

PROCEEDINGS OF THE KNOX COUNTY BOARD OF SUPERVISORS

Center, Nebraska
September 18, 2024
9:00 a.m.

The Knox County Board of Supervisors met in the Boardroom at the Knox County Courthouse in Center, Nebraska on the date of Wednesday, September 18, 2024, at 9:00 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 Sokol, Jr. presiding.

County Clerk Fischer 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.

At 9:03 a.m., Chairman Sokol, Jr. opened the advertised Budget Hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the 2024/2025 Knox County proposed budget.

At 9:03 a.m., Chairman Sokol, Jr. opened the advertised special public hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the Final 2024 Tax Request.

Discussion was held on the 2024/2025 proposed Knox County budget and the proposed 2024 tax request.

Chairman Sokol, Jr. closed the open budget hearing at 9:12 a.m. Present during the hearing were the Board, County Clerk Fischer, Deputy County Attorney Jensen, County Sheriff Henery, County Assessor Beckmann, County Treasurer Ebel, Senior Office Clerk Surface and members of the public who were wishing to comment at the Board's regular public comment session and not regarding the proposed budget and tax request.

Chairman Sokol, Jr. closed the open special hearing on the Final 2024 Tax Request at 9:13 a.m. Present during the hearing were the Board, County Clerk Fischer, Deputy County Attorney Jensen, County Sheriff Henery, County Assessor Beckmann, County Treasurer Ebel, Senior Office Clerk Surface and members of the public who were wishing to comment at the Board's regular public comment session and not regarding the proposed budget and tax request.

Motion by Supr. Schlote, seconded by Supr. Mackeprang to adopt **Resolution #2024- 24** for the Adoption and Appropriations of the 2024/2025 Knox County Budget. By roll call vote. Ayes all Districts. Nays none. Motion carried.

**KNOX COUNTY
RESOLUTION OF ADOPTION AND APPROPRIATIONS**

RESOLUTION #2024 - 24

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2024 to June 30, 2025, prepared by the Budget Making Authority, was transmitted to the County Board on the 18th day of September, 2024.

NOW, THEREFORE, BE IT RESOLVED, by the Board of SUPERVISORS of Knox County, Nebraska as follows:

SECTION 1. That the budget for the Fiscal Year July 1, 2024 to June 30, 2025, as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the Budget for Knox County for said fiscal year.

SECTION 2. That the offices, departments, activities, and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2024 and ending June 30, 2025.

SECTION 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

DATED AND PASSED THIS 18th DAY OF SEPTEMBER 2024.

BOARD OF SUPERVISORS
KNOX COUNTY, NEBRASKA

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

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

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

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

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

Motion by Supr. Mackeprang, seconded Supr. Pierce to adopt **Resolution #2024 – 25** setting the 2024 property tax request at \$4,027,728.88 with a levy of 0.137431 per \$100 of valuation. By roll call vote. Ayes all Districts. Nays none. Motion carried.

RESOLUTION #2024 – 25

RESOLUTION SETTING THE PROPERTY TAX REQUEST

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of Knox County passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE BE IT RESOLVED, the Governing Body of Knox County, resolves that:

1. The 2024-2025 property tax request be set at \$4,027,728.88.
2. The total assessed value of property increased from last year's total assessed value by 19.87%.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$0.134535 per \$100 of assessed value.

4. Knox County proposes to adopt a property tax request that will cause its tax rate to be \$0.137431 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the operating budget of Knox County will be \$24,234,390.10 (does not include \$1,500,000 for cash reserve in the General Fund), which exceeds last fiscal year's operating budget by 4.94%.
6. The cash reserve for the General Fund will be increased to \$1,500,000.00.
7. A copy of this resolution be certified and forwarded to the Knox County Clerk on or before October 20, 2024.

Dated this 18th day of September 2024.

BOARD OF SUPERVISORS
KNOX COUNTY, NEBRASKA

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

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

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

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

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

Motion by Supr. Liska, seconded by Supr. Borgmann to authorize Chairman Sokol, Jr. to sign the Budget Message of the adopted 2024/2025 Knox County Budget. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. O'Connor, seconded by Supr. Schlote to adopt **Resolution #2024 - 26** to make monthly transfers through the claims process from the Knox County General Fund to the Knox County Road Fund during the 2024/2025 Fiscal Year. By roll call vote. Ayes all Districts. Nays none. Motion carried.

RESOLUTION #2024 - 26

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

WHEREAS, the 2024-2025 Knox County budget was balanced by a fund transfer of \$1,577,621.64 from the Knox County General Fund to the Knox County Road Fund, and

WHEREAS, transfers through the claims process were needed from the Knox County General Fund to the Knox County Road Fund until the 2024-2025 budget was adopted to cover incurred expenses for July and August, 2024, and

WHEREAS, the Knox County Board of Supervisors adopted Resolution #2024-09 directing the Knox County Clerk 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

WHEREAS, a remainder of \$1,289,717.80 needs to be transferred from September 2024 through June 2025 from the General Fund to the Road Fund, and

NOW, THEREFORE BE IT RESOLVED by the Knox County Board of Supervisors that the 2024/2025 Knox County budget has now been adopted, and

NOW, THEREFORE BE IT FURTHER RESOLVED that the Knox County Clerk is hereby directed to make monthly transfers through the claims process from the Knox County General Fund to the Knox County Road Fund to be as follows: **\$128,971.78 for September 2024 through June of 2025.**

Dated this 18th day of September 2024.

BOARD OF SUPERVISORS
KNOX COUNTY, NEBRASKA

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

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

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

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

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

Motion by Supr. Pierce, seconded by Supr. Liska to adopt **Resolution #2024 - 27** to transfer through the claims process \$303,240.90 as tax relief from the Inheritance Fund to the General Fund during the 2024/2025 Fiscal Year which will be the fourth loan repayment for the Bloomfield North road project. By roll call vote. Ayes all Districts. Nays none. Motion carried.

RESOLUTION #2024 - 27

WHEREAS, due to unfunded mandates, escalating prices, valuation increases, and loss of revenues, a transfer of funds from the Inheritance Fund would create a tax relief to the taxpayers of Knox County for the fiscal year 2024-2025, and

WHEREAS, transferring \$303,240.92 from the Inheritance Fund to the Knox County General Fund would then be transferred to the Flowage Easement for the Bloomfield North project and create that needed tax relief, and

NOW, THEREFORE BE IT RESOLVED the Knox County Board of Supervisors approves the transfer of \$303,240.92 through the claims process from the Knox County Inheritance Fund to the Knox County General Fund during the 2024/2025 fiscal year as tax relief.

Dated this 18th day of September 2024.

BOARD OF SUPERVISORS
KNOX COUNTY, NEBRASKA

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

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

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

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

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

Motion by Supr. O'Connor, seconded by Supr. Borgmann to adopt **Resolution #2024 – 28** to transfer through the claims process during the Fiscal Year 2024/2025 \$200,000.00 from the Inheritance Fund to the General Fund as tax relief and to be used to increase the General Fund cash reserve from \$1,300,000 to \$1,500,000. By roll call vote. Ayes all Districts. Nays none. Motion carried.

RESOLUTION #2024 – 28

WHEREAS, Knox County has a cash reserve for the General Fund currently at \$1,300,000.00 which is used to pay expenses in the General Fund until the new budget is adopted, and

WHEREAS, the General Fund has to make regular transfers to funds as well as paying many expenses for the County until the new budget is adopted, and

WHEREAS, asking for tax dollars to increase the General Fund cash reserve was not favored by the Knox County Board of Supervisors this year but they know that the cash reserve should be increased so they wish to transfer additional funds from the Inheritance Fund to the General Fund to increase the cash reserve as tax relief, and

NOW, THEREFORE BE IT RESOLVED the Knox County Board of Supervisors approves the transfer of \$200,000.00 through the claims process from the Knox County Inheritance Fund to the Knox County General Fund during the 2024/2025 fiscal year as tax relief and to be used to increase the General Fund cash reserve from \$1,300,000 to \$1,500,000.

Dated this 18th day of September 2024.

BOARD OF SUPERVISORS
KNOX COUNTY, NEBRASKA

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

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

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

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

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

Motion by Supr. Borgmann, seconded by Supr. Schlote to adopt **Resolution #2024 – 29** to transfer through the claims process \$250,000.00 during the Fiscal Year 2024/2025 from the County Wellness Fund to the General Fund as tax relief and to be used to assist with the payment of health insurance benefit premiums. By roll call vote. Ayes all Districts. Nays none. Motion carried.

RESOLUTION #2024 – 29

WHEREAS, Knox County provides a health insurance policy to eligible employees as a benefit, and

WHEREAS, the health insurance benefit is a partially self-funded policy through 90 Degree Benefits based in Muskogee, Oklahoma, and

WHEREAS, premiums for the health insurance coverage are sent to 90 Degree Benefits and then deposited into a bank account for Knox County at the FIRSTAR BANK in Muskogee, Oklahoma, and

WHEREAS, health insurance claims for enrolled eligible employees, enrolled spouses, enrolled child(ren), or enrolled family are paid from the FIRSTAR bank account, and

WHEREAS, claims were low so a large balance had accumulated in the FIRSTAR bank account which was a non-interest bearing account, and

WHEREAS, the Knox County Board of Supervisors changed the health insurance benefit for eligible employees on July 1, 2024 to allow enrollment of spouses, child(ren) or family with Knox County paying the entire health insurance premium as a benefit, and

WHEREAS, the Knox County Board of Supervisors requested that \$400,000 be remitted back to Knox County leaving approximately \$250,000 in the FIRSTAR bank account to cover claims, and

WHEREAS, \$400,000 was withdrawn and remitted back to Knox County in the 2023/2024 fiscal year, given to the Knox County Treasurer and deposited into the County Wellness Fund, and

WHEREAS, a transfer in the amount of \$250,000 from the County Wellness Fund to the County General Fund would be tax relief as the \$250,000 would assist in paying the health insurance benefit premiums, and

NOW, THEREFORE BE IT RESOLVED the Knox County Board of Supervisors approves the transfer of \$250,000.00 through the claims process from the County Wellness Fund to the Knox County General Fund during the 2024/2025 fiscal year as tax relief and to be used to assist with the payment of insurance health benefit premiums.

DATED this 18th day of September 2024.

KNOX COUNTY BOARD OF SUPERVISORS

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

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

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

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

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

Motion by Supr. Liska, seconded by Supr. Pierce to adopt **Resolution #2024 - 30** to transfer through the claims process \$303,240.92 from the General Fund to the Flowage Easement Fund to be used as the fourth loan repayment for the Bloomfield North Road project with the transfer to be made during the 2024/2025 Fiscal Year. By roll call vote. Ayes all Districts. Nays none. Motion carried.

RESOLUTION #2024 – 30

WHEREAS, the Knox County Board of Supervisors approved at their February 13, 2020 meeting, a road project named "Bloomfield North" project where the County would oil 7.4 miles between Hwy. 84 and Hwy. 12 on 543 Ave. North of Bloomfield would be milled, graded and oiled with hot-mix by Western Engineering Co., Inc., Harlan, IA, in the amount of approximately \$3.03 million, and

WHEREAS, the Knox County Board approved at their August 26, 2021 meeting to pay for the Bloomfield North project from the Flowage Easement Road Fund, as a loan to be repaid over 10 years or earlier and the repayment to be made by taxation, or if needed sometime during the repayment period, to use some funds from the Inheritance Fund, and

WHEREAS, the Flowage Easement Road Fund was created when the County of Knox sued the U.S. Corps of Engineers and received \$10,049,868 from the Court settlement to cover the expenses associated with rebuilding bridges and roads damaged by the Missouri River and its' tributaries due to sedimentation, and

WHEREAS, the funds to repay the loan to the Flowage Easement Road Fund will be collected in the General Fund and then transferred to the Flowage Easement Road Fund, and

WHEREAS, the project was completed in the 2020/2021 fiscal year with the final cost of the project being \$3,032,409.17 making a total of \$303,240.92 due each year for 10 years, and

WHEREAS, loan repayments in the amount of \$303,240.92 from the General Fund to the Flowage Easement Road Fund were made in 2021/2022, 2022/2023 and in 2023/2024 fiscal years and

NOW, BE IT THEREFORE RESOLVED that the Knox County Board of Supervisors adopted the 2024/2025 Knox County budget, and

BE IT FURTHER RESOLVED, that the Knox County Board of Supervisors approves the transfer of \$303,240.92 from the General Fund to the Flowage Easement Road Fund through the claims process during the 2024/2025 Fiscal Year to be used as the fourth partial loan repayment for the Bloomfield North Road project.

Dated this 18th day of September 2024.

KNOX COUNTY BOARD OF SUPERVISORS

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

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

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

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

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

Motion by Supr. Pierce, seconded by Supr. Mackeprang to adopt **Resolution #2024 – 31** to transfer through the claims process \$25,000 during the Fiscal Year 2024/2025 from the General Fund to the C & C Development Fund for the 2024/2025 Budget Year. By roll call vote. Ayes all Districts. Nays none. Motion carried.

RESOLUTION #2024 – 31

WHEREAS, Knox County entered into an Interlocal Cooperation Act Agreement with other entities in Knox County and Great Plains Communications, Inc. for the creation of the Knox County Development Agency, and

WHEREAS, the Knox County Development Agency hires an executive director to operate the program so as to educate and organize promotion, encouragement, development, research, increased knowledge, appreciation and practice of economic development and to help to preserve and enhance the Knox County community's economic growth, and

WHEREAS, Knox County contributes \$25,000 towards the Executive Director's salary plus benefits that includes County-paid health insurance, a County-paid single dental/vision insurance policy, a County-paid \$15,000 single life insurance policy, the County-paid retirement rate and the County's share of FICA/MEDICARE (Social Security) along with an office space, and

WHEREAS, the taxes to pay Knox County's share of the Interlocal Agreement is collected in the General Fund and is to be transferred to the C & C Development Fund, and

WHEREAS, the 2024/2025 Knox County budget is approved, and

NOW, THEREFORE BE IT RESOLVED, the Knox County Board of Supervisors approves the transfer of \$25,000 during the Fiscal Year 2024/2025 through the claims process from the General Fund to the C & C Development Fund to pay the budgeted amount for the Executive Director's salary, and

BE IT FURTHER RESOLVED, the health insurance benefit premium, the County-paid single dental/vision insurance benefit premium, the County-paid premium for a \$15,000 single life insurance policy, the County-paid retirement rate and the County's share of FICA/MEDICARE (Social Security) will be paid from the General Fund.

Dated this 18th day of September 2024.

BOARD OF SUPERVISORS
KNOX COUNTY, NEBRASKA

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

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

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

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

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

County Clerk Fischer read the September 4, 2024 meeting minutes. Chairman Sokol, Jr. approved the minutes of the September 4, 2024 meeting.

Motion by Supr. Pierce, seconded by Supr. O'Connor to go into closed session at 9:35 a.m. to discuss possible litigation with legal advice from Deputy County Attorney Jensen regarding the Bluestem project. By roll call vote. Ayes Districts #1, #2, #3, #4, and #7. Nays Districts #5 and #6. Motion carried. Chairman Sokol, Jr. reiterated the closed session will be held on possible litigation on the Bluestem solar project. The Board came out of closed session at 9:50 a.m.

Motion by Supr. O'Connor, seconded by Supr. Pierce to close at 9:50 a.m. the closed session held on possible litigation on the Bluestem solar project. By roll call vote. Ayes all Districts. Nays none. Motion carried.

The public comment session was held from 9:50 a.m. to 10:04 a.m. Giving comments on the North Fork Wind, LLC project were Dale Van Heek, Faye Heine, and Wil Sanger. Supr. Schlote conveyed a request from Dean Kleinschmit that the County Government Day be reinstated and Supr. O'Connor concurred with the request. Supr. Pierce conveyed a concern by one constituent that notices are not put in every local paper. Supr. Mackeprang conveyed appreciation expressed by George Beaudette on an excellent job done by the Spade Township Board on a one-mile portion of Spade Township Road. County Sheriff/Spade Township Clerk Henery thanked Supr. Mackeprang for the input.

Chairman Sokol, Jr. moved the Board recess at 10:04 a.m. for Board of Equalization.

The Knox County Board of Supervisors reconvened at 10:07 a.m. with all members present.

Motion by Supr. Schlote, 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 \$570,591.92 are listed at the end of these proceedings.

Motion by Supr. Liska, seconded by Supr. Pierce to place on file the Receipts Revenue List from September 3 – 13, 2024. By roll call vote. Ayes all Districts. Nays none. Motion carried.

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

Motion by Supr. Mackeprang, seconded by Supr. Borgmann to place on file the County Treasurer's List of Delinquent Taxes not sold for want at the last annual tax sale and to direct County Treasurer Ebel to issue a County Tax Sale on property with two years of delinquent taxes namely Parcel ID #540012849 in the amount of \$34.82. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Mackeprang, seconded by Supr. Pierce to remove the names of former Knox County Assessor Monica McManigal and former employee Cassie Stark from the County Assessor's bank account at the Farmers & Merchants State Bank as they are no longer employed by Knox County, and, to add newly appointed Deputy County Assessor Kylee Kracht to that bank account. By roll call vote. Ayes all Districts. Nays none. Motion carried.

County Clerk Fischer discussed with the Board arrangements for deer dumpsters again this year. Last year, Waste Connections, Inc. of Norfolk provided deer dumpsters to the Niobrara County Yard and the Knox County Fairgrounds in Bloomfield and J & J Sanitation of O'Neill provided a deer dumpster to the Creighton County Yard. This year Waste Connections, Inc. will not handle deer dumpsters so J & J Sanitation said they would provide 16-yard dumpsters to the Creighton and Niobrara County Yards but will not provide a deer dumpster to Bloomfield as that is not their service area. Motion by Supr. Liska, seconded by Supr. O'Connor to approve J & J Sanitation of O'Neill to provide service for deer dumpsters at the Creighton and Niobrara County Yards from November 1 – December 1, 2024 and payment for the services to be paid from the County Keno Fund. By roll call vote. Ayes all Districts. Nays none. Motion carried.

The Board moved to the Courtroom to accommodate the number of constituents present for two public hearings.

At 10:23 a.m., Chairman Sokol, Jr. opened the advertised public hearing on Permit #Z2404 Change of Zoning, Planned Development, or Regulations Amendment Application for the Bloomfield Airport Authority. Emergency Manager/Zoning Administrator Jelinek was present via Zoom. Bloomfield Airport Authority member Steve Barney informed the Board that the permit application submitted was to take into consideration wind towers in the area of the Bloomfield

Airport that can be a safety factor according to the FAA. The permit application is for increasing the instrument approach from three miles to ten miles. Also, a \$1.5 million concrete runway replacement, a new beacon and a proposed hanger project is proposed, noting that the runway will not be lengthened.

Chairman Sokol, Jr. closed the public hearing on Permit #Z2404 Change of Zoning, Planned Development, or Regulations Amendment Application for the Bloomfield Airport Authority at 10:29 a.m. There was no opposing testimony given. Motion by Supr. Mackeprang, seconded by Supr. Schlote to approve Permit #Z2404 Change of Zoning, Planning Development, or Regulations Amendment Application for the Bloomfield Airport Authority for the zoning change for an instrument approach to ten miles for the Bloomfield Airport. By roll call vote. Ayes all Districts. Nays none. Motion carried.

At 10:29 a.m., Chairman Sokol, Jr. opened the advertised public hearing on Conditional Use Permit Application #CU2401 VRDG, LLC for a Commercial Solar Conversion System (CSCS). Emergency Manager/Zoning Administrator Jelinek was present via Zoom. Bluestem Energy Solutions Senior Vice President Matt Robinette gave a presentation about the company and the proposed project in Knox and Holt Counties. Five people spoke in favor of the proposed solar project and eleven people spoke in opposition of the solar project. Each Board member asked questions of Matt Robinette and David Levy with Bluestem.

Chairman Sokol, Jr. closed the public hearing on Conditional Use Permit Application #CU2401 VRDG, LLC for a Commercial Solar Conversion System (CSCS) at 11:50 a.m. Motion by Supr. Pierce, seconded by Supr. Borgmann to table the vote until the next meeting on Conditional Use Permit Application #CU2401 VRDG, LLC for a Commercial Solar Conversion System (CSCS). By roll call vote. Ayes Districts #2, #3 and #7. Nays Districts #1, #4, #5 and #6. Motion failed.

Motion by Supr. Mackeprang to approve Conditional Use Permit Application #CU2401 VRDG, LLC for a Commercial Solar Conversion System (CSCS). Motion died for lack of a second.

Motion by Supr. O'Connor, seconded by Supr. Pierce to deny Conditional Use Permit Application #CU2401 VRDG, LLC for a Commercial Solar Conversion System (CSCS). By roll call vote. Ayes Districts #1, #2, #3, #4, #6 and #7. Nays District #5. Motion carried.

Chairman Sokol, Jr. moved the Board recess at 11:57 a.m. for lunch.

The Knox County Board of Supervisors reconvened at 12:50 p.m. with all members present.

Hwy. Supt. Barta met with the Board on the following: 1.) Motion by Supr. Liska, seconded by Supr. Pierce to adopt **Resolution #2024 – 32** certifying that Bridge Project STWD-CBMP(6), Control Number 00974E (Shaw Bridge) has been properly constructed by Knox County and its contractor in accordance with the Program Agreement and that all conditions were met. By roll call vote. Ayes all Districts. Nays none. Motion carried.

RESOLUTION CERTIFYING PROPERTY COMPLETION OF PROJECT

Knox County
Resolution No. 2024 – 32

WHEREAS, Knox County and State entered into an agreement entitled "County Bridge Matching Program Agreement", for Structure Number C005430720 (the Project), Program Agreement Number BL2213 signed by State on the 15th day of March, 2022, 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. C005430720, 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.

NDOT Project Number: STWD-CBMP(6)

NDOT Control Number: 00974E

NDOT LPA Control Number: 00974E(m)

NDOT Project Name: County Bridge Match Program

Adopted this 18th day of September, 2024 at Center, Nebraska.

The Board of Supervisors of Knox County

Patrick J. Liska /s/

James Sokol, Jr. /s/

Martin J. O'Connor /s/

Danny R. Schlote /s/

James J. Borgmann /s/

David L. Pierce /s/

Kevin D. Mackeprang /s/

Board/Council Member Supr. Liska
Moved the adoption of said Resolution
Member Supr. Schlote 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 County Clerk

Hwy. Supt. Barta continued with the following: 2.) Discussed purchasing a 1,000-gallon fuel tank for the Verdigre Yard; 3.) Reviewed pictures of a used sander box that possibly could be used on the Center or Wausa trucks; 4.) Tim Farmer with Speece-Lewis Engineering, Holt County Hwy. Supt. Connot, Boyd County Supervisor Alan Nicolaus and Holt County Supervisor Dustin Breiner met with the Board to discuss a grant process to resurface the Old 108 Highway west of Creighton and the Ash Falls Road; 5.) The following quotes were reviewed for the purchase of a gooseneck flatbed trailer: **NE Nebraska Trailers, Wakefield NE** – 2024 Good Guys 32-ft. x 8 ft. 6-inch flatbed trailer, 14 ply radial 235/80R16 tires, \$17,900; **Ken's Trailers, Norfolk NE** – Travelong 31 ft x 8 ft. 6-inch flatbed trailer, 10 ply radial tires, \$17,000; **Seidel Trailers, Ainsworth NE** – Titan 2024 30 ft. flatbed trailer, 10 ply tires, \$18,000; **Kaufman Trailers, Beaver City NE** - Kaufman 30 ft. flatbed trailer, 10 ply tires, \$16,850 or \$16,344.50 if paid with a cashier's check. Knox County reserves the right to accept any bid or quote that best serves the County's needs. After discussion on comparisons of warranties, costs, weight load, and tires, motion by Supr. Liska, seconded by Supr. Schlote to accept the quote from **NE Nebraska Trailers, Wakefield NE** for a 2024 Good Guys 32 ft x 8 ft. 6-inch flatbed trailer in the amount of \$17,900.00. By roll call vote. Ayes all Districts. Nays none. Motion carried; 6.) Verdigre North bridge project update; 7.) Oil Crew update; 8.) Bridge Crew update; 9.) Weigand Bridge approaches to be raised on September 5, 2024; 10.) Discussed the upcoming consignment sale in Hartington to be held on September 30, 2024.

Emergency Manager/Zoning Administrator Jelinek met with the Board via Zoom on the following: 1.) Motion by Supr. Pierce, seconded by Supr. Borgmann to approve Administrative Plat Application #P2409 Kenneth and Marlene Meyer for an 8.89-acre tract split in the SE1/4NE1/4 of Section 17, T29N, R5W of the 6th P.M., Knox County, Nebraska. By roll call vote. Ayes all Districts. Nays none. Motion carried; 2.) Motion by Supr. Pierce, seconded by Supr. O'Connor to approve Administrative Plat Application #P2410 Dwain Warriner for a 5.63-acre tract split and access easement in the SW1/4SW1/4 of Section 35, T30N, R5W of the 6th P.M., Knox County, Nebraska. By roll call vote. Ayes all Districts. Nays none. Motion carried; 3.) Motion by Supr. O'Connor, seconded by Supr. Liska to place on file the August 2024 Permits Report. By roll call vote. Ayes all Districts. Nays none. Motion carried; 4.) Discussion was held on whether a variance was needed on an expansion of an agricultural building. The landowner wants to extend their sheep shed but with the expansion, the building would not be 90 feet back from the center of the road. Discussed further was that Consultant Keith Marvin was contacted about variances of agricultural structures, fence lines, and if this would be grandfathered in because it is an agricultural structure. Motion by Supr. Pierce, seconded by Supr. Mackeprang that the request for expansion of an agricultural structure not meeting the setback of 90 feet from the center of the road needs to go through Knox County's variance process of application and to go before the Knox County Board of Adjustments. By roll call vote. Ayes Districts #1, #2, #3, #5, #6 and #7. Nays none. Abstain District #4 as the requester is a relative of Chairman Sokol, Jr./District #4 Supervisor. Motion carried.

Committee update was given by VSO Hanvey who informed the Board that Visit Knox County Director Stacy Miller has now been appointed as the Economic Development Director by the Development Agency Board and will have a beginning wage of \$21.89 per hour.

Officials' updates were given by the following: 1.) Deputy County Attorney Jensen updated the Board on the recent plane crash near Crofton. The FAA may pay for the autopsy costs and the County may have to pay the transportation costs; 2.) Sheriff Henery updated the Board on the upcoming murder trial. Also, purchase of a new pickup will take place and one of the current Sheriff pickups will be given to the Road Department.

Motion by Supr. O'Connor, seconded by Supr. Liska to go into closed session at 1:56 p.m. to discuss the North Fork Wind litigation. By roll call vote. Ayes all Districts. Nays none. Motion carried. Chairman Sokol, Jr. reiterated the closed session will be held to discuss the North Fork Wind Litigation. Supr. Mackeprang left the closed session and the meeting at 2:12 p.m. Present during various times of the closed session were Deputy County Attorney Jensen, Attorney David Begley, and, via Zoom was County Attorney Thomas. The Board came out of closed session at 4:41 p.m.

Motion by Supr. Liska, seconded by Supr. Pierce to close at 4:41 p.m. the closed session held on the North Fork Wind litigation. By roll call vote. Ayes Districts #1, #2, #3, #4, #6 and #7. Nays none. Absent was District #5. Motion carried.

Motion by Supr. Schlote, seconded by Supr. Liska to adopt **Resolution #2024 – 33** employing Attorney David D. Begley of Omaha as Special County Attorney to defend the County of Knox, the Supervisors, and members of the Planning Commission in pending United States District Court Case 4:24-cv-03150 North Fork Wind LLC, etal vs Knox County, etal, and to approve an Hourly Fee Agreement with Attorney Begley. By roll call vote. Ayes Districts #1, #2, #3, #4, #6 and #7. Nays none. Absent was District #5. Motion carried.

RESOLUTION #2024 – 33

WHEREAS, The County of Knox, its Supervisors and members of the Knox County Planning Commission have been named as defendants, in their official capacities, in a certain case currently pending in the United States District Court for the District of Nebraska at 4:24-cv-03150 ("the Lawsuit");

WHEREAS, Neb. Rev. Stat. §23-1203 confers authority upon the County of Knox to employ additional counsel in civil matters as it may deem necessary;

WHEREAS, the County of Knox deems it necessary and in its best interests to employ attorney David D. Begley as Special County Attorney for the Lawsuit;

WHEREAS, the Chairman is hereby authorized to enter into an hourly fee agreement with attorney David D. Begley for his reasonable compensation with respect to the Lawsuit;

NOW, THEREFORE, BE IT RESOLVED BY THE KNOX COUNTY BOARD OF SUPERVISORS, that the county of Knox, pursuant to Neb., Rev. Stat. §23-1203, employs attorney David D. Begley as Special County Attorney to defend the County of Knox, its Supervisors and members of the Planning Commission in the Lawsuit.

DATED this 18th day of September, 2024.

Elder Law and Estate Planning of
Nebraska, David D. Begley, P.C., L.L.O.
David D. Begley /s/
By David D. Begley, #16795

Attest (Seal)
Joann M. Fischer /s/
By Joann M. Fischer, County Clerk

COUNTY OF KNOX
James Sokol, Jr. /s/
By James Sokol, Jr., Chairman

GENERAL FUND. Salaries, 109,044.53; Amy Johnson, reimburse registration, 115.00; Applied Connective Technologies, IT/phone, 5,273.34; Bloomfield Medical Clinic, medical treatment, 860.00; Bloomfield Pharmacy, meds, 14.80; Clerk of District Court, court costs, 112.00; CMart LLC, gas, 46.36; Collector of Internal Revenue, Social Security County pays, 8,213.85; County of Knox Employee Benefit c/o Healthcare Solutions Group Inc., insurance County pays, 24,431.36; Creighton 59 LLC, gas, 95.16; Crofton Journal/Niobrara Tribune, subscriptions, 90.00; Crowne Plaza Kearney, lodging, 899.70; Country Market, supplies, 21.33; Dollar General, jail supplies, 90.00; Eakes Office Solutions, janitor supplies/copier agreement, 481.14; Elizabeth Doerr, contract labor, 100.00; Farmers & Merchants State Bank, ach fee, 240.00; Gragert's Grocery, jail food, 1,594.71; Great Plains Communications, tower internet/phone/internet, 1,243.02; Hefner Hardware, batteries, 11.99; Independent Pest Management, pest control, 425.00; Jedlicka's Hardware Hank, caulk/screws, 3.55; Knox County Treasurer, transfer from General Fund to Road Fund, 128,971.78; Law Enforcement Systems Inc., supplies, 204.00; Lincoln National Life Insurance Co., insurance County pays, 141.99; Lois Kumm, jail food, 228.00; Madison County Clerk, judge expense, 72.30; Microfilm Imaging Systems, scanner rent, 40.50; Moody Motor Company, repairs, 240.06; North Central Public Power District, tower electricity, 41.56; Postmaster, permit fees, 700.00; Principal Life Insurance Company, insurance County pays, 1,075.68; Quill Corporation, office supplies, 965.13; R&K Motor Parts, oil/filter, 36.26; Retirement Plans Div. of Ameritas, retirement County pays, 7,584.46; Sanne Repair, transfer equipment, 560.00; US Cellular, cell phones, 185.65; US Cellular, cell phones, 254.94; Verdigre Farm Service, gas, 89.51; Wayne County Clerk, judge expense, 4,101.49.

ROAD FUND. Salaries, 39,256.07; Art's Garbage, garbage, 18.00; Bauer Built Inc., tires, 1,368.56; Bazile Creek Power Sports; repairs, 262.88; Big Red Mini Mart, gas, 192.27; Bloomfield Auto Parts, repairs/tools, 27.84; Bohemian One Stop LLC, gas, 962.10; Bruce Hagge, prior service, 24.00; Bruce Peters, prior service, 24.00; CHS, diesel, 1,509.50; City of Creighton, water/sewer, 137.93; CMart, gas, 372.03; Collector of Internal Revenue, Social Security County pays, 2,956.91; County of Kox Employee Benefit c/o Healthcare Solutions Group Inc., insurance County pays, 10,497.64; Creighton 59 LLC, gas, 492.35; Crofton Lumber, shop supplies, 4.30; Dendinger AG LLC, roadside mowing, 523.68; Farmers Pride, diesel, 6,361.31; Freeman Oil Co LLC, diesel, 1,343.45; Herbert Feed & Grain Co., diesel, 2,885.40; HrbeK Construction, equipment rental, 2,090.00; J&J Sanitation, garbage, 49.00; Jebro Inc., MC250/MC3000, 122,501.37; Jedlicka's Hardware Hank, shop supplies, 170.88; John Kauth, reimburse CDL, 60.00; Kayton International Inc., repairs, 1,675.25; Lincoln National Life Insurance Company, insurance County pays, 56.62; LTL Holdings Inc., gas, 325.15; Marc Mastalir, prior service, 21.00; North Central Public Power District, electricity, 313.15; Pitzer Digital, publishing, 76.00; Powerplan, repairs, 4,509.34; Principal Life Insurance Company, insurance County pays, 403.38; R&K Motor Parts, repairs/battery/filters, 818.14; RDO Truck Centers, repairs, 144.28; Retirement Plans Div. of Ameritas, retirement County pays, 2,594.08; Riverside Hydraulics Inc., repairs, 605.04; Rose Equipment Inc., repairs, 3,767.72; Russ Crosley, garbage, 46.00; Santee Utility Commission, garbage, 65.00; Schreier's Lumber Company, shop supplies, 11.25; Scott Grim, prior service, 30.00; Sucha Repair, oil/filter/oxygen/acetylene, 668.80; Titan Machinery Inc., repairs, 248.13; US Cellular, cell phones, 542.91; Vakoc Excavating LLC, gravel, 3,619.20; Verdigre Farm Service, shop supplies/gas/diesel/tordon, 5,685.97; Vic's Service LLC, gas/ repair, 420.25; Village of Niobrara, water/sewer, 43.25; Village of Verdigre, water/sewer/garbage, 82.60; Willow Creek Sand & Gravel, gravel/haul, 45,199.47.

CHILD SUPPORT FUND. Eakes Office Solutions, copier agreement, 2.38; Microfilm Imaging Systems, scanner rent, 81.00.

COUNTY WELLNESS FUND. Name Redacted, reimburse deductible, 250.00.

C&C DEVELOPMENT FUND. Salaries, 3,627.25; Collector of Internal Revenue, Social Security County pays, 273.47; Lincoln National Life Insurance Co., insurance County pays, 2.98; Principal Life Insurance Company, insurance County pays, 22.41; Retirement Plans Div. of Ameritas, retirement County pays, 233.02; Rita Pitzer, leadership meals, 225.00; Stacy Miller, reimburse meals, 26.09; US Cellular, cell phones, 123.24.

911 EMERGENCY FUND. OPTK Networks, networking, 228.44.

911 WIRELESS SERVICE FUND. OPTK Networks, networking, 533.04.

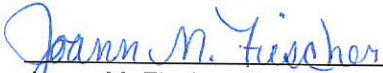
TOTALS

| | |
|---------------------------|---------------------|
| General Fund | \$298,900.15 |
| Road Fund | 266,063.45 |
| Child Support Fund | 83.38 |
| County Wellness Fund | 250.00 |
| C&C Development Fund | 4,533.46 |
| 911 Emergency Fund | 228.44 |
| 911 Wireless Service Fund | 533.04 |
| Total | \$570,591.92 |

Chairman Sokol, Jr. adjourned the Knox County Board of Supervisors at 4:49 p.m. on September 18, 2024 until Wednesday, October 2, 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:


Joann M. Fischer, Knox County Clerk



COUNTY BOARD OF SUPERVISORS
OF KNOX COUNTY, NEBRASKA

By 
James Sokol, Jr., Chairman
