

PROCEEDINGS OF THE KNOX COUNTY BOARD OF SUPERVISORS

Center, Nebraska
August 23, 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 23, 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, and James J. Borgmann District #7. Absent was Supervisor Danny R. Schlote District #6. Chairman Mackeprang presiding.

Supr. Pierce 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 on the Knox County website, posted in the Courthouse hallway, at the Center Post Office and Farmers & Merchants State Bank – Center Branch, as well as distributed to local City and Village Clerks as shown by the attachments 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.

Chairman Mackeprang approved the minutes of the August 9 and August 18, 2023 meetings as read.

Motion by Supr. Sokol, Jr., seconded by Supr. Pierce to place on file the 2022/2023 Office Inventories. By roll call vote. Ayes Districts #1, #2, #3, #4, #5 and #7. Nays none. Absent was District #6. Motion carried.

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, #5 and #7. Nays none. Absent was District #6. Motion carried. Claims totaling \$408,229.63 are listed at the end of these proceedings.

Motion by Supr. Pierce, seconded by Supr. Borgmann to place on file the Receipts Revenue List of August 8 – August 21, 2023. By roll call vote. Ayes Districts #1, #2, #3, #4, #5 and #7. Nays none. Absent was District #6. Motion carried.

Motion by Supr. Borgmann, seconded by Supr. Liska to approve an additional 1% over the 2 1/2% basic limitation allowable increase to restricted funds for the 2023/2024 budget process. By roll call vote. Ayes Districts #1, #2, #3, #4, #5 and #7. Nays none. Absent was District #6. Motion carried.

The Board changed the first meeting date in December to Tuesday, December 12, 2023 so as not to have a conflict with the 2023 NACO December Conference.

Motion by Supr. Borgmann, seconded by Supr. Sokol, Jr. to adopt **Resolution #2023 – 14** that as per Nebraska Statute §77-3443, the Board will allocate final allocation of levy authority to the Knox County Ag Society and the Knox County Rural Fire Districts but no allocation of levy authority will be given to the Knox County Townships for budget year 2023/2024. By roll call vote. Ayes Districts #1, #2, #3, #4, #5 and #7. Nays none. Absent was District #6. Motion carried.

RESOLUTION #2023 - 14

WHEREAS, the Knox County Board of Supervisors shall adopt a resolution that determines a final allocation of levy authority for Knox County's subdivisions as per Nebraska Statute §77-3443, and

WHEREAS, the Knox County Board of Supervisors has allocated levy authority to the Knox County Ag Society and the Knox County Rural Fire Districts but no allocation of levy authority to the Knox County Townships, and

BE IT THEREFORE RESOLVED, as per Nebraska Revised Statute §77-3443, the Knox County Board of Supervisors will allocate a final allocation of levy authority to the Knox County Ag Society and the Knox County Rural Fire Districts but no allocation of levy authority will be given to the Knox County Townships for budget year 2023/2024.

DATED this 23rd day of August 2023.

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

David L. Pierce /s/
David L. Pierce, District #3

James Sokol, Jr. /s/
James Sokol, Jr., District #4

Absent
Danny R. Schlote, District #6

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

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

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

The Knox County Board of Supervisors reconvened at 10:13 a.m. with all members present except Supervisor Danny R. Schlote District #6.

Hwy. Supt. Barta met with the Board on the following: 1.) Motion by Supr. Borgmann, seconded by Supr. Pierce to adopt **Resolution #2023 – 15** for Approval of Preliminary Plans, Specifications and Estimates (PS&E) for Bridge Project #BRO-7054(10), Control #31821, Verdigre North. By roll call vote. Ayes Districts #1, #2, #3, #4, #5 and #7. Nays none. Absent was District #6. Motion carried.

**RESOLUTION
APPROVAL OF PRELIMINARY PLANS, SPECIFICATIONS, AND ESTIMATES
(PS&E)**

Knox County
Resolution No. 2023 – 15

Whereas: Knox County (County) and State entered into an LPA Program Agreement for State to assist County in the development and construction of an LPA Federal-aid transportation project.

Whereas: The State or the design consultant has developed the project plans to the point where they are ready to submit to State's PS & E Section for final edits for a bid letting.

Whereas: The LPA Program Agreement requires the County to review the preliminary PS & E package and either request modification or approve them as acceptable at this state.

Whereas: The County wishes to approve the preliminary PS & E package as prepared.

Be It Resolved by the Board of Supervisors of Knox County that:

The Chairman Mackeprang, is hereby authorized to sign the bottom of this resolution and submit it to the State signifying the County's approval of the preliminary PS & E package.

NDOR Project Number: BRO-7054(10)

NDOR Control Number: 31821

NDOR Project Description: Verdigre North

Adopted this 23rd day of August, 2023 at Center, Nebraska.

The Board of Supervisors of Knox County, Nebraska

Kevin D. Mackeprang /s/

Martin J. O'Connor /s/

David L. Pierce /s/

James Sokol, Jr. /s/

James J. Borgmann /s/

Patrick J. Liska /s/

Absent District #6

Board/Council Member Supr. Borgmann

Moved the adoption of said resolution

Member Supr. Pierce Seconded the Motion

Roll Call: 6 Yes 0 No 0 Abstained 1 Absent

Resolution adopted, signed and billed as adopted.

Knox County

Kevin D. Mackeprang /s/

Chairman

Attest: (Seal)

Joann M. Fischer /s/

Signature County Clerk

Resolution G – Preliminary PS & E Package
(To be filled out by LPS RC)

Hwy. Supt. Barta continued with the following: 2.) Motion by Supr. Pierce, seconded by Supr. O'Connor to adopt **Resolution #2023 – 16** certifying proper completion of NDOT Project Number STWD-CBMP(4), Control #00974C, LPA Control #00974C9(q), Project Name County Bridge Match Program (Winnetoon West C0050401905P and Creighton West C005405805). By roll call vote. Ayes Districts #1, #2, #3, #4, #5 and #7. Nays none. Absent was District #6. Motion carried.

RESOLUITON CERTIFYING PROPER COMPLETION OF PROJECT

Knox County
Resolution No. 2023 – 16

WHEREAS: Knox County and State entered into an agreement entitled "County Bridge Matching Program Agreement", for the structure number C00501905P and C005405805 the Project, Program Agreement number BL2014 signed by State on the 15th day of April, 2020, and

WHEREAS: Knox County has now completed the construction of the Project that was identified in the Program Agreement, and

WHEREAS: this Resolution is to formally notify State of the proper completion of the Project according to the terms of the Program Agreement.

Be It Resolved: by the Board of Supervisors of Knox County:

- (1) The Project, for Structure No. C005401905P and C005405805 has been properly constructed by County and its contractor, in accordance with the terms of the Program Agreement.
- (2) The bridge was constructed in strict compliance with
 - (a) the plans and specifications including any State-approved change orders,
 - (b) all applicable design standards, and
 - (c) the conditions and requirements of the Program Agreement.
- (3) County understands that it is the owner of the bridge, and that it is solely responsible for the design, inspection, construction, reconstruction, repair, and operation of the bridge and roadway and is responsible for meeting any environmental or other post-construction permit or legal commitments applicable to the project.
- (4) The project costs were fair, reasonable and necessary for the proper construction of the project.

NDOR Project Number: STWD-CBMP(4)

NDOT Control Number: 00974C

NDOT LPA Control Number: 00974C9(q)

NDOT Project Name: County Bridge Match Program

Adopted this 23rd day of August, 2023 at Center, Nebraska.

The Board of Supervisors of Knox County

Kevin D. Mackeprang /s/	Martin J. O'Connor /s/
David L. Pierce /s/	James Sokol, Jr. /s/
James J. Borgmann /s/	Patrick J. Liska /s/
	Absent District #6

Board/Council Member Supr. Pierce
 Moved the adoption of said resolution
 Member Supr. O'Connor Seconded the Motion
 Roll Call: 6 Yes 0 No 0 Abstained 1 Absent
 Resolution adopted, signed and billed as adopted.

Attest: (Seal)
 Joann M. Fischer /s/
 Signature County Clerk

Hwy. Supt. Barta continued with the following: 3.) Oil Crew update; 4.) Bridge Crew update; 5.) Signs for the County sheds were discussed.

Knox County Fair Director Jerry Nipp updated the Board on the recent 2023 Knox County Fair. New features were held this year including gospel music and a demolition derby. Mr. Nipp also explained the AR reading program that was held in the Knox County Schools where students read a required number of books and in turn received a certificate for a wrist band for fair rides. There were 484 students who qualified for the reading certificates and 372 were returned for wrist bands that were paid for by the Knox County Ag Society and sponsors. Mr. Nipp said that the Knox County Ag Society requests an additional \$25,000 for 2023/2024. The Board thanked Mr. Nipp and the Ag Society for doing a good job with the Knox County Fair. Motion by Supr. O'Connor, seconded by Supr. Borgmann to adopt **Resolution #2023 – 17**, as per Nebraska Revised Statute §77-3443, to approve a final allocation of levy authority of \$200,000 to the Knox County Ag Society with the breakdown to be \$125,000 for General Expenses (0.005113 levy) and \$75,000 for Capitol Improvement (0.003068 levy) for a total levy of 0.008181 for budget year 2023/2024. By roll call vote. Ayes Districts #1, #2, #3, #5 and #7. Nays none. Abstain District #4. Absent was District #6. Motion carried.

RESOLUTION #2023 - 17

WHEREAS, the Knox County Board of Supervisors shall adopt a resolution that determines a final allocation of levy authority for Knox County's subdivisions as per Nebraska Statute §77-3443, and

WHEREAS, the Knox County Board of Supervisors reviewed an income and expense report of the Knox County Ag Society and comparable funds allocated to ag societies in neighboring counties, and

BE IT THEREFORE RESOLVED, as per Nebraska Revised Statute §77-3443, the Knox County Board of Supervisors will allocate \$200,000.00 to the Knox County Ag Society with the breakdown to be \$125,000.00 for General Expenses (0.005113) and \$75,000.00 (0.003068) for Capital Improvement for a total levy of 0.008181 for budget year 2023/2024.

DATED this 23rd day of August 2023.

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

David L. Pierce /s/
David L. Pierce, District #3

James Sokol, Jr. /s/
James Sokol, Jr., District #4

Absent
Danny R. Schlote, District #6

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

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

Legal Counsel Beth Ferrel with NACO met with the Board with updates of workshops taking place, legislation this session, potential legislation for 2024, and projects NACO are working on to assist the member counties.

Motion by Supr. Sokol, Jr., seconded by Supr. Pierce to adopt **Resolution #2023 – 18** allocating 4.5 cents of levy authority to the Knox County Rural Fire Districts as per Nebraska Statute §77-3443. By roll call vote. Ayes Districts #1, #2, #3, #4, #5 and #7. Nays none. Absent was District #6. Motion carried.

RESOLUTION #2023 - 18

WHEREAS, the Knox County Board of Supervisors shall adopt a resolution that determines a final allocation of levy authority for Knox County's subdivisions as per Nebraska Statute §77-3443, and

WHEREAS, the allocated amount to the rural fire districts was 4.5 cents, and

WHEREAS, the Knox County fire districts belong to the Mutual Fire Organization (MFO), and

WHEREAS, that under legislation in 2018 the fire districts in an MFO had to have one year where the levies were the same for all members and could be different for the next two years, and

WHEREAS, the Knox County rural fire districts were allocated up to 4.5 cents by the Knox County Board of Supervisors for tax years 2021 and 2022, and

WHEREAS, the Knox County rural fire districts chose varying levies for their respective rural fire districts for tax years 2021 and 2022, and

WHEREAS, 2023/2024 (tax year 2023) will have to be the year that all Knox County rural fire districts must have the same levy, and

BE IT THEREFORE RESOLVED, the Knox County Board of Supervisors will allocate 4.5 cents to the Knox County rural fire districts as per Nebraska Revised Statute §77-3443 for budget year 2023-2024.

DATED this 23rd day of August 2023.

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

David L. Pierce /s/
David L. Pierce, District #3

James Sokol, Jr. /s/
James Sokol, Jr., District #4

Absent
Danny R. Schlote, District #6

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

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

Emergency Manager/Zoning Administrator Jelinek met with the Board on the following: 1.) Motion by Supr. O'Connor, seconded by Supr. Liska to approve Administrative Plat Application #P2314 Debra A. Barr of a zoning lot combination of Lots 16 and 17, Block 3, Walkers Valley View 2nd Addition. By roll call vote. Ayes Districts #1, #2, #3, #4, #5 and #7. Nays none. Absent was District #6. Motion carried; 2.) Motion by Supr. Sokol, Jr., seconded by Supr. Borgmann to place on file the March 14, 2023 Planning Commission meeting minutes. By roll call vote. Ayes Districts #1, #2, #3, #4, #5 and #7. Nays none. Absent was District #6. Motion carried; 3.) Motion by Supr. Liska, seconded by Supr. Pierce to place on file the July 11, 2023 Planning Commission meeting minutes. By roll call vote. Ayes Districts #1, #2, #3, #4, #5 and #7. Nays none. Absent was District #6. Motion carried; 4.) Bridge Crew employee Michael Kucera wishes to resign from the Safety Committee and recommends Bridge Crew employee Chris Rohrer take his place. The matter will be placed on the agenda for the next meeting; 5.) Discussion was held on combining the Safety Committee and the Courthouse Security Committee. No action was taken.

Motion by Supr. Liska, seconded by Supr. O'Connor to accept the resignation of Addison Township Clerk Arlen Poppe and the appointment of Shawn Jordan as Addison Township Clerk. By roll call vote. Ayes Districts #1, #2, #3, #4, #5 and #7. Nays none. Absent was District #6. Motion carried.

Motion by Supr. Pierce, seconded by Supr. Sokol, Jr. to place on file the surety bond of Addison Township Clerk Shawn Jordan. By roll call vote. Ayes Districts #1, #2, #3, #4, #5 and #7. Nays none. Absent was District #6. Motion carried.

Motion by Supr. O'Connor, seconded by Supr. Borgmann to adopt **Resolution #2023 – 19** adding Deputy County Attorney Hanna Knox Jensen as a signer to the County Attorney's Farmers and Merchants State Bank Trust Account. By roll call vote. Ayes #1, #2, #3, #4, #5 and #7. Nays none. Absent was District #6. Motion carried.

RESOLUTION #2023 – 19

WHEREAS, the Knox County Attorney maintains a Trust Account at the Farmers and Merchants State Bank; and
WHEREAS, the Trust Account is used for fees paid by Knox County business owners for collecting bad checks, repaying business owners for fees and bad check amounts after such amounts are paid to the Trust Account, and occasionally, for receiving and disbursing restitution; and

WHEREAS, John Thomas, Knox County Attorney, is the sole signer on the Trust Account; and

WHEREAS, John Thomas, Knox County Attorney, requests Hanna Knox Jensen, Deputy County Attorney, be added as a signer on the Farmers and Merchants State Bank Trust Account; and

BE IT THEREFORE RESOLVED by the Knox County Board of Supervisors that Hanna Knox Jensen be added as a signer to the Farmers and Merchants State Bank County Attorney Trust Account.

Dated this 23rd 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

Absent
Danny R. Schlote, District #6

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

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

Officials' update was given by Deputy County Attorney Jensen on potential court cases.

The Board made a review of the proposed 2023/2024 Knox County Budget.

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

GENERAL FUND. Salaries, 95,519.22; Applied Connective Technologies, speaker bars, 191.98; Burns Lumber Co. LLC, ceiling tiles, 368.48; Clerk of District Court, filing fees, 112.00; Collector of Internal Revenue, Social Security County pays, 7,144.31; County of Knox Employee Benefit Account HealthCare Solutions Group Inc., insurance County pays, 20,491.18; Creighton 59 Express, gas, 83.46; Crofton Journal/Niobrara Tribune, publishing, 59.85; DAS State Accounting-Central Finance, radios/backup, 874.50; David A. Arens, meeting/mileage, 70.85; Dean Wilken, meeting/mileage, 50.55; Dollar General, jail supplies, 113.50; Eakes Office Solutions, paper/copier agreements, 846.98; Election Systems & Software, ballots/coding/memory sticks, 1,942.67; F&M State Bank, annual ach fee, 240.00; Great

Plains Communications, internet at Lindy tower, 672.75; Greg Kuhlman, meeting/mileage, 56.44; Hagge Glass, van trim, 200.00; Hefner Hardware, janitor supplies, 46.56; Jim Kotrous, meeting/mileage, 45.96; Knox County Treasurer, transfer from General Fund to Road Fund, 80,026.68; K/V Electric LLC, new exit emergency sign, 159.27; The Lincoln National Life Ins. Co., insurance County pays, 147.95; Loffler, copier agreement, 530.75; Lois Kumm, jail food, 35.00; Madison County Clerk, judge appointment, 102.29; Neil Clausen, meeting/mileage, 61.68; North Central Public Power District, electricity, 3,252.78; Northeast Nebraska News Co., subscription, 47.00; Principal Life Insurance Co., insurance County pays, 1,120.50; Quill Corporation, supplies, 274.02; Retirement Plans Division of Ameritas, retirement County pays, 6,379.70; Robert Larsen, meeting/mileage, 36.79; Robert Ganz, meeting/mileage, 39.41; Verdigre Collision Repair, repair rock chip, 329.73; Verdigre Farm Service, gas, 170.43; Village of Center, water/sewer/garbage, 1,028.00; Wayne County Clerk, judge appointment, 5,780.04.

ROAD FUND. Salaries, 35,370.09; Art's Garbage, garbage, 18.00; Avera Medical Group, drug test, 25.00; B's Enterprises Inc., sign material/patch material, 2,982.75; Bauer Built LLC, tires, 869.64; Black Hills Energy, heating fuel, 54.35; Carlson Home & Auto Inc., repairs, 78.29; Cedar-Knox Public Power District, electricity, 92.96; CHS Wausa, diesel, 611.00; C-Mart LLC, gas, 137.96; Collector of Internal Revenue, Social Security County pays, 2,599.20; Creighton 59 LLC, gas, 408.20; County of Knox Employee Benefit Acct. c/o Healthcare Solutions Group Inc., insurance County pays, 9,857.64; Farmer's Pride, diesel, 677.84; Freeman Oil Company, diesel, 1,835.74; Herbert Feed & Grain, diesel, 2,532.68; J&J Sanitation, garbage, 49.00; Jacob Dendinger, equipment rental, 523.68; Jebro Inc., road oil, 27,056.16; Jedlicka's Hardware Hank, shop supplies, 109.96; Lawson Products inc., repairs, 243.67; LCL Truck Equipment Inc., repairs, 1,092.54; Lincoln National Life Ins. Co., insurance County pays, 59.60; LTL Holdings Inc., gas, 270.43; Mainelli Wagner & Associates Inc., engineering fees, 20,546.84; Nebraska Public Power District, electricity, 126.65; North Central Public Power District, electricity, 286.23; Principal Life Insurance Co., insurance County pays, 425.79; Retirement Plans Div. of Ameritas, retirement County pays, 2,328.41; Russ Crosley, garbage, 46.00; Steffen Service, gas, 241.01; Vakoc Excavating LLC, gravel/haul, 7,710.40; Verdigre Collision Repair, repairs, 75.00; Verdigre Farm Service, diesel/gas/supplies, 5,422.52; Vic's Service LLC, gas, 394.15; Village of Center, water/sewer, 34.00; Willow Creek Sand & Gravel, gravel/haul, 28,958.11.

FLOWAGE EASEMENT ROAD FUND. Mainelli Wagner & Associates Inc., engineering fees, 370.00.

CHILD SUPPORT FUND. Hometown Leasing, copier lease, 164.44.

VISITOR'S PROMO FUND. Salaries, 1,412.61; Rowan Productions, marketing, 150.00.

COVID AMERICAN RESCUE PLAN ACT FUND. City of Plainview-Solid Waste Division, disposal of demolition materials, 244.20; Clarks Rentals LLC, rental of floor stripper, 55.00.

C&C DEVELOPMENT FUND. Salaries, 1,867.67; Collector of Internal Revenue, Social Security County pays, 138.85; Lincoln National Life Insurance Co., insurance County pays, 2.98; Pitzer Digital, subscription, 40.00; Principal Life Insurance Co., insurance County pays, 22.41; Retirement Plans Div. of Ameritas, retirement County pays, 113.41; Verdigre Farm Service, gas, 51.25.

INHERITANCE FUND. Mainelli Wagner & Associates Inc., engineering fees, 19,730.30.

SHERIFF COMMISSARY FUND. Bob Barker Company Inc., inmate mattress, 1,061.76.

TOTALS

General Fund	\$228,653.26
Road Fund	154,151.49
Flowage Easement Road Fund	370.00
Child Support Fund	164.44
Visitor's Promo Fund	1,562.61
Covid ARPA Fund	299.20
C & C Development Fund	2,236.57
Inheritance Fund	19,730.30
Sheriff Commissary Fund	1,061.76
Total	\$408,229.63

Chairman Mackeprang adjourned the Knox County Board of Supervisors at 11:56 a.m. on August 23, 2023 until Wednesday, September 6, 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
