

# PROCEEDINGS OF THE KNOX COUNTY BOARD OF SUPERVISORS

Center, Nebraska  
May 26, 2022  
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 Thursday, May 26, 2022 at 9:30 a.m. Present were Supervisors Martin J. O'Connor District #1, Patrick J. Liska District #2, Virgil H. Miller District #3, Kevin D. Mackeprang District #5, Danny R. Schlote District #6, and James J. Borgmann District #7. Absent was James Sokol, Jr. District #4. Chairman Mackeprang presiding.

Supr. Liska 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 Crofton Journal 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.

Correspondence reviewed was: 1. A thank you note from Shannon Trail Promoters; 2. A Knox County disaster letter for damages from a Derecho/straight line wind storm on May 12, 2022.

The minutes of the May 12, 2022 meeting were read and approved by Chairman Mackeprang.

Motion by Supr. O'Connor, seconded by Supr. Liska that all claims except Claims #22050214, #22050215 and #22050229, audited and approved for payment by the Claims Committee, be allowed subject to delinquent personal taxes. By roll call vote. Ayes Districts #1, #2, #3, #5, #6 and #7. Nays none. Absent was District #4. Motion carried. Claims totaling \$831,419.44 are listed at the end of these proceedings.

Chairman Mackeprang moves the Board recess at 10:06 a.m. for Board of Equalization.

The Knox County Board of Supervisors reconvened at 11:00 a.m. with all members present except Supervisor James Sokol, Jr., District #4.

Chairman Mackeprang continued the public hearing on the vacation/abandonment of a portion of 521 Avenue in Section 11 of Bohemia Township until the June 9, 2022 meeting as the easement that was to be submitted was not received.

At 11:03 a.m., Chairman Mackeprang opened the advertised public hearing on a reuse loan application submitted by Mara Breithaupt for the purchase of the Commercial Hotel in Verdigre. Present were NENEDD Business Loan Specialist Jeff Christensen and Mara Breithaupt. Chairman Mackeprang closed the public hearing at 11:06 a.m. No one was present in opposition. Motion by Supr. Miller, seconded by Supr. Borgmann to approve a reuse loan in the amount of \$50,000 to Mara Breithaupt for purchase of the Commercial Hotel in Verdigre, the loan to be a 20-year term at a fixed rate of interest of 4.5% and to waive the 1% loan processing fee. By roll call vote. Ayes Districts #1, #2, #3, #5, #6 and #7. Nays none. Absent was District #4. Motion carried.

Motion by Supr. Liska, seconded by Supr. Schlote that Claim #22050229 in the amount of \$50,000 payable to NED, Inc., audited and approved for payment by the Claims Committee, be allowed subject to delinquent personal taxes. By roll call vote. Ayes Districts #1, #2, #3, #5, #6 and #7. Nays none. Absent was District #4. Motion carried.

Mr. Christensen said that NENEDD will recognize Knox County at their Annual Meeting on Thursday, July 28, 2022 with the 2021-2022 Entrepreneurial Advancement Award for its continuous support and collaboration with NENEDD and its members.

Economic Development Director Hanvey met with the Board on the following: 1. The Visitor's Committee approved the applications from Lewis and Clark SRA and Niobrara State Park for Visitor's Promo funds in the amount of \$1,000 for each for upcoming events. Motion by Supr. O'Connor, seconded by Supr. Liska to approve Visitor's Promo funds in the amount of \$1,000 each to Lewis and Clark SRA and to the Niobrara State Park for upcoming events. By roll call vote. Ayes Districts #1, #2, #3, #5, #6 and #7. Nays none. Absent was District #4. Motion carried; 2. Update on Star Wars project.

Motion by Supr. Miller, seconded by Supr. Borgmann that Claim #22050214 in the amount of \$1,000 payable to Lewis and Clark SRA and #22050215 in the amount of \$1,000 payable to Niobrara State Park, audited and approved for payment by the Claims Committee, be allowed subject to delinquent personal taxes. By roll call vote. Ayes Districts #1, #2, #3, #5, #6 and #7. Nays none. Absent was District #4. Motion carried.

Motion by Supr. Liska, seconded by Supr. O'Connor to go into executive session at 11:16 a.m. for interview with a job applicant. By roll call vote. Ayes Districts #1, #2, #3, #5, #6 and #7. Nays none. Absent was District #4. Motion carried. Chairman Mackeprang reiterated the executive session will be held on an interview with a job applicant. The Board came out of executive session at 11:42 a.m.

Motion by Supr. Liska, seconded by Supr. Borgmann to close at 11:42 a.m. the executive session held on an interview with a job applicant. By roll call vote. Ayes Districts #1, #2, #3, #5, #6 and #7. Nays none. Absent was District #4. Motion carried.

Greg Johnson, Allison Greathouse and Justin Brewer with the Army Corps of Engineers met with the Board to give a presentation on the Ponca Creek flooding in the Lazy River Acres area and options. Discussion was held on sedimentation problems, Federal Section 208 that is focused on channel cleanup, economic criteria, traffic detours and

delays, repair costs, costs to grade the "Goat Road", disruption of recreation, chronic flooding, flood distribution, costs, average annual benefits, benefit cost ratio, bank reshaping, moving sedimentation, flowage easements and WRP easements of record in the area; life expectancy projection if dredging took place could be 20 to 25 years but another flood like the one in 2019 flood would silt it back in, working with Missouri Sedimentation Action Coalition on their study, the delta is getting bigger each year and eventually Rayder Swanson Road will become a part of the delta, and possible moving of the road and bridge. The Board thanked the group for the work and presenting the information. The Board also reviewed information from Rick Spellman who owns property in the Lazy River Acres subdivision.

Hwy. Supt. Barta met with the Board on the following: 1. Oil Crew update; 2. Bridge Crew update; 3. Discussed purchasing a motorgrader for District 2 through the State Bid process. The current State Bid will end June 22 and projected cost increase will be at least 10%. Ken Beaudette, Jr. with Murphy Tractor in Sioux City was present to give information on a John Deere 772G motorgrader with 6WD. A new John Deere motorgrader won't be available for at least nine months and payment for the machine would not be required until the machine is built. Motion by Supr. Liska, seconded by Supr. O'Connor to purchase a John Deere 772G motorgrader through the State Bid in the amount of \$366,101 with a trade-in of a 2010 Caterpillar motorgrader in the amount of \$77,000 making the difference of \$289,101 that would be due when the motorgrader is ready for delivery. By roll call vote. Ayes Districts #1, #2, #3, #5, #6 and #7. Nays none. Absent was District #4. Motion carried; 4. Motion by Supr. O'Connor, seconded by Supr. Schlote to go into executive session at 1:21 p.m. so as to protect the reputation of an individual when discussing personnel. By roll call vote. Ayes Districts #1, #2, #3, #5, #6 and #7. Nays none. Absent was District #4. Motion carried. Chairman Mackeprang reiterated the executive session will be held so as to protect the reputation of an individual when discussing personnel. The Board came out of executive session at 1:33 p.m.

Motion by Supr. Liska, seconded by Supr. Miller to close at 1:33 p.m. the executive session held on personnel. By roll call vote. Ayes Districts #1, #2, #3, #5, #6 and #7. Nays none. Absent was District #4. Motion carried.

Motion by Supr. Schlote, seconded by Supr. Borgmann to place on file the Receipts Revenue List from May 11-25, 2022. By roll call vote. Ayes Districts #1, #2, #3, #5, #6 and #7. Nays none. Absent was District #4. Motion carried.

Motion by Supr. Miller, seconded by Supr. O'Connor to place on file the County Treasurer's Report of Collections of Delinquent Personal Property Taxes FY 2020 and Prior. By roll call vote. Ayes Districts #1, #2, #3, #5, #6 and #7. Nays none. Absent was District #4. Motion carried.

Zoning Administrator Doerr met with the Board on the following: 1. Motion by Supr. O'Connor, seconded by Supr. Schlote to place on file the Planning Commission March 8, 2022 meeting minutes. By roll call vote. Ayes Districts #1, #2, #3, #5, #6 and #7. Nays none. Absent was District #4. Motion carried.

Committee updates was given by SLFRF Administrator Nix on a request for ARPA funds for a project.

Officials' update was given by County Assessor McManigal who reminded the Board of the process using Form 425 Report of Destroyed Property relating to the recent damages from the May 12, 2022 storm that hit Knox County and many areas in Northeast Nebraska. The forms are due by July 15, 2022 at the County Assessor's Office.

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

**GENERAL FUND.** Applied Connective Technologies, cables/cords, 50.93; Bomgaars, mulch, preen, spray, sprayer, seed, 526.45; Creighton 59 LLC, gas, 52.36; Creston Fertilizer Co., weed chemicals, 1,438.90; Crofton Journal/Niobrara Tribune, publishing, 2,700.31; DAS State Accounting-Central Finance, radios, 77.00; David A. Arens, meeting/mileage, 65.95; Dean Wilken, meeting/mileage, 47.82; Eakes Office Solutions, copier agreement, 25.67; First National Bank Omaha, gas/supplies/meals/postage, 4,542.43; Floor Maintenance & Paper Supply Co., janitor supplies, 264.93; Greg Kuhlman, meeting/mileage, 53.08; gWorks, assessor support, 8,200.00; Holiday Inn Kearney, lodging, 768.00; Jim Kotrous, meeting/mileage, 43.72; Josh Key, meals, 123.23; Justice Data Solutions Inc., jamin software, 2,800.00; Keith Nielsen, meeting/mileage, 40.80; Knox County Treasurer, transfer to road, 117,281.31; Kylee Kracht, meals, 129.83; Lutz Embroidery LLC, ammo, 232.00; MIPS, computer program, 514.38; Nebraska State Fire Marshall Agency Elevator Division, elevator inspection, 120.00; Northeast Nebraska RC&D, dues, 2,000.00; Pitzer Digital, publishing, 2,089.73; Quill Corporation, office supplies, 536.57; Robert Larsen, meeting/mileage, 35.53; Robert Ganz, meeting/mileage, 37.87; Security Shredding Services, shredding, 210.00; Thomson Reuters, law books, 274.00; Tri-State Turf & Irrigation LLC, sprinkler repair, 197.60; Verdigre Eagle, envelopes/letterhead, 618.75.

**ROAD FUND.** Avera Medical Group, drug test, 44.00; B's Enterprises Inc., culvert, 17,560.50; Bader's Highway & Street Inc., sealing, 14,885.00; Black Hills Energy, heating fuel, 96.27; Bloomfield Medical Clinic, drug test, 15.00; Bomgaars, shop supplies/def/shop tool/repairs, 1,041.05; Carlson Home & Auto Inc., shop supplies, 64.55; Cedar-Knox PPD, electricity, 175.81; C-Mart LLC, gas, 139.10; Creighton 59 LLC, gas, 701.05; Dave Huigens, mileage, 29.25; First National Bank Omaha, office supplies/meals/postage, 70.88; Herbert Feed & Grain Co., diesel, 3,553.20; John's Trucks & Equipment, truck, 95,000.00 (5-16-2022); Key Sanitation, garbage, 60.00; Linn Post & Pipe Inc., shop supplies, 7.60; Mainelli Wagner & Associates Inc., engineer fees, 1,895.00; Nebraska Public Power District, electricity, 146.01; NMC Inc., repairs, 981.65; Pitzer Digital LLC, publishing; 91.83; Rose Equipment Inc., repairs, 688.97; Russ Crosley, garbage, 46.00; Schaefer Grain & Feed Co., road salt, 2,280.00; TB&K Construction Inc., equipment rental, 2,080.00; Truck Center Companies, repairs, 23.01; Vakoc Excavating LLC; gravel/haul, 34,548.50; Verdigre Eagle, publishing/timesheets, 650.24; Verdigre Farm Service, diesel/gas/fluids/tire repair/grass seed, 5,806.61; Vic's Service LLC, gas/oil, 297.28; Willow Creek Sand & Gravel, gravel/haul, 55,502.30; Yankton Fire & Safety Co., inspection, 30.00.

**FLOWAGE EASEMENT ROAD FUND.** Herbst Construction Inc., bridge contract, 340,071.73; Mainelli Wagner & Associates Inc., engineer fees, 32,087.83.

**VISITOR'S PROMO FUND.** First National Bank Omaha, advertising, 54.54; Lewis & Clark SRA, promo grant, 1,000.00; Niobrara State Park, promo grant, 1,000.00; Omaha Publications, advertising, 795.00.

**VISITOR'S IMPROVEMENT FUND.** First National Bank Omaha, internet, 183.90.

**ROD PRES/MOD FUND.** MIPS, computer program, 435.66.

**COVID AMERICAN RESCUE PLAN ACT FUND.** Applied Connective Technologies, computer, 2,917.19; First National Bank Omaha, laser pointer, 39.99.

**ECONOMIC DEVELOPMENT FUND.** NED INC., loan, 50,000.00; NENEDD, admin fees, 442.25.

**C&C DEVELOPMENT FUND.** First National Bank Omaha, leadership/meals/subscription/gas, 895.17; Stacy Miller, meal, 36.00.

**INHERITANCE FUND.** Dale Fernau, lay carpet, 1,416.00; Mainelli Wagner & Associates Inc., engineer fees, 2,745.30.

**KENO FUND.** gWorks, subscriptions, 12,265.00.

**911 EMERGENCY FUND.** CenturyLink, phone, 33.93.

**911 WIRELESS SERVICE FUND.** CenturyLink, phone, 390.14.

TOTALS	
General Fund	\$146,099.15
Road Fund (5-16-2022)	95,000.00
Road Fund	143,510.66
Flowage Easement Road Fund	372,159.56
Visitor's Promo Fund	2,849.54
Visitor's Improvement Fund	183.90
ROD Pres/Mod Fund	435.66
Covid American Rescue Plan Act Fund	2,957.18
Economic Development Fund	50,442.25
C&C Development Fund	931.17
Inheritance Fund	4,161.30
Keno Fund	12,265.00
911 Emergency Fund	33.93
911 Wireless Service Fund	<u>390.14</u>
Total	<u>\$831,419.44</u>

Chairman Mackeprang adjourned the Knox County Board of Supervisors at 1:45 p.m. on May 26, 2022 until Thursday, June 9, 2022 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

\*\*\*\*\*