

Phillips County Commissioner Meeting

March 9, 2012

The meeting was called to order by Commissioner Chairman Joe Kinnie and opened with the Pledge of Allegiance. Those present were Commissioners Joe Kinnie, Jerry Beavers and Bud Bieseimer, County Administrator Randy Schafer, and County Clerk Beth Cumming.

Jerry Beavers made a motion to approve the minutes from the February 28, 2012 meeting as submitted. Bud Bieseimer seconded the motion. Motion carried.

The board reviewed the following Phillips County Event Center Rental Agreements

- Pheasants Forever
- Holyoke Chamber
- Allyn Robison

The board agreed to replace the sprinkler box at the event center with a new plastic box in the amount of \$322.

The board met with Wade Wisdom, Kevin Henn, and Chris with Seaboard Foods and Erica Brady director of the Phillips County Economic Development. Seaboard formally presented their request for tax incentives as they build a new pelletizing feed mill west of Holyoke for their swine production operation. The request was taken under advisement

The board met with Landfill Manager Bill Andrews and County Attorney Al Wall. The current landfill operator recently received a conviction. He was sentenced to serve one year in county jail and is allowed work release. Bill expressed his desire to allow him to continue working at the landfill under the work release program. After discussion, the Board decided to allow him to continue working. The situation will be reviewed on a periodic basis to make sure everything is proceeding satisfactory.

Bill Andrews presented a new price list that he received from Matt Muesborn Logan County Landfill Manager, on the cost of E-Waste.

Bud Bieseimer made a motion to approve the following E-Waste Recycling Price List, effective immediately at the Phillips County Landfill. Jerry Beavers seconded the motion. Motion carried.

Keyboards, mice and cables	
Cellphones, Software,	
Palm Pilot, PDA	No Charge
Video or digital cameras,	
Computer tower/CPU	
Laptop, Landline phones	
Car Stereos, Video game systems	
Satellite boxes	\$2.00
Desktop computers, Server,	
Desktop printers, ink jet,	
Fax machine, VCR, DVD, Home stereos	
Universal power supply	\$5.00
Computer monitor,	
13"-46" TV, 59" TV	
Console TV, projection TV	\$8.00
Large commercial computer equipment	
Large copy machines, etc.	\$30.00
All Samsung equipment	no charge

The board approved the accounts payable for the month of February, 2012.

Jerry Beavers made a motion to approve the two conditional use permits for Williwaw Goddard Wind Farms, LLC with amendments. Bud Bieseimer seconded the motion. Motion carried. They are described as follows:

The following conditions shall apply to the conditional use permit for Williwaw Goddard Wind Farms, LLC (WGWF) to build and maintain a generation interconnection electrical line (transmission line) between the WGWF 19.8 MW wind energy facility located on Goddard Hill and Fiddler Peak into the Holyoke Electrical substation:

- 1) *While the actual route path approval remains flexible, the following shall apply to any approved path:*
 - a. *Evidence of signed easements for the entire route shall be provided prior to the issuance of a building permit;*
 - b. *An easement for the transmission line will be allowed on county road right-of ways if easements on private property could not be obtained;*

- i. Before proceeding with an easement in the county right-of-way, WGWF must provide evidence that an offer was made to obtain an easement from each landowner in the proposed path of the transmission line;
 - ii. Easement offer must have an economic value no less than the approximate payment described in Section 4 of the original conditional use permit application dated January 10, 2012;
- 2) WGWF shall provide a full set of construction plans prior to issuance of a building permit;
 - 3) The project is subject to fulfilling the minimum commitments set forth by WGWF in its Conditional Use application dated January 10, 2012 (copy attached), with the full understanding that some of those minimums may be superseded by these conditions;
 - 4) Guy wires shall not be used in construction of the transmission line;
 - 5) These conditions shall apply to any and all successors of Williwaw Goddard Wind Farms, LLC.

The following conditions will apply to the conditional use permit for Williwaw Goddard Wind Farms, LLC (WGWF), to build and maintain a 19.8 MW wind energy facility.

- 1) The project is subject to meeting the minimum commitments set forth by WGWF in its conditional use application dated November 4, 2011 (copy attached), with the full understanding that some of those minimums will be superseded by these conditions:
 - a. WGWF will provide Phillips County (PC) with a copy of its pre-construction geotechnical report on soils prior to issuance of a building permit;
 - b. WGWF will submit a full set of construction plans prior to issuance of a building permit;
 - c. WGWF will provide PC certification of an Interconnection Agreement prior to issuance of a building permit;
 - d. WGWF will provide PC certification of a Power Purchase Agreement or other acceptable assurance that the project will be financed and the power from the project will be used or sold prior to issuance of a building permit;
 - e. WGWF will provide PC a certificate showing insurance coverage of \$1,000,000 minimum liability coverage per occurrence prior to construction, \$3,000,000 minimum liability coverage per occurrence during construction and during actual operation with PC listed as an additional insured on the policy;
 - f. WGWF will meet the minimum lighting standards set forth by the FAA;
 - g. WGWF will provide response training for the local fire departments prior to the system being placed into service;
 - h. WGWF will meet the following setback requirements:

	MINIMUM SETBACK
Setback of Wind Turbine from above-ground public electric power lines or communication lines. ¹	1.25 times system height
Setback of Wind Turbine from public road or highway or railroad. ²	1.25 times system height
Setback of Wind turbine from public road or highway with ADT of 7,000 or more. ³	1.25 times system height or 420 feet, whichever is greater
Setback of Wind Turbine from an inhabited structure located on-site, including residence, school, hospital, church or public library.	1,500 feet from the inhabited structure
Setback from all other property lines, unless appropriate easements are secured from adjacent property owners or other acceptable mitigation is approved by the Board.	1.25 times system height
1. Measured from the outer boundary of the public utility right-of-way or easement or from existing power line or telephone line. 2. Measured from the outer boundary of the public road/highway right-of-way or railroad right-of-way 3. Average daily trips, based on traffic field measurements [determined by CDOT or County]	

- i. WGWF will be granted a setback waiver to the proposed site T11 which will have a minimum setback 1.1 times system height;
- j. WGWF will bury all underground lines in the project a minimum of four (4) feet;

- k. *WGWF will provide a copy of the signed agreement with Region One Translator Association prior to issuance of a building permit;*
- l. *WGWF will use the provided recommendations from the Natural Resources Conservation Services (NRCS) to mitigate erosion for all areas disturbed in project construction;*
- m. *All private roads built for project maintenance will be maintained by WGWF;*
- n. *Prior to generation of electricity, WGWF will provide PC a certification, signed by a registered structural engineer, that all installed equipment and structures are in compliance with applicable federal, state, and local regulations and conform to good engineering practices;*
- o. *The following requirement for **Decommissioning Bond** will supersede the applicant's original proposal included in the application dated November 4, 2011:*
 - i. *Prior to WGWF's commercial operations date, WGWF will obtain and deliver to PC a bond, letter of credit, or other commercially acceptable collateral security (the "Removal Security") equal to \$2,500 times the number of wind turbine generators installed in the project area;*
 - ii. *Commencing with the sixteenth (16th) calendar year following WGWF's commercial operations date, WGWF will adjust the Removal Security to equal the greater of:*
 - 1. *\$2,500 times the number of wind turbine generators installed in the project area;*
or
 - 2. *The estimated amount, if any (the "Net Removal Cost"), by which the cost of removing the wind energy facility and restoring the project area pursuant to Sections 3 and 4 of the Decommissioning Plan (see original application) exceeds the sum of the value of the equipment constituting the wind energy facility;*
 - iii. *The Net Removal Cost shall be determined by a qualified engineer, as chosen jointly by WGWF and PC, and the Net Removal Cost determined by such qualified engineer to determine the Net Removal Cost will be conclusive as between and binding upon the parties;*
 - iv. *The analysis by the qualified engineer to determine the Net Removal Cost shall be conducted prior to the sixteenth (16th) calendar year following WGWF's commercial operations date and repeated every fifth (5th) anniversary of the commercial operations date thereafter and WGWF shall adjust the Removal Security to match the then current Net Removal Cost;*
 - v. *WGWF will keep such Removal Security, or any like replacement security, in force throughout the remainder of the operational life of WGWF and for eighteen (18) months following the expiration or earlier termination of the easement agreements with the project area landowners;*
- p. *WGWF will provide a copy of as-built drawings of the completed project to PC;*
- q. *Pending approval from private landowners, PC, including the Board of County Commissioners or its representative(s), shall be allowed to inspect the facilities upon request as long as reasonable notice is provided;*
- r. *The attached conditions shall apply to any and all successors of WGWF in the operation of the facility.*

The board adjourned the meeting at 11:30 to attend the Meet and Eat luncheon in Haxtun.

Jerry Beavers made a motion to approve the application from the East Phillips County Ambulance Service License to add as a duly authorized driver of the vehicle and EMT Mark Whittaker. Bud Biesemeier seconded the motion. Motion carried.

The board reviewed the Treasurer monthly report and cash reconciliation reports.

The board reviewed the Mobile food pantry report. The MFP served 291 households (increase of 63 since last month), served 366 children (increase of 84), Adults served 403 (increase of 106), seniors 60+ 108 (increase of 11), Total number of individuals served 847 (increase of 201).

The board met with Geri Spear and Judy McFadden from Social Services at 3:30 pm.

Jerry Beavers made a motion to become the board of Social Services. Bud Biesemeier seconded the motion. Motion carried. This portion of the meeting will be maintained by the Social Services office.

At 3:50 the board resumed as the board of County Commissioners.

Bud Bieseemeier made a motion to continue with participation in the full page ad for Phillips County in the Explore Magazine. Jerry Beavers seconded the motion. Motion carried.

The board met with Troy Mayfield inquiring about the FFA students holding a 4 wheeler mud bog as a fund raiser. Troy would like to use the fairgrounds arena and grandstands. The board agreed to allow this event to take place. Troy would like to hold this event on June 15th.

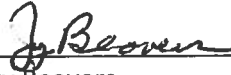
Meeting adjourned at 4:00

Submitted by

Beth Cumming – Phillips County Clerk



K Joe Kinnie



Jerry Beavers



Quentin Bieseemeier

Attest:


Beth Cumming – Phillips County Clerk