



Davison County Planning & Zoning and Emergency Management
200 E. 4th Ave.
Mitchell, SD 57301-2631
Phone (605) 995-8615
Fax (605) 995-8642



PLANNING COMMISSION MINUTES
December 1, 2015

1. Call to order at 1:15 P.M. by Chairman Haines.
2. Roll Call
 - Present: Bruce Haines, Steve Thiesse, Charles Storm, Brenda Bode, Lewis Bainbridge, Kim Weitala, Jeff Bathke, Mark Jenniges.
 - Absent: Gary Stadlman.
 - Guests: (33) Peggy Greenway, Arlene Miller, Tom Greenway, Thomas Smith, Brad Greenway, Steve Gerlach, Dustin Knuston, Bonnie McBrayer, Corey Juhl, Doug Greenway, Janet Greenway, Lyle Bode, Jerry Scott, Gene & Denese Stehly, Bobbi Winters Schurs, David Shelter (representing Roland Johnson), Glen Lowrie, Dan & Mary Froning, Mavis Anderson, Dick Collins, Ken Bussmus, Mary Jo Wittstruck, Matt Keyser, Jack Anderson, Jerry & Darlene Wadleigh, Travis Hostler, Craig McManus, Mary Muller, Robery Fanel, Arnold Deumier.
3. Approve the agenda
 - Motion by Brenda Bode, seconded by Charles Storm, to approve the agenda. All members voted aye, motion carried.
4. Approve the November 3, 2015 Minutes
 - Motion by Lewis Bainbridge, seconded by Steve Thiesse, to approve the November 3, 2015 minutes. All members voted aye, motion carried.
5. That Steve Gerlach has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to operate a repair shop in the Agriculture District.
 - This request is in pursuant to Section 507 (28) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended.
 - Deputy Administrator Jenniges gave an explanation of the application, required notifications, and the GIS view.
 - The applicant was present to answer questions. Discussion included the layout and locatoin of the building on the site that was platted last month. If more business come to the curve a service road should be used as saftey.
 - Motion by Brenda Bode, seconded by Kim Weitala, to recommend approval of the plat to the Board of Adjustment. Roll call vote:
Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
6. Consider a Plat of Lot 1 of GM First Addition in the SE 1/4 of Section 23, Township 101 North, Range 61 West of the 5th P.M., Davison County, South Dakota; at the request of Gary Mogck.
 - Director Bathke gave an explanation of the Plat.
 - The applicant was not present to answer questions. Discussion included the history of the plat.

- Motion by Charles Storm, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
7. Consider a Plat of BMC Tract A in the NW 1/4 of Section 13, T 101 N, R 60 West of the 5th P.M., Davison County, South Dakota; at the request of Bonnie McBrayer.
- Deputy Director Jenniges gave an explanation of the Plat.
 - The applicant was present to answer questions. Discussion included McBrayer is platting her land to sell but will stay as AG.
 - Motion by Kim Weitala, seconded by Lewis Bainbridge, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
8. Consider a Plat of McBrayer Tract A in the NW 1/4 of Section 13, T 101 N, R 60 West of the 5th P.M., Davison County, South Dakota; at the request of Bonnie McBrayer.
- Deputy Director Jenniges gave an explanation of the Plat.
 - The applicant was present to answer questions. Discussion included McBrayer is platting her land to see but will stay as AG.
 - Motion by Charles Storm, seconded by Steve Thiesse, to recommend approval of the plat to the County Commissioners. Roll call vote:
Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
9. That Davison County Wind, LLC has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to construct a Commercial Wind Energy System in the Ag District. (Turbine #1)
- This request is pursuant to Section 507 (39) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended.
 - Deputy Director Jenniges gave an explanation of the application, required notifications, and the GIS view. The following comments were received prior to the meeting: 1) Central Electric requested information, which was sent on November 24, 2015. 2) Bob Ball requested information on the project, but did not have a position. 3) Todd Dikoff requested a more accurate location. He was directed to the map on the website. 4) Dan Koupal dropped off a letter against the towers (pdf version is in the folder). 5) Mrs. Jerry Wadleigh called to voice against the towers and state the meeting should be postpone due to weather. She was informed there will be another meeting where the final decision is made and is welcome to attend that meeting as well. 6) Jack Anderson called expressing he probably won't be able to make the meeting due to weather but had the following questions and concerns: decreased property value, noise of the towers, curious on actual locations of them, if roads will have to be upgraded and if so who pays for them? Informed him his concerns were noted and that he is still welcome to attend the December 15th BOA meeting.
 - The applicant was present to answer questions. Discussion included the layout of the plan using 9 to 11 sites will be determined by soil testing and the size of cells available at the time of construction. Since the Davison County Zoning Ordinance does not stipulate setbacks from a residence for a wind energy system, Juhl

Energy has used the setbacks in accordance with Minnesota standards. The data from the meteorological tower is a small sample but has been favorable for the wind energy systems.

- Commissioner Bode questioned the construction of the towers, life span and timetable to construct the towers. An explanation of the size of the shaft, cell and blades was given; as well as the history and reason for why tubes instead of metal framing is used, which is due to less bird deaths. The life span of the entire tower is about 50 years, but the moving parts will need to be replaced every 11 years. The towers can be assembled in roughly a day to a day and a half, with fine tuning and adjusting after construction.
- Commissioner Weitala wanted more information as to why the location was picked, the contract length, how the site is decommissioned when no longer functional; who pays for road maintenance, and will this system affect energy rates in the area. The site was picked because of the proximity to the 34.5 KW power line. The proposed wind energy system will produce about 20 MW. The contract will be made with Northwestern Energy for 20 to 25 years, after which they can renew the contract or sell to the open market. Once the 50 year life span has been reached the towers can be removed, as will three feet below grade to allow the land to be farmable. Davison County Wind LLC will sign a road agreement with the township. Davison County Wind LLC has no control on the rate charged for electricity.
- Commissioner Bainbridge wanted to know the lighting on top of the towers, emergency protocols (mainly fire), and how much energy the wind system will generate. The FAA regulates the lighting, and a system this small could possibly only have to install perimeter lights but this is an FAA decision. All employees/maintenance personnel are OSHA certified and trained to respond to fires. Juhl Energy will train local fire departments before any construction begins. The wind energy system could power a town about the size of Mitchell.
- Commissioner Storm wanted to know how the power will be transfer to the 34.5 KW power line and how often the wind turbines are actually creating power. All lines will be underground and the turbines produce energy 40 percent of the time.
- Commissioner Thiesse wanted to know who maintained the towers and where the parts are manufactured. They will be maintained by locals living in the area that are contracted with GE. With MTI in the area having a wind turbine program they are hoping to keep people in the community. All parts are manufactured in the USA, the tower is from Brandon, SD, the blade is from Tennessee, and the cell is from Florida.
- Commissioner Haines wanted to know about the property valuations, health risk and sounds the turbines make. There have been studies showing no property devaluations. There are no physical health risks but there is a "wind turbine syndrome", but this is more of a personal preference against the turbines. The noise most hear is the whoosh from the turbine turning. The hubs will make a light hum. After all the commissioners had their initial questions answer it was opened to the public to speak.
- Brad Greenway spoke in favor of the wind energy system. He feels like more will come to Davison County in the future and this will be a good project for the

community, providing additional tax dollars to the schools, county, and township. He understands the neighbors' concerns, but feels over time the towers will become a part of everyday life.

- Ken Bussmus wanted a better understanding on how Alt-1 and Alt-2 sites will or would be used. They will be used if the soil at another tower location is poor or if a smaller cell will need to be used (1.7 cell instead of a 2.3 cell). All sites will be requested to be permitted.
- Gene Stehly has 3 residents in the area and opposes the visual effect of the system. He believes it was a poor choice of location with so many people living in the area.
- Jerry Wadleigh will live by one of the towers and sees no benefit to him or others, just the Greenways. He believes they should be built over by Chamberlain where there is not as much population.
- Dan Froning questioned the affect the towers will have on tv/cell/ business band radios. There is no affect for TV and cell phones and the business band radios could have some affect if the towers are in the line of site. Davison County Wind LLC would be willing to work with the locals to test before construction.
- Jerry Scott wanted to know if Davison County Wind LLC would be building this system if the PTC had not been renewed. The project can go on without the funding of the PTC and there are no subsidies for wind energy.
- David Schelton spoke on behalf of Roland Johnson stating he is opposed to the project.
- Glen Lowry questioned the board on how close they live to the location and if they lived closer if that would affect their decision. He was also curious of the taxes on the project. The board made comments later about the first question. The taxes are estimated from the 20-25 year contract that is signed and would be about 3 million. Roughly 2 million of that comes back to the area with 50 % going to the schools, 35% to the county, and 15% to the township.
- Travis Hostler questioned if the setbacks for this should be the same as for other issues, such as animal feeding operations. There are no current setbacks for wind energy systems in Division County.
- Doug Greenway spoke for the project saying farming is becoming more diversified than the past and change happens and believes we should be a part of it.
- Final comments were made by the commission. Commissioner Bode lives in the area, which includes four hog confinements and believes change in Davison County is a good thing and we are on the forefront of technologies, more so than other counties. Commissioner Bode feels the Greenways will take responsibility of the project. Commission Weitala does not live in the area but knows change is inevitable. The system is clean, modern looking, and the rules in place are being applied and followed; they will be held accountable to them. Commissioner Bainbridge does not live in the area but believes it to be a positive project for the county, bringing in tax revenue. Commissioner Storm understands the noise and flicker can be an issue but believes that to be a personal opinion. Commissioner Thiesse stated there is no pollution, no issue with public safety so he has no issues with the project.

- After consideration of 1403-A Conditional Use a motion to recommend approval by Steve Thiesse, seconded by Charles Storm, to construct/operate a commercial wind energy system in the AG district to the Board of Adjustment with the following condition(s): None. Roll call vote:
Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
10. That Davison County Wind, LLC has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to construct a Commercial Wind Energy System in the Ag District. (Turbine #2)
- This request is pursuant to Section 507 (39) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended.
 - Deputy Director Jenniges gave an explanation of the application, required notifications, and the GIS view. Due to the entire project being discussed at once, no additional explanation was needed.
 - The applicant was present to answer questions.
 - After consideration of 1403-A Conditional Use a motion to recommend approval by Lewis Bainbridge, seconded by Brenda Bode, to construct/operate a commercial wind energy system in the AG district to the Board of Adjustment with the following condition(s): None. Roll call vote:
 - Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
11. That Davison County Wind, LLC has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to construct a Commercial Wind Energy System in the Ag District. (Turbine #3)
- This request is pursuant to Section 507 (39) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended.
 - Deputy Director Jenniges gave an explanation of the application, required notifications, and the GIS view. Due to the entire project being discussed at once, no additional explanation was needed.
 - The applicant was present to answer questions.
 - After consideration of 1403-A Conditional Use a motion to recommend approval by Charles Storm, seconded by Steve Thiesse, to construct/operate a commercial wind energy system in the AG district to the Board of Adjustment with the following condition(s): None. Roll call vote:
 - Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye,
Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
12. That Davison County Wind, LLC has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to construct a Commercial Wind Energy System in the Ag District. (Turbine #4)
- This request is pursuant to Section 507 (39) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended.
 - Deputy Director Jenniges gave an explanation of the application, required notifications, and the GIS view. Due to the entire project being discussed at once, no additional explanation was needed.
 - The applicant was present to answer questions.

- After consideration of 1403-A Conditional Use a motion to recommend approval by Lewis Bainbridge, seconded by Kim Weitala, to construct/operate a commercial wind energy system in the AG district to the Board of Adjustment with the following condition(s): None. Roll call vote:
 - Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
13. That Davison County Wind, LLC has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to construct a Commercial Wind Energy System in the Ag District. (Turbine #5)
- This request is pursuant to Section 507 (39) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended.
 - Deputy Director Jenniges gave an explanation of the application, required notifications, and the GIS view. Due to the entire project being discussed at once, no additional explanation was needed.
 - The applicant was present to answer questions.
 - After consideration of 1403-A Conditional Use a motion to recommend approval by Brenda Bode, seconded by Lewis Bainbridge, to construct/operate a commercial wind energy system in the AG district to the Board of Adjustment with the following condition(s): None. Roll call vote:
 - Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
14. That Davison County Wind, LLC has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to construct a Commercial Wind Energy System in the Ag District. (Turbine #6)
- This request is pursuant to Section 507 (39) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended.
 - Deputy Director Jenniges gave an explanation of the application, required notifications, and the GIS view. Due to the entire project being discussed at once, no additional explanation was needed.
 - The applicant was present to answer questions.
 - After consideration of 1403-A Conditional Use a motion to recommend approval by Steve Thiesse, seconded by Charles Storm, to construct/operate a commercial wind energy system in the AG district to the Board of Adjustment with the following condition(s): None. Roll call vote:
 - Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
15. That Davison County Wind, LLC has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to construct a Commercial Wind Energy System in the Ag District. (Turbine #7)
- This request is pursuant to Section 507 (39) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended.
 - Deputy Director Jenniges gave an explanation of the application, required notifications, and the GIS view. Due to the entire project being discussed at once, no additional explanation was needed.
 - The applicant was present to answer questions.

- After consideration of 1403-A Conditional Use a motion to recommend approval by Charles Storm, seconded by Steve Thiesse, to construct/operate a commercial wind energy system in the AG district to the Board of Adjustment with the following condition(s): None. Roll call vote:
 - Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
16. That Davison County Wind, LLC has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to construct a Commercial Wind Energy System in the Ag District. (Turbine #8)
- This request is pursuant to Section 507 (39) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended.
 - Deputy Director Jenniges gave an explanation of the application, required notifications, and the GIS view. Due to the entire project being discussed at once, no additional explanation was needed.
 - The applicant was present to answer questions.
 - After consideration of 1403-A Conditional Use a motion to recommend approval by Lewis Bainbridge, seconded by Charles Storm, to construct/operate a commercial wind energy system in the AG district to the Board of Adjustment with the following condition(s): None. Roll call vote:
 - Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
17. That Davison County Wind, LLC has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to construct a Commercial Wind Energy System in the Ag District. (Turbine #9)
- This request is pursuant to Section 507 (39) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended.
 - Deputy Director Jenniges gave an explanation of the application, required notifications, and the GIS view. Due to the entire project being discussed at once, no additional explanation was needed.
 - The applicant was present to answer questions.
 - After consideration of 1403-A Conditional Use a motion to recommend approval by Brenda Bode, seconded by Steve Thiesse, to construct/operate a commercial wind energy system in the AG district to the Board of Adjustment with the following condition(s): None. Roll call vote:
 - Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
18. That Davison County Wind, LLC has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to construct a Commercial Wind Energy System in the Ag District. (Turbine Alt-1)
- This request is pursuant to Section 507 (39) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended.
 - Deputy Director Jenniges gave an explanation of the application, required notifications, and the GIS view. Due to the entire project being discussed at once, no additional explanation was needed.
 - The applicant was present to answer questions.

- After consideration of 1403-A Conditional Use a motion to recommend approval by Steve Thiesse, seconded by Lewis Bainbridge, to construct/operate a commercial wind energy system in the AG district to the Board of Adjustment with the following condition(s): None. Roll call vote:
 - Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
19. That Davison County Wind, LLC has appealed to the Davison County Planning Commission to recommend granting a Conditional Use Permit to construct a Commercial Wind Energy System in the Ag District. (Turbine Alt-2)
- This request is pursuant to Section 507 (39) of the Davison County Zoning Ordinance as adopted on 4/1/98 and as subsequently amended.
 - Deputy Director Jenniges gave an explanation of the application, required notifications, and the GIS view. Due to the entire project being discussed at once, no additional explanation was needed.
 - The applicant was present to answer questions.
 - After consideration of 1403-A Conditional Use a motion to recommend approval by Lewis Bainbridge, seconded by Kim Weitala, to construct/operate a commercial wind energy system in the AG district to the Board of Adjustment with the following condition(s): None. Roll call vote:
 - Haines – aye, Stadlman – absent, Thiesse – aye, Storm – aye, Bainbridge – aye, Bode – aye, Weitala – aye, motion carried.
20. Continued questions and discussion on amending the Davison County Zoning Ordinance. Discussion included none, the item was tabled till next meeting.
21. Additional Comments and Discussion from the Group included: none
22. Set date and time for next meeting – January 5, 2015 @ 1:15 P.M.
23. Adjournment @ 3:43P.M.


 Bruce Haines
 Planning Commission Chairman


 Jeff Bathke
 Planning & Zoning Director