

REPUBLIC COUNTY BOARD OF COMMISSIONERS' MINUTES
MONDAY, MARCH 21, 2022

The Republic County Commission met in regular session on Monday, March 21, 2022, at 8:30 a.m. at the Republic County Courthouse. Commissioners present were Melvin Jeardoe, Edwin Splichal and Doug Garman. Clerk Kathleen Marsicek was present to record the minutes. Deb Hadachek from Belleville Telescope monitored the meeting.

The meeting was called to order and attendees pledged allegiance to the flag of the United States of America.

Lay Pastor Kathleen Marsicek, Little Blue River Parish, offered Morning Prayer.

Commissioner Splichal made a motion to approve the agenda. Commissioner Jeardoe seconded the motion. Commissioner Garman made it unanimous.

Commissioner Garman made a motion to approve the March 14, 2022 minutes. Commissioner Splichal seconded the motion. Commissioner Jeardoe made it unanimous.

Accounts payable vouchers were approved in the amount of \$195,391.59.

Commissioners discussed their individual questions they want to ask the windfarm representatives.

Commissioner Jeardoe made a motion to approve 2 permissions to travel for Sandee Swanson, Register of Deeds, to attend the Spring Register of Deeds Seminar in Salina on March 24 and to attend the Fidlar Technologies Partner training in Kansas City, KS on March 31.

Danielle Swanson and Justin Ferrell presented their updates.

Swanson announced that there have been no new cases of COVID for the last two weeks in Republic County. Swanson has applied for an additional State grant for funds to purchase a new refrigerator and an automatic door opener for the front door. Swanson also reported that she will be placing a help wanted ad for a Registered Nurse.

Ferrell announced that he will be joining the meeting later with the NextEra representatives at 11:00 a.m.

Sheriff David Cox presented information from the sheriff's department:

- Since the jail area gets so hot when the boiler is on, Cox is asking permission to install a vent on the south side of the building to draw the excess hot air out. Permission was granted.
- Cox announced that Deputy Steve Medina will be receiving a Silver Award at the Kansas Association of Chief of Police meeting in May.
- Cox plans to install webcams in all the patrol vehicles.
- All of Republic County prisoners are now back in the Republic County jail from Washington County.
- Car-Tel is updating camera locations in the courthouse.

Robert Larsen a concerned citizen, is concerned with the wording of the proposed leases between the land owner and NextEra. Larsen refuses to sign the agreement and encouraged the BOCC to hold off signing the road use agreement with NextEra.

Brian Isaacson and Michael Kolman, also concerned citizens of Republic County, asked questions and presented their objections regarding the High Bank Windfarm project. Isaacson and Kolman are representing a group of

concerned citizens seeking information to stop the Windfarm project. Kolman asked if the Commissioners hold the final voice as to if the project could proceed or not. Questions regarding setback, neighbors' rights, height of the towers, concentration of towers in our small county and what will Republic County receive from the Windfarm were asked of the board. Also, how would the towers affect the valuation of the land they are installed on or surrounding ground?

Commissioner Garman assured these people that the final Road Use agreement has not been signed. It has been sent to the special attorney hired to ensure that Republic County's legal interests are upheld.

Kristi Benyshek, 12th Judicial District representative, requested clarification regarding an invoice from Hood Heating and Air from the summer of 2021. The invoice covered a trip to Belleville to install extra outlets in the courtroom that was approved by the commissioners but work was halted by Kris Kling, Court Clerk, because she was informed there could be grant money for the project but the work could not be started before the grant was written. Benyshek has contacted Hood's and they agreed to reduce the invoice by 50% if the county would pay the balance. Benyshek explained that the grant never developed so the project has not been completed and with current changes in courtroom requirements only part of the updates will be needed and new quotes will be needed.

At 10:00 a.m., William Wilkins, Allen Anderson, Tommy Kokko and Natalie Schott, all from NextEra, in person joined an open phone conference between Republic County Commissioners, Scott Zabokrtsky, Chairman, Raleigh Ordoyne, David Willbrant, Elizabeth Baskerville-Hiltgen, County Attorney, Clerk Diane Svanda from Washington County, Cynthia Shearer, Washington County newspaper and Trish Voth, Foulston Attorney at Law. Others attending the meeting in person were Ken Robbins, Retha Blecha, Chris Pachta, and Jerry Richecky as concerned citizens and Justin Ferrell, County Attorney.

Wilkins explained that no Road Use Agreement has been signed with the Republic County Commissioners. The proposed High Banks Windfarm Project is estimated to have 216 primary turbines with 24 alternate turbine sights. The plans are for 185 turbines in Republic County and 31 in Washington County. The transmission line from Republic County to the Irish Creek Project is 75 miles. There would be 2 collection substations for this project. Proposed kick off could be later this year with road work next early spring with delivery of turbines in May 2023. Completed construction of the project by November/December 2023. An estimated work force of 250 employees for the construction phases and 12-15 employees for long-term employment.

Other topics explained by NextEra:

- Property taxes-State Assessed Utilities, Compensation:
 - There will be a 10-year exemption on the towers, after that time it will go on the tax rolls as a state assessed utility. During those first 10 years, Republic County will receive a contribution agreement for economic impacts that the project will have on the county before taxes can be assessed.
 - The tower will never be fully depreciated and will be assessed at a floor value of 20%.
- Automatic Detection Light System (ADLS) lights:
 - An application for each tower will be sent to Federal Aviation Administration (FAA) to qualify for ADLS use by assessing the NO Hazards area. Which could take 3-6 months to evaluate but the lights do not have to be added to every tower just some.
- Decommissioning of a tower:
 - A 3rd party does the estimate for decommissioning and the estimate will be included in a pre-planning agreement.
 - Windfarms can be purchased and decommissioned or rebuilt by repowering to extend the life of the towers.
- How tall are the towers and geographic location of the towers?
 - The height of the primary towers will be 580 feet and the secondary towers will be 499 feet with the blade length, the maxi could be 650 feet.
 - It is common to have several towers in this size of geographic area.

- Environmental studies:
 - The Kansas Wildlife and Game commission has supplied letters of approval to cover wildlife, wetlands, watershed analysis and other cultural surveys for this project.
- Setback:
 - The standard setback is 1,500 feet from occupied residences.
 - There is a calculation used, an example is 10% of height of tower plus the tower height and the manufacturer of the tower has guidelines also for setbacks from roads and adjacent properties.
- Depth of concrete:
 - Usually when the tower is decommissioned, there is 36 inches to 48 inches of dirt over the buried concrete. Each owners contract may differ.
- Road Use Agreement:
 - The first draft of the agreement with modifications has been sent to Trish Voth, Foulston Attorney at Law, to finalize requested changes.
- Purchasing supplies locally:
 - Wilkins stated if supplies are available locally, they will try to utilize them.
- Landfill usage:
 - Robbins will work with the construction people to supply space for material that can be disposed of in the County’s construction debris landfill; additional municipal type of solid waste will have to be transported out of the county and should be an expense for the project or considered in the contribution agreement.
- Local headquarters and lay down yard to hold supplies will be shared with Washington County:
 - The location of the laydown yard and headquarters for operation for the project will be shared with Washington County. The location has not been decided yet.

Kenneth Robbins, Highway, Transportation and Bridge Administrator presented and discussed with Commissioners the following:

- The weekly community concerns and projects completed report.
- A couple of shipments of culverts have been received but not all that was ordered.
- All the citizens that filed fence damage from a fire in 2021 have returned their agreed settlement forms.

At 11:00 a.m., a conference call between Republic County Commissioners and Bill Czapanskiy, Gary Caspers and Ron Copple, Cloud County Commissioners, was held regarding the advertising for an Appraiser position that is shared by both counties. Clerk Marsicek will contact Clerk Shella Thoman and create a help wanted ad to cut off applications on April 29, 2022.

At 12:05 p.m. Commissioner Garman made a motion to adjourn. Commissioner Splichal seconded the motion. Commissioner Jeardoe made it unanimous.

The next regular meeting will be on Monday, March 28, 2022 at 8:30 a.m. at the Republic County Courthouse.

ATTEST: _____
Kathleen L. Marsicek, Republic County Clerk

APPROVED: _____
Doug Garman – Chair

Edwin Splichal – Member

Melvin Jeardoe– Member