

PROCEEDINGS OF THE KNOX COUNTY BOARD OF SUPERVISORS

Center, Nebraska
February 27, 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 February 27, 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. Borgmann 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 February 13, 2020 meeting were read and were approved by Chairman Mackeprang.

Correspondence reviewed was: 1. NACO email regarding Attorney General's opinion that counties are responsible for maintenance, and other duties, of all of a County road, even the portion located on State highway property (county roads intersecting with a state highway), regardless of which entity owns the underlying property rights.

Motion by Supr. O'Connor, seconded by Supr. Borgmann 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 \$468,128.58 are listed at the end of these proceedings.

Chairman Mackeprang moves the Board recess at 10:04 a.m. for Board of Equalization.

The Knox County Board of Supervisors reconvened at 10:33 a.m. with all members present.

The Board reviewed a Lease Agreement Addendum received from the Department of Administrative Services to extend the lease for the Health and Human Services office area. More research will be made.

Hwy. Supt. Barta met with the Board on the following: 1. Motion by Supr. Sokol, Jr., seconded by Supr. Borgmann to adopt **Resolution #2020 – 03** for the submission of documents to the State of Nebraska on the One and Six Year Road Hearing that was held on February 13, 2020. By roll call vote. Ayes all Districts. Nays none. Motion carried.

RESOLUTION #2020 – 03

In pursuant with Section 10 of LB 1302, Knox County did hold its Public Road Hearing on February 13, 2020. Enclosed under separate cover is a One Year Map and Six Year Map with current project listings and future listings, also proof of publication. The Knox County Board of Supervisors wishes to adopt these construction plans as compiled by Knox County Highway Superintendent, Kevin R. Barta, at this time.

KNOX COUNTY BOARD OF SUPERVISORS

Martin J. O'Connor /s/
Marty O'Connor, District #1

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

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

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

Kevin Mackeprang /s/
Kevin Mackeprang, District #5

Danny Schlote /s/
Danny Schlote, District #6

James J. Borgmann /s/
Jim Borgmann, District #7

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

2. Motion by Supr. Sokol, Jr., seconded by Supr. Schlote to adopt **Resolution #2020 – 04** authorizing Chairman Mackeprang to sign the LPA Program Agreement – Federal-Aid Funding for Bridge Project #BRO-7054(22), Control #32313, Center West. By roll call vote. Ayes all Districts. Nays none. Motion carried.

**RESOLUTION
SIGNING OF THE LPA PROGRAM AGREEMENT – FEDERAL-AID FUNDING**

Whereas: Knox County (County) is proposing to develop and construct a transportation project for which it would like to obtain Federal funds;

Whereas: County understands that it must strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project;

Whereas: County and State of Nebraska, Department of Transportation (State) wish to enter into LPA Program Agreement – Federal-Aid Funds which will set out the various duties and funding responsibilities for the Federal-aid project; and

Whereas: County wishes to designate its representative for this project.

Be It Resolved by the Board of Supervisors of the Knox County that:

The Chair, Kevin D. Mackeprang, is hereby authorized to sign and the attached LPA Program Agreement – Federal-Aid Funds between the County and the State.

County hereby designates Kevin Barta to serve as County’s representative and Project Liaison (PL) with State for this project.

Knox County is committed to providing local funds for the project as required by the LPA Program Agreement – Federal-Aid Funds.

NDOT Project Number: BRO-7054(22)

NDOT Control Number: 32313

NDOT Project Name: Center West

Adopted this 27th day of February, 2020 at Center, Nebraska.

The Board of Supervisors of Knox County

Kevin Mackeprang /s/

Danny R. Schlote /s/

James Sokol, Jr. /s/

Martin J. O’Connor /s/

Patrick J. Liska /s/

James Borgmann /s/

Virgil H. Miller /s/

Board/Council Member – Supr. Sokol, Jr.
Moved the adoption of said resolution.
Member Supr. Schlote 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 County Clerk

3. Motion by Supr. Borgmann, seconded by Supr. Sokol, Jr. to adopt **Resolution #2020 – 05** authorizing Chairman Mackeprang to sign a Preliminary Engineering Agreement – BK1942 for Bridge Project #BRO-7054(22), Control #32313, Center West. By roll call vote. Ayes all Districts. Nays none. Motion carried.

**RESOLUTION
SIGNING OF PRELIMINARY ENGINEERING AGREEMENT – BK1942**

Knox County
Resolution No. 2020 – 05

Whereas: Knox County is developing a transportation project for which it intends to obtain Federal funds;

Whereas: Knox County as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, state and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project;

Whereas: Knox County and Mainelli Wagner & Associates, Inc., wish to enter into a Professional Services Agreement to provide preliminary engineering services for the Federal-aid project.

Be It Resolved: by the Board of Supervisors of Knox County that:

Kevin D. Mackeprang, Chair of the Knox County Board of Supervisors, is hereby authorized to sign the attached construction engineering services agreement between Knox County, Nebraska and Mainelli Wagner & Associates, Inc.

NDOT Project Number: BRO-7054(22)

NDOT Control Number: 32313

NDOT Project Description: Center West

Adopted this 27th day of February 2020 at Center, Nebraska.

The Board of Supervisors of Knox County

Kevin Mackeprang /s/

Danny R. Schlote /s/

James Sokol, Jr. /s/

Virgil H. Miller /s/

Martin J. O’Connor /s/

James Borgmann /s/

Patrick J. Liska /s/

Board/Council Member – Supr. Borgmann
Moved the adoption of said resolution.

Member Supr. Sokol, Jr. 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 County Clerk

Hwy. Supt. Barta continued with the following: 4. Discussed purchasing a self-propelled road broom. More research will be made; 5. Bloomfield North road project update. Discussed lowering the number of concrete miles on the project. The Board directed Hwy. Supt. Barta to advertise for concrete bids for both the longer distance and the proposed shorter distance; 6. Purchasing a pickup was discussed. More research will be made and discussed at the next meeting; 7. Update on County/Township Allocation; 8. Discussed constructing an additional cold storage building at the Creighton County Yard; 9. The gravel bid opening will be held March 26 and the oil bid opening will be held April 9.

Santee Sioux Tribal members met with the Board regarding road maintenance. Tribal Secretary Stuart Redwing spoke on behalf of the group. At a recent emergency Tribal meeting, concerns were raised about the condition of roads, maintenance, and repairs needed since last year's flooding. Discussion ensued on gravel needed on the roads since the flood, needing the Center bottom road to remain open as that is a main artery of transportation for the tribal members and the public, asking for a better plan for the gravel roads, the Tribe applying for grants that would assist in improving the roads, working on funding to hard surface the Lindy/Santee road, soft spots on the road, questioning the cost distribution of the "Ray Stark" bridge between the BIA and Knox County, township roads needing to have the snow removed and graveled, and, detours when County roads are closed, taxes being paid by tribal members, finding gravel and rock, and the need to have the detours graveled and maintained. Elizabeth Chapman Hamilton asked about having snow removed and who to contact as the roads in question are township roads. Secretary Redwing said that financial assistance would be researched, and he asked that the Tribal members and the Board discuss this in the future and work together at which the Board agreed.

County Attorney Thomas asked the Board if they would be interested in pursuing a lawsuit against Nebraska Public Power District due to the massive flood damage in Knox County after the Spencer Dam failed on March 14, 2019 and if so, he will follow up with NIRMA about representation.

Extension Educator Hanefeldt presented information on the Knox County 4-H program and youth activities as well as the annual report. Motion by Supr. O'Connor, seconded by Supr. Sokol, Jr. to place on file the local Extension Summary of 2018-19 budget expenditures, current fiscal year 2019-20 budget, County Impart Report, program summary for each educator and assistant/associate, and samples of 4-H newsletters, Extension newsletters, and major program brochures. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Emergency Manager Hintz updated the Board on the following: 1. NRIN tower update. The application was submitted earlier in February for a 328-foot tower. The original bids for the initial 150-foot tower were in error as they were not for a commercial grade tower; 2. A storm spotter training will be held on April 15 in the Basement Conference Room; 3. Discussed available fund programs; 4. Severe weather posters were submitted for the state competition and the first place went to Kiersten Hans of Bloomfield and the fourth place poster was submitted by Leah Gompert of Center. Both winners are invited to Governor Ricketts' proclamation ceremony at the Nebraska State Capital in Lincoln.

Zoning Administrator Doerr met with the Board on the following: 1. Motion by Supr. Schlote, seconded by Supr. Miller to place on file the December 10, 2019 Planning Commission meeting minutes. By roll call vote. Ayes all Districts. Nays none. Motion carried; 2. Work will begin on updates to the lake area plans.

There was no public comment on agenda items.

Public comment on non-agenda items was given by Marvin Hochstein who asked about changing zoning setbacks. The Board will need the Planning Commission's recommendation on setbacks before a decision is made.

Motion by Supr. Sokol, Jr., seconded by Supr. Borgmann to cancel Check #20010163 payable to the Nebraska Secretary of State Business Service Division – Notary in the amount of \$150.00 that was written from the General Fund. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Sokol, Jr., seconded by Supr. Schlote that the receipts totaling \$107,630.32 be accepted and placed on file. By roll call vote. Ayes all Districts. Nays none. Motion carried.

#20427 – NIRMA, insurance reimbursement of hot water heater, 479.99; #20428 – State of Nebraska, personal property tax credit for centrally assessed public service, 13,235.28; #20429 – Northeast Nebraska Economic Development District, February 2020 business loan payments, 3,259.58; #20430 – Village of Winnetoon, reimbursement to blade streets, 845.00; #20431 – Brunswick State Bank, interest; #20432 – Cedar Knox Public Power District, 5% gross tax & '57 in lieu of tax, 76,693.65; #20433 – Knox County Sheriff, vin inspections and handgun permits, 180.00; #20434 – Midwest Bank, interest, 1,875.29; #20435 – State of Nebraska, lodging tax, 3,678.62; #20436 – Bohemia Township, cross chains, 170.00; #20437 – John Thomas, Attorney, penalty and interest – Lorinda Hoferer Estate, 144.83; #20438 – Estate of Marlene J Buchanan, inheritance tax and interest, 20.54; #20439 – Knox County Sheriff, Scotts Bluff County – reimbursement for housing inmates, 67.50; #20440 – Cedar Knox Rural Water, Cedar Knox Rural Water refund – overpayment to SID #1, 119.43; #20441 – State of Nebraska, funding for 911 service, 4,820.27; #20442 – Knox County Sheriff, vin inspections, 130.00; #20443 – Blue Moon Resort, liquor license and tobacco license, 335.00; 20444 – Brunswick State Bank, interest, 1,260.28.

GENERAL FUND. Advanced Correctional Healthcare, meds, 26.59; AmericInn Kearney NE, lodging, 3,695.00; Bloomfield Pharmacy, meds, 40.60; CenturyLink, long distance, 109.02; Classic Rentals, mop/towel rental, 35.00; Crofton Journal/Niobrara Tribune, publishing, 536.87; DAS State Accounting-Central Finance, backup, 121.88; Dean Wilken,

meeting/mileage, 47.43; Dollar General, supplies, 217.80; Doug DeShazer, meeting/mileage, 62.38; Eakes Office Solutions, office copier agreement, 709.88; Faith Regional Physician Services LLC, medical expense, 277.51; First National Bank Omaha, gas/supplies/hot spot/postage/meals, 2,819.17; Healing Hands of Nebraska, medical expense, 1,223.91; Jim Kotrous, meeting/mileage, 43.40; Keith Nielsen, meeting/mileage, 40.53; Knox County Treasurer, transfer to road fund, 94,682.45; Madison County Sheriff, service fees, 28.29; NACT, dues, 50.00; Nebraska Secretary of State-Notary, notary, 90.00; Neil Clausen, meeting/mileage, 57.20; Pitzer Digital, publishing, 62.93; Postmaster, postage, 550.00; Quill Corporation, office supplies, 408.98; Robert Larsen, meeting/mileage, 35.35; Robert Ganz, meeting/mileage, 37.65; Superior Turf Management LLC, lawn contract, 736.25; Top Quality Glove, gloves, 71.89; Tri State Turf, annual sprinkler agreement, 310.00; Valorie Olson, court costs, 59.83.

ROAD FUND. Black Hills Energy, heating fuel, 170.26; Bloomfield Tire & Oil, tire repair, 175.00; Brian Sandoz, meal, 8.51; Cedar Knox PPD, electricity, 213.29; CMart LLC, gas, 204.79; Crofton Journal/Niobrara Tribune, publishing, 6.38; David Huigens, meal, 8.51; Donald Ketelsen, meal, 8.51; First National Bank Omaha, meals/room/gas, 463.68; Hotsy Equipment Co. / A NE Corp., water heater, 3,500.00; Jeff Hanson, rock/haul/equipment rental, 475.00; Kent Hamilton, meal, 8.51; Kevin Barta, meal, 12.02; Kimball Midwest, shop supplies, 97.17; LCL Truck Equipment Inc., repairs, 377.31; Linn Post & Pipe Inc., repairs, 5.49; Mike Kucera, meal, 8.51; Mike Beckman, meal, 8.51; Mitchell Machine Works & Custom, repairs, 967.78; Nebraska Association of County Engineers, Highway Superintendent & Surveyors, dues, 160.00; Nebraska Public Power District, electricity, 336.26; NMC Exchange LLC, repairs, 782.85; Rohrer Welding, repairs, 101.00; Russ Crosley, garbage, 46.00; Scott Grim, meal, 8.51; Truck Center Companies, truck, 212,221.00; Vakoc Excavating LLC, gravel/haul, 26,492.33; Verdigre Collision Repair, repairs, 1,812.92; Willow Creek Sand & Gravel, gravel/haul, 12,376.94.

FLOWAGE EASEMENT ROAD FUND. J and J Materials, rock/haul, 3,827.54; Pitzer Digital LLC, publishing, 45.36.

CHILD SUPPORT FUND. CenturyLink, long distance, 6.83.

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

C&C DEVELOPMENT FUND. CenturyLink, long distance, 6.83; Crofton Journal/Niobrara Tribune, publishing, 39.00; First National Bank Omaha, training/travel/office supplies/leadership, 1,172.32.

INHERITANCE FUND. KEA Constructors LLC, contractor payment, 93,947.10.

911 EMERGENCY FUND. CenturyLink, phone, 80.17.

911 WIRELESS SERVICE FUND. CenturyLink, phone, 341.78.

SHERIFF COMMISSARY FUND. Bomgaars, commissary, 54.95; Dollar General, commissary, 9.00; First National Bank Omaha, commissary, 135.57.

TOTALS	
General Fund	107,187.79
Road Fund	261,057.04
Flowage Easement Road Fund	3,872.90
Child Support Fund	6.93
Visitor's Improvement Fund	217.30
C&C Development Fund	1,218.15
Inheritance Fund	93,947.10
911 Emergency Fund	80.17
911 Wireless Service Fund	341.78
Sheriff Commissary Fund	<u>199.52</u>
Total	<u>\$468,128.58</u>

Chairman Mackeprang adjourned the Knox County Board of Supervisors at 12:10 p.m. on February 27, 2020 until Thursday, March 12, 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
