



# HARDIN COUNTY

## Zoning Department

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### Hardin County Zoning Commission Tuesday, March 3, 2020 6:30 PM, Hardin County Courthouse Large Conference Room

#### *Meeting Minutes*

**6:30 PM - Meeting called to order.**

Roll call: Stan, Katie, Trent, and Curt were present. Heidi Young was absent.

Also in attendance were: Jessica Sheridan, Mark Buschkamp, Judy Neymeyer, Jacob Winter, Eric Duncan, Jeff Hoffman, Darrell Meyer, Leland Mosch, Roger Sutton, Sharon Winter, Richard Winter, Wes Wiese, Jo Baumann, Kirk Yung, Bette Dossman, Josh Odom, and Mariah Lynn.

**Agenda approval:** Stan made a motion to approve the agenda, Curt seconded, motion passed.

**Minutes approval:** Curt made a motion to approve the minutes from February 6, 2020 and February 25, 2020, Trent seconded, motion passed.

**Public forum:** Katie opened the public forum.

Jessica explained that last week's meeting was a public hearing, and we're hoping for this conversation to be more focused on actual details of ordinance.

Discussed decommissioning standards. We added procedural details. Applicant shall provide proof of energy production every 3 months. Trying to prevent being blindsided by a wind turbine being out of production for one year. Changed removal depth of foundation from 4 feet to 6 feet. Added the requirement that the company must provide proof that they possess 130% of decommissioning cost. There was a question about who is responsible for decommissioning. The applicant is responsible. Also, a question about why only 6-foot removal depth. There was a lot of discussion that led to the decision of a 6-foot removal depth. 4 feet is actually industry standard.

Judy Neymeyer asked why companies want to put wind turbines on productive farmland instead of somewhere else. Darrell Meyer explained that it's individual landowners who have sold easements for wind turbines.

Concerns about effects on infrastructure. Concerns that wind turbines are an isolated benefit and don't benefit the entire community (example given was the ethanol industry). Darrell explained that we tried to build in protections so that the project would have as little of a footprint as possible. Some concerns that wind turbines wouldn't even exist if there weren't "tax breaks" for them. Concerns that the project wouldn't actually create very many jobs.

Drainage: Drainage section does not cover private drainage systems, only county owned drainage systems. Requires \$50,000 deposit per wind turbine for county owned system. County cannot get into private sector. If one neighbor's drainage causes an issue for a neighboring property owner, they would have to solve that themselves, possibly through litigation. Drainage district permits are a way for private drainage owners to be protected.



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Roads: Explained road repair requirements and that applicant is required to have a road agreement with the county. 130% financial security requirement.

Discussed setback requirement changes: Someone asked what the average height of a wind turbine is. 300-500 feet. Concerns about protecting other people using setback distances. Katie encouraged people to go speak to the other boards and commissions and make sure they are doing their due diligence in the approval process. RWE says that a 2X Total Height setback to ROW, property lines, and non-dwelling units would essentially put a moratorium on wind turbines. Leland Mosch made comment that any shadow flicker that appears on someone else's property should require an easement because it is a nuisance.

Concerns about the lack of process the company has to follow to get turbines approved. Concerns about lack of communication from wind company to community.

Darrell explained setback changes being made to ordinance.

Darrell asked if the current ordinance causes any concern for the wind turbine company.

Jessica Sheridan explained that in addition to approval by other boards and commissions, there will be public hearings on any proposed project. Jo Baumann has concerns about what actual power people have by attending public hearings and voicing their opinions. Discussion of process for approval from other boards and entities. Darrell described it as a checkpoint. Discussion of different local boards and commissions which must give approval for application. Wes Wiese asked what the timeframe would be for the local boards and commissions to give their decision on the application. Jo Baumann concerned about amount of time it will take to analyze applications. Darrell stated that ideally different boards and commissions would have a set of guidelines for applicants to follow.

Jo Baumann stated concerns about wildlife (bats and birds, specifically). Concerns about how this will affect the watershed.

Questions from RWE about how the permitting process will go with the boards and commissions approval. Darrell asked how the company typically submits applications. They said they submit their requested turbine locations and then some alternate locations.

Comments about the natural views and Greenbelt that we have in Hardin County that needs to be protected.

Discussed new recording requirement.

Discussed new requirement for facility owner to have a local point of contact with local office.

Katie closed the public forum.

**Set Date and Time for Next Meeting:** Board will discuss over email when best time is for everyone.

**Other business:** None

**Motion to adjourn:** Trent made a motion to adjourn, Stan seconded, motion passed.

**Meeting adjourned at 7:40 PM.**