried.

Emily Bausch of SENDD spoke with the Board via telephone conference concerning the amended EECBG grant. This grant will be used to aid the county in the purchase of a new boiler system for the courthouse. The original document had installation of two Campus DynaForce Boilers, however it was found that they do not comply with the Davis-Bacon act, therefore the agreement was changed to removal and proper disposal of two (2) existing Kewanee boilers and installation of two Lochinvar Sync Condensing Boilers Model #SBN1000.

Moved by Neujahr, seconded by Bergen to authorize the Chairman to sign the amended aid agreement; roll call: yeas, Neujahr, Bergen, Bulgrin and Brown; nays, none; Bredenkamp absent; motion carried.

At present, the county is contracted with SENDD to perform the administration of the EECBG grant. They are now requesting payment of \$1,221.50.

Moved by Bulgrin, seconded by Neujahr to authorize the Chairman to sign the EECBG Fund Request and pay them \$1,221.50 for administrative services; roll call: Bulgrin, Neujahr, Bergen and Brown; nays, none; Bredenkamp absent; motion carried.

Sheriff Radcliff spoke with the Board regarding a contract with GeoComm for the GIS mapping software used in connection with the E911 wireless phone calls. The cost would be \$21,700.00 with maintenance fees of \$4,125.00 a year.

As the entire amount of funding is not available at this time, the Nebraska Public Service Commission would fund the project and our monthly payments from the commission would be reduced by \$804.71 pr month to reimburse them. The County would have to come up with \$6,512.00 upon completion of software installation and training.

Moved by Bulgrin, seconded by Bergen to ratify the contract with GeoComm which was signed by the Sheriff on December 10, 2010; roll call: yeas, Bulgrin, Bergen, Neujahr and Brown; nays, none; Bredenkamp absent; motion carried.

Payment Terms

The Nebraska State PSC has agreed to fund \$19,313.00 of the total Original Agreement fee of \$25,825.00. GeoComm will direct bill the PSC for \$19,313.00.

The remaining project balance of \$6,512.00 is the responsibility of York County.

York County agrees to pay GeoComm \$6,512.00 upon completion of software installation and training.

Contractual Terms

All terms and conditions of the Original Agreement unaltered by this Addendum shall remain in effect and valid for this Agreement.

York County Dale E Radcliff, Sheriff 12-23-10

GeoComm, Inc. Janet Grones 12-14-2010

A public hearing was held at 10:00 a.m. as advertised to hear support/opposition to the purchase of a new York County Handibus. Present at the hearing were Commissioners Bergen, Bulgrin, Neujahr and Brown; County Attorney Sutter; Lori Byers, Aging Director; Tom Shellington, Paul Buller and Bill Bamesberger; Rex Heiden, Melanie Wilkinson, correspondent for the York News Times and Chad Marsh.

Byers explained the costs involved and method of payment. Monies for the Handibus were from the United Fund. Also, the money received in the sale of the old van will be used to offset costs.

As no one spoke in opposition to the purchase, the hearing was closed at 10:04 a.m.

Moved by Neujahr, seconded by Bergen to purchase the Handibus for York County; roll call: yeas, Neujahr, Bergen, Bulgrin and Brown; nays, none; Bredenkamp absent; motion carried.

The Board reviewed the General Assistance claims.

Moved by Neujahr, seconded by Bergen to approve General Assistance case #10-35 for rent payable to Billy Robinson (landlord) in the amount of \$315.00; roll call: yeas, Neujahr, Bergen, Bulgrin and Brown; nays, none; Bredenkamp absent; motion carried.

Moved by Bulgrin, seconded by Neujahr to approve General Assistance case #10-36 for utilities to the City of York in the amount of \$71.12; roll call: yeas, Bulgrin, Neujahr, Bergen and Brown; nays, none; Bredenkamp absent; motion carried.

Moved by Bergen, seconded by Bulgrin to approve General Assistance case #10-37 for utilities to The Garbage Company in the amount of \$78.41; City of York in the amount of \$125.44 and NPPD in the amount of \$168.05; roll call: yeas, Bergen, Bulgrin, Neujahr and Brown; nays, none; Bredenkamp absent; motion carried.

Moved by Neujahr, seconded by Bergen to approve General Assistance case #10-38 for utilities in the amount of \$315.00 payable to Perennial; roll call: yeas, Neujahr, Bergen, Bulgrin and Brown; nays, none; Bredenkamp absent; motion carried.

Moved by Bulgrin, seconded by Neujahr to approve General Assistance case #10-39 for rent payable to U.S. Property in the amount of \$236.00; roll call: yeas, Bulgrin, Neujahr, Bergen and Brown; nays, none; Bredenkamp absent; motion carried.

The Board again reviewed the proposed resolution concerning damage to roadways by irrigation systems and the liability it would create for the landowner if damage should occur.

Moved by Neujahr to sign the resolution. The motion died for lack of a second.

After further discussion, it was decided that State Statutes are in place and that the Board should take no action.

In the 2010 Elections, the position of County Surveyor was on the ballot, however, no one ran as a candidate for the office. As of January 6, 2011, there will be a vacancy in the office. The Board has advertised the job opening and proposals were to be submitted by 10:30 a.m. on December 28th.

Bids were received from the following individuals/firms:

JEO CONSULTING SERVICES % Thomas L Krueger Hastings, NE

Registered Land Surveyor	\$70.00 pr hr
2 Man Survey Crew	\$100.00 pr hr
Survey Tech/Drafter	\$50.00 pr hr
Clerical	\$30.00 pr hr

MILLER & ASSOCIATES CONSULTING ENGINEERS, Kearney, NE

Registered Land Surveyor	\$65.00 pr hr
Surveying/Engineering Technician	\$50.00 pr hr
Drafting	\$40.00 pr hr
Survey Crew	\$65.00 pr hr
Mileage	\$.50 pr mi
Clerical	N/C
Supplies & Reproduction Services	@ cost

KIRKHAM MICHAEL % Chad Marsh, York, NE

Licensed Surveyor	\$50.00 pr hr
2 Person Survey Crew	\$95.00 pr hr
1 Person Survey Crew w/GPS	\$60.00 pr hr
CADD Technician	\$90.00 pr hr
Clerical	\$40.00 pr hr

Labor costs throughout the duration of this appointment shall increase at a rate of 2% per year, with the first increase occurring on January 1, 2012.

REX HEIDEN, Waco, NE

Research

\$240.00 pr day or \$30.00 pr hr w/o a key for evening access to records or
\$96.00 pr day or \$12.00 pr hr w/ a key for evening access

One person (licensed surveyor)	\$400.00 pr day or \$50.00 pr hr
Two person crew	\$520.00 pr day or \$65.00 pr hr
Computer aided drafting and filing survey	\$136.00 pr day or \$17.00 pr hr
Monumentation materials	At cost pricing for brass caps, steel pipe, and magnetic memorials as needed
Mileage	\$0.50 per mile or the county's rate

GLS SURVEYING INC. % GARY SIEDSCHLAG Yutan, NE

Licensed Surveyor	\$50.00 pr hr
Fieldwork – 2 man crew w/GPS equipment (includes equipment)	\$80.00 pr hr
Auto-Cad	\$45.00 pr hr for all survey plats etc needed for each project

HAYS LAND SURVEYING LLC % CHRISTOPHER C HAYS, Osceola, NE

Registered Land Surveyor	\$60.00 pr hr
Registered Land Surveyor w/Surveyor helper	\$84.00 pr hr

CAD Draftsman	\$54.00 pr hr
Mileage and Materials:	
Mileage	at current standard IRS business mileage rate
Material 5/8" x 24" rebar	\$2.50 ea
Aluminum caps	\$3.39 ea
Surveyor magnet	\$1.59 ea
1" x 3" steel survey markers w/washer	\$2.98 ea
Other materials billed at cost + 10%	

York County to provide excavation equipment and operator to help county surveyor search for existing monuments of non-metallic composition.

OLSSON ASSOCIATES % GRANT L MILLER, Grand Island, NE

Licensed Land Surveyor w/GPS	\$73.00 pr hr
Survey Technician	\$50.00 pr hr
Two-person Field Crew w/GPS	\$110.00 pr hr
CAD Technician	\$47.00 pr hr
Clerical	\$40.00 pr hr
Mileage rate	\$0.51 pr mi
3/4" x 24" rebar	\$2.79
Aluminum caps	\$3.00
Magnets	\$1.75
Steel Survey Markers	\$1.75

LAND SERVICES LLC % VIRLYN S BOLTE, Henderson, NE

Terrestrial Land Surveying	\$90.00 pr hr
Global Positioning Surveying (GPS)	\$110.00 pr hr
Mapping Grade GPS	\$75.00 pr hr
Drafting (Automated Methods)	\$60.00 pr hr
Drafting (Traditional Methods)	\$25.00 pr hr
Research	\$45.00 pr hr
** Machine Assisted Public Land Survey System Corner Recovery	\$400.00 pr day

Moved by Bulgrin to adopt a resolution to appoint Rex Heiden as County Surveyor.

During discussion, it was determined that there were numerous proposals which needed to be reviewed prior to making a decision.

Moved by Neujahr, seconded by Bergen to table action on appointing a surveyor until the next regularly scheduled board meeting; roll call: yeas, Neujahr, Bergen, Bulgrin and Brown; nays, none; Bredenkamp absent; motion carried.

Doug Deprez York County Noxious Weed Superintendent came before the Board to request that they designate the Japanese and Giant Knotweed as a noxious weed. At this time it appears infestation levels in Nebraska are low at this time, however, the weed risk assessment model concludes Japanese knotweed rated "high-risk" to be a major invader in our state.

Moved by Bulgrin, seconded by Neujahr to authorize the Chairman to sign the document designating the Japanese and Giant Knotweed as a noxious weed in York County; roll call: yeas, Bulgrin, Neujahr, Bergen and Brown; nays, none; Bredenkamp absent; motion carried.

Moved by Neujahr, seconded by Bergen to go into executive session at 11:19 a.m. to discuss personnel matters in the Road Department and to prevent harm to the reputation of an individual with Commissioners Bergen, Bulgrin, Brown and Neujahr; County Attorney, Sutter and Highway Superintendent, Robb and where no action will be taken; roll call: yeas, Neujahr, Bergen, Bulgrin and Brown; nays, none; Bredenkamp absent; motion carried.

Moved by Bulgrin, seconded by Bergen to come out of executive session at 11:45 a.m. where no action was taken; roll call: yeas, Bulgrin, Bergen, Neujahr and Brown; nays, none; Bredenkamp absent; motion carried.

Sam Bethune, Public Defender, submitted his resignation effective at 12:00 midnight on January 2, 2011. The newly elected Public Defender will be sworn in on January 6, 2011. Bethune advised that all of his commitments have been taken care of.

Moved by Bulgrin, seconded by Neujahr to reluctantly accept Sam Bethune's resignation and to thank him for his service and wish him the best; roll call: yeas, Bulgrin, Neujahr, Bergen and Brown; nays, none; Bredenkamp absent; motion carried.

Moved by Neujahr, seconded by Bergen to approve the payroll in the amount of \$122,595.29 and vendor claims as submitted; roll call: yeas, Neujahr, Bergen, Bulgrin and Brown; nays, none; Bredenkamp absent; motion carried.

Fund	Name	Description	Total
Rd	Ace Irrigation and Mfg	Culverts	1,012.95
Gen	Automated Systems	Data Proc Equip	1,688.87
Visitors Prom	Avery Outdoor	Media-Advertising	250.00
Aging	Bag N Save	Supplies	7.24
Gen	Beaver Bearing Co. of York, LLC	Building Maintenance	38.97
Gen	Bethune Construction	Remodeling	140.00
Gen	Blue Knight Security, Inc.	Security Contract	882.00
Gen	Marjorie Braman	Retirement	11.00

Gen	Patricia Bredenkamp	Mileage/Reimbursement	70.40
Visitors Imprv	Morris Bristol	Media-Advertising	250.00
Gen	Buffalo County Sheriff Dept	Court Costs	123.85
Rd	Car Parts Inc.	Repair Parts	370.64
Aging	Cash-Wa Distributing Co.	Supplies	169.83
Gen	Gary Charlton	Retirement	11.00
Rd	City of York	Snow Removal Contract	4,200.00
Rd	Cornhusker Cleaning Systems Inc.	Shop Supplies	55.70
Gen, Rd	Corporate Payment Systems	Equipment	2,426.87
Gen	Byron Covey	Mileage	64.00
Rd	Cross-Dillon Tire	Tire Repair	205.00
Visitors Imprv	Fran Crowe	Media-Advertising	250.00
Gen	Data Tech Computer Serv	Data Proc Repair	100.00
Gen	Donna's Computer Sales & Service	Office Supplies	2.50
Gen	Granada Dooley	Cakes	70.00
Rd	Richard Doremus	Reimbursement	27.50
Gen	Douglas County Sheriff	Court Costs	9.71
Gen	Dugan Business Forms	Data Proc Supplies	667.98
Gen, Rd, Visitors Imprv, Aging, Emer Mgnt	Eakes Office Plus	Office Supplies	1,364.70
Gen	Election Systems & Software, Inc.	Data Proc Costs	1,600.00
Gen	Electronic Systems, Inc.	Building Maintenance	137.20
Weed	Farmers Cooperative	Tire Repair	485.46
Gen	Fillman Law Offices	Attorney Fees	2,384.14
Gen	Fillmore County Sheriff	Court Costs	38.50
Gen	Stephen Fisher	Mileage	179.21
Visitors Imprv	Ardean Franz	Media-Advertising	250.00
Rd	Friesen Chevrolet, Inc.	Repair Parts	21.66
Visitors Imprv	Leroy V. & Mike Friesen	Media-Advertising	250.00
Gen	Galls, An Aramark Company	Uniform Allowance	44.08
Rd	Garrett Tires & Treads – GI	Tire Repair	108.00
Gen	General Reporting Service	Court Costs	116.16
Aging	Grand Central Foods	Supplies	7.09
Gen	Harry Hecht	Retirement	16.00
Rd	Henderson Metal Products, Inc.	Repair Labor	285.22
Gen	Holiday Inn Lincoln-Downtown	Lodging	945.00
Gen	Home Care Plus	Medical-Prisoners	48.50
Gen	Hy-Tec Auto Service	Vehicle Maintenance	892.56
Gen	In-Line Collision Repair, Inc.	Vehicle Maintenance	70.61
Visitors Imprv	Edna Ittner	Media-Advertising	250.00
Gen	Jack's Uniforms & Equipment	Uniform Allowance	117.39
Gen	Jackson Services Inc.	Building Maintenance	85.00
Gen	James Publishing	Supplies	106.98
Visitors Imprv	Royce Janzen	Media-Advertising	500.00
Visitors Imprv	R. L. Kaliff Ranch Co.	Media-Advertising	250.00
Visitors Prom	The Lamar Companies	Media-Advertising	470.00
Gen	Lancaster County Sheriff	Court Costs	20.65
Gen	LaRue Distributing, Inc.	Supplies	20.39
Gen	Lincoln Area on Aging	Budget 2010-2011	20,966.00
Rd	Linweld, Inc.	Repair Parts	70.75
Visitors Imprv	Gordon Maronde	Media-Advertising	250.00
Rd, Weed	Mead Lumber & Rental – York	Repair Parts	53.53
Gen	MIPS, Inc.	Office Supplies	31.39
Weed	Moses Motor Co.	Vehicle Maintenance	13.90
Gen	NACO	Second Half Dues	1,746.94
State Inst	Ne Health and Human Services	November 2010	954.00
Gen	Ne Notary Association	Fees	30.00
Gen	Ne Public Health Environmental Lab	Drug & Alcohol Test	84.00
Rd	Ne Truck & Equipment Co., Inc.	Repair Parts	196.10
Weed	Ne Weed Control	Registration	85.00
Gen	Nebraska.Gov	Court Costs	5.00
Rd	Nitro Construction Inc.	Rock	5,952.24
Rd	NMC Exchange LLC	Grader Blades	3,674.35
Gen	North Office Supply	Office Supplies	58.36
Gen	O'Keefe Elevator Company, Inc.	Maintenance Agreement	354.53
Rd	O'Reilly Auto Parts	Repair Parts	11.42
Rd	Orscheln Farm & Home	Supplies	306.19
Gen	Otoupal Insurance	Notary Fees	80.00
Rd	Overland Sand & Gravel Company	Gravel	1,558.11
Gen	Lynn Peavey Company	Drug & Alcohol Testing	95.76
Gen, Rd, Visitors Prom	Perennial Public Power District	Electricity	3,189.24
Gen	Polk County Sheriff	Court Costs	18.50
Gen	Postmaster	Yearly Fee	185.00
Rd	Power Plan	Repair Parts	1,770.90
Gen	Sharilyn Ramsey	Mileage/Meals	39.04

Rd, Weed	Rasmussen Auto Parts	Repair Parts	211.55
Gen	Redfield & Company, Inc.	Office Supplies	121.00
Gen	Melvin Reetz	Retirement	12.00
State Inst	Region V Systems	EPC Billing	1,210.00
Rd	Don Robb	Reimbursement	37.70
Gen	Kevin Schlender	Attorney Fees	562.50
Gen	Southeast Nebraska Development District	Economic Development	1,221.50
Gen	Stahr and Associates	Contractual Services	1,700.00
Gen	State of Nebraska/District #5 Probation	Expenditures	2,229.59
Gen	Bruce Stephens	Attorney Fees	827.00
Gen	Svehla Law Offices	Attorney Fees	4,052.50
Gen	Telephone Systems of Nebraska, Inc.	Building Maintenance	956.94
Rd	Tri County Automotive	Shop Supplies	14.99
Rd	Village of McCool Junction	Water/Sewer	34.00
Rd	Weldon Industries, Inc.	Repair Parts	850.50
Gen	West Payment Center	Consulting Fees	34.00
Gen	Kevin White	Court Costs	20.00
911	Windstream Communications	Telephone Service	879.65
Gen, Rd	York Ace Hardware	Supplies	55.43
Visitors Prom	York Are Chamber of Commerce	Meals	10.00
Inher Tax	York County Development Corp	Budge 2010-2011	50,000.00
Gen	York County Sheriff	Reimbursement	1,793.57
Rd	York Equipment, Inc.	Repair Parts	483.59
Gen	York News-Times	Court Costs	66.41
Gen, Visitors			
Prom	York Printing Company, LLC	Office Supplies	371.01
Visitors Prom	York Promotional Products	Promotional Supplies	110.50
Visitors Prom	York Wholesale Company	Promotional Supplies	55.70
Gen	Amy Ziegler	Court Costs	20.00
Gen	Gary Zoubek	Mileage	223.00

York County was awarded an ASSIST grant from NIRMA for purchase of three defibrillators for the Courthouse, Road Department and jail. The approximate cost for the machines is \$4,725.00. NIRMA will contribute \$1,500.00 toward the purchase.

Moved by Neujahr, seconded by Bergen to purchase the defibrillators; roll call: yeas, Neujahr, Bergen, Bulgrin and Brown; nays, none; Bredenkamp absent; motion carried.

Commissioner Bulgrin advised the Board of the handbook changes which need to be reviewed regarding comp time and lunch breaks. It was determined that further information will need to be obtained prior to making a decision.

Moved by Bulgrin, seconded by Bergen to table the matter until the County Attorney can gather information; roll call: yeas, Bulgrin, Bergen, Neujahr and Brown; nays, none; Bredenkamp absent; motion carried.

Committee reports were given.

Sheriff Radcliff submitted his October 2010 fee report in the amount of \$4,768.14. The report was reviewed and placed on file.

The Chairman declared the meeting adjourned at 12:01 p.m. The next meeting will be January 11, 2011 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 Board of Commissioners

Cynthia D. Heine, County Clerk
York, Nebraska