

Wind Energy Citizen Advisory Committee  
Meeting Minutes  
August 30, 2007

**Call Meeting to Order:** The meeting was called to order at 6:00 p.m.

Members Present: Alice Brenengen, Garry Hageness, Greg LeGare, Betty Wolcott, Gary Evenson, Danny Foote, Dave Vind, Ron Winn, Curtis Skoyen, Sage Kramer, Dan Theis, Todd Quarner, Dan Wallery, John Vehrenkamp, Nancy Horton, Cristeen Custer, Ken Critzman, Kevin Lien and Andrea Artz – Trempealeau County Zoning/Planning Department.

Others Present: Ed Dauer, Don Brenengen, Kaye Henderson Ron Reimer, and Delores Vind.

**Certification of Open Meeting Law Requirements:** Foote announced that the open meeting law requirements have been complied with.

**Adoption of Agenda:** A motion was made by Hageness and seconded by LeGare to adopt the agenda, all in favor; motion carried.

**Adoption of Minutes:** Foote mentioned that changes to the minutes were made. The changes from the votes were changes from 12 -1 to 13 – 1. Winn had several changes. Winn wanted *Lien read the state statute* changed because to the best of his knowledge Lien only read 1/3 of it. On the second page *Lien mentioned that to date the county does not have an application for a wind energy site.* Winn stated that the county does in fact have an application for a wind energy site. It was posted in the paper as such. Lien asked if he could explain that. Lien stated that Winn and Nalied decided to change it to a meteorological tower application. Initially it was a wind energy site application. To date the county does not have an application for a wind energy site from anyone. The initial application was amended for a meteorological site. Vind made a motion to change *Lien mentioned that to date the county does not have an application for a wind energy site.* To *Lien mentioned that currently the county does not have an application for a wind energy site.* And seconded by LeGare, all in favor; motion carried. Lien did state he read 66.401 statute relating to solar and wind. Foote asked if there were any other corrections to the minutes. Wolcott on page 2 the third paragraph stated the state doesn't actually have a "State's" model ordinance. Wolcott would like to change it to the "proposed" model ordinance. Wolcott made a motion to change the "state's proposed model ordinance" to "proposed model ordinance" seconded by Critzman; 15-1; motion carried. A motion was made by Vind and seconded by Horton to adopt the amended minutes, all in favor; motion carried.

Introductions took place around the room. Lien recapped the last meeting. It took about an hour and forty-five minutes before actually moving forward. Lien urged that the committee is on a short time line and the committee needs to make progress every meeting on the draft ordinance. Winn asked why is the committee on such a time limit. Lien briefly reviewed that the zoning committee had a draft ordinance in place but the committee kept receiving more information so the committee extended the moratorium. The draft ordinance went before County Board and the vote was 7 – 7, motion failed. The County Board wanted an advisory committee established and a six month extension on the moratorium which ends in December. If no ordinance is adopted in December and the county receives a permit application for a wind energy site the county will have to issue the permit. Lien would like to have the ordinance ready in November for the Zoning

Committee and have a few of the advisory committee members give a presentation to the Zoning Committee and if adopted the ordinance will go before County Board, a presentation by the advisory committee should be given. Lien mentioned that 14 out of 17 County Board members toured the McNeilius wind facility in Dodge Center, MN.

**Finalize Shadow Flicker:** Lien recapped from the last meeting on page 225 item 12. It now reads, *A document for each wind turbine including an accompanying diagram or maps showing the shadow flicker for a calendar year to affected property, roads and residences shall be submitted with the permit application.* Lien talked to corporation counsel about farmstead as a place of business. A crop field would not be considered a farmstead but the farmstead can be defined as primary buildings associated with the farm. A definition needs to be added to the ordinance. Custer asked if the state had a definition for a farmstead. Lien does not know that for sure but the committee can create a definition for this ordinance. Critzman made a motion to have a definition for a farmstead as a place of employment and seconded by Horton, 15 – 1; motion passed.

Winn doesn't think that all this information should be provided such as shadow flicker not laying on other properties. Lien stated that a wind turbine is a conditional use process. It is permitted with conditions which these are the conditions that the committee is creating. Custer mentioned that the committee is not saying the shadow flicker can not fall beyond the property line they would just like to see where it falls because the terrain of the land is hilly and not flat.

Wolcott asked how far does the wind turbines have to be setback before the flicker no longer reaches the property. Lien does not know that answer. Vehrenkamp asked what was the longest distance found. Lien stated that it depends on time of year but he has read 1 mile and ½ mile radiuses. Vind read some software model's where on a turbine 3000 feet away the flicker lasted one hour on any given area. Also, shadow distance depending on the sun angle was 0 to 2 miles and there was one at 4 miles. Vind will have the information available for everyone next meeting. Custer asked if the committee were to state something they are stating how long shadow flicker is acceptable on a residence for a period of time. Lien said that there is language in the ordinance for parties not aggrieved and it will be recorded in register of deeds stating they are okay with shadow flicker. Lien has read that it is about 15 minutes on a particular room of a house.

Foote mentioned that on page 225 12 (f) that roads are not mentioned such as flicker on highways. Foote believes roads should be incorporated into that paragraph. Henderson stated it is no different then driving under trees. Foote believes flicker will be distracting to the driver. Delores Vind mentioned some accidents because of wind turbines. Winn said when he was in Monfort they mentioned rerouting traffic because of the curiosity of the construction of wind turbines. Brenengen stated this should not be personal, she believes that more would be better by using our wind for energy. Discussion took place. In 16 (f) Vind made a motion to have the first part read, *Residence, school, hospital, church, affected properties, place of employment....* and seconded by Kramer, 13 – 3; motion carried.

It is to be assumed that mitigation is forever, LeGare asked. Lien stated yes, it follows the property. Vehrenkamp asked what would happen if a house is built 5 years after the turbine is built. Lien said there is language in the ordinance in 16 (e) has to apply for a conditional use permit to build within the setback.

**Review Information gathered by Committee:** Horton and Vind brought handouts. Horton brought information related to ice throw and Vind's information is similar but based on physics.

**Discuss Ice Throw, Fish and Wildlife (related to mitigation and setbacks)** Skoyen mentioned that McNeilius claimed it was vibration of blade that broke the ice loose and the ice below the turbine. LeGare asked if there are any documented cases of injury by ice? Delores Vind read of a worker cut in half. Horton stated this is all related to setbacks. Lien reminded the committee of the 45 decibel level measured at the property line. Reimer mentioned turbines can be fine tuned so how can you make sure they don't exceed the decibel level. Lien stated it is complaint driven. If they are above the level and do not lower the decibel level there are citations and cease and desist orders that can be issued. The information handed out at the meeting to the committee, should be read and reviewed for next meeting.

LeGare asked how many times the ordinance can be reviewed. Lien stated it can be reviewed whenever. Custer asked if anything significantly was different from the ordinance it couldn't be done until the ordinance was reviewed. Lien said yes. Reimer stated the ordinance is perceptions on what they see today, it is not fair to say anything can be built; the ordinance should have height, megawatt readings and speed.

Lien stated fish and wildlife were going to give a short presentation on fly zones but were unable to attend tonight's meeting. Foote also had some information from the wildlife service. The information will wait until the next meeting.

Vind made a motion to consider setback for ice throw formula as passed by Rutgers formula when finding the setback and seconded by Evenson. The committee felt they didn't need a motion to consider the formula. Vind withdrew his motion.

**Assign Additional Tasks:** Foote mentioned to restrict the presentations for those coming in to 15 to 20 minute presentations. Foote briefly went over the information he received from the Fish and Wildlife personnel, such as where the migratory route is through the county.

Evenson thinks that personal wind turbines should be taken out of the ordinance and have a separate one for them. Wolcott wants to keep the personal wind turbines in the ordinance.

Dave Stetzer will be asked to make a short presentation next meeting, and the committee tasks is to look at setbacks and personal wind generators.

**Set Next Meeting Date:** September 6, 2007 is the next meeting date at 6:00p.m.

**Adjourn:** Motion was made by LeGare and seconded by Quarne to adjourn the meeting. Motion passed. Meeting adjourned at 8:09 p.m.