

PROCEEDINGS OF THE KNOX COUNTY BOARD OF SUPERVISORS

Center, Nebraska  
September 30, 2021  
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 September 30, 2021 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.

Supr. O'Connor 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 Verdigre Eagle 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 September 9, 2021 meeting were read and approved by Chairman Mackeprang with the correction that Chairman Mackeprang closed the open special hearing on the Final 2021 Tax Request and that the transfer from the 911 Emergency Fund to the Inheritance Fund as a final loan payment will be made during the 2021/2022 Fiscal Year.

Correspondence reviewed was: 1. District Seven Probation Year End Review; 2. Domina Law Group letter regarding opioids lawsuit and The Mallinckrodt Bankruptcy and The Purdue Pharma Bankruptcy; 3. Retirement notice for Deann Haeffner and Mary Avery with the Nebraska State Auditor's Office.

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 \$1,199,003.67 are listed at the end of these proceedings.

Chairman Mackeprang moves the Board recess at 10:02 a.m. for Board of Equalization.

The Knox County Board of Supervisors reconvened at 10:17 a.m. with all members present.

Hwy. Supt. Barta met with the Board on the following: 1. Motion by Supervisor O'Connor, seconded by Supervisor Borgmann to accept the report brought by Knox County Highway Superintendent Barta for the vacation and abandonment of a part of the right of way laying easterly of Lot 13, Stewart's Prairie Ridge Subdivision located in Section 22, T33N, R3W of the 6<sup>th</sup> P.M., in Herrick Township, Knox County, Nebraska. By roll call vote. Ayes all Districts. Nays none. Absent was none. Motion carried; 2. Supervisor O'Connor made a motion, seconded by Supervisor Borgmann that the following Road Resolution be published in the Crofton Journal newspaper on October 7, 14 and 21, 2021. Also, a copy of said Resolution be sent by certified mail to current adjoining landowner namely 1213 Properties LLC. The date of hearing on this matter being set for Thursday, October 28, 2021 at 10:30 A.M. By roll call vote. Ayes all Districts. Nays none. Absent was none. Motion carried.

**RESOLUTION #2021 – 39**

**WHEREAS**, pursuant to the provisions of Section 39-1722, Nebraska Revised Statutes the County Board of Supervisors of Knox County, Nebraska, on the 9<sup>th</sup> day of September 2021 directed the County Highway Superintendent to make a study of the use of a portion of right of way in Stewart's Prairie Ridge Subdivision in Herrick Township as follows:

A part of the right of way laying easterly of Lot 13, Stewart's Prairie Ridge Subdivision located in Section 22, T33N, R3W of the 6<sup>th</sup> P.M., Knox County, Nebraska

**WHEREAS**, the Highway Superintendent must conduct a study of vacating and abandoning the above-mentioned portion of right of way in Stewart's Prairie Ridge Subdivision, Knox County, Nebraska, and

**WHEREAS**, on September 30, 2021, County Highway Superintendent did file his report in writing as to such road, containing a recommendation that said portion of right of way in Stewart's Prairie Ridge Subdivision vacated and abandoned, and

**BE IT, THEREFORE RESOLVED**, by the County Board of Supervisors of Knox County that a public hearing be had as provided in Section 39-1724, Nebraska Revised Statutes in the Supervisors' Meeting Room in the Courthouse at Center, Nebraska on the 28<sup>th</sup> day of October 2021 at the hour of 10:30 A.M. for the purpose of determining if a part of the right of way laying easterly of Lot 13, Stewart's Prairie Ridge Subdivision located in Section 22, T33N, R3W of the 6<sup>th</sup> P.M., Knox County, Nebraska, be vacated and abandoned.

Passed, approved and adopted this 30<sup>th</sup> day of September 2021.

ATTEST: (Seal)

COUNTY BOARD OF SUPERVISORS  
OF KNOX COUNTY, NEBRASKA

2. Oil Crew update; 3. Painting of center lines on 48.5 miles of County oil was completed; 4. Discussed turning over the Rec Road to the State. The State turned maintenance of the road over to the County years ago but kept the right of way. The agreement with the State was that any cost of work done by the County on the right of way would be reimbursed by the State at 90% and the County's share of the costs would be 10%; 5. Bridge Crew update; 6. Discussion was held on State bids and the Western Star bid for a truck. Motion by Supr. Miller, seconded by Supr. Sokol, Jr. to approve the bid from Omaha Truck Center, Inc., Omaha NE through the State Bid process for a Western Star 2022 dump/snowplow truck for District 3 in the amount of \$209,354.00. By roll call vote. Ayes all Districts. Nays none. Motion carried; 7. Discussion was held on purchasing a new John Deere 772G motorgrader through the State Bid process for District 6. Motion by Supr. Schlote, seconded by Supr. Borgmann to approve the bid from Murphy Tractor & Equipment Company through the State bid process for a 2022 John Deere 772G motorgrader in the amount of \$342,300 less trade-in value of \$62,500 of a 2008 John Deere 770D motorgrader for a grand total purchase price of \$279,800. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Deputy County Clerk Surface presented the Employee Handbook Review Committee's recommendations of changes to the Employee Handbook. Motion by Supr. O'Connor, seconded by Supr. Liska to approve the Employee Handbook Review Committee's recommendation of changes to the Knox County Employee Handbook on compensation and hours of work, benefits, and general personnel policies regarding use of County credit cards as follows. By roll call vote. Ayes all Districts. Nays none. Motion carried.

### COMPENSATION AND HOURS OF WORK

#### Pg. 11 - Classification of Employees

Changed the classification for an Introductory employee regarding County benefits as follows:

**Introductory Employee.** A new employee who has not yet completed the County's introductory period. ~~(Introductory employees are not eligible for any County benefits).~~ as further explained in the County's explanation of benefits found later in this handbook.

### BENEFITS

#### Pg. 20 – Workers' Compensation Benefits

The following paragraphs were added to clarify Workers' Compensation Benefits:

**An employee receiving workers' compensation benefits in an amount determined by the workers' compensation laws in effect at the time of injury or disability will only receive payment from workers' compensation. Any employee-withheld insurances must be paid by the employee directly to the insurance company.**

**An employee receiving workers' compensation benefits cannot earn vacation and/or sick leave.**

**After an employee has returned to work, any time taken for follow-up medical and/or rehabilitation visits related to workers' compensation will be paid to the employee by workers' compensation. Hourly employees may not use earned sick and/or vacation leave for time taken before or after a follow-up medical and/or rehabilitation visit related to workers' compensation.**

#### Pgs. 23-24 – Vacation

The following paragraph was added to clarify vacation:

**Vacation must be taken in lieu of time off without pay. If earned vacation has been exhausted, then vacation becomes leave without pay.**

#### Pgs. 25-26 – Sick Leave

The following paragraph was added to clarify sick leave:

**Sick leave must be taken in lieu of time off without pay. If earned sick leave has been exhausted, then sick time becomes leave without pay unless the Knox County Catastrophic Leave Donation Policy applies.**

#### Pg. 24 – Holidays

Changed the following paragraph to remove "at a January meeting" as the Board fixes holidays at a December meeting:

**On Arbor Day, the courthouse will be open and County employees will work as an ordinary day. In lieu of Arbor Day, the courthouse will be closed and Knox County employees will have a floating paid holiday, the date of which is to be fixed by the Board at a January meeting.**

### GENERAL PERSONNEL POLICIES

#### Pg. 52 – "Use of County Credit Card"

Added the following policy regarding the Use of a County Credit Card (before Reduction in Force):

(NOTE: The Personnel System will also be updated to include this policy and add the "AFFIDAVIT FOR UNAVAILABLE OR LOST RECEIPTS" and the "CARDHOLDER AGREEMENT" forms in Section 4 – Hiring, Employment and Separation.)

## Use of County Credit Card

The following rules and regulations govern the general use of County credit cards:

1. An authorized user of a County Credit Card is the only person who may make a purchase with the card.
2. Any purchases made shall only be in connection with County employment.
3. No sales tax should be paid on any purchases, excluding meals. If sales tax is paid, then the cardholder is responsible for reimbursement of the sales tax to Knox County, unless purchase was pre-approved by the Purchasing Committee.
4. If a Credit Card receipt is lost and cannot be turned into the County Clerk's office, the authorized user will be required to complete an AFFIDAVIT FOR UNAVAILABLE OR LOST RECEIPTS.
5. Any misuse of a County Credit Card will result in the revocation of privileges to use the Card. Knox County also retains the right to take further action, whether in the form of disciplinary action, termination of employment, and/or legal prosecution, in the event of misuse and or fraud involving County funds.
6. Misuse of a County Credit Card includes the following:
  - a.) Using the Credit Card for personal purchases.
  - b.) Purchase of unauthorized items.
  - c.) Use of the Credit Card by someone other than the authorized user.
  - d.) Fraudulent or inaccurate record keeping.
7. An authorized user of a County Credit Card must complete and sign a CARDHOLDER AGREEMENT.
8. Upon separation or termination, the authorized user of a County Credit Card must return the Card to the County Clerk's Office where it will be verified that the Card was returned and sign the bottom of the CARDHOLDER AGREEMENT stating that he/she has not and will not record the Credit Card number to make any further purchases on the Card after their final date of employment with Knox County.

Hwy. Supt. Barta continued with the following: 8. Discussed replacing the lowboy and tractor; 9. Update on the Prischman and Walton FEMA bridge projects; 10. Weigand Bridge update; 11. The Road and Bridge Committee needs to meet to review winter road routes; 12. Ashfall road update.

Sheriff Henery updated the Board on the following: 1. Antelope County wishes to enter into a law enforcement interlocal agreement with Knox County; 2. Discussed possible law enforcement interlocal agreement with the City of Crofton; 3. Juvenile holding costs in Madison County are \$255 per person per day. Currently two juveniles are being held.

Motion by Supr. Liska, seconded by Supr. Sokol, Jr. to place on file the August 10, 2021 Planning Commission meeting minutes. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Miller, seconded by Supr. Borgmann to place on file the Receipts Revenue Listing for September 9 through September 29, 2021. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Schlote, seconded by Supr. Sokol, Jr. to place on file the County Treasurer's Report of List of All Real Property advertised as having Delinquent Taxes in February 2021 and not sold and further, to direct the County Treasurer to proceed with issuance of tax sale certificates to the County upon any real property with delinquent taxes. By roll call vote. Ayes all Districts. Nays none. Motion carried.

The Board changed the following meeting dates due to holidays and the annual NACO Conference: first meeting in November – Tuesday, November 9; second meeting in November – Tuesday, November 23; and first meeting in December – Tuesday, December 7, 2021.

Discussion ensued on updating the COVID-19 policy. Emergency Manager Hintz had to attend another meeting so she handed out COVID-19 material for the Board to review. Also reviewed was information from the North Central District Health Department and the CDC as well as recommendations from County Attorney Thomas in addition to guidelines from Woods/Aitken LLP (NIRMA) on managing COVID-19 vaccination mandates. Motion by Supr. Liska, seconded by Supr. Borgmann to set the COVID-19 Policy for Knox County Employees whereas if an employee has symptoms related to COVID-19, the employee must not come to work (and must use accrued sick leave) until they are tested for COVID-19 or no longer have symptoms; if an employee test positive for COVID-19, they should contact their County Official or Department Head immediately; if an employee tests positive for COVID-19, the employee cannot return to work for 10 days; and, if an employee has been in direct contact with a person who has tested positive for COVID-19, the employee must wear a mask while at work for 14 days and monitor for COVID-19 symptoms during this time. By roll call vote. Ayes all Districts. Nays none. Motion carried.

A Committee update was given by SLFRF Administrator Nix that the laptops arrived. Also, information will be presented at the next meeting about the sound equipment update in the Boardroom.

Public comment on agenda items was given by Crofton City Mayor Sharol Lawhead on the possible law enforcement agreement. Mayor Lawhead was in the Courthouse on business and stopped to listen to the Board meeting. The Board and Mayor Lawhead discussed briefly the possible law enforcement agreement.

There was no public comment on non-agenda items.

**GENERAL FUND.** Applied Connective Technologies, radio equipment, 1,349.10; Armscor Cartridge Inc., ammo, 1,321.00; Bloomfield Bakery, training food, 32.00; Bomgaars, jail supplies/drains, 31.43; Christa Beckmann, meals, 28.26; Classic Carpet Care, mop rental, 47.00; Cmart LLC, gas, 18.30; Comfort Inn, lodging, 199.90; Creighton 59 LLC, gas, 19.00; Creston Fertilizer Co. Inc., chemicals, 1,262.04; Crofton Journal/Niobrara Tribune, publishing, 76.98; DAS State Accounting-Central Finance, backup/radios, 198.88; DAS State Accounting-Central Finance, teletype, 448.00; David A. Arens, meeting/mileage, 64.20; Dean Wilken, meeting/mileage, 46.84; Dollar General, supplies, 138.94; Eakes Office Solutions, copier agreement, 473.73; F&M State Bank, annual ACH fee, 240.00; Fire Protection Services LLC, fire alarm contract, 600.00; First National Bank Omaha, gas/supplies/hot spot/postage/jail food, 4,331.67; J&H Cleaning Services Inc., strip and wax floors, 12,000.00; Jedlicka's Hardware Hank, faucets/plumbing supplies, 116.26; Jim Kotrous, meeting/mileage, 45.16; Kathy Wagner, gas, 22.70; Kevin Barta, mower gas, 16.25; Knox County C&C Development Fund, transfer, 45,500.00; Knox County Flowage Easement Road Fund, transfer, 262,488.98; Knox County Treasurer, transfer from General Fund to Road Fund, 117,281.39; Monica McManigal, meals/mileage, 100.79; Moody Motor Company, oil change, 61.99; N&B Gas Company, propane, 1,270.50; Neil Clausen, meet/mileage, 56.36; Pitzer Digital, publishing, 35.00; Quill Corporation, office supplies, 298.71; Robert Ganz, meeting/mileage, 37.32; Samantha Holecek, reimburse dues, 120.00; Security Shredding Services Inc., shredding, 87.50; The Glass Edge Inc., replace door, 5,668.00; Thomson Reuters, subscription, 493.00; Top Quality Glove, gloves, 173.60; U.S. Cellular, cell phones, 185.16; Verdigre Eagle, publishing/printing, 608.80; Verdigre Farm Service, gas, 43.02; Village of Center, water/sewer/garbage, 1,051.00.

**ROAD FUND.** B's Enterprises Inc., culverts/bands, 9,821.44; Bauer Built Inc., repairs/tires, 1,306.00; Black Hills Energy, heating fuel, 65.75; Bloomfield Auto Parts, oil/filters, 110.90; Bomgaars, shop supplies/impact wrench, 1,113.27; Bonnie Jennings, clay, 450.00; Cedar Knox PPD, electricity, 81.09; Chris Rohrer, meals, 35.12; CHS Wausa, diesel, 912.13; C-Mart LLC, gas, 111.05; Creighton Plumbing, toilet, 307.32; Creighton 59 LLC, gas, 298.48; Crofton Journal/Niobrara Tribune, publishing, 104.00; Farmer's Pride, diesel, 3,097.69; First National Bank Omaha, registration, 100.00; Frevert Excavating LLC, equipment rental, 907.50; Hefner Hardware, shop supplies/repairs/battery charger, 183.68; Herbert Feed & Grain Co., diesel, 3,445.63; Hrbek Construction, equipment rental, 1,574.90; Jebro Inc., mc70, 21,293.25; Jedlicka's Hardware Hank, shop supplies, 71.90; Kayton International, equipment rental, 2,500.00; Mainelli Wagner & Associates Inc., engineer fees, 450.00; Mike Jelinek, cdl license, 59.50; Mitteis Gravel, gravel, 1,425.80; Nebraska Public Power District, electricity, 198.18; NMC Inc., repairs, 42.75; North Central Public Power District, repair line, 170.00; Omaha Slings Inc., repairs, 1,032.58; Pitzer Digital LLC, publishing, 32.00; Riverside Hydraulics Inc., repairs, 56.74; Russ Crosley, garbage, 46.00; Sucha Repair, repairs/fluids/filter, 89.69; U.S. Cellular, cell phones, 447.12; Vakoc Excavating LLC, gravel/haul/sand, 6,540.00; Verdigre Farm Service, diesel/tire repair/repairs/fluids/grass seed, 6,042.18; Vic's Service, gas/oil/filter, 392.17; Village of Center, water/sewer, 54.00; Willow Creek Sand & Gravel, gravel/haul, 20,974.17.

**FLOWAGE EASEMENT ROAD FUND.** Dixon Construction Co., bridge contract, 108,030.91; Mainelli Wagner & Associates Inc., engineer fees, 54,893.18.

**CHILD SUPPORT FUND.** First National Bank Omaha, name plate, 21.98.

**VISITOR'S PROMO FUND.** Verdigre Eagle, visitor guides, 4,250.00.

**VISITOR'S IMPROVEMENT FUND.** First National Bank Omaha, internet, 173.90.

**ECONOMIC DEVELOPMENT FUND.** NENEDD, admin fees, 48.50.

**C&C DEVELOPMENT FUND.** Creighton Area Chamber of Commerce, Creighton bucks, 100.00; Crofton Journal, subscription, 40.00; First National Bank Omaha, dues/gas/postage/supplies/meals, 368.76; The Barn at God's Country, rent, 150.00; U.S. Cellular, cell phones, 155.88; Verdigre Farm Service, gas, 43.02.

**INHERITANCE FUND.** Knox County General Fund, transfer, 453,240.92; Mainelli Wagner & Associates Inc., engineer fees, 7,163.74.

**911 EMERGENCY FUND.** Knox County Inheritance Fund, final loan payment, 25,468.73; Three River Telco, phone, 17.71.

**911 WIRELESS SERVICE FUND.** Three River Telco, phone, 203.70.

#### TOTALS

General Fund	458,688.76
Road Fund	85,943.98
Flowage Easement Road Fund	162,924.09
Child Support Fund	21.98
Visitor's Promo Fund	4,250.00
Visitor's Improvement Fund	173.90
Economic Development Fund	48.50
C&C Development Fund	857.66
Inheritance Fund	460,404.66
911 Emergency Fund	25,486.44
911 Wireless Service Fund	203.70
Total	<u>\$1,199,003.67</u>

Chairman Mackeprang adjourned the Knox County Board of Supervisors at 1:15 p.m. on September 30, 2021 until Thursday, October 14, 2021 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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