

PROCEEDINGS OF THE KNOX COUNTY BOARD OF SUPERVISORS

Center, Nebraska  
August 9, 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 Wednesday, August 9, 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, Kevin D. Mackeprang District #5, Danny R. Schlote District #6 and James J. Borgmann District #7. Absent was none. Chairman Mackeprang presiding.

Supr. Schlote 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 July 27, 2023 meeting were approved by Chairman Mackeprang as read with the addition that Deputy County Attorney Jensen was also present along with Hwy. Supt. Barta at the executive session held on personnel.

Correspondence reviewed was: 1.) Emails shared by Emergency Manager/Zoning Administrator Jelinek regarding the proposed Riverpoint Bay Development; 2.) Northeast Nebraska Economic Development District notice of approved new billing rates.

Discussion was held on amusement devices and occupational tax.

Motion by Supr. O'Connor, seconded by Supr. Sokol, Jr. to adopt **Resolution #2023 - 12** for a transfer of \$512,898.94 from the Inheritance Fund to the Road Fund as tax relief in the 2023/2024 Knox County Budget and to cover bridge project costs, noting that the 2023/2024 Road Budget total transfer from the General Fund to the Road Fund will be reduced by \$160,053.36 approved in Resolution #2023 - 10 and further reduced by this transfer of \$512,898.94. By roll call vote. Ayes all Districts. Nays none. Motion carried.

**RESOLUTION #2023 - 12**

WHEREAS, due to Section 39-1904 of the Nebraska Revised Statutes, the 2023-2024 Knox County Road Budget will not include a property tax dollar request, and

WHEREAS, the 2023-2024 Knox County Budget will not be adopted until September 2023, and

WHEREAS, the Knox County Board of Supervisors adopted Resolution #2023 - 10 on July 13, 2023 for transfers through the claims process of \$80,026.68 in July 2023 and \$80,026.68 in August 2023 to cover incurred expenses in July and August until the 2023-2024 Knox County Road Budget is adopted, and

WHEREAS, two bridge projects being the "Bill Burkhardt" bridge #07-24N4W4 and the "Bailey Bridge" "Doerr concrete box culvert" Federal Match project #97-10N7W6 are now completed and the cost balances are now due for a total of \$512,898.94, and

WHEREAS, the current Road Fund does not have enough funds to cover the cost balances of the two completed bridge projects, and

BE IT THEREFORE RESOLVED by the Knox County Board of Supervisors that the Knox County Treasurer is hereby directed to transfer through the claims process \$512,898.94 from the Inheritance Fund to the Road Fund as tax relief and to cover the cost balances of the "Bill Burkhardt" bridge #07-24N4W4 and the "Bailey Bridge" "Doerr concrete box culvert" Federal Match project #97-10N7W6, and

THEREFORE, BE IT FURTHER RESOLVED that the total transfer from the Knox County General Fund to the Knox County Road Fund that will be adopted in the 2023/2024 Knox County Budget will be reduced by the \$160,053.36 approved in Resolution #2023 - 10 and further reduced by the above transfer of \$512,898.94 from the Inheritance Fund to the Road Fund, and the remaining balance of the 2023/2024 total transfer to be prorated accordingly from September 2023 through June 2024, and

THEREFORE, BE IT FURTHER RESOLVED that the transfer from the Inheritance Fund to the Road Fund is tax relief for the 2023/2024 Knox County Budget.

Dated this 9<sup>th</sup> day of August 2023.

BOARD OF SUPERVISORS  
KNOX COUNTY, NEBRASKA

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

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. 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 \$1,818,615.16 are listed at the end of these proceedings.

Motion by Supr. Liska, seconded by Supr. Pierce to acknowledge the resignation of Jim Scott from the Knox County Veterans Service Committee, to thank Mr. Scott for his many years of service to Knox County, and to appoint Don Hanzlik of Niobrara to complete Jim Scott's term on the Knox County Veterans Service Committee. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Schlote, seconded by Supr. Borgmann to place on file the Clerk of District Court July 2023 Fee Report. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Sokol, Jr., seconded by Supr. Borgmann to place on file the Receipts Revenue List of July 26 through August 7, 2023. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Chairman Mackeprang moves the Board recess at 10:04 a.m. for Board of Equalization.

The Knox County Board of Supervisors reconvened at 10:18 a.m. with all members present.

Hwy. Supt. Barta met with the Board on the following: 1.) Motion by Supr. Borgmann, seconded by Supr. Pierce to adopt **Resolution #2023 – 13** authorizing Chairman Mackeprang to sign the County Annual Certification of Program Compliance to the Nebraska Board of Public Roads Classifications and Standards. By roll call vote. Ayes all Districts. Nays none. Motion carried.

**RESOLUTION**  
**SIGNING OF THE COUNTY ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE**  
**2023**

**Resolution No. 2023 - 13**

**Whereas:** State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 29-2121, and 39-2510(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and standards; and

**Whereas:** State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each county shall be signed by the County Board Chairperson and shall include the resolution of the governing body of the county authorizing the signing of the certification.

**Be it resolved** that the County Board Chairperson of Knox County is hereby authorized to sign the County Annual Certification of Program Compliance.

Adopted this 9<sup>th</sup> day of August, 2023 at Center, Nebraska.

County Board Members

Kevin D. Mackeprang /s/

David L. Pierce /s/

James Borgmann /s/

Danny R. Schlote /s/

Martin J. O'Connor /s/

James Sokol, Jr. /s/

Patick J. Liska /s/

County Board Member Supr. Borgmann

Moved the adoption of said resolution

Member Supr. Pierce Seconded the Motion

Roll Call: 7 Yes 0 No 0 Abstained 0 Absent

Resolution adopted, signed and billed as adopted.

ATTEST: (Seal)

Joann M. Fischer /s/

(Signature of Clerk)

Hwy. Supt. Barta continued with the following: 2.) Oil Crew update; 3.) Update on bridge projects; 4.) A number of road signs near Wausa that were twisted or damaged had to be repaired or replaced; 5.) Discussion was held on mowing roadsides. Nebraska Revised Statute §39-1811 states that it shall be the duty of the landowners to mow all weeds that can be mowed with the ordinary farm mower to the middle of all public roads and drainage ditches running along their lands at least twice each year, namely, sometime in July for the first time and sometime in September for the second time. Notices will be published in the local papers; 6.) Discussed accident where a vehicle went over a curve into a deep ditch.

Emergency Manager/Zoning Administrator Jelinek met with the Board on the following: 1.) Motion by Supr. Sokol, Jr., seconded by Supr. Borgmann to place on file the July Permits Report. By roll call vote. Ayes all Districts. Nays none. Motion carried; 2.) Update on the August 8, 2023 Planning Commission meeting. The Toy Shed Conditional Use Permit was recommended to the Board of Supervisors for their consideration. A public hearing of the Knox County Board of Supervisors will be held on September 6, 2023 for the Toy Shed Conditional Use Permit. Also, by a four to three vote of the Planning Commission members, the Riverpoint Bay Development Plan/Plat subject to a condition that a storage building could not be constructed in the development because of zoning regulations that storage buildings cannot be built north of the Rec Road was recommended to the Board of Supervisors for their consideration. No hearing date has been scheduled yet.

Economic Development Director Hanvey discussed with the Board the wage of Visit Knox County Director Miller that will now be paid from either the Visitor's Promo Fund and the C & C Development Fund during the fiscal year. More discussion will be held at the Budget Review meeting on August 18, 2023.

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

Committee update was given by Deputy County Clerk Nix who informed the Board of the recent annual audit visit by the State Auditor's Office.

Officials' updates were given by the following: 1.) Deputy County Clerk Nix informed the Board that the second special PILT payment of \$50,000 was received; 2.) County Treasurer Ebel discussed with the Board that the funds available have dropped by over five million dollars. While the second half of the 2022 taxes will be due by September 1, it will not generate enough to entirely replace the difference on hand. Future revenues will be less due to changes in statute; 3.) Discussion was held with officials as to the proposed 2023/2024 budget and the large increase of projected tax request. More discussion will be held at the Budget Review meeting on August 18, 2023.

**GENERAL FUND.** Salaries, 210,527.80; Applied Connective Technologies, IT/phone costs, 4,588.83; Brockhaus Funeral Home, transport, 940.00; Classic Carpet Care, mop/towel rent, 50.00; Collector of Internal Revenue, Social Security County pays, 15,864.93; County of Knox Employee Benefit Account HealthCare Solutions Group Inc., insurance County pays, 38,641.37; Creston Fertilizer, weed spray, 3,579.04; Crofton Journal/Niobrara Tribune, publishing, 21.47; Eakes Office Solutions, copier contract, 192.62; Ecowater, bottled water, 208.00; Elizabeth Doerr, contract hours, 240.00; Gragert's, jail food, 717.77; Great Plains Communications, phone/internet, 2,463.64; Jeff Hammer, witness fees, 35.72; Kelsy Jelinek, mileage, 25.55; Knox County Sheriff, service fees, 6.00; Kristine Kumm, mileage, 35.38; The Lincoln National Life Ins. Co., insurance County pays, 289.95; Megan Hanefeldt, mileage, 100.92; Microfilm Imaging Systems, scanner rent, 40.50; MIPS, computer programs, 961.30; Moody Motor Company, oil, 64.98; Nebraska Health & Human Services, regional center billing, 318.00; Netcom Inc., radio repair, 335.00; Norfolk Daily News, subscription, 232.00; Northeast Nebraska News Company, publishing/subscription, 209.54; PIP Marketing, envelope shipping, 76.53; Pitzer Digital, publishing, 253.67; Platte Valley Communications, radio repair, 97.69; Principal Life Insurance Co., insurance County pays, 2,196.18; Quill Corporation, supplies, 219.53; R&K Auto Parts, van wipers, 145.61; Retirement Plans Division of Ameritas, retirement County pays, 14,366.90; Ronald Wilmes, witness fees, 40.96; Security Shredding Services, shredding, 87.50; The Barn at God's Country, joint public hearing hall rent, 200.00; US Cellular, cell phones, 195.16; Verizon, hot spot, 40.01.

**ROAD FUND.** Salaries, 78,891.16; A&R Construction, bridge contract, 278,961.82; Big Red Mini Mart, gas, 171.98; Bohemian One Stop, gas, 685.06; City of Bloomfield, water, 25.00; C-Mart, gas, 556.76; Collector of Internal Revenue, Social Security County pays, 5,821.92; County of Knox Employee Benefit Acct. c/o Healthcare Solutions Group Inc., insurance County pays, 18,745.32; Emme Sand & Gravel Inc., gravel/haul, 3,648.23; Farmer's Pride, diesel, 4,053.18; Freeman Oil Company LLC, diesel, 1,804.00; Great Plains Communications, phone, 533.65; Grossenburg Implement Inc., repairs, 1,840.91; Herbert Feed & Grain Co., diesel, 2,601.78; Hrbek Construction, equipment rental, 6,100.00; Husker Steel, bridge steel, 233,937.12; Jebro Inc., MC250 road oil, 108,463.87; Larry Pilar, prior service, 21.00; Lincoln National Life Ins. Co., insurance County pays, 113.24; Medical Enterprises Inc., drug test, 35.00; Nebraska Public Power District, electricity, 38.29; Powerplan, repairs, 3,108.59; Principal Life Insurance Co., insurance County pays, 806.76; R&K Motor Parts, repairs, 2,108.07; Retirement Plans Div. of Ameritas, retirement County pays, 5,207.02; Rose Equipment Inc., repairs, 4,132.11; Sucha Repair, repairs, 190.09; U.S. Cellular, cell phones, 352.12; Vakoc Excavating LLC, gravel/haul, 53,082.21; Village of Niobrara, water/sewer, 43.25; Village of Verdigre, water/sewer/garbage, 84.99; Willow Creek Sand & Gravel, gravel/haul, 45,130.10.

**HIGHWAY BRIDGE BUYBACK FUND.** Certified Testing Services Inc., bridge project, 519.00; Dixon Construction Co., bridge project, 115,742.30; JEO Consulting Group Inc., engineering fee, 2,922.50.

**FLOWAGE EASEMENT ROAD FUND.** JEO Consulting Group Inc., engineering fee, 528.75.

**CHILD SUPPORT FUND.** Great Plains Communications, phone/internet, 144.82; Hometown Leasing, copier lease, 164.44; Microfilm Imaging Systems Inc., scanner rent, 162.00; Nebraska Notary Association, notary renewal, 156.18.

**VISITOR'S PROMO FUND.** Salaries, 3,437.28; News Channel Nebraska, promo, 2,170.00; Tatanka Golf Club, promo, 100.00.

**ROD PRESERVATION/MODERNIZATION FUND.** MIPS, computer program, 275.39.

**COUNTY WELLNESS FUND.** Avera, county wellness, 6,287.66; Name Redacted, reimburse deductible, 250.00.

**C&C DEVELOPMENT FUND.** Salaries, 4,040.83; Collector of Internal Revenue, Social Security County pays, 301.07; Great Plains Communications, phone/internet, 107.62; Lincoln National Life Insurance Co., insurance County pays, 5.96; Northeast Nebraska News Company, subscription, 47.00; Principal Life Insurance Co., insurance County pays, 44.82; Retirement Plans Div. of Ameritas, retirement County pays, 247.44; US Cellular, cell phone, 122.02.

**INHERITANCE FUND.** Cedar County Transit, contract, 2,000.00; Knox County Treasurer, transfer from Inheritance Fund to Road Fund, 512,898.94; North Central District Health Department, Miles of Smiles program, 2,270.00; Rodney W. Smith, public defender contract, 2,083.33.

**KENO FUND.** City of Creighton, Keno proceeds, 58.21.

**911 EMERGENCY FUND.** Great Plains Communications, phone/internet, 233.60; OPTK Networks, networking, 228.44; Three River Telco, phone, 66.42.

**911 WIRELESS SERVICE FUND.** Great Plains Communications, phone/internet, 406.46; OPTK Networks, networking, 533.04; Three River Telco, phone, 154.99.

TOTALS

General Fund	\$298,610.05
Road Fund	861,294.60
Highway Bridge Buyback Fund	119,183.80
Flowage Easement Fund	528.75
Child Support Fund	627.44
Visitor's Promo Fund	5,707.28
ROD Pres./Mod. Fund	275.39
County Wellness Fund	6,537.66
C & C Development Fund	4,916.76
Inheritance Fund	519,252.27
KENO Fund	58.21
911 Emergency Fund	528.46
911 Wireless Service Fund	1,094.49
<b>Total</b>	<b>\$1,818,615.16</b>

Chairman Mackeprang adjourned the Knox County Board of Supervisors at 11:35 a.m. on Wednesday, August 9, 2023 until Friday, August 18, 2023 at 8:30 a.m. for a special Budget Review meeting and until Wednesday, August 23, 2023 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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