

Kiowa County Commissioners meeting minutes - May 25, 2023

The Regular meeting of the Kiowa County Commissioners was called to order on May 25, 2023, at 9:00 a.m. by Chairman Donald Oswald. Commissioner Robertson opened the meeting with prayer and the Pledge of Allegiance.

- Donald Oswald, Chairman
- Howard "Butch" Robertson, Commissioner Mike Lening, Commissioner
- Delisa Weeks, County Clerk
- Tina Adamson, County Administrator
- Members of the audience: Cindy Mcloud, KCEDF Director. Mcloud is recording for the Kiowa County Independent.

Minutes: Robertson moved, and Lening seconded the motion to approve the minutes as presented. Motion carried.

Vouchers: Lening moved, and Robertson seconded the motion to approve the vouchers as presented. Motion carried.

Agenda: Oswald moved, and Lening seconded the motion to approve the amended agenda as presented. Motion carried.

OLD BUSINESS

Grant Updates: Discussion ensued over summertime help. Administrator Adamson will check further into the requirements for seasonal help.

Behavioral Health Administration Grant: This grant would assist in drug abuse clients. Adamson will work with Social Services /Public Health in regard to the use of this grant.

Cindy Mcloud, Kiowa County Economic Development Director, reviewed the grants she has applied for and is working on.

Mcloud reported that there is money coming in for the Fair Board from the efforts of Rob Kelley.

Mcloud reported the hospital is working on a grant to build a new clinic.

Sheridan Lake Subdivision: Mcloud will be applying for a \$30,000.00 grant to aide in the Sheridan lake Subdivision sewer system.

KCEDF was awarded a grant to contract a consultant for strategic planning of tourism in Kiowa County.

McCloud thanked the BOCC for their time and did remain in the meeting at 9:55 a.m.

Violet Sneyd, employee for Prairie Pines Assisted Living entered the meeting to discuss a Grant that she has applied for. If approved, a greenhouse will be built behind the assisted living for the residents as well as the public. Sneyd described the plan and asked the BOCC for their support. Sneyd reported this project is community based as they are encouraging people to come help grow vegetables and flowers. The BOCC will take into consideration and contact them once the grant has been approved.

Of 4th July Parade: Ms. Sneyd also visited with the BOCC for the 4th of July activities for the youth. Sneyd asked if they could use 12 of the picnic tables and the barrel train. Adamson will check with the Road & Bridge to make sure the train is in proper working order.

Sneyd also asked if they could use the courthouse lawn to hold a Corn Hole contest on the 4th of July. The BOCC agreed to allow them to use it.

Ms. Sneyd thanked the BOCC and exited the meeting at 10:30 a.m.

Steve Cunningham with Clearway entered the meeting as a member of the audience at 10:40 a.m.

Greg Miller and Betsy Barnett entered the meeting at 10:45 a.m.

Landfill/Recycling: The Landfill scale was repaired. Adamson said an insurance claim was billed and waiting to hear back from them.

Floor Update: The hallway project has been completed.

Commissioner Robertson moved to have the Clerk's Office carpet and painting updated. Oswald seconded the motion. Motion carried.

Road Foreman Allen Watts entered the meeting to discuss roads and the rain. Watts discussed the status of the newest R & B employee. Lening moved, and Robertson seconded the motion to approve the wage increase and uniform allowance to be included. Motion carried.

Members of the audience:

- Mike Splitter
- Norman Arrends
- Linly Stum
- Randy Carney
- Patricia Splitter
- Greg Brophy
- Betsy Barnett
- Greg Miller
- Mackenzie Wall
- Natasha Kiler
- Heather Guffey
- Cindy McLoud

11:00 a.m. Mike Splitter resident from the east end asked to speak. Mr. Splitter voiced his concerns over the wind turbines and the different effects they could have. He described how sheets of ice could fall off of blades and the possibility of hitting people, homes or animals. He also spoke of fire and how detrimental that could be on the property owner or neighboring landowners.

Splitter referenced an article in the Institute of Research on wind turbines and its effects on humans. The controversial subject is the noise, sight and the shadow flicker that occurs as the blades shadow passes through the sunlight which can cause nausea and headaches. Splitter thinks the original setbacks the Planning & Zoning Board suggested should be taken into consideration and followed.

Splitter questions the differences in the resolution. Splitter says the Planning and Zoning should be the one to make the decision due to opinions of the public.

Members of the audience were able to speak.

Steven Cunningham, with Clearway spoke regarding the Planning and Zoning Board and how much Clearway appreciated the work they put into this. He also said the recommendations of the P & Z Board were not disregarded but were taken into consideration. Cunningham said that the week leading up to the public meeting he called his clients he had signed with and encouraged them to come and voice their opinions if they had any concerns at all.

Ms. Kiler with Invenergy then asked to speak. Kiter thanked Mr. Splitter for his thoughts and said she respects his opinion and that safety is a top priority for Invenergy. Ms. Kiler explained the noise and flicker issues. Ms. Kiler had two experts that were not affiliated with Invenergy at the public hearing on May 11th that could have answered more clearly to these situations, but no one questioned it at the time.

Kiter asked the audience if they wanted to regulate the greater good of the county or a limited number of constituents. Kiter explained the information that they provided was truthful and accurate.

Kiler thanked the BOCC and knows the decision will not be easy.

Linly Stum spoke of the importance of energy development in our county and commented that a missed opportunity such as this could be detrimental to his livelihood and others.

Splitter and Stum, both agree that one should have their own say as to what happens on their own ground, but Splitter still feels there is a disadvantage to the resolution which he feels does not clearly state the health concerns.

Randy Carney, Board member of the Planning and Zoning said if the county people have a complaint or legitimate concern they need to come in and voice their opinions. He said the Planning and Zoning Board had to make some tough recommendations to the setback regulations and he sees both sides and their concerns.

Greg Miller, member of the Planning and Zoning Board read the letter from Jimmy Brown. Mr. Brown requested the letter be included as part of the minutes. A copy of Mr. Brown's letter will be held at the BOCC Administration Office for viewing.

Miller said he himself is not in support of the turbines but does understand the need for activity for the county to survive. Miller is concerned the placement of turbines in proximity to homes and what kinds of health issues could ensue.

Norman Arends stated he appreciates all the consideration the BOCC and Planning and Zoning Board have put into this project.

Patricia Splitter, wife of Mike Splitter and their two of their children were also part of the audience. Mrs. Splitter thanked the BOCC for their time and consideration. She went onto explain that this has been a very good learning experience for their children to see how government processes work and the decisions that have to be made.

With no other comments, Chairman Oswald thanked the audience both in attendance and by ZOOM for their comments. The BOCC will take into consideration all concerns presented. All of the above mentioned audience members exited the meeting.

All letters and emails concerning the setbacks will be held in the County Commissioners' Administration Office for public viewing.

The regular meeting resumed at 12:47 p.m.

Planning & Zoning (Special Review/Consultants): There are two companies that Adamson contacted to possibly do the special review of the 1041 permit applications. Estimates will be provided to the BOCC for the cost of their services. All cost of special review will be paid by the developers and is built into the fee schedule.

Upcoming Minutes and Reports were reviewed and signed.

Time off Requests: Oswald moved, and Lening seconded the motion to approve the one time off request. Motion carried.

Cemetery Board Appointments: Lening moved, and Oswald seconded the motion to accept the resignations from Dorcas Berggren and Sharon Scott from the Towner Cemetery Board and nominated Marcie Harkness and Danny Specht to fill the two vacated positions. Motion carried. The BOCC would like to thank Dorcas Berggren and Sharon Scott for their time while serving on the Cemetery Board.

Bank Letter-Towner Cemetery District: Chairman Oswald signed the letter of authorization for the Towner Cemetery bank business.

Accounting System Issue: Administrator Adamson reported concerning the recent outage of the accounting system. Discussion ensued. The outage resulted in two weeks of not being able to retrieve the information from the accounting system or write checks. Adamson has been trying to get someone from the company to explain what exactly caused the outage, what information might have been compromised, and what is being done to ensure it doesn't happen again.

EM-ESF #15: Oswald moved to sign the EM-ESF #15, Lening seconded the motion. Motion carried. The EM-ESF is an Emergency Support Function for mass care and human services and what their functions are.

Excel Energy Road Use Agreement - Resolution 2023-05 Lening moved, and Robertson seconded the motion to sign the road use agreement with the Public Service Company of Colorado, a Colorado Corporation conducting business as Excel Energy. Motion carried. Jennifer Chester, Heather Brickey and Julie Stencil with Excel attended by Zoom.

Resolution 2023-04 Road Standards: Lening moved, and Robertson seconded the motion to approve and sign Resolution 2023-04 on Road Standards. Motion carried. This resolution is a guidance to the construction and maintenance of all county roads within Kiowa County.

Roll call was taken Robertson - Yes, Lening-Yes, and Oswald - Yes. Motion carried.

Resolution 2023-03 Kiowa County 1041 Setbacks: There will be an executive session on June 2, 2023 at 9:00 a.m. to speak with the County Land Use Attorney in regard to the 1041 setbacks.

The County Energy Codes need to be prepared and voted on at the June 15th meeting.

The next regular meeting will be held June 15, 2023 at 9:00 a.m.

Oswald moved, and Robertson seconded the motion to adjourn the meeting at 4:15 p.m. Motion carried.