

## PROCEEDINGS OF THE KNOX COUNTY BOARD OF SUPERVISORS

Center, Nebraska  
June 11, 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 June 11, 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.

Chairman Mackeprang 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 Niobrara Tribune 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 May 28, 2020 meeting were read and approved by Chairman Mackeprang.

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 \$768,012.17 are listed at the end of these proceedings.

Motion by Supr. Miller, seconded by Supr. Sokol, Jr. to place on file the pledged security receipts for Midwest Bank and Brunswick State Bank. By roll call vote. Ayes all Districts. Nays none. Motion carried.

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

Motion by Supr. Liska, seconded by Supr. Sokol, Jr. to approve a Special Designation Liquor License Local Recommendation (Form 200) for Z's Lindy Country Club for a special event on July 3, 2020 with the condition that all current guidelines are followed. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Miller, seconded by Supr. O'Connor to place on file the Receipts Revenue Listings from May 14 through June 9, 2020. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Chairman Mackeprang moves the Board recess at 9:59 a.m. for Board of Equalization.

The Knox County Board of Supervisors reconvened at 10:31 a.m. with all members present.

Zoning Administrator Doerr met with the Board on the following: 1. Motion by Supr. Liska, seconded by Supr. Sokol, Jr. to place on file the May Permit Report. By roll call vote. Ayes all Districts. Nays none. Motion carried; 2. Motion by Supr. O'Connor, seconded by Supr. Borgmann to approve Application #P0153 Michael Christiansen zoning lot combination and boundary adjustment of Lots 176, 177 and 178, Block 4, Devils Nest Subdivision. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Denny and Karen Tilton met with the Board regarding a building permit application they submitted to Zoning Administrator Doerr for construction of a garage. Present were Zoning Administrator Doerr and County Attorney Thomas. The lot they proposed to build on is located across the cul de sac from their house causing the application to be not accepted due to zoning regulations. Discussion was held on options presented by Zoning Administrator Doerr, that the SID#2 does not want to vacate the cul de sac and there are lots for sale along the cul de sac that would join the Tiltons' lots if they purchased them. County Attorney Thomas discussed the following with the Board: the application does not meet the regulations and covenants, conditions and restrictions (CCRs) of the Devils Nest Subdivision to build a garage on the lot without a house; a recent court case ruling that the CCRs pertain to all platted lots in the subdivision that are considered residential according to the judge; Board of Adjustments; redrafting the CCRs or eliminate them; enforcement of the CCRs; first developer was Devils Nest Development Company from the 1970s and the developer did not create a home owners association or an architectural committee; there should be no development or building of homes on the platted lots at this time as well as no building permits should be issued on the platted lots because of the CCRs; CCRs specify that septic systems are not to be constructed on the platted lots; easements are part of the CCRs; and that Attorney Stephen Pier of Yankton SD is reviewing the CCRs and issues. The Board took no action.

County Attorney Thomas met with the Board on the following: 1. It has been three days into the "soft" reopening of the Courthouse Complex and it appears to be working well. Emergency Manager Hintz is in charge of the staff manning the front door. County Attorney Thomas recommended the Board stay the course until at least the next meeting as it is in the County's best interest to do so. The restrictions remain in place and will be reviewed at the June 25, 2020 meeting; 2. A claim and affidavit was received from Todd Consbruck on behalf of Avera Creighton Hospital and AMI for medical treatment of a person who was arrested by the State Patrol following an accident and had not been admitted into the County jail. County Attorney Thomas recommended the Board deny the claim as the prisoner was not in the custody of the County jail at the time of medical services were provided. Motion by Supr. O'Connor, seconded by Supr. Sokol, Jr. to adopt **Resolution #2020 – 08** denying the claim and affidavit of Todd Consbruck on behalf of Avera Creighton Hospital and AMI on a prisoner who was not a Knox County prisoner and had not been admitted to the custody of the Knox County jail at the time medical services were provided. By roll call vote. Ayes all Districts. Nays none. Motion carried.

**RESOLUTION #2020 – 08  
REGARDING AVERA CREIGHTON HOSPITAL  
ACCOUNT #CE6000021737**

Be it resolved by the Knox County Board of Supervisors, upon review of the affidavit of Todd Consbruck and correspondence of Robert Junso of AMI:

1. The affidavit shows that the prisoner was not a Knox County prisoner and not admitted to the custody of the Knox County jail at the time medical services were provided.
2. The affidavit shows that Knox County and the Knox County Sheriff were not the arresting agency.
3. The affidavit shows that Knox County did not request medical services from Avera Creighton Hospital for the prisoner.

Whereas, it is resolved that the claim and affidavit of Todd Consbruck on behalf of Avera Creighton Hospital and AMI is denied and payment refused.

Dated this 11<sup>th</sup> day of June, 2020.

COUNTY BOARD OF SUPERVISORS  
KNOX COUNTY, NEBRASKA

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

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

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

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

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

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

County Surveyor Mike Skroch met with the Board with updates. There is a new state surveyor who is requiring more drawings for surveys and setting section corners and that the county surveyor records need to be located in the county surveyor's office. If this is not done, then the records are to be kept in the County Clerk's Office. County Attorney Thomas was present and informed the Board that for many years there was not an elected county surveyor in Knox County so the records were kept in the Highway Superintendent's office where they are today. Also, County Attorney Thomas said that the County Clerk could designate where they will be kept and available to the public as well as it would be helpful if the records were stored electronically. Further discussion was held on the billing as the County does not own surveying equipment so Surveyor Skroch who owns Landmark Surveying charges the County for the use of the private company's equipment when performing County surveying.

Weed Supt. Banks met with the Board regarding a complaint from a landowner who controls leafy spurge on his property east of Center and his concerns that neighbors need to spray as well. Supt. Banks contacted area landowners and renters about the need to spray the leafy spurge and received a good response from all of them. Discussion was held on spraying of leafy spurge in township road ditches which is by statute the responsibility of the entity to control.

Highway Supt. Office Manager Katie Fritz met with the Board on the following: 1. The Board reviewed quotes from B's Enterprises, Inc. for culverts with headwalls to possibly be used on the Lazy River Acres Road. Concrete 48" x 30' culverts were quoted at \$7,000 each and steel 48" x 40' culverts were \$2,920 each. Supr. Liska informed the Board that after the recent large rainfall in Boyd County, the Ponca Creek is flooding at 7,000 csf and that the culverts probably will not work. The creek water was running over the road west of Blue Moon Resort and is near the building. The west "Goat" road is in good shape so there is access. Work with the Corps of Engineers through the Section 208 process is taking place and looks promising; 2. Oil Crew update; 3. Bridge Crew update; 4. "Abbenhaus" bridge project is done; 5. Bloomfield Coop road. Chairman Mackeprang informed the Board that Bloomfield City may want to concrete their 500 feet portion of the road and the County may have to pay to cement the remaining 75 feet to the east side of the bridge. The estimated cost to the County would be less than \$7,000; 6. Discussed purchasing road oil from this fiscal year budget.

Motion by Supr. Sokol, Jr., seconded by Supr. Borgmann to adopt **Resolution #2020 – 09** for allocation of the 2020-2021 Knox County 911 Wireless funding. By roll call vote. Ayes all Districts. Nays none. Motion carried.

**RESOLUTION #2020 - 09**

Resolved, that pursuant to the order of the Nebraska Public Service Commission Application 911-042.04, dated May 13, 2020, the Knox County 911 Wireless funding of a net of \$53,022.98 for the 2020-2021 funding year shall be allocated:

50% for maintenance, 911 telephone service costs, dispatcher wages, and other eligible costs  
50%, or remaining eligible funds at end of fiscal year, set aside for funding future 911 equipment

and software upgrades and purchases  
Further resolved that the 50% set aside shall not be utilized for any other purpose than funding future 911 new or upgraded equipment and software including consulting costs related to and is subject to Public Service Commission approval.

Adopted and approved this 11<sup>th</sup> day of June, 2020.

COUNTY BOARD OF SUPERVISORS  
KNOX COUNTY, NEBRASKA

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

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

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

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

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

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

There was no public comment on agenda items nor comment on non-agenda items.

**GENERAL FUND.** Salaries, 170,468.23; Applied Connective Technologies, program/wiring, 366.50; Aumentum Technologies, T1 assessor support, 16,363.00; Blaser Appraisal, final payment on rural review, 4,500.00; Bonnie R. Cash, prior service, 9.00; Burns Lumber Co LLC, supplies, 71.23; Cartridge World, toner, 123.99; CenturyLink, long distance, 153.12; Christa Beckmann, mileage, 6.90; Classic Carpet Care, mop/towel rent, 28.00; Clerk of District Court, filing fee, 66.00; Collector of Internal Revenue, Social Security County pays, 12,780.11; Connie J. Janecek, prior service, 15.00; Cornhusker State Industries, plaques and signs, 950.00; County of Knox Employee Benefit Account HealthCare Solutions Group Inc., insurance County pays, 29,750.00; Creston Fertilizer Co., weed chemicals, 3,039.08; DAS State Accounting-Central Finance, teletype, 448.00; Denise Burman, mileage/notary renewal, 52.83; Diane L. Eckert, prior service, 36.00; Ecowater Systems, bottled water/salt, 180.00; Great Plains Communications, phone/internet, 1,475.62; Hide Out Bar & Grill, prisoner board, 992.00; Hometown Leasing, copier lease, 76.18; Independent Pest Management, pest control, 275.00; Jacquelyn E. Meier, prior service, 21.00; James F. Janecek, prior service, 21.00; JoAnn Eisenbeiss, prior service, 45.00; Jo Ann P. Knori, prior service, 20.00; John Thomas, reimburse dues, 255.00; Karen K. Riesberg, prior service, 21.00; Kathleen Fritz, mileage, 6.90; Knox County Court, cases bound over, 135.00; Landmark Surveying, surveying fees, 1,400.00; The Lincoln National Life Ins. Co., insurance County pays, 260.15; Lois Colwell, prior service, 27.00; Megan Hanefeldt, mileage, 128.23; Microfilm Imaging Systems, scanner rent, 40.50; MIPS, computer program, 795.19; NACO, dues, 2,055.86; NIRMA, risk management insurance, 63,771.00; North Central Public Power District, electricity, 1,515.63; Northeast Nebraska News Co., publishing, 198.58; One Office Solution, copier contract, 1,422.72; Pitzer Digital, publishing, 48.00; Principal Life Insurance Co., insurance County pays, 1,758.36; Quill Corp., office supplies, 1,330.49; R&K Auto Parts, repairs, 325.88; Region IV Inc., quarterly bill, 2,521.50; Retirement Plans Division of Ameritas, retirement County pays, 11,366.85; Roma Walton, prior service, 51.00; Security Shredding Services Inc., shredding, 105.00; Sucha Repair, van repair, 306.00; Susan Wiebelhaus, mileage, 36.23; Telebeep, pager, 21.39; Transit Works, mag spikes, 144.07; Tri-State Turf & Irrigation, sprinkler repair, 140.35; U.S. Cellular, cell phones, 153.94; US Cellular, cell phones, 233.81; Verdigre Eagle, subscription, 33.00; Village of Center, water/sewer/garbage, 276.00; Virginia Buerman, prior service, 27.00; Wholesale Supply Company Inc., supplies, 356.15.

**ROAD FUND.** Salaries, 65,696.54; B's Enterprises Inc., blades/bits/signs, 9,320.00; Backus Sand & Gravel, gravel, 295.05; Bauer Built Tire, tire, 1,769.23; Bloomfield Tire & Oil LLC, tire repair, 270.62; Bohemian One Stop, gas, 276.99; Bruce Peters, prior service, 24.00; Burns Lumber Co. LLC, ash gro, 1,642.10; CHS Wausa, diesel, 748.70; City of Bloomfield, water, 25.00; C-Mart, gas, 210.45; Collector of Internal Revenue, Social Security pays, 4,969.95; Country Market, shop supplies, 17.94; County of Knox Employee Benefit Acct. c/o Healthcare Solutions Group Inc., insurance County pays, 11,900.00; Creighton Plumbing, water leak, 858.47; David L. Bauer, prior service, 36.00; Dollar General, shop supplies, 9.95; Emmett Johnson, equipment rental, 450.00; Farmer's Pride, diesel, 1,869.74; Great Plains Communications, phone, 589.91; Grossenburg Implement Inc., filter/repair/shop supplies, 1,890.38; Hefner Hardware, shop supplies, 14.98; Herbert Feed & Grain Co., diesel, 992.00; Hrbek Construction, equipment rental/dirt/clay/haul, 10,608.50; J&K Auto, gas, 13.40; Jedlicka's Hardware Hank, shop supplies, 75.82; Kayton International, repairs/filters, 508.92; Kevin Barta, mileage, 258.17; Kimball Midwest, shop supplies, 151.53; Larry Pilar, prior service, 21.00; Lincoln National Life Ins. Co., insurance County pays, 113.24; Linn Post & Pipe Inc., shop materials, 27.93; Matheson Tri-Gas Inc., oxygen/acetylene, 678.62; Max Dvorak, CDL, 63.50; Medical Enterprises Inc., forms/postage, 17.00; Mitteis Gravel, gravel, 8,869.60; Nebraska Public Power District, electricity, 46.39; NIRMA, risk management insurance, 77,693.00; North Central Public Power District, electricity, 278.00; Pease General Store, shop supplies, 45.04; Plumbing & Electric Service Inc., tile, 137.50; Powerplan, repairs, 2,017.64; Principal Life Insurance Co., insurance County pays, 775.80; R&K Motor Parts, shop tools/repairs /oil/filters, 1,031.09; Retirement Plans Div. of Ameritas, retirement County pays, 4,278.26; Riverside Hydraulics Inc., repairs, 518.86; Sioux City Truck & Trailer Inc., repairs, 208.01; Sucha Repair, filters, 15.17; Truck Center Companies, repairs, 2,731.54; U.S. Cellular, cell phones, 379.88; Vakoc Excavating LLC, gravel/haul, 91,949.22; Vic's Service LLC, gas/tire repair, 446.27; Village of Center, water/sewer, 25.50; Village of Niobrara,

water/sewer, 39.50; Village of Verdigre, water/sewer/garbage, 81.53; Willow Creek Sand & Gravel, gravel/haul, 18,247.71.

**HIGHWAY BRIDGE BUYBACK FUND.** Theisen Construction Co., bridge project, 97,848.00.

**CHILD SUPPORT FUND.** CenturyLink, long distance, 9.57; Great Plains Communications, phone/internet, 50.71; Microfilm Imaging Systems Inc., scanner rent, 81.00; NE Clerks of District Court Association, registration, 75.00.

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

**ECONOMIC DEVELOPMENT FUND.** NENEDD, admin fees, 143.00.

**C&C DEVELOPMENT FUND.** Salaries, 4,249.08; CenturyLink, long distance, 9.57; Collector of Internal Revenue, Social Security County pays, 317.00; County of Knox Employee Benefit Acct. c/o Healthcare Solutions Group Inc., insurance County pays, 850.00; Great Plains Communications, phone/internet, 50.71; Lincoln National Life ins. Co., insurance County pays, 5.96; Principal Life Insurance Co., insurance County pays, 43.10; Quill Corporation, office supplies, 50.24; Retirement Plans Div. of Ameritas, retirement County pays, 205.31; Stacy Miller, mileage, 36.80; US Cellular, cell phone, 143.41.

**INHERITANCE FUND.** Rodney W. Smith, public defender contract, 2,083.33.

**911 EMERGENCY FUND.** CenturyLink, phone, 5.48; Great Plains Communications, phone/internet, 175.12; Special T's & More Inc., shirts, 712.25; Three River Telco, phone, 42.07.

**911 WIRELESS SERVICE FUND.** Great Plains Communications, phone/internet, 495.71; Three River Telco, phone, 179.34.

TOTALS	
General Fund	333,600.57
Road Fund	326,231.14
Highway Bridge Buyback Fund	97,848.00
Child Support Fund	216.28
ROD Pres./Mod. Fund	318.70
Economic Development Fund	143.00
C&C Development Fund	5,961.18
Inheritance Fund	2,083.33
911 Emergency Fund	934.92
911 Wireless Service Fund	<u>675.05</u>
Total	\$768,012.17

Chairman Mackeprang adjourned the Knox County Board of Supervisors at 12:23 p.m. on June 11, 2020 until Thursday, June 25, 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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