

Hayes County Commissioners
April 14, 2026

A meeting of the Hayes County Board of Commissioners was scheduled for April 14, 2026, at 1:45 P.M. in the Hayes County Courthouse, 505 Troth Street, Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given to each Commissioner, was published in the *McCook Gazette* on April 7, 2026, and posted in accordance with law. A current copy of the Open Meetings Act was available for review and was posted in the room where the meeting was being held. All proceedings shown hereafter were taken while the convened meeting was open to the attendance of the public.

Chairman Christner called the meeting to order at 1:45 P.M. Those present were board members: Wayne Christner, Barry Richards, and Kevin Fornoff and Susan Messersmith, County Clerk. D. Eugene Garner, County Attorney, was present by phone.

Richards moved, second by Christner to approve the agenda. Discussion held. Roll call: Richards, yes; Christner, yes; Fornoff, yes. Motion carried.

Chairman Christner requested comments from the audience. There were none.

Fornoff moved, second by Richards to approve the consent agenda consisting of the financial reports of the Clerk, Clerk of the District Court, Imprest Account and the minutes of March 10 & 31, 2026 meetings. Discussion held. Roll call: Christner, yes; Fornoff, yes; Richards, yes. Motion carried.

Attorney Todd McWha joined the meeting via phone.

Christner moved, second by Fornoff to go into executive session at 1:47 P.M., being clearly for protection of the public interest to discuss pending litigation involving Frontier County's denial of the County's claim for reimbursement of expenses in relation to the replacement of Bridge #C004306105. Discussion held. Roll call: Christner, yes; Fornoff, yes; Richards, yes. Motion carried.

Christner moved, second by Richards to come out of executive session at 2:17 P.M. Roll call: Fornoff, yes; Richards, yes; Christner, yes. Motion carried.

Richards moved, second by Christner to continue to pay/reimburse Barry Richard's legal fees and expenses incurred in his litigation against Frontier County alleging violations of the Open Meetings Act, for the reason that Hayes County may be directly benefitted by a judgement in that litigation in favor of Richards as it relates to Bridge #C004306105. Discussion held. Roll call: Richards, abstain; Christner, yes; Fornoff, yes. Motion carried.

Attorney Garner left the meeting for a separate appointment.

Christner moved, second by Richards to approve the Sheriff's Quarterly Report. Discussion held. Roll call: Christner, yes; Fornoff, yes; Richards, yes. Motion carried.

Fornoff moved, second by Richards to approve the Treasurer's Report. Discussion held. Roll call: Fornoff, yes; Richards, yes; Christner, yes. Motion carried.

Christner moved, second by Fornoff to approve claim, excluding claim 2604039, for \$50,844.08. Discussion held. Roll call: Richards, yes; Christner, yes; Fornoff, yes. Motion carried.

Christner moved, second by Fornoff to approve claim 26043039 for \$14,905.63. Discussion held. Roll call: Christner, yes; Fornoff, yes; Richards, abstain. Motion carried.

Christner moved, second by Fornoff to adjourn the meeting. There being no further discussion. Roll call: Fornoff, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Christner adjourned the meeting at 3:47 P.M.

The next meeting will be on April 30, 2026, at 8:30 AM.