

## Greeley County Commissioner Minutes

March 28, 2023

The Greeley County Board of Commissioners convened in open and public session at 9:30 a.m. on the 28th day of March 2023 in the Assembly Room, Greeley County Courthouse. Notice of the meeting was given by publication in the Cedar Valley News.

Answering present at Roll Call were Jordan Foltz, Joe Leslie, and Dennis Wadsworth. Also present was County Attorney Cindy Bassett, County Clerk Mindy Grossart and Joe McNally. Chairman Foltz noted that the open public meetings act information is posted as required by law and available for public distribution if requested. Everyone present joined in the Pledge of Allegiance.

Motion was made by Leslie to waive the reading and approve the county board minutes from the March 15, 2023, meeting, second by Wadsworth. Roll Call Vote: All yes, motion carried.

County payroll and vendor claims were reviewed by the board. Motion made by Leslie to approve payroll and claims, second by Wadsworth. Roll Call Vote: All yes, motion carried. GENERAL FUND: Salaries, 28,368.73, EFTPS Matching SS, 2,170.20, Ameritas Life Ins. Corp, Matching County Retirement, 1,860.93, Blue Cross Blue Shield, 15,439.09, ROAD FUND: Salaries, 10,593.08, EFTPS Matching SS.,810.37, Ameritas Life Ins. Corp, Matching County Retirement, 715.04.

Wadsworth moved to enter executive session at 9:37 a.m. for the purpose of discussing possible litigation, second by Leslie. Roll Call Vote: All yes, motion carried. Wadsworth moved to exit executive session at 10:07 a.m., second by Leslie. Roll Call Vote: All yes, motion carried. Chairman Foltz, Vice Chairman Leslie, Commissioner Wadsworth, County Attorney Cindy Basset & Joe McNally were present for the executive session.

Chairman Foltz explained they set the County Board agenda and the order of actions items. Going forward groups wishing to speak on non-agenda items will be given time during the public comments section of the County Commissioners Agenda. Foltz stated we welcome your comments, insights, and information if it is provided in an acceptable & appropriate way. The sheer number of phone calls we are receiving during the day, at night and on weekends is cumbersome and often involves matters we cannot discuss outside a Board Meeting. Often the public is seeking information about what an individual Board Member is doing or considering, and we simply cannot answer those questions. The appropriate place for those discussions is during a County Board Meeting. Chairman Foltz explained they conduct County Board Meetings and our daily lives and communication in a respectful, orderly fashion and expect everyone to do the same. If a meeting becomes unruly, we will immediately recess until the public comes to order. We will take threats of violence against any member of this Board, any Elected Officials, or any citizen seriously and will take whatever action is necessary to restore order.

The Special Use Permit for Greeley Wind II, LLC for a Utility- Scale Wind Energy Conversion System was discussed. The Special Use Permit was tabled during the February 21, 2023, Board Meeting. Motion made by Wadsworth to table the Special Use Permit vote for 120 days, second by Leslie. Wadsworth stated we have received multiple threats of litigation regarding the issue from all sides. It is our duty to make the best, the most informed and the legal decision regarding this issue. He explained we need time to receive appropriate legal counsel and allow that counsel time to properly advise us. Roll Call Vote: All yes, motion carried.

Bob Bernt representing Greeley County Alliance for WISE Energy spoke and presented information to the Board in regard to economics, wellbeing, safety, and health of Greeley County. A study on Agricultural losses due to Bat Fatalities, Autism and the effect of introducing a new noise source into quiet rural communities: risk factor from industrial wind power generation from Western University, Correspondence from Jan Hart, Kansas Senator Mike Thompson and Norman Stephens. Bob requested a moratorium on the wind turbine Special Use Permit until Planning & Zoning Regulations can be updated.

Next, the Board discussed a road study for potential road vacation/abandonment of a portion of 804<sup>th</sup> Rd east of 508<sup>th</sup> Wadsworth moved to approve Resolution 2023-1A, directing Lance Harter, Highway Superintendent to perform a road study on a portion of 804<sup>th</sup> Rd east of 508<sup>th</sup>, second by Leslie. Roll Call Vote: All yes, motion carried.

The Board discussed comparable wages in the surrounding area and determined Greeley County needs to increase the starting wage for road employees. After discussion, Leslie moved to increase the starting full time road wage to \$20.00 per hour and increase all road employees \$1.03 effective April 8th, second by Wadsworth. Roll Call Vote: All yes, motion carried.

Public Comment: Nadine Bane wanted to clarify during the Feb 21, 2023, meeting, she checked with the NE Games & Parks to see if Next Era Energy Resources had started new impact studies. At that time Nebraska Game and Parks did not have anything scheduled with Next Era. Matt Jones, Next Era Energy Resources stated they did meet with US Fish & Wildlife and Nebraska Game & Parks on March 6, 2023. Russ Bloom stated he is in favor of the project and appreciates the public comments. Bill Spelic expressed concerns with Planning & Zoning Regulations, application requirements and the decommissioning plan. Raymond Bernt recommended sending the application back and update the Planning & Regulations. Kristy Barnes brought up concerns about possible conflicts of interests, requested increased setbacks from schools and recommended updating Planning & Zoning Laws. Mike Wood expressed concerns about comments that were made at a meeting in Scotia, and he asked to have a show of hands of everyone present if they live in Greeley County. Cilinda Scheideler commented on the helicopters that were in the area. She stated they were doing bird studies looking for new nests. Butch Hughes commented on the Southwest Power Pool purchasing power and determining where the power goes. He recommended voting on the issue. Bob Bernt stated there was an issue in Otoe County where helicopters were used to scare off the birds & wildlife prior to the studies being performed. Andrew Hafer former employee of NPPD commented on the rolling blackouts that were experienced a few years back. He stated Nebraska had plenty of power compared to usage during that time. The nuclear, coal and natural gas plants were running and maintaining. He explained the Southwest Power Pool was begging for power to be sent to surrounding states that rely heavily on wind energy. Don Dugan commented on stockholders of Next Era Energy. He also questioned if the wind does not blow, will they bring in diesel generators to fulfill their contracts. Cindy Glaser shared some figures Boone County received from a large Wind Project: 19-20 \$120,000, 20-21 \$147,000 and 21-22 \$104,000. She is concerned how the County could budget if the amounts are always changing. Charlotte Jarman expressed concerns about the wind project and land use if the landowner changes their mind six months into the project. She does not want the decision made lightly.

Motion by Leslie to enter a second executive session for the purpose of discussing possible litigation at 11:00 a.m., second by Wadsworth. Roll Call Vote: All yes, motion carried. Leslie moved to exit executive session at 11:26 a.m., second by Wadsworth. Roll Call Vote: All yes, motion carried. Chairman Foltz, Vice Chairman Leslie, Commissioner Wadsworth, County Attorney Cindy Basset & Joe McNally were present for the executive session.

Motion by Wadsworth to adjourn at 11:27 a.m., second by Leslie. Roll Call Vote: All yes, motion carried.

Dated this 31st day of March 2023.

Jordan Foltz, Chairman

ATTEST:

Mindy A. Grossart  
Greeley County Clerk