

MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

March 12, 2024

Call to order: The March 12, 2024, meeting of the Knox County Planning Commission was called to order by Chairman Dean Wilken at 7:31 p.m. at the Knox County Courthouse Board of Supervisors meeting room.

Announcement of Open Meeting Act: Chairman Wilken announced where the Open Meetings Act is posted.

Roll Call: Members present: Jim Kotrous, Keith Neilsen, Robert Larsen, David Arens, Robert Ganz, Greg Kuhlman, Neil Clausen and Dean Wilken. Absent: Doug Deshazer Also present was Zoning Administrator Kelsy Jelinek, Deputy County Attorney Knox Jensen, Matt Woolery of National Grid Renewables, Cale Giese from The Center for Infrastructure and Economic Development and members of the public.

Approve Agenda & Public Notice in the Crofton Journal, Wausa Gazette and Knox County News. Kotrous moved, Ganz seconded to approve the agenda and public notice which was published in the Crofton Journal, Wausa Gazette and Knox County News. Roll call vote showed all present in favor Ayes: Arens, Clausen, Larsen, Ganz, Kotrous, Kuhlman, Nielsen, Wilken. Absent: Deshazer

Approve the Minutes from the November 14, 2023, Meeting. Kotrous moved; Kuhlman seconded to approve the minutes from November 14, 2023. Roll call vote showed all present in favor Ayes: Arens, Clausen, Larsen, Ganz, Kotrous, Kuhlman, Nielsen, Wilken. Absent: Deshazer

Ex Parte Communications: None

Old Business: None

New Business: Zoning Administrator Jelinek explained that Cale Giese from The Center for Infrastructure and Economic Development was present to inform the board of their insight on the Knox County solar and wind zoning regulations. Cale introduced himself and went on to explain that rural Midwest needed help navigating the renewal energy process. Pro-development minded people. Their goal is to serve as a resource and his advice comes from policy experts across the country. Funded by pro-development organizations. Cale's highlights: 1250 to 2X tower height recommendation for tower setbacks, ALDS system, noise and decommissioning. Cale also touched on adding a flicker and glint/glare study before summarizing their findings on the county's solar regulations. The solar regulation findings also included decommissioning financial assurances and proof of those.

New Business: Chairman Wilken read Rules for Making a Public Comment before opening the public hearing at 7:45 p.m. Zoning Administrator Jelinek explained that Matt Woolery from National Grid Renewables was present and had completed the application for the proposed zoning amendments to be made the Knox County Zoning Regulations. Matt and his colleagues were present to answer questions. Several calls had been received at the zoning office with concerns in regard to where the towers were going to be located and what this meant for setback regulations. Since the application, National Grid Renewables withdrew their proposed amendments for definition changes and solar height. They only wanted to proceed with the wetland setback reduction for WECS. Jelinek explained that her recommendation to the board was to deny the reduction of the setback based on Knox County's Comprehensive Plan in Ch. 11 to protect the natural resources of the county.

Courtney Whitworth of National Grid Renewables took time to introduce herself and describe that the 1.1 times the current height, which could mean over 700 ft. setback, then stated that they felt that 50 ft. setback would be the appropriate setback based on industry standards. The US Army Corp of Engineers protects wetlands doesn't have a specific setback for wind turbines but could on a case-by-case basis or deferred to the US Army Corp of Engineers. Courtney stated that National Grid Renewables felt that the 50 ft. setback would still be compatible with the comprehensive plan and not impact the natural resources. The 50 ft. setback would allow for more efficient land use and opportunities for the participating landowners. The current regulation would reduce the wind farm 100 megawatt, \$7 million in name plate tax to the county.

Public comments included comments from Doug Hall who commented that the Planning Commission is in charge and said that the wind tower company should be held to the same standard that a farmer would if he were to be adding tiling. Doug mentioned that Antelope County didn't realize how bad the sand would cave, and that the soil here would slide. He said the Planning Commission needs to set their boundaries how they want.

Doug Nelson from Wayne stated that the Corp. of Engineers there should be a formulative way to figure how far they should be away from wetlands. He also mentioned the shock wave that the tower can create. The regulation should be formulated above the water table.

Michael Kumm of Wausa stated that the greatest risk would be the contamination of the wetland if an event of failure of the wind tower and the less the setback, the greater the impact. Michael referred to farmers not being able to store fertilizer near wetlands or fuel tanks due to possible contamination.

Hannes Zetsche of Baird Holm and represents National Grid Renewable wanted to clarify that they cannot override the Army Corp of Engineers. He wanted to clarify that they're asking to

unify the setback with the control of the Corp, and not impose additional restraints at the county level.

Chairman Dean Wilken closed public hearing at 8:04 p.m.

The Planning Commission members then asked questions of the National Grid Renewables representatives. Wilken made a comment about wetland issues and areas in those townships that cannot be tiled. Ganz asked how often the wind towers are placed in a low spot where wetlands would be. Matt Woolery with National Grid Renewables stated that it would come down to multiple factors and the definition of what falls under a wetland that eats up a lot of space. The structure is 600 ft. plus, so the 1.1 times the tower height makes it larger than it used to be. Hannes Zetsche asked if they could go back to the 200 ft. that they had initially proposed. National Grid Renewables representatives discussed the hydraulic and geotechnical studies that would be done further in the project.

The board asked several questions of the National Grid Renewables representatives. Keith Nielsen stated that the current towers are not set near wetlands, but that they shouldn't be disturbed, and the farmers cannot get close to them. National Grid Renewables representative, Courtney stated that they wouldn't build in them, they'd follow the appropriate local commission buffer fish and wildlife, Corp of engineers. Keith also stated his brother had a tower burn and pieces of fiberglass landed 300 ft away and there was nobody there to help clean that up, but if that gotten into the wetlands it would've been worse. Keith Nielsen asked how tall the wind towers are supposed to be and Matt Woolery responded stating that they will vary between 600 ft. – 650 ft.

Keith Marvin was included on Zoom to answer questions that the board might have.

Kotrous moved to table the proposed amendments until the next meeting to gather more information regarding the wetland setbacks. Larsen seconds. Roll call vote shows all present in favor. Ayes: Arens, Clausen, Larsen, Ganz, Kotrous, Kuhlman, Nielsen, Wilken. Absent: Deshazer

Election of Officers: Will be held at a later meeting.

Public Comment on Non-Agenda Items: None

Jo Banks of Wausa, stated that she is opposed to wind tower. She stated concerns with rain and flooding and told the board that the lives of people in the county are in their hands.

Doug Hall commented that the wind tower height has grown and might continue to grow. He stated that he's neither for nor against.

Doug Nelson of Wayne commented on wind towers and their air pressure affecting birds and the tax credits.

Karen Kleinschmit of Wausa commented on wind towers and that she thinks the setback to nonparticipating neighbors should be 2 miles.

Michael Kumm of Wausa, stated that as of right now he'd be opposed to the wind farm. He stated how commercial wind farms have changed over the last 15 years and not in the benefit of small rural communities. He also mentioned the concern of long-term impacts on the small communities and if a large out of state cattle operation would be viewed the same or if it would be seen as taking advantage of the county.

Rich Kleinschmit of Wausa stated he's opposed to the wind towers and has issues with the setbacks.

Zoning Administrator's Report: The November-February Permit Reports were reviewed.

Next Meeting: The next meeting is scheduled for Tuesday, April 9th at 7:30 p.m.

Adjournment: The meeting was adjourned at 9:09 p.m. by Chairman Wilken.

Kelsy Jelinek, Zoning Administrator

Approved by Planning Commission: April 9, 2024

Placed on File with Board of Supervisors: April 17, 2024