

# City of Minden

P.O. Box 239, 325 N. Colorado  
Minden, Nebraska 68959

phone 308.832.1820  
fax 308.832.1949  
www.MindenNebraska.org



Minutes of Council Meeting  
City of Minden, Nebraska  
June 28, 2022

The City Council of the City of Minden, Nebraska, met on this day at 11:00 a.m. in special session in the Fire Hall, pursuant to advance notice of said meeting simultaneously transmitted to all members of the Council and to the public as shown by the copy thereof posted in the Minden City Hall, Outside the Minden City Hall, First Bank & Trust Co., Minden Exchange Bank & Trust Co., and the Post Office. A copy of the notice is on file in the office of the City Clerk.

Council President Yant called the meeting to order at 11:00 a.m. The following City Council members were present: Jack Yant, Bob Carlson, Teresa Sumstine, and Larry Evans. The following City Officials were present: City Administrator Matt Cederburg and City Clerk Abbey Jordan. Absent: Mayor Ted Griess and City Attorney Tom Lieske.

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

After roll was called, Yant led those in attendance in the Pledge of Allegiance.

Then Yant made the following statement:

“Pursuant to the Open Meetings Act and Public Records Law Requirements a current copy of the Open Meetings Act is posted for public inspection on the east wall of the Fire Hall. In addition, for public inspection, there is located on the table on the east side of the Fire Hall, a copy of the Council packet that was distributed to the members of the Council prior to this meeting. The City Council will take public comments on an agenda item, if it is deemed necessary. Please state your name and address prior to commenting.”

### **Agenda Item #3, Review plans and building permit of Compute North.**

Craig Bennett with Miller & Associates reviewed the project location with an address of 1404 N Road. It is 6.84 acres. Bennett went over the geography and drainage. The access road, interior pathway, data center huts, detention cells, utilities, and the office building were reviewed on the plans.

Kevin Sinsel asked if there is room for a noise buffer around the area. Bennett stated there is ample room on all sides for sound mitigation items if needed. Michelle Matthews, Compute North, also answered stating a fence will most likely not solve any sound problems. The sound waves are long and will go up and over the wall not buffering at all. Instead, Compute North has opted to use quieter fans. The trees at the Petersen residence will be a great noise buffer for their house.

Brian Petersen stated he believed the noise study done in January was a joke due to National Guard helicopters being in the area. Matthews responded that January is normally a quiet month and the sound engineers cut off any extreme highs and lows before finding the average. The goal for Compute North is to increase the sound by less than 3 decibels as that is not a noticeable change to the human ear.

Cederburg pointed out the building permit shows this is a \$15 million investment into Kearney County.

Brian asked why this facility needs another Southern Power line to its shop? Cederburg replied it is SPPD's territory. Petersen realizes there is a new transformer that has been added to the substation for this, but why is there another line being added? Bennett Petersen added there is a line being built past their shop and field going to this property. Brian added they have to shorten their pivot

# City of Minden

P.O. Box 239, 325 N. Colorado  
Minden, Nebraska 68959

phone 308.832.1820  
fax 308.832.1949  
[www.MindenNebraska.org](http://www.MindenNebraska.org)



due to the new poles. Bennett added they must shorten the pivot as it does go into the right-of-way. Brian confirmed they are pushing the right-of-way with their pivot.

Cederburg called Stan Clouse with NPPD. Clouse confirmed another transformer was brought into to serve Compute North. Clouse was not aware of a new line being built by SPPD.

Clouse called back stating the new line is most likely for temporary power during construction. He was not able to get in touch with anyone with SPPD.

No action taken.

#### **Agenda item #4,** Review development agreement with Compute North.

David Brock, Compute North's attorney, reviewed the agreement. Brock started with the January sound study. The human ear cannot perceive sound increases unless at least 3 decibels. Therefore, the sound engineers have used the sound data from the Kearney site and created a sound model utilizing the new fans. This then created the sound levels at the 4 boundaries of the Compute North property. The engineers used 8 testing locations around their facility.

Kevin Sinsel asked if the sound levels are thought to be higher than the 3 decibels, how is that tested for and handled? Brock outlined the City would contact Compute North if sound complaints received. Compute North is then obligated within 15 days to engage Urban Solutions Group to conduct a sound study at those 8 test points. If the sound decibels are over the model, then a sound modification will be made and implemented or they are required to pay \$1,000 a day after a certain timeframe.

Sinsel wants Compute North to repeat the January sound study at the houses nearby after the facility is constructed. This would provide a baseline for the sound increase. Compute North wants to be a good neighbor and will work through any issues. Brock was concerned about redoing this same test as many factors could have changed in this area since it was last done.

Matthews was not able to provide any possible solutions if the noise level is higher than it should be. It would be up to the sound engineers to create a plan and implement it.

Evans requested to add a second January sound test to the agreement. Matthews was not opposed to it. Carlson was clarifying the testing locations discussed. Is it the 4 residences or the 8 Compute North testing sites?

Brock summarized the discussion to be a sound model validation test. Next discussion was about summer demand loads. It was concluded that SPPD and NPPD handles the load demand requests and Compute North and the City do not have a say in those.

Concerns were expressed about the reliability of the sound tests as Compute North is the one paying the sound engineers. Citizens asked what if they hired their own sound engineers and the findings were drastically different. Brock stated that a model validation test would help clear up these concerns. The same testing methods and processes should be used again. Sinsel added it should be during the same time frame of January.

No action.

#### **Agenda item #5,** Address questions and concerns with the neighbors of Compute North.

No action taken.

# City of Minden

P.O. Box 239, 325 N. Colorado  
Minden, Nebraska 68959

phone 308.832.1820  
fax 308.832.1949  
www.MindenNebraska.org



**Agenda item #6,** Consider Approval of building permit for Compute North.

Sumstine motioned to approve the building permit for Compute North. Carlson stated he wished to discuss the development agreement before approving this. Sumstine withdrew her motion.

No action taken.

**Agenda item #7,** Consider Approval of Development Agreement with Compute North.

Sumstine motioned that we consider the approval of the development agreement with Compute North adding into the agreement, into the Development Design section 1.a. that Compute North agrees to do a model validation test under the same conditions at the 8 testing points and the 4 monitoring points in January. Evans seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

**Agenda item #6,** Consider Approval of building permit for Compute North was brought back for action.

Carlson motioned to approve the building permit for Compute North. Sumstine seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

**Agenda item #8,** Open Mic Public Comments.

No comments were made.

**Agenda Item #9,** Adjournment

Carlson motioned to adjourn at 12:38 am and Sumstine seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

/s/ Ted Griess  
Ted Griess, Mayor

Attest:

/s/ Abbey Jordan  
Abbey Jordan, City Clerk

(SEAL)