

## PROCEEDINGS OF THE KNOX COUNTY BOARD OF SUPERVISORS

Center, Nebraska

April 3, 2025

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 Thursday, April 3, 2025 at 9:30 a.m. Present were Supervisors Martin J. O'Connor District #1, Kevin G. Mlady 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 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 Creighton News 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.

County Clerk Fischer read the minutes of the March 19, 2025 meeting. Chairman Sokol, Jr. approved the minutes of the March 19, 2025 meeting.

Chairman Sokol, Jr. opened the public comment session at 9:45 a.m.

Correspondence reviewed was the following: 1.) Copy of Nebraska Department of Environment and Energy letter to Ty Breithaupt on the Breithaupt Feedlot Concentrated Animal Feeding Operation; 2.) Copy of letter from Jack W. Lafleur, President of the Seventh Judicial District Bar Association to Judges of the Seventh Judicial District requesting an increase in the rates paid to court appointed council in the county and districts courts of the Seventh Judicial District; 3.)

The 2023/2024 annual audit has now been completed by Regier Carr & Monroe, LLP and the auditors would like to have a Zoom meeting with the Board to review the Independent Auditor's Report and Financial Statement for fiscal year ending June 30, 2024. A Zoom meeting will be scheduled at a future meeting.

Motion by Supr. Pierce, seconded by Supr. O'Connor that all claims except Claims #25040085, #25040093 and #25040095, 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.

Motion by Supr. Schlote, seconded by Supr. Borgmann that Claim #25040093 payable to Elder Law and Estate Planning in the amount of \$23,928.30 written from the Inheritance Fund, 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, #6 and #7. Nays none. Abstain District #5. Motion carried.

Motion by Supr. Borgmann, seconded by Supr. O'Connor that Claim #25040095 payable to Liberty Law Group, LLC in the amount of \$7,899.50 written from the Inheritance Fund, 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.

Motion by Supr. Borgmann, seconded by Supr. Pierce to place on file the Receipts Revenue List of March 17 – 29, 2025. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Mackeprang, seconded by Supr. Schlote to place on file the Clerk of the District Court March 2025 Fee Report. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Chairman Sokol, Jr. closed the public comment session at 10:01 a.m. No one gave public comments.

Chairman Sokol, Jr. moves the Board recess at 10:01 a.m. for Board of Equalization.

The Knox County Board of Supervisors reconvened at 10:05 a.m. with all members present.

Hwy. Supt. Barta met with the Board on the following: 1.) Motion by Supr. Mlady, seconded by Supr. Pierce to adopt **Resolution #2025 – 10** to declare a 2002 Chevrolet Silverado K1500 pickup and a 2009 Chevrolet Silverado K1500 LT pickup as surplus property and to be sold "as is" without any warranties at the Annual Spring Machinery Consignment Auction in Hartington, Nebraska on April 14, 2025. By roll call vote. Ayes all Districts. Nays none. Motion carried.

### **RESOLUTION #2025 - 10**

#### **RESOLUTION TO DECLARE MOBILE EQUIPMENT AS SURPLUS PROPERTY AND FOR THE SALE OF SURPLUS PROPERTY**

**WHEREAS**, Knox County owns mobile equipment which has a value of five thousand dollars or more which is not usable by the County and/or obsolete; and

**WHEREAS**, said mobile equipment consists of the following property:

1. 2002 Chevrolet Silverado K1500 Pickup
2. 2009 Chevrolet Silverado K1500 LT Pickup

**WHEREAS**, Knox County intends to dispose of said property as surplus pursuant to Nebraska Revised Statute 23-3115 through competitive bidding on the two pickups at the Annual Spring Machinery Consignment Auction in Hartington, Nebraska on April 14, 2025, and

**WHEREAS**, the surplus property listed is being sold "as is" without any warranties, and

**IT IS FURTHER RESOLVED THAT** the Highway Superintendent and the Knox County Clerk be directed to coordinate disposal of said property in accordance with the laws of the State of Nebraska.

**DATED this 3<sup>rd</sup> day of April 2025.**

ATTEST: (Seal)

COUNTY BOARD OF SUPERVISORS  
OF KNOX COUNTY, NEBRASKA

By: James Sokol, Jr. /s/  
Chairman

Joann M. Fischer /s/  
Knox County Clerk

Hwy. Supt. Barta continued with the following: 2.) Discussed options on selling the used iron pile at the Center Yard; 3.) Bridge Crew update; 4.) Oil Crew update. A request was made to pave or oil a portion of 887 RD between 542 and 543 AVE as there are trucks using this part of the road numerous times during the day. Discussion ensued on costs of grading, paving, oiling or put heavier gravel or rock on that section of road; 5.) Discussed gravel bids accepted at the March 19, 2025 meeting. Samples from three pits were studied as to weight and quality. Discussion continued on not meeting State Spec as bid and options; 6.) At 10:30 A.M., Chairman Sokol, Jr. opened the advertised asphaltic bid opening. Knox County reserves the right to accept or reject any and all bids and further reserves the right to accept bids which are in the County's best interest. One bid was received which was from Jebro Inc., Sioux City IA – MC70 price per gallon - \$4.39; MC250 per gallon - \$4.05; MC3000 price per gallon - \$3.77; CRS-2 price per gallon (estimated gallons 6,000+) delivered to Creighton - \$3.36; Demurrage charge \$160 per hour after one and a half hours, \$100 cancellation fee; \$100 pumping fee each time County requests a pump during placement of orders; returned loads subject to \$400 return fee. Motion by Supr. Schlote, seconded by Supr. Mlady to accept the asphaltic bid from Jebro Inc., Sioux City IA as submitted. By roll call vote. Ayes all Districts. Nays none. Motion carried; 7.) Surveying of the Ash Fall intersection will be done; 8.) Discussed Great Plains placing fiber optic cable in the Crofton area; 9.) Supr. O'Connor discussed a call received about a landslide on a road that was reported as being a County road, however, after further research it was found the road is located in a lake subdivision and is a private road.

Kate McLaughlin and Ron Nelson from Kearney with the American Red Cross updated the Board on the blood drive that will take place on April 30, 2025 at the Center Hall and presented information on the process.

At 11:13 a.m., Chairman Sokol, Jr. opened the advertised public hearing on the liquor license application for Stockyard 14 (sale barn) near Verdigre.

At 11:13 a.m., Chairman Sokol, Jr. opened the advertised public hearing on the reuse loan application submitted by Bill Arnold who plans to buy-out his business partners of Premier Cable Services and conduct a fiber optic cable installation for various companies. Bill Arnold and NENEDD Business Loan Specialist Jeff Christensen were present. This loan will close the County's Economic Development Fund and all future loans will be under the full direction of NENEDD. Chairman Sokol, Jr. closed the public hearing at 11:18 a.m. Motion by Supr. Borgmann, seconded by Supr. Pierce to approve a reuse loan to Premier Cable Services, LLC in the amount of \$46,965.45 as a 10-year term loan at 3.5% interest. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Motion by Supr. Borgmann, seconded by Supr. Pierce that Claim #25040085 payable to NED, Inc. in the amount of \$46,965.45 written from the Economic Development Fund, 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 \$458,701.72 are listed at the end of these proceedings.

Chairman Sokol, Jr. closed the Stockyard 14 liquor license application open public hearing at 11:24 a.m. There was no one present in opposition. Motion by Supr. Mlady, seconded by Chairman Sokol, Jr. to approve the Class C Beer, Wine Spirits On and Off Sale Liquor License Application for Sarah Anthony dba as Stockyard 14. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Economic Development Director Stacy Miller presented an update of activities and events she has been working on.

Heidi Borg with Congressman Adrian Smith's Office updated the Board on committee reports and legislation.

Zoning Administrator Jelinek met with the Board on the following: 1.) Motion by Supr. Pierce, seconded by Supr. Borgmann to place on file the March 2025 Permits Report. By roll call vote. Ayes all Districts. Nays none. Motion carried; 2.) Motion by Supr. Pierce, seconded by Supr. Schlote to approve Administrative Plat Application #P2506 Amy Pavlik for a 7.75-acre tract in the N1/2NE1/4 of Section 8, T30N, R7W of the 6<sup>th</sup> P.M., Knox County, Nebraska. By roll call vote. Ayes all Districts. Nays none. Motion carried; 3.) Motion by Supr. Pierce, seconded by Supr. Borgmann to approve Administrative Plat Application #P2505 Amy Pavlik for a boundary adjustment on a 1.31-acre tract in the NW1/4NE1/4 of Section 8, T30N, R7W of the 6<sup>th</sup> P.M., Knox County, Nebraska. By roll call vote. Ayes all Districts. Nays none. Motion carried; 4.) Motion by Supr. Borgmann, seconded by Supr. Mackeprang to approve the Application for Permit to Install Pipeline or Service Line Beneath a County Road #R2501 for Great Plains to install fiber optic cable in the Crofton and lake areas. By roll call vote. Ayes all Districts. Nays none. Motion carried; 5.) The Board and Zoning Administrator Jelinek reviewed the Knox County Zoning Fee Schedule and a recommendation to add a Complaint Fee of \$100. Motion by Supr. Mackeprang, seconded by Supr. Mlady to approve a \$100 Complaint Fee to be added to the Fee Schedule and that Zoning Administrator Jelinek and County Attorney Knox Jensen draft a complaint form. By roll call vote. Ayes all Districts. Nays none. Motion carried; 6.) Motion by Supr. O'Connor, seconded by Supr. Borgmann to request the Knox County Planning Commission review the ban of all new commercial wind and solar developments in Knox County, conduct a public hearing as required, and form a report back to the Board of Supervisors as to the recommendations and findings of the Planning Commission. By roll call vote. Ayes Districts #1, #2, #3, #4, #6 and #7. Nays District. #5. Motion carried.

Motion by Supr. Pierce, seconded by Supr. Mackeprang to go into closed session at 12:06 p.m. to discuss Courthouse security issues. By roll call vote. Ayes all Districts. Nays none. Motion carried. Chairman Sokol, Jr. reiterated the closed session will be held on Courthouse security issues. The Board came out of closed session at 12:20 p.m.

Motion by Supr. Borgmann, seconded by Supr. Mlady to close at 12:20 p.m. the closed session held on Courthouse security issues. By roll call vote. Ayes all Districts. Nays none. Motion carried.

Chairman Sokol, Jr. moves the Board recess at 12:20 p.m. for lunch.

The Knox County Board of Supervisors reconvened at 1:00 p.m. with all members present.  
Supr. Mackeprang left the meeting at 1:01 p.m.

Motion by Supr. Schlote, seconded by Supr. Pierce to go into closed session at 1:01 p.m. on pending litigation namely the North Fork Wind, LLC, etal v Knox County, etal lawsuit. By roll call vote. Ayes Districts #1, #2, #3, #4, #6 and #7. Nays none. Absent was District #5. Motion carried. Chairman Sokol, Jr. reiterated the closed session will be held on pending litigation namely the North Fork Wind, LLC, etal v Knox County, etal lawsuit. Zoning Administrator Jelinek was present during the closed session. The Board came out of closed session at 2:15 p.m.

Motion by Supr. Borgmann, seconded by Supr. O'Connor to close at 2:15 p.m. the closed session held on pending litigation namely the North Fork Wind, LLC, etal v Knox County, etal lawsuit. By roll call vote. Ayes Districts #1, #2, #3, #4, #6 and #7. Nays none. Absent was District #5. Motion carried.

Legislative, Committee and Officials' updates were given.

**GENERAL FUND.** Salaries, 106,633.30; Amy Johnson, mileage, 9.10; Avera Patient Financial Services, medical treatment, 545.14; Bomgaars Supply Inc., keys, 20.94; Clerk of District Court, court costs, 76.00; Collector of Internal Revenue, Social Security County pays, 8,134.70; County of Knox Employee Benefit c/o Healthcare Solutions Group Inc., insurance County pays, 34,880.00; Crofton Journal/Niobrara Tribune, publishing, 1,221.09; DAS State Accounting-Central Finance, radios, 194.00; DAS State Accounting-Central Finance, teletype, 537.60; Eakes Office Solutions, supplies/copier agreement, 416.69; First National Bank Omaha, gas/supplies/meals/postage, 4,409.13; Great Plains Communications, phone/internet/fax, 1,613.33; Heartland Heating, quarterly billing, 3,420.00; Hefner Hardware, paint/padlocks/keys, 214.79; IMT Insurance, notary public bond, 50.00; Knox County Sheriff, warrant fees, 454.60; Knox County Treasurer, transfer from the General Fund to the C&C Development Fund, 6,250.00; Lincoln National Life Insurance Co., insurance County pays, 153.92; Loffler, copier contract, 387.53; Lois Kumm, jail food, 76.00; Megan Hanefeldt, mileage, 40.60; Motorola Solutions Inc., radio equipment, 9,579.65; NACO, registrations, 125.00; Nebraska Association of County Treasurers, registration, 175.00; North Central Public Power District, electricity, 2,017.23; O'Neill Shopper, publishing, 50.00; Physicians Laboratory P.C., autopsy costs, 484.00; Pitzer Digital, publishing, 392.43; Principal Life Insurance Company, insurance County pays, 1,213.16; Quill Corporation, office supplies, 1,314.83; Region IV Behavioral Health System, quarterly bill, 6,407.75; Retirement Plans Division of Ameritas, retirement County pays, 7,502.19; Security Shredding Services, shredding, 120.00; Verdigre Eagle, publishing, 403.18; Willie's Service, oil change, 43.83.

**ROAD FUND.** Salaries, 39,482.87; B's Enterprises Inc., signs, 480.00; Bauer Built Tire, tires, 3,114.88; Big Red Mini Mart, gas, 163.18; Black Hills Energy, heating fuel; 164.00; Bomgaars, repairs/shop supplies/shop tools/chain saw oil, 465.60; City of Bloomfield, water, 28.00; Collector of Internal Revenue, Social Security County pays, 2,968.51; County of Knox Employee Benefit c/o Healthcare Solutions Group Inc., insurance County pays, 12,290.00; Crofton Journal/Niobrara Tribune, publishing, 16.22; Dan Vakoc, mixing strip rental, 500.00; Don Ketelsen, reimburse ceiling fan, 64.60; Great Plains Communications, phone, 201.53; Grossenburg Implement Inc., repairs/oil/filter, 2,952.98; Herbert Feed & Grain Co., diesel, 3,304.62; Husker C-Mart, gas, 281.16; JEO Consulting Group Inc., engineer fees, 2,558.75; Kimball Midwest, shop supplies, 348.60; Lincoln National Life Insurance Co., insurance County pays, 56.62; Marlene Moeller, mixing strip rental, 500.00; Nebraska Association of County Engineers, Highway Superintendents and Surveyors, registration, 160.00; Nebraska Public Power District, electricity, 364.21; MNC Inc., repairs, 628.47; North Central Public Power District, electricity, 367.70; Northtown Automotive, pickup, 39,000.00; Orrin Pospisil, mixing strip rental, 500.00; Principal Life Insurance Company, insurance County pays, 419.94; Retirement Plans Div. of Ameritas, retirement County pays, 2,608.32; Rohrer Welding, shop materials, 612.24; Schreier Lumber, posts/wire, 263.90; Vakoc Excavating LLC, gravel/haul/rental, 36,487.35; Village of Niobrara, water/sewer, 44.50; Willow Creek Sand & Gravel, gravel/haul, 17,123.15.

**CHILD SUPPORT FUND.** Great Plains Communication, phone/internet/fax, 165.74.

**VISITOR'S PROMO FUND.** CTM Media Group Inc., visitor's guides, 2,980.00.

**ECONOMIC DEVELOPMENT FUND.** NED Inc., loan, 46,965.45.

**C&C DEVELOPMENT FUND.** Salaries, 1,764.99; Creative Revolution, QR code/website, 52.49; Crofton Journal/Niobrara Tribune, publishing, 193.88; DeLynn Minarik, DJ service, 300.00; First National Bank Omaha, gas/ postage/promo, 105.58; Great Plains Communication, phone/internet/fax, 58.97; Lincoln Marriott Cornhusker, lodging, 220.00.

**INHERITANCE FUND.** Cople, Rockey, Schlecht & Mason P.C., court appointed attorney, 1,392.96; Elder Law and Estate Planning, special county attorney, 23,928.30; Jamie Miller Legal Services LLC, court appointed attorney, 1,536.85; Liberty Law Group, special county attorney, 7,899.50; Rodney W. Smith, public defender contract, 2,083.33.

**KENO FUND.** First National Bank Omaha, safety ladders, 323.98.

**911 EMERGENCY FUND.** Great Plains Communications, phone/internet, 234.63.

**911 WIRELESS SERVICE FUND.** Great Plains Communications, phone/internet, 406.46.

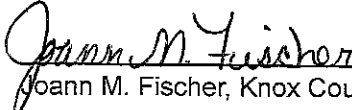
#### TOTALS

General Fund	\$199,566.71
Road Fund	168,521.90
Child Support Fund	165.74
Visitor's Promo Fund	2,980.00
Economic Development Fund	46,965.45
C & C Development Fund	2,695.91
Inheritance Fund	36,840.94
Keno Fund	323.98
911 Emergency Fund	234.63
911 Wireless Service Fund	406.46
<b>Total</b>	<b>\$458,701.72</b>

Chairman Sokol, Jr. adjourned the Knox County Board of Supervisors at 2:19 p.m. on Thursday, April 3, 2025 until Wednesday, April 16, 2025 at 9:30 a.m. for a regular meeting.

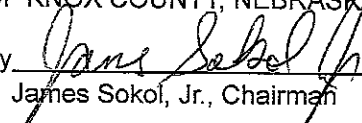
I, Joann M. Fischer, Knox County Clerk, do hereby certify that the County Board of Supervisors' minutes are correct to the best of my knowledge.

ATTEST:

  
Joann M. Fischer, Knox County Clerk



COUNTY BOARD OF SUPERVISORS  
OF KNOX COUNTY, NEBRASKA

By   
James Sokol, Jr., Chairman