

DEWITT COUNTY BOARD AGENDA

August 22, 2018

6:00 PM

DEWITT COUNTY BUILDING

Special Meeting

Revised

Roll Call

Pledge and Invocation

Public Comment on proposed text amendments:

Tom Swierczewski

Amber Zuhlke

Brandon Storm

Kyle Lockhause

Jim Griffin.

Gina Wolf

Melissa Vancrum

Mrs Klem

Don Waddell

Dale Naffziger

Karl Kemnitz

Josh Turney

Lisa Miller

Gage Lyons

Rhett Hillard

Kathy Evans

Lynn Norris

Dan Yeomans

Scotty May

Tom Musick

Mel Crutcher

Terry Husted

Penny Mc Isasac

Dawn Funderberg

Jeff Whitted

Sharon Riddle

Diana Morin

Buck Carter

John Heinlen

Betsy Shifflet

Brian Hug

Chris Shaffer

Andrea Rhoades

Megan Myers
Alan Ruwe
Elizabeth Burns
Joe Witte
Brendan Burton
Randy Harris
Rusty Davenport
Kevin McMath
Bruce Thomas
Brad Thomas
Ed Harpenau
Kim Donovan
Richard Christianson

Executive Session:

Land Use: Text amendment changes to the DeWitt County Wind Ordinance.

Motion to approve change of the text of Section 153.25(D) of the DeWitt County Code of Ordinances to read as follows: “Submit all required federal, state and local regulatory agencies’ studies, reports, certifications and approvals demonstrating compliance with the provisions of this chapter and other county ordinances per Special Use Permit Checklist for Commercial Wind Energy Conversion and all recommendations from the reviewing agencies shall be implemented;”

Motion to approve change of the text of Section 153.25(E) of the DeWitt County Code of Ordinances to read as follows: “Wind energy system facilities shall comply with all Federal Aviation Administration (FAA) and Federal Communication Commission (FCC) requirements. In addition, the WESF shall be required to utilize an Aircraft Detection Lighting System (ADLS) to reduce the impacts of nighttime lighting on county residents and wildlife. The location of WESF components shall be modified or adjusted as necessary for the ADLS application to be accepted by the FAA;”

Motion to approve change of the text of Section 153.27(B)(1) of the DeWitt County Code of Ordinances to read as follows: “WECS towers shall be setback a minimum distance of 1,640 feet from adjacent property lines as measured from the center of the tower. This setback can be waived in writing by the affected property owner, or owners. In no way, shall the setback be less than 1.1 times the total height of the WECS.”

Motion to approve change of the text of Section 153.27(C) of the DeWitt County Code of Ordinances to read as follows: “Noise. The noise design limit for each wind energy system shall not exceed 40 dBA measured as the average dBA at the property line of the nearest non-participating land owner from the relevant wind energy conversion system. No portion of the property shall exceed the noise levels set by this ordinance. The non-participating landowner may waive compliance with this regulation for the owner’s property. A post-siting study will be conducted by the applicant to measure noise levels for compliance when the WECS project is completed and functioning at full operational speed. The WECS project will maintain compliance with the applicable regulations throughout the entire operational period of the WECS project. If at any time throughout the life of the WECS project, the noise levels are found to not be in compliance with this section, the applicant will immediately shut off enough turbines to ensure that the noise levels are within acceptable levels until a solution to the noise level violations are found.”

Motion to approve change to Section 153.28(B) of the DeWitt County Code of Ordinances to read as follows: “Electromagnetic interference. Applicant shall not operate the facility so as to cause microwave, television, radio or navigation interference contrary to Federal Communications Commission regulations or other law. Any complaints received by the county shall be handled in accordance with section 153.27(G)(2). Any wind energy developer shall provide in its special use permit application an analysis verifying that no public communication interference of any kind will arise that would adversely affect the public safety and welfare.”

Motion to add text to Section 153 of the DeWitt County Code of Ordinances to read as follows: “The applicant shall prepare a shadow flicker study including the potential effects of each proposed WECS on all principal residential structures. The results will identify the locations and expected duration of shadow flicker over the course of a calendar year. This study shall be submitted as part of the Special Use application. Shadow flicker shall not affect a non-participating residence at any time.”

Posted Aug 20, 2018 @ 3:20pm by
Dana Smith

Revised Aug 20, 2018 @ 4:00pm

Re-Posted by Dana Smith