



STATE OF NEBRASKA
Office of the Attorney General

2115 STATE CAPITOL BUILDING
LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
FAX (402) 471-3297 or (402) 471-4725

MIKE HILGERS
ATTORNEY GENERAL

LESLIE S. DONLEY
ASSISTANT ATTORNEY GENERAL

October 21, 2024

Wayne Sayer
[REDACTED]

RE: *Public Records Matter Involving the Village of Holbrook*
File No. 20241195

Dear Mr. Sayer:

This letter is in response to your correspondence dated October 5, 2024, which we received on October 11, in which you express concerns regarding the Village of Holbrook (Village). You allege, among other things, that you requested a copy of the minutes for the September 9, 2024, meeting of the Village board, but had not received them to date. We construed this portion of your correspondence to be a petition under the Nebraska Public Records Statutes (NPRS), Neb. Rev. Stat. §§ 84-712 to 84-712.09 (2014, Cum. Supp. 2022), amended 2024 Neb. Laws LB 43 and LB 1204.

We forwarded your petition to Village attorney Nathaniel J. Mustion upon receipt. We requested that Mr. Mustion confirm that the minutes had been provided to you or, alternatively, provide them to you as soon as possible. We received correspondence from Mr. Mustion on October 18, 2024, informing us that the minutes were mailed to you on October 16. Since you have now received the records which formed the basis for your petition, no further action relating to this matter is necessary.

As to the other matters expressed in your correspondence, please note that the Attorney General and the attorneys in the Nebraska Department of Justice represent the State of Nebraska, its agencies, departments, and officials.¹ We do not represent units

¹ Neb. Rev. Stat. § 84-202 (2014) states that "[t]he Department of Justice shall have the general control and supervision of all actions and legal proceedings in which the State of Nebraska may be a party or may be interested, and shall have charge and control of all the legal business of all departments and bureaus of the state, or of any office thereof, which requires the services of attorney or counsel in order to protect the interests of the state."

Wayne Sayer
October 21, 2024
Page 2

of local government, like a village. Nor are we authorized to provide legal advice to private citizens. To the extent this office has any authority over local governmental subdivisions, it is through express provisions requiring us to enforce the Nebraska Open Meetings Act and the NPRS. Consequently, this office is only authorized to address the public records portion of your correspondence, which we have done so above.

Sincerely,

MIKE HILGERS
Attorney General


Leslie S. Donley
Assistant Attorney General

c: Nathaniel J. Mustion

49-3653-31