

Sioux County Planning Commission

Harrison, Nebraska

Minutes of Public Hearing and Meeting of March 27, 2024

A meeting of the Sioux County Planning Commission was held March 27, 2024 at the Sioux County Courthouse Courtroom at 5:00 p.m. Board members present were Chairman David Howell, LeAnne Skavdahl, Cynthia Kaan Jim Phipps, Jim Skavdahl, Steve Johnson and Howard Willey. Also present was Sioux County Clerk and Zoning Administrator Michelle Zimmerman, County Attorney Adam Edmund and Deputy County Attorney Dan Skavdahl.

The Sioux County Planning Commission Meeting was called to order at 5:00 p.m. by Chairman David Howell.

The public hearing was called to order at 5:02 p.m. by Chairman David Howell. The hearing was held to consider Conditional Use Permit 2024-1. The purpose of the permit is to allow Sioux County Wind Farm, LLC to construct a utility-scale wind energy conversion system located in eastern unincorporated Sioux County. Austin Paxson, Project Manager for NextEra Energy and David Levy, Attorney, Baird Holm, LLP presented information regarding the application. The project will include no more than 108 wind turbines. Annual property tax revenue in the amount of \$1,500,000 is projected with approximately \$1,000,000 revenue for local public school districts and more than \$300,000 for the county itself. Other local taxing authorities would also benefit. Road Use and Maintenance Agreement, and Decommissioning Plans have been included with the permit application. Levy advised that the project shall comply with the Conditions of Approval.

Members of the board asked questions regarding the decommission bond, government subsidies and lower land values. Attorney Levy advised that a study had been done showing no effect to land values.

Attorney Skavdahl stated that one landowner has filed a termination of their contract. Project Manager Paxson stated that they will forgo the three sites in that contract.

Public comments were heard. Questions and opinions regarding removal and disposal of the blades, ice on lines, transmission lines, wildlife protection, location of the maintenance shop, bonding for the project and the effect it has on property were some of the issues voiced by those in attendance. Documentation was provided regarding three different lines with building sites planned by NPPD. Preserve the sandhills advocacy group has been created. Attorney Levy said that this is not correct or relevant, as the Sioux County Wind Farm, LLC project connects with Black Hills Energy and not NPPD, also Sioux County Wind Farm, LLC is not asking to build a transmission line as the NPPD connection does.

Slim Reece, Fire Chief voiced concern regarding construction, making sure there is equipment and training available for fire issues during the construction phase. Reece would like to get all affected districts together with NextEra to discuss a plan. Project Manager Paxson and Attorney Levy will make sure that happens.

Jake Stewart, Executive Director for SWANN inquired about disposal of blades, stating that they can't be buried. Attorney Levy replied that there are markets for using used blades. Further discussions will be held on disposal issues.

One patron voiced his opinion asking why it is a public matter, stating that it's about personal property rights, we don't have any right to tell them what to do with their land.

County Attorney Edmund stated that Sioux County Wind Farm, LLC has supplied a findings-of-fact and have addressed all elements set forth in the Sioux County Zoning Regulation.

The public hearing was closed at 6:32 p.m.

The Sioux County Planning Commission Meeting was convened back to regular session at 6:33 p.m. by Chairman David Howell. Motion made by Steve Johnson, seconded by Cindy Kaan to table the approval of the permit until April 24. On roll call vote, Willey, yes; Kaan, yes; L. Skavdahl, yes; Phipps, yes; Johnson, yes; J. Skavdahl, yes; Howell, no. Motion carried.

An Application for Recorded Exemption, submitted by Dan Skavdahl to split 13.60 acres from an existing parcel in Section 27 Township 24, Range 58, Sioux County was reviewed. Upon a motion made by Cindy Kaan, seconded by Jim Phipps, the exemption was approved. On roll call vote, J. Skavdahl, yes; Phipps, yes; Johnson, yes; Kaan, yes; Howell, yes; Willey, yes; L. Skavdahl, yes. Motion carried

There being no further business before the Board the meeting was adjourned at 6:55 p.m.

Michelle J. Zimmerman, Zoning Administrator