

PROCEEDINGS OF THE KNOX COUNTY BOARD OF SUPERVISORS

Center, Nebraska
July 10, 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 Wednesday, July 10, 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.

Chairman Sokol, Jr. 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 Bloomfield Monitor 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.

Chairman Sokol, Jr. approved the minutes of the June 21, 2024 meeting as read.

Correspondence reviewed was a letter from the United States Department of Interior regarding the Payments in Lieu of Taxes (PILT) that will be coming to Knox County.

The public comment session was held from 9:44 a.m. to 10:03 a.m. Public comment was given by Austin Lammers, Mark Keck, Mike Kumm, Tamera Walter, and Gail Cunningham.

Supervisor Patrick J. Liska, District #2, arrived at 9:58 a.m. during the public comment session.

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

The Knox County Board of Supervisors reconvened at 10:54 a.m. with all members present.

Motion by Supr. Schlote, seconded by Supr. O'Connor 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 \$815,473.13 are listed at the end of these proceedings

Motion by Supr. Liska, seconded by Supr. Borgmann to place on file the Receipts Revenue List of June 17 – July 3, 2024. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Mackeprang, seconded by Supr. Pierce to place on file the Clerk of District Court June 2024 Fee Report. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Mackeprang, seconded by Supr. Borgmann to adopt **Resolution #2024 – 09** for the transfer of funds through the claims process from the General Fund to the Road Fund in the amount of \$143,951.92 each in July and in August to cover incurred expenses in the Road Fund until the 2024/2025 budget is set. By roll call vote. Ayes all Districts. Nays none. Motion carried.

RESOLUTION #2024 - 09

WHEREAS, due to Section 39-1904 of the Nebraska Revised Statutes, the 2024-2025 County Road budget does not include a property tax dollar request, and

WHEREAS, the 2024-2025 Knox County budget will not be adopted until September 2024, and

WHEREAS, transfers are needed from the Knox County General Fund to the Knox County Road Fund until the 2024-2025 budget is adopted to cover incurred expenses for July and August, and

NOW, THEREFORE BE IT RESOLVED by the Knox County Board of Supervisors that the Knox County Clerk is hereby directed to transfer through the claims process \$143,951.92 in July 2024 and \$143,951.92 in August 2024 from the Knox County General Fund to the Knox County Road Fund to cover the incurred expenses for July and August, 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 2024/2025 Knox County Budget will be reduced by the \$287,903.84 and the remaining balance of the 2024/2025 total transfer to be prorated accordingly from September 2024 through June 2025.

Dated this 10th day of July 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. Pierce, seconded by Supr. Schlote to adopt **Resolution #2024 – 10** for the transfer through the claims process of \$16,000.00 of NG9011 funds from the 911 Wireless Service Fund to the 911 Wireless Service Holding Fund during the 2024/2025 Fiscal Year. By roll call vote. Ayes all Districts. Nays none. Motion carried.

RESOLUTION #2024 - 10

WHEREAS, the Knox County 911 Wireless Service Holding Fund was created in the 2009-2010 budget for funds received from the Nebraska Public Service Commission, and

WHEREAS, it has been determined that wireless funds cannot be co-mingled with any other funding source, and

WHEREAS, such funds are to be expended in compliance with the Public Service Commission requirements, and

WHEREAS, the balance of \$42,651.81 of Legacy Funds in the 911 Wireless Service Holding Fund as of June 30, 2024 shall be depleted by February 28, 2026, and

WHEREAS, NG911 funds may be set aside, with no depletion deadline nor approval needed from the Nebraska Public Service Commission, for funding current or future eligible expenses related to 911, and

NOW, THEREFORE BE IT RESOLVED by the Knox County Board of Supervisors approve the **transfer through the claims process of \$16,000.00 of NG911 funds from the 911 Wireless Service Fund to the 911 Wireless Service Holding Fund during the 2024/2025 Fiscal Year.**

Dated this 10th day of July 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. Borgmann, seconded by Supr. Pierce to approve and authorize Chairman Sokol, Jr. to sign the Interlocal Agreement between the County of Knox and Village of Verdigre for Law Enforcement Services beginning the 1st day of July 2024. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Bailey Webster with National Grid Renewables updated the Board on the proposed North Fork Wind Project. Mr. Webster also expressed that National Grid Renewables believes the recommended 1.25-mile setback is not feasible and that the current setbacks are satisfactory, that the recommended change is an infringement on property owners who want wind towers on their property, and National Grid Renewables is committed to obtain the conditional permits.

Scott Gropp, an attorney for concerned citizens, updated the Board on the concerns people have regarding the proposed North Fork Wind Project, case law, request that the recommended setback of 1.25-mile be approved, misrepresentation to landowners by National Grid Renewables, reference to a NIRMA article referencing wind turbine energy controversy, and a Holt County Planning Commission member who felt misled after a wind project was constructed in that county.

Hwy. Supt. Barta met with the Board on the following: 1.) Motion by Supr. Mackeprang, seconded by Supr. Schlote to commit to the purchase of a used 2021 John Deere 772G motorgrader along with a new Brandt wing from Murphy Tractor of Sioux City, Iowa with a cost of \$360,000 less trade-in of a 2012 JD 772G motorgrader and a wing in the amount of \$49,000 for a total of \$311,000 and to waive the bidding requirements of the County Purchasing Act (Nebraska Revised Statute §23-3109) as the Board had to take the immediate commitment to the purchase of the used motorgrader as there was no hold on the motorgrader. By roll call vote. Ayes all Districts. Nays none. Motion carried; 2.) Discussion was held on the beginning process of a grant application along with Holt and Boyd Counties for resurfacing the "old 108" highway; 3.) Bridge Crew update; 4.) Oil crew update; 5.) The Rayder Swanson Road was reopened on July 8. The road had been closed for thirteen days after flooding of the Ponca Creek following heavy rains in Boyd County. Sand and mud had to be cleaned off the road numerous times. NCRS and the Corps will be holding a meeting to discuss the situation in the Lazy River Acres area.

Vanessa Silke, an attorney with BairdHolm Law Firm and representing National Grid Renewables, requested from the Board and Deputy County Attorney Jensen an opportunity to address information given by attorney Scott Gropp who met with the Board earlier in the meeting. Knox County Attorney John Thomas was contacted by telephone and advised that Ms. Silke should be allowed a few minutes to respond. Supr. O'Connor expressed his concerns that the attorney had a chance to speak at the 9:45 session and again at the 11:00 session. Supr. O'Connor also stated she specifically was not on the agenda and could not speak after two previous allotted times to speak were over. Supr. O'Connor left the meeting at 12:01 p.m. Ms. Silke told the Board that she believes Nebraska landowners do not have a problem negotiating contracts and that the information given regarding neighbors of those contracting with the wind project was misrepresented.

Chairman Sokol, Jr. moves the Board recess at 12:07 p.m. for lunch.

The Knox County Board of Supervisors reconvened at 12:45 p.m. with all members present.

Motion by Supr. Mackeprang, seconded by Supr. Borgmann to place on file the County Treasurer's Pledged Security Report dated June 24, 2024. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Mackeprang, seconded by Supr. Liska to place on file the Semi-Annual Report by the Knox County Treasurer of Collections, Disbursements and Balances for six months ending June 30, 2024 and that there were no unpaid claims against Knox County as of June 30, 2024. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Mackeprang, seconded by Supr. Borgmann to place on file the NIRMA Crime, Workers' Compensation, Liability Package and Property Package Coverage Agreements for July 1, 2024 – July 1, 2025. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Schlote, seconded by Supr. Pierce to place on file the County Sheriff's Quarterly Report of Fees Collected April 1 – June 30, 2024. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Mackeprang, seconded by Supr. Liska to approve an additional 1% over the 2 1/2% basic limitation allowable increase to restricted funds for the 2024/2025 budget process. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Chairman Sokol, Jr. moves the Board recess at 1:04 p.m. for Board of Equalization.

The Knox County Board of Supervisors reconvened at 1:59 p.m. with all members present.

Motion by Supr. O'Connor, seconded by Supr. Pierce to go into closed session at 2:00 p.m. for pending litigation. By roll call vote. Ayes all Districts. Nays none. Motion carried. Chairman Sokol, Jr. reiterated the closed session will be held on pending litigation. The Board came out of closed session at 3:15 p.m.

Motion by Supr. Schlote, seconded by Supr. Liska to close at 3:15 p.m. the closed session held on pending litigation. By roll call vote. Ayes all Districts. Nays none. Motion carried.

GENERAL FUND. Salaries, 99,365.40; Antelope County Sheriff, house prisoner, 200.00; Applied Connective Technologies, IT/cameras/cabling, 12,512.86; Art Kathol Appliance Inc., repairs, 170.00; Bloomfield Medical Clinic, prisoner medical, 290.00; Bomgaars Supply Inc., supplies, 56.96; Butler County Landfill Inc., scrap tires, 23,075.83; Collector of Internal Revenue, Social Security County pays, 7,426.37; Comfort Inn, lodging, 570.85; County of Knox Employee Benefit c/o Healthcare Solutions Group Inc., insurance County pays, 50,966.76; Creston Fertilizer Co Inc., weed chemicals, 1,812.96; Crofton Journal/Niobrara Tribune, publishing, 336.00; DAS State Accounting-Central Finance, teletype, 537.60; Ecowater, bottled water/salt, 617.95; First National Bank Omaha, weed gas, 569.16; Great Plains Communications, phone/internet/fax, 1,868.23; Heartland Heating & Air Conditioning Inc., quarterly contract, 3,420.00; Jedlicka's Hardware Hank, supplies, 9.99; KV Electric, repairs, 120.24; Landmark Surveying, surveyor fees, 394.80; Lincoln National Life Insurance Co., insurance County pays, 295.91; Madison County Sheriff, paper fees, 29.90; Microfilm Imaging Systems, scanner rent, 40.50; MIPS Inc., programs, 878.86; Moody Motor Company, repairs, 1,130.37; Northeast Nebraska Area Agency on Aging, matching funds, 6,906.00; Nebraska Weed Control Association, registration, 150.00; North Central Public Power District, electricity, 2,566.69; Northeast Nebraska News, publishing, 9.27; Pitzer Digital, publishing, 126.00; Principal Life Insurance Company, insurance County pays, 2,241.00; R&K Motor Parts, oil/filters/belts, 161.65; Region 4 Behavioral Health System, quarterly bill, 6,407.75; Region IV Inc., quarterly bill, 2,521.50; Retirement Plans Division of Ameritas, retirement County pays, 6,848.97; The Barn at God's Country, hall rental, 200.00; US Cellular, cell phones, 185.49; Verdigre Eagle, publishing, 498.53; Village of Center, water/sewer/garbage, 188.00.

ROAD FUND. Salaries, 38,635.46; Big Red Mini Mart, gas, 269.12; Bomgaars Supply Inc., shop supplies, 1,885.89; City of Bloomfield, water, 25.00; City of Creighton, water/sewer, 146.56; Collector of Internal Revenue, Social Security County pays, 2,907.57; County of Knox Employee Benefit c/o Healthcare Solutions Group Inc., insurance County pays, 20,995.32; Crofton Lumber, shop supplies, 152.55; Eakes Office Solutions, copier contract, 201.05; Farmers Pride, diesel, 4,563.78; Freeman Oil Co LLC, diesel, 1,059.32; Great Plains Communications, phone, 200.59; Grossenburg Implement, repairs, 520.31; Herbert Feed & Grain Co., diesel, 954.84; J&K Auto, gas, 84.00; Jebro Inc., windrow oil, 51,029.66; Jedlicka's Hardware Hank, shop supplies, 171.41; Lincoln National Life Insurance Co., insurance County pays, 113.24; Mainelli Wagner & Associates Inc., engineer fees, 2,965.00; Marlene Loeller, sand, 1,200.00; Nebraska Public Power District, electricity, 46.07; North Central Public Power District, electricity, 256.51; People's Grocery, shop supplies, 20.63; Principal Life Insurance Company, insurance County pays, 806.76; Quill Corporation, office supplies, 129.94; R&K Motor Parts, repairs/filters, 1,759.96; Retirement Plans Div. of Ameritas, retirement County pays, 2,552.20; Ronald Bourn, gravel/haul, 325.42; Rose Equipment Inc., repairs, 5,351.28; Spencer Quarries Inc., gravel, 241.98; State of Nebraska Motor Fuels Division, diesel tax, 2,268.00; Sucha Repair, oxygen/acetylene, 337.32; US Cellular, cell phones, 542.36; Vakoc Excavating LLC, gravel, 16,051.96; Village of Center, water/sewer, 34.00; Village of Niobrara, water/sewer, 43.25; Village of Verdigre, water/sewer/garbage, 82.60; Willow Creek Sand & Gravel, gravel/haul, 20,738.80.

FLOWAGE EASEMENT ROAD FUND. Mainelli Wagner & Associates Inc., engineer fees, 920.00.

CHILD SUPPORT FUND. Great Plains Communication, phone/internet/fax, 165.93; Hometown Leasing, copier lease, 168.91; Microfilm Imaging Systems, scanner rent, 81.00.

VISITOR'S PROMO FUND. Southeast South Dakota Tourism Association, dues, 375.00.

ROD PRES/MOD FUND. MIPS Inc., computer program, 389.88.

COVID ARPA FUND. Applied Connective Technologies LLC, cameras, 4,323.50; KV Electric LLC, storage/garage electrical, 4,156.55.

C&C DEVELOPMENT FUND. Salaries, 3,487.63; Collector of Internal Revenue, Social Security County pays, 262.78; Great Plains Communication, phone/internet/fax, 59.23; Lincoln National Life Insurance Company, insurance County pays, 5.96; Principal Life Insurance Company, insurance County pays, 44.82; Retirement Plans Div. of Ameritas, retirement County pays, 223.60; US Cellular, cell phones, 123.14.

INHERITANCE FUND. Cedar County Transit, public transit, 4,200.00; Herbst Construction Inc., bridge, 356,581.55; Mainelli Wagner & Associates Inc., engineer fees, 17,563.49; Mark D Albin, court appointed attorney, 524.79; Moyer, Moyer & Lafleur, court appointed attorney, 2,581.40; Rodney W. Smith, public defender contract, 2,083.33.

911 EMERGENCY FUND. City of Norfolk, phone, 44.74; Great Plains Communications, phone/internet, 234.11; OPTK Networks, networking, 228.44; Three River Telco, phone, 66.42.

911 WIRELESS SERVICE FUND. City of Norfolk, phone, 104.38; Great Plains Communications, phone/internet, 406.46; OPTK Networks, networking, 533.04; Three River Telco, phone, 154.99.

TOTALS

General Fund	\$235,708.35
Road Fund	179,669.71
Flowage Easement Road Fund	920.00
Child Support Fund	415.84
Visitor's Promo Fund	375.00
ROD Pres/Mod Fund	389.88
Covid ARPA Fund	8,480.05
C & C Development Fund	4,207.16
Inheritance Fund	383,534.56
911 Emergency Fund	573.71
911 Wireless Service Holding Fund	1,198.87
Total	815,473.13

Chairman Sokol, Jr. adjourned the Knox County Board of Supervisors at 3:15 p.m. on July 10, 2024 until Wednesday, July 24, 2024 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

By _____
James Sokol, Jr., Chairman

Joann M. Fischer, Knox County Clerk