

COMMISSIONER'S PROCEEDINGS – December 6, 2021 – Special Meeting

A meeting of the Board of Commissioners of Stanton County, Nebraska was held in the open and public session on December 6, 2021 at 8:30 AM in the County Commissioner's room in Stanton, Nebraska.

Present upon roll call were: Douglas Huttman, Dennis Kment and Duane Rehak, Board of Commissioners. Kris Unger, Deputy County Clerk and LaLene Bates, Planning and Zoning Administrator, were also present.

Advance notice of the meeting was given by publication in the Stanton Register on November 24, 2021, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:30 AM by Chairman Kment, who announced that the open meetings act is posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Huttman, seconded by Rehak to approve the agenda. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

Discussion held on the need to relocate the meeting and hearing to accommodate additional seating for those in attendance.

Motion made by Rehak, seconded by Huttman to recess the meeting and relocate to the VFW at 8:40 AM to accommodate additional seating for those appearing for the hearing on an amendment to the Future Land Use Map and Change of Zoning. Voting: Ayes: Rehak, Huttman, and Kment. Nays: None. Motion Carried.

The chairman re-opened the meeting at 8:42 AM in the VFW meeting room and announced that the open meeting act is available for review and a copy may be obtained upon request.

Chairman Kment opened the hearing at 8:43 AM to consider the recommendations of the Stanton County Planning Commission for an amendment to the Future Land Use Map and Change of Zoning. The purpose of the hearing is to receive public comment and input from the general public. Advance notice of the hearing was given by publication in the Stanton Register on November 24, 2021.

Mr. Kment explained the procedure for the hearing: 1) The planning zoning administrator will present the amendment and change for approval; 2) Northern Data will present the proposed project; 3) Comments on the project will be given by Stanton Co PPD; 4) Anyone wishing to speak will come forward and state their name and address for the record. Testimony received will be limited to 5 minutes; 5) Everyone testifying will address the Commissioners. We want to remind everyone that a public hearing is not a debate. The County Commissioners are not obligated to answer questions but they are entitled to make comments; 6) Any speaker must limit his/her comments to issues contained in the proposed amendment and change. We ask everyone to be respectful to everyone present in the room; 7) Any persistent comments, arguments or interruptions may result in the removal of such person out of the hearing room. Please conduct yourselves accordingly; and 8) When the hearing is closed there will be no more testimony from the public. The commissioners may ask questions for clarification, if needed.

LaLene Bates, Planning and Zoning Administrator, presented the amendment to the Future Land Use Map from TA – 1 (Transitional Agricultural District) to I-1 (Light Industrial District) on property located in the NE SE 36-24-1 and the Change of Zoning application of Walter & Ronda Kennedy/Northern Data US Inc from TA-1 (Transitional Agricultural District) to I-1 (Light Industrial District) on property located in the NE SE 36-24-1.

Kim Gentle and Amy Sawyer, representatives of Northern Data presented the proposed project. An explanation of the building site and features was presented. The site will not have customer traffic only the traffic of the employees. Chairman Kment inquired as to whether bitcoin or crypto currency was part of their data business. The Northern Data response was that bitcoin is one of their customers along with many others.

Chad Waldow, representative of Stanton Co PPD, commented on the project. The SCPPD fully supports the project because of the positive impact to the County by bringing in new industry and rate stability.

Approximately 20 individuals attended the hearing. Individuals giving testimony were: Tony Wortmann, Ron Hilliges, Carol Poellet, Leonard Jindra, Greta Eckstrom, Bill Johnson, Doug Oertwich, Darrell Hansen and Darren Soucie of Stanton Community School. Concerns expressed by those testifying were: road damage due to additional traffic and need to improve road; change of ag zoning; traffic safety and need for possible road improvements; county tax dollars going to Norfolk School District; the bitcoin industry; data center is a foreign industry; noise concerns and placing limitations on the site. Comments received in favor of project were: economic development for the county, SCPPD and Stanton Telecom; great benefit for the county; will have a positive impact on the county valuation and tax levy.

Motion made by Huttman, seconded by Rehak to close the hearing at 9:52 AM. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

Discussion held on the taxes coming into Stanton County and growth of industries.

Motion made by Huttman, seconded by Kment to approve the Resolution No. 2021.12-38 to amend the Future Land Use Map and the Change of Zoning on property located in the NE SE Section 36, Township 24 North, Range 1 East from a Transitional Agricultural District (TA-1 District) to a Light Industrial District (I-1 District). Voting: Ayes: Huttman, Kment and Rehak. Nays: None. Motion Carried.

Chairman Kment thanked the public for attending and expressing their interest and concerns. He also thanked the Planning and Zoning Commission and LaLene Bates, Planning and Zoning Administrator.

Discussion held to return the meeting back to the county courthouse and continue with the remaining items on the agenda.

Motion made by Rehak, seconded by Huttman to recess the meeting at 10:07 AM and return to the county courthouse at 10:20 AM and continue with the remaining items on the agenda. Voting: Ayes: Rehak, Huttman and Kment. Nays: None. Motion Carried.

The chairman re-opened the Board of Commissioners' meeting at 10:25 AM in the commissioners' room at the county courthouse and announced that the open meetings act is posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Discussion held on the quotes received on November 15, 2021 for a new fire alarm system and panic alarm system from Midwest Alarm Services of Omaha and Total Fire and Security Inc of Fremont. The requested revised quote was received on November 16, 2021. County Board members were contacted by the County Clerk via telephone on the revised quote and their preference on the award of the fire alarm and panic alarm projects. Chairman Kment accepted the quote of Total Fire and Security Inc of Fremont for a new alarm system in the amount of \$22,475.29 and for a new panic alarm system in the amount of \$3,653.30.

Motion made by Huttmann, seconded by Rehak to approve the quote received on November 16, 2021 and awarded by Chairman Kment from Total Fire and Security Inc of Fremont for a new fire alarm system in the amount of \$22,475.29 and for a new panic alarm system in the amount of \$3,653.30. Voting: Ayes: Huttmann, Rehak and Kment. Nays: None. Motion Carried.

The board reviewed the Standardized System of Annual reporting (SSAR) for the fiscal year July 1, 2020 – June 30, 2021 prepared by Mainelli Wagner and Associates. The report will be filed with the Nebraska Department of Transportation.

Motion made by Rehak, seconded by Huttmann to authorize the chairman to sign the County Certification to the Board of Public Records Classifications and Standards as received. Voting: Ayes: Rehak, Huttmann and Kment. Nays: None. Motion Carried.

Motion made by Rehak, seconded by Huttmann to adjourn and set the next meeting for December 20, 2021 at 8:15 AM. Voting: Ayes: Rehak, Huttmann and Kment. Nays: None. Motion Carried.

/s/ Dennis Kment, Chairman, Board of Commissioners, Stanton County, Nebraska

Attest: /s/ Kris Unger, Deputy County Clerk