

The York County Board of Commissioners met according to law on Tuesday, November 12, 2013 at 8:30 a.m. as per notice in the York News Times on November 6, 2013, with Chairman Kurt Bulgrin presiding, with Bill Bamesberger, Tom Shellington, Jack Sikes and Paul Buller. Also present was Melanie Wilkinson, Correspondent for the York News Times.

The agenda was posted on the bulletin board in the County Clerk's office and a copy was made available to each Commissioner.

Bulgrin announced that the Open Meetings Act was posted outside the door along with copies in the back of the Board Room.

Moved by Shellington, seconded by Sikes to approve the minutes of the October 29, 2013 Board of Commissioners meeting; roll call: yeas, Shellington, Sikes, Bamesberger, Buller and Bulgrin; nays, none; motion carried.

Moved by Bamesberger, seconded by Shellington to adopt the agenda for Tuesday, November 12, 2013, Board of Commissioners meeting as presented; roll call: yeas, Bamesberger, Shellington, Sikes, Buller and Bulgrin; nays, none; motion carried.

**PUBLIC FORUM:**

Those speaking in public forum were: Bill Dunavan, Jenni Harrington, Kevin & Shannon Graves, Jeff Rauh, Lee Hamann, Bobby B. Zack Hamilton and Brendan Lilley.

Moved by Shellington, seconded by Bamesberger to go into executive session as 8:33 a.m. to discuss General Assistance and for the prevention of needless injury to an individual; roll call: yeas, Shellington, Bamesberger, Buller, Sikes and Bulgrin; nays, none; motion carried. Chairman Bulgrin restated the motion.

Moved by Buller, seconded by Sikes to come out of executive session at 8:47 a.m. where no action was taken; roll call: yeas, Buller, Sikes, Shellington, Bamesberger and Bulgrin; nays, none; motion carried.

**GENERAL ASSISTANCE:**

Moved by Bamesberger, seconded by Sikes to approve General Assistance claim #BC13-4 in the total amount of \$1,000.00 payable to Alternative Funeral - \$800.00 and Metz Mortuary - \$200.00; roll call: yeas, Bamesberger, Sikes, Shellington, Buller and Bulgrin; nays, none; motion carried.

**PAYROLL AND VENDOR CLAIMS:**

Moved by Shellington, seconded by Sikes to approve payroll in the amount of \$139,852.14 and vendor claims as presented; roll call: yeas, Shellington, Sikes, Bamesberger, Buller and Bulgrin; nays, none; motion carried.

<b>Fund</b>	<b>Name</b>	<b>Description</b>	<b>Total</b>
Relief	Alternative Funeral & Cremation Services	County Burials	800.00
Aging	Bag N Save	Food	1,853.81
Gen	Beaver Bearing Co.	Grounds Repair	20.51
Gen/Road	Black Hills Energy	Heating Fuel	888.67
Gen	Blue Knight Security, Inc.	Security Contract	1,212.00
Road	Car Parts, Inc.	Equip/Supplies	186.50
Visit Prom	Cash-Wa Candy Co	Supplies	33.72
Aging	Cash-Wa Distributing Co.	Health Prom	432.08
Gen	Connecting point Computer Center	Data Processing	85.00
Gen	Cornerstone Bank	Data Processing	45.00
Gen	Crowell, Dennis	Mileage/Telephone	46.78
Gen	CWC of York, Inc.	Supplies	40.50
Gen	DDSS, Inc.	Data processing Equip	231.75
Road	DXP Enterprises, Inc.	Road Equipment	545.85
Aging	Karen Doran	Mileage/Food	87.02
Gen/Rd/Aging			
Emerge Mana	Eakes Office Plus	Supplies	955.03
Aging	Linda Eckard	Mileage	81.36
Road	Farm Plan	Road Equipment	514.03
Gen	Fillman Law Offices	Court Appointed Council	1,117.50
Road	Filter Care	Road Equipment	402.70
Gen	First Concord Benefits Group, LLC	Insurance	999.54
Road	Five Star Truck Center	Road Equipment	968.59
Road	Friesen Ford	Road Equipment	8.20
Aging	Hines, Janet K	Mileage/Food	62.66
Road	Heiss Electric, Inc.	Building & Grounds	1,033.20
Road	Eric Hinz	Road Equipment	1,741.48
Gen	Hometown Leasing	Equipment Rental	294.43
Road	HTR, Inc.	Flares/Flags	121.80
Gen	Hy-Tec Auto Service	Machinery & Equipment	1,346.24
Gen	Jack's Uniforms & Equipment	Uniform Allowance	73.94
Gen	Jackson Services, Inc.	Maintenance Agreement	40.75
Road	Jensen Lumber Co	Shop Supplies	44.24
Gen	JM Monograms, Inc.	Uniform Allowance	63.80
Road	Johnson Sand & Gravel Co, Inc.	Gravel	28,502.90
Road	Kerford Limestone Co.	Rock	1,009.26
Visit Imprv	KOLN KGIN 10/11	Advertisement	995.00
Gen	Kopchos Sanitation, Inc.	Garbage	154.50
Visit Promo	The Lamar Co.	Advertisement	470.00
Gen	Lancaster County Sheriff	District Court Costs	16.71
Visit Imprv	Bailey Lauerman	Advertisement	4,000.00
Gen	Law Enforcement Supply, Inc.	Equipment	53.04

Gen	Loup Valley Lighting, Inc	Grounds Repair	481.94
Gen	Mailfinance Inc.	Office Equipment	840.21
Gen	Martelle, Jamie L	Mileage	52.88
Road	Matheson Tri-Gas, Inc.	Shop Supplies	511.35
Gen/Road	Mead Lumber & Rental-York	Equip/Supplies	96.35
Aging	Merklinger, Jerri A	Mileage	124.58
Relief	Metz Mortuary	County Burials	200.00
Road	Midwest Machinery & Supply Co.	Guard Posts	636.20
Road	Midwest Pump & Equipment Co.	Equipment	35,692.00
Gen	MIPS, Inc.	Data Processing	917.02
Road	Missouri LTAP	Dues Subscription	60.00
Gen	Mogul's Transmission, Inc.	Machinery & Equip	377.99
Gen/Weed	Moses Motor Co.	Machinery & Equip	69.38
Road	Ed Mundt	Machinery & Equip	100.00
Gen	Naber's Repair Service	Equipment	10.24
Visit Promo	Nebraska Czechs of York	Grants	2,000.00
Visit Promo	Nebraska Life	Printing & Publishing	300.00
Gen/Road	Nebraska Public Power District	Electricity	4,492.03
Stop Program	Ne State Patrol, Troop C	Equipment	535.00
Visit Promo	Nebraska Travel Association	Dues/Subscription	13.00
Road	Nebraska Truck & Equipment Co. Inc.	Road Equipment	90.82
Gen/Road	Nebraskaland Glass	Equip Repair/Supplies	410.85
Gen	North Office Supply	Supplies	107.84
Gen	O'Keefe Elevator Co, Inc.	Maintenance Agreement	370.65
Road	O'Reilly Auto Parts	Equipment/Supplies	110.22
Gen	Paper Tiger Shredding	Misc	35.00
Road	Paulsen, Terry L	Telephone Service	30.00
Road/Promo	Perennial Public Power District	Electricity	213.30
Gen	Plains Power & Equip, Inc.	Lawn Equipment	20.95
Road	Power Plan	Road Equipment	1,730.51
Gen	Ramada Inn Kearney	Lodging	154.00
Road	Rasmussen Auto Parts	Supplies/Equip/Tools	508.40
Gen	Rasmussen Mechanical Services, Inc	Building/Grounds	498.50
Road	Safety-Kleen Systems	Shop Supplies	356.50
Road	Sahling Kenworth Inc.	Road Equipment	163.50
Gen	Sandman, Donald E	Meals/Phone/Misc	67.75
Gen	Saunders County Sheriff	County Court Cost	43.44
Visit Promo	Sautter, Robert R	Mileage	202.27
Road	Snap -On Tools	Shop Tools	95.45
Emer Manage	Seward County Courthouse	Monthly Expense	3,800.15
Road	Starbuck, Charles L	Telephone Service	29.05
Gen	DAS Central Finance/DAS Comm	Equipment Rental	448.00
Gen	Time Warner Cable	Dues Subscription	80.99
Gen	Turner, Kelly B	Mileage/Meals	112.22
Visit Promo	USA Outdoor II, LLC.	Advertisement	360.00
Gen/Road	Verizon Wireless Services	Telephone Service	701.32
Road	Village of Bradshaw	Water	11.88
Road	Village of McCool Junction	Water/Sewer	39.75
Gen	Volkmer, Mary S	Meals	17.62
Visit Promo	Waite Outdoor, LLC	Advertisement	450.00
Visit Improv	Wallingford Sign Co. Inc	Erecting Sign	2,788.00
Gen/Rd/Aging			
Relief	Windstream Communications	Telephone Service	1,936.42
Road	Burst, LLC York Ace Hardware	Shop Supplies	23.94
Visit Promo	York Area Chamber of Commerce	Meals/Misc	121.00
Visit Promo	York County Ag Society	Grants	2,000.00
Visit Promo	York County Development Corp	Misc	1,005.94
Gen	York County District Court	District Court Cost	239.00
Gen	York County Highway Dept	Fuel	2,196.84
Gen	York County Sheriff	Drug & Alcohol Testing	152.83
Road	York County Treasurer	Registration Fees	20.00
Road	York Equipment, Inc.	Road Equipment	109.98
Gen/Visit Promo	York News Times	Dues/Publishing	659.40
Gen/Visit Promo	York Printing Co., LLC	Printing/Supplies	974.56
Visit Promo	York Promotional Products	Promotional Supplies	591.06
Visit Promo	Yorkshire Playhouse	Dues	150.00

**INTERFUND TRANSFERS:**

Moved by Bamesberger, seconded by Shellington to adopt Resolution #13-59 transferring budget funds from the General Fund to the Noxious Weed Fund in the amount of \$20,000.000; roll call: yeas, Bamesberger, Shellington, Buller, Sikes and Bulgrin; nays, none; motion carried.

**RESOLUTION #13-59**

WHEREAS, the York County Board of Commissioners met at their regular meeting on the 12th day of November, 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 County General Fund; and

WHEREAS, at this time it is necessary to transfer proposed budgeted funds in order to meet obligations in the amount of \$20,000.00

NOW THEREFORE BE IT RESOLVED, that the York County Treasurer shall transfer the sum of \$20,000.00 budgeted dollars from the County General Fund to the Noxious Weed Fund for the budget year of 2013-2014.

Dated this 12th day of November, 2013.

A proposed resolution was discussed which would determine which county owned property would be placed on inventory.

Moved by Buller, seconded by Bamesberger to adopt Resolution #13-60 which sets the dollar amount of \$250.00 and above for items to be put on the County's inventory lists; roll call: yeas, Buller, Bamesberger, Shellington, Sikes and Bulgrin; nays, none; motion carried.

#### **RESOLUTION #13-60**

##### **PERSONAL PROPERTY INVENTORY STATEMENTS – INVENTORY CRITERIA**

**WHEREAS**, Nebraska Revised Statute Section 23-347 provides that within two calendar months after the close of each fiscal year, each County Officer shall make, acknowledge under oath, and file with the County Board an Inventory Statement of all county personal property in the custody and possession of said County Office. The County Board shall examine into each Inventory Statement so filed, and, if said statement is correct and proper in every particular, the County Board shall deliver each Inventory Statement to the County Clerk for filing as a public record in the County Clerk's office in a manner convenient for reference; and

**WHEREAS**, Nebraska Revised Statute Section 23-346 provides that the Auditor of Public Accounts shall establish a uniform system of Inventory Statements for all County Officers and such system, when established, shall be installed and used by all County Officers; and

**WHEREAS**, the County Board of York County is desirous of establishing a uniform policy for all York County Officers to follow when preparing his/her Inventory Statement in compliance with Nebraska Law and the Auditor of Public Accounts.

**NOW, THEREFORE**, in consideration of the above recitals the York County Board of Commissioners hereby adopts the following policy to be used by all York County Officers in the preparation of all Inventory Statements submitted to the York County Board of Commissioners:

1. No later than July 31<sup>st</sup> of each fiscal year, each County Officer shall make, acknowledge under oath, and file with the York County Board of Commissioners, an Inventory Statement of all county personal property in the custody and possession of said County Office.
2. The Inventory Statement shall set forth the name of the office to which it pertains; a description of the item of personal property with serial and model number if applicable; the acquisition date of each asset listed; the acquisition cost of each asset listed; and the tag number assigned to each asset listed.
3. All items of nonconsumable personal property having an acquisition cost of two hundred fifty dollars (\$250.00) or more shall be listed on the Inventory Statements. Nonconsumable items of personal property that have been listed shall not be removed from the Inventory Statements until such time as the county surplus agent (through motion by the County Board) sells or disposes of said asset or transfers the asset to another County Department. Any consumable asset (i.e. supplies) previously placed on inventories should be removed. At such time as any item is surrendered to County Surplus the County Officer shall include that information on the Inventory Statement prepared following such delivery and thereafter, the asset shall be removed from that County Officer's future Inventory Statements filed. If the asset is transferred to another County Department, that asset should be listed on the acquiring department's Inventory Statement using the asset's original Tag Number.
4. Except as set forth herein, all County Officers acquiring or having custody of personal property having an acquisition cost of two hundred fifty dollars (\$250.00) or more shall assign and affix a Tag Number to the asset at the time of its acquisition (or within thirty (30) days of the effective date of this policy for assets already acquired). All assets acquired by the York County Road Department having an acquisition cost of \$100.00 or greater but less than \$500.00 shall not be required to have assigned a Tag Number but shall be engraved with the words "York County Road Department." Such assets shall be listed on the Road Department's inventory. Assets of the York County Road Department having an acquisition cost of \$500.00 or greater shall be assigned a Tag Number. Tag Numbers shall remain with the asset for as long as the asset is owned by the County. Tag number shall not be reassigned.
5. General supplies or consumable assets shall not be listed on the Inventory Statement or assigned a Tag Number. Assets with an acquisition cost of less than two hundred fifty (\$250.00) may be listed and maintained on the Inventory Statement and assigned a Tag Number at the discretion of the County Officer if the County Officer determines that such listing would serve the interests of the County. Once listed on the Inventory Statement, an asset shall not be removed except as provided herein.

Dated this 12<sup>th</sup> day of November, 2013.

The Board tabled the matter of designating the Public Defender position as full time or part time.  
The Board tabled the adoption of the updated General Assistance guidelines.

Following adoption of the budget, a percentage must be established whereby funds will be transferred from the General

Fund to the Road Fund.

Moved by Bamesberger, seconded by Buller to adopt Resolution #13-61 setting the percentage of funds to be transferred from the General Fund to the Road Fund for fiscal year 2013-2014 at 43.629%; roll call: yeas, Bamesberger, Buller, Shellington, Sikes and Bulgrin; nays, none; motion carried.

**RESOLUTION #13-61**

**WHEREAS**, the York County Board of Commissioners at its regular meeting on November 12, 2013, discussed the fact that on September 3, 2013, the proposed budget statement for the County Road fund was adopted, such total budget being in the sum of \$8,543,222.70. There are funds to be transferred from the County General Fund to the County Road Fund in the approximate amount of \$2,720,824.96; and

**WHEREAS**, the amount of revenue in the General Fund to be generated from Property Taxes is set at \$6,236,228.88;

**NOW BE IT RESOLVED**, that the York County Treasurer shall transfer 43.629% of the 2013-2014 taxes collected for the County General Fund be transferred to the County Road Fund as per the adopted budget.

Dated this 12<sup>th</sup> day of November, 2013.

Bids were received at the October 29<sup>th</sup> Board Meeting for revision of the York County Hazardous Mitigation Plan.

Moved by Bamesberger, seconded by Buller to accept the bid from JEO Consulting in the amount of \$53,400.00 for revision of the York County Hazardous Mitigation Plan; roll call: yeas, Bamesberger, Buller, Sikes, Shellington and Bulgrin; nays, none; motion carried.

Wages for County Officials must be set prior to December 1, 2013 for purposes of filing for election in the upcoming election cycle. Those offices which will be up for election are: Assessor, Attorney, Clerk, Clerk of the District Court, Public Defender, Sheriff, Surveyor, Treasurer and three of the five Commissioner Districts.

Moved by Shellington, seconded by Sikes to adopt Resolution #13-62 setting salaries for the county officials which reflect a 3% increase from the 2013 salary (Assessor, Clerk, Clerk of the District Court and Treasurer at \$54,345.07; Sheriff at \$64,956.97, Attorney at \$73,439.74 and Surveyor at \$5,000.00; roll call: yeas, Shellington, Sikes, Bamesberger and Bulgrin; nays, Buller; motion carried.

**RESOLUTION #13-62**

**WHEREAS**, the York County Board of Commissioners met on November 12, 2013 at their regular meeting to discuss and act on the salaries for the Elected Officials of York County. Notice of the hearing to consider and set salaries was given by publishing such notice in the agenda.

**WHEREAS**, the salaries to be set are Elected Officials of York County being as follows: York County Assessor, York County Clerk, York County Clerk of the District Court, York County Treasurer, York County Sheriff and York County Attorney.

**NOW THEREFORE, BE IT RESOLVED**, that the Elected Officials of York County shall receive the following salaries for the year 2015, and shall receive an increase each of the following years for the years 2016, 2017 and 2018 as described below. Said increases shall take effect January 1 of each subsequent year.

**(FOR THE YEAR 2015)**

**York County Clerk, County Assessor, County Treasurer and County Clerk of the District Court:**  
**\$54,345.07**

**York County Sheriff:**  
**\$64,956.97**

**York County Attorney:**  
**\$73,439.74**

**(FOR THE YEARS 2016, 2017 AND 2018 – Annual Cost of Living Adjustment)**

Annual adjustments for 2016, 2017 and 2018 will be based on the Midwest Consumer Price Index as established by the Bureau of Labor Statistics, U.S. Department of Labor except when the CPI falls below “0” and except when the CPI raises above 3% in any year, in which case the annual adjustment will be no more than 3%.

In addition to and in consideration of the above salaries, the following will also apply:

1. The County Attorney position shall remain a full-time position with no private practice allowed.
2. The Deputy Public Defender position shall remain discontinued.
3. The County on an annual basis during the term of this Resolution reserves the right to contract out or enter into an agreement with an Elected Official or Officials who are qualified to serve as a budget-making authority as may be approved by the Board. It is the intent of the York County Board that if an agreement is made with an Elected Officials, that such agreement shall not constitute an increase in the herein adopted salary but shall be and is a part of the agreement. If the Board contracts with an Elected Official to serve as the budget making authority, that official shall be allowed an additional amount not to exceed \$1,500.00 for performing those duties.
4. Be it further resolved that in addition to the above stated salaries, each County Official shall receive benefits as provided in the York County Employee Manual consisting of health insurance, life insurance, disability insurance and retirement benefits.

Dated this 12<sup>th</sup> day of November, 2013.

Also, at this time, the salary for County Commissioners must be set for 2015 and 2016.

Moved by Shellington, seconded by Sikes to adopt Resolution #13-63 setting the salary for County Commissioners for 2015 at \$22,078.30 which is a 3% increase and that the Chairman be paid an additional \$500.00 per year. There will be no Cost of Living raise for the years 2015 and 2016; roll call: yeas, Shellington, Sikes, Bamesberger and Bulgrin; nays, Buller; motion carried.

#### **RESOLUION #13-63**

**WHEREAS**, the York County Board of Commissioners met at its regular meeting on November 12, 2013 and discussed the issue that came before the Board concerning the setting of Commissioners salaries for the next term.

**BE IT RESOLVED**, that the salary for the York County Board of Commissioners for the year as specified shall be as follows:

YEAR	SALARY
2015	\$22,078.30
2016	\$22,078.30

The Chairman of the Board shall receive in addition to the salary specified above an additional \$500.00 per year for the responsibilities placed on him or her as the Chairman in executing the duties of the Chairperson. Said increase shall take effect on January 1.

**BE IT FURTHER RESOLVED**, that in addition to the above stated salaries, each Commissioner shall receive benefits as provided in the York County Employee Manual consisting of health insurance, life insurance, disability insurance and retirement benefits.

Dated this 12<sup>th</sup> day of November, 2013.

It was determined that Rex Heiden as County Surveyor is unable to hold a position on the Planning & Zoning Committee, therefore a replacement needed to be appointed.

Moved by Buller, seconded by Sikes to adopt Resolution #13-64 appointing Jenni Harrington to the Planning and Zoning Commission to fill out the unexpired term of Rex Heiden; roll call: yeas, Buller, Sikes, Bamesberger, Shellington and Bulgrin; nays, none; motion carried.

#### **RESOLUTION #13-64**

**WHEREAS**, the Board of Commissioners has been advised that Rex Heiden, current member of the Planning and Zoning Committee is not eligible to hold said position as he is also currently holding the office of York County Surveyor. Based on that determination, there now exists a vacancy on the Board.

**WHEREAS**, the Board has been advised that Jenni Harrington is willing to be appointed to fill the unexpired term of Rex Heiden which will terminate on April 30, 2014;

**NOW, THEREFORE BE IT RESOLVED** that Jenni Harrington is hereby appointed to fill the unexpired term of Rex Heiden from November 12, 2013 until April 30, 2014.

Dated this 12<sup>th</sup> day of November, 2013.

Bond drawdown #26 was reviewed.

Moved by Bamesberger, seconded by Buller to approve Bond Drawdown #26 payable to Diamond Engineering Co - \$225,477.79; Commercial Construction Inc. - \$235,606.97 and Kirkham Michael - \$5,980.00 for a total of \$467,064.78; roll call: yeas, Bamesberger, Buller, Shellington, Sikes and Bulgrin; nays, none; motion carried.

The Board discussed appointing a committee to draft/redraft the Haul Route Agreement in Connection with Trans Canada Keystone Pipeline.

Moved by Sikes, seconded by Buller to approve the appointment of Commissioners Kurt Bulgrin and Bill Bamesberger; Bill Dunavan, Kevin Graves, County Attorney Candace Dick, Brendan Lilley and Mitch Doht to the draft committee for the Trans Canada Keystone Pipeline Haul Route; roll call: yeas, Sikes, Buller, Bamesberger and Bulgrin; nays, Shellington; motion carried.

#### **OCTOBER FEE REPORTS: The reports were reviewed and placed on file.**

County Clerk	\$14,256.50
Clerk of the District Court	\$3,202.44

County Treasurer Scavo submitted the October 31, 2013 Fund Balances:

General	\$1,690,649.22
Road	380,741.60
Adult Diversion	5,517.86
Juvenile Diversion	7,091.81
Child Supp Enforcement	126.63
Reappraisal	75,000.00
ROD Preservation	7,606.50
Employment Security	7,576.89

Area on Aging	19,198.61
Relief & Medical	13,335.72
State Institutions	10,095.89
Veterans Aid	25,589.14
Busy Wheels	15,469.52
STOP	7,312.23
Drug Fund	475.00
Fed Drug Law Enforcement	3,601.29
Debt Service	293,898.09
Inheritance Tax	1,319,972.43
911 Wireless	77,516.16
911 Wireless Holding	38,826.12
Emergency Mgmt	31,141.71
Law Enforcement Sheriff	2,539.05
2012 Hwy Alloc	2,347,584.42
Noxious Weed	2,428.45
Ambulance	65,787.53
911 Emergency	100,506.54
CDBG	10.01
Visitors Impr Fund	233,084.37
Visitors Prom	79,533.38

Committee reports were given.

The Chairman declared the meeting adjourned at 11:06 a.m. The next meeting will be held November 26, 2013 at 8:30 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