

**PROCEEDINGS OF THE KNOX COUNTY BOARD OF SUPERVISORS**

Center, Nebraska  
June 21, 2024  
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 Friday, June 21, 2024 at 9:30 a.m. Present were Supervisors Martin J. O'Connor District #1, 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 Supervisor Patrick J. Liska District #2. Chairman Sokol, Jr. presiding.

Sheriff Henery led the Board in the Pledge of Allegiance.

Chairman Sokol, Jr. 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 Affidavits 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.

Chairman Sokol, Jr. approved the minutes of the June 11, 2024 meeting as read.

Public comment session was held from 9:39 a.m. to 10:02 a.m. Public comments were given by Marvin Hochstein, Garnet Anderson, Pat Kronberg, Chase Wilken, Chad Walvoord, and National Grid Renewables representative Shawn Lawler.

Chairman Sokol, Jr. moves the Board recess at 10:03 a.m. for Board of Equalization.

The Knox County Board of Supervisors reconvened at 10:51 a.m. with all members except Supervisor Patrick J. Liska District #2.

Motion by Supr. Schlote, seconded by Supr. Mackeprang 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, #3, #4, #5, #6 and #7. Nays none. Absent was District #2. Motion carried. Claims totaling \$562,096.06 are listed at the end of these proceedings.

Chairman Sokol, Jr. moves the Board recess at 10:58 a.m. for Board of Equalization.

The Knox County Board of Supervisors reconvened at 11:18 a.m. with all members present except Supervisor Patrick J. Liska District #2.

Scott Kostal of Springfield met with the Board with an update on the Missouri Sedimentation Action Coalition, Phase 2 and 3 of the plans to remove sedimentation in the Missouri River which includes the use of a bed-load collector on August 12, 2024 as a demonstration, funding, water shed management, and working with the Corps of Engineers.

County Attorney Thomas met with the Board on the following: 1.) Discussed was a proposed public hearing on possible changes to the zoning regulations; 2.) Update that the court case of Sukup v Burkhardt has been dismissed.

Elaine Menzel, Legal Counsel with NACO, met with the Board on the following: 1.) The Board is encouraged to attend the NACO conferences and workshops. Upcoming conferences will be the NACO Legislative Conference on October 11, 2024 at the new NACO West location in Ogallala and the NACO December Conference that will be held on December 18 – 20, 2024 in Kearney; 2.) Update on new legislation. Governor Pillen will be calling a special session of the Legislature to discuss taxation. The Board thanked Ms. Menzel for coming to the meeting and presenting the information.

Chairman Sokol, Jr. moves the Board recess for lunch at 11:59 a.m.

The Knox County Board of Supervisors reconvened at 12:43 p.m. with all members present except Supervisor Patrick J. Liska District #2.

Hwy. Supt. Barta met with the Board on the following: 1.) Motion by Supr. Pierce, seconded by Supr. Schlote to adopt **Resolution #2024 – 07** approving an interlocal agreement between Knox County and Antelope County for the replacement of Bridge No. C005416210 located on 870 Road approximately 1.2 miles east of 517 Avenue on the Knox/Antelope County line. By roll call vote. Ayes Districts #1, #3, #4, #5, #6 and #7. Nays none. Absent was District #2. Motion carried.

**RESOLUTION #2024-07 Knox County**

**INTERLOCAL COOPERATION AGREEMENT AND RESOLUTION BETWEEN  
KNOX COUNTY AND ANTELOPE COUNTY**

1. Knox County and Antelope County (together referred to as "Parties") are political subdivisions of the State of Nebraska; and
2. The Interlocal Cooperative Act, Neb. Rev. State. §§13-801 to 13-827, permits local governmental units to make the most efficient use of their powers to enable them to cooperate with other governmental units in an effort to provide services and facilities in a manner that will accord with the needs of their local communities; and
3. The Parties wish to replace Bridge No. C005416210 (hereinafter "Bridge") on a county line road located on 870 Road approximately 1.2 miles east of 517 Avenue on the Knox/Antelope County line; and
4. Replacement of the Bridge includes removal and disposal of existing 18' x 61' steel pony truss, purchase, and installation of 24'6" x 80' steel/concrete bridge, and Knox County will dispose of all materials from old bridge.
5. Antelope County will pay for the steel products package necessary to rebuild the Bridge that will be purchased from an accepted bidder.
6. Knox County will use its equipment and personnel to tear out the old Bridge and build the new Bridge. Hours worked on the bridge project will be kept on a spreadsheet for all personnel and equipment used daily. Knox County personnel (including Bridge Foreman and Knox County Highway Superintendent) will charge at a rate of their current hourly wage plus their fringe benefit package (health insurance, retirement, unemployment, worker's compensation, etc.) Knox County will use the rate of 1.5651% for regular time pay per hour and 1.1433% for all overtime pay per hour, which is Knox County's FEMA benefit Rate. Following are hourly rates that will be used for use of Knox County equipment (operator not included):

30 Ton Crane:	\$225.00/hr
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1770 Bobcat Skid Loader:	\$100.00/hr
GMC Bridge Truck (carry leads):	\$ 70.00/hr
Chevrolet Bridge Truck:	\$ 70.00/hr
Welders:	\$ 30.00/hr
Motor grader:	\$130.00/hr
Case 621B Loader:	\$130.00/hr
Pickups-charged at (state rate)/mile:	\$ .67/mile
JD 310K Backhoe:	\$120.00/hr
International Truck & Lowboy:	\$120.00/hr
10-yard Dump Truck:	\$135.00/hr

7. The Parties agree that Knox and Antelope Counties pay equal amounts (50-50) of ALL expenses, including engineering, steel package, required drainage study, removal and disposal of the old structure, the purchase and installation of the new structure, wages for Knox County personnel working on replacement of the Bridge, hourly rates for use of Knox County equipment in replacing the Bridge, and any and all other costs related to the replacement of the Bridge; and
8. Each County is responsible for acquiring all required right-of-way or temporary right-of-way easements in their respective county needed to construct the project, if needed.
9. Sufficient funds of Knox County and Antelope County are now, or will be, available and are hereby pledged at the required time for the purpose of paying for said project; and
10. Each County that is a party to this contract agrees to indemnify and hold harmless, protect and defend the other as well as its elected and appointed officials, employees and representatives against any and all claims, demands, suits, actions, payments and judgments, including any and all costs and expenses connected therewith, for the damages asserted, claimed or recovered against the other or its insurers, because of personal injury, including bodily injury or death, or on account of property damage, in any way connected with or resulting from the work associated with this agreement, and
11. Each County shall maintain general liability insurance coverage of not less than \$1,000,000 per occurrence and \$2,000,000 annual aggregate covering personal injury, including bodily injury and property damage involved with the agreement. Each party will carry automobile liability limits of not less than \$1,000,000 single limit. Each party will maintain responsibility for providing its workers with workers' compensation coverage and for any claims associated with its employees.

NOW, THEREFORE BE IT RESOLVED that Knox County and Antelope County hereby enter into agreement to replace Bridge No. C005416210 located on 870 Road approximately 1.2 miles east of 517 Avenue on the Knox/Antelope County line, in accordance with the terms listed above.

Adopted this 21<sup>st</sup> day of June, 2024, at Center, Nebraska.

Supr. Pierce moved and Supr. Schlote seconded the motion to approve and adopt said resolution.

ATTEST: (Seal)

Joann M. Fischer /s/  
Knox County Clerk

James Sokol, Jr. /s  
Knox County Board Chairman

Hwy. Supt. Barta continued with the following: 2.) The Board signed their respective shop inventories; 3.) Discussion was held on purchasing a used motorgrader; 4.) The Verdigre Village Board of Trustees met with the Board requesting assistance from the County for upkeep and maintenance of 4<sup>th</sup> Avenue in Verdigre from the Pinnacle Bank going west to the village limits. More discussion will be held at a future meeting; 5.) Oil Crew update; 6.) Bridge Crew update; 7.) The bid letting for the Center West bridge project has been changed from August to November; 8.) Bridge projects discussed; 9.) County/Township Allocation was discussed; 10.) The Rayder Swanson Road leading into Lazy River Acres is closed due to flooding of the Ponca Creek. Several loads of gravel were ordered for the west road out of the Lazy River Acres area; 11.) Update on the balance of cash on hand.

Motion by Supr. Borgmann, seconded by Supr. Pierce to place on file the Receipts Revenue List of June 10 – 14, 2024. By roll call vote. Ayes Districts #1, #3, #4, #5, #6 and #7. Nays none. Absent was District #2. Motion carried.

Motion by Supr. Mackeprang, seconded by Supr. Schlote to adopt **Resolution #2024-08** to transfer budget authority to functions of the County Board, Clerk of the District Court, County Sheriff, County Attorney and County Surveyor within the General Fund. By roll call vote. Ayes Districts #1, #3, #4, #5, #6 and #7. Nays none. Absent was District #2. Motion carried.

#### **RESOLUTION #2024 - 08**

WHEREAS, due to unforeseen circumstances and transition from monthly payroll to bi-weekly payroll, expenditures exceed budget authority allocated for the County Board function, Clerk of the District Court function, County Sheriff function, County Attorney function, the Highway Superintendent function, and the County Surveyor function within the General Fund Budget in the total amount of amount of forty-two thousand, one hundred seven dollars and 21 cents (\$42,107.21), and

WHEREAS, budget authority in the Grants function, also an office function of the General Fund Budget, is adequate to allow for transfers to meet current fiscal year expenditures, and

NOW, THEREFORE, BE IT RESOLVED, that an additional six thousand, six hundred seventy-two dollars and 55 cents (\$6,672.55) of budget authority is hereby allocated to the County Board function; three thousand, three hundred fourteen dollars (\$3,314.00) of budget authority is hereby allocated to the Clerk of the District Court function; fourteen thousand, three hundred dollars (\$14,300.00) of budget authority is hereby allocated to the County Sheriff function; thirteen thousand, six hundred dollars (\$14,300.00) of budget authority is hereby allocated to the County Attorney function; two thousand, four hundred seventy-five dollars (\$2,475.00) of budget authority is hereby allocated to the Highway Superintendent function; and one thousand, eight hundred sixty-one dollars and 04 cents (\$1,861.04) of budget authority is hereby allocated to the County Surveyor function, all from the Grants function within the General Fund Budget.

Dated this 21<sup>st</sup> day of June 2024.

#### KNOX COUNTY BOARD OF SUPERVISORS

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

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

Kevin Mackeprang /s/  
Kevin D. Mackeprang, District #5

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

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

ATTEST: (Seal)

Joann M. Fischer /s/  
Knox County Clerk

Motion by Supr. O'Connor, seconded by Supr. Pierce to appoint Don Hanzlik of Niobrara to the Veterans' Service Committee for a five-year term, with the vote as follows: Ayes Districts #1, #3, #4, #5, #6 and #7. Nays none. Absent was District #2. Motion carried.

Visit Knox County Director Miller met with the Board with the recommended 2024 Knox County Visitor's Promotion distribution. New this year is that the approved applicants must present copies of paid receipts before distribution will be made. Motion by Supr. Borgmann, seconded by Supr. O'Connor to approve the following 2024 Knox County Visitor's Promotion distributions noting the amounts to be distributed are contingent on the amount of the paid receipts that must accompany the entities' invoices: amounts approved – 1.) Winnetoon – Winnetoon BBQ \$300; 2.) Wausa Community Club – Wausa Auto Show, Labor Day, Farmers Market and Christmas in Wausa \$1,000; 3.) Niobrara Promoters – Bridge Days Celebration and Niobrara Alumni \$1,000; 4.) Creighton Area Chamber of Commerce – Creighton Sesquicentennial Berry Pepper Days \$1,000; 5.) Lewis & Clark SRA – National Marina Day and Holiday Cabin Stay Package \$1,000; 6.) Niobrara State Park – 30 leather binders for cabins and other rental facilities \$1,000; 7.) Crofton's Dam Race \$1,000; 8.) Knox County Ag Society – Knox County Fair \$1,500; 9.) Shannon Trail Promoters \$300; 10.) Bloomfield Community Club – Bloomfield Appreciation Dayz \$1,000; 11.) Verdigre Improvement Club – Kolach Days \$1,000; 12.) Harm & Tulleys Event Center – website update \$500. Ayes Districts #1, #3, #4, #5, #6 and #7. Nays none. Absent was District #2. Motion carried.

Emergency Manager/Zoning Administrator Jelinek met with the Board on the following: 1.) Motion by Supr. Mackeprang, seconded by Supr. Pierce to place on file the Report to Board of Supervisors dated June 11, 2024 from the Planning Commission. By roll call vote. Ayes Districts #1, #3, #4, #5, #6 and #7. Nays none. Absent was District #2. Motion carried; 2.) The Board set the date of Wednesday, July 24, 2024 starting at 1:00 p.m. as the public hearing regarding the recommendations from the Planning Commission on the Wind Energy Conversion System-North Fork Wind Project.

Motion by Supr. Pierce, seconded by Supr. Mackeprang to go into closed session at 1:44 p.m. so as to protect the reputation of individuals when discussing personnel. By roll call vote. Ayes Districts #1, #3, #4, #5, #6 and #7. Nays none. Absent was District #2. Motion carried. Chairman Sokol, Jr. reiterated the closed session will be held so as to protect the reputation of individuals when discussing personnel. The Board came out of closed session at 1:58 p.m.

Motion by Supr. O'Connor, seconded by Supr. Borgmann to close at 1:58 p.m. the closed session held on personnel. By roll call vote. Ayes Districts #1, #3, #4, #5, #6 and #7. Nays none. Absent was District #2. Motion carried.

**GENERAL FUND.** Salaries, 101,540.53; Bob Barker Company Inc., jail supplies, 76.20; Clerk of District Court, filing fees, 73.00; Collector of Internal Revenue, Social Security County pays, 7,629.87; Crofton Journal/Niobrara Tribune, subscription, 45.00; DAS State Accounting-Central Finance, radios, 161.00; David A. Arens, meet/mileage, 70.85; Dean Wilken, meet/mileage, 50.55; Denise Burman, reimburse notary bond, 50.00; Dollar General, jail supplies, 82.30; Doug DeShazer, meet/mileage, 64.30; First National Bank Omaha, supplies/gas/postage/meals, 3,235.61; Greg Kuhlman, meet/mileage, 56.44; Jim Kotrous, meet/mileage, 45.96; Keith Nielsen, meet/mileage, 42.69; Knox County Court, cases bound over etc., 174.00; Knox County Register of Deeds, recording, 10.00; Knox County Sheriff, paper fees/transport, 156.40; Knox County Treasurer, transfer from General Fund to Road Fund, 143,951.92; Loffler, copier agreement, 309.98; Megan Hanefeldt, mileage/supplies, 80.14; NACO, registrations, 250.00; Nebraska Department of Revenue, Assessor certification exam, 75.00; Neil Clausen, meet/mileage, 61.68; Northeast Nebraska News Company, publishing, 25.64 Pitney Bowes, meter lease, 159.57; Pitzer Digital, publishing, 38.55; Postmaster, postage, 309.00; Quill Corporation, office supplies, 2,124.83; Reserve Account, postage for meter, 6,500.00; Retirement Plans Div. of Ameritas, retirement County pays, 6,990.41; Robert Larsen, meet/mileage, 36.79; Robert Ganz, meet/mileage, 39.41; Secretary of State Election Division, election supplies, 30.00; United States Treasury, PCORI fee, 225.40; University of Nebraska-Lincoln, salary, 12,000; Verdigre Eagle, publishing, 88.00; Village of Center, water/sewer/garbage, 362.00; 2024 NCRAAO Conference, registrations, 600.00.

**ROAD FUND.** Salaries, 37,035.38; Art's Garbage, garbage, 18.00; Bauer Built Tire & Service, tires, 5,902.12; Bazile Creek Power Sports, repairs, 138.90; Black Hills energy, heating fuel, 106.94; Bloomfield Auto Parts, repairs, 189.27; Bruce Hagge, prior service, 24.00; Bruce Peters, prior service, 24.00; Cedar Knox Public Power District, electricity, 115.56; CMart LLC, gas, 173.30; Collector of Internal Revenue, Social Security County pays, 2,788.90; Haisch Grain & Livestock LLC, rock/haul, 2,400.00; Hrbek Construction LLC, equipment rental, 3,308.00; J&J Sanitation, garbage, 49.00; Jacob Dendinger, mow roadsides, 523.68; Jebro Inc., road oil, 50,007.13; JEO Consulting Group Inc., engineer fees, 2,507.50; Kevin Cook, dirt, 270.00; Lawson Products Inc., shop supplies, 1,258.56; Marc Mastalir, prior service, 21.00 Michael Jelinek, meal, 22.00; Nebraska Public Power District, electricity, 126.48; Overhead Door Company of Sioux City Inc., door repairs, 788.00; Platte Valley Communications Inc., radio, 873.54; Plumbing & Electric Service Inc., tile for CJ's, 981.75; Pomp's Tire Service Inc., repairs, 12,114.96; PowerPlan, repairs, 64,402.20; Pro Crane Service LLC, equipment rental, 4,421.25; Retirement Plans Div. of Ameritas, retirement County pays, 2,445.90; Russ Crosley, garbage, 46.00; Scott Grim, prior service, 30.00; Spencer Quarries Inc., rock, 3,467.32; Steffen's Service Station, gas, 455.08; Sudbeck Underground, install drain tile, 6,720.00; TB&K Construction Inc., equipment rental, 500.00; Truck Center Companies, repairs, 2,079.99; Vakoc Excavating LLC, gravel, 20,020.03; Vic's Service, gas, 293.41; Village of Center, water/sewer, 34.00; Willow Creek Sand & Gravel, gravel/haul, 29,047.82.

**CHILD SUPPORT FUND.** First National Bank Omaha, lodging, 428.98; Hometown Leasing, copier lease, 168.91; Microfilm Imaging Systems, scanner rent, 81.00.

**VISITOR'S PROMO FUND.** Bohemian Photoworks LLC, photo/video, 2,365.59.

**ECONOMIC DEVELOPMENT FUND.** NENEDD, admin fees, 1,362.51.

**C&C DEVELOPMENT FUND.** Salaries, 3,749.50; Bohemian Photoworks, photo/video, 2,365.59; Collector of Internal Revenue, Social Security County pays, 282.82; First National Bank Omaha, meals/gas/lodging/dues/registrations, 980.20; Retirement Plans Div. of Ameritas, retirement County pays, 241.28.

**911 EMERGENCY FUND.** Applied Connective Technologies, computers, 2,501.85; City of Norfolk, telephone services, 44.74; First National Bank Omaha, fair expenses, 1,950.72; Special T's and More, fair expenses, 1,914.00.

**911 WIRELESS SERVICES FUND.** City of Norfolk, telephone services, 104.38.

TOTALS

General Fund	\$287,823.02
Road Fund	255,730.97
Child Support Fund	678.89
Visitor's Promo Fund	2,365.59
Economic Development Fund	1,362.51
C & C Development Fund	7,619.39
911 Emergency Fund	6,411.31
911 Wireless Service Fund	104.38
<b>Total</b>	<b>\$562,096.06</b>

Chairman Sokol, Jr. adjourned the Knox County Board of Supervisors at 1:59 p.m. on June 21, 2024 until 9:30 a.m. on Wednesday, July 10, 2024 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 \_\_\_\_\_  
James Sokol, Jr., Chairman

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