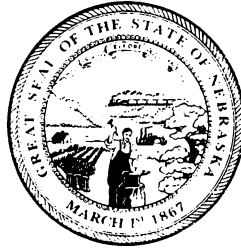


State of Nebraska

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

August 26, 2024

Dean Krueger
7119 Rd. H
Hebron, NE 69370

Re: C-2 Potential Conflict of Interest Statement

Dear Mr. Krueger,

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 August 14, 2024, and which you have supplemented with several conversations concerning the Statement with the undersigned within the last two weeks.

In the Statement, you have identified yourself as a member of the Thurston County Board of Commissioners ("Board").

In your Statement, you have said that there is a matter coming before the Board in its September meeting which proposes to update the Thurston County Comprehensive Plan. A part of the updated plan would not apply to windmill development or setbacks. This portion of the Plan is not in issue, and it is not covered by your Statement, nor is it the subject of this opinion. We understand that this portion of the Plan may be voted on separately from the portion of the Plan discussed below.

We turn now to a discussion of that portion of the Plan, which you have identified as Article 10, and which would apply to "renewables." This portion of the Plan would require much larger setbacks for potential windmills in Thurston County. As I understand it from our discussions, these setbacks would be significantly bigger than any existing setbacks in the County. It is my further understanding that the new setbacks would make it more difficult for a windmill farm developer to undertake a windmill farm or project in Thurston County.

Your Statement indicates that you currently have payments which are being made to you on a per acre basis concerning potential windmill farm development. You have noted in your Statement, that these payments are fixed, and they are not set to increase. However, should a windmill farm be developed in the County, and should your properties be included in the windmill farm, it is probable that the payments would substantially increase.

On the other hand, if that portion of the new Plan relating to "renewables" would make windmill development less likely in the County, then you would lose the opportunity to receive enhanced payments for your property.

Under the terms of Section 49-1499.03(1) of the Nebraska Political Accountability and Disclosure Act ("NPADA") you would have a potential conflict of interest in those circumstances where you are: "...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 [you] or..., a member of [your] immediate family, or a business with which [you..are] associated.."

The term "immediate family member" is defined in Section 49-1424 of the NPADA, and the term would include yourself, your spouse, and any minor child in your household.

The term "business with which you are associated" is defined in Section 49-1408 of the NPADA. It would mean either a business in which you had a financial interest in the stock of the business or a business in which you are a, "partner, limited liability company member, director, or officer."

After speaking with you, it is my understanding that you are the owner of the property which is currently receiving payments, and this property may be included in the event a windmill farm or development were to be constructed in the County.

Based upon the information which you have provided to us in your Statement and in the supplementary telephone calls, we conclude that you have a financial interest in the "renewables" portion of the Plan. If it is enacted, it will make development of a windmill farm in the County substantially less likely, and this would be a financial detriment to you. If it is not enacted, it is more probable that a windmill farm may be constructed in the County which may include your property, and this would be a financial gain to you.

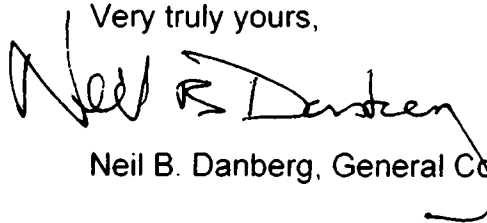
Since we conclude that you have a financial interest in the "renewables" portion of the Plan, we conclude that you should abstain from taking action or decisions with respect to the "renewables" portion of the Plan relating to windmill development.

If the entire Plan, including the Article relating to "renewables" is presented to the Board for a vote, you would need to abstain from taking action with respect to it. However, if the Plan is separately considered from the Article relating to the "renewables," then you could vote upon the Plan, but not the Article relating to the "renewables."

In preparing this opinion, we are relying upon the accuracy of the facts, as we have expressed them in this letter. If our expressed understanding of these facts is incorrect or incomplete, please advise 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,

A handwritten signature in black ink, appearing to read "Neil B. Danberg". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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	POSTMARK DATE	8/12/24
		MICROFILM NUMBER	
		OFFICE USE ONLY	
BEFORE COMPLETING THIS FORM READ THE FILING REQUIREMENTS ON PAGE 3		RECEIVED AUG 14 2024 NEBRASKA ACCOUNTABILITY DISCLOSURE COMMISSION	

- An official or employee of the executive branch of state government or any other official or employee required to file Statements of Financial Interests must file this form if he or she has a potential conflict of interest.
- Elected officials of school districts and elected officials of villages and cities (except Omaha and Lincoln) should not use this form. Use Potential Conflict of Interest Statement Form C-2A.
- File this Potential Conflict of Interest Statement with the Nebraska Accountability and Disclosure Commission and with your immediate superior (if any) whenever a potential conflict of interest situation arises.
- Persons who fail to disclose a potential conflict of interest or who otherwise do not comply with the law are subject to penalties.

ITEM 1	NAME, ADDRESS AND TELEPHONE NUMBER		
Name	KRUEGER DEAN PAUL Last First Middle		Telephone No. 402-768-2427
Address	2119 Rd H. HEBRON NE 68370 STREET ADDRESS OR RURAL ROUTE City STATE ZIP CODE		

ITEM 2	TITLE, AGENCY, ADDRESS, PHONE AND SUPERIOR		
Your Title	COUNTY COMMISSIONER Agency THAYER COUNTY BOARD OF COMMISSIONERS		
Agency Address	225 N. 4 th ST HEBRON NE. 68370		Agency Phone 402-768-6126
Name of Immediate Superior			Title BOARD CHAIR

ITEM 3	DESCRIBE POTENTIAL CONFLICT OF INTEREST IN DETAIL (Use Item 7 Continuation, if necessary)
Date action is to be taken or decision is to be made:	Sept. 2024
Description of Potential Conflict	There are hearings scheduled in Sept to approve the updated county comprehensive plan which includes new windmill regulations. I own real estate in the potential erection of a windmill farm. I currently receive a \$5.00 per acre annual payment as a result. The contract does not provide for any increase or decrease in the current sum received based upon

ITEM 4 PERSONS WHO MAY RECEIVE FINANCIAL BENEFIT OR DETRIMENT☐ You☐ Member of your Immediate Family:DEAN P. KRUEGER

NAME

Business With Which You

☐ Are Associated (See Definitions)

NAME OF BUSINESS

ITEM 5 NATURE OF FINANCIAL BENEFIT OR DETRIMENT

My compensation of \$5.00 per acre will not increase or decrease as a result of the decision to approve or disapprove the new comprehensive plan, and new wind noise regulations

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

whether or not the comp. plan and revised wind regulations are adopted or modified. Can I vote or do I abstain at the public hearing?

Dean Krueger

(SIGNATURE)

8/9/24

(DATE)