

PROCEEDINGS OF THE KNOX COUNTY BOARD OF SUPERVISORS

Center, Nebraska
December 10, 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 December 10, 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.

Supervisor 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 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 November 24, 2020 meeting were read and approved by Chairman Mackeprang with the addition that the monthly taxable stipend paid for in-lieu of health insurance to employees who have coverage under Medicare will increase to \$340.

Correspondence reviewed was: 1. Missouri Sedimentation Action Coalition update on Phase 2; 2. Letter regarding Agreement on Project STP-59-5(109) Creighton East with Nebraska Department of Transportation.

Motion by Supr. O'Connor, seconded by Supr. Liska 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 \$592,412.31 are listed at the end of these proceedings.

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

Motion by Supr. Liska, seconded by Supr. Borgmann to accept the resignation of Union Township Chairman Orvil Holz and appointment of Fauniel J. Bourn as Union Township Chairperson. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. O'Connor, seconded by Supr. Borgmann to adopt **Resolution #2020 – 32** authorizing Chairman Mackeprang to sign an Agreement between Knox County and the Nebraska Department of Transportation to tie out land monuments prior to construction on Project No. STP-121-4(113)-Crofton North Control No. 32280 and tie and establish monuments after construction. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Exhibit "B"

RESOLUTION #2020 - 32

A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF AN AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF NEBRASKA FOR PROJECT NO. STP-121-4(113), CONTROL NO. 32280, PROJECT NAME: CROFTON NORTH.

Be it resolved by the Chairperson of the Board of the County of Knox, Nebraska, that:

1. The County shall enter into an Agency Agreement with the Nebraska Department of Transportation for Project No. 32280 for the purpose of highway improvements on Highway 121 within the boundaries of Knox County.
2. The Chairperson of the Board is hereby authorized and directed to execute said agreement on behalf of the County of Knox and the County Clerk is authorized to attest said execution.
3. This resolution will be marked Exhibit "B" and a copy attached to each Original Agreement.

PASSED AND APPROVED THIS 10th DAY OF DECEMBER 2020.

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

Kevin D. Mackeprang /s/
Chairperson of the Board

Motion by Supr. Schlote, seconded by Supr. Sokol, Jr. to adopt **Resolution #2020 – 33** authorizing Chairman Mackeprang to sign an Agreement between Knox County and the Nebraska Department of Transportation to tie out land monuments prior to construction on Project No. STP-59-5(108)-Jct. N-121 West, Control No. 32127 and tie and establish monuments after construction. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Exhibit "B"

RESOLUTION #2020 – 33

A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF AN AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF NEBRASKA FOR PROJECT NO. STP-59-5(108), CONTROL NO. 32127, PROJECT NAME: Jct. N-121 West.

Be it resolved by the Chairperson of the Board of the County of Knox, Nebraska, that:

- 1. The County shall enter into an Agency Agreement with the Nebraska Department of Transportation for Project No. 32127 for the purpose of highway improvements on Highway 59 within the boundaries of Knox County.**
- 2. The Chairperson of the Board is hereby authorized and directed to execute said agreement on behalf of the County of Knox and the County Clerk is authorized to attest said execution.**
- 3. This resolution will be marked Exhibit "B" and a copy attached to each Original Agreement.**

PASSED AND APPROVED THIS 10th DAY OF DECEMBER 2020.

ATTEST: (Seal)

Joann M. Fischer /s/
County Clerk

Kevin D. Mackeprang /s/
Chairperson of the Board

Motion by Supr. Liska, seconded by Supr. Miller to adopt **Resolution #2020 – 34** authorizing Chairman Mackeprang to sign an Agreement between Knox County and the Nebraska Department of Transportation to tie out land monuments prior to construction on Project No. STP-14-4(109)-Niobrara South Bridge, Control No. 31510 and tie and establish monuments after construction. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Exhibit "B"

RESOLUTION #2020 - 34

A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF AN AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF NEBRASKA FOR PROJECT NO. STP-14-4(109), CONTROL NO. 31510, PROJECT NAME: Niobrara South Bridge.

Be it resolved by the Chairperson of the Board of the County of Knox, Nebraska, that:

- 1. The County shall enter into an Agency Agreement with the Nebraska Department of Transportation for Project No. 31510 for the purpose of highway improvements on Highway 14 within the boundaries of Knox County.**
- 2. The Chairperson of the Board is hereby authorized and directed to execute said agreement on behalf of the County of Knox and the County Clerk is authorized to attest said execution.**
- 3. This resolution will be marked Exhibit "B" and a copy attached to each Original Agreement.**

PASSED AND APPROVED THIS 10th DAY OF DECEMBER 2020.

ATTEST: (Seal)

Joann M. Fischer /s/
County Clerk

Kevin D. Mackeprang /s/
Chairperson of the Board

Chairman Mackeprang moves the Board recess at 9:58 a.m. for Board of Equalization. The Knox County Board of Supervisors reconvened at 10:12 a.m. with all members present. Hwy. Supt. Barta met with the Board on the following: 1. Motion by Supr. Schlote, seconded by Supr. Borgmann to accept the quote from Husker Steel, Columbus NE, in the amount of \$39,886 for steel materials necessary to repair both abutments on Bridge #C05443620 located 1.4 miles east of Junction 883 RD and 547 AVE. By roll call vote. Ayes all Districts. Nays none. Motion carried; 2. Discussed crushed concrete that is available for sale at \$18 per ton near Crofton; 3. Discussed getting crushed concrete from Schreier Lumber; 4. Inspections were completed on 80 bridges that are 20-foot and under; 5. Electrical wiring is completed in the new shed at the Creighton Yard; 6. Update on the EWP project payment received from the USDA; 7. Update on Pischelville Bridge ER guardrail project. Midwest Guardrail inquired about the project; 8. CJ Slide update. Additional guardrail is needed; 9. Update on the Lazy River Acres Road. Supr. Liska and Hwy. Supt. Barta updated the Board on the feasibility study being done by the Army Corps of Engineers, coming up with a "fix" until the Corps of Engineers completes the study, road possibly could remain open for another month, and the perpetual EWP easement that is in that area.

Motion by Supr. Sokol, Jr., seconded by Supr. Borgmann to go into executive session at 10:40 a.m. to protect the reputation of an individual when discussing personnel. By roll call vote. Ayes all Districts. Nays none. Motion carried. Chairman Mackeprang reiterated that the executive session will be held to protect the reputation of an individual when discussing personnel. The Board came out of executive session at 11:06 a.m.

Motion by Supr. Miller, seconded by Supr. Schlote to close at 11:06 a.m. the executive session held on personnel. By roll call vote. Ayes all Districts. Nays none. Motion carried.

County Attorney Thomas and Deputy County Attorney Holecek met with the Board regarding the 45-cent per hour cost of living raise that was approved by the Board on July 9 for most hourly or non-exempt employees and requested the same raise be given to Deputy County Attorney Holecek for 2021. Motion by Supr. Sokol, Jr., seconded Supr. O'Connor to approve a 45-cent per hour raise to Deputy County Attorney Samantha Holecek beginning January 1, 2021. By roll call vote. Ayes all Districts. Nays none.

County Attorney Thomas met with the Board on a possible public mask mandate for the Courthouse. Governor Ricketts has relaxed the restriction on Courthouses to mandate the public to wear masks in the Courthouse/Annex buildings and qualifying for CARES ACT reimbursement. Discussion ensued on how to manage a mandate, the length of time should be until further notice, if mandated the matter to be reviewed at the first Board meeting per month, not requiring children under five years of age to wear a mask, employees to wear masks if more than two are in a vehicle together, office staff should wear a mask within the office if there are more than two employees in that office, and, public can still use email, mail, the drop box, or telephone to conduct business such as was done earlier this year. Motion by Supr. O'Connor to require the public to wear masks within the Courthouse and Annexes except for children under five years of age or for those in the public who provide a medical note saying they cannot wear a mask due to a medical disability, employees to continue to wear masks in the hallways, going to other buildings on the Complex or any place where the public may be as well as in the offices in the buildings on the Courthouse Complex except when eating and drinking, in the jail area shower, or if there is only one employee in the office, with the mandate to be in force until further notice and the matter to be visited at each first Board meeting of the month. The motion died for a lack of a second.

Motion by Supr. Miller, seconded by Supr. O'Connor to go into executive session at 11:45 a.m. on possible litigation. By roll call vote. Ayes all Districts. Nays none. Motion carried. Chairman Mackeprang reiterated the executive session will be held on possible litigation. The Board came out of executive session at 12:00 p.m.

Motion by Supr. Miller, seconded by Supr. Borgmann to close at 12:00 p.m. the executive session held on possible litigation. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Sokol, Jr., seconded by Supr. Liska to place on file JEO's proposal in the amount of \$85,000 for updating the Tri-County Hazard Mitigation Plan noting that Region 11 Emergency Manager Bobbi Risor is applying for a BRIC Grant that would cover 75% of the total cost with the remaining 25% to be covered by Knox, Holt and Antelope Counties. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Clerk of District Court Fischer met with the Board on updating the televisions in the Boardroom with a Kramer device as well as adding a sound system in the Boardroom. Also discussed that the heating and cooling is not working in the Courtroom, possible solutions, the inability to hear in the Courtroom even with the new sound system because the heating/cooling units are located above the suspended ceiling in the Courtroom and making too much noise, and there may be a need to install new more efficient units as the current units are thirteen years old. Heartland Heating will be contacted.

Zoning Administrator Doerr met with the Board on the following: 1. Motion by Supr. Sokol, Jr., seconded by Supr. Schlote to place on file the Zoning November Permits Report. By roll call vote. Ayes all Districts. Nays none. Motion carried; 2. Zoning Administrator Doerr is working with Region 11 Emergency Manager Bobbi Riser on the application for the BRIC Grant to help fund the cost of updating the Tri-County Hazard Mitigation Plan; 3. Planning Commission met on December 8. A group of investors are re-developing elk pens in the lake area; 4. Need to set up time to work with Keith Marvin on the lake area updates.

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

GENERAL FUND. Salaries, 168,094.33; Applied Connective Technologies, contract services/ program/server backup, 2,931.60; Big Red Mini Mart, gas, 21.65; Bonnie R. Cash, prior service, 9.00; CenturyLink, long distance, 125.09; Classic Carpet Care, mop/towel rent, 39.50; C-Mart LLC, gas, 19.77; Collector of Internal Revenue, Social Security County pays, 12,845.43; Connie J. Janecek, prior service, 15.00; County of Knox Employee Benefit Account HealthCare Solutions Group Inc., insurance County pays, 29,750.00; Crofton Journal/Niobrara Tribune, publishing, 1,045.17; DAS State Accounting, teletype, 448.00; Diane L. Eckert, prior service, 36.00; Eakes Office Solutions, office supplies, 540.67; Gary D. Marshall, prior service, 12.00; Great Plains Communications, phone/internet, 1,531.37; Hide Out Bar & Grill, prisoner board, 1,260.00; Hometown Leasing, copier lease, 76.18; Independent Pest Management, pest control, 75.00; Jacquelyn E. Meier, prior service, 21.00; James F. Janecek, prior service, 21.00; Jo Ann Eisenbeiss, prior service, 45.00; Jo Ann P. Knori, prior service, 20.00; Julie K. Rayer, prior service, 12.00; Karen K. Riesberg, prior service, 21.00; Knox County Sheriff, subpoena, 38.57; K/V Electric LLC, wiring, 489.62; Landmark Surveying Associates, survey fees, 328.74; The Lincoln National Life Ins. Co., insurance County pays, 260.15; Liz Doerr, mileage, 74.18; Lois Colwell, prior service, 27.00; Madison County Sheriff, house prisoner, 150.00; Megan Hanefeldt, mileage, 120.75; Microfilm Imaging Systems, scanner rent, 40.50; MIPS, computer program, 1,621.90; N&B Gas Company, propane, 722.70; NACO, dues, 2,055.86; National Sheriff's Association, dues, 68.00; Netcom Inc., radio parts, 82.50; North Central Public Power District, electricity, 1,817.87; Northeast Nebraska News Co., publishing, 323.47; NSA, dues, 240.00; Pitzer Digital LLC, publishing, 63.00; Postmaster, postal service, 3.72; Principal Life Insurance Co., insurance County pays, 1,896.40; Quill Corporation, supplies, 420.58; Rader Feed & Supply LLC, ice melt, 837.00; Region 4 Behavioral Health System, quarterly bill, 6,680.00; Region IV Inc., quarterly bill, 2,521.50; Retirement Plans Division of Ameritas, retirement County pays, 11,304.36; Roland R. Beran, prior service, 24.00; Roma Walton, prior service, 51.00; Security Shredding Services, shredding, 157.50; Telebeep, pager, 64.17; U.S. Cellular, cell phones, 139.44; US Cellular, cell phones, 654.14; Village of Center, water/sewer/garbage, 291.00; Virginia Buerman, prior service, 27.00; Wholesale Supply Company Inc., janitor supplies, 472.05.

ROAD FUND. Salaries, 64,088.80; B's Enterprises Inc., sign posts/cones/coats/blades/bits, 29,346.40; Bauer Built LLC, tires, 2,596.33; Big Red Mini Mart, gas, 120.11; Bohemian One Stop, gas, 253.70; Bomgaars, shop supplies,

1,056.85; Bruce Peters, prior service, 24.00; City of Bloomfield, water, 25.00; C-Mart, gas, 153.94; C-Mart LLC, gas, 40.54; Collector of Internal Revenue, Social Security County pays, 4,844.21; Cornhusker International Trucks Inc., repairs, 196.69; County of Knox Employee Benefit Acct. c/o Healthcare Solutions Group Inc., insurance County pays, 15,300.00; Creighton 59 LLC, gas, 124.31; David L. Bauer, prior service, 36.00; Dollar General, shop supplies, 10.00; Farmer's Pride, diesel, 1,877.57; First National Bank Omaha, gas/meal/room, 103.37; Freeman Oil Company LLC, diesel, 990.00; Great Plains Communications, phone, 608.23; Grossenburg Implement Inc., filter/shop supplies, 1,218.54; Hefner Hardware, shop supplies, 24.64; Herbert Feed & Grain Co., diesel, 1,098.10; Hrbek Construction, trucking/equipment rental, 562.00; Jedlicka's Hardware Hank, shop supplies, 328.19; Larry Pilar, prior service, 21.00; Lincoln National Life Ins. Co., insurance County pays, 113.24; N&B Gas Co., heating fuel, 881.10; Nebraska Public Power District, electricity, 62.44; NMC Exchange LLC, shop supplies, 72.34; North Central Public Power District, electricity, 390.89; Northeast Nebraska News Co., publishing, 26.47; Powerplan, repairs, 11.07; Principal Life Insurance Co., insurance County pays, 775.80; Retirement Plans Div. of Ameritas, retirement County pays, 4,192.02; Ronald Bourn, gravel/haul, 3,360.00; Schreier Lumber, crushed concrete, 612.00; Sucha Repair, oil, 115.76; Truck Center Companies, repairs, 3,569.52; U.S. Cellular, cell phones, 119.80; Viking Lumber, shop supplies, 76.91; Village of Center, water/sewer, 38.00; Village of Niobrara, water/sewer, 39.06; Village of Verdigre, water/sewer/garbage, 85.04; West Hodson Lumber & Concrete Co., shop tools, 16.09; Willow Creek Sand & Gravel, gravel/haul, 11,992.91.

FLOWAGE EASEMENT ROAD FUND. Crofton Journal/Niobrara Tribune, publishing, 59.85; Northeast Nebraska News Company, publishing, 63.53.

CHILD SUPPORT FUND. CenturyLink, long distance, 7.82; Des Moines Stamp Company, stamp, 151.00; Great Plains Communications, phone/internet, 50.95; Hometown Leasing, copier lease, 125.93; Maximus Inc., cost allocation, 1,750.00; Microfilm Imaging Systems Inc., scanner rent, 81.00.

VISITOR'S PROMO FUND. Salaries, 952.70.

ROD PRESERVATION/MODERNIZATION FUND. Microfilm Imaging Systems Inc., scanner rent, 55.00; MIPS, computer program, 267.29.

C&C DEVELOPMENT FUND. Salaries, 3,041.67; CenturyLink, long distance, 7.82; Collector of Internal Revenue, Social Security County pays, 224.63; County of Knox Employee Benefit Acct. c/o Healthcare Solutions Group Inc., insurance County pays, 850.00; Creative Revolution Marketing Agency, website, 6,373.77; Great Plains Communications, phone/internet, 50.95; Lincoln National Life ins. Co., insurance County pays, 5.96; Principal Life Insurance Co., insurance County pays, 43.10; Retirement Plans Div. of Ameritas, retirement County pays, 205.31; US Cellular, cell phones, 115.46.

INHERITANCE FUND. Circle A Construction, CJ's slide, 167,582.71; Dale Guenther, inheritance tax refund, 670.56; Rodney W. Smith, public defender contract, 2,083.33.

911 EMERGENCY FUND. CenturyLink, phone, 6.18; Great Plains Communications, phone/internet, 139.47.

911 WIRELESS SERVICE FUND. Salaries, 2,230.48; Great Plains Communications, phone/internet, 532.43.

TOTALS

General Fund	253,084.43
Road Fund	151,598.98
Flowage Easement Road Fund	123.38
Child Support Fund	2,166.70
Visitor's Promo Fund	952.70
ROD Pres./Mod. Fund	322.29
C&C Development Fund	10,918.67
Inheritance Fund	170,336.60
911 Emergency Fund	145.65
911 Wireless Service Fund	<u>2,762.91</u>
Total	\$592,412.31

Chairman Mackeprang adjourned the Knox County Board of Supervisors at 12:50 p.m. on December 10, 2020 until Thursday, December 31, 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
