

The York County Board of Commissioners met according to law on Tuesday, July 9, 2013 at 8:35 a.m. as per notice in the York News Times on July 3, 2013, with Vice Chairman Bill Bamesberger presiding, with Tom Shellington, Jack Sikes and Paul Buller. Also present at the meeting was Melanie Wilkinson, correspondent for the York News Times.

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 Sikes to approve the minutes of the June 26, 2013, Board of Commissioners meeting; roll call: yeas, Shellington, Sikes, Buller 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.

GENERAL ASSISTANCE:

Moved by Sikes, seconded by Buller to go into Executive Session at 8:37 a.m. for the prevention of needless injury to an individual; roll call: Yeas, Sikes, Buller, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried. The Chairman restated the motion.

Moved by Buller, seconded by Sikes to come out of Executive Session at 8:42 a.m. where no action was taken; roll call: yeas, Buller, Sikes, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried.

Moved by Shellington, seconded by Buller to approve General Assistance case #13-4 for utilities in the amount of \$217.23 payable to Nebraska Public Power District; roll call: yeas, Shellington, Buller, Sikes and Bamesberger; nays, none; Bulgrin absent; motion carried.

PAYROLL AND VENDOR CLAIMS: Moved by Shellington, seconded by Buller to approve payroll in the amount of \$139,084.59 and vendor claims as submitted; roll call: yeas, Shellington, Buller, Sikes and Bamesberger; nays, none; Bamesberger absent; motion carried.

Fund	Name	Description	Total
Gen	Black Hills Energy	Heating Fuels	422.40
Gen	Blue Knight Security, Inc.	Security Contract	528.00
Gen	Buffalo County Court	Court Costs	2.25
Aging	Lori Byers	Reimbursement	29.72
Gen	Centec Cast Metal Products	Grave Markers	2,494.85
Gen	Clerk of the Dist Court Hall County	Court Costs	30.75
Visitors Prom	Consumer Direct Marketing	Publication	185.00
Gen	Byron Covey	Mileage	121.48
Gen	Dell Marketing L.P.	Court Costs	221.98
Gen, VisProm	Eakes Office Plus	Office Supplies	918.35
Gen	Fillman Law Offices	Attorney Fees	1,177.50
Gen	John Filippi DDS PC	Coroner/Autopsy Costs	995.00
Weed	Green Pro Solutions	Weed Control	554.74
Gen	Hall County Court, District Nine	Court Costs	2.25
Aging	Janet Hines	Reimbursement	93.18
Gen	Hometown Leasing	Equipment Rental	1,918.20
Gen	Angie Johnson	Bailiff	70.00
Gen	Kopchos Sanitation, Inc.	Garbage	153.50
Visitors Prom	The Lamar Companies	Media-Advertising	470.00
Gen	Mason Electric	Building Maintenance	98.50
Gen	MIPS Inc.	Data Proc Costs	772.02
Gen	Jeanne Morand	Court Costs	71.50
Gen	Ne Crime Commission	Supplies	7.50
Gen	Ne Department of Revenue, PAD	Registration	380.00
Visitors Prom	Ne Life	Publication	300.00
Gen	Ne Public Power District	Electricity	4,997.64
Gen, Rd, Weed	NIRMA	Insurance	254,997.00
Gen	North Office Supply	Office Supplies	99.95
Gen	O'Keefe Elevator Company, Inc.	Maintenance Agreement	370.65
Visitors Prom	Perennial Public Power District	Media-Advertising	119.48
Gen	Rasmussen Mechanical Services, Inc.	Building Maintenance	111.50
Gen	Redfield & Company, Inc.	Office Supplies	370.57
Visitors Prom	Bob Sautter	Reimbursement	107.35
Gen	Kevin Schlender	Attorney Fees	720.00
Gen	Jack Sikes	Reimbursement	90.00
Gen	Stephens Law Office	Attorney Fees	900.00
Gen	Svehla Law Office	Attorney Fees	1,268.50
Visitors Prom	USA Outdoor II, LLC	Media-Advertising	360.00
Visitors Imprv	Wallingford Sign Co., Inc.	Erecting Signs	782.00
Gen, Relief	Windstream Communications	Telephone Service	1,134.47
Gen	York County Court	Court Costs	1,542.25
Gen	York County District Court	Court Costs	447.00
Weed	York County Highway Dept	Fuel	550.50

INTERFUND TRANSFERS:

Moved by Buller, seconded by Sikes to adopt Resolution #13-38 to transfer \$150,000.00 from the General Fund to the Road Fund as budgeted; roll call: yeas, Buller, Sikes, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried.

RESOLUTION #13-38

WHEREAS, the York County Board of Commissioners met at their regular meeting on the 9th day of July 2013, and discussed the fact that in the proposed budget for 2013-2014, the Road Fund would be partially funded by way of interfund transfers from the General Fund; and

WHEREAS, at this time it is necessary to transfer proposed budgeted funds in order to meet obligations in the amount of \$150,000.00.

NOW THEREFORE BE IT RESOLVED, that the York County Treasurer shall transfer the sum of \$150,000.00 budgeted dollars from the General Fund to the Road Fund for the budget year of 2013-2014.

Dated this 9th day of July 2013.

Moved by Sikes, seconded by Shellington to adopt Resolution #13-39 to transfer the sum of \$10,000.00 from the Inheritance Tax Fund to the Area on Aging Fund as budgeted; roll call: yeas, Sikes, Shellington, Buller and Bamesberger; nays, none; Bulgrin absent; motion carried.

RESOLUTION #13-39

WHEREAS, the York County Board of Commissioners met at their regular meeting on the 9th day of July 2013, and discussed the fact that in the proposed budget for 2013-2014, the Area on Aging Fund would be partially funded by way of interfund transfers from the Inheritance Tax Fund; and

WHEREAS, at this time it is necessary to transfer proposed budgeted funds in order to meet obligations in the amount of \$10,000.00

NOW THEREFORE BE IT RESOLVED, that the York County Treasurer shall transfer the sum of \$10,000.00 budgeted dollars from the Inheritance Tax Fund to the Area on Aging Fund for the budget year of 2013-2014.

Dated this 9th day of July 2013.

Moved by Buller, seconded by Shellington to adopt Resolution #13-40 to transfer the sum of \$10,000 from the General Fund to the Noxious Weed Fund as budgeted; roll call: yeas, Buller, Shellington, Sikes and Bamesberger; nays, none; Bulgrin absent; motion carried.

RESOLUTION #13-40

WHEREAS, the York County Board of Commissioners met at their regular meeting on the 9th day of July 2013, and discussed the fact that in the proposed budget for 2013-2014, the Noxious Weed Fund would be partially funded by way of interfund transfers from the General Fund; and

WHEREAS, at this time it is necessary to transfer proposed budgeted funds in order to meet obligations in the amount of \$10,000.00

NOW THEREFORE BE IT RESOLVED, that the York County Treasurer shall transfer the sum of \$10,000.00 budgeted dollars from the General Fund to the Noxious Weed Fund for the budget year of 2013-2014.

Dated this 9th day of July 2013.

A request to reappoint Don Jones to another five (5) year term on the Veterans Service Committee was discussed.

Moved by Shellington, seconded by Bamesberger to send the request back to the Committee for another recommendation; roll call: yeas, Shellington and Bamesberger, nays, Buller and Sikes; Bulgrin absent; motion failed.

Moved by Buller, seconded by Sikes to table the matter until the next regularly scheduled board meeting; roll call: yeas, Buller, Sikes, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried.

A review of ADA compliance for the Nebraska Department of Roads was to be completed and the Nondiscrimination Agreement signed at this meeting, however, it has not been completed. Highway Superintendent Doht requested that the Board pursue other avenues in order to complete the ADA evaluation of county property.

Moved by Buller, seconded by Sikes to table the matter to the next regularly scheduled Board Meeting to allow time to obtain an outside source to conduct the evaluation, with Doht requesting an extension from the Department of Roads; roll call: yeas, Buller, Sikes, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried.

A Sub-grant Agreement between the Nebraska Department of Health and Human Services for Child Support Enforcement and the York County District Court was reviewed.

Moved by Shellington, seconded by Sikes to authorize the Vice Chairman to sign the Subgrant Agreement between The Nebraska Department of Health and Human Services Division of Children and Family Services Child Support Enforcement and York County Clerk of the District Court; roll call: yeas, Shellington, Sikes, Buller and Bamesberger; nays, none; Bulgrin absent; motion carried.

The Board revisited the employee pay increase motion from the June 26th board meeting. Due to difficulties when

drafting the budget, it was determined that this fiscal year the incentive raises should be in connection with the fiscal year with the exception of the Road Department.

Moved by Buller, seconded by Sikes to amend the motion from the June 26th board meeting to state that employee evaluations for those offices other than the Road Department should be completed prior to September 1, 2013 and based on those findings, an incentive raise up to 2% should be enacted retro back to July 1, 2013. The cost of living raise (1.8%) was enacted July 1, 2013; roll call: yeas, Buller, Sikes and Bamesberger; nays, Shellington; Bulgrin absent; Motion carried

Sandy Morrissey, Director of the Region V Systems provided the Board with an update of their services along with the annual funding information.

Moved by Buller, seconded by Sikes to go into executive session at 9:30 a.m. to discuss personnel matters for the prevention of needless injury to an individual; roll call; Buller, Sikes, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried. Vice Chairman Bamesberger restated the motion.

Moved by Sikes, seconded by Buller to come out of executive session at 10:03 a.m. where no action was taken; roll call: yeas; Sikes, Buller, Shellington and Bamesberger; nays, none; Bulgrin absent; motion carried.

A public hearing was held at 10:00 a.m. as advertised for the York County Public Transportation System vehicle purchase. They are seeking partial funding through the federal and state government. The Federal share of the cost would not exceed \$58,305.00 or 50%; the State's share would not exceed \$29,152.00 or 25% and the County's share would be \$29,153.00. Present at the hearing were: Commissioners Bamesberger, Buller, Sikes and Shellington; Melanie Wilkinson and those from the public which were present to address the Keystone Pipeline issue.

There was no public input. The public hearing was declared closed at 10:07 a.m.

Moved by Shellington, seconded by Buller to authorize the Vice Chairman to sign the Vehicle & Equipment Purchase Application and Agreement between the Nebraska Department of Roads and York County; roll call: yeas, Shellington, Buller, Sikes and Bamesberger; nays, none; Bulgrin absent; motion carried.

Rex Heiden, County Surveyor, addressed the Board regarding his budget. After discussion, it was determined that the 2013-2014 budget should be set at \$10,000.00 as it is difficult to determine the amount of work he will be asked to perform for the county.

At the June 25, 2013 Board Meeting, a proposed resolution was submitted by the Good Life Alliance. It addresses the risks of Tar Sands and Crude Oil Pipelines to the citizen and resources of the county. They requested the resolution be voted on by the Board at the July 9th meeting.

Bamesberger read the following resolution into the record and announced the process which would be followed when giving testimony (each side was granted 15 minutes).

"The County Commission Board of York County, Nebraska, realizes the risks of Tar Sands and Crude oil pipelines to our citizens and resources and oppose any pipeline of this nature in our county. Should this county be forced to bear the risks of such pipelines, this Board will exercise the full extent of its powers to protect the health and welfare of the citizens and resources, as well as minimize the economic burden to residents of York County. Nothing in this resolution is meant to preempt federal or state laws."

Those speaking in favor of the resolution were as follows:

Jenni Harrington, Rick Hammond, Donna Roller, Megan Hammond, Leroy Glinsmann, Keith Matzke, Juanita Rice, Kevin Graves, Carol Brozovsky, Katie Quiring, Jane Kleeb and Carmen McKinney.

Those speaking in opposition of the resolution were as follows:

Jeff Rauh, Representative of Keystone XL Pipeline (presented evidence #1 – Effects of Diluted Bitumen on Crude Oil Transmission Pipelines; #2 - News from the National Academies regarding Transporting Diluted Bitumen Through Pipelines Does Not Increase Likelihood of Release; #3 - Nebraska Department of Environmental Quality - Nebraska's Keystone XL Pipeline Evaluation – Final Evaluation Report Volume One; #4 – Executive Summary NDEQ

Matt Litt submitted #5 – "Americans for Prosperity-Nebraska" letter.

Gary Reichlinger; Art Fredricksen also addressed the Board for the opposition.

Vice Chairman Bamesberger stated that numerous letters, e-mails and phone calls were received by the Board both in favor and against the resolution/pipeline.

After receiving all evidence and testimony, it was the feeling of the Board that some of the wording within the resolution should be revised and also that it was necessary to have more time to review documents submitted by the public.

Moved Buller, seconded by Sikes that the Good Life Alliance should reword and resubmit the resolution for the Board's review at the next board meeting and also to allow additional time for review of the public documents; roll call: yeas, Buller, Sikes and Bamesberger; nays, Shellington; Bulgrin absent; motion carried.

FEE REPORTS FOR THE MONTH OF JUNE:

The reports were reviewed and placed on file.

Clerk of the District Court - \$1,921.77

County Clerk - \$13,472.91

County Treasurer Scavo submitted the Fund Balance Report as of June 30, 2013.

General \$1,379,410.38

Road	\$124,295.04
2012 Hwy Allocation	\$4,404,222.70
Adult Diversion	\$92.40
Juvenile Diversion	\$5,108.95
Reappraisal	\$75,000.00
ROD Preservation	\$4,822.00
Employment Security	\$3,917.72
Area on Aging	\$4,983.91
Relief & Medical	\$9,889.33
State Institutions	\$10,112.15
Veterans Aid	\$25,563.14
Busy Wheels	\$15,014.55
STOP	\$6,801.58
Drug Fund	\$475.00
Fed. Drug Law Enf	\$7,433.85
Debt Service	\$5,220.34
Inheritance Tax	\$1,661,177.18
911 Wireless	\$68,412.21
911 Wireless Serv Holding	\$38,826.12
Emergency Mgmt	\$11,201.27
Law Enforcement Sheriff	\$2,539.05
Noxious Weed	\$132.71
Ambulance	\$28,819.46
911 Emergency	\$100,190.91
CDBG	\$10.01
Visitors Impr Fund	\$171,587.46
Visitors Prom	\$58,865.61

Committee reports were given.

The Vice Chairman declared the meeting adjourned at 2:37 p.m. The next meeting will be held July 23, 2013 at 8:30 a.m. in the County Commissioners Room, lower level of the Courthouse for the regular meeting.

Kurt Bulgrin, Chairman
York County Board of Commissioners

Cynthia D. Heine, County Clerk
York, Nebraska