

Hitchcock County Board of Commissioners

Trenton, Nebraska
May 6, 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 6th day of May 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. 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 15th, 2024 meeting minutes; Approval of the May 6th, 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 -----	\$22,015.14
Quality Farm & Ranch Center, supply -----	\$ 33.98
Acme Printing Co., supply -----	\$ 84.50
Applied Connective Technologies, IT services -----	\$ 2,984.15
Capital One, supply -----	\$ 540.69
Carrot-Top Industries, Inc., flag -----	\$ 68.90
CDC Assoc., registration -----	\$ 75.00
Community 1 st Bank, FICA/OASI/Fed. -----	\$ 7,227.04
Poll worker Training-----	\$ 764.63
Kimberly Cook, mileage/communications -----	\$ 152.51
D&S Hardware, equipment rental -----	\$ 100.99
Jaelyn Drain, mileage -----	\$ 125.96
Eakes Office Solutions, supply/copy contract -----	\$ 983.31
ES&S, coding & media burn -----	\$ 2,301.07
Nancy Frecks, mileage/communications -----	\$ 79.70
GIS Workshop LLC, subscription -----	\$ 5,985.00
Hitchcock Co. Court, costs -----	\$ 52.00
Hitchcock Co. Treasurer, registration -----	\$ 150.00
Holiday Inn Kearney, lodging -----	\$ 347.85
Linda Kerchal, reimburse supply -----	\$ 70.65
MASA, suppl. ins. -----	\$ 6.25
Midwest Radar & Equipment Inc., repair -----	\$ 246.00
MIPS, Inc., data process. -----	\$ 1,965.09
Mousel, Brooks, Schneider & Mustion, ct. appt. counsel -----	\$ 1,350.89
NE Dept. Revenue, state tax -----	\$ 1,240.15
Paul Nichols, mileage -----	\$ 326.96
Planning Commission, 4/18 per diem & mileage -----	\$ 151.38
Margaret Pollmann, reimb. supply -----	\$ 24.81
Postage -----	\$ 2,000.00
Pritchard & Abbott, Inc., reappraisal contract -----	\$ 5,790.00
Quill Corp., supply -----	\$ 93.98
Lincoln Co. Treasurer, 3 rd ¼ EM Contract -----	\$ 7,064.75

Regional West Medical Center, drug test/toxicology -----	\$ 390.00
Retirement Plans Division Ameritas, retirement -----	\$ 3,325.20
Robert Scott, meals/mileage -----	\$ 174.05
SW Public Power, utility -----	\$ 38.17
Ashley K. Spahn, ct. appt. counsel -----	\$ 1,325.00
TKO Pest Control, service -----	\$ 75.00
US Bank, supply -----	\$ 537.56
Village of Trenton, utility -----	\$ 1,218.70
Volz, Ins., repair -----	\$ 334.49
Haley Walker, mileage -----	\$ 16.08
Western Pathology Consultants, PC, coroner fees -----	\$ 325.00

ROAD FUND:

Road Fund Payroll -----	\$14,973.48
Capital One, supply -----	\$ 97.94
Community 1 st Bank, FICA/OASI/Fed. -----	\$ 4,346.92
D&S Hardware, small tools -----	\$ 21.00
Kugler Co., chemical supply -----	\$ 1,012.46
Lakeside Sand & Gravel LLC, gravel -----	\$ 9,028.25
MASA, suppl. ins. -----	\$ 6.25
Michael Todd & Co., Inc., signs -----	\$ 518.86
NE Safety & Fire Equipment, Inc., shop supply -----	\$ 219.23
NE Dept. Rev., state tax -----	\$ 746.34
NE Machinery Co., repair/blades -----	\$28,025.19
Powerplan JD Financial, repair -----	\$ 313.52
Retirement Plans Division Ameritas, retirement -----	\$ 2,189.25
Richards Gravel Pit, Inc., gravel -----	\$22,197.20
SW Public Power Dist., utility -----	\$ 41.93
Van Diest Supply Co., chemical supply -----	\$ 834.63
Village of Culbertson, utility -----	\$ 52.47
Village of Stratton, utility -----	\$ 176.27
Village of Trenton, utility -----	\$ 164.47
Ron Wertz, reimb. traffic cone purchase -----	\$ 232.10

REGISTER OF DEEDS P&M FUND:

MIPS, Inc., data process. -----	\$ 253.32
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LOCAL ASSISTANCE & TRIBAL CONSISTENCY FUND:

Applied Connective Technologies, courtroom upgrade -----	\$ 1,330.14
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Emergency Manager Brandon Myers presented severe weather week poster awards to Hitchcock County third graders: Madison Kollmorgen 3rd place; Jozie Topp honorable mention; Shaelyn Hagan 1st place plus honorable mention at the state level; Makenna Ruppert 2nd place. Following the awards ceremony, EM Myers presented the agencies quarterly report.

Attorney D. Eugene Garner joined the meeting.

Chair Nichols executed a letter to the Nebraska Department of Revenue requesting a written list of lodging tax licenses within Hitchcock County.

Member McDonald moved to approve the Application to Occupy County Road Right of Way filed by Wilcox Well Drilling for an underground water line located between 3-1-35 and 10-1-35. Member Wertz seconded the motion and after consideration, the following member voted in favor of the motion: McDonald, Nichols, and Wertz. Motion carried.

Member Wertz moved to direct Chair to execute the Nebraska Administrative Office of Courts and Probation Statement of Acceptance and Possession and Future Responsibility of County regarding the courtroom upgrade project. Member McDonald seconded the motion and after consideration, the following members voted in favor of the motion. Nichols, Wertz, and McDonald. Motion carried.

Member Wertz offered Resolution #24-11 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: 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.

RESOLUTION #24-11

WHEREAS, the County of Hitchcock, Nebraska, (hereinafter called COUNTY) is a political subdivision of the State of Nebraska; and

WHEREAS, pursuant to NEB. REV. STAT. §23-106 (1), the Hitchcock County Board of Commissioners shall manage the COUNTY's funds and COUNTY business, except as otherwise specifically provided; and

WHEREAS, the COUNTY is desirous of adopting a Banking Resolution for banking transactions by and between the COUNTY, acting by and through its various officers and the Community First Bank (hereinafter called BANK) 339 Main Street, PO Box 338, Trenton, Nebraska.

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

1. That the BANK is hereby designated as a depository for funds of the COUNTY and also for the funds of other persons or entities coming into the hands of the COUNTY's officials pursuant to their official duties, and that the elected or appointed officials of said COUNTY as specifically designated herein, and each of them, hereby are authorized to open or otherwise maintain such account(s) with the BANK, as said elected or appointed officials deem necessary to carry out their respective official duties on behalf of and for the COUNTY, and to execute such agreements as shall be required by the BANK and subject to rules and regulations of the BANK governing such accounts.
2. That, subject to the special instructions set forth herein, if any, or as otherwise authorized by law, any of the following persons are authorized and empowered to deal generally with the BANK with respect to the following specified accounts:

Jaelyn B. Drain, Hitchcock County Treasurer

- Hitchcock County Treasurer #XXX-XX9
- Money Market #XXXXXX5
- CDBG Housing Fund #XXX-XX9
- Community Development Fund #XXX-XX8
- ARPA Fund #XXXXXXXX6

Margaret M. Pollmann, Hitchcock County Clerk

- Hitchcock County Imprest Fund # XXX-XX8
- Hitchcock County Clerk # XXX-XX3
- Hitchcock County Clerk of the District Court # XXX-XX7
- Hitchcock County Payroll #XXX-XX8

Linda K. Smith, Hitchcock County Court Clerk Magistrate

- Hitchcock County Court # XXX-XX9

D. Eugene Garner, Hitchcock County Attorney

- Hitchcock County Attorney # XXX-XX2

Jason Swartz, Hitchcock County Sheriff

Justin Stewart, Deputy Hitchcock County Sheriff

- Hitchcock County Sheriff # XXX-XX4

Robert A. Scott, Hitchcock County Veteran’s Service Officer

- Hitchcock County Veteran’s Aid Fund # XXX-XX6
- Hitchcock County American Legion #XXX-001

Paul A. Nichols, Hitchcock County Commissioner District #1

Ronald L. Wertz, Hitchcock County Commissioner District #2

Scott McDonald, Hitchcock County Commissioner District #3

- Hitchcock County Imprest Fund # XXX-XX8

and to designate from time to time themselves and such other deputy official(s) to (1) sign, on behalf of the COUNTY, checks, drafts or withdrawal orders drawn upon such accounts; and (2) to endorse in the name of the COUNTY and to deposit in such accounts money, checks and other instruments for payment of moneys, which endorsements may be by stamp without designation of the person endorsing, and in connection therewith certify to the BANK the specimen signatures on any signature card.

3. That notwithstanding anything herein to the contrary, the BANK is authorized to honor instruments for the payment from, and to charge the same to, the Hitchcock County Imprest Fund # XXX-XX8 account ONLY upon proper authorized signature(s) of:
A) one (1) County Commissioner, as either chairman or vice-chairman or acting chairman, AND
B) the County Clerk or Deputy County Clerk.
4. That of the COUNTY, checks, drafts or money orders when signed by those persons so designated, whether or not (1) payable or endorsed to the person signing; or (2) paid or applied for the benefit of the persons signing.
5. That this resolution shall be certified to the BANK together with specimen signatures of the persons named herein and said certification shall continue in force until express written notice of rescission or modification has been received by the BANK.
6. That the original signature card(s) pertaining to said accounts of the COUNTY and bearing the true specimen signature(s) of the persons named and otherwise authorized hereby shall be on file with the BANK.

PASSED AND APPROVED this 6th day of May, 2024.

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

Voting against the motion: None

Abstaining: None

Absent: None

The resolution is hereby adopted.

Chair, Hitchcock County Board of Commissioners

ATTEST:

Margaret M. Pollmann, County Clerk

SEAL

Weed Superintendent/Zoning Administrator/NIRMA Contact Mike Erickson joined the meeting for departmental updates.

Informal quotes for stump removal were reviewed. Two were received: Scotts Sinclair, LLC in the amount of \$2,500.00 and Wiley’s Top Notch Tree Service LLC in the amount of \$3,000.00.

Member Wertz moved to accept the quote of Scotts Sinclair LLC in the amount of \$2,500.00 for stump removal on county owned property located at 423 East 3rd Street in Trenton. Member Nichols seconded the motion and after consideration, the following members voted in favor of the motion. Wertz and Nichols. Member McDonald, Abstained. Motion carried.

Chair Nichols opened the public hearing at 10:30 a.m. this date as published on the *Application for Conditional Use* filed by Kari Peter for R.Via Retreat LLC to develop a 10 spot RV park, to also include three cabins, on Lot 7A of the *Castaway Parkway Subdivision Filing #1*, being a part of the South ½, Section 32, Township 3 North, Range 33 West, Hitchcock County, Nebraska.

Applicant Kari Peter joined the meeting and advised as to said Conditional Use. Zoning Administrator Mike Erickson advised as to his findings.

The Board was in receipt of the Planning Commission's recommendation on the *Application for Conditional Use* filed by Kari Peter for R.Via Retreat LLC.

The following Exhibits were received:

- Exhibit "A" - Hitchcock County Clerk's *Certificate of Service* dated April 8, 2024 Notice of Public Hearings mailed to applicant Kari Peter;
- Exhibit "B" Hitchcock County Clerk's *Certificate of Service* dated April 8, 2024 Notice of Public Hearing mailed to property owners and municipalities;
- Exhibit "C" Zoning Administrator Mike Erickson's *Staff Report* relating to Conditional Use Application #01-2024;
- Exhibit "D" *Resolution/Recommendation of the Hitchcock County Planning Commission* dated April 18th, 2024.

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 10:41 a.m.

The Board finds that the requested use of said land is land is consistent with the Hitchcock County Comprehensive Plan and is a permitted use in the RCI Rural Commercial/Industrial District pursuant to section 502.03(7) of the *Zoning Resolution of Hitchcock County, Nebraska*; and;

The Board further finds that the requested conditional use of said land is consistent with the Hitchcock County Comprehensive Plan and may be permitted as a conditional use in the AG-G General Agricultural District pursuant to section 501.06(10) of the *Zoning Resolution of Hitchcock County, Nebraska*.

Member Wertz offered Resolution #24-10 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: 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.

RESOLUTION #24-10

WHEREAS, the Hitchcock County Board of Commissioners having held a public meeting on May 6th, 2024, for the purpose of reviewing the Application for Conditional Use filed by R.Via Retreat, LLC to develop a 10 spot RV park, to also include three cabins, on Lot 7A of the *Castaway Parkway Subdivision Filing #1*, being a part of the South ½, Section 32, Township 3 North, Range 33 West, 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 May 6th, 2024, 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 April 25, 2024; and

WHEREAS, a copy of the notice of said Public Hearing was duly mailed on April 8, 2024 by U.S. Mail, proper first class postage prepaid, to adjacent landowners and interested parties as evidenced by the Certificate of Service on file in the office of the Hitchcock County Clerk; and

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 use of said land is consistent with the Hitchcock County Comprehensive Plan and is a permitted use in the RCI Rural Commercial/Industrial District pursuant to section 502.03(7) of the *Zoning Resolution of Hitchcock County, Nebraska*; 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 may be permitted as a conditional use in the AG-G General Agricultural District pursuant to section 501.06(10) of the *Zoning Resolution of Hitchcock County, Nebraska*, on the following conditions/exceptions, to wit:

CONDITION(S):

Refer to Staff Report relating to conditional use application #01-2024, submitted by Michael Erickson, Hitchcock County Zoning Administrator, attached hereto as “Exhibit C” and incorporated herein by this reference.

EXCEPTION(S): None

NOW, THEREFORE, BE IT RESOLVED that the Conditional Use filed by R.Via Retreat, LLC to develop a 10 spot RV park, to also include three cabins, on Lot 7A of the *Castaway Parkway Subdivision Filing #1*, being a part of the South ½, Section 32, Township 3 North, Range 33 West, Hitchcock County, Nebraska on the conditions and exceptions, if any, set forth hereinbefore be approved.

PASSED AND APPROVE THIS 6th day of May, 2024

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

Member McDonald moved to direct Chair to cast the 2024 ballot of Election to Nebraska Regional Interoperability Network (NRIN) Board of Directors for candidate Roger Powell. Member Nichols seconded the motion and after consideration, the following members voted in favor of the motion: Nichols, Wertz, and McDonald. Motion carried.

Chair Nichols offered an update on Bureau of Reclamation land transfers.

Member Wertz moved to direct Chair to execute a letter of support for the Western Republican River Basin Riparian Habitat Improvements Project. Member McDonald seconded the motion and after consideration the following members voted in favor of the motion: Wertz, Nichols, and McDonald. Motion carried.

Member Nichols moved to appoint Austin Jensen as Planning Commission Representative on the Hitchcock County Board of Adjustment for the three year term expiring January 2027. Member Wertz seconded the motion and after consideration, the following members voted in favor of the motion: Wertz, McDonald, and Nichols. Motion carried.

Treasurer Jackie Drain, Assessor Terra Riggs and Deputy County Clerk Linda Kerchal joined the meeting for discussion on the current employee handbook.

Member McDonald moved to adjourn at 12:59 p.m. and to meet for the next regular meeting on Monday, May 20th, 2024 at 9:00 a.m. Member Wertz 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:

Paul Nichols, Chair
Hitchcock County Board of Commissioners

Margaret M. Pollmann, County Clerk