

PROCEEDINGS OF THE KNOX COUNTY BOARD OF SUPERVISORS

Center, Nebraska
November 23, 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 Tuesday, November 23, 2021 at 9:30 a.m. Present were Supervisors Martin J. O'Connor District #1, Patrick J. Liska District #2, Kevin D. Mackeprang District #5, Danny R. Schlote District #6, and James J. Borgmann District #7. Absent were Supervisors Virgil H. Miller District #3 and James Sokol, Jr. District #4. Chairman Mackeprang presiding.

County Clerk Fischer 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 November 9, 2021 meeting were read and approved by Chairman Mackeprang with the correction that Supr. Miller seconded the motion to authorize Chairman Mackeprang to sign the "Agreement between Owner and Engineer for Professional Services" between JEO and Knox County on the Bloomfield Northeast, Bridge Project C005418115.

Correspondence reviewed was: 1. Letter from Attorney David Domina regarding the Knox County opioid litigation.

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 Districts #1, #2, #5, #6 and #7. Nays none. Absent were Districts #3 and #4. Motion carried. Claims totaling \$204,609.56 are listed at the end of these proceedings.

Motion by Supr. Borgmann, seconded by Supr. Schlote to adopt **Resolution #2021 – 46** for the authorization of County Treasurer Ebel and Deputy County Treasurer Beckman to conduct financial business for the County with Farmers and Merchants State Bank and further authorizes them to make any and all contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of powers with the Farmers and Merchants State Bank. By roll call vote. Ayes Districts #1, #2, #5, #6 and #7. Nays none. Absent were Districts #3 and #4. Motion carried.

COUNTY OF KNOX AUTHORIZATION RESOLUTION #2021 – 46

Be it Resolved by the Board of Supervisors of the County of Knox, State of Nebraska, that:

Lori Ebel, Knox County Treasurer, and Susan Beckman, Deputy Knox County Treasurer, are authorized to exercise the powers granted:

1. Exercise all of the powers listed in this resolution.
2. Open any deposit or share accounts in the name of the County of Knox.
3. Endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with Farmers and Merchants State Bank.
4. Receive statements, make account inquiries, make wire transfers or enter into electronic banking relations, including ACH origination.

The Board further resolves that:

5. The Farmers and Merchants State Bank is designated as a depository for the funds of the County of Knox and to provide other financial accommodations indicated in this resolution.
6. This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by the Farmers and Merchants State Bank. Any and all prior resolutions adopted by the Board of Supervisors of the County of Knox and certified to the Farmers and Merchants State Bank as governing the operation of the County's account(s), are revoked. Any revocation, modification, or replacement of this resolution must be accompanied by documentation, satisfactory to the Farmers and Merchants State Bank, establishing the authority for the changes.
7. The signature of Lori Ebel, Knox County Treasurer, or Susan Beckman, Deputy Knox County Treasurer is conclusive evidence of their authority to act on behalf of the County of Knox. Lori Ebel, Knox County Treasurer, and Susan Beckman, Deputy Knox County Treasurer, so long as they act in a representative capacity as an agent of the County of Knox, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated on page one, from time to time with the Farmers and Merchants State Bank, subject to any restrictions on this resolution or otherwise agreed to in writing.
8. The County of Knox agrees to the terms and conditions of any account agreement, properly opened by Lori Ebel, Knox County Treasurer, and Susan Beckman, Deputy Knox County Treasurer, of the County of Knox. The

County of Knox authorizes the Farmers and Merchants State Bank, at any time to charge the County of Knox for all checks, drafts, or other orders, for the payment of money, that are drawn on the Farmers and Merchants State Bank, so long as they contain the required number of signatures for this purpose.

9. The County of Knox acknowledges and agrees that the Farmers and Merchants State Bank may furnish at its discretion automated access devices to Lori Ebel, Knox County Treasurer, and Susan Beckman, Deputy Knox County Treasurer, to facilitate those powers authorized by this resolution or other resolutions in effect at the time of issuance. The term "automated access device" includes, but is not limited to, credit cards, automated teller machines (ATM), and debit cards.
10. The County of Knox acknowledges and agrees that the Farmers and Merchants State Bank may rely on alternative signature and verification codes issued to or obtained from Lori Ebel, Knox County Treasurer, and Susan Beckman, Deputy Knox County Treasurer. The term "alternative signature and verification codes" includes, but is not limited to, facsimile signatures on file with the Farmers and Merchants State Bank, personal identification numbers (PIN), and digital signatures. If a facsimile signature specimen has been provided on this resolution, (or that are filed separately by the County of Knox with the Farmers and Merchants State Bank from time to time) the Farmers and Merchants State Bank is authorized to treat the facsimile signature as the signature of Lori Ebel, Knox County Treasurer, and Susan Beckman, Deputy Knox County Treasurer, regardless of by whom or by what means the facsimile signature may have been affixed so long as it resembles the facsimile signature specimen on file. The County of Knox authorizes Lori Ebel, Knox County Treasurer, and Susan Beckman, Deputy Knox County Treasurer, to have custody of the County of Knox's private key used to create a digital signature and to request issuance of a certificate listing the corresponding public key. The Farmers and Merchants State Bank shall have no responsibility or liability for unauthorized use of alternate signature and verification codes unless otherwise agreed in writing.
11. This resolution supersedes all prior resolutions.

County of Knox
Board of Supervisors
Kevin D. Mackeprang /s/
Kevin D. Mackeprang, Chairman

I certify that the Board of Supervisors of the County of Knox has the full power and lawful authority to adopt this resolution and to confer the powers granted to Lori Ebel, Knox County Treasurer, and Susan Beckman, Deputy Knox County Treasurer, who have the full power and lawful authority to exercise those powers.

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

Motion by Supr. Schlote, seconded by Supr. O'Connor to place on file the Receipts Revenue List for November 9 through November 22, 2021. By roll call vote. Ayes Districts #1, #2, #5, #6 and #7. Nays none. Absent were Districts #3 and #4. 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 10:17 a.m. with all members present except Supervisors Virgil H. Miller District #3 and James Sokol, Jr. District #4.

Hwy. Supt. Barta met with the Board on the following: 1. County/Township Allocation update; 2. Bridge Crew completed the Dowling Twp. bridge repairs; 3. County Bridge Match Program update; 4. The Board authorized Hwy. Supt. Barta to research information for purchasing a new welder for the Bridge Crew; 5. A bid opening will be held on December 7 for a lowboy; 6. Jeff Wagner with Mainelli Wagner and Associates updated the Board on the FEMA Walton bridge project. A bid opening will be held on December 7, 2021 for a 196 ft. bridge. Discussion was held on a possible change order and waiting for FEMA/NEMA authorization; 7. Weigand Bridge update. Engineer Jeff Wagner recommended the County Attorney send a letter to the State's legal department about the bridge repairs needed as the bridge is the State's bridge.

At 10:53 a.m., Chairman Mackeprang opened the advertised public hearing on the Creighton Community Country Club liquor license application.

Insurance Agent Jeff Hammer met with the Board on the renewal of the health insurance for eligible employees. Discussion was held on the new government requirements due to the Consolidations Appropriations Act at a cost of \$8.33 per enrolled employee per month, the HSG/90 Degree Benefits Compliance Plan, the Act is very in depth, and the current insurance company is doing the required external review. Also reviewed was the amount of paid premiums that is left after costs that can be carried over from year to year in case of a large expense. This year there were fewer claims so there were adjustments to the fixed costs. Motion by Supr. Schlote, seconded by Supr. Liska to renew the health insurance with 90 Degree Benefits (formerly HealthCare Solutions Group) for eligible employees with a \$30,000 specific (employer) deductible 12/18 plan with the County-paid premium be set at \$915 per month per eligible employee and \$650 per month for employee-paid coverage for child(ren) starting January 1, 2022, and further the monthly taxable stipend paid for in-lieu of health insurance to employees who have coverage under a spouse or parent's insurance will increase to

~~\$350~~ ~~\$355~~ (corrected 12-7-2021). By roll call vote. Ayes Districts #1, #2, #5, #6 and #7. Nays none. Absent were Districts #3 and #4. Motion carried.

Deputy County Attorney Holecek updated the Board on the Creighton Community Country Club's liquor license application and Manager Recommendation. The license does not include the buildings which house the golf carts. Chairman Mackeprang closed the public hearing at 11:27 a.m. There was no one present in opposition. Motion by Supr. Borgmann, seconded by Supr. Schlote to approve the Class C Liquor License Application for Creighton Community Country Club Inc. dba Creighton Community Country Club and the Manager Recommendation. By roll call vote. Ayes Districts #1, #2, #5, #6 and #7. Nays none. Absent were Districts #3 and #4. Motion carried.

Ryan Robinson with Applied Connective Technologies met with the Board via Microsoft Teams to discuss the sound system proposal for the Boardroom and Basement Conference Room. The proposal offers twelve wireless desk microphones and one handheld microphone in the Boardroom along with two Smart TVs, cabling, materials and labor. The total cost for both rooms would be \$50,000. Motion by Supr. O'Connor, seconded by Supr. Borgmann to approve the quotes for sound system/Smart TVS upgrade in the Boardroom and Basement Conference Room from Applied Connective Technologies in the amount of \$50,000 with the cost to be paid from the ARPA funds as the update will allow easier access via Zoom and Microsoft Teams with the public in case of COVID-19 and other health issues. By roll call vote. Ayes Districts #1, #2, #5, #6 and #7. Nays none. Absent were Districts #3 and #4. Motion carried.

Economic Development Director Hanvey updated the Board on the following: 1. Upcoming strategic plan meeting on January 10, 2022 at The Barn at God's Country. This meeting will be for obtaining public opinion for Knox County projects; 2. The Development Agency Board and Deputy County Attorney Holecek are working on the interlocal agreement updates; 3. The Interlocal Cooperation Agreement between Knox County and NENEDD needs to be updated by adding the words "including CDBG administration" at the end of the last paragraph of Part 3 – Organization of the agreement. Motion by Supr. Schlote, seconded by Supr. Liska to adopt **Resolution #2021 – 47** updating the Interlocal Cooperation Agreement between Knox County and the Northeast Nebraska Economic Development District by adding "including CDBG administration" to Part 3 of the agreement. By roll call vote. Ayes Districts #1, #2, #5, #6 and #7. Nays none. Absent were Districts #3 and #4. Motion carried.

**RESOLUTION AUTHORIZING PARTICIPATION IN THE
NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT
RESOLUTION NO. 2021 – 47**

A resolution of the Knox County, Nebraska providing for full participation by the Knox County, Nebraska, in the Northeast Nebraska Economic Development District through the execution of an Intergovernmental agreement.

It is hereby resolved as follows by the Board of Supervisors of Knox County.

SECTION 1. That the Knox County is hereby authorized to join and cooperate with other counties, incorporated villages, and cities that are eligible and may wish to participate in the creation of the Northeast Nebraska Economic Development District through the execution of an intergovernmental agreement. Said agreement is attached hereto and made a part hereof.

SECTION 2. That all Resolutions and parts of Resolutions in conflict herewith are hereby repealed.

SECTION 3. This resolution shall take effect and be in full force and effect from and after its passage, approval and publication as provided by law.

Passed and adopted this 23rd day of November, 2021.

Kevin D. Mackeprang /s/
Board Chairperson

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

Zoning Administrator Doerr met with the Board on the following: 1. Discussed the minimum lot size in the Commercial Corridor. The matter will start with the Planning Commission and then brought to the Board; 2. The Assessor's Office staff found ag structures that are sheds with houses in them (shouses) but the building permits were only issued for ag structures. There are no fees for ag structure building permits however since a house was constructed within the shed there should have been fees collected and the building permit should have included this information; 3. Discussed a person considering making a tree dump and what the procedures will be.

Motion by Supr. Liska, seconded by Supr. Borgmann to approve **Resolution #2021 - 48**, due to the failure of Bohemia Township to petition against vacating and abandoning a portion of 888 Road described in the following Resolution and the Knox County Board of Supervisors directs the Knox County Highway Superintendent to enter the Resolution in the County Road Plat Records and the same be recorded in the Knox County Register of Deeds' Office. By roll call vote. Ayes Districts #1, #2, #5, #6 and #7. Nays none. Absent were Districts #3 and #4. Motion carried.

RESOLUTION NO. 2021 - 48

A RESOLUTION TO VACATE AND ABANDON:

A .32-mile portion (1,680 feet) of 888 Road (Platted Road #5) located across Government Lot 3 in the South Half of the Southwest Quarter (S1/2SW1/4) of Section 2, T31N, R7W of the 6th P.M., Knox County, Nebraska

TO PROVIDE FOR VESTING OF THE TITLE THEREOF, TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT THEREFORE RESOLVED BY THE KNOX COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF KNOX, NEBRASKA:

Section 1. VACATION AND ABANDONMENT OF: A .32-mile portion (1,680 feet) of 888 Road (Platted Road #5) located across Government Lot 3 in the South Half of the Southwest Quarter (S1/2SW1/4) of Section 2, T31N, R7W of the 6th P.M., Knox County, Nebraska and that no damage will be sustained by the citizens of said County or the owners of property, therein, which matter has been ascertained by the Board of Supervisors.

Section 2. VESTING OF TITLE: That all title to said vacation and abandonment shall revert to the owners of the abutting real estate, one-half on each side thereof, and become part of such property, as provided by law.

Section 3. WHEN OPERATIVE: The Resolution shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

ADOPTED AND PASSED by the Board of Supervisors of the County of Knox, Nebraska this 23rd of November 2021.

ATTEST: (Seal)

COUNTY BOARD OF SUPERVISORS
OF KNOX COUNTY, NEBRASKA

Joann M. Fischer /s/
Knox County Clerk

By: Kevin D. Mackeprang /s/
Chairman

Motion by Supr. Liska, seconded by Supr. Borgmann to adopt **Resolution #2021 – 49** allowing the sale and/or service of alcohol in the businesses under the County’s licensing jurisdiction on Sundays and such businesses must follow all laws and regulations of the Nebraska Liquor Control Commission as per the license held by the businesses. By roll call vote. Ayes Districts #1, #2, #5, #6 and #7. Nays none. Absent were Districts #3 and #4. Motion carried.

RESOLUTON # 2021 – 49

WHEREAS, businesses that are outside city or village limits fall under Knox County’s licensing jurisdiction for liquor licenses, and

WHEREAS, the businesses under the County’s jurisdiction must apply for and receive liquor licenses from the Nebraska Liquor Control Association, and

WHEREAS, Knox County can regulate the hours that alcohol is served or sold in the businesses under the County’s licensing jurisdiction, and

WHEREAS, currently the County follows the State of Nebraska’s deadline of sale or service of alcohol as 1:00 a.m., and

WHEREAS, Knox County must also designate that alcohol can be sold or served in the businesses under their licensing jurisdiction on Sundays, and

THEREFORE, BE IT RESOLVED that the Knox County Board of Supervisors allow the sale or service of alcohol in the businesses under its licensing jurisdiction on Sundays and such businesses must follow all laws and regulations of the Nebraska Liquor Control Commission as per the license held by the businesses, and

BE IT FURTHER RESOLVED this resolution amends and supersedes any former resolution as to the sale or service of alcohol in the businesses under Knox County’s licensing jurisdiction.

Dated this 23rd day of November, 2021.

KNOX COUNTY BOARD OF SUPERVISORS

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

Absent
Virgil H. Miller, District #3

Absent
James Sokol, Jr., District #4

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

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

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

SLFRF Administrator Nix met with the Board on the following: 1. The CESF grant application in the amount of \$104,517 was approved and will be used for citation kits and the jail kitchen expenses; 2. As per the recent audit requirements, a request was made by Sheriff Henery for a petty cash fund within the Sheriff’s Office. Motion by Supr. Schlote, seconded by Supr. Borgmann to adopt **Resolution #2021 – 50** establishing a petty cash fund in the amount of \$300 for the Knox County Sheriff’s Office. By roll call vote. Ayes Districts #1, #2, #5, #6 and #7. Nays none. Absent were Districts #3 and #4. Motion carried.

RESOLUTION #2021 – 50

WHEREAS §23-106(2) Nebraska Revised Statute authorizes the County Board to establish a petty cash fund and set the amount of money to be carried in such fund; and

WHEREAS, the office of the Knox County Sheriff conducts cash transactions on a daily basis; and

WHEREAS, the Knox County Sheriff's Office requested establishment of a petty cash fund for the purpose of having cash available in the office for making change for daily transactions;

NOW, THEREFORE BE IT RESOLVED that a petty cash fund is hereby established in the office of the Knox County Sheriff in the total amount of \$300.00 for the purpose of having cash available in the office for daily transactions.

Dated this 23rd day of November, 2021.

KNOX COUNTY BOARD OF SUPERVISORS

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

Absent
Virgil H. Miller, District #3

Absent
James Sokol, Jr., District #4

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

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

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

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

Committee updates were: 1. Supr. O'Connor updated the Board on a recent SID #2 meeting; 2. Chairman Mackeprang informed the Board of an upcoming Region IV drug symposium.

Motion by Supr. O'Connor, seconded by Supr. Liska to go into executive session at 12:28 p.m. so as to protect the reputation of an individual when discussing ~~personal~~ personnel (corrected 12-7-2021). By roll call vote. Ayes Districts #1, #2, #5, #6 and #7. Nays none. Absent were Districts #3 and #4. Motion carried. Chairman Mackeprang reiterated that the executive session will be held so as to protect the reputation of an individual when discussion personnel. The Board came out of executive session at 1:02 p.m.

Motion by Supr. Borgmann, seconded by Supr. Schlote to close at 1:02 p.m. the executive session held on personnel. By roll call vote. Ayes Districts #1, #2, #5, #6 and #7. Nays none. Absent were Districts #3 and #4. Motion carried.

GENERAL FUND. Applied Connective Technologies, emails/programs, 347.88; Bazile Creek Power Sports, install mower blades, 65.00; Bloomfield Auto Parts, reflective tape, 9.41; Cmart LLC, gas, 11.59; Creighton 59 LLC, gas, 65.69; DAS State Accounting-Central Finance, backup/radios, 198.88; Dollar General, jail supplies/janitor supplies, 103.72; Eakes Office Solutions, copier agreement, 168.38; Farm & Home Publishers, plat books, 375.00; First National Bank Omaha, gas/hot spot, 482.75; Jack's Uniforms & Equipment, uniform, 804.92; Knox County Sheriff, balance to add for petty cash in bond fund, 1.33; Knox County Treasurer, transfer from General Fund to Road Fund, 117,281.31; KV Electric, electrical, 1,501.71; N&B Gas Company, prepay propane, 3,900.00; NACO, 2nd half dues/registration, 4,182.46; NACo, dues, 450.00; Nebraska Health & Human Services, competency evaluation, 315.56; Nebraska Auditor of Public Accounts, audit, 16,471.66; North Central District Health Department, Miles of Smiles program, 2,500.00; Physicians Laboratory P.C., autopsy, 2,050.00; Pitzer Digital, publishing, 427.78; Platte Valley Communications Inc., repairs, 328.29; Quill Corporation, office supplies, 135.78; Thomsen Reuters-West, law books, 720.00; Tyler Technologies, VetraSpec subscription, 449.00; Verdigre Farm Service, gas, 12.69; Vic's Service LLC, gas/tires, 359.51; Village of Center, water/sewer/garbage, 299.00.

ROAD FUND. Bazile Creek Power Sports, repairs, 613.86; Black Hills Energy, heating fuel, 65.75; Bloomfield Auto Parts, shop supplies, 392.86; Bohemian One Stop, gas, 382.65; Brody Chemical, tar remover, 3,194.02; Cedar Knox PPD, electricity, 111.21; CHS Wausa, diesel, 2,609.97; C-Mart, gas, 366.65; Creighton 59 LLC, gas, 187.94; Donald Ketelsen, reimburse CDL, 59.50; Emme Sand & Gravel Inc., gravel/haul, 963.90; Herbert Feed & Grain Co., diesel, 2,147.22; Hrbek Construction, equipment rental, 3,145.00; Key Sanitation; garbage, 120.00; Main Street Grocery, shop supplies, 22.25; Medical Enterprises Inc., drug test, 70.00; Midwest Radiator & Exhaust, repairs, 75.00; Nebraska Public Power District, electricity, 144.59; NMC Inc., repairs, 1,320.59; Pease General Store, shop supplies, 91.91; Pitzer Digital, publishing, 47.25; Straight-Line Striping Inc., centerline striping, 18,378.20; Truck Center Companies, repairs, 80.67; Verdigre Farm Service, diesel/tire repair/shop supplies/fluids, 2,407.79; Vic's Service, gas/def, 555.21; Village of Center, water/sewer, 38.00; Willow Creek Sand & Gravel, gravel/haul, 12,538.68.

FLOWAGE EASEMENT ROAD FUND. Pitzer Digital, publishing, 154.59

ROD PRES./MOD. FUND. Microfilm Imaging Services, scanner rent, 55.00

COUNTY INSURANCE FUND. Name Redacted, reimburse deductible, 250.00.

TOTALS

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|----------------------------|------------|
| General Fund | 154,019.30 |
| Road Fund | 50,130.67 |
| Flowage Easement Road Fund | 154.59 |

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|-----------------------|---------------|
| ROD Pres./Mod. Fund | 55.00 |
| County Insurance Fund | <u>250.00</u> |
| Total | \$204,609.56 |

Chairman Mackeprang adjourned the Knox County Board of Supervisors at 1:05 p.m. on November 23, 2021 until Tuesday, December 7, 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
