

**ELLIS COUNTY  
JOINT PLANNING COMMISSION MEETING  
MINUTES FOR April 28, 2010**

**Members Present:**

Bill Poland, Chairman  
Paul Baier, Vice-Chairman  
Keith Campbell  
Gary Luea  
Dick Klaus  
Dean Haselhorst  
Kirk Dickinson  
Ken Richmeier

**Members Absent:**

Kendall Krug

**Staff Present:**

Dale Wing, Zoning Administrator  
Carla Meier, Recording Secretary

**Counsel Present:**

None

No County Commissioners present at this meeting.

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The April 28, 2010 meeting of the Ellis County Joint Planning Commission was called to order by Chairman Bill Poland at 7:00 p.m. The meeting was held at the 601 Main Street meeting room.

**Roll Call** was taken. Eight members were present. There was a quorum.

**Minutes:** It was moved by Keith Campbell that the minutes be amended to add that “he has the potential to make several hundred thousand dollars from industrial wind turbines.” This latter part of the statement relates to a previous statement by Keith regarding conflict of interest. Dean Haselhorst seconded. Motion carried. It was moved by Dean and seconded by Keith to accept the minutes as amended. Motion carried.

**Old Business:** Dale Wing, Zoning Administrator will wait until later to present his report.

### **No Public Presentations:**

The Public Hearing for the Conditional Use Permits on the three meteorological towers was opened. It was decided to combine the three permits because the only difference was the location of each tower. Krista Gordon, representative for Iberdrola Renewals, had a presentation for the three meteorological towers for Conditional Use Permits No. 1009, 1010 and 1011. There were no questions from the Board or the public after her presentation. The Public Hearing was closed. Gary Luea moved that all three meteorological conditional use permits 1009, 1010 and 1011 be approved. Dean seconded. Motion carried. Chairman Poland recommended that the permits be presented to the County Commissioners for acceptance. The Board proceeded to complete the Finding of Fact Form. The Public Hearing for Conditional Use Permit No. 1014 for the Hays Wind Project was opened. Krista Gordon also did a presentation for this permit. Board members questioned the shadow flicker. There was a question about where a tower was added and one that was taken out. There was a question who the nearest nonparticipating home owner was to the placement of the new tower. Iberdrola is still following the 2000 foot setbacks. There was a question if there were any standards the Board should follow regarding shadow flicker. {Keith feels the images that are being presented are not representative of what the eye actually sees.} He wanted to make that point. Keith is concerned about flicker in terms of

general standards, since there are no standards regarding flicker shadow in the United States. Keith had his questions answered regarding the minor changes being allowed on the permit. No further questions were asked.

Mark Bannister, representing Butterfield Wind Group, feels Iberdrola appears to have met all the requirements and urges the Board to accept passage of the Conditional Use Permit for this wind project. Dana Kraus commented to Keith about the making of money from wind turbines. Chairman Poland closed the public comments. The Zoning Administrator feels Iberdrola is in compliance with the regulations. Dick Klaus requested Iberdrola make a change of a phone number and also add the Ellis County Dispatch as a contact. Krista said they would do that. Gary questioned if there are preconstruction meetings. Krista answered yes. The Board started completion of the Findings of Fact form. There was much discussion of the questions. There was Public Comment from Amy Befort and Dana Kraus. There were no further comments or questions. Kirk moved that the Conditional Use Permit No. 1014 be approved. Dick seconded the motion. Keith abstained. Motion carried.

Zoning Administrator brought up the request for a Special Event Permit which the County Commissioners recommended the Planning and Zoning Board look at Article 31 about this permit.

Mel Sauer, Attorney for Hays Wind LLC, requested that the Board make a separate motion to approve the Development Plan for Conditional Use Permit No. 1014. Kirk moved to approve the Development Plan. Paul seconded the motion. Motion carried.

Keith was next on the agenda. He felt it was his obligation to share the fact that he had gone to the County Commission Meeting and had filed a minority report regarding the last Planning and Zoning meeting. Dean stated that Chairman Poland was the person who needed to report to the County Commissioners. Much discussion followed.

Dale reminded the members about the conference on May 8.

The next meeting date will be May 26, 2010, at 7:00 p.m. at the 601 Main Street meeting room

Dean moved the meeting be adjourned. Ken seconded. The meeting ended at 8:45 p.m.

Carla Meier, Recording Secretary

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Chairman

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Date