

PROCEEDINGS OF THE KNOX COUNTY BOARD OF SUPERVISORS

Center, Nebraska  
January 30, 2020  
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 January 30, 2020 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 Mackeprang presiding.

Supr. Miller led the Board in the Pledge of Allegiance.

Chairman Mackeprang 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 Wausa Gazette 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 January 9, 2020 meeting were read. Chairman Mackeprang approved the January 9, 2020 meeting minutes as read.

Correspondence reviewed was: 1. Thank you card from the employees of Younes Hospitality in Kearney; 2. Missouri Sedimentation Action Coalition update; 3. Center for Rural Affairs information on wind energy ordinances, requirements and recommendations for local officials.

Motion by Supr. O'Connor, seconded by Supr. Sokol, Jr. that all claims, 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. Claims totaling \$241,824.36 are listed at the end of these proceedings.

Deputy County Attorney Holecek discussed with the Board the upcoming hearing on whether to continue with the current election process for the County Surveyor or to put it to the vote of the people.

There was no public comment on agenda items.

There was no public comment on non-agenda items.

Chairman Mackeprang moves the Board recess at 10:06 a.m. for Board of Equalization.

The Knox County Board of Supervisors reconvened at 10:38 a.m. with all members present.

Hwy. Supt. Barta met with the Board on the following: 1. Discussed NIRMA information that employers will be required to conduct a full query of a driver's electronic record of employees holding a CDL or CLP starting on January 6, 2020; 2. A Regional Road/Bridge Sign and Flood Workshop will be held in Hartington; 3. A bridge refresher course will be held in Lincoln next week; 4. Hwy. Supt. Barta will be meeting with USDA regarding six flood projects; 5. The One and Six Year Road hearing will be held on February 13, 2020 at 10:30 a.m.; 6. Update on the Bloomfield North Overlay Bid Letting. The asphalt bid opening will be held on February 13, 2020 and advertising for the concrete bids will take place soon; 7. Road/Bridge/Oil employee evaluations will be held on February 13, 2020 starting at 1:00 p.m.; 8. Oil crew update; 9. Work on flood repair at the Niobrara Shed/Yard is nearly done.

At 10:59 a.m., Chairman Mackeprang opened the advertised public hearing for County Surveyor elections. Present were Knox County Surveyor Mike Skroch, Hwy. Supt. Barta and County Sheriff Henery. As per Nebraska Revised Statute §32-525 (2)(a), "in each county having a population of less than one hundred fifty thousand inhabitants, the question of electing a county surveyor in the county shall be submitted to the registered voters of the county at the statewide general election in 2020." Also Statute §32-525 (3) says "If a county having a population of less than one hundred fifty thousand inhabitants has an elected county surveyor in office on January 1, 2020, the county board may, prior to February 1, 2020, following a public hearing, adopt a resolution to continue to elect the county surveyor for the county and not to submit the question pursuant to subsection (2) of this section." The public hearing was being held to comply with subsection (3) of Statute §32-525. Discussion was held on surveyor fees, wages, and benefits. County Surveyor Skroch expressed his satisfaction with the current arrangement. Chairman Mackeprang closed the open public hearing at 11:05 a.m. Motion by Supr. Schlote, seconded by Supr. Sokol, Jr. to adopt **Resolution #2020 - 02** where the office of the Knox County Surveyor shall remain as an elected office to be chosen by the majority of votes cast by the registered voters of Knox County, Nebraska at each general election of the county and the question of electing a County Surveyor shall not be submitted to the registered voters of the county at the statewide general election in 2020. By roll call vote. Ayes all Districts. Nays none. Motion carried.

**RESOLUTION TO ELECT COUNTY SURVEYOR  
RESOLUTION #2020 - 02**

A RESOLUTION TO CONTINUE TO PROVIDE FOR THE LAWFUL CONSTITUTIONAL RIGHT OF THE PUBLIC FOR THE ELECTION OF A COUNTY SURVEYOR BY THE REGISTERED VOTERS OF THE COUNTY IN KNOX COUNTY, NEBRASKA

WHEREAS, Nebraska Revised Statute § 32-525 states that If a county having a population of less than one hundred fifty thousand inhabitants has an elected county surveyor in office on January 1, 2020, the county board may, prior to February 1, 2020, following a public hearing, adopt a resolution to continue to elect the county surveyor for the county; and

WHEREAS, the population of Knox County is less than one hundred fifty thousand inhabitants according to the most recent official United State Census; and

WHEREAS, as of January 1, 2020 the office of County Surveyor of Knox County is currently held by a duly elected official; and

WHEREAS, on January 30, 2020, the Board of Supervisors of Knox County, held a public hearing at its regular meeting upon publication of notice of the same in the legal newspapers in the county to hear public comment and discuss the issue; and

WHEREAS, Article IX, Section 4 of the Nebraska Constitution provides for the election of necessary county officers to be chosen by the voters.

NOW, THEREFORE, be it resolved that the election of county officers is a right of the public and shall be protected in accordance with the Nebraska Constitution and the office of County Surveyor shall remain as an elected office to be chosen by the majority of votes cast by the registered voters of Knox County, Nebraska at each general election of the county and the question of electing a County Surveyor shall not be submitted to the registered voters of the county at the statewide general election in 2020.

Resolution moved by Supervisor Schlote.

Seconded by Supervisor Sokol, Jr.

Vote:

Supervisor 1	For <input checked="" type="checkbox"/> Against ___; Abstained ___; Not Present ___.
Supervisor 2	For <input checked="" type="checkbox"/> Against ___; Abstained ___; Not Present ___.
Supervisor 3	For <input checked="" type="checkbox"/> Against ___; Abstained ___; Not Present ___.
Supervisor 4	For <input checked="" type="checkbox"/> Against ___; Abstained ___; Not Present ___.
Supervisor 5	For <input checked="" type="checkbox"/> Against ___; Abstained ___; Not Present ___.
Supervisor 6	For <input checked="" type="checkbox"/> Against ___; Abstained ___; Not Present ___.
Supervisor 7	For <input checked="" type="checkbox"/> Against ___; Abstained ___; Not Present ___.

PASSED AND ADOPTED THIS 30<sup>th</sup> DAY OF JANUARY 2020.

KNOX COUNTY BOARD OF SUPERVISORS

Kevin D. Mackeprang /s/  
Kevin D. Mackeprang, Chairman

ATTEST: (Seal)  
Joann M. Fischer /s/  
Joann M. Fischer, Knox County Clerk

Motion by Supr. Schlote, seconded by Supr. Miller to accept the resignation of Morton Township Chairman Loren Lauck and the appointment of Curtis Mackeprang as the Morton Township Chairman. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Sokol, Jr., seconded by Supr. Borgmann to place on file the Knox County Weed Control Authority Annual Reports. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. O'Connor, seconded by Supr. Sokol, Jr. to approve the purchase of a presentation desk for the Supervisors' Boardroom from Cornhusker State Industries in the amount of \$402.00 with the cost to be paid from the Knox County KENO account. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Lowell Schroeder with NENEDD and Economic Development Director Kelly Hanvey met with the Board regarding repurposing of the reuse loan fund. HUD is pressing for repurposing of loan funds if a project loan is not made yearly. Discussion was held on the repurpose process, job creation, funds must benefit low to moderate income persons, projects that would qualify towards the low to moderate issue, promoting use of the loan funds, and being proactive. No action was taken.

Mr. Schroeder and Ms. Hanvey also discussed the transit survey. The survey had been completed in the Crofton area but other communities in the County will participate in the transit survey to learn of the public's comments and need for public transportation. Currently Avera and the Ponca Express (Ponca Tribe) provide public transportation for Knox County residents.

Motion by Supr. O'Connor, seconded by Supr. Schlote that the receipts totaling \$490,792.68 be accepted and placed on file. By roll call vote. Ayes all Districts. Nays none. Motion carried.

#20362 – State of Nebraska – NEMA, reimbursement for disaster 4420DR-NE flags/barricades, 2,709.44; #20363 – Knox County Sheriff, inmate commissary, 296.10; #20364 – State of Nebraska, highway allocation, 206,358.21; #20365 – Knox County Clerk, imprest interest, 20.20; #20366 – Register of Deeds, recording, documentary stamp tax and copies, 9,220.97; #20367 – Commercial State Bank, interest, 1,199.53; #20368 – Midwest Bank, interest, 3,125.48; #20369 – Cedar County Treasurer, tax collections – Wausa Fire Gen & Crofton Fire Gen & Sink, 24,163.62; #20370 – Three River, 911 surcharges, 287.00; #20371 – Knox County Sheriff, VIN inspections, 290.00; #20372 – NIRMA, workman's comp, 485.71; #20373 – Village of Center, interlocal agreement contribution, 270.00; #20374 – NENEDD, January 2020

business loan payments, 3,259.58; #20375 – Dale Neumann, PR, inheritance tax – Carol Schmidt Estate, 6,427.33; #20376 – NIRMA, window repair on garage door, 903.00; #20377 – State of Nebraska, fines collected by State of Nebraska, 610.00; #20378 – Commercial State Bank, interest, 650.03; #20379 – Z’s Lindy Country Club, tobacco license, 10.00; #20380 – Eastern Township, motor grader bits, 236.32; #20381 – State of Nebraska, 4<sup>th</sup> quarter name plate tax for Crofton Bluffs, 36,939.00; #20382 – North Central Public Power District, in lieu 5% Gross and 1957 Levy, 102,774.31; #20383 – State of Nebraska, 3,274.18; #20384 – Knox County Sheriff, inmate commissary, 292.75; #20385 – Knox County Sheriff, VIN inspections & hand gun permits, 205.00; #20386 – Knox County Zoning, building permit, 375.00; #20387 – Knox County Attorney, STOP funds, 80.00; #20388 – Commercial State Bank, interest, 2,997.67; #20389 – Midwest Bank, interest, 625.10; #20390 – Knox County Sheriff, 911 surcharges, 107.00; #20391 – Knox County Sheriff, 911 surcharges, 13.99; #20392 – Santee Sioux Nation, reimbursement – 80% costs for “Ray Stark” bridge, 72,264.51; #20393 – Brunswick State Bank, interest, 945.21; #20394 – Midwest Bank, interest, 9,376.44.

U.S. Senator candidate Larry Wewel of O’Neill met with the Board to introduce himself and to give information on his election platform.

The Board visited the Courtroom where Clerk of District Court Fischer gave a demonstration of the upgraded sound system.

The Board visited the County jail as per Nebraska Revised Statute §47-109.

**GENERAL FUND.** Advanced Correctional Healthcare, meds, 17.02; Blue360 Media, law books, 150.28; Bohemian One Stop, gas, 15.20; Bomgaars, office supplies, 7.98; Cathy Stark, mileage/program, 218.48; CenturyLink, long distance, 86.18; Classic Rentals, mop/towel rental, 87.50; Clerk of District Court, filing fees, 216.00; Cornhusker State Industries, signs, 37.00; County of Knox Employee Benefit Account Healthcare Solutions Group Inc., ACA fee, 1,000.00; Creighton FCCLA, home show fee, 40.00; Creighton 59 Express, gas, 116.02; Crofton Journal/Niobrara Tribune, publishing, 126.93; CVSOAN, training, 60.00; DAS State Accounting-Central Finance, backup, 121.88; DAS State Accounting-Central Finance, teletype, 448.00; DataSpec Inc., subscription, 499.00; Dell Marketing L.P., computer update supplies, 1,063.34; Dollar General, supplies, 410.35; Eakes Office Solutions, office supplies/copier agreement, 151.44; Farmers & Merchants Company, notary bond, 120.00; First National Bank Omaha, gas/supplies/hot spot/postage/meals, 2,345.68; Hagge Glass, repair door closer, 165.00; Jeannoutot Plumbing, replace toilet, 541.41; Joann M. Fischer, reimburse title and inspection fees, 20.00; Kevin D. Mackeprang, mileage, 230.00; Knox County Sheriff, paper fees/summons/transport, 461.26; Knox County Treasurer, transfer to road fund, 94,682.45; Loffler, printer contract, 222.00; Missouri Sedimentation Action Coalition, renewal fee, 1,000.00; NACO Planning & Zoning, dues, 40.00; Nebraska Secretary of State-Notary, notary, 150.00; Ohiya Casino & Resort, tribal tax, 4.32; Pitney Bowes, postage meter supplies, 373.94; Pitzer Digital, publishing, 176.87; Quill Corporation, office supplies, 397.08; R&K Motor Parts, van oil & filter, 61.13; Rader Feed and Supply LLC, ice melt, 499.50; Security Shredding Services, shredding, 70.00; Verdigre Eagle, publishing/subscription, 76.00; Village of Center, water/sewer/garbage, 353.00.

**ROAD FUND.** Alder Carpentry & Construction, building repair, 2,603.50; B’s Enterprises Inc., inserts/blade, 5,500.00; Bazile Creek Power Sports, chain saw, 441.30; Big Red Mini Mart, gas, 187.61; Black Hills Energy, heating fuel, 91.05; Bloomfield Auto Parts, filters/repairs/supplies, 149.44; Bloomfield Medical Clinic, drug test, 70.00; Bohemian One Stop, gas, 376.16; Cedar Knox PPD, electricity, 182.28; CMart LLC, gas, 149.94; Cornhusker International Trucks Inc., repairs, 754.16; Creighton 59 LLC, gas, 150.73; Doering Trenching & Plumbing LLC, equipment rental/well repair, 4,063.68; Farmer’s Pride, diesel/heating fuel, 4,150.20; First National Bank Omaha, meals/ups fee/pesticide recertification, 394.47; Freeman Oil Company LLC, diesel, 2,715.50; Hefner Hardware, repairs, 15.54; Herbert Feed & Grain Co., diesel, 3,726.01; Kimball Midwest, shop supplies, 115.51; Jedlicka’s Hardware Hank, shop supplies, 439.79; Linn Post & Pipe Inc., shop supplies, 5.00; Medical Enterprises Inc., drug test, 110.00; Moody Motor Company, filters/oil, 151.56; Nebraska Public Power District, electricity, 255.45; NMC Exchange LLC, repairs, 1,543.25; K&S Door Co. Inc., dba Overhead Door Co. of Norfolk, repair door, 128.15; Pitzer Digital, publishing, 66.16; R&K Motor Parts, oil/filters/repairs/shop supplies, 2,013.97; Riverside Hydraulics Inc., repairs, 621.00; Russ Crosley, garbage, 46.00; Schreier Lumber Co., shop supplies, 69.24; Truck Center Companies, repairs, 80.34; Vakoc Excavating LLC, gravel/haul, 1,218.00; Vic’s Service LLC, gas, 263.40; Village of Center, water/sewer, 25.50; Village of Wausa, water/sewer/garbage, 140.85.

**FLOWAGE EASEMENT ROAD FUND.** Pahl Construction, equipment rental, 1,840.00; ZimMetal & Welding LLC, gates, 1,727.20.

**CHILD SUPPORT FUND.** Burns Lumber Co. LLC, supplies, 27.85; CenturyLink, long distance, 5.39; Hometown Leasing, copier lease, 125.93; Midwest Music Center, 2<sup>nd</sup> half of courtroom sound, 2,733.90; Quill Corporation, office supplies, 347.85.

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

**ECONOMIC DEVELOPMENT FUND.** NENEDD, admin fees, 120.00.

**C&C DEVELOPMENT FUND.** CenturyLink, long distance, 5.39; First National Bank Omaha, training/travel/office supplies, 92.19.

**INHERITANCE FUND.** Doerr & Klein P.C., court appointed attorney, 256.89; KEA Constructors LLC, contractor payment, 79,603.20; Law Office of Jeffrey L. Hrouda, court appointed attorney, 9,132.41.

**911 EMERGENCY FUND.** CenturyLink, phone, 80.54; Emergency Callworks Inc., system maintenance, 891.33; Three River Telco, phone, 42.07.

**911 WIRELESS SERVICE FUND.** CenturyLink, phone, 343.33; Emergency Callworks Inc., system maintenance, 3,799.86; Three River Telco, phone, 179.34.

**SHERIFF COMMISSARY FUND.** Bomgaars, commissary, 94.61; First National Bank Omaha, commissary, 280.80.

	TOTALS	
General Fund		106,862.24
Road Fund		33,014.74
Flowage Easement Road Fund		3,567.20
Child Support Fund		3,240.92
Visitor's Improvement Fund		217.30
Economic Development Fund		120.00
C & C Development Fund		97.58
Inheritance Fund		88,992.50
911 Emergency Fund		1,013.94
911 Wireless Service Fund		4,322.53
Sheriff Commissary Fund		<u>375.41</u>
Total		\$241,824.36

Chairman Mackeprang adjourned the Knox County Board of Supervisors at 12:20 p.m. on January 30, 2020 until Thursday, February 13, 2020 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 \_\_\_\_\_  
Kevin D. Mackeprang, Chairman

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