

Hitchcock County Board of Commissioners

Trenton, Nebraska

January 21st, 2025

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 Tuesday the 21st day of January 2025 commencing at 9:00 o'clock a.m. Present were Chair Paul Nichols, Commissioners Ron Wertz and Christopher Baker and County Clerk Margaret Pollmann. Notice of the meeting was given in advance thereof by publication on January 16th, 2025 in *Scoop Media 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.

The floor was opened for nominations for Chair for calendar year 2025. Member Ron Wertz nominated Paul Nichols. The nomination was seconded by Baker. There were no further nominations and nominations ceased. The roll was called on the nomination of Paul Nichols for Chair for calendar year 2025 and the following members voted in favor of said nomination: Wertz and Baker. Member Nichols abstained. Motion carried and Paul Nichols was declared Chair for 2025.

The floor was opened for nominations for Vice Chair for calendar year 2025. Member Nichols nominated Ron Wertz. The nomination was seconded by Baker. There were no further nominations and nominations ceased. The roll was called on the nomination of Ron Wertz for Vice Chair for calendar year 2025 and the following members voted in favor of said nomination: Nichols and Baker. Member Wertz abstained. Motion carried and Ron Wertz was declared Vice Chair for 2025.

Member Nichols moved to approve the consent agenda consisting of the following items:

- Approval of the January 21st, 2025 agenda
- Approval of the January 13th, 2025 meeting minutes
- Designating regular meeting days as the 1st and 3rd Mondays of each month, unless Monday is a holiday, then Tuesday is the regular meeting day
- Designating *Scoop Media News* and the *McCook Gazette* as official newspapers for 2025.
- Designating the County's website, <http://www.hitchcockcounty.ne.gov> in addition to publication in official newspapers as a method of providing notices
- Appointment of Paul Nichols as County's representative on the Nebraska Department of Health and Human Services Board for 2025
- Appointment of Paul Nichols as County representative on the West Central Nebraska Area Agency Board with Ron Wertz as alternate for 2025
- Appointment of Christopher Baker as County representative to the West Central Nebraska Development District with Ron Wertz as alternate for 2025
- Appointment of Ron Wertz to the Southwest Nebraska Public Health Department Board of Directors who remains perpetually appointed while in office.
- Appointment of Lance Harter holding License #1426 (License Level A) as Hitchcock County Highway Superintendent under an employment contract beginning January 1, 2025 and ending December 31, 2025.
- Appointment of Safety Committee members for 2025: Kyle Clapp, Marcus Profitt, Mike Erickson, Jared Vrbas, Justin Bright and Christopher Baker
- Passage of Resolution #25-1 naming banks as depositories for Treasurer & Clerk of the District Court: Community 1st Bank, MNB Stratton, the Culbertson Bank and Nebraska Public Agency Trust – Exhibit A of these minutes
- Passage of Resolution #25-2 authorizing Treasurer to invest excess funds – Exhibit B of these minutes

- Passage of Resolution #25-3 regarding non publication of real estate involved in bankruptcy – Exhibit C of these minutes
- Passage of Resolution #25-4 regarding the County’s Cash In Lieu offering – Exhibit D of these minutes
- Appointment of Dustin Ladenburger, Wayne Merrill and Tom Monnahan to the Hitchcock County Planning Commission for three (3) year terms expiring in January 2027.
- Appointment of Ron Daugherty and Jake Miller to the Hitchcock County Board of Adjustment for three (3) year terms expiring in January 2027.
- Appointment of Randy Miner to the Hitchcock County Board of Adjustment to fill an unexpired term ending January 2027.
- Finds that all Hitchcock County Chief deputy base salaries are in compliance with Neb. Rev. Stat. §23-114.09
- Designation of Paul Nichols as contact person for Bureau of Reclamation land transfers
- Appointment of Christopher Baker to the Hitchcock County Regional Economic Development Administrative Board.

Member Wertz seconded the motion and after consideration the following members voted in favor of said motion: Nichols, Wertz, and Baker. Motion carried.

County Attorney D. Eugene Garner joined the meeting.

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: Baker, Wertz and Nichols. Motion carried.

GENERAL FUND:

General Fund Payroll -----	\$49,756.71
AFLAC, suppl. ins. -----	\$ 852.70
Applied Connective Technologies, IT services -----	\$ 2,937.24
Christopher Baker, mileage -----	\$ 184.92
BC&BS, dental ins. -----	\$ 1,405.92
BC&BS, health ins. -----	\$22,611.17
Bosselman Energy Inc., heating fuels -----	\$ 1,633.23
Clerk District Court Assn., dues -----	\$ 50.00
Colonial Life & Accident Ins. Co., suppl. ins. -----	\$ 427.78
Community 1 st Bank, FICA/OASI/Fed. -----	\$16,497.69
Community Hospital, inmate medical -----	\$ 3,000.58
DAS State Accounting-Central Finance, data process. -----	\$ 150.00
Dewald, Deaver, L’Heureux PC, ct. Appt. Counsel -----	\$ 100.00
Farmers Coop Grain & Supply, fuel/repair -----	\$ 769.65
Suhr Enterprises Inc., supply -----	\$ 480.44
Great Plains Communications, service -----	\$ 1,194.36
Hometown Leasing, equipment -----	\$ 322.08
JA Automotive & Repair LLC, tires/service -----	\$ 1,353.36
Lincoln County Detention Center, inmate housing -----	\$ 3,750.00
MASA, suppl. ins. -----	\$ 56.25
McCook Gazette, publication -----	\$ 226.80
Scott McDonald, mileage -----	\$ 308.87
Mid-American Benefits, admin. fees -----	\$ 112.00
MIPS, Inc., supply -----	\$ 160.80
Mousel, Brooks, Schneider & Mustion, ct. appt. counsel -----	\$ 454.48
NACO, conference registrations -----	\$ 1,280.00
NE Assoc. Co. Treasurers, dues -----	\$ 75.00
NE Dept. of Revenue, state employment tax withholding -----	\$ 2,546.69
Nebraska.gov, transcripts -----	\$ 8.50
New York Life, life ins. -----	\$ 75.00
Physicians Laboratory PC, coroner costs -----	\$ 300.00
Region II Services, assessment -----	\$ 1,393.00
Retirement Plans Division Ameritas, retirement -----	\$ 8,088.54
Rippen Oil LLC, fuel -----	\$ 40.30
Scoop Media LLC, publications -----	\$ 291.27

TKO Pest Control LLC, service -----	\$ 85.00
Trails West Texaco, fuel -----	\$ 8.52
VSP Insurance Co., vision ins. -----	\$ 407.73
Ron Wertz, mileage -----	\$ 347.06
Westfield Pharmacy, inmate medical -----	\$ 76.89
7-D Lockshop, keys -----	\$ 15.00

ROAD FUND:

Road Fund Payroll -----	\$10,963.96
AKRS Equipment, repair -----	\$ 93.94
AFLAC, suppl. ins. -----	\$ 285.81
BC&BS, dental ins. -----	\$ 443.30
BC&BS, health ins. -----	\$ 7,229.21
Bosselman Energy Inc., heating fuels/fuel -----	\$ 6,292.96
C&K Distributors, repair -----	\$ 66.49
Colonial Life & Accident Ins., Co., suppl. ins. -----	\$ 24.49
Community 1 st Bank, FICA/OASI/Fed. -----	\$ 2,729.64
Dan's R Us Sanitation, service -----	\$ 27.35
Farmers Coop Grain & Supply Co., repair/chemical/fuel -----	\$ 1,644.40
Great Plains Communications, service -----	\$ 371.45
Ramsey Harders, repair -----	\$ 19.34
James Howard, reimb. repair -----	\$ 75.00
JA Automotive & Repair LLC, repair -----	\$ 234.76
Kohl's Auto Parts, repair/supply -----	\$ 134.59
MASA, suppl. ins. -----	\$ 6.25
Mid-American Benefits Inc., admin. fees -----	\$ 40.00
NE Dept. Rev., state employment tax withholding -----	\$ 365.71
NE Machinery Co., repair -----	\$ 8,018.40
Oak Creek Engineering, hwy. supt. -----	\$ 1,164.20
Retirement Plans Division Ameritas, retirement -----	\$ 1,510.60
Rippen Oil LLC, fuel/oil -----	\$ 403.02
Sensel Welding & Repair & Used Cars, repair -----	\$ 455.25
SW Farm & Auto Supply, repair -----	\$ 150.56
Stratton Auto Parts, repair/supply -----	\$ 191.72
Titan Machinery, repair -----	\$ 154.75
VSP Insurance Co., vision ins. -----	\$ 48.24

E911 EMERGENCY SERVICES FUND:

Great Plains Communications, service -----	\$ 15.42
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E911 PSC FUND:

Great Plains Communications, service -----	\$ 48.84
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Motion by Nichols direct Chair to execute the Agreement For Professional Services by and between the County and Lance M. Harter for Highway Superintendent Services for 2025. The motion was seconded by Wertz and after consideration, the following members voted in favor of the motion. Nichols, Baker and Wertz. Motion carried.

Discussion held on the performance bond and change order regarding the building project at 423 East 3rd Street, Trenton, Nebraska. Zoning Administrator Mike Erickson joined the meeting and discussion was held regarding the initial meeting between Hitchcock and Frontier County and Bureau of Reclamation held January 17, 2025 regarding the Swanson & Hugh Butler Concession title transfer.

Chair Nichols opened the public hearing at 10:00 a.m. this date as published on the *Application for Conditional Use* filed by Steven R. Fries for placement of a data mining structure being a part of Section 23, Township 4 North, Range 33 West, Hitchcock County, Nebraska.

Those present in addition to those previously listed, Bruce Licht, Cody and Lyndsay Lashley, Charles and Coleen Wilcox, Assessor Terra Riggs and Kaylene Luedtke by phone.

Applicant was not present.

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. Those speaking in opposition, Lyndsay Lashley, Cody Lashley, Charles Wilcox and telephonically Kaylene Luedtke.

Chair asked for those representing a neutral position. There were none.

Chair closed the public hearing at 10:13 a.m.

Zoning Administrator Mike Erickson advised as to his findings.

Member Wertz moved to acknowledge receipt this date, of the Planning Commission's resolution/recommendation on the *Application for Conditional Use* filed by Steven R. Fries. Member Baker seconded the motion and after consideration the following members voted in favor of the motion: Baker, Wertz and Nichols. Motion carried.

The following Exhibits were received:

- Exhibit "A" - Hitchcock County Clerk's *Certificate of Service* dated January 6, 2025 Notice of Public Hearings mailed to applicant Steven R. Fries;
- Exhibit "B" Hitchcock County Clerk emails of January 17th, 2025 through January 20th regarding property owner and interested party Notice of Public Hearing 10 day notice;
- Exhibit "C" Zoning Administrator Mike Erickson's *Staff Report* relating to Conditional Use Application #02-2024;
- Exhibit "D" *Resolution/Recommendation of the Hitchcock County Planning Commission* dated January 16th, 2025;
- Exhibit "E" Written statement in opposition from Cody and Lyndsay Lashley with attachments;
- Exhibit "F" Written statement in opposition from Bruce Licht with attachments.

Attorney Garner advised as to proposed resolution #25-5.

Member Wertz offered Resolution #25-5 and moved for its' adoption. Member Baker seconded the motion and after consideration the roll was called thereupon and the following members voted in favor of the motion: Wertz, Nichols, and Baker. 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 #25-5

WHEREAS, the Hitchcock County Board of Commissioners having held a public meeting on January 21st, 2025, for the purpose of reviewing the Application for Conditional Use filed by Steven R. Fries for a data mining structure on part of Section 23, Township 4 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 January 21st, 2025, 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 *McCook Gazette* on January 17, 2025; and

WHEREAS, a copy of the notice of said Public Hearing was duly mailed on January 6th, 2025 by U.S. Mail, proper first class postage prepaid, to applicant Steven R. Fries as evidenced by the Certificate of Service on file in the office of the Hitchcock County Clerk; and

WHEREAS, adjacent landowners and interested parties were emailed the notice of said Public Hearing on January 17, 2025 as evidenced by copies of said emails 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 that said application not be approved; and

WHEREAS the Hitchcock County Board of Commissioners, having found that insufficient information has been provided regarding the proposed use including without limitation noise control, security measures, control of potential hazards, bandwidth use, power use, lack of compliance with zoning regulations at another location and consistency with the comprehensive plan.

NOW, THEREFORE, BE IT RESOLVED that the Conditional Use filed by Steven R. Fries for a data mining structure on part of Section 23, Township 4 North, Range 33 West, Hitchcock County, Nebraska be not be approved.

PASSED AND APPROVE THIS 21st day of January, 2025

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 Nichols moved to enter closed session at 10:43 a.m. this date for the purpose of interviewing Ryan King and Burton Pianalto for the position of Hitchcock County Sheriff. Member Wertz seconded the motion and after consideration, the following members voted in favor of said motion: Baker, Nichols, and Wertz. Motion carried.

Member Nichols moved come out of closed session at 12:23 p.m. Member Baker seconded the motion and the following members voted in favor of the motion: Wertz, Nichols, and Baker. Motion carried.

Member Wertz moved to appoint Ryan King as Hitchcock County Sheriff for the unexpired term ending January 7, 2027. Member Baker seconded the motion and after consideration the following members voted in favor of the motion: Wertz and Baker. Member Nichols voted against the motion. Motion carried.

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

Member Wertz moved to adjourn at 12:48 p.m. and to meet for the next regular meeting on Monday, February 3rd, 2025 at 9:00 a.m. Member Baker seconded the motion and the roll was called with the following members voting in favor of said motion: Wertz, Nichols, and Baker. Motion carried.

ATTEST:

Chair
Hitchcock County Board of Commissioners

Margaret M. Pollmann, County Clerk

EXHIBIT "A"

RESOLUTION #25-1

BE IT RESOLVED by the Board of County Commissioners of Hitchcock County, Nebraska, that during the year 2024 and for all remainder of the term of Jackie Drain, as County Treasurer

and Margaret M. Pollmann, as County Clerk ex officio Clerk of the District Court, or until further directed by the Board, that the following named banks shall be depositories for the funds of Hitchcock County, Nebraska:

Community First Bank	The Culbertson Bank	MNB Stratton, NE
P.O. Box 338	P.O. Box 8	PO Box 367
Trenton, NE 69044-0338	Culbertson, NE 69024-0008	McCook, NE 69001-0367

Nebraska Public Agency Investment Trust
721 South 14th Street
Lincoln, NE 68508

BE IT FURTHER RESOLVED that since the County Treasurer and County Clerk/Clerk of the District Court have on hand and will have on hand from time to time for deposit, County money which should be deposited for safekeeping in these banks in excess of the paid-up capital stock and surplus of each of the said banks, but shall not at any time have in said banks County funds in excess of 102% of the bonds deposited by each bank as security plus the \$250,000.00 demand deposit and the \$250,000.00 time deposit covered and protected by the Federal Deposit Insurance Corporation of which the bank is a licensed and qualified member thereof. In the event of demand deposits, for the Hitchcock County Clerk's Imprest Fund being over \$250,000.00 the receiving bank will furnish securities to cover the additional deposits. Provided that the aforesaid banks each and all of them meet the requirement imposed by the laws of the State of Nebraska regarding property bond and securities for the deposits made in said banks.

Passed and approved this 21st day of January, 2025.

Chair, Hitchcock County Board of
Commissioners

ATTEST:

SEAL

Margaret M. Pollmann, Co. Clerk

VOTING FOR THE MOTION: Paul Nichols, Ronald Wertz and Christopher Baker

ABSENT: None

ABSTAINING: None

VOTING AGAINST THE MOTION: None

EXHIBIT "B"

RESOLUTION #25-2

WHEREAS, it appears that the County Treasurer of Hitchcock County, Nebraska, has on hand, from time to time, excess monies which are not then required for the proper operation of the government of said Hitchcock County;

AND WHEREAS it is for the best interest of said Hitchcock County that such monies be invested in various investments for the benefit and welfare of said County, which investments should be made as provided by the law of the State of Nebraska.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONER'S OF HITCHCOCK COUNTY, NEBRASKA, that the County Treasurer of said Hitchcock County be and she hereby is authorized to invest excess monies of said County, from time to time, in such investments as may be required and permitted by the laws of Nebraska, and to rescind any and all former resolution of this Board concerning this matter, which may be in conflict therewith.

DATED THIS 21st day of January, 2025.

Chair, Hitchcock County Board of
Commissioners

ATTEST:

Margaret M. Pollmann, Co. Clerk

SEAL

VOTING FOR THE MOTION: Paul Nichols, Christopher Baker and Ronald Wertz

ABSENT: None

ABSTAINING: None

VOTING AGAINST THE MOTION: None

EXHIBIT "C"

RESOLUTION #25-3

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

That the Board of Commissioners of Hitchcock County, Nebraska, for the use and benefit, and in the name of the said County of Hitchcock, will not advertise ANY SUCH KNOWN real estate property descriptions that are deeded to persons who have declared a form of bankruptcy with the United States bankruptcy Court as of the date of publication of delinquent real estate taxes. Publication dates will be February 6, 2025, February 13, 2025 and February 20, 2025.

LET IT ALSO BE KNOWN that as of this date the Treasurer has not received notification of discharge of any of the bankruptcies not being published.

A list of such legal descriptions being withheld from publication will be on file in the County Treasurer's office, Hitchcock County, Nebraska.

Dated this 21st day of January, 2025.

Chair, Hitchcock County Board of Commissioners

ATTEST:

Margaret M. Pollmann, Co. Clerk

SEAL

VOTING FOR THE MOTION: Christopher Baker, Paul Nichols and Ronald Wertz

VOTING AGAINST THE MOTION: None

ABSTAINING: None

ABSENT: None

EXHIBIT "D"

RESOLUTION #25-4

WHEREAS, the Hitchcock County Board of Commissioners of Hitchcock County, Nebraska hereinafter (Board) passed Resolution #17-8 on March 6, 2017 offering a conditional Cash-In-Lieu option of group medical insurance policy to those elected officials and Hitchcock County employees choosing to participate, and

WHEREAS, Cash-In-Lieu payment amount(s) shall be established each plan year at the Board's January Reorganizational meeting.

NOW THEREFORE, BE IT RESOLVED THAT the following Cash-In-Lieu payments for the policy year beginning July 1, 2024 shall be added to monthly wages and all withholding requirements will be administered accordingly on the monthly cash option as follows:

- Employee Only \$350.00
- Employee/Child(ren) \$550.00
- Employee/Spouse \$550.00
- Family \$550.00

Passed and approved this 21st day of January, 2025.

Chair, Hitchcock County Board of Commissioners

ATTEST:

Margaret M. Pollmann, County Clerk

Voting for the Motion: Baker, Wertz, and Nichols

Voting against the Motion: None

Abstaining: None

Absent: None