

ROLL CALL

Harry Baumgartner	Jerome Markley
Angie Dial	Keith Masterson
Jarrold Hahn	Mike Morrissey
Bill Horan	Tim Rohr
Richard Kolkman	John Schuhmacher
Finley Lane	

Michael Lautzenheiser, Jr., Director

The December 1, 2011 meeting of the Area Plan Commission was called to order at 7:30 p.m. by President Bill Horan. Ten members were present for roll call, Mike Morrissey was absent.

APPROVAL OF MINUTES:

Jarrold Hahn made a motion to approve the minutes from the November 14, 2011 meeting; John Schuhmacher seconded the motion, the motion carried 10-0.

NEW ITEMS:

A11-12-25 LANCASTER TWP SW/4 33-26N-12E Almco Steel (James Almdale) requesting development plan approval for a 24' X 29'8" addition to existing structure. Property is located at 59 N. Oak St. Ext., Bluffton and zoned I-2.

Representing Almco Steel was Tim Weist, the plant engineer and facility manager. The proposed development plan is an 800 square foot addition to the existing building. It would be for scrap removal form the present line.

Michael Lautzenheiser Jr. stated that there was a front yard setback issue and a variance has been applied for with the BZA. He explained that the APC would look at the site plans and that the BZA would take care of the front yard setback on North Oak Street Extended.

Mr. Weist explained that currently at the proposed location there is a concrete pad. However, the addition would extend off of that pad 15'ft into the grass.

Jarrold Hahn explained that the Drainage Board approved the building of the addition within the 75'ft easement of the county tile that is located north of the proposed location.

Mr. Weist stated that the trucks would be off of the street. He explained that there would be 48'ft after the addition is built and the longest truck that they have is 30'ft. So, there would be an 18'ft clearing. He also stated that the addition would be pulling off of the current utilities.

Conditions:

Motion to Approve: Jarrold Hahn

Second: John Schuhmacher

Vote: 10-0

A11-12-26 HARRISON TWP NW/4 4-26N-12E Kelly's Collision Center, Inc. (Dustin & Joan Kelly) requesting development plan approval for a 17' X 17' addition to existing structure. Property is located at 820 W. Washington St., Bluffton and zoned I-1.

Representing Kelly's Collision Center, Inc. was Joel Hoehn with Stoodly and Associates. He stated that Kelly's are proposing a 30' X 30' addition to the south end of the current structure, which is option #1. Option #2 is a 17' X 17' addition to the south west corner of the current structure. The area is currently all hard surface. The current roof is peaked at a north/south direction so that the flow of water is to the east and west of the building. The new addition would be peaked the same way. The current drainage flow goes to the north and then down Washington Street.

Bill Horan stated that the Plat Committee did not have any issues with this plan nor did the City of Bluffton.

Mr. Hoehn stated that Kelly's would prefer to use option #1 of the plan at this moment. The plan started with option #2 but Kelly's wanted a larger addition if possible. Therefore option #1 was created. Kelly's did not indicate to Mr. Hoehn that they were planning on doing both options at this time.

Conditions:

Motion to Approve either Option #1 or Option #2: Jarrod Hahn

Second: Tim Rohr

Vote: 10-0

THESE WERE DISCUSSED TOGETHER

A11-12-27 CHESTER TWP & LIBERY TWP Multiple Locations Wells County Wind, LLC (APEX) requesting development plan approval for Phase 1 of a Large WECS project with a minimum of 111.6 MW consisting of 62 – 1.8 MW wind turbines. The multiple properties are zoned A-1.

A11-12-28 CHESTER TWP & NOTTINGHAM TWP Multiple Locations Wells County Wind, LLC (APEX) requesting development plan approval for Phase 2 of a Large WECS project with a minimum of 100.8 MW consisting of 56 – 1.8 MW wind turbines. The multiple properties are zoned A-1.

Kent Dougherty, development manager for the APEX Wind Energy for this project, was representing the petition. He stated that Nathan Biediger, Vice President of Construction, was unable to make this meeting. Mr. Dougherty stated that any questions on construction and road agreements that he cannot answer he will give to Mr. Biediger and will get the answer by the next meeting. APEX is requesting approval for Phase 1 and Phase 2 of a large commercial scale wind energy project. Phase 1 located in Liberty and Chester Townships for a total of 113 turbines and Phase 2 of 56 turbines located in Chester and Nottingham Townships. There are approximately 10,000 acres leased in both of the phases for a total of about 20,000 acres.

Mr. Dougherty stated that they are currently working with other consultants outside of this process on other activities including, communication with the Fish and Wildlife Service, Indiana Department of Natural Resources, Federal Aviation Administration and Indiana Utility

Regulatory Commission. He advised that the current plans are to start Phase 1 in 2012 and Phase 2 in 2013. Phase 1 is anticipated to start construction in the spring. He stated that they are trying to get all of their bases covered with all of the agencies in order to have Phase 1 started in the spring of 2012. He indicated that the phases will bring potential economic development opportunity to the southern part of Wells County. Both phases of the project stand to bring several million dollars in tax revenue to the county.

Jarrold Hahn asked about if county tiles that get cut, how long is the repair good for? Is there are a warranty period? 1, 2, 5 years? Would there be a problem with posting some form of a bond for the cost of repairs during construction and a portion of that for a time period after?

Kent Dougherty advised that with tile repair, regardless of whether it is county or private, there is no warranty. Wind projects had previously done warranties. He stated that with working on this project and speaking with a number of farmers that for several reasons it didn't work or make sense to offer the warranty, particularly with heavy haul use. Cutting a tile for running a collection was one thing. The repair can be done within 48 hours and the location would be photographed and GISed. The farmers were more concern was with long term effects on the tile due to compression. As long as the compression of the tile can be proved that it was due to the construction of the wind farm or maintenance, the company will go out and fix that tile. He assumed that bonding would be included in the road use agreement.

Mr. Hahn wanted verification on the use of GPS during the construction process.

Mr. Dougherty stated yes they will be using GPS during construction. At the end of construction, both the land owner and the county will receive "As Built" plans which will show all activities on that parcel. It will map out all survey location of collection lines, access roads and crane paths.

Mr. Hahn asked if those maps and data would be something that could be provided in an ongoing basis either monthly or bi-monthly to show the progression of the project.

Mr. Dougherty stated that the survey location data is mapped out at the end of the construction for a comprehensive survey. He was unsure if it could be done on a monthly basis.

Mr. Hahn question if there would be weekly meetings to update the progress of the project for the Surveyor's office and the Highway Department to be able to field community questions.

Mr. Dougherty advised that traditionally there are meetings between the company and the local county bodies. However, the frequency of those meetings is determined by the county.

Mr. Hahn questioned if land owners would be noticed prior to trenching being done.

Mr. Dougherty stated the company does give notice to the land owner before placing any facility whether road, underground collection or turbine on the property. In the lease it states that the company has to go before the land owner with a copy of the plan that they are proposing to do and get the land owners' in put on the project. Also, the land owner is notified 7 days before machinery is placed on the land.

Jarrold Hahn questioned road usage map with heavy haul routes and with routes from the suppliers. He also question how road closures be handled.

Kent Dougherty advised that the maps would be updated and that it would be taken care of in the road use agreement. He stated that he was unsure how road closures would be handled, but he would get the answer for the next meeting.

Mr. Hahn stated that he would like to see certificate indicating that the project was officially part of the Indiana Underground Protection before any permit would be issued. He questioned if there was an industry standard for the maximum threshold for shadow flicker.

Mr. Dougherty stated that to the best of his knowledge that there was no industry standard. There is currently no industry standard for the number of hours per receptor (house) for shadow flicker. There is no official company policy for the number of hours for shadow flicker for a house. However, anything higher than 50-70 hours per year is obviously something that needs to be looked into. The models used for shadow flicker are worst case scenarios. The models were done using a program called Wind Farmer, which is industry approved. The models were done by the company Garrad Hassan, which is a wind engineering company. They have done this work for many projects across the country. This was not their most rigorous model. He stated that once the project is finalized that there would be a more strenuous model that would include half a dozen more additional parameters that would give a much higher resolution on shadow flicker and receptors (houses). The current map does show the worst case scenario for shadow flicker.

Mr. Hahn questioned if there were mitigation were necessary, what types of things would be done.

Mr. Dougherty advised that the first thing that would be done would be to plant trees. He stated that they would be 6'ft to 8'ft Evergreen trees to hedge the shadow. Also another option would be awnings. Some people would rather have awnings rather than trees. The worst case scenario would be curtailment of the offending turbine (shut it off) at those hours of the day during the time of the year when the shadow flicker is the worst. This is the last resort option. The company would prefer to have the turbines at sites where this would not have to be done.

Mr. Hahn questioned how long the industry has been doing shadow flicker studies.

Mr. Dougherty stated that the studies have occurred for a long time, but within the last 5-6 years more vigorous studies have been done. The shadow flicker analysis has evolved since the beginning of the industry.

Jerome Markley questioned the definition of local suppliers. He also questioned if local employees would be used for construction.

Mr. Dougherty advised that the company wants to use local suppliers. However, there are no current agreements in place with the county or any local suppliers. Certain aspects of construction that will make sense to use (ex. gravel or concrete) from a source that is not very distant. It will be an open bid process for the supplies. He stated that local suppliers can often bid lower than other companies, due to the fact that they are local, but it is not always the case. He

stated that he was unsure on the number of local employees that would be used, but would get back to the Board with the number. He advised that all of the crane operators and a lot of the underground collection cable placement are done by skilled teams that work all over the nation doing this. It is done very well and very clean and they do it at an economy scale.

Jerome Markley questioned the benefits of the project for Southern Wells School. He also questioned other non-monetary benefits from the project.

Kent Dougherty stated that he did not have the exact number, but the total benefits to the Southern Wells School Corporation would be in the ball park of several million dollars coming into the school. He stated at this time he was unsure at this time of non-traditional benefits of the project.

Leon Gaiser was concerned about the government financing of the project and the decommissioning of the project. He referenced the turbines in Ohio, when describing how bad the esthetics of the southern part of the county would look. He also stated that he thought the turbines would only run 25% of the time due to not enough wind, too much wind, or too much energy produced. He also stated his concerns about health risks in the project area due to "Wind Turbine Syndrome". He referenced that it would be an ecological disaster.

Mike Mossburg, Liberty Township, provided a hand – out to the Board on risks and farming. He stated that he was for energy alternatives. He also agreed that the turbines would be bad for the esthetics of the southern part of the county. He referenced turbine fires in Texas as safety concerns for this project. He stated that he was against the proposed project.

Patrick Mannion stated his concerns for what were to happen when we run out of coal or natural gas. He is in support of energy alternatives. He advised that he was neither for nor against the proposed project.

Jason Dalley was also concerned with the esthetics of the area, mainly with the lights on the turbines during the night. He stated that he's worried about property value decreasing and being stuck with a house if he wants to move. He advised that he has worked on wind turbines.

Roger Grover questioned what the electric companies have to say about the construction of the turbines.

Kent Dougherty advised that every wind project in the country is selling electricity to a utility company. Every major utility in the country is buying power from wind turbines. It is not affecting energy crisis because the state PUCs are not allowing increase utility prices because of wind energy.

Tim Steep, Nottingham Township, stated his concern was with shadow flicker and its effect on an elderly member of his family with medical problems, whom he takes care of. He too is concerned about property value decreasing due to the proposed project.

William Morris, Chester Township, questioned the overall height of the wind turbine.

Kent Dougherty advised that the height of the turbine is 492'ft.

William Morris compared the height of the turbine to the height of One Summit Square in Fort Wayne (442'ft). He commented that purchased a home in the rural to stay out of city esthetics. He also questioned the determining factor for the number of turbines per parcel and if the total number of 118 towers can change.

Mr. Dougherty advised that the development plan is only for 118 therefore that is the maximum number of turbines that could be constructed.

Mr. Morris read from section 15-05 (H) of the Wells County Ordinance about WECS noise. He questioned who is responsible for making the noise measurements. He also questioned what "extreme situation" described and why power outage was listed under the noise section in the ordinance. He also question what constituted a sever wind storm.

Mike Lautzenheiser Jr. advised that it was the Area Plan office that would purchase the equipment to measure the decibel levels. He explained that the power outage is in the section because of back ground sound in the home. If there is no power to the appliances, then the back ground sound disappears. He advised that the measurements are taken at the site of the home. Mr. Lautzenheiser advised that a sever wind storm is when the turbine pitches its blades and rotation stops, normally at 35mph.

Mr. Dougherty advised that the wind speed is more likely to be 52-58mph.

Mr. Morris questioned if a base line sound measurement study would be done before construction started.

Mr. Lautzenheiser stated that there would need to be an ambient noise study done and multiple locations and in multiple conditions.

Mr. Morris questioned if every home within the wind turbine field receive noise measurements.

Mr. Lautzenheiser stated that a general random study would provide a sufficient amount of data for the base line study. Most of the homes are near farm fields and noise measurements with crops on and with crops off would be very similar at each house.

Mr. Morris questioned the cumulative effect of multiple turbines on the sound level. He also questioned the use of dBA scale rather than dBC scale.

Mr. Dougherty advised that there were maps provided that showed the effects of multiple turbines to the sound level.

Mr. Lautzenheiser stated that dBA scale was used because it was Indiana standard and what other counties had used.

William Morris stated his concerns with the use of the dBA scale are that it does not pick up the low frequency that the turbines produce. He also expressed his concerns with the health issues of

“Wind Turbine Syndrome”. He also has concerns with the low frequency and issues with birds and bats. He urged the use of the dBC scale rather than the dBA scale. He too is concerned with the effect this project has on the value of his home.

Marilyn Maddox, Chester Township, expressed her concerns about her property value decreasing. She also referenced the turbines in Ohio, when describing how bad the esthetics of the southern part of the county would look.

Bill Horan advised that documentation on home values in wind farm areas would help the board.

Jason Dalley spoke again with questioning the number of Board members affected by the turbines. He also stated his concerns about the whistling noise. He restated his concerns about the esthetics of the lights on the turbines. He also questioned maintaining the facilities.

Kent Dougherty stated that if the turbine were whistling there would be an issue with the turbine and it would be fixed. He advised that there are 3 types of noises coming from the turbine: the generator, the blade and the yaw. He advised that the light on the turbine is FAA regulation, but it can be every other turbine in the project field. Plus, there is a development of a light shield that would prevent illumination under the shield. Mr. Dougherty advised that the company would maintain the facilities. He stated that there would be a small sub-station on the DPL site and the only overhead transmission would be a few hundred yards from that sub-station. Once the energy hits the lines, it can be purchased by any utility company and go anywhere on the grid.

Mr. Dougherty stated that he will provide the Board with university and independent studies from New York, Illinois and Minnesota on property values in wind farm areas. Also he will provide studies on the noise and dBA scale versus dBC scales.

Michelle McZegle addressed her concerns with property value decrease.

Tim Roberts questioned if the turbines were self-sustained or government subsidized. He also questioned what would occur if the company fails.

Mr. Dougherty advised that every form of energy in this country is government subsidized. He explained that wind energy subsidies are reduction tax credits. Only way that wind energy companies get the tax credit is on the energy that is produced. He advised that the tax credits are sold on a secondary market to large Fortune 500 companies. This is the way to get wind energy out a little more cheaply; however, recently no one wants to buy the tax credits. Mr. Dougherty explained that if the project fails, it is covered in the decommission plan. He advised that the company is bonded, it is insurance that money would be available to cover removal of the turbines.

Jonathan Tucker, Chester Township, commented on how well the roads were maintained during the construction of the turbines in Ohio. He also stated that the noise he heard from those towers were minimal.

Emmett Dollier, Jackson Township, questioned why the community members couldn't vote on the project. He also questioned who would take care of the turbines and concrete if the project went under.

Leon Gaiser questioned the cost of the energy from the turbines. He also questioned whether this project would be sold to another company.

Kent Dougherty stated the energy that is sold from the wind turbines is sold at a competitive price with the energy prices of other energy types (ex. Coal or Natural gas). He stated that the company's goal is to own and operate this project. It is possible that if the only way a utility company would buy the power would be to purchase the project. Then the company would entertain an offer.

Mr. Dougherty advised the Board that amount of money from the project coming in to the Southern Wells school system, in the course of 20 years, ranges from \$600,000 to about \$900,000 annually. He also stated that money would be going to the Liberty and Chester Township Fire Departments.

Steve Stauffer, Nottingham Township and teacher at Southern Wells School, questioned how more money would be generated for the school system.

Mike Lautzenheiser Jr. explained that there are two funds that fund school projects. One is the general fund which comes from property taxes that are collected by the state and then are divided among the schools. The line item that will increase in this fund is the capital improvement project. This is money coming in that based off of a percentage of the assessed value in the township or school district.

Mr. Dollier was adamant about the community voting on this project.

Bill Horan explained why the project could not be placed on a ballot.

Mr. Gaiser commented on a group in Michigan getting a remonstrance for a wind project.

Mr. Lautzenheiser clarified that this meeting was a public hearing for the community to make their voice and opinions heard. He explained that there were several public hearings held for the wind amendment to the ordinance and how an ordinance is voted on. He also described how the APC board members were appointed.

Michelle McZegle expressed her concerns about effects the wind turbines would have on her animals' health and questioned not using the dBC scale. She was also concerned about the value of her property decreasing.

Finely Lane commented on a high school with a wind turbine in Union City, Indiana.

Steve Kane remarked that the turbines are not esthetically pleasing, but the power is needed. He stated that if the power from the turbines goes to the grid, some will still be used in this area.

Jennifer Rumple addressed the vote comment.

Jim Schriver, farmer in the Southern Wells district, mentioned the turbines in California and the length of time they have been.

Deb Boxell, Chester Township, commented on how a business in the area would have to get permission from the neighbors.

Bill Horan explained that permission was not needed for a business, but would need to notify neighbors of a hearing for rezoning.

Jarrold Hahn questioned when a more detailed map of the shadow flicker would be available.

Kent Dougherty stated that a more detailed map could not be available by next meeting. He advised that the current map took 48 hours to process it. He stated that a more detailed map would be processed when a turbine type was decided on and then a more rigorous model would be done.

Mr. Hahn questioned if the Board set a threshold of the maximum hours a house could have shadow flicker, could the company create a model to show this and present mitigation options to those home owners that would be most affected.

Mr. Dougherty suggested that Mr. Hahn provide the language that he wants stated and Mr. Dougherty would determine what could be done by next meeting.

Mike Lautzenheiser Jr. explained the maps of the project that are available to the public.

Conditions:

Motion to Continue: John Schuhmacher

Second: Jarrod Hahn

Vote: 10-0

OTHER BUSINESS:

Bill Horan advised the other Board members that he would not be seeking re-election as Board President.

The December 1, 2011 Area Plan Commission meeting adjourned at 9:50 p.m.

William Horan, President

ATTEST: _____
Michael Lautzenheiser Jr., Secretary