

PROCEEDINGS OF THE KNOX COUNTY BOARD OF SUPERVISORS

Center, Nebraska  
November 14, 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 November 14, 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. Supervisor Chairman Sokol, Jr. presiding.

Supr. Borgmann 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 Creighton News 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.

The minutes of the October 31, 2019 meeting were read. Chairman Sokol, Jr. approved the October 31, 2019 meeting minutes as read.

Motion by Supr. O'Connor, seconded by Supr. Mackeprang that all claims except Claim #19110090, 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. Borgmann, seconded by Supr. Schlote that Claim #19110090 in the amount of \$609.84 from the Road Fund payable to Schreier's Lumber Company, audited and approved for payment by the Claims Committee be allowed subject to delinquent personal taxes. By roll call vote. Ayes Districts #1, #2, #4, #5, #6 and #7. Nays none. Abstain District #3. Motion carried.

Claims totaling \$478,447.30 are listed at the end of these proceedings.

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

The Knox County Board of Supervisors reconvened at 10:15 a.m. with all members present.

Highway Superintendent Barta met with the Board on the following: 1. Discussed Mainelli Wagner and Associates claims; 2. Motion by Supr. Miller, seconded by Supr. Borgmann to adopt **Resolution #2019 – 29** authorizing Chairman Sokol, Jr. to sign an On-Call Professional Services Task Order Agreement between Knox County and HDR Engineering, Inc. for the Center West Federal Aid Bridge Project BRO-7054(22), C.N 32313 in the amount of \$8,493.36. By roll call vote. Ayes all Districts. Nays none. Motion carried.

**RESOLUTION  
SIGNING OF A LPA-CONSULTANT PROFESSIONAL SERVICE AGREEMENT**

**KNOX COUNTY  
Resolution No. 2019 – 29**

**Whereas:** Knox (County) and State entered into an LPA Program Agreement for State to assist County in the development and construction of an LPA Federal-aid transportation project;

**Whereas:** County wishes to hire a consultant for the design or construction of LPA's project;

**Whereas:** The LPA Program agreement specifies that consultants be selected using the State's engineering services for LPA's Federal-aid project; and

**Whereas:** The consultant selection process was used to select HDR Engineering to provide engineering services for LPA's Federal-aid project; and

**Whereas:** This resolution is to authorize the chair to sign an agreement between County and HDR Engineering, Inc.

**Be it Resolved by the Board of Supervisors of Knox County that:**

The Chair, James Sokol, Jr., is hereby authorized to sign the attached **LPA Consultant Professional Service Agreement** between the County and the HDR Engineering, Inc.

NDOR Project Number: BRO-7054(22)  
NDOR Control Number: 32313  
NDOR Project Description: Center West

Adopted this 14<sup>th</sup> day of November, 2019 at Center Nebraska.

The Board of Supervisors of Knox County, Nebraska

James Sokol, Jr. /s/  
Virgil H. Miller /s/

Martin J. O'Connor /s/  
Kevin D. Mackeprang /s/

Patrick J. Liska /s/  
Danny R. Schlote /s/

Board/Council Member Virgil Miller  
Moved the adoption of said resolution  
Member James Borgmann Seconded the motion  
Roll Call: 7 Yes 0 No 0 Abstained 0 Absent  
Resolution adopted, signed and billed as adopted

Attest: (Seal)  
Joann M. Fischer /s/  
Signature Clerk

3. Centerline striping is completed; 4. Over 600 yards of dirt was hauled in to repair the "CJ" slide; 5. Repairs being made to the Crofton sander truck; 6. The new District 2 truck and sander should be delivered in several weeks; 7. Bridge Crew update; 8. Oil Crew update; 9. Six pallets of patch bag mix has been ordered; 10. At 10:31 a.m., Chairman Sokol, Jr. opened the advertised bid opening for the Bloomfield Northwest, C-54(897B) bridge project ("Ray Stark" bridge). Knox County reserves the right to reject any and all bids or to waive any irregularities in bids received. Award of the Contract will be in accordance with the County Purchasing Act's competitive bidding considerations as set forth in Neb. Rev. Stat. §23-3110 to §23-3114. Knox County is an Equal Opportunity Employer. Bids received were opened in the order received: **Simon Contractors, North Platte NE**, \$1,328,700.00, start of construction date - August 15, 2020, end of construction date - December 13, 2020; **KEA Constructors, LLC, Milford NE**, \$958,037.38, start of construction date - December 9, 2019, end of construction date - 120 working days; **Herbst Construction, Inc., LeMars IA**, 1,133,647.00 (adjustment made due to computation of several costs - \$1,131,847.00), start of construction date - April 6, 2020, end of construction date - August 7, 2020; **Christensen Bros., Inc., Cherokee IA**, \$1,041,142.17 (adjustment made due to computation of one cost - \$1,041,271.17), start date of construction - December 15, 2019, end date of construction - July 15, 2020; **Midwest Infrastructure, Inc., Lincoln NE**, \$1,189,654.69, start date of construction date - March 18, 2020 (or earlier dependent on girder availability), end of construction date - July 15, 2020; **Dixon Construction Co., Correctionville IA**, \$1,188,611.50, start of construction date - June 1, 2020; end of construction date - November 25, 2020 - 125 working days will be allowed. The engineer's estimate was \$1,067,264.00. Hwy. Supt. Barta and Ramsey Robertson with Mainelli Wagner and Associates took the bids to the Hwy. Supt. Office for review of computation and conditions.

The Board and County Clerk Fischer discussed replacement of the 2006 Chrysler van. At this time, the Board directed County Clerk Fischer to purchase two new tires for the van as the County will continue to use the van.

Motion by Supr. Schlote, seconded by Supr. Miller to place on file the Clerk of District Court October Fee Report. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Liska, seconded by Supr. O'Connor that the receipts be accepted and placed on file. By roll call vote. Ayes all Districts. Nays none. Motion carried. Receipts totaled \$355,775.50.

#20234 - Verdigre Township, 2 tires, 500.00; #20235 - State of Nebraska, funding for 911 service, 4,820.27; #20236 - Knox County Clerk, transfer General Fund to Road Fund, 94,682.45; #20237 - Knox County Sheriff, title inspections, 180.00; #20238 - Knox County Zoning, building permit, 52.00; #20239 - Knox County Sheriff, handgun fees, 65.00; #20240 - Knox County Treasurer, interest, 3,206.75; #20241 - Knox County Treasurer, interest, 1,161.79; #20242 - Brunswick State Bank, interest, 2,520.54; #20243 - State of Nebraska, state aid-MFO, 42,695.00; #20244 - Z's Lindy Country Club, liquor license, occupational tax & reimbursement of publishing, 353.08; #20245 - Creighton Township, loan payment #8, 7,877.37; #20246 - Knox County Clerk, fees, c.c. marriage licenses & copies, 63.17; #20247 - Clerk of District Court, filing fees, court costs, copies & passport fees, 345.50; #20248 - Commercial State Bank, interest, 650.30; #20249 - Knox County Sheriff, inmate commissary, 93.35; #20250 - Knox County Zoning, building permit, 55.00; #20251 - Commercial State Bank, interest, 650.30; #20252 - Cedar Knox Rural Water Project, refund - overpayment to SID #1, 969.59; #20253 - Knox County Court, fines, court costs & lab test fees, 2,795.00; #20254 - Kirk Nielsen, culvert, 2,450.00; #20255 - Knox County Clerk, imprest interest, 15.21; #20256 - Knox County Sheriff, VIN inspections & handgun permits, 210.00; #20257 - Knox County Zoning, building permits, 420.00; #20258 - NIRMA, workman's comp, 971.42; #20259 - Ann Carlson PR, inheritance tax - Gertrude Carlson Estate, 4,271.18; #20260 - State of Nebraska, highway allocation, 175,853.73; #20261 - Knox County Sheriff, 3<sup>rd</sup> quarter mileage, 2,057.39; #20262 - Register of Deeds, recording, documentary stamp tax & copies, 5,730.11; #20263 - Knox County Sheriff, auto inspections, 60.00.

Zoning Administrator Doerr met with the Board on the following: 1. The Administrative Plat Application submitted by Donald and Laurie Adamson for a lot split on a tract in Section 4, T29N, R7W was on this meeting's agenda, however, as the plat has not been signed by the County Surveyor, the application will be considered at the next meeting; 2. Discussed the Board of Adjustments. Member Kelly Kumm is moving so an appointment will be needed to fill the position.

At 11:02 a.m., Chairman Sokol, Jr. opened the advertised public hearing on Zoning Permit #Z0081 Ryan Arens for changing from Transitional Agricultural Land Use (AGT) back to Primary Agriculture (AGP) on his property in in Eastern Township and others who wished to be included in that area. Present and giving testimony were Donna Steffen, Ryan and Karen Arens and Dean and Sarah Mormann. The Arens' wish to replace three hog hoop barns with a barn that would match their current flow of hogs which would require them to increase in animal units. Discussion ensued on AGT zoning limits property owners working their land, the proposed hog barn is designed to keep odor from blowing onto the highway, safety issues for a cattle feeder moving equipment out into traffic, and the intent to keep the young people farming. Zoning Administrator Doerr had sent letters about the application to area landowners and the Arens' have talked to neighbors who think the area should be zoned AGP including some of the neighbors' properties. Zoning Administrator

Doerr explained the difference between AGT and AGP is lot sizes in AGT are 3 acres minimum where lot sizes in AGP are 5 acres minimum in addition the livestock rules are different in the zones. The Planning Commission recommended approval of the application.

Chairman Sokol, Jr. closed the open public hearing at 11:34 a.m. Motion by Supr. O'Connor, seconded by Supr. Mackeprang to approve Change of Zoning, Planned Development or Regulations Amendment Application #Z0081 submitted by Ryan Arens changing the following properties from Transitional Agricultural Land Use (AGT) back to Primary Agriculture (AGP): SE1/4 (John Paul Mormann, etal) of Section 26; the NE1/4 (Burl D. & Lois Ann Mormann) and the SE1/4 (Keith and Charleen Buschkamp) of Section 35; the N1/2NW1/4, SW1/4NW1/4 and tract in SE1/4NW1/4 (Daniel Arens), SE1/4NW1/4 less 36.60 acre tract (Daniel and Lorraine Arens) and the SW1/4 (Keith and Charleen Buschkamp) of Section 36, all in T33N, R2W; the NE1/4 and part of the SE1/4 (Donna M. Steffen, Trustee), and the remainder of the SE1/4 (Donna M. Steffen, Trustee, etal) of Section 2; the E1/2NW1/4, NW1/4NW1/4 less tract, and E1/2SW1/4 (Larry Janssen), tract in the SW1/4NW1/4NW1/4 (Jeffery J. and Melinda A. Burbach), the SW1/4NW1/4 (Roger F. and Dorothea M. Janssen), and the W1/2SW1/4 of Section 1 (Ryan and Karen Arens), all in T32N, R2W. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Insurance agent Jeff Hammer met with the Board on the renewal of the HealthCare Solutions Group health insurance. Mr. Hammer said he was pleasantly surprised when researching premiums and coverage to find that while other groups are seeing increases of 23%, the County's fixed costs will increase slightly but the maximum costs are decreasing. Mr. Hammer recommended that the premiums remain the same for 2020. Motion by Supr. Miller, seconded by Supr. Schlote to renew the health insurance with HealthCare Solutions Group for eligible employees with a \$30,000 specific (employer) deductible 12/18 plan with the County-paid premium to remain at \$850 per month per eligible employee and \$600 per month for employee-paid coverage for child(ren) starting January 1, 2020, and further the monthly taxable stipend paid for in-lieu of health insurance to employees who have coverage under a spouse or parent's insurance will remain at \$330. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Hwy. Supt. Barta continued with the following: 11. Hwy. Supt. Barta and Ramsey Robertson returned to the Board meeting with their reviews of the bids for the "Ray Stark" bridge project. After a discussion, motion by Supr. Schlote, seconded by Chairman Sokol, Jr. to approve the low bid of **KEA Constructors, LLC of Milford NE** in the amount of \$958,037.38 for the Bloomfield Northwest, C-54(897B) bridge project ("Ray Stark" bridge) with the start of construction date of December 9, 2019 and the end of construction date being 120 working days. By roll call vote. Ayes all Districts. Nays none. Motion carried; 12. Discussion was held on the Verdigre North Bridge Project problem with a landowner's noncompliance of WRP requirements. The Nebraska Department of Transportation (NDOT) has been working with the Natural Resources Conservation Service (NCRS) as clearance still has not been given due to the noncompliance of the landowner. Discussed was the approval from NCRS is needed to build the road to the bridge, may be in jeopardy of losing the project and the money as the Federal Government will pay 80% of the cost and the State of Nebraska will pay 20%, the need to send letters to Senator Gragert, Senators Fischer and Sasse and Congressman Smith, not spending County money any longer on the present bridge, and permanently closing the bridge if the project falls through as per the resolution draft presented by Deputy County Attorney Holecek; 13. Hwy. Supt. Barta informed the Board that a study would cost approximately \$40,000 to \$50,000 to have an engineer conduct a study on the Ponca Creek road. Discussion ensued on dredging, building a levy, using the west road for access, having the Raymond Township Board come to a Board meeting to discuss options, putting in precast culverts, and installing swinging lock gates like those used on the interstate to close the road as people are driving around the barricades into the floodwaters. One person was cited for driving around the barricades and stalling in the floodwaters. Hwy. Supt. Barta will have the swinging lock gates constructed and installed on the County concrete road into the Lazy River Acres area and to invite the Raymond Township Board to meet with the Board on fixing and use of the west "goat" road into that area.

There was no public comment on agenda items.

Comment on non-agenda items was given by County Clerk Fischer who reminded the Board that open enrollment is in December for the health insurance and the dental/vision insurance.

**GENERAL FUND.** Salaries, 170,500.60; Applied Connective Technologies, IT services, 4,405.00; Big Red Mini Mart, van gas, 13.02; Bloomfield Tire & Oil, gas, 184.66; Bomgaars, supplies, 54.19; Classic Carpet Care, mop/towel rent, 28.00; Clerk of District Court, court costs, 216.00; CAN Surety, notary bond, 40.00; Collector of Internal Revenue, Social Security County pays, 13,079.36; County of Knox Employee Benefit Account HealthCare Solutions Group Inc., insurance County pays, 29,750.00; Creighton 59 LLC, van gas, 118.08; Creston Fertilizer Co. Inc., weed chemical, 492.06; Dan Henery, reimbursement of meal, 14.95; DAS State Accounting, backup, 121.88; Dollar General, supplies, 339.35; Eakes Office Solutions, copier agreement, 183.67; Ecowater Systems, bottled water, 751.75; Elaine's Tavern & Café, prisoner board, 4,642.00; Great Plains Communications, phone/internet, 2,269.11; Hometown Leasing, copier lease, 76.18; Jo Ann P. Knori, prior service, 20.00; Key Sanitation, garbage, 108.00; The Lincoln National Life Ins. Co., insurance County pays, 88.85; Liz Doerr, mileage/ink, 80.08; Madison County Sheriff, transport inmates, 81.80; Manatron Inc., contract, 3,238.40; Mary Ketelsen, mileage, 165.30; Megan Hanefeldt, travel expense, 300.28; Microfilm Imaging Systems, scanner rent, 40.50; MIPS, computer program, 795.19; NACO, registrations, 1,500.00; Nebraska Sheriff's Association, dues, 255.00; North Central Public Power District, electricity, 2,035.54; Northeast Nebraska News Co., publishing, 26.50; Pitzer Digital LLC, publishing, 413.69; Principal Life Insurance Co., insurance County pays, 1,939.50; Quill Corporation, office supplies, 415.38; Retirement Plans Division of Ameritas, retirement County pays, 11,471.44; Tax Valuation Inc., commercial contract, 4,000.00; Telebeep, pager, 64.17; University of Nebraska-Lincoln, supplies, 60.00; U.S. Cellular, cell phones, 153.58; U.S. Cellular, cell phones, 336.96; Verdigre Eagle, publishing, 24.00; Village of Center, water/sewer/garbage, 608.50.

**ROAD FUND.** Salaries, 66,731.81; Avera Medical Group, drug test, 50.00; Bauer Built Tire, tire, 3,658.00; Black Hills Energy, heating fuel, 42.40; Bloomfield Medical Clinic PC, drug test, 35.00; Bloomfield Tire & Oil LLC, tire repair/repairs, 860.00; Bohemian One Stop, gas, 442.92; CHS Wausa, diesel, 2,069.34; City of Bloomfield, water, 24.20; City of Creighton, water/sewer/garbage, 149.00; C-Mart, gas, 218.73; Collector of Internal Revenue, Social Security County pays, 5,039.74; County of Knox Employee Benefit Acct. c/o Healthcare Solutions Group Inc., insurance County pays, 11,900.00; Creighton 59 LLC, gas, 93.71; DWarriner, gravel/haul, 5,580.24; Farmer's Pride, diesel, 3,288.80; Flenniken Electric, building repair, 5,413.44; Great Plains Communications, phone, 592.95; Grossenburg Implement Inc., filter/DEF/repair, 978.46; Hrbek Construction, equipment rental, 740.00; J&K Auto, gas, 89.00; Jebro Inc., MC-3000 oil, 16,133.34; Jedlicka's Hardware Hank, shop supplies, 342.60; Kayton International, repairs, 280.72; Key Sanitation, garbage, 120.00; Kimball Midwest, shop supplies, 194.30; Larry Pilar, prior service, 21.00; Lincoln National Life Ins. Co., insurance County pays, 35.82; Matheson Tri-Gas Inc., argon gas/ supplies/welder, 5,224.80; N&B Gas Co., heating fuel, 704.50; Nebraska Public Power District, electricity, 51.49; North Central Public Power District, electricity, 333.31; K & S Door Co. Inc. dba Overhead Door Co. of Norfolk, door repairs, 92.00; Pease General Store, shop supplies, 405.62; Powerplan, repairs, 2,232.87; Principal Life Insurance Co., insurance County pays, 732.70; R&K Motor Parts, oil/filters/repairs/shop supplies, 2,168.57; Retirement Plans Div. of Ameritas, retirement County pays, 4,347.22; Schreier Lumber, building repair, 609.84; Steffens Service; gas, 67.66; Truck Center Companies, repairs, 795.96; U.S. Cellular, cell phones, 403.32; Verdigre Farm Service, diesel/gas/shop supplies/grease/fluids, 3,130.14; Viking Lumber, shop supplies/asphalt patch, 812.42; Village of Niobrara, water/sewer, 38.88; Village of Verdigre, water/sewer/garbage, 105.03; West Hodson Lumber & Concrete Co., shop supplies, 12.99; Willow Creek Sand & Gravel, gravel/haul, 11,014.70.

**FLOWAGE EASEMENT ROAD FUND.** Mainelli Wagner & Associates Inc., engineer fees, 19,311.08.

**CHILD SUPPORT FUND.** Great Plains Communications, phone/internet, 53.20; Hometown Leasing, copier lease, 125.93; Microfilm Imaging Systems Inc., scanner rent, 81.00; Midwest Music Center, sound system, 2,896.85.

**VISITOR'S PROMO FUND.** Salaries, 984.00.

**ROD PRESERVATION/MODERNIZATION FUND.** Microfilm Imaging Systems Inc., scanner rent, 55.00; MIPS, computer program, 263.70.

**ECONOMIC DEVELOPMENT FUND.** NENEDD, admin fees, 827.80; NENEDD, loan, 13,300.00.

**C&C DEVELOPMENT FUND.** Great Plains Communications, phone and internet, 53.20; Stacy Miller, mileage, 32.48; U.S. Cellular, cell phone, 141.17.

**INHERITANCE FUND.** Mainelli Wagner & Associates Inc., engineer fees, 15,675.62; Marvin Planning Consultants Inc., comprehensive plan, 660.00; Rodney W. Smith, public defender contract, 2,083.33; Yankton Search & Rescue, cost sharing, 4,000.00; Yonke Trucking, fill sand /dirt, 594.00.

**911 EMERGENCY FUND.** Great Plains Communications, phone/internet, 208.57.

**911 WIRELESS SERVICE FUND.** Salaries, 2,749.79; Great Plains Communications, phone/internet, 635.03.

**SHERIFF COMMISSARY FUND.** Bomgaars, inmate commissary, 10.99; Dollar General, inmate commissary, 13.00.

TOTALS

General Fund	255,252.02
Road Fund	158,409.54
Flowage Easement Road Fund	19,311.08
Child Support Fund	3,156.98
Visitor's Promo Fund	984.00
ROD Pres./Mod. Fund	318.70
Economic Development Fund	14,127.80
C&C Development Fund	226.85
Inheritance Fund	23,012.95
911 Emergency Fund	208.57
911 Wireless Service Fund	3,384.82
Sheriff Commissary Fund	23.99
Total	\$478,447.30

Chairman Sokol, Jr. adjourned the Knox County Board of Supervisors at 12:24 p.m. on November 14, 2019 until Wednesday, November 27, 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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