

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

February 3, 2025

Terry Jessen
P.O. Box 1140
Scottsbluff, NE 69363

Re: Your C-2A filed on January 29, 2025

Dear Mr. Jessen,

We are in receipt of a C-2A Potential Conflict of Interest Statement ("Statement") which you filed with the NADC on January 29, 2025. We thank you for your Statement, and we will address the question of possible conflict posed by it.

Facts. You are the Chairman of the Planning and Zoning Commission ("Commission") of Garden County. On Wednesday, February 5, 2025, the Commission will be meeting. On the agenda is a Moratorium to be voted on. As we understand it, the Moratorium would provide a period of time in which the Commission would not take action or make recommendations with respect to matters involving wind and solar energy.

You are a landowner, and you have businesses with which you are associated. In particular, you have certain contractual interests in L.L.C.'s and property in Garden County. We have had an opportunity to discuss the proposed Moratorium with you.

Applicable Law. As a member of the Commission, and Chairman you are a "public official", as that term is defined in the Nebraska Public Accountability and Disclosure Act ("NPADA"). Section 49-1443 defines that term to mean, "...an...appointed official in...a political subdivision [of the State]."

Section 49-1499.03 provides as follows:

"Any public official of any political subdivision not designated in section 49-1493 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..."

The actions include filing a Statement, as you have done, and requesting that the NADC provide a response to your Statement.

Analysis. We have discussed the nature of the Moratorium with you and with others who would be making a decision upon it. We have also discussed the Moratorium with the Garden County Planning and Zoning Administrator. We conclude that the Moratorium, which is essentially a standstill Agreement which will preserve the status quo for the period as prescribed in the said Moratorium, does not provide a financial benefit or detriment to you, or a business with which you are associated. You would not have a conflict of interest in casting a vote on the Moratorium.

We thank you for presenting your Statement to the NADC in a timely fashion, and for seeking an opinion with respect to it. If any of the facts which we have cited above are incorrect or incomplete, please contact us, since this may affect the conclusion as stated in this letter. In the future, if there are other matters related to wind energy which you will be voting upon, consider filing a C-2A, and requesting an opinion from the NADC.

Please call me at 402-471-0846 if you have any questions.

Very truly yours,



Neil B. Danberg, General Counsel

NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION P.O. Box 95086 Lincoln, NE 68509 (402) 471-2522 https://nadc.nebraska.gov	POTENTIAL CONFLICT OF INTEREST STATEMENT NADC FORM C-2A	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">POSTMARK DATE</td> <td style="padding: 2px; text-align: center;">EM 1/29/25</td> </tr> <tr> <td colspan="2" style="text-align: center; padding: 5px;">OFFICE USE ONLY</td> </tr> <tr> <td colspan="2" style="text-align: center; padding: 10px;"> RECEIVED FEB 03 2025 NEBRASKA ACCOUNTABILITY and DISCLOSURE COMMISSION </td> </tr> </table>	POSTMARK DATE	EM 1/29/25	OFFICE USE ONLY		RECEIVED FEB 03 2025 NEBRASKA ACCOUNTABILITY and DISCLOSURE COMMISSION			
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BEFORE COMPLETING THIS FORM READ THE FILING REQUIREMENTS ON PAGE 3										
- Any public official of any political subdivision must file this form if he or she has a potential conflict of interest. Additionally, any employee of a political subdivision whose annual salary and benefits exceed \$150,000 must file this form if he or she has a potential conflict of interest. Exception: Public officials required to file a Statement of Financial Interests (Form C-1) should file Form C-2. - This form should be filed with the person who normally keeps records for the political subdivision. The form may be filed with the Nebraska Accountability and Disclosure Commission to request an opinion from the NADC. - 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									
<table style="width: 100%;"> <tr> <td style="width: 33%;">Name <u>Jessen</u></td> <td style="width: 33%;">First <u>TEANY</u></td> <td style="width: 33%;">Middle <u>L.</u></td> <td style="width: 33%;">Telephone No. <u>308 631 0178</u></td> </tr> <tr> <td colspan="2">Last</td> <td>First</td> <td>Middle</td> </tr> </table>			Name <u>Jessen</u>	First <u>TEANY</u>	Middle <u>L.</u>	Telephone No. <u>308 631 0178</u>	Last		First	Middle
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ITEM 2	TITLE, AGENCY, ADDRESS AND PHONE									
Your Title <u>Chairman</u> Agency <u>GARREN CO Planning & Zoning</u>										
Agency Address <u>Po Box 468 Oshkosh NE 69154</u>										
Agency Phone <u>308-772-4464</u>										
ITEM 3	DESCRIBE POTENTIAL CONFLICT OF INTEREST IN DETAIL (Use Item 6 Continuation, if necessary)									
Date action is to be taken or decision is to be made: <u>FEB 5, 2025 AND Later meetings</u>										
Description of Potential Conflict: <u>ARE POSSIBLE</u>										
<u>FEB 5 2025 - Consider A Possible maintenance of AMP Wind Power or Solar energy Permits</u>										
<u>Later meetings - Recommendation to the County Board on AMP Wind Power or Solar energy Projects</u>										

Revised July 2024

ITEM 4 PERSONS WHO MAY RECEIVE FINANCIAL BENEFIT OR DETRIMENT

- ☒ You TERRY L. JESSON
☒ Member of your Immediate Family: LEON T. JESSON SON NAME
Business With Which You
☒ Are Associated (See Definitions) See item 6 NAME OF BUSINESS

ITEM 5 NATURE OF FINANCIAL BENEFIT OR DETRIMENT

IF A COMMERCIAL WIND FARM IS BUILT ON LANDS IN GARDEN COUNTY NEBRASKA THAT I MANAGE OR THAT I HAVE A FINANCIAL INTEREST IN, THEN THE OPERATOR OF THAT WIND FARM WOULD BE PAYING A ROYALTY BASED UPON THE ENERGY PRODUCED.

ITEM 6 CONTINUATION

LEO JESSON WYO BRASKO INC
NEBRASKA AND WESTERN COMPANY
TERRY'S LEGACY LLC
LEO'S LEGACY LLC
JESSON FAMILY LLC
OSHIKOSH FRODYARD CORPORATION

EACH OF THE ENTITIES IN ITEM 6 OWN FARM LAND IN GARDEN COUNTY THAT MIGHT BENEFIT FROM COMMERCIAL WIND OR SOLAR PROJECTS IF ANY ARE BUILT IN THE FUTURE.

(SIGNATURE)

Terry L. Jesson

(DATE)

JAN 29, 2025