

Mr. Bathke:

The following is in response to your personal reply to my e-mail of March 8th. Firstly, my name is "Kelley" not Kelly. Oddly it seems that I'm the only one of the e-mail submitters to whom you responded. Apparently I got your attention which was my intent.

I told you exactly what I thought regarding the proposed Wind Ordinance. 4 years of time spent resulting in that which is proposed certainly would leave one to wonder how much actual research was done during that time period.

I'm glad to hear you state "that you have not or will not take a side". You have stated flatly that several counties have ordinances with a setback of 1,000 feet. That is maybe because they used the **Wind Promoters** text book given them, as you, in my opinion, have done.

You as an employee of the county (of the people) are subject to receiving criticism if and when it is deemed it is deserved. I believe it to be deserved because in my opinion you are taking SIDES when you write and promote the ordinance presented. Especially having the background of the Board vote with the previous attempt to place turbines in Davison County.

I want to dispel the idea that I am against Wind Energy. I am opposed to placing turbines in areas such as Davison County at a setback of 1000 feet. I would agree to variances by a group of neighbors to have them installed at the 1000 feet or less (10') set back near their residences as long as they are 1 mile from their neighbors.

You also stated that the Letcher township ordinance was meaningless. That only a county can establish an ordinance. How about the following:

SDCL 8-2-1(4) to pass bylaws or ordinances for the government of such township and for the protection of the lives and property of its inhabitants, and to enforce the same in its corporate name before any magistrate. Further, Sanborn County did not disapprove within the required time limit and therefore their ordinance became law.

I know that it did not take 4 years for the Letcher ordinance to be written. Perhaps you should find the author(s) and seek their help. Their ordinance is really pretty good!

I fully understand that you & Mark cannot dedicate your entire schedule to researching wind energy systems, however, 4 years should have produced a better proposed ordinance than the 12 items submitted. It is a NEW ordinance of "HIGH PRIORITY" and not just a minor clarification of an existing ordinance as were most of the other proposed changes.

I and others have expressed our opposition to your proposed ordinance and we are confident that the members of the Planning & Zoning Board will take our research, our thoughts, and our sincere wishes into account as they progress through the adoption process.

Thank you,
Harvey Kelley