

PROCEEDINGS OF THE KNOX COUNTY BOARD OF SUPERVISORS

Center, Nebraska  
May 30, 2019  
9:30 a.m.

A regular meeting of the Knox County Board of Supervisors was held in the Boardroom at the Knox County Courthouse in Center, Nebraska on the date of May 30, 2019 at 9:30 a.m. Present were Supervisors Martin J. O'Connor District #1, Patrick J. Liska District #2, Virgil H. Miller District #3, James Sokol, Jr. District #4, Kevin D. Mackeprang District #5, Danny R. Schlote District #6 and James J. Borgmann District #7. Absent was none. Chairman Sokol, Jr. presiding.

Supr. O'Connor led the Board in the Pledge of Allegiance.

Chairman Sokol, Jr. announced to the public that a copy of the Public Open Meeting Act was posted in the Boardroom.

Notice of the meeting was given in advance thereof by publication in the Crofton Journal newspaper, as shown by the Affidavit of Publication attached to these minutes.

Notice of this meeting was simultaneously given to all members and a copy of their acknowledgment and receipt of notice and agenda is attached to these minutes. All proceedings hereafter shown were taken while the convened meeting was opened to the attendance of the public.

Minutes of the May 9, 2019 meeting were read. Chairman Sokol, Jr. approved the May 9, 2019 meeting minutes as read with the addition that Supr. Mackeprang seconded the motion to rescind the motion from the April 25, 2019 meeting where the Board of Supervisors approved purchasing one Roadrunner road drag from Jet Plain Company of DeWitt, Nebraska for \$25,000 with the option to purchase a second one, and moved to purchase a Bonnell 312 Road maintainer from Midwest Service Sales in the amount of \$15,000.00.

Correspondence reviewed was: 1. Thank you note from the Niobrara Public Library; 2. Copy of letter from Knox County Clerk Joann M. Fischer informing the members of SID #2 and others about the election process change for electing members to the SID #2 Board of Trustees; 3. Economic Development Director's report, agenda for the Development Agency meeting on May 20, 2019 and the minutes of the Development Agency meeting held on April 29, 2019; 4. Results of State Homeland Security Grant/Emergency Management Performance Grant Monitoring Visit.

Motion by Supr. O'Connor, seconded by Supr. Mackeprang that all claims except Claim #19050230 payable to the Verdigre Improvement Club, audited and approved for payment by the Claims Committee, be allowed subject to delinquent personal taxes. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Schlote, seconded by Supr. Borgmann that Claim #19050230 payable to the Verdigre Improvement Club in the amount of \$1,000 payable from the Visitors' Promo Fund, audited and approved for payment by the Claims Committee, be allowed subject to delinquent personal taxes. By roll call vote. Ayes Districts #1, #2, #3, #5, #6 and #7. Nays none. Abstain District #4. Motion carried.

Claims totaling \$261,957.37 are listed at the end of these proceedings.

Chairman Sokol, Jr. moves the Board recess at 10:00 a.m. for Board of Equalization.

The Knox County Board of Supervisors reconvened at 10:36 a.m. with all members present.

The advertised bid opening was held for electrical work to the flood-damaged County sheds in Niobrara and Verdigre. Knox County reserves the right to reject any and all bids and further reserves the right to accept any bid that best serves the County's needs. The following bids received were: **Niobrara County Shed – Flenniken Electric, Neligh NE** – rewiring all of the flood damaged electrical, bringing everything up to NEC codes, \$3,820; **Verdigre County Shed – Flenniken Electric, Neligh NE** – rewiring all of the flood damaged electrical, bringing everything up to NEC codes, \$3,900. Motion by Supr. Liska, seconded by Supr. Miller to accept the bids from **Flenniken Electric, Neligh NE** for electrical work to the flood-damaged County sheds in Niobrara and Verdigre as follows: Niobrara County Shed – rewiring all of the flood damaged electrical, bringing everything up to NEC codes, replace panel box, new wire trenched in, replace meter socket, a terminal box added, all electrical boxes and covers below water level in the building will be replaced, \$3,820; Verdigre County Shed - electrical work to be done in west end of shed, new lights, protected duplex plugs, welder plug, wiring to garage door openers, install ground bar in existing panel box, and new pipe and wire installed, \$3,900. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Hwy. Supt. Barta met with the Board on the following: 1. Discussed insulation in the Niobrara County Shed. Due to the flooding, the insulation in the office area is flaking and can be inhaled. Swanson Spray Foam Insulation of Niobrara submitted a quote for \$3,345 to spray foam insulation in the office area. Motion by Supr. Liska, seconded by Supr. Miller to accept the quote from Brian Swanson dba Swanson Spray Foam Insulation of Niobrara in the amount of \$3,345 to spray foam insulation into the office area of the Niobrara County Shed. By roll call vote. Ayes all Districts. Nays none. Motion carried; 2. Discussion was held on purchasing a new gravel truck to replace the flood-damaged truck. Present were Chris Herrington of Wick's Sterling Trucks Inc. in Omaha and Knox County Mechanic Jeremy Crosley. The Board reviewed information submitted by Hwy. Supt. Barta on quotes for trucks and options from Wick's Sterling Trucks Inc. of Omaha and Cornhusker International of Norfolk. After further discussion, motion by Supr. Liska, seconded by Supr. O'Connor to accept the quote from Wick's Sterling Trucks Inc. of Omaha for the purchase of a Western Stark 4700 Truck with automatic transmission, electronic controls, stainless steel box, sander, snow plow, and warranties for \$212,221 noting that the NIRMA insurance reimbursement payment received for the flood-damaged truck will be \$32,000 to be used toward the purchase of the replacement truck. By roll call vote. Ayes all Districts. Nays none. Motion carried; 3. Motion by Supr. Liska, seconded by Supr. Sokol, Jr. to go into executive session at 11:03 a.m. so as to protect the reputation of

an individual when discussing personnel. By roll call vote. Ayes all Districts. Nays none. Motion carried. Chairman Sokol, Jr. reiterated that the executive session will be held so as to protect the reputation of an individual when discussing personnel. The Board came out of executive session at 11:17 a.m.; 4. Motion by Supr. Liska, seconded by Supr. Miller to close at 11:17 a.m. the executive session held on personnel. By roll call vote. Ayes all Districts. Nays none. Motion carried.

County Attorney Thomas and the Board discussed the extensive and continuing flooding west of Niobrara and the need for the Nebraska Department of Transportation to address the continuing sedimentation problems of the Ponca Creek and the Missouri River. Motion by Supr. Liska, seconded by Supr. Mackeprang to adopt **Resolution #2019 – 05** imploring the Nebraska Department of Transportation to incorporate into the project to raise or rebuild Highway 12 west of Niobrara the issue of continuing sedimentation of the Ponca Creek and the Missouri River by Verdell so the Ponca Creek will flow into the Missouri River without threatening Highway 12 and its bridges, plus other roads, bridges, homes, the Nebraska Game and Parks boat landing for the Niobrara State Park and many farms and fields. By roll call vote. Ayes all Districts. Nays none. Motion carried.

**RESOLUTION #2019 - 05**

WHEREAS, the Knox County Board of Supervisors finds that sedimentation of the Ponca Creek and Missouri River by Verdell, Knox County, Nebraska is causing extensive and repeated flooding of county roads and bridges and is threatening Knox County homes and recreational houses, the Nebraska Game and Parks boat landing for the Niobrara State Park, and many farms and fields, and

THEREFORE, BE IT RESOLVED, the Knox County Board of Supervisors implore the Nebraska Department of Transportation to incorporate, into the project to raise or rebuild Highway 12 West of Niobrara, the issue of continuing sedimentation of the Ponca Creek and Missouri River by Verdell, Knox County, Nebraska, as that the Ponca Creek will flow into the Missouri River without threatening Highway 12 and its bridges, Knox County roads and bridges, Knox County homes and recreational houses, the Nebraska Game and Parks boat landing for the Niobrara State Park, and many farms and fields.

Dated this 30<sup>th</sup> day of May, 2019.

COUNTY BOARD OF SUPERVISORS  
KNOX COUNTY, NEBRASKA

James Sokol, Jr. /s/  
James Sokol, Jr., Chairman, District. #4

Martin J. O’Connor /s/  
Martin J. O’Connor, District #1

Patrick J. Liska /s/  
Patrick J. Liska, District #2

Virgil H. Miller /s/  
Virgil H. Miller District #3

Kevin Mackeprang /s/  
Kevin D. Mackeprang, District #5

Danny R. Schlote /s/  
Danny R. Schlote, District #6

ATTEST: (Seal)

James Borgmann /s/  
James Borgmann, District #7

Joann M. Fischer /s/  
Joann M. Fischer, Knox County Clerk

Hwy. Supt. Barta continued with the following: 5. Discussion was held on the condition of a township gravel road west of Verdigre that is also a mail route road noting there is no gravel on the road. County Attorney Thomas advised the post master be contacted. Also the Board discussed that the County haul the gravel on the one-mile portion of road that needs gravel and the cost be deducted from that township’s designated allocation from the County/Township Allocation funds. Budgets of a number of townships will be low due to the repairs needed after the flooding in March. The township board members will be contacted. Supr. Liska said that the “Goat Road” leading to the Lazy River Acres area also needs gravel; 6. FEMA RFPs for engineering of the Walton and Prishman bridges were sent; 7. Many landslides on County roads are now happening due to the flooding and continued rain; 8. Cleaning of the Niobrara and Verdigre Sheds is taking place; 9. Weight limits are being placed again due to the wet conditions and additional truck traffic on a number of County oiled roads.

Zoning Administrator Doerr met with the Board on the following: 1. Motion by Supr. Schlote, seconded by Supr. Mackeprang to place on file the April 9, 2019 Planning Commission meeting minutes. By roll call vote. Ayes all Districts. Nays none. Motion carried; 2. Motion by Supr. Borgmann, seconded by Supr. Mackeprang to approve Administrative Plat #P0136 Delores Teadtke on a 5.02 acre tract in the SE1/4SW1/4 of Section 19, T29N, R4W of the 6<sup>th</sup> P.M., Knox County, Nebraska. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Schlote, seconded by Supr. Mackeprang to pay gWorks for the WebGIS Tab Subscriptions in the amount of \$2,575 for the Planning/Zoning and \$5,190 for the Assessor with a total of \$7,765 to paid from the Knox County KENO Account. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Audit Service Proposals for Fiscal Year 2019 were opened at 11:50 a.m. Knox County reserves the right to reject any and all proposals received and further reserves the right to accept any proposal that best serves Knox County’s

needs. Proposals received were: 1. Email from Morrow, Davies & Toelle in Norfolk stating that their audit schedule was full and they are not accepting new audit work; 2. Nebraska Auditor of Public Accounts, Lincoln – Option 1 Audit of Knox County financial statements only for the fiscal year ending June 30, 2019, not to exceed \$15,000; Option 2 Audit of Knox County financial statements only for the fiscal years ending June 30, 2019, 2020 and 2021, not to exceed \$15,000. Motion by Supr. Miller, seconded by Chairman Sokol, Jr. to accept the Audit Service Proposal Option 1 from the Nebraska Auditor of Public Accounts for audit of Knox County financial statements only for the fiscal year ending June 30, 2019. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Chairman Sokol, Jr. moves the Board recess for lunch at 11:58 a.m.

The Knox County Board of Supervisors reconvened at 12:48 p.m.

Economic Development Director Hanefeldt met with the Board on the following: 1. Certificates of Appreciation for Gayle Neuhaus and Beth Rudloff were signed thanking them for their past service on the Knox County Visitor's Committee; 2. An agenda item for the next meeting will be a letter to the Nebraska Department of Revenue requesting a list of all active lodging tax permit holders in Knox County; 3. A copy of a map showing recreation sites open for the summer and the routes was reviewed.

Comments on non-agenda items were given by Emergency Manager Hintz as follows: 1. A meeting will be held at 2:30 p.m. regarding the need for avenues for assisting with mental health issues due to the flooding and what is offered by Region IV; 2. EPA contractors worked over Memorial Day weekend picking up thirty tanks and containers left after the flooding; 3. Update on the FEMA and SBA individual and business applications; 4. The mountain snowpack increased recently and melting waters will continue later into this year; 5. Discussed request for sandbags in the Lazy River Acres area. Supr. Liska will check into getting bags and sand. A request was also received that several Board members and Hwy. Supt. Barta come to the area west of Niobrara to see what can be done about the high water.

Motion by Supr. Liska, seconded by Supr. Borgmann to approve a Special Designation Liquor License Application for Z's Lindy Country Club for an outdoor band/wedding dance on August 10, 2019. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Mackeprang, seconded by Supr. O'Connor to cancel check #18120164 payable to Pitzer Digital in the amount of \$12.75 written from the General Fund. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. O'Connor, seconded by Supr. Borgmann that the receipts totaling \$314,948.97 be accepted and placed on file. By roll call vote. Ayes all Districts. Nays none. Motion carried.

#19866 – Knox County Clerk, imprest interest, 17.26; #19867 – Register of Deeds, recording fees & documentary stamp tax, 5,997.23; #19868 – NIRMA, insurance reimbursement 2003 International truck and 2000 John Deere backhoe, 56,060.00; #19869 – NIRMA, reimbursement for backhoe rental, 2,700.00; #19870 – State of Nebraska, section corner tie-outs for Center-Bloomfield, 2,900.00; #19871 – Hrbek Construction, culvert, 465.00; #19872 – State of Nebraska, highway allocation, 152,315.35; #19873 – State of Nebraska, reimbursement for meals/motel for asphalt conference, 227.67; #19874 – Brunswick State Bank, interest, 609.59; #19875 – Pierce County Treasurer, tax collections – Sch. Dist. 13 Gen & Cap, 455.33; #19876 – Cedar County Treasurer, tax collections – Crofton Fire Gen & Sink & Wausa Gen, 50,168.83; #19877 – Knox County Zoning, variance permit, 250.00; #19878 – Great Plains Communications Inc., 911 surcharge, 9,300.16; #19879 – Northeast Nebraska Economic Development District, April 2019 business loan payments, 4,752.99; #19880 – Brunswick State Bank, interest, 1,523.97; #19881 – Cedar Knox Rural Water Project, refund of overpayment to SID #1, 477.44; #19882 – Knox County Clerk, marriage license, 25.00; #19883 – Knox County Attorney, STOP funds, 80.00; #19884 – Knox County Clerk, marriage license, 25.00; #19885 – Knox County Sheriff, one hour service for Village of Verdigre, 50.00; #19886 – Elleah Wiebelhaus-Ruby Davidson Conservatorship, reimbursement of court appointed attorney fees, 9,474.83; #19887 – Midwest Bank, interest, 1,809.78; #19888 – Knox County Zoning, variance permit, 250.00; #19889 – Village of Wausa, sale of old sprayer, 50.00; #19890 – Knox County Attorney, check processing fees, 10.00; #19891 – Knox County Clerk, marriage license, 25.00; #19892 – State of Nebraska, lodging tax, 2,209.93; #19893 – Nebraska Association of Emergency Management, reimbursement of conference fees, 170.00; #19894 – Knox County Sheriff, inmate commissary, 135.00; #19895 – Brunswick State Bank, interest, 1,211.94; #19896 – Midwest State Bank, interest, 1,408.15; #19897 – Knox County Sheriff, 911 surcharges, 39.97; #19898 – State of Nebraska, funding for 911 service, 4,820.27; #19899 – United States Treasury, reimbursement of gas tax, 3,799.65; #19900 – State of Nebraska, bridge conference reimbursement, 1,133.63.

Discussion was held on setting the 2020 salaries for employees except elected officials, deputies to elected officials, employees receiving a deputy wage and the Emergency Manager. A 2.5% increase was suggested by officials as the elected officials and their deputies will receive a 2.5% increase in 2020 as per Resolution #2017-35. Sheriff Henery requested a 75-cent per hour increase for his dispatchers/jailors and a 2.5% increase for his deputies. After further discussion, motion by Supr. Miller, seconded by Supr. Mackeprang to approve a 2.5% increase for all employees except the elected officials and deputies to elected officials as those salaries were already set in 2017 by Resolution #2017-35, and further excepting those employees receiving a deputy wage and the Emergency Manager noting that the 2020 salary for the Emergency Manager will be set at another meeting. By roll call vote. Ayes Districts #1, #2, #3, #4, #5 and #7. Nays District #6. Motion carried.

There was no public comment given on agenda items.

There was no further public comment given on non-agenda items.

**GENERAL FUND.** Bazile Creek Power Sports, mower blades, 38.97; Bloomfield Auto Parts, parts, 83.58; Bomgaars, supplies, 66.40; Center Garage, charge AC, 25.00; CenturyLink, long distance, 132.64; Classic Rentals, mop/towel rental, 42.00; Creighton News, publishing, 171.00; Creighton 59 LLC, van gas, 32.00; Creston Fertilizer Co., weed chemical, 2,139.56; Crofton Journal/Niobrara Tribune, publishing, 170.50; DAS State Accounting-Central Finance, backup, 121.88; Dean Wilken, meeting/mileage, 47.62; Dollar General, supplies, 166.20; Doug DeShazer,

meeting/mileage, 56.90; Dugan Printing & Promotions, registration holders, 763.36; Eakes Office Solutions, copier agreement, 249.78; First National Bank Omaha, gas/supplies/hot spot/postage, 2,014.77; GIS Workshop LLC, annual GIS support, 8,200.00; Greg Kuhlman, meeting/mileage, 52.84; Independent Pest Management, pest control, 275.00; Jim Kotrous, meeting/mileage, 43.56; John Thomas, membership fees, 255.00; Justice Data Solutions Inc., jamin maintenance, 2,300.00; Keith Nielsen, meeting/mileage, 40.66; Knox County Sheriff, service fees, 18.00; Landmark Surveying, survey fees, 400.00; NACO, dues/registration, 2,058.97; Northeast Nebraska County Assessor Association, dues, 25.00; Netcom Inc., radio equipment, 968.00; Pitzer Digital, publishing, 28.00; Postmaster, postage, 110.00; Quill Corporation, office supplies, 412.01; Reserve Account, meter postage, 5,000.00; Rhonda Surface, reimbursement van gas, 29.33; SD/NE PLS Committee, galerucella beetles, 500.00; Security Shredding, shredding, 52.50; Thomson Reuters –West, law books, 373.00; Tri-State Turf & Irrigation, sprinkler repair, 89.19; Verdigre Eagle, publishing, 139.50; Wholesale Supply Company Inc., janitor supplies, 387.60.

**ROAD FUND.** B's Enterprises Inc., barricades/blades/asphalt/culvert, 18,814.60; Barco Municipal Products Inc., light bar, 306.45; Bauer Built Tire, tire, 271.17; Black Hills Energy, heating fuel, 195.01; Bloomfield Auto Parts, repairs/filters/shop supplies, 636.44; Bohemian One Stop, gas, 781.36; Bomgaars, shop supplies/shop tools/tank box pump, 2,907.66; Broadway Mercantile, shop supplies, 57.78; Burns Lumber Co. LLC, shop supplies, 36.64; Cedar Knox PPD, electricity, 122.16; C-Mart LLC, gas, 201.02; Creighton News, publishing, 12.00; Creighton 59 LLC, gas, 107.18; Crofton Journal/Niobrara Tribune, publishing, 2.75; Farmer's Pride, diesel/oil, 11,396.29; Freeman Oil Company LLC, diesel, 1,360.80; Grossenburg Implement Inc., repairs/oil, 3,660.69; Hefner Hardware, shop supplies, 27.98; Herbert Feed & Grain Co., diesel, 3,542.68; Jebro Inc., crs, 3,372.18; Jedlicka's Hardware Hank, shop supplies, 254.74; Midwest Service & Sales Co., road drag, 15,000.00; Murphy Tractor Equipment Co. Inc., backhoe, 65,300.00; Nebraska Public Power District, electricity, 158.65; NMC Exchange LLC, repairs/filters, 3,090.92; Omaha Slings Inc., crane supplies, 793.27; R&K Motor Parts, oil/filters/repairs/shop supplies, 1,197.14; Russ Crosley, garbage, 46.00; Truck Center Companies, repairs, 2,213.74; Verdigre Eagle, publishing, 16.40; Verdigre Farm Service, diesel/gas/shop supplies/grease/fluids/repairs, 7,442.71; Willow Creek Sand & Gravel, gravel/haul, 29,125.35; Yankton Fire & Safety Co. Inc., inspection, 54.25.

**FLOWAGE EASEMENT ROAD FUND.** B's Enterprises Inc., flag material, 1,577.50; Gerhold Concrete Company Inc., concrete, 3,299.85; Husker Steel, steel, 27,449.00; Motacek & Sons LLC, supplies/rental, 191.74; Northern Materials LLC, equipment rental, 10,246.50.

**CHILD SUPPORT FUND.** CenturyLink, long distance, 8.29; Hometown Leasing, copier lease, 125.93; Microfilm Imaging Systems Inc., scanner rent, 81.00; Postmaster, postage, 264.60.

**VISITOR'S PROMO FUND.** Bloomfield Community Club, promo funds, 1,000.00; Center Improvement Club, promo funds, 500.00; Creighton Chamber of Commerce, promo funds, 1,000.00; Crofton Community Club, promo funds, 1,000.00; Friends of the Missouri River, promo funds, 125.00; Harm & Tulleys Event Center, promo funds, 1,000.00; Knox County Ag Society, promo funds, 1,500.00; Lewis & Clark SRA, promo funds, 1,000.00; Miles Partnership, promo funds, 2,000.00; Niobrara Promoters, promo funds, 1,000.00; Outlaw Trail Scenic Byway, promo funds, 500.00; Shannon Trail Promoters, promo funds, 300.00; Verdigre Improvement Club, promo funds, 1,000.00; Wausa Community Club, promo funds, 500.00; Wausa Smorgasbord, promo funds, 500.00; Winnetoon, promo funds, 500.00; Yankton Area Chamber of Commerce, promo funds, 275.00

**VISITOR'S IMPROVEMENT FUND.** First National Bank Omaha, kiosk internet, 217.30.

**C&C DEVELOPMENT FUND.** CenturyLink, long distance, 8.29; Creighton News, publishing, 12.80; Crofton Journal, publishing, 22.58; First National Bank Omaha, travel/ training/supplies/advertising, 845.51; Megan Hanefeldt, travel expense, 208.80; Quill Corporation, office supplies, 211.23.

**INHERITANCE FUND.** Doerr & Klein P.C., court appointed attorney, 1,871.76.

**911 EMERGENCY FUND.** CenturyLink, phone, 79.93; First National Bank Omaha, digital scanner/supplies, 386.28; Three River Telco, phone, 42.07.

**911 WIRELESS SERVICE FUND.** CenturyLink, phone, 340.74; Three River Telco, phone, 179.34.

TOTALS

General Fund	28,080.32
Road Fund	172,506.01
Flowage Easement Road Fund	42,764.59
Child Support Fund	479.82
Visitor's Promo Fund	13,700.00
Visitor's Improvement Fund	217.30
C & C Development Fund	1,309.21
Inheritance Fund	1,871.76
911 Emergency Fund	508.28
911 Wireless Service Fund	520.08
Total	\$261,957.37

Chairman Sokol, Jr. adjourned the Knox County Board of Supervisors at 2:05 p.m. on May 30, 2019 until Thursday, June 13, 2019 at 9:30 a.m. for a regular meeting

I, Joann M. Fischer, Knox County Clerk, do hereby certify that the County Board minutes are correct to the best of my knowledge.

ATTEST:

COUNTY BOARD OF SUPERVISORS  
OF KNOX COUNTY, NEBRASKA

\_\_\_\_\_  
Joann M. Fischer, Knox County Clerk

By \_\_\_\_\_  
James Sokol, Jr., Chairman

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