

Hitchcock County Board Minutes



Hitchcock County Board of Commissioners

Trenton, Nebraska
December 17, 2018

A meeting of the County Board of Commissioners of Hitchcock County, Nebraska was held at the Hitchcock County Courthouse Commissioner’s Room, 229 East D Street, Trenton, Nebraska on Monday the 17th, day of December, 2018 commencing at 9:00 o’clock a.m. Present were Chair Scott McDonald, Commissioner Paul Nichols and Ron Wertz and County Clerk Margaret Pollmann. Notice of the meeting was given in advance thereof by publication in the Hitchcock County News, the designated method for giving notice. Board agendas are posted on the County’s website www.hitchcockcounty.ne.gov. Notice of the meeting was given to the Chair and all members of the Board. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. The Open Meetings Act was available for review and Chair indicated the location of such copy in the room where the meeting was being held.

Chair McDonald called the meeting to order at 9:00 a.m.

Member Nichols moved to approve the consent calendar consisting of the following items: Approval of the December 3rd, 2018 meeting minutes and approval of the December 17th, 2018 meeting agenda. Member Wertz seconded the motion and after consideration the following members voted in favor of said motion: McDonald, Wertz, and Nichols. Motion carried.

Member McDonald moved to approve the following claims. Member Nichols seconded the motion and after consideration, the following members voted in favor of said motion: Wertz, McDonald, and Nichols. Motion carried.

GENERAL FUND:

General Fund Payroll -----	\$53,395.55
AFLAC, suppl. ins. -----	\$ 1,387.58
Ameritas Life Ins., vision ins. -----	\$ 270.22
BC&BS, dental ins. -----	\$ 998.65
BC&BS, health ins. -----	\$14,747.57
Bosselman Energy, Inc., propane -----	\$ 882.49
Capital Business Systems, lease -----	\$ 28.00
Colonial Life & Accident, suppl. ins. -----	\$ 243.92
Community 1 st Bank, FICA/OASI/Fed. -----	\$17,222.55
Kimberly Cook, mileage/communications-----	\$ 109.80
D&L Pest Control, service -----	\$ 53.00
Eakes Office Solutions, supply -----	\$ 711.84
Farmers Coop, fuel -----	\$ 1,021.50
Nancy Frecks, mileage/communications -----	\$ 54.32
Garner Law Office, mileage -----	\$ 196.28
Goodwin Siegfried, court appt. counsel -----	\$ 275.00
Hitchcock Co. Court, costs -----	\$ 161.00
Sherrie Johnson, witness fees -----	\$ 33.08
Madison National Life, life ins. -----	\$ 34.10
Scott McDonald, mileage -----	\$ 231.63
Mid American Benefits, admin. fees -----	\$ 97.50
MIPS, Inc., data process. -----	\$ 2,007.80



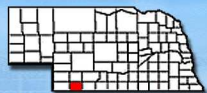
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Mousel, Brooks, Schneider & Mustion, ct. appt. counsel -----	\$ 282.28
NACO, dues -----	\$ 1,229.81
NE Dept. Rev., state tax -----	\$ 2,581.88
New York Life, life ins. -----	\$ 75.00
Retirement Plans Division Ameritas, retirement -----	\$ 7,794.97
Schmick's Market, supply -----	\$ 969.84
Scoop Media, publications -----	\$ 542.33
Shredding Solutions, service -----	\$ 75.00
Stratton Auto Parts, repair -----	\$ 15.39
SWNCBC, de-obligated CDBG funds -----	\$12,385.68
Total Turf, service -----	\$ 80.00
U-Save Pharmacy, inmate prescription -----	\$ 25.79
US Bank, antivirus/supply -----	\$ 105.46
Verizon Wireless, service -----	\$ 282.53
Wireless Inet, service -----	\$ 150.00
Billie D. Zahl, witness fees -----	\$ 33.08
Linda Zahl, witness fees -----	\$ 33.08

ROAD FUND:

Road Fund Payroll -----	\$10,667.38
AFLAC, suppl. ins. -----	\$ 571.39
Ameritas Life Insurance, vision ins. -----	\$ 69.96
BARCO Municipal Products, safety jackets -----	\$ 443.04
BC&BS, dental ins. -----	\$ 172.16
BC&BS, health ins. -----	\$ 684.11
Bosselman Energy, Inc., fuel/propane/repair -----	\$ 878.46
Justin Bright, reimb. tools -----	\$ 4.27
C&K Dist., repair -----	\$ 309.15
Colonial Life & Accident, life ins. -----	\$ 36.32
Community 1 st Bank, FICA/OASI/Fed. -----	\$ 3,097.40
Dan's R Us Sanitation, service -----	\$ 20.00
Phillip Dixon, highway supt. contract -----	\$ 825.00
Eakes Office Solutions, supply -----	\$ 64.61
Farmers Coop, repair/supply/fuel -----	\$ 527.97
Inland Truck Parts, repair -----	\$ 177.52
Jay Bird Express, repair -----	\$ 179.40
Lakeside Sand & Gravel, gravel -----	\$ 5,509.68
League Builders Supply, supply -----	\$ 60.40
Madison National Life, life ins. -----	\$ 3.10
Menards North Platte, building repair -----	\$ 86.14
Mentzer Oil Co., fuel -----	\$ 5,021.60
Michael Todd & Co., signs -----	\$ 1,550.00
Mid-American Benefits, admin. fee -----	\$ 7.50
NE Dept. Rev., state tax -----	\$ 422.93
NE Machinery Co., repair/blades -----	\$ 2,881.56
Plains Equipment Group, repair -----	\$ 2,562.88
PowerPlan, John Deere Financial, repair -----	\$ 5,316.48
RW Repair, fuel -----	\$ 246.21
Retirement Plans Division, Ameritas, retirement -----	\$ 1,267.17



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Richards Gravel Pit, gravel -----	\$ 2,457.00
Southwest Farm & Auto Supply, repair/tools -----	\$ 459.77
Stratton Auto Parts, repair/tools -----	\$ 160.73
Titan Machinery, repair -----	\$ 2,663.83
US Bank, tools -----	\$ 78.94
Village of Culbertson, utility -----	\$ 47.47

Member Nichols moved to approve the claim of Ron Wertz in the amount of \$285.69 in the Road Fund for repairs. Member McDonald seconded the motion and after consideration, the following members voted in favor of said motion: McDonald and Nichols. Member Wertz abstained. Motion carried.

Member McDonald offered Resolution #18-24 and moved for its' adoption. Member Nichols seconded the motion and after consideration the roll was called thereupon and the following members voted in favor of the motion: Nichols, Wertz, and McDonald. Said resolution having been consented to by a majority of all members elected to said County Board, was by the Chair declared passed and adopted. A true, correct and complete copy of said resolution is as follows:

RESOLUTION #18-24

WHEREAS, the United States Congress adopted the 1864 Enabling Act which enabled the people of the State of Nebraska to form a Constitution and as part of such act designated Section 16 and 36 of each Township (school land) for the support of the common schools; and

WHEREAS, pursuant to such Enabling Act, the citizens of Nebraska formed a constitution and set aside Section 16 and 36 in each Township for the support of the Common Schools within the State of Nebraska; and

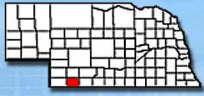
WHEREAS, lease income from the school land in HITCHCOCK COUNTY is annually sent to the Department of Educational Lands and Funds for distribution to the various school districts within the State of Nebraska for support of the common schools; and

WHEREAS, the income from the said school land in HITCHCOCK COUNTY amounted to \$757,216.22 in 2017 of which \$46,812.37 was returned to HITCHCOCK COUNTY for support of the common schools; and

WHEREAS, it appears that a disproportion of the moneys paid to the Nebraska Department of Educational Lands and Funds is returned to HITCHCOCK COUNTY for support of the common schools; and

WHEREAS, it appears that it would benefit the taxpayers and residents of HITCHCOCK COUNTY if an opinion would be obtained by a knowledgeable, reputable attorney to investigate the intent of the 1864 Enabling Act to determine if the allocation made by the Nebraska Department of Educational Lands and Funds in distribution of the school land rental, and interest income, is in compliance with the intent of the 1864 Enabling Act; and

WHEREAS, David Domina, (Domina) of Domina Law Group of Omaha, Nebraska has agreed to provide such opinion to HITCHCOCK COUNTY; and



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WHEREAS, it appears that it would be to the best interests of the residents and taxpayers of HITCHCOCK COUNTY if Domina be appointed as a special attorney for HITCHCOCK COUNTY to research and provide a legal opinion in accordance with the intent of this resolution with the cost of such opinion to be shared proportionally with other Nebraska Counties participating in obtaining such opinion.

BE IT THEREFORE RESOLVED by the County Commissioners of HITCHCOCK COUNTY that David Domina, of the Domina Law Group of Omaha, Nebraska be and he hereby is appointed as special attorney for HITCHCOCK COUNTY to research and issue a legal opinion as to whether the current distribution of funds received by the Nebraska Department of Educational Lands and Funds from school land lease payments and income from investments made by the sale of school land within the State of Nebraska is consistent with the intent of the 1864 Enabling Act of the United States Congress.

BE IT FURTHER RESOLVED that the cost and expense of such opinion will be shared with other Nebraska Counties participating based on the total lease payments generated within each of such participating counties on a proportional basis.

PASSED AND APPROVED this 17th day of December, 2018.

Voting for the motion: Wertz, McDonald, Nichols

Voting against the motion: None

Abstaining: None

Absent: None

BOARD OF COUNTY COMMISSIONERS OF
HITCHCOCK COUNTY, NEBRASKA

ATTEST:

Scott McDonald, Chairman

Margaret Pollmann, County Clerk

Treasurer was in receipt of \$1,076.89 from Lincoln County for Emergency Management fee reimbursement, \$279.77 from Mid Plains Community College, \$313.00 from the Village of Trenton, and \$421.01 from Wauneta Palisade Public Schools for election expenses, all credited to the General Fund.

Member Wertz moved to adjourn at 10:55 a.m. and to meet for the next regular meeting on Monday, January 7th, 2018 at 9:00 a.m. Member Nichols seconded the motion and the roll was called with the following members voting in favor of said motion: Wertz, Nichols, and McDonald. Motion carried.

ATTEST:

Scott McDonald, Chair
Hitchcock County Board of Commissioners

Margaret M. Pollmann, County Clerk