

Hitchcock County Board of Commissioners

Trenton, Nebraska  
April 15, 2024

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 15<sup>th</sup> day of April 2024 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](http://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. Also present Christopher Baker and Daniel Ladenburger.

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 April 1, 2024 meeting minutes; Approval of the April 15<sup>th</sup>, 2024 agenda. Member Wertz seconded the motion and after consideration, the following members voted in favor of the motion: Wertz, Nichols, and McDonald. 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 the motion: Wertz, McDonald, and Nichols. Motion carried.

**GENERAL FUND:**

|  |             |
|--|-------------|
| General Fund Payroll -----                                     | \$47,803.27 |
| Quality Farm & Ranch Center, supply -----                      | \$ 27.99    |
| AFLAC, suppl. ins. -----                                       | \$ 924.96   |
| Applied Connective Technologies, email/IT services -----       | \$ 2,774.97 |
| BC&BS, dental ins. -----                                       | \$ 1,460.50 |
| BC&BS, health ins. -----                                       | \$23,585.22 |
| Bosselman Energy, Inc., heating fuels/repair -----             | \$ 642.93   |
| Clerk, District Court, adv. costs -----                        | \$ 72.00    |
| Colonial Life & Accident Ins. Co., suppl. ins. -----           | \$ 39.70    |
| Community 1 <sup>st</sup> Bank, FICA/OASI/Fed. -----           | \$15,672.13 |
| Kimberly Cook, mileage/communications -----                    | \$ 67.64    |
| D&S Hardware, supply/equipment -----                           | \$ 314.65   |
| DAS State Accounting-Central Finance, data process. -----      | \$ 150.00   |
| Eakes Office Solutions, supply/equipment -----                 | \$ 104.27   |
| Election Systems & Software, ballot printing/programming ----- | \$ 763.57   |
| Farmers Coop Grain & Supply, supply/fuel -----                 | \$ 1,310.84 |
| Farrell’s Pharmacy, inmate script. -----                       | \$ 34.26    |
| 1 <sup>st</sup> Net/AT&T Mobility, service -----               | \$ 345.72   |
| Nancy Frecks, mileage/communications -----                     | \$ 127.05   |
| Surh Enterprises Inc., supply -----                            | \$ 260.38   |
| Great Plains Communications, service -----                     | \$ 1,071.05 |
| Hitchcock Co. Court, costs -----                               | \$ 118.00   |
| Justice Data Solutions, relocation service/hardware -----      | \$ 250.00   |
| MASA, suppl. ins. -----  | \$ 56.25    |
| McCook Gazette, publication -----                              | \$ 140.40   |
| Scott McDonald, mileage -----                                  | \$ 304.18   |
| Mid-American Benefits, Inc., admin. fees -----                 | \$ 120.00   |
| Mid-American Research Chemical, supply -----                   | \$ 58.48    |
| MIPS, Inc., data process. -----                                | \$ 3,930.18 |
| NE Dept. Rev., state tax -----                                 | \$ 2,514.67 |
| New York Life, life ins. -----                                 | \$ 75.00    |
| Postage -----  | \$ 1,000.00 |

|   |             |
|---|-------------|
| Red Willow Co. Sheriff, prisoner housing/inmate medical ----- | \$ 990.00   |
| Region II Services, ¼ assessment -----                        | \$ 2,720.00 |
| Retirement Plans Division Ameritas, retirement -----          | \$ 7,794.76 |
| Rippen Oil, service -----                                     | \$ 235.00   |
| Scoop Media LLC, publications -----                           | \$ 625.27   |
| Ashley K. Spahn, ct. appt. counsel -----                      | \$ 1,440.11 |
| TKO Pest Control, service -----                               | \$ 75.00    |
| Trails West Texaco, fuel -----                                | \$ 39.72    |
| VSP Insurance Co., vision ins. -----                          | \$ 380.31   |
| Ron Wertz, mileage -----                                      | \$ 375.87   |
| Ryan R. Wilcox, public defender contract -----                | \$ 3,500.00 |

**ROAD FUND:**

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| Road Fund Payroll -----                              | \$11,128.51 |
| AFLAC, suppl. ins. -----                             | \$ 369.79   |
| BC&BS, dental ins. -----                             | \$ 320.56   |
| BC&BS, health ins. -----                             | \$ 5,241.36 |
| Bosselman Energy, Inc., heating fuels -----          | \$ 518.61   |
| Community 1 <sup>st</sup> Bank, FICA/OASI/Fed. ----- | \$ 3,050.72 |
| D&S Hardware, supply -----                           | \$ 29.99    |
| Dan’s R US Sanitation, service -----                 | \$ 26.44    |
| Farmers Coop Grain & Supply, fuel -----              | \$ 634.28   |
| Great Plains Communications, service -----           | \$ 354.63   |
| MASA, suppl. ins. -----                              | \$ 6.25     |
| Mead Lumber, bldg. repair -----                      | \$ 73.43    |
| Mid-American Benefits, Inc., admin. fees -----       | \$ 24.00    |
| NE Dept. Rev., state tax -----                       | \$ 467.32   |
| Retirement Plans Division Ameritas, retirement ----- | \$ 1,444.95 |
| Rippen Oil, LLC, fuel -----                          | \$ 165.90   |
| SW Farm & Auto Supply, supply -----                  | \$ 316.04   |
| Stratton Auto Parts, repair/supply -----             | \$ 195.15   |
| U-Save Pharmacy, knee immobilizer-----               | \$ 64.55    |
| Village of Culbertson, utility -----                 | \$ 53.09    |
| VSP Insurance Co., vision ins. -----                 | \$ 67.55    |

**REGISTER OF DEEDS P&M FUND:**

|                                 |           |
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| MIPS, Inc., data process. ----- | \$ 506.64 |
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**E 911 EMERGENCY SERVICES FUND:**

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| Great Plains Communications, service ----- | \$ 15.43 |
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**E-911 PSC FUND:**

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| Great Plains Communications, service ----- | \$ 48.83 |
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Mike Erickson advised as to cleanup progress on 423 East 3<sup>rd</sup> Street. Informal quotes will be obtained for stump removal on said property. Discussion held on an employee workman’s compensation claim and spring weed spraying.

Attorney D. Eugene Garner advised as to a prisoner housing billing from Red Willow County.

Member Wertz offered Resolution #24-8 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: Wertz, Nichols, 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 on file in the office of the County Clerk and on the County’s website [www.hitchcockcounty.ne.gov](http://www.hitchcockcounty.ne.gov).

**RESOLUTION #24-8**  
(Road study on Rd 708)

**WHEREAS**, the County of Hitchcock, Nebraska, is a political subdivision of the State of Nebraska; and

**WHEREAS**, there has been filed with the Hitchcock County Clerk a petition requesting that the vacation or abandonment of:

*“East ½ of Road 708 between roads 366 and 367. From driveway of old Iola Berger residence east to Road 367. East ½ of road 708 between Section 31-2-32W & 6-1-32W”*

said petition having been signed by ten or more electors residing within ten miles of the east half of Road 708 (f/k/a “Road 65”); and

**WHEREAS**, pursuant to NEB. REV. STAT. §39-1722 et. seq., within two weeks of the filing of said petition, the county board shall, by resolution, direct the county highway superintendent to study the use being made of such public road and to submit in writing to the county board within thirty (30) days, a report upon the study made and his/her recommendation as to the vacation or abandonment thereof.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF HITCHCOCK COUNTY, NEBRASKA** that Lance Harter with Oak Creek Engineering LLC, the County Highway Superintendent, is hereby directed to study the use being made of:

**East one half mile of Road 708 lying between Section 31 in Township 2 North and Section 6 in Township 1 North, all in Range 32, West of the 6<sup>th</sup> P.M., Hitchcock County, Nebraska**

and to submit in writing to the County Board within thirty (30) days a report upon the study made and his/her recommendation as to the vacation or abandonment thereof.

**PASSED AND APPROVED** this 15<sup>th</sup> day of April, 2024.

Voting for the motion: Scott McDonald, Ronald Wertz and Paul Nichols

Voting against the motion: None

Abstaining: None

Absent: None

This resolution is hereby adopted.

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Paul Nichols, Chair

ATTEST:

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Margaret M. Pollmann, County Clerk

SEAL

Treasurer Jackie Drain presented the March 2024 pledged security report.

Attorney Garner advised as to legislative changes relating to the Treasurer’s Tax Deed process.

Member Wertz offered Resolution #24-9 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: Wertz, Nichols, 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 on file in the office of the County Clerk and on the County’s website [www.hitchcockcounty.ne.gov](http://www.hitchcockcounty.ne.gov).

### **RESOLUTION #2024-9**

**WHEREAS**, the County of Hitchcock County, Nebraska, is a duly organized county, existing pursuant to the laws of the State of Nebraska; and

**WHEREAS**, NEB. REV. STAT. §77-1818 was amended by 2023 LB 727, §53 (operative September 2, 2023) to add subsection 2 so as to require that upon issuance of a tax sale certificate, the purchaser shall notify the property owner of the real property that was sold for taxes, by personal service, as follows: (a) that a certificate has been issued; (b) a brief description of the property owner’s legal rights to redeem the real property; (c) identifying the real property by the street address listed in the records of the county assessor; (d) the total

amount of taxes, interest, and costs for which the property was sold and a recitation that interest and fees may accrue; and (e) a prominent warning that failure to act may result in forfeiture of the property after three years; and

*WHEREAS*, NEB. REV. STAT. §77-1818(2) further provides that an “administrative fee” “equal to the greater of one hundred dollars or the actual cost incurred by the purchaser for such service of notice” shall be allowed for any service of notice under said statute; and

*WHEREAS*, it is unclear whether the notice requirement set forth in NEB. REV. STAT. §77-1818(2) was intended to include tax sale certificates issued to the County for want of bidders pursuant to NEB. REV. STAT. §77-1809; and

*WHEREAS*, the Board, having first been fully advised of the premises, finds that said administrative fee should be waived for tax sale certificates issued to the County for want of bidders pursuant to NEB. REV. STAT. §77-1809.

*NOW THEREFORE, BE IT RESOLVED* by the Hitchcock County Board of Commissioners, that the administrative fee allowed by NEB. REV. STAT. §77-1818(2) is hereby waived for any and all tax sale certificates issued to the County for want of bidders pursuant to NEB. REV. STAT. §77-1809, and no such administrative fee shall be noted in the record or collected by the Treasurer in the event of redemption.

Voting Aye: Wertz, Nichols, McDonald

Voting Nay: none

Abstaining: none

ADOPTED this 15<sup>th</sup> day of April, 2024.

HITCHCOCK COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Paul Nichols, Chairperson

Attested:

\_\_\_\_\_  
Margaret M. Pollmann  
Hitchcock County Clerk

Pursuant to NEB. REV. STAT. §47-109 the jail was visited.

A phone conference commenced at 10:00 a.m. regarding the proposed Swanson and Hugh Butler Reservoirs Land Conveyance Act. Those present in addition to those previously listed, Craig Berning with Senator Fischer’s office, Sue Doak, Darla Walther and Steve Hall representing Frontier County, Dawna Val Corky Vernon, Bill Roddy, and Deputy Sheriff Justin Stewart.

Hitchcock County Deputy Sheriff Justin Stewart advised as to the need to relocate the evidence room for security purposes. Patrol vehicles were discussed.

Sheriff applications were reviewed. Two were received.

Member McDonald moved to appoint Jason Swartz as Hitchcock County Sheriff to fill the vacancy for the unexpired term ending January 7, 2027. Member Nichols seconded the motion and after consideration, the following members voted in favor of the motion: McDonald, Nichols, and Wertz. Motion carried.

Member Wertz moved to adjourn at 12:20 p.m. and to meet for the next regular meeting on Monday, May 6<sup>th</sup>, 2024 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:

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Paul Nichols, Chair  
Hitchcock County Board of Commissioners

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Margaret M. Pollmann, County Clerk