

Hitchcock County Board of Commissioners

Trenton, Nebraska
February 3rd, 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 Monday the 3rd day of February 2025 commencing at 9:00 o’clock a.m. Present were Chair Paul Nichols, Commissioner Christopher Baker and County Clerk Margaret Pollmann. Commissioner Ron Wertz was absent. Notice of the meeting was given in advance thereof by publication on January 30th, 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.

Al Dunworth met with the board in relation to the progress of Bureau of Reclamation land transfers.

Member Nichols moved to approve the consent agenda consisting of the following items: approval of the February 3rd, 2025 agenda and approval of the January 21st, 2025 meeting minutes. Member Baker seconded the motion and after consideration the following members voted in favor of said motion: Nichols and Baker. Member Wertz, Absent. Motion carried.

Extension Educator Kimberly Cook gave the 2024 Extension Report.

Region 51 Deputy Emergency Manager Kyle Clapp gave the agencies quarterly report.

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

GENERAL FUND:

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|---|-------------|
| General Fund Payroll ----- | \$15,070.11 |
| Applied Connective Technologies, IT services ----- | \$ 197.98 |
| Blakes Service, tires ----- | \$ 100.00 |
| Community 1 st Bank, FICA/OASI/Fed. ----- | \$ 4,305.49 |
| Crowne Plaza, lodging ----- | \$ 149.95 |
| D&S Hardware, supply ----- | \$ 130.37 |
| Board of Adjustment per diem/mileage 1-16-25 meeting ----- | \$ 99.20 |
| Planning Commission per diem/mileage 1-16-25 meeting ----- | \$ 188.00 |
| Diamond Vogel Paint Center, paint ----- | \$ 29.39 |
| Dollar General, supply ----- | \$ 109.50 |
| Harvest Homes, LLC, repair ----- | \$ 150.00 |
| Eakes Office Solutions, copier contract copies/supply ----- | \$ 680.83 |
| Great Plains Uniforms LLC, sheriff uniform equipment ----- | \$ 413.50 |
| Hitchcock Co. Sheriff, service fees ----- | \$ 143.45 |
| MASA, suppl. ins. ----- | \$ 6.25 |
| MIPS Inc., data process. ----- | \$ 6,333.40 |
| Mousel Brooks Schneider & Mustion, ct. appt. counsel ----- | \$ 488.36 |
| NE Dept. Rev., state employment tax withholding ----- | \$ 667.07 |
| NE Planning & Zoning Assoc., registration ----- | \$ 235.00 |
| North Platte NE Hospital Corp., inmate medical ----- | \$ 307.00 |
| Postage ----- | \$ 500.00 |
| Quill Corp., supply ----- | \$ 429.94 |
| Retirement Plans Division Ameritas, retirement ----- | \$ 2,186.64 |
| Robert Scott, subscription ----- | \$ 50.00 |
| SW Public Power Dist., utility ----- | \$ 41.67 |
| Ashley Spahn, ct. appt. counsel ----- | \$ 200.00 |

| | |
|---|----------|
| West Central District Assessor’s Assoc., dues ----- | \$ 25.00 |
| 7-D Lockshop, keys ----- | \$ 30.00 |

ROAD FUND:

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|--|-------------|
| Road Fund Payroll ----- | \$10,889.05 |
| Bud’s Tire Repair, tires----- | \$ 2,486.00 |
| Community 1 st Bank, FICA/OASI/Fed. ----- | \$ 2,628.58 |
| D&S Hardware, small tools ----- | \$ 57.99 |
| MASA, suppl. ins. ----- | \$ 6.25 |
| NE Dept. Revenue, state employment tax withholding ----- | \$ 350.21 |
| Retirement Plans Division Ameritas, retirement ----- | \$ 1,513.17 |
| SW Public Power Dist., utility ----- | \$ 56.52 |
| Village of Stratton, utility ----- | \$ 285.02 |

REGISTER OF DEEDS P&M FUND:

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|---------------------------------|-----------|
| MIPS, Inc., data process. ----- | \$ 255.32 |
|---------------------------------|-----------|

COVID AMERICAN RESCUE FUND:

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|---|-------------|
| Vap Construction, Inc., down payment on building project @ 423 East 3 rd St., Trenton, NE ----- | \$48,870.00 |
|---|-------------|

Assessor Terra Riggs, Treasurer Jackie Drain and Attorney D. Eugene Garner joined the meeting.

Sheriff Ryan King and Deputy Thomas Jones joined the meeting met with the Board for Discussion on emergency generator repair/replacement, inmate medical insurance, request for a fifth officer and existing patrol vehicles.

Attorney Garner advised as to the Contract For Hitchcock County Sheriff.

Member Baker moved to direct Chair to execute the Contract For Hitchcock County Sheriff by and between the County and Ryan L. King. Member Nichols seconded the motion and after consideration the following members voted in favor of the motion: Baker and Nichols. Member Wertz, absent. Motion carried.

Assessor Terra Riggs and Treasurer Jackie Drain discussed budgetary and safety concerns with the board.

Member Nichols moved to approve the application to Occupy County Road Right of Way filed by Jill Brown for an underground water line located between Sections 7 and 18 in Township 2, Range 32 on County Road 712. Member Baker seconded the motion and after consideration the following members voted in favor of the motion: Nichols and Baker. Member Wertz, absent. Motion carried.

Zoning Administrator Mike Erickson advised as to correspondence with MB Computing and the cease and desist action initiated by the County regarding the data center and crypto mining facility located south of Trenton. Assessor Riggs advised as to the potential leasehold and personal property tax value for said facility. Attorney Garner advised to the proposed moratorium resolutions. Mr. Erickson provided a quotes regarding road signs.

Member Baker offered Resolution #2025-6 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, and Baker. Member Wertz, Absent. 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 #2025-6
*(Temporary Moratorium on
Wind Energy Installations & Solar Power Generation Systems)*

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

WHEREAS, the Hitchcock County Board of Commissioners seeks to place a temporary moratorium on development of commercial wind energy conversion systems and the issuance of conditional use permits for the same pursuant to Section 612 of the Hitchcock County Zoning Regulations for the lesser of one year or until such time as the Hitchcock County Board of Commissioners has the opportunity to study and adopt updated zoning regulations with respect to wind energy conversion systems covered in Section 612 of the Hitchcock County Zoning Regulations; and

WHEREAS, the Hitchcock County Board of Commissioners also seeks to place a temporary moratorium on development of commercial grade solar energy generation/conversion systems, which for purposes of this moratorium shall be any solar conversion system with a rated capacity in excess of one hundred (100) kW in name plate generating capacity, as accessory uses in all zoning districts as well as the issuance of any conditional use permits in this regard pursuant to the Hitchcock County Zoning Regulations for the lesser of one year or until such time as the Hitchcock County Board of Commissioners has the opportunity to study and adopt appropriate zoning regulations with respect to commercial and/or utility grade solar energy generation/conversion systems; and

WHEREAS, the Hitchcock County Board of Commissioners believe in the rights of individual landowners to make the best and most efficient use of their property and hereby state that the intent of this moratorium is not to discourage the adoption and use of “small wind energy systems” as defined in Section 612.02 of the Hitchcock County Zoning Regulations nor is it the intent to discourage individual land owners from the adoption and use of small scale solar energy conversion systems (ie, less than one hundred (100) kW in total name plate generating capacity), specifically designed and used for private, non-commercial applications, including without limitation, solar powered livestock watering facilities and other such farm or single family residential applications. The Hitchcock County Board of Commissioners specifically acknowledges the utility of such systems, especially within the ranching and agriculture industries, as well as their utility to individual homeowners and fully support their continued use and proliferation in that regard; and

WHEREAS, the Board, states that it is the express intent of the Hitchcock County Board of Commissioners to enact this moratorium to provide time for a comprehensive regulatory scheme to be developed to manage and regulate the location, implementation and decommissioning of all commercial and/or utility grade wind energy and solar energy conversion systems which would otherwise provide direct financial benefit to a relative few Hitchcock County landowners while allowing the negative impacts to be borne by all Hitchcock County residents.

NOW THEREFORE, BE IT RESOLVED by the Hitchcock County Board of Commissioners, that for a period of one year from the date of this resolution, or until such time as the Hitchcock County Board of Commissioners can study and adopt appropriate updated zoning regulations with respect to commercial and/or utility grade wind and solar energy conversion systems, as described hereinabove, whichever is lesser, a moratorium shall hereby be enacted and no commercial and/or utility grade wind energy conversion systems or solar energy conversion systems with a capacity of one hundred (100) kW or more, in total name plate generating capacity, shall be constructed or allowed as accessory uses in any zoning district nor shall any conditional use permits be issued for the same.

A motion was made by County Board member Baker, seconded by County Board member Nichols to approve and adopt this herein Resolution.

Voting Aye: Nichols, Baker
Voting Nay: none
Abstaining: none
Not Present: Wertz

ADOPTED this 3rd day of February, 2025.

HITCHCOCK COUNTY BOARD OF COMMISSIONERS

By: _____
Paul Nichols, Chairperson

Attested:

Margaret M. Pollmann
Hitchcock County Clerk

Member Nichols offered Resolution #2025-7 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: Nichols, and Baker. Member Wertz, Absent. 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 #2025-7

(Temporary Moratorium on Data Centers & Crypto Mining Facilities)

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

WHEREAS, the Hitchcock County Board of Commissioners seeks to place a temporary moratorium on location, construction, development and operation of commercial "Crypto Mining Facilities", being a facility with specialized setups designed to mine cryptocurrencies, such as Bitcoin and Ethereum and in which the mining involves solving complex mathematical problems to validate transactions on a blockchain network, which is essential for maintaining the network's integrity and generating new units of the cryptocurrency, and the issuance of conditional use permits for the same in the "AG-G, General Agricultural District" pursuant to Section 501.06 and in the "RCI, Rural Commercial/Industrial District" pursuant to Section 502.05 of the Hitchcock County Zoning Regulations for the lesser of one year or until such time as the Hitchcock County Board of Commissioners has the opportunity to study and adopt appropriate zoning regulations with respect to such crypto mining facilities as the same are not adequately addressed in the Hitchcock County Zoning Regulations at this time; and

WHEREAS, the Hitchcock County Board of Commissioners also seeks to place a temporary moratorium on location, construction, development and operation of commercial "Data Centers", being a specialized facilities designed to house computer systems and associated components, such as telecommunications and storage systems that provide the infrastructure necessary for various IT operations, including data storage, management, and dissemination, and the issuance of conditional use permits for the same in the "AG-G, General Agricultural District" pursuant to Section 501.06 and in the "RCI, Rural Commercial/Industrial District" pursuant to Section 502.05 of the Hitchcock County Zoning Regulations for the lesser of one year or until such time as the Hitchcock County Board of Commissioners has the opportunity to study and adopt appropriate zoning regulations with respect to such crypto mining facilities as the same are not adequately addressed in the Hitchcock County Zoning Regulations at this time; and

WHEREAS, the Hitchcock County Board of Commissioners believe in the rights of individual landowners to make the best and most efficient use of their property. However because (a) crypto mining facilities are known for high energy consumption due to the intensive computational requirements of mining, this has led to concerns about their environmental impact; (b) crypto mining facilities also require significant cooling solutions but may not have the same level of advanced systems as true "data centers", may lead to higher environmental footprints in some cases; and (c) the energy consumption of data centers varies widely depending on the size and type of operations, appropriate regulation of the same is necessary to ensure the operation is consistent with, and in the best interests of the residents of Hitchcock County; and

WHEREAS, the Hitchcock County Board of Commissioners hereby state that the intent of this moratorium is not to discourage the location, operation and use of data centers and crypto

mining facilities as a conditional use in the “*I, Industrial District*” as defined in the Hitchcock County Zoning Regulations, upon such appropriate and necessary conditions as may be determined to ensure that such use is consistent with the intent statement of said District; and

WHEREAS, the Board, states that it is the express intent of the Hitchcock County Board of Commissioners to enact this moratorium to provide time for a comprehensive regulatory scheme to be developed to manage and regulate the location, implementation and decommissioning of all such data centers and crypto mining centers which would otherwise provide direct financial benefit to a relative few Hitchcock County landowners while allowing the negative impacts to be borne by all Hitchcock County residents.

NOW THEREFORE, BE IT RESOLVED by the Hitchcock County Board of Commissioners, that for a period of one year from the date of this resolution, or until such time as the Hitchcock County Board of Commissioners can study and adopt appropriate updated zoning regulations with respect to commercial Data Centers and also Crypto Mining Facilities, as described hereinabove, whichever is lesser, a moratorium shall hereby be enacted and no commercial Data Centers or Crypto Mining Facilities, shall be located, constructed, developed, operated or allowed as accessory uses in the “*AG-G*” or “*RCP*” zoning districts nor shall any conditional use permits be issued for the same.

A motion was made by County Board member Nichols, seconded by County Board member Baker to approve and adopt this herein Resolution.

Voting Aye: Nichols, Baker
Voting Nay: none
Abstaining: none
Not Present: Wertz

ADOPTED this 3rd day of February, 2025.

HITCHCOCK COUNTY BOARD OF COMMISSIONERS

By: _____
Paul Nichols, Chairperson

Attested:

Margaret M. Pollmann
Hitchcock County Clerk

Attorney Garner advised as Vap Construction, Inc. documents relating to the construction project at 423 East 3rd Street in Trenton.

Member Nichols offered Resolution #25-5(2) 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: Nichols, and Baker. Member Wertz, Absent. 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(2)

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:

Jaclyn B. Drain, Hitchcock County Treasurer

- Hitchcock County Treasurer #XXX-XX9
- Money Market #XXXXX5
- 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

Hitchcock County Sheriff, Ryan L. King

Hitchcock County Deputy Sheriff, Thomas W. Jones

- Hitchcock County Sheriff # XXX-XX4

Robert A. Scott, Hitchcock County Veteran's Service Office

- 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 3rd day of February, 2025.

Voting for the motion: Christopher Baker and Paul Nichols

Voting against the motion: None

Abstaining: None

Absent: Ron Wertz

The resolution is hereby adopted.

Paul Nichols, Chair
Hitchcock County Board of Commissioners

ATTEST:

Margaret M. Pollmann, County Clerk

SEAL

Building Maintenance Manager Dave Swanson and Attorney Garner discussed exterior window privacy film with the board. Board requested that informal quotes be obtained for said project. Board asked Mr. Swanson to look into the Assessor's vault door. Mr. Swanson inquired as to tires for the Buildings and Grounds pickup.

Chair Nichols executed the necessary title documents for the sale of (2) 2001 Freightliner Tractor Trucks recently sold via on-line auction.

Chair Nichols updated Attorney Garner on progress and recent developments relating to Bureau of Reclamation land transfers.

Member Nichols moved to adjourn at 12:29 p.m. and to meet for the next regular meeting on Tuesday, February 18th, 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: Nichols and Baker. Member Wertz, absent. Motion carried.

ATTEST:

Chair
Hitchcock County Board of Commissioners

Margaret M. Pollmann, County Clerk