

State of Nebraska

Accountability and Disclosure Commission

P.O. BOX 95086
Lincoln, Nebraska 68509
nadc.nebraska.gov



Centre Terrace, 1225 L St. #400
Phone (402) 471-2522
Fax (402) 471-6599

October 13, 2023

Eddie Dorn
13648 East Hickory Rd.
Filley, NE 68357

Re: C-2 Potential Conflict of Interest Statement

Dear Mr. Dorn,

This will acknowledge receipt of a C-2, Potential Conflict of Interest Statement ("Statement"), which you filed with the Nebraska Accountability and Disclosure Commission ("NADC") on Monday, October 2, 2023, and this was supplemented with additional information on October 12, 2023.

You are a member of the Gage County Board of Supervisors (the "Board"). In your Statement, you have raised the issue of whether you have a possible conflict of interest with respect to a Special Use Permit for a hog barn. This issue will be coming before the Board for action or decision on or after October 18, 2023.

Section 49-1499.03(1) of the Nebraska Political Accountability and Disclosure Act ("NPADA"), applies to elected county officials. That Statute imposes the following requirement:

"(1) An official of a political subdivision designated in section 49-1493 [which includes elected county officials] who would be required to take any action or make any decision in the discharge of his or her official duties that may cause financial benefit or detriment to him or her, a member of his or her immediate family, or a business with which he or she is associated, shall take the following actions...: (i) Prepare a written statement describing the matter...; and (ii) Deliver a copy of the statement to the commission..."

The filing of your Statement complies with the terms of the Statute. We now turn to the question of whether you have a conflict of interest with respect to any action or decision on the Special Use Permit.

Your Statement does not contain any information which would suggest that any action you take with respect to the Special Use Permit may result in a financial benefit or detriment to you, a member of your immediate family, or a business with which you are associated.

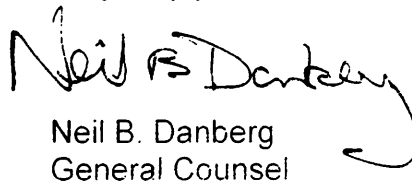
Accordingly, we conclude that you do not have a potential conflict of interest with respect to action or decision with respect to the Special Use Permit.

We note that in your Statement you have said: "I attended a Planning & Zoning meeting as not in favor of hog building!" The above-quoted Statute states there could be a potential conflict of interest where the action or decision you make, "may cause financial benefit or detriment," to you, a member of your immediate family, or a business with which you are associated. The fact that you have earlier expressed an opinion with respect to the Special Use Permit does not create a conflict of interest within the meaning of the Statute as quoted above.

Our opinion in this matter is premised upon the material facts which we have outlined above. If any of these facts are inaccurate or incomplete, please contact us immediately.

Thank you for your timely filing of the subject Statement. Please contact me directly if you have any questions concerning this opinion.

Very truly yours,


Neil B. Danberg
General Counsel

NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION 1225 L St., Suite 400 P.O. Box 95086 Lincoln, NE 68509 (402) 471-2522		POTENTIAL CONFLICT OF INTEREST STATEMENT NADC FORM C-2		<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; font-size: small;">POSTMARK DATE</td><td style="width: 50%; text-align: center;">10/12/2023</td></tr><tr><td style="font-size: small;">MICROFILM NUMBER</td><td style="text-align: center;">EM S</td></tr><tr><td colspan="2" style="text-align: center; font-size: small;">OFFICE USE ONLY</td></tr><tr><td colspan="2" style="text-align: center; color: blue; font-weight: bold; font-size: large;">RECEIVED</td></tr><tr><td colspan="2" style="text-align: center; color: blue; font-weight: bold;">OCT 12 2023</td></tr><tr><td colspan="2" style="text-align: center; color: blue; font-size: small;">NEBRASKA ACCOUNTABILITY and DISCLOSURE COMMISSION</td></tr></table>		POSTMARK DATE	10/12/2023	MICROFILM NUMBER	EM S	OFFICE USE ONLY		RECEIVED		OCT 12 2023		NEBRASKA ACCOUNTABILITY and DISCLOSURE COMMISSION													
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Business With Which You

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I attended a Planning + Zoning meeting
as not in favor of hog building!

ITEM 6 FOR MEMBERS OF THE LEGISLATURE ONLY

If you will not abstain from acting on a matter state why, despite the potential conflict, you intend to vote or otherwise participate.

ITEM 7 CONTINUATION

(SIGNATURE)

10-12-23

(DATE)

Subm.
to Recs.
10-2-23

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