

Hitchcock County Board Minutes



Hitchcock County Board of Commissioners

Trenton, Nebraska
December 20, 2021

A meeting of the County Board of Commissioners of Hitchcock County, Nebraska was held at the Hitchcock County Courthouse Community Room, 229 East D Street, Trenton, Nebraska on Monday, the 20th day of December, 2021 commencing at 9:00 o'clock a.m. Present were Chair Paul Nichols, Commissioners Scott McDonald 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.

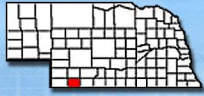
Chair Nichols called the meeting to order at 9:00 a.m.

Member Nichols moved to approve the consent agenda consisting of the following items: Approval of the December 20th, 2021 Agenda and approval of the December 6th, 2021 meeting minutes. Member Wertz seconded the motion and after consideration the following members voted in favor of said motion: Wertz, Nichols, and McDonald. Motion carried.

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

GENERAL FUND:

General Fund Payroll -----	\$51,361.74
AFLAC, suppl. ins. -----	\$ 921.72
Applied Connective Technologies, email domain/accts. -----	\$ 70.00
BC & BS, dental ins. -----	\$ 1,129.36
BC & BS, health ins. -----	\$18,469.10
Bosselman Energy, Inc., propane -----	\$ 1,338.47
CDC Assoc., dues -----	\$ 50.00
Colfer, Wood, Lyons, & Wood, ct. appt. counsel -----	\$ 1,772.36
Colonial Life & Accident Ins. Co., suppl. ins. -----	\$ 39.70
Community 1 st Bank, FICA/OASI/Fed. -----	\$16,844.64
Kimberly Cook, communications/mileage -----	\$ 132.56
Culbertson Public Library, budgeted funds -----	\$ 100.00
Justin M. Daake, ct. appt. counsel -----	\$ 410.00
DAS State Accounting, data process. -----	\$ 184.48
Dan Dotson, service -----	\$ 156.00
Jaclyn Drain, mileage/lodging reimb. -----	\$ 334.56
Eakes Office Solutions, supply -----	\$ 128.59
Eisenhart Law, ct. appt. counsel -----	\$ 909.60
Farmers Coop Grain & Supply, fuel -----	\$ 1,650.38
Suhr Enterprises, supply -----	\$ 466.04
Goodwin Siegfried LLP, ct. appt. counsel -----	\$ 780.90
Government Forms & Supply, supply -----	\$ 562.39



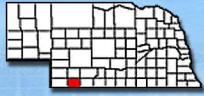
Hitchcock County Board Minutes



Great Plains Comm., service -----	\$ 1,127.77
William R. Hagemann, mileage -----	\$ 153.44
Hampton Inn, lodging -----	\$ 574.75
Gerry Hunter, reimb. uniform -----	\$ 75.00
Thomas W. Jones, meals/mileage -----	\$ 161.12
K-C Motor & Electric, repair -----	\$ 225.72
Planning Commission per diem/mileage -----	\$ 139.96
MASA,, suppl. ins. -----	\$ 56.25
Scott McDonald, mileage -----	\$ 242.48
Mead Lumber, repair -----	\$ 227.40
Menards, Kearney, repair -----	\$ 368.04
Mid American Benefits, admin. fees -----	\$ 108.50
MIPS, Inc., data process. -----	\$ 2,033.66
Mousel, Brooks, Schneider & Mustion -----	\$ 703.04
NE Game & Parks, blood/alcohol lab tests -----	\$ 105.00
NE Dept. Rev., state tax -----	\$ 2,610.68
New York Life, life ins. -----	\$ 75.00
Margaret Pollmann, mileage -----	\$ 136.08
Region II Human Services, 1/4 assessment -----	\$ 2,801.50
Retirement Plans Division, Amertias, retirement -----	\$ 8,335.91
Terra Riggs, mileage -----	\$ 140.00
Rippen Oil, LLC, repair -----	\$ 300.00
Scoop Media LLC, publications -----	\$ 602.00
Robert Scott, mileage -----	\$ 145.00
SW Public Power, utility -----	\$ 73.04
Ashley K Spahn, ct. appt. counsel -----	\$ 360.00
Total Turf Co., Inc., winterizing sprinkler system -----	\$ 90.00
US Bank, AVG renewal -----	\$ 65.29
VSP Ins., vision ins. -----	\$ 313.49
Ron Wertz, mileage -----	\$ 149.52
Wireless Inet, service -----	\$ 150.00

ROAD FUND:

Road Fund Payroll -----	\$13,447.03
AFLAC, suppl. ins. -----	\$ 496.90
BC&BS, dental ins. -----	\$ 314.04
BC&BS, health ins. -----	\$ 4,309.44
Bosselman Energy, Inc., fuel -----	\$ 323.08
Bud's Tire Repair, Inc., repair -----	\$ 55.00
C&K Dist., repair -----	\$ 42.93
Community 1 st Bank, FICA/OASI/Fed. -----	\$ 3,558.97
Dan's R Us Sanitation, service -----	\$ 20.50
Deveny Motors LLC, tools -----	\$ 949.98
Philip Dixon, reimb. regist./hwy. supt. contract -----	\$ 975.00
EIA, LLC, gravel -----	\$ 1,570.50
Farmers Coop Grain & Supply, repair/fuel -----	\$10,228.87
Great Plains Comm., service -----	\$ 351.82
Lakeside Sand & Gravel, gravel -----	\$ 4,594.48
League Builders Supply, supply -----	\$ 5.98



Hitchcock County Board Minutes



MASA, suppl. ins. -----	\$ 6.25
Medical Enterprises, Inc., DOT drug testing -----	\$ 35.00
Mid American Benefits, admin. fees -----	\$ 23.25
NE Dept. Rev., state tax -----	\$ 517.18
NE Machinery Co., blades -----	\$ 5,402.40
Quality Urgent Care, DOT testing -----	\$ 50.00
Retirement Plans Division, Ameritas, retirement -----	\$ 1,685.79
Richards Gravel Pit, gravel -----	\$ 4,360.50
Rippen Oil LLC, fuel -----	\$ 215.15
SW Farm & Auto Supply, supply -----	\$ 91.87
Stratton Auto Parts, repair -----	\$ 33.18
Titan Machinery, repair -----	\$ 6,567.74
Village of Culbertson, utility -----	\$ 50.00
VSP Insurance, vision ins. -----	\$ 83.35
Heartland New Holland, repair -----	\$ 1,857.20

REGISTER OF DEEDS P&M FUND:

MIPS, Inc., data process. -----	\$ 134.02
---------------------------------	-----------

911 EMERGENCY SERVICES FUND:

CenturyLink., service -----	\$ 121.85
Frontier Comm., service -----	\$ 16.41
Great Plains Comm., service -----	\$ 16.50

911 PSC FUND:

CenturyLink, service -----	\$ 385.84
Frontier Comm., service -----	\$ 51.97
Great Plains Comm., service -----	\$ 52.23

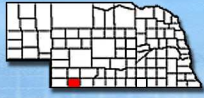
Bill Hagemann met with the Board regarding information received at the annual NACO conference pertaining to the noxious weed program.

County Attorney D. Eugene Garner joined the meeting.

Highway Superintendent Phillip Dixon, Dave Wilke with Wilke Contracting Corp., and Dayton Maul with Oak Creek Engineering. Bids on the crossing structure in 28-4-32 were opened as published. One bid was received from Wilke Contracting Corp. in the amount of \$210,585.65. Discussion held.

Member Nichols moved to accept and approve the bid of Wilke Contracting Corp. in the amount of \$210,585.65 for replacement of the crossing structure located in Section 28, Township 4 North, Range 32 West of the 6th P.M. in Hitchcock County, Nebraska. Member McDonald seconded the motion and after consideration, the following members voted in favor of the motion. McDonald, Wertz, and Nichols. Motion carried.

Member Wertz offered Resolution #21-24 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: McDonald, Wertz, and Nichols. Said resolution having been consented to by a majority of all



Hitchcock County Board Minutes



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

SIGNING OF THE COUNTY ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE FORM 2020

Resolution No. 21-24

Whereas: State of Nebraska Statutes, sections 39-2302, and 39-2501 through 39-2505 detail the requirements that must be met in order for a county to qualify for annual Incentive Payment; and

Whereas: The State of Nebraska Department of Transportation (NDOT) requires that each county must annually certify (by December 31st of each year) the appointment of the County Highway Superintendent(s) to the NDOT using the Year-End Certification of County Highway Superintendent form; and

Whereas: The NDOT requires that such certification shall also include a copy of the documentation of the county highway superintendent's appointment, i.e., meeting minutes showing the appointment of the County Highway Superintendent by their name as it appears on their License (if applicable), the License Number (if applicable) and Class of License (if applicable), the type of appointment, i.e., employed or under contract (consultant, or interlocal agreement with another county and/or incorporated municipality), and the beginning date of the appointment; and

Whereas: The NDOT also requires that such Year-End Certification of County Highway Superintendent form shall be signed by the County Board Chairperson and shall include a copy of a resolution of the County Board authorizing the signing of the Year-End Certification of County Highway Superintendent form by the County Board Chairperson.

Be it resolved that the County Board Chairperson of Hitchcock County is hereby authorized to sign the attached Year-End Certification of County Highway Superintendent form(s).

Be it resolved that the County Board Chairperson of Hitchcock County is hereby authorized to sign the attached County Annual Certification of Program Compliance form.

Adopted this 20th day of December, 2021 at Trenton, Nebraska.

County Board Members

Paul Nichols

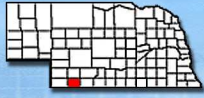
Ron Wertz

Scott McDonald

County Board Member Wertz moved the adoption of said resolution. Member Nichols seconded the motion. Roll Call: 3 Yes – 0 No – 0 Abstained – 0 Absent. Resolution adopted, signed and billed as adopted.

ATTEST:

Margaret M. Pollmann, Hitchcock Co. Clerk



Hitchcock County Board Minutes



Board acknowledged receipt of the recommendation of the Hitchcock County Planning Commission on the Application for Conditional Use submitted by Diamond J Enterprises, LLC, Paul Dwyer, Member for the expansion of Castaway Parkway Subdivision located in the S $\frac{1}{2}$ of Section 32, Township 3 North, Range 33 West of the 6th P.M., Hitchcock County, Nebraska.

Chair Nichols opened the public hearing at 11:00 a.m. this date as published for the conditional use filed by Diamond J Enterprises, LLC, Paul Dwyer, Member. The following Exhibits were received: Exhibit "A" - Hitchcock County Clerk's *Certificate of Service* dated November 24th, 2021 relating to Notice of Public Hearing mailed to applicant Paul Dwyer; Exhibit "B" Hitchcock County Clerk's *Certificate of Service* dated November 24th, 2021 relating to Notice of Public Hearing mailed to adjacent land owners and interested persons, Exhibit "C" Zoning Administrator Darin Morgan's *Memorandum* dated November 23, 2021; Exhibit "D" Warranty Deed recorded at Book 76 Page 133; and Exhibit "E" *Recommendation of the Hitchcock County Planning Commission*. Chair asked for those in favor of granting the conditional use as requested in the application. There were none. Chair asked for those in opposition of granting the conditional use. There were none. Chair asked for those representing a neutral position. There were none.

Chair closed the public hearing at 11:10 a.m.

The Board finds that this conditional use is consistent with Hitchcock County's Comprehensive Plan, is permitted as a conditional use in the AG-G General Agricultural District pursuant to Section 501.06 (9) and (10).

Member Nichols offered Resolution #21-25 and moved for its' adoption. Member McDonald seconded the motion and after consideration the roll was called thereupon and the following members voted in favor of the motion: Nichols, McDonald, and Wertz. 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:

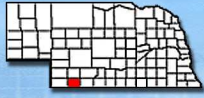
RESOLUTION #21-25

WHEREAS, the Hitchcock County Board of Commissioners having held a public meeting on December 20, 2021, for the purpose of reviewing the Application for Conditional Use submitted by Diamond J Enterprises, LLC, Paul Dwyer, Member to expand Castaway Parkway Subdivision located in the S $\frac{1}{2}$ of Section 32, Township 3 North, Range 33 West of the 6th P.M., Hitchcock County, Nebraska, and after review and research of said application, to act to approve or disapprove the same; and

WHEREAS, the Hitchcock County Board of Commissioners having held a public hearing on December 20, 2021, for the purpose of hearing said application and for hearing comments thereon from the public in attendance and to receive information and documents, in relation thereto; and

WHEREAS, the Notice of said Public Hearing was published in the *Hitchcock County News* on December 2nd, 2021; and

WHEREAS, a copy of the notice of said Public Hearing was duly mailed on November 24, 2021 by U.S. Mail, proper first class postage prepaid, to all adjacent landowners as evidenced by the Certificate of Service on file in the office of the Hitchcock County Clerk; and



Hitchcock County Board Minutes



WHEREAS, the Hitchcock County Board of Commissioners have received the recommendation of the Hitchcock County Planning Commission recommending approval of said application; and

WHEREAS the Hitchcock County Board of Commissioners, having found that the requested conditional use of said land is consistent with the Hitchcock County Comprehensive Plan and is permitted as a conditional use in the AG-G General Agricultural District pursuant to Section 501.06 (9) and (10) on the following conditions to wit:

CONDITION(S):

1. Refer to Memorandum dated November 23, 2021, submitted by Darin Morgan, Hitchcock County Zoning Administrator, attached hereto as "Exhibit A" and incorporated herein by this reference.
2. Recording of final survey play for Castaway Parkway Subdivision Filing #2

EXCEPTION(S): None

NOW, THEREFORE, BE IT RESOLVED that the Conditional Use Application of Diamond J Enterprises, LLC, Paul Dwyer, Member, to expand Castaway Parkway Subdivision located in the S½ of Section 32, Township 3 North, Range 33 West of the 6th P.M., Hitchcock County, Nebraska, on the conditions and exceptions, if any, set forth hereinbefore be approved.

PASSED AND APPROVE THIS 20th day of December, 2021

Paul Nichols, Chair

ATTEST:

Margaret M. Pollmann, Hitchcock Co. Clerk

VOTING FOR THE MOTION: Wertz, Nichols and McDonald

VOTING AGAINST THE MOTION: None

ABSTAINING: None

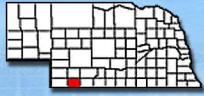
ABSENT: None

Board acknowledged receipt of the final, 2021 Hitchcock County redistricting map from the UNO, Center for Public Affairs Research.

Member Nichols moved to direct Chair Nichols to execute the 2022 Election Certification for County offices. Member Wertz seconded the motion and after consideration, the following members voted in favor of the motion: Wertz, Nichols, and McDonald. Motion carried.

Attorney Garner presented the Memorandum of Understanding for Community Based Juvenile Services and Programs.

Member Nichols moved to direct Chair to execute the Memorandum of Understanding for Community Based Juvenile Services. Member Wertz seconded the motion and after consideration, the following members voted in favor of the motion: McDonald, Wertz, and Nichols. Motion carried.



Hitchcock County Board Minutes



Member Wertz offered Resolution #21-26 and moved for its' adoption. Member McDonald seconded the motion and after consideration the roll was called thereupon and the following members voted in favor of the motion: Nichols, McDonald, and Wertz. 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 21-26

WHEREAS, the County Commissioners must set salaries for certain County Officers for the new term beginning January 5th, 2023 and ending January 7th, 2027 in accordance with *NEB. REV. STAT. §23-1114*.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HITCHCOCK COUNTY, NEBRASKA:

That the following salaries should be and hereby are affixed for the following County Officials of Hitchcock County, Nebraska for the term beginning January 5th, 2023 and ending January 7th, 2027:

County Assessor.....	\$57,000.00
County Attorney	\$57,000.00
County Clerk	\$57,000.00
County Commissioner	\$25,000.00
County Sheriff	\$68,000.00
County Treasurer	\$57,000.00

The annual salary for the listed offices have been established for the calendar year 2023, plus an increase during the term of office (2024, 2025, 2026) of two and one half percent (2½%) annually. Said salaries shall be full compensation in consideration of performance of all statutory duties relating to said office.

BE IT FURTHER RESOLVED that in addition to the above stated salary the elected official shall be eligible to participate in the County's health and medical plan as offered to all county employees, as may be amended from time to time.

Passed and approved this 20th day of December, 2021.

BOARD OF COUNTY COMMISSIONERS
HITCHCOCK COUNTY, NEBRASKA

ATTEST

Chair

Margaret M. Pollmann, Hitchcock Co. Clerk

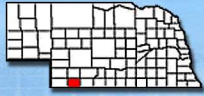
SEAL

Voting for the motion: McDonald, Wertz and Nichols

Voting against the motion: None

Abstaining: None

Absent: None



Hitchcock County Board Minutes



Member Nichols moved to adjourn at 11:57 a.m. and to meet for the next regular meeting on Monday, January 3rd, 2022 at 9:00 a.m. Member McDonald seconded the motion and the roll was called with the following members voting in favor of said motion: McDonald, Nichols, and Wertz. Motion carried.

ATTEST:

Paul Nichols, Chair
Hitchcock County Board of Commissioners

Margaret M. Pollmann, County Clerk