

PROCEEDINGS OF THE KNOX COUNTY BOARD OF SUPERVISORS

Center, Nebraska
May 25, 2023
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 25, 2023 at 9:30 a.m. Present were Supervisors Martin J. O'Connor District #1, Patrick J. Liska District #2, David L. Pierce District #3, James Sokol, Jr. District #4, Danny R. Schlote District #6 and James J. Borgmann District #7. Absent was Chairman/Supervisor Kevin D. Mackeprang District #5. Vice-Chairman Schlote presiding.

Supr. O'Connor led the Board in the Pledge of Allegiance.

Vice-Chairman Schlote 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 Wausa Gazette 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 11, 2023 meeting were read and approved by Vice-Chairman Schlote.

Correspondence reviewed was: 1.) Brochure, Water System Analysis and Development Plan, Memorandum for Water Supply & Water Treatment Plant Site Selection and 2023 Water Systems Improvements maps for the Cedar Knox Rural Water System; 2.) Region 4 Regional Data Outcomes for May 2023; 3.) Emails received from Shawn Weber and Elizabeth Bigley opposing the recent approval of the Riverpoint Bay Subdivision Preliminary Plat.

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, #3, #4, #6 and #7. Nays none. Absent was District #5. Motion carried. Claims totaling \$682,437.75 are listed at the end of these proceedings.

Motion by Supr. Pierce, seconded by Supr. O'Connor to adopt **Resolution #2023 – 07** closing the Knox County Register of Deeds' petty cash fund. By roll call vote. Ayes Districts #1, #2, #3, #4, #6 and #7. Nays none. Absent was District #5. Motion carried.

RESOLUTION #2023 – 07

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 Register of Deeds conducts cash transactions on a daily basis; and

WHEREAS, a petty cash fund had been established in the amount of \$50.00 in the Knox County Register of Deeds' Office on August 29, 2019, and

WHEREAS, the Recording Clerk in the Knox County Register of Deeds' Office was moved into the main County Clerk's Office in February 2023 and a separate petty cash fund is no longer needed for the Register of Deeds' Office, and

NOW, THEREFORE BE IT RESOLVED that the Knox County Register of Deeds' petty cash fund was closed on May 1, 2023, the \$50.00 cash was given to the Knox County Treasurer and receipted into the General Fund.

Dated this 25th day of May, 2023.

KNOX COUNTY BOARD OF SUPERVISORS

Absent
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

David L. Pierce /s/
David L. Pierce, 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/
Knox County Clerk

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

Motion by Supr. O'Connor, seconded by Supr. Pierce to appoint Deputy County Attorney Hanna Jensen to the Safety Committee. By roll call vote. Ayes Districts #1, #2, #3, #4, #6 and #7. Nays none. Absent was District #5. Motion carried.

Motion by Supr. Sokol, Jr., seconded by Supr. Borgmann to place on file the Receipts Revenue List May 10 through May 23, 2023. By roll call vote. Ayes Districts #1, #2, #3, #4, #6 and #7. Nays none. Absent was District #5. Motion carried.

Vice-Chairman Schlote moves the Board recess at 10:00 a.m. for Board of Equalization.

The Knox County Board of Supervisors reconvened at 10:14 a.m. with all members present except absent was Chairman/Supervisor Kevin D. Mackeprang District #5.

Hwy. Supt. Barta met with the Board on the following: 1.) The Weigand Bridge reopened on this date; 2.) There is a plugged culvert along the Rec Road. A pond of water was pumped and a new drain may be bored in; 3.) Bridge project updates; 4.) Motorgrader training will take place May 31, 2023; 5.) Discussion was held on the size and design of a new mechanic's shop; 6.) At 10:30 a.m., the advertised bid opening was held on the bundled STWD-CBMP(6): C-54(609B)

(Knox County – “Shaw Bridge”) and C-14(820) (Cedar County bridge). The Knox County Board of Supervisors reserves the right to reject any and all bids or to waive any irregularities in bids received. Award of the contract will be in accordance with the County Purchasing Act’s competitive bidding considerations as set forth in Nebr. Rev. §Stat. 23-3110 to §23-3114. While the projects were bundled for the bidding process, each County Board will approve the bid that best serves their respective County. Bids were opened in the order they were received and the following bids are for Knox County for a three span concrete slab bridge project C-54(609B) (Shaw Bridge): **KEA Constructors, Milford NE** – \$1,486,626.04, start date September 4, 2023, end date – 120 working days; **Herbst Construction, Inc., LeMars IA** – \$1,305,929.00, start date December 4, 2023, end date May 4, 2024; **Simon Contractors, North Platte NE** - \$1,815,000.00, start date April 1, 2024, end date July 30, 2024. The bids were taken to another area for review; 7.) Engineer Jeff Wagner with Mainelli Wagner & Associates, Inc. discussed with the Board his preliminary scope of the Rec Road and meeting with Supr. O’Connor and Hwy. Supt. Barta. Engineer Wagner said it would be a substantial project to upgrade the Rec Road and, to his surprise, a road upgrade was not included in the proposed Weigand Expansion project. Discussion ensued on permitting, turn lanes, possible options that would depend on the thickness of the existing asphalt, State funding, that this project would be reconstruction and not maintenance of the road, and the need to do something soon with the road. The Board reviewed the submitted Phase 1 – Scoping for construction estimating with a cost of \$58,470.00. Motion by Supr. O’Connor, seconded by Supr. Borgmann to proceed with engineering services with Mainelli Wagner & Associates, Inc. for Phase 1 for the scoping for construction estimates of nine miles of the Rec Road and the cost of Phase 1 to be \$58,470.00. By roll call vote. Ayes Districts #1, #2, #3, #4, #6 and #7. Nays none. Absent was District #5. Motion carried; 8.) Oil Crew update; 9.) New Road employees have started their jobs with Knox County. Brian Bumann is a seasonal truck driver, John Kauth is a patrol operator at the Bloomfield County Shed and Kevin Smith is a patrol operator at the Crofton County Shed; 10.) Discussion was held on the Kenneth Jansen etal vs. Terry Heimes, etal court case and a ruling from District Court Judge Kube that a Motion for Partial Summary Judgement is sustained in its entirety for Defendant Heimes which may close the case; 11.) Vice-Chairman Schlote informed the Board that the agenda item for the reopening of a one-mile portion of Hill Township Road #893 (Platted Road #719) will be tabled until another meeting as per the request of Attorney Ron Temple who had a scheduling conflict.

Motion by Supr. Sokol, Jr., seconded by Supr. Pierce to go into executive session at 11:02 a.m. to protect the reputation of an individual when discussing personnel. By roll call vote. Ayes Districts #1, #2, #3, #4, #6 and #7. Nays none. Absent was District #5. Motion carried. Vice-Chairman Schlote reiterated the executive session will be held to protect the reputation of an individual when discussing personnel. The Board came out of executive session at 11:28 a.m.

Motion by Supr. Liska, seconded by Supr. Borgmann to close at 11:28 a.m. the executive session held on personnel. By roll call vote. Ayes Districts #1, #2, #3, #4, #6 and #7. Nays none. Absent was District #5. Motion carried.

Engineer Wagner and Hwy. Supt. Barta returned to the meeting with the bridge bids opened earlier in the meeting. They recommended the low bid submitted by Herbst Construction, Inc. Motion by Supr. Sokol, Jr., seconded by Supr. Borgmann to accept the low bid from **Herbst Construction, Inc., LeMars IA** in the amount of \$1,305,929.00 for a three-span concrete slab bridge project C-54(609B) (Shaw Bridge) with a start date of December 4, 2023 and an end date of May 4, 2024. By roll call vote. Ayes Districts #1, #2, #3, #4, #6 and #7. Nays none. Absent was District #5. Motion carried.

James Coburn discussed with the Board a possible ten-year tax freeze for the Devils Nest Subdivision because of a proposed “The Nest on the Missouri” which would be a self-contained resort style community of single-family homes, duplexes, a hotel, a marina, and other improvements constructed near the existing Yacht Club. Adjacent to the existing Yacht Club and the new Event Center would be “Dreamland” by Dreammation, an indoor and outdoor theme park with a planned indoor water park. Discussion was held on proposed job opportunities, the tax freezing request was not made to be a part of a TIF, investors for the project, and road maintenance. The Board took no action.

Officials’ update was given by the following: 1.) County Clerk Fischer updated the Board on the following: a.) Changes made to the Register of Deeds’ processes; b.) The Knox County Scrap Tire Collection Event will be held on Wednesday, June 14, 2023 at the Center County Yard from 7:30 a.m. through 3:00 p.m.; c.) Applied Connective Technologies assisted with a computer program so work can be done from home; d.) Discussed executive session procedures; e.) County vehicle log summary from May 2022 through May 2023 that showed what departments are using the County vans/car and miles driven; 2.) Deputy County Attorney Jensen discussed the County Attorney budget and a County Coroner training she will be attending; 3.) Emergency Manager/Zoning Administrator Jelinek is obtaining large wall maps of Knox County roads and landowners for the Knox County fire districts. The cost of the maps was not listed as an obligation in the ARPA funds. The Board directed Emergency Manager/Zoning Administrator Jelinek to proceed with the project and the cost will be paid from other funds; 4.) Vice-Chairman Schlote updated the Board on the recent Cedar Knox Rural Water meeting where it was said that the update to the project will not include wells in Dolphin Township as originally proposed; 5.) Senior Office Clerk Surface informed the Board that, after testing was completed, there is no asbestos in the tiles or glue in the old storage building so the building can now be taken down anytime.

Supervisor O’Connor and Supervisor Liska left at 12:04 p.m.

Vice-Chairman Schlote moves the Board recess for lunch at 12:04 p.m.

The Knox County Board of Supervisors reconvened at 12:48 p.m. with all members present except Chairman/Supervisor Kevin D. Mackeprang District #5 and Supervisors Martin J. O’Connor District #1 and Patrick J. Liska District #2.

Economic Development Director Hanvey, Visit Knox County Director Miller, Rural Prosperity Nebraska/Extension Educator Jordan Grummert Rasmussen, and Kurt Hesser with Maly Marketing of Lincoln met with the Board regarding the tourism and economic development marketing options provided by Maly Marketing. Discussed was cost of three options, targeting people to visit Knox County, and types of services covered such as billboards, magazine features, videos, group tours, rack cards and more. As three Board members were absent, the Board requested Mr. Hesser meet with the Board at the June 8, 2023 meeting via Zoom to go over the information with the entire Board. No action was taken.

Economic Development Director Hanvey presented a Visitor’s Improvement Grant Application for the City of Bloomfield in the amount of \$10,000 for installation of ten stalls available to house horses or animals and provide shelter for them prior to and during events at the Harm and Tulleys Center. Motion by Supr. Sokol, Jr., seconded by Supr. Borgmann to approve a Visitor’s Improvement Grant Application for the City of Bloomfield in the amount of \$10,000 for installation of stalls and shelter near the Harm and Tulleys Center to be used for horses or other animals prior and during events. By roll call vote. Ayes Districts #3, #4, #6 and #7. Nays none. Absent were Districts #1, #2 and #5. Motion carried.

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

GENERAL FUND. Bomgaars, spray/mulch, 150.85; Carhart Lumber, cabinets/countertop, 5,079.00; Center Garage, tire repair, 20.00; CenturyLink, long distance, 82.79; Crofton Journal/Niobrara Tribune, publishing, 589.93; DAS State Accounting-Central Finance, radios/backup, 282.88; Dollar General, jail supplies, 79.75; Eakes Office Solutions, paper/copier, 1,528.77; ESRI, Arc Gis program, 440.00; First National Bank Omaha, gas/supplies/meals/postage; 4,234.57; gWorks, annual fee, 8,610.00; Independent Pest Management, pest control, 350.00; Knox County Treasurer, transfer from General Fund to Road Fund, 80,026.68; Lincoln Marriott Cornhusker, lodging, 196.00; Madison County Sheriff, service fees, 23.45; MIPS, tax forms, 356.58; Monroe Systems, calculators, 398.35; Northeast Nebraska News Company, publishing, 14.66; Pitzer Digital, publishing, 148.00; Quill Corporation, office supplies, 1,333.29; RR Donnelley, gun certificates, 99.25; Security Shredding Services, shredding, 140.00; Thomsen Reuters West, law books, 653.00; Top Quality Glove, gloves, 90.15; Tri State Turf & Irrigation, sprinkler repair, 201.73; Village of Center, water/sewer/garbage, 520.00.

ROAD FUND. Art's Garbage, garbage, 18.00; B's Enterprises Inc., washers, 100.00; Bloomfield Auto Parts, filters, 386.34; Bomgaars, shop supplies/stump killer, 516.54; Cedar-Knox Public Power District, electricity, 172.71; CHS Wausa, diesel, 669.17; C-Mart LLC, gas, 107.50; Crofton Journal/Niobrara Tribune, publishing, 194.88; Dwarriner Clearing & Grading LLC, snow removal, 1,377.50; Farmer's Pride, diesel/propane/oil, 6,210.48; Freeman Oil Co., diesel, 1,593.00; Hrbek Construction, equipment rental, 1,700.00; James Carlson, sand, 1,500.00; Kristel Mackeprang, clay, 600.00; Laflan Medical Clinic, drug test, 150.00; LCL Truck Equipment Inc., repairs, 73.41; Medical Enterprises Inc., drug test, 145.00; Nebraska Public Power District, electricity, 143.46; Pitzer Digital LLC, publishing, 73.50; Ronald Bourn, gravel/haul, 4,200.00; Russ Crosley, garbage, 46.00; Santee Utility Commission, garbage, 195.00; Truck Center Companies, repairs, 85.54; Village of Center, water/sewer, 70.00; Willow Creek Sand & Gravel, gravel/haul, 53,181.75; Yankton Fire & Safety CO., inspection, 137.25.

HIGHWAY BRIDGE BUYBACK FUND. Dixon Construction Co. Inc., bridge contract, 320,651.60.

FLOWAGE EASEMENT ROAD FUND. Dixon Construction Co. Inc., bridge contract, 30,562.97.

CHILD SUPPORT FUND. CenturyLink, long distance, 5.18.

VISITOR'S PROMO FUND. First National Bank Omaha, advertising, 1,876.98; Yankton Thrive, membership, 300.00.

COVID AMERICAN RESCUE PLAN ACT FUND. Applied Connective Technologies, downpayment of phones, 8,020.93; K/V Electric, new service pole, 2,606.89; Murphy Tractor Equipment Co. Inc., loader, 127,500.00; North Central Public Power District, pole, 856.39.

C&C DEVELOPMENT FUND. CenturyLink, long distance, 5.18.

KENO FUND. First National Bank Omaha, postage, 10.92.

911 EMERGENCY FUND. GeoComm, mapping, 859.52.

911 WIRELESS SERVICE HOLDING FUND. GeoComm, mapping, 9,884.48.

TOTALS

General Fund	\$105,649.68
Road Fund	73,647.03
Highway Bridge Buyback Fund	320,651.60
Flowage Easement Road Fund	30,562.97
Child Support Fund	5.18
Visitor's Promo Fund	2,176.98
Covid ARPA Fund	138,984.21
C&C Development Fund	5.18
Keno Fund	10.92
911 Emergency	859.52
911 Wireless Service Holding Fund	<u>9,884.48</u>
Total	\$682,437.75

Vice-Chairman Schlote adjourned the Knox County Board of Supervisors at 1:23 p.m. on May 25, 2023 until 9:30 a.m. on Thursday, June 8, 2023 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 _____
Danny R. Schlote, Vice-Chairman
