

WEBSTER COUNTY BOARD OF COMMISSIONERS

The Webster County Board of Commissioners met at 8:30am on Tuesday, February 4th, 2020 for a regular business meeting at the Courthouse in Red Cloud. The following Board Members were present for roll call: Dan Shipman (District One), Trevor Karr (District Two), TJ Vance (District Three), Keith Buschow (District Four) and Gary Ratzlaff (District Five). The Board stood and recited the Pledge of Allegiance. Chairman Buschow gave notice of the Nebraska Open Meetings Act Laws. Motion was made by Ratzlaff, seconded by Vance to approve the minutes of the January 21st, 2020 meeting. Voting in favor: Buschow, Ratzlaff, Vance, Karr and Shipman. Voting no, absent or abstaining. None. Motion carried.

At 8:35am, Paul Stoner presented the Completed, Revised and Amended One & Six Year Plan for Keith to sign. Paul presented an estimate from Lance Harter for repair costs of the Bladen Road if we used concrete. No decision at this time on this project. The crews are doing a lot of ditch work and rock hauling throughout the County.

Work is still being done on the HVAC System. Courthouse Windows are progressing and look very nice. Blinds will be hung in the future and finishing of woodwork trim will also be started at some time. Courthouse lights around the Courthouse and mowing of cemeteries were discussed also.

At 9:15am, Treasurer Knehans presented to the Board the end of the month fund balances. She also presented the Delinquent Tax Sale List and her Semi Annual Statement Report. Motion was made by Shipman, seconded by Karr to approve of these reports. Voting in favor: Buschow, Ratzlaff, Vance, Karr and Shipman. Voting no, absent or abstaining. None. Motion carried. Tax sales will be done Monday, March 2nd at 9:00am in the District Court Room on the third floor of the Courthouse.

At 9:30am, Jim Farmer met with the Board on Trailblazer RC & D information. Two Grants have been approved from DEE (Dept of Environment and Energy). Several counties are involved in these grants. Mr. Farmer asked for some equipment to be provided and lots of volunteers to help with these recycling projects for Electronic Recycling Grant and Household Hazardous Waste Grant. Mr. Farmer also asked for their 2020 Sponsorship fee of \$350.00 from the County as in previous years. Motion was made by Karr, seconded by Ratzlaff to approve this fee. All members voted in favor of this motion. Motion carried. Clerk Petsch stated this claim will be done at our February 18th meeting. Dates for Electronic Recycling will be Wednesday, April 15, 2020 from 8:00am to 12:00pm in Blue Hill; Tire Recycling will be August 14, 2020 from 8:00am to 12:00pm in Guide Rock and Household Hazardous Waste will be Friday, May 8, 2020 from 8:00am to 10:00am in Blue Hill.

At 9:45am, the Board approved of paying for a Basic Lab Draw that the Webster County Hospital Health Fair is offering on March 30 & 31 from 6:00am to 9:00am and on April 1 & 2 from 6:00am to 9:00am. Motion was made by Vance, seconded by Karr to offer this to the employees. Voting in favor: Buschow, Ratzlaff, Vance, Karr and Shipman. Voting no, absent or abstaining: None. Motion carried.

At 9:55am, Commissioner Dan Shipman presented Resolution 8-2020 for the Board to look over and adopt. Attorney Bockstadter and several concerned public citizens were in attendance for this also. The Resolution is basically a statement being made in support of the Second Amendment to the United States Constitution adopted in 1791 as part of the Bill of Rights, protecting the inalienable and individual right of the people to keep and bear arms. The group feels LB58 Red Flag Law is unconstitutional and wants to make a statement of opposition to this bill to send to our Senator of their concerns on this matter. Motion was made by Shipman, seconded by Karr to approve of Resolution 8-2020. Voting in favor. Buschow, Ratzlaff, Vance, Karr and Shipman. Voting no, absent or abstaining: None. Motion carried.

RESOLUTION NO. 2020 - 8

BE IT RESOLVED BY THE CHAIRPERSON AND COUNTY BOARD OF COMMISSIONERS OF THE COUNTY OF WEBSTER, NEBRASKA, as follows:

WHEREAS, the Second Amendment to the United States Constitution, adopted in 1791 as part of the Bill of Rights, protects the inalienable and individual right of the people to keep and bear arms; and

WHEREAS, the Supreme Court in the *District of Columbia v. Heller*, 554 U.S. 570 (2008), decision affirmed an individual's right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home; and,

WHEREAS, the Supreme Court in *McDonald v Chicago*, 561 U.S. 742 (2010), affirmed that the right of an individual to "keep and bear arms," as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment against the states; and

WHEREAS, the Supreme Court, in *United States v Miller*, 307 U.S. 174 (1939), opined that firearms that are part of ordinary military equipment, or with use that could contribute to the common defense are protected by the Second Amendment; and

WHEREAS, Article I, Section I-1 of the Constitution of Nebraska provides that "All persons have certain inalienable rights; among these are life, liberty, the pursuit of happiness, and the right to keep and bear arms for security or defense of self, family, home, and others, and for lawful common defense, hunting, recreational use, and all other lawful purposes, and such rights shall not be denied or infringed by the state or any subdivision thereof. To secure these rights, and protection of property, governments are instituted among people, deriving their just powers from the consent of the governed."; and

WHEREAS, Article I, Section I-7 of the Constitution of Nebraska provides that "The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or thing to be seized."; and

WHEREAS, Article I, Section I-16 of the Constitution of Nebraska provides that "No bill of attainder, ex post facto law, or law impairing the obligation of contracts, or making any irrevocable grant of special privileges or immunities shall be passed."; and

WHEREAS, Article I, Section I-21 of the Constitution of Nebraska provides that “The property of no person shall be taken or damaged for public use without just compensation therefore.”; and

WHEREAS, it is the desire of the County Board to declare its support of the Second Amendment to the United States Constitution and the Nebraska Constitution protecting citizens’ inalienable and individual right to keep and bear arms; and

WHEREAS, the members of this Board took an oath to support and defend the United States Constitution, the Constitution of the State of Nebraska and the laws of the State of Nebraska, insofar as they are constitutional.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Webster, Nebraska by the authority granted the Board by the laws of the State of Nebraska and people of Webster County, Nebraska, we hereby declare that we shall stand and defend the rights and liberties of all county citizens, which are guaranteed by the United States and Nebraska Constitutions.

BE IT FURTHER RESOLVED that this Board affirms its support for the duly elected Sheriff of Webster County, Nebraska in the exercise of his sound discretion and affirms its resolve to support decisions by our Sheriff to defend the Constitution of the United States and the Constitution of the State of Nebraska.

DATED THIS 4TH DAY OF FEBRUARY, 2020.

The District Court Fee report was presented to the Board.

At 10:30am, motion was made by Shipman, seconded by Ratzlaff to go into Board of Equalization. All voted in favor. Motion was made by Karr, seconded by Vance to sign the Application for Exemption of Webster County Transportation Vehicles turned over to Midland Area Agency on Aging. Voting in favor: Buschow, Ratzlaff, Vance, Karr and Shipman. Voting no, absent or abstaining: None. Motion carried. Chairman Buschow and Treasurer Knehans signed the application. Motion was made by Shipman, seconded by Karr to go out of Board of Equalization. All members voted in favor.

The following claims and payroll were approved for payment by motion being made by Karr and seconded by Ratzlaff. All members present voted in favor.

GENERAL FUND: Ameritas Life Insurance Corp (Retire)-\$392.59; Axon Enterprise Inc (Supply)-\$65.00; Blue Hill Leader (Subscription)-\$31.50; Blue360 Media (Supply)-\$76.75; Bockstadter & Glen Law, LLC (Contract)-\$1705.00; Katie Bolte (Expense)-\$69.33; Ron Brumbaugh (Contract)-\$1766.67; Carmichael Construction, LLC (Repairs)-\$2915.00; CASA of South Central Nebraska (Funding)-\$3000.00; Central Nebr County Assessor Assn (Dues)-\$20.00; DAS State Accounting/Central Finance (Fee)-\$448.00; S.S. (Fica)-\$444.90; Eakes Office Solutions (Supplies)-&290.92; First National Bank Omaha (Supply)-\$1321.25; Great Plains Communications (Phones)-\$1185.70; Great Plains Uniforms LLC (Supply)-\$82.65; Hometown Leasing (Leasing)-\$250.00; Elizabeth Janning (Expense)-\$42.92; Jared’s Auto Expert (Repairs)-\$131.99; Krieger Electric Company (Pmt)-\$19,786.73; Leaf Capitol Funding, LLC (Postage)-\$424.45; Mips (Service)-\$19,454.31, Sydney O’Daniel (Expense)-\$77.72; Katie Ord (Expense)-\$90.71; Otoe County Sheriff’s Office (Fee)-\$18.00; Alexa Pedersen (Expense)-\$93.96; Louise Petsch (Expense)-\$25.92; Gary Ratzlaff (Expense)-\$42.25; Red Cloud Chief (Subscription)-\$32.50; Red Cloud Golf Course (Expense)-\$93.00; City of Red Cloud (Utility)-\$1905.47; Secretary of State (Supply)-\$10.00; Dan Shipman (Expense)-\$157.67; Web Co Sheriff-Petty Cash Fund (Petty Cash)-\$127.95; Webster County Sheriff’s Dept (Fees)-\$79.95; Williams Exterminating, Inc (Pest Control)-\$88.00; Woodward’s Disposal Service (Utility)-\$20.00. **ROAD/BRIDGE FUND:** ACE/Eaton Metals (Culverts)-\$206.27; Ameritas Life Insurance Corp (Retire)-\$7.29; Black Hills Energy (Utility)-\$233.94; City of Blue Hill (Utility)-\$120.02; Cencon of Kansas Utility Contractors (Gravel)-\$1578.37; Country Corner (Fuel)-\$143.47; S.S. (Fica)-\$8.27; First National Bank Omaha (Supply)-\$1021.94; Glenwood Telecommunications (Phones)-\$166.90; Great Plains Communications (Phone)-\$49.12; LRNRD Rural Water Project (Water)-\$22.21; NCK Quarries LLC (Gravel)-\$750.03; Newman Signs, Inc (Signs)-\$113.25; Nebraska Machinery Company (Repairs)-\$675.91; Oak Creek Engineering, LLC (Fees)-\$12,092.06; R&M Disposal LLC (Utility)-\$12,092.06; Windstream (Phone)-\$73.99. **ROAD/BRIDGE CONST FUND:** Oak Creek Engineering, LLC (Fees)-\$443.00. **SELF-INSURED DENTAL FUND:** Sean M Daly, D.D.S. (Dental)-\$2666.00; Webster County Dental Clinic (Dental)-\$108.00. **COUNTY MEDICA/RELIEF FUND:** NE Health & Human Services System (Beatrice/Lincoln)-\$186.00. **NOXIOUS WEED FUND:** Nebraska Weed Control Assn-Region (Dues)-\$15.00. **AMBULANCE FUND:** S.S. (Fica)-\$177.66; Great Plains Communications (Phone)-\$48.52; Petsch Billing (Contract)-\$350.00. Total Wages - \$8,245.68.

Being no further business, Chairman Buschow adjourned the meeting at 12:00pm. The next regular meeting will be held on Tuesday, February 18th, 2020 at 8:30am. A current agenda and complete minutes are on file at the County Clerk’s Office and at www.co.webster.ne.us.

Dated this 4th day of February, 2020
Webster County Board of Commissioners

Attest: Louise Petsch
Webster County Clerk