

The York County Board of Commissioners met according to law on Tuesday, April 2, 2013 at 8:45 a.m. as per notice in the York News Times on March 28, 2013, with Vice Chairman Bill Bamesberger presiding, with Tom Shellington, Paul Buller and Jack Sikes. Also present at the meeting was Melanie Wilkinson, correspondent for the York News Times. Commissioner Kurt Bulgrin was absent.

The meeting was opened with the Pledge of Allegiance.

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 Shellington, seconded by Buller to approve the minutes of the March 19, 2013, Board of Commissioners meeting; roll call: yeas, Shellington, Buller, Sikes and Bamesberger; nays, none; Bulgrin absent; motion carried.

Moved by Shellington, seconded by Sikes to adopt the agenda as presented; roll call: yeas, Shellington, Sikes, Buller and Bamesberger; nays, none; Bulgrin absent; motion carried.

Moved by Buller, seconded by Sikes to go into Executive Session at 8:47 a.m. to discuss General Assistance cases to protect the needless injury to an individual; roll call: yeas, Buller, Sikes, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried. Vice Chairman Bamesberger restated the motion.

Moved by Buller, seconded by Sikes to come out of Executive Session at 8:56 a.m. where no action took place; roll call: yeas, Buller, Sikes, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried.

**GENERAL ASSISTANCE:**

Moved by Shellington, seconded by Buller to approve General Assistance case #13-1 for rent payable to York Housing Authority in the amount of \$315.00; roll call: yeas, Shellington, Buller, Sikes and Bamesberger; nays, none; Bulgrin absent; motion carried.

**PAYROLL AND VENDOR CLAIMS WERE REVIEWED:**

Moved by Shellington, seconded by Sikes to approve payroll in the amount of \$135,393.16 and vendor claims as presented; roll call: yeas, Shellington, Sikes, Buller and Bamesberger; nays, none; Bulgrin absent; motion carried.

<b>Fund</b>	<b>Name</b>	<b>Description</b>	<b>Total</b>
Rd	Ace Irrigation and Mfg	Culverts	2,244.00
Gen	Antelope County Court	Office Supplies	6.69
Gen	Atco International	Equipment	115.00
Aging	Bag N Save	Supplies	1,781.20
Gen	Bob Barker Company, Inc.	Equipment	387.93
Gen, Rd	Black Hills Energy	Heating Fuels	3,835.44
Gen	Blue Knight Security, Inc.	Security Contract	900.00
Rd	Car Parts Inc.	Repair Parts	19.42
Gen	Cash-Wa Candy Company	Board of Prisoners	59.88
Aging	Cash-Wa Distributing Co.	Supplies	209.66
Gen	Centre Place Dental, P.C.	Medical-Prisoners	443.00
Gen	City of York	Water	1,333.03
Ambulance	City of York-Ambulance	Quarterly Costs	49,250.00
Gen	Clerk of the Supreme Court	Court Costs	125.00
Rd	Cornhusker Cleaning Systems Inc.	Shop Supplies	41.36
Rd	Cross-Dillon Tire	Tire Repair	1,250.00
Gen	Denny Crowell	Reimbursement	45.49
Gen	Culligan Water	Equipment	33.00
Gen	Gregory C. Damman	Attorney Fees	217.50
Rd	Dibbern Machine	Repair Labor	18.00
Gen	Douglas County Sheriff	Court Costs	11.33
Gen	Dave Dryer	Court Costs	20.00
Gen, Rd, Aging	Eakes Office Plus	Office Supplies	1,288.50
Gen	Joe Erwin	Court Costs	20.00
Rd	Farm Plan	Repair Parts	116.90
Rd	Fastenal Industrial & Const Supply	Repair Parts	75.73
Rd	Fehlhafer's Inc.	Repair Parts	35.00
Gen	Fillman Law Offices	Attorney Fees	3,229.70
Gen	Fillmore County Sheriff	Court Costs	6.50
Rd	Filter Care	Repair Parts	38.15
Rd	Cian Finnegan	Reimbursement	61.13
Gen	First Concord Benefits Group, LLC	Insurance	4,551.16
Gen	Galls	Uniform Allowance	112.99
Rd	General Fire & Safety Equipment	Safety Equipment	643.00
Gen	GIS Workshop	Data Proc Equip	2,500.00
Gen	Cynthia D. Heine	Reimbursement	96.05
Gen	Henderson Health Care Services, Inc.	Services	75.00
Gen	Home Care Plus	Medical-Prisoners	80.00
Gen	Howard County Sheriff	Court Costs	19.13
Rd	Herbert Ihde	Reimbursement	50.00
Gen	Jackson Services, Inc.	Maintenance Agreement	42.50

Gen	JM Monograms, Inc.	Uniform Allowance	57.80
Rd	Kerford Limestone Company	Rock	1,799.60
Gen	Eileen Krumbach	Reimbursement	28.25
Gen	Lancaster County Sheriff	Court Costs	25.80
Gen	LaRue Distributing, Inc.	Supplies	48.28
Rd	Lichti Bros Oil Co Inc.	Fuel	28,324.84
Rd	Matheson Tri-Gas, Inc.	Repair Parts	83.99
Gen	Shirley McCall	Reimbursement	73.65
Rd	Mead Lumber & Rental	Shop Supplies	270.91
Gen, Rd	Medical Enterprises, Inc.	Drug Tests	93.00
Aging	Jerri Merklinger	Reimbursement	229.87
Gen	Mid-American Research Chemical	Janitorial Supplies	992.50
Gen	Midwest Auto Fire Sprinkler Co.	Maintenance Agreement	261.00
Gen	Jeanne Morand	Court Costs	94.25
Gen	Moses Motor Co.	Vehicle Maintenance	68.69
Gen	Ne Assoc of County Officials	Registration	130.00
Rd	Ne Department of Roads	Signs & Posts	3,985.40
Gen	Ne Public Power District	Electricity	3,412.50
Rd	Newman Traffic Signs	Signs & Posts	1,380.50
Gen	Roy Nickels	Training	350.00
Rd	NMC Exchange LLC	Repair Parts/Labor	309.77
Gen	North Office Supply	Office Supplies	222.01
Rd	Northern Safety Co. Inc.	Safety Equipment	56.65
Gen	O'Keefe Elevator Company, Inc.	Maintenance Agreement	370.65
Rd	O'Reilly Auto Parts	Repair Parts	68.68
Rd	Orscheln Farm & Home	Supplies	208.48
Rd	Overhead Door of Hastings	Building Maintenance	2,215.00
Gen, Rd	Perennial Public Power District	Electricity	317.11
Gen	Physicians Laboratory Services PC	Coroner/Autopsy Costs	1,000.00
Gen	Pieper Plumbing & Well Drilling Inc.	Building Maintenance	452.78
Gen	Platte County Sheriff Dept.	Court Costs	7.50
Gen, Rd	Platte Valley Communications	Equipment Repair	223.05
Rd	Power Plan	Repair Parts	1,035.41
Rd	Rasmussen Auto Parts	Repair Parts	733.18
Gen	Redfield & Company, Inc.	Office Supplies	140.86
Gen	Paula Rollins	Reimbursement	12.33
Rd	Sahling Kenworth Inc.	Repair Parts	15.04
Gen	Saline County Sheriff	Court Costs	19.50
Gen	Don Sandman	Reimbursement	242.10
Gen	ServiceMaster Clean of York	Services	15.00
Gen	Stahr & Associates	Contractual Services	2,500.00
Rd	Standard Battery, Inc.	Repair Parts	106.90
Gen	State of Ne Das Communications	Equipment Rental	448.00
Gen	Svehla Law Offices	Attorney Fees	1,920.00
Gen	Thomson Reuters	Supplies	227.00
Gen	Time Warner Cable	Subscription	80.99
Rd	Titan Machinery	Repair Parts	409.26
Gen	Christopher Waldron	Court Costs	620.00
Gen	Wallingford Sign & Co. Inc.	Safety Equipment	807.44
Rd	Weldon Industries, Inc.	Repair Parts	97.69
Gen	Timothy Welsch	Court Costs	36.95
Gen	West Payment Center	Legal Fees	1,529.65
Gen, Aging	Windstream Communications	Telephone/Internet	217.87
Gen	Woods & Aitken L.L.P.	Attorney Fees	168.57
Gen	JS Wurm & Associates	Court Costs	123.37
Gen	York County Court	Court Costs	921.50
Emer Mgnt	York County Mutual Aid District	Dues	500.00
Gen	York County Sheriff	Fees	52.52
Gen	York County Treasurer	Registrations	25.00
Rd	York Equipment, Inc.	Repair Parts	103.68
Rd	York General Hospital	Drug Tests	170.00
Gen	York Medical Clinic PC	Medical-Prisoners	26.00
Gen, Rd	York News-Times	Publications	68.03
Gen	York Printing Company, LLC	Office Supplies	289.10

**BOND DRAWDOWN:**

Moved by Shellington, seconded by Sikes to approve Bond Drawdown #14, payable to Perennial Public Power District in the amount of \$9,242.68 and Kirkham Michael for \$9,100.00; roll call: yeas, Shellington, Sikes, Buller and Bamesberger; nays, none; Bulgrin absent; motion carried.

**INTERFUND TRANSFERS:**

The Board was advised that monies will need to be transferred to the Ambulance Fund in the amount of \$1,200.00 until tax monies are received.

Moved by Buller, seconded by Sikes to adopt Resolution #13-13 to transfer \$1,200.00 from the Inheritance Tax Fund to the County Ambulance Fund to be repaid when funds will allow; roll call: yeas, Buller, Sikes, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried.

## RESOLUTION #13-13

WHEREAS, the York County Board of Commissioners met at their regular meeting on the 2nd day of April 2013, to discuss and act on an emergency created in the funds available in the Ambulance Fund to operate until the end of the fiscal year which will be completed on June 30, 2013; and

WHEREAS, operating expenses have unexpectedly exceeded revenue; and

WHEREAS, the York County Board of Commissioners has been advised by the County Clerk that a deficit appropriation in the sum of \$1,200.00 will be required to complete the obligations of this fund for the fiscal year ending June 30, 2013.

NOW, THEREFORE, BE IT RESOLVED, that the York County Board of Commissioners hereby finds and declares that an emergency exists in the Ambulance Fund budget and hereby appropriates from the Inheritance Tax Fund the sum of \$1,200.00 for the Ambulance Fund for the remainder of the fiscal year ending June 30, 2013 for payment of claims. Such funds are to be reimbursed to the Inheritance Tax Fund when monies become available.

DATED this 2nd day of April, 2013.

Treasurer Scavo presented a listing of all delinquent real estate and special assessments in York County that were offered for sale to the public. Of the 107 offered, 44 parcels were sold for a total of \$50,375.85. She is now requesting that the Board issue tax sale certificates for the remaining properties.

Moved by Buller, seconded by Sikes to adopt Resolution #13-14 to issue tax sale certificates for those parcels that are delinquent and remaining from the 2011 taxes that were put up for sale; roll call: yeas, Buller, Sikes, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried.

## RESOLUTION #13-14

WHEREAS, York County had several parcels of real estate offered for sale on the first Tuesday of March, 2013, being March 4, 2013, due to delinquent real estate taxes. The County Treasurer has presented to the York County Board of Commissioners on April 2, 2013, a list of parcels of real estate which having been regularly advertised and offered for sale remain unsold for want of bidders.

WHEREAS, the County Board of York County in accordance with Section 77-1918 and 77-1809 R.R.S. hereby desires tax sales certificates to be issued in the name of the County of York on the below listed real estate.

NOW, THEREFORE, BE IT RESOLVED, that the County Treasurer of York County is hereby directed to issue tax sales certificates in the name of the County of York as to the following described parcels of real estate as shown on Exhibit "A" which is attached hereto and incorporated by reference herein.

### "EXHIBIT A"

#### Listing of Delinquent Properties

\*\*Indicates multiple years on property

\*Indicates existing County Tax

Sale

PARCEL #			LEGAL	SUBDIVISION	LOCATION
930048431	*	2,039.58	LT 1	LITTLES ADD	CITY OF YORK
930127900	*	1,219.96	LTS 5 & 6 BLK 10	OT	VILLAGE OF GRESHAM
930000331	*	1,145.65	LT 4 BLK 14	OT	CITY OF YORK
930126815	*	1,140.58	LTS 9 & 10 BLK 16	OT	VILLAGE OF GRESHAM
930058054	*	1,010.78	LT 4 BLK 27	NEW YORK ADD	CITY OF YORK
930126599	*	889.62	LTS 5 & 6 BLK 22	OT	VILLAGE OF GRESHAM
930044010	**	876.54	LTS 1-3 EXC E 20' ADJ BLK 10	HILLSIDE ADD	CITY OF YORK
930019903	*	855.60	LT 1 BLK 1	ACADEMY ADD	CITY OF YORK
930000285	**	822.13	S 50' LT 9 BLK 11	OT	CITY OF YORK
930070305	*	738.12	LTS 1 & 2 BLK 4	OT	VILLAGE OF BRADSHAW
930085639	**	614.54	LTS 1-4 BLK 37	OT	VILLAGE OF MCCOOL
930182243	**	577.50	LTS 4-6 BLK 18	OT	VILLAGE OF BENEDICT
930126947	**	531.10	LTS 5 & 6 BLK 23	OT	VILLAGE OF GRESHAM
930073002	**	497.42	N 70' OF W 142' IT 16	31-11-2	CITY OF YORK
930042476		494.76	LT 1 REPLAT OF LTS 13-15 BLK 1	HARLANS SUB	CITY OF YORK
930025954		465.52	PT LT 3 BLK 38	CHENEYS ADD	CITY OF YORK
930072154		454.38	2 LT 5 & ALL LT 6 BLK 6	RICHARDS ADD	VILLAGE OF BRADSHAW
930052811	**	449.80	LTS 11 & 12 BLK 5	MANSFIELDS ADD	CITY OF YORK
930058658	**	447.63	LTS 11-12 BLK 44	NEW YORK ADD	CITY OF YORK
930127560	*	443.28	LT 3 BLK 11	OT	VILLAGE OF GRESHAM
930072464	*	435.84	PT IT 12	31-11-2	CITY OF YORK
930126025	**	433.50	PT IT 7 & PT OF IT 9 S OF TR 7	OT	VILLAGE OF GRESHAM
930127927	*	427.20	LTS 7 & 8 BLK 12	OT	VILLAGE OF GRESHAM
930194721		424.62	IT 140 6.14 AC	31-11-2	CITY OF YORK
930128281		423.16	LTS 4-8 BLK 6	OT	VILLAGE OF GRESHAM
930182952		420.86	IT 3 GIS AC 8.26	29-11-3	
930088026		407.16	LTS 13-14 BLK 8	AUSTINS 1ST ADD	VILLAGE OF WACO
930126696		401.46	LTS 1-4 BLK 24	OT	VILLAGE OF GRESHAM
930058070		353.88	LT 1 IN SUB OF LT 1 BLK 29	NEW YORK ADD	CITY OF YORK

930008553	349.36	PT W2 SW4 1 AC	9-9-2	
930080513	331.08	PT W2 NW4 IT	7-10-2	CITY OF YORK
930072642	316.86	E 142' IT 14	31-11-2	CITY OF YORK
930070275	306.00	LTS 11-12 BLK 12	OT	VILLAGE OF BRADSHAW
930042352	299.64	LTS 5-6 & W2 VAC ALLEY BLK 2	GEORGES ADD	CITY OF YORK
930027817	292.25	LT 1 BLK 52	CHENEYS ADD	CITY OF YORK
930019911	273.82	LT 15 BLK 1	ACADEMY ADD	CITY OF YORK
930087593	271.94	LT 8 BLK 3	OT	VILLAGE OF WACO
930010868	262.60	S 45' LOT 4 BLK 65	OT	CITY OF YORK
930020073	231.92	LT 14 BLK 1	ACADEMY ADD	CITY OF YORK
930072812 **	216.02	W 142' IT 14	31-11-2	CITY OF YORK
930127498 *	211.82	LT 12 BLK 12	OT	VILLAGE OF GRESHAM
930057562	201.50	LTS 11-12 BLK 22	NEW YORK ADD	CITY OF YORK
930128192 *	191.06	LT 2 BLK 5	OT	VILLAGE OF GRESHAM
930056981	184.41	LT 12 BLK 19	NEW YORK ADD	CITY OF YORK
930046153	166.22	IT IN SE4 SE4 1 AC	19-10-4	
930082087 *	147.04	LTS 10-12 BLK 8	OT	VILLAGE OF BENEDICT
930186419 **	128.62	LTS 11-13 BLK 2	OT	VILLAGE OF WACO
930080203	111.38	IT 1	12-10-3	CITY OF YORK
930197802	109.82	N2 LOTS 9-10	MITCHELLS ADD	VILLAGE OF BRADSHAW
930127196	103.83	E 230.6' LT 7 BLK 20	OT	VILLAGE OF GRESHAM
930070887	95.09	LT 1 BLK 12	OT	VILLAGE OF BRADSHAW
930083717	78.26	LTS 2 & 3 BLK 39	OT	VILLAGE OF MCCOOL
930127277 **	65.82	LT 7, 8 & PT LT 9 BLK 8	OT	VILLAGE OF GRESHAM
930042433	45.76	LTS 7-9 & W2 VAC ALLEY BLK 2	GEORGES ADD	CITY OF YORK
930122135	42.36	LTS 2-6 E & W OF RR ROW BLK 20	HILLSIDE ADD	CITY OF YORK
930009304 **	36.96	PT NW4 .437AC	15-9-2	
930042727	27.18	LTS 17-20 BLK 3	GEORGES ADD	CITY OF YORK
930083636	25.62	LT 1 BLK 39	OT	VILLAGE OF MCCOOL
930080432	24.62	PT NW4 NW4 IT	7-10-2	CITY OF YORK
930127897	12.88	LTS 31 & 32 BLK 8	OT	VILLAGE OF GRESHAM
930042549	9.76	LTS 5 & 6	GEORGES ADD	CITY OF YORK
930066758	8.14	PT IT 6 .28 AC	10-12-1	

DATED this 2nd day of April, 2013.

Moved by Buller, seconded by Shellington to table action on the Title IV Responsible Management appointment until further information can be obtained; roll call: yeas, Buller, Shellington, Sikes and Bamesberger; nays, none; Bulgrin absent; motion carried.

A public hearing was held at 9:30 a.m. as published in the York News Times on March 19 and 26, 2013. Present at the hearing were: County Commissioners Bamesberger, Buller, Shellington and Sikes; Clerk Heine, Kelly Thomas, attorney for Hospital Authority #1; Gary Bredenkamp, Trustee nominee and Melanie Wilkinson, correspondent for the York News Times.

Thomas reviewed the process with the Board. No one was present from the public to speak to the matter, therefore, the meeting was closed at 9:35 a.m.

Moved by Buller, seconded by Sikes to adopt Resolution #13-15 appointing Fred Regier and Scott Hinze for a period of January 31, 2013 to January 31, 2019 and Gary Bredenkamp for the period of March 1, 2013 to January 31, 2019 as Trustees of the York County Hospital Authority No. 1; roll call: yeas, Buller, Sikes, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried.

#### **RESOLUTION #13-15**

WHEREAS, on March 5, 2013, a petition was filed with the York County Clerk seeking the appointment of members to the Board of Trustees of hospital authority number one of York County; and

WHEREAS, the Board of County Commissioners have been given the authority to appoint trustees to the hospital authority under the provisions of the Nebraska Hospital Authorities Act §23-3591 Reissue Revised Statutes of Nebraska, 1943, as amended; and

WHEREAS, the Board has ascertained, to its satisfaction, that the petition is valid and duly executed, that the required notice of the hearing on the request contained in the petition has been published as required by law, and that each of the proposed members of the Board of Trustees have met the qualifications set forth under the provisions of the Hospital Authority Act and should be appointed to serve the respective terms set forth in said petition until their successors are appointed and have qualified;

NOW, THEREFORE, BE IT RESOLVED that the following individuals be appointed to serve as Trustees of Hospital Authority No. 1 of York County, Nebraska for their respective term until their successors are appointed and have qualified:

<u>Name</u>	<u>Term of Office</u>
Fred Regier	January 31, 2013, to January 31, 2019
Scott Hinze,	January 31, 2013, to January 31, 2019
Gary Bredenkamp	January 31, 2013, to January 31, 2019

Dated the 2nd of April, 2013.

Bids were opened at 10:00 a.m. as advertised for bridge project B-775 on County Road I. The following bids were received

accompanied with a 5% bid bond and where all acknowledged receipt of Addendum #1:

The Diamond Engineering Co, Grand Island, NE	Total bid	\$457,387.31
Commercial Construction Inc., Lincoln, NE	Total bid	\$458,300.76
Herbst Construction, LeMars IA	Total bid	\$488,097.50

After review by the Highway Superintendent and the Kirkham Michael Engineer, the recommendation was to go with The Diamond Engineering Company.

Moved by Buller, seconded by Sikes to award the bid to The Diamond Engineering Co., of Grand Island, Nebraska in the amount of \$457,387.31; roll call: yeas, Buller, Sikes, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried.

Bids were opened at 10:15 a.m. as advertised for bridge project B-948 on County Road K. The following bids were received accompanied with a 5% bid bond and where all acknowledged receipt of Addendum #1:

The Diamond Engineering Co., Grand Island, NE	Total bid	\$437,395.74
Commercial Construction Inc., Lincoln, NE	Total bid	\$428,419.60
Herbst Construction, LeMars, IA	Total bid	\$485,997.00

After review by the Highway Superintendent and the Kirkham Michael Engineer, the recommendation was to go with Commercial Construction Inc.

Moved by Buller, seconded by Sikes to award the bid to Commercial Construction Inc., of Lincoln, Nebraska in the amount of \$428,419.60; roll call: yeas, Buller, Sikes, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried.

Informal quotes were requested for a one year lease of a compact track loader. The following proposals were received:

Case IH – York Equipment Inc., York, NE	\$2,500.00 pr year
Fairbanks International, Grand Island, NE	\$14,400.00 for 1 year rental

Moved by Buller, seconded by Shellington to accept the lease proposal from Case IH – York Equipment in the amount of \$2,500.00 pr year; roll call: yeas, Buller, Shellington, Sikes and Bamesberger; nays, none; Bulgrin absent; motion carried.

The Board tabled discussion on the Road Department Fuel Management System.

The Board approved the Public Transportation Budget for the year 2013-2014 where the county's matching funds would be equal to or greater than \$29,153.00

In January, 2013, the Internal Revenue Service conducted a payroll audit of the County. The Board hired Pam Bourne of Woods & Aitken LLP for representation in this action. The audit found payroll records to be complete and accurate, however, two advisory notices were given as a result of the audit which will require action. 1. Same Day Meal Reimbursements or Allowances 2. Accountable Plan Requirements for reimbursements – namely missing information for some travel reimbursements such as beginning and ending points, date, time, place, amounts and business purposes.

Several scenarios were discussed regarding reimbursements. Attorney Bourne will look into these topics and report back to the Board at the next regularly scheduled meeting. 1. Overnight stays – number of meals reimbursed per day. 2. Jail training sessions – optional meals. 3. Odometer readings reported on mileage reimbursement claims. 4. Reasonable period of time to submit mileage claims. 5. Commissioner reimbursement for mileage to come to meetings.

The Board conducted the quarterly jail visit.

Committee reports were given.

Clerk of the District Court, Steube submitted her March fee report in the amount of \$3,185.27. The report was reviewed and placed on file.

The Chairman declared the meeting adjourned at 2:08 p.m. The next meeting will be held April 16, 2013 at 8:35 a.m. in the County Commissioners Room, lower level of the Courthouse for the regular meeting.

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Kurt Bulgrin, Chairman  
York County Board of Commissioners

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Cynthia D. Heine, County Clerk  
York, Nebraska