

**WHITMAN COUNTY
PLANNING COMMISSION
Public Service Building Auditorium
Meeting
November 12, 2025
7:00 p.m.**

MEMBERS:

Dave Gibney- Chairman
Weston Kane
Bill Myers
Dean Kinzer

Brian Davies- Vice Chairman (Zoom)
Chris Melhus
David McKeirnan
Julian Matthews

Staff: Alan Thomson, WC Planning Director; Grace Di Biase, WC Assistant Planner, Mark Storey, WC Public Works Director (zoom), Brandon Johnson, Public Works, David Werner, Clerk.

Zoom: Jim, Tom Handy, JL, Rick, Nicole Frazier, Shelly Chambers-Fox, Shane Roche (Steelhead), Jamie Anderson, Ashley H, Eric Slusher, Denis Tracy, Elinor Huber, Wilard Morgan, Beth St Marie

Audience: A complete list of those in attendance is available in the Planning Office.

7:02 p.m.- Dave Gibney opened the meeting.

Pledge of Allegiance

Introduction are held.

Dave Gibney- So, we have some minutes from our meeting of October 29th, any comments. At this... I don't believe we have any members of the Commission online yet. We... Mark Storey is online with us. Tom Handy, okay, but the Planning Commission. Brian Davies is doing a City Council meeting and hopes to join us later. Mr. McKeirnan is walking in and I'm expecting Julian too so. Comments on the minutes.

Bill Myers- I noticed in the language reference to wind turbine height that we were discussing, it says to the generator, and I thought that we'd discuss to the blade tip. And obviously, I'm just wondering how that was recorded in the minutes.

Dave Gibney- In the minutes, it may have varied, but the definition that's going to be... That's in the code, and will be in the code, is heights are measured to the tip of the rotor at the maximum elevation.

Bill Myers- Tip of the rotor at maximum elevation, okay

Dave Gibney- We may not have got it right in all of our discussion, but that's the intent.

Bill Myers- And I trust that

Dave Gibney- All Right, motion on the minutes.

Motion by Weston Kane and Seconded by Dean Kinzer and Chris Melhus to approve the minutes from October 9, 2025. **Motion passed.**

Dave Gibney- Reports Alan

Reports:

- a. Board of Adjustment forthcoming hearing- None
- b. Forthcoming Administrative use Permits- None
- c. Update on previous conditional use permits and variances- None.
- d. Update on previous administrative use permits- None
- e. Board of County Commissioners' action- None
- f. Update on previous Board of County Commissioners' action- None
- g. Forthcoming Shoreline of the State Substantial Development permits- None
- h. Update on previous Shoreline of the State Shoreline Substantial Development Permits- None
- i. Planning Commission forthcoming hearings- None. Yet

Dave Gibney -Yet

Alan Thomson- Yet

Unfinished business: Continue conversation about creating a solar energy ordinance, a battery storage ordinance, and reviewing the County wind ordinance

New business: None

7:06 p.m.- Meeting adjourned

**WHITMAN COUNTY
PLANNING COMMISSION
Public Service Building Auditorium
Workshop
November 12, 2025
7:00 p.m.**

MEMBERS:

Dave Gibney- Chairman
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Bill Myers
Dean Kinzer

Brian Davies (Vice Chairman) (Zoom)
Chris Melhus
David McKeirnan
Julian Matthews

Staff: Alan Thomson, WC Planning Director; Grace Di Biase, WC Assistant Planner, Mark Storey, WC Public Works Director (zoom), Brandon Johnson, Public Works, David Werner, Clerk.

Zoom: Jim, Tom Handy, JL Rick, Nicole Frazier, Shelly Chambers-Fox, Shane Roche (Steelhead), Jamie Anderson, Ashley H, Eric Slusher, Denis Tracy, Elinor Huber, Wilard Morgan, Beth St Marie

Audience: A complete list of those in attendance is available in the Planning Office.

7:06 p.m.- Dave Gibney opened the **WORKSHOP**.

7:06 p.m. – Okay so, I'm going to start with the informal workshop mode, and... and then a little later, we'll go back to doing amendments to the 1961. So, we're going to discuss among the... the Planning Commission, the staff, legal counsel... if... okay, Mr. Tracy is... okay, good. If we have time at the end, we'll have some short public comment. The first thing when we get going today that I want to do is talk about a new section where we're going to say that you just don't get to put a turbine here. This is because, you know, the Butte... the Buttes and other things. And the previous language that had a setback from incorporated towns that I figured we could move to an excluded. But before... and then we can take a look at exhibits and findings for the hearing. We've currently got that... still planning that hearing for December 17th. So, our next meeting, which is next week, we will review the amendments and make any changes due to our legal review and we'll have a section on... on definitions. So, before we go into the exclusion language, is anybody on the committee.... will this start? Chris, anybody... we'll do comments around

Dean Kinzer- If we have time I, excuse me, if we have time, I'd definitely like to bring forward an amendment concerning transmission lines being underground and required to be underground. So if possible, I want to do that today.

Dave Gibney- Okay.

Dave McKiernan- I'm good.

Dave Gibney- Okay, does Mr. Tracy have anything he wants to talk about at the beginning?

Denis Tracy- Not to start off with, I don't think. Thank you.

Dave Gibney- Okay, Alan.

Alan Thomson- No.

Dave Gibney- Okay, so I want to get started with some language for an exclusion, and then as much as I've said I don't want to drive this thing, I keep on doing it, so here and we pass that around. Got a copy okay, pass that on around, and when it gets to the end, there should be some extras for people out there in the world.

So, all right. So, just to get everything going, I'm going to make this motion. It's a new section under... to be placed after 19.61.050 SEPA before 19.61.055 Micro siting Corridor areas. So, it's, you know, it's 19.61.05 something, Commercial Wind Energy Facilities exclusion areas, and there are 3 parts. And so it's... one is wind energy turbine towers are not permitted within, and I've started one or some other number miles of the boundaries of the incorporated communities. 2) wind energy turbine towers are not permitted within one or whatever miles of the areas zoned 1) the Rural Community Residential District, RCR, 2) Rural Community Center District RCC1, and the Rural Community Commercial District, RCC2 or the Airport Commercial District. And these four existing zones in the Whitman County Zoning Code, which are going to have a higher population, or I think the airport kind of makes sense on its own. And then the one that got us here is C) wind energy turbine towers are not permitted within one or N miles of the following areas of National, State, and Local significance. And what I have before me, I... I swear that the internet told me that Kamiak Butte was a State Park, but I'm told it's a County Park, so we'll do that as a County Park. Measured from the highest point on the Butte. Steptoe State Park, measured from the highest point on the Butte. And Palouse Falls State Park. it is a State Park or is it a County Park?

Weston Kane- State.

Dave Gibney- State Park, okay, and we measure that one from the point on the line between Whitman and Adams County at the crest of the falls. And so, is there a second? Is there a second?

Dave McKiernan- Are you... are you asking to adopt it as written?

Dave Gibney- No, I'm asking for a second to the motion to amend the code as stated.

Chris Melhous- Second.

MOTION by **Dave Gibney** and seconded by **Chris Melhus** to add a section to 19.61 regulating the setback distances for wind towers.

Dave Gibney- Okay, so I've moved and Chris seconded that we bring forward this motion to amend for discussion. And before we're done, we do need to pick the distances, and if, you know, nautical miles, Fortnite, you know, Furlongs, whatever the measure, I, you know, we need to come down with that and so other than that, I started this with, you know, it's real simple and it's explicit we do need to determine those actual specifics. There aren't any specific reasons given in this for why when I asked the prosecuting attorney, he told me that the re... that I... we didn't need specific reasons in the code, and that that would be supported in our findings of why we chose to adopt this code. So, at that I will open it for discussion. It'd be nice if we gave everybody on the Commission a shot to discuss it, and then, you know, made a proposal to pick some numbers or change any of the other language. So Weston.

Weston Kane- So, I guess I... I see a couple of things that I think mainly, my concerns are more with C than anything.

Dave Gibney- Okay.

Weston Kane- Depending on how many miles we're going on our areas, I think instead of being the highest point of the Butte, so we have it the outside boundaries of the parks. And then we've only picked 3 locations here, either we come up with some way things get added into this that backs it, or some more places around there, because like do another one that's popular but it's just over State line in McCroskey State Park for example, and there's a bunch of other parks like that. So, I think there's a few things we need to look at there.

Bill Myers- I agree with, I, I agree. They, there's other, other things to consider here, as well as the, we've got parks up and down the river, Corps of Engineers. We've got a... it... we need to specify some county parks as well. There's... there's... we've got the scenic byway to... to consider. Although it doesn't, you know, for the byway, it doesn't have to be a... a huge setback, but there's... I I have a, it's not long, but it's... It's... It's... It's a little more comprehensive it doesn't have the... the so, I don't... It's, you know, this motion is on the, on the table, so it's not proper time to introduce this obviously, but

Dave Gibney- We'll give you a... we'll give you a chair.

Bill Myers- Okay.

Dave Gibney- To either add to mine, or...

Bill Myers- Yeah, okay we may very... may very well do that. Then I'll, whole we're getting mor comments, I'll...I'll... I'll try to be specific.

Dave Gibney- Dave.

Dave McKiernan-I... I agree, I... I like seeing this exclusion area. We need to, in my opinion we need to make sure we have setbacks for County Parks. The County Park area is things that traditionally in my opinion, is what everybody felt was valuable to preserve, to protect and so we need to make sure we don't have industrial anything close to those Parks. But I think... I think we're heading down the right route with this exclusion area, and the heritage areas, and... and the... and at the same time the... what's recognized by the... by the Feds and the State as heritage.

Dave Gibney- Okay, Dean.

Dean Kinzer- I was going to suggest exactly what Weston suggested, simply because the highest point, I believe Kamiak Butte, you can get a mile down the road, down the ridge on Kamiak Butte, and you... that means you could put up another wind turbine in the park itself. So, it's got to be.... It's got to be on the boundaries. And yes, I agree that we should have a setback from the parks, Kamiak park. I'm no, excuse me Wawawai Park and Klemgard Park and what's the other park we have, Boyer Park. There's another one

Dave McKiernan- Elberton.

Dean Kinzer- Elberton.

Bill Myers- Wawawai, oh you said Wawawai okay.

Dean Kinzer- yeah, I'm sorry. My mom's a native of that area and she always says wowaii, she doesn't say Wawawai.

Bill Myers- I haven't...

Dave Gibney- All right, we will discuss additions. You know, it's clear that there's a... everybody wants to talk about additions, so when we get there we will. Some of the reasons and everything, too.

Julian Matthews- So, how did you come up with a mile? Like....

Dave Gibney- I had to put a num... I just made that up. We're going to... we're going to adjust that number on each of these here now.

Julian Matthews- So it wasn't necessarily any type of, like I read most of those articles that guy sent us about noise and so it's not based on any... what's the basis... what's the basis a mile exclusion for whether it's from the Butter or from the parks, so because that's what I was thinking. I was just out there last night, and a mile from the view would be... wouldn't even be out of the park.

Dave Gibney- I...

Julian Matthews- So there's no rationale behind a mile?

Dave Gibney- The... The reason for doing the exclusion, and specifically the areas of local significance is as far as I know, all visual and aesthetic. We're not talking about noise or health or anything like that. It's these areas that the citizens of Whitman County value for... for themselves. So, and I just, you know, I fully expect us to change that number from one. I just, you know, I wasn't going to put 45, because I'd be outside the County. So, you know, just one, and that's just to start. So, and I've, you know, these are... okay, these are the three areas that have been mentioned to us from the members of the public already so, that's how I got these three areas. I, you know, sure, we'll discuss additions.

Chris Melhous- First of all Dave, thanks for putting together the framework for this. It's nice to work off something where we can all kind of have a discussion on it. Being at the tail end of this, obviously, everybody's kind of touched on everything. I want to talk about as far as, you know, the border, you know, obviously we need to add some different areas as well, but, you know, the border obviously makes a lot of sense, because, like you said, If you get to the top of the peak, by the time you get to a mile away, you might not be out of the park yet in a lot of these places, or it'd be right at the edge, so it's a good framework to work with so started.

Dave Gibney- Okay, again... okay I'll say, and then I'll get back to you. So, again, I just... was a start. It was pointed out to me by someone, I don't remember, or maybe more than one, that the boundaries are irregular, and it would therefore be a more difficult thing to determine what those zones were. It didn't even occur to me that Kamiak Butte, there probably are portions of that park that are within a mile of the top, you know, Steptoe's a little more circular, so maybe, it may be that we... that this needs to be tailored to each space, or... or just go with the boundaries and... and add the logistics. Julian, you want to speak.

Julian Matthews-I was just wondering, I was out there yesterday, so I don't know where they plan to put them. Are they putting them past that Clear Creek road?

Dave Gibney- I don't... It doesn't matter where they're planning on putting them.

Julian Matthews- Well, what I was wondering, okay, you put it a mile from the boundary...

Dave Gibney- Okay.

Julian Matthews- ...or whatever the park entrance. What is that, Fugate Road or something? But say, so what about the property owners that want to have a turbine on their land. How would that impact them.

Dave Gibney- They wouldn't, they wouldn't be permitted. Okay while I was... a while back, when I was thinking this out or looking at it, I went into Google Earth and I drew a 3-mile circle around the top of Kamiak Butte, and a 3-mile circle around Steptoe and it looked to me like, and again we're not really worrying or discussing any specific project. But we all know there's one out there. Okay, okay but...

Julian Matthews- We don't have a specific project, but if you have a mile...

Dave Gibney- And I was about...

Julian Matthews- ...from the boundary to the park there then that's going to impact other people that maybe they want to use their land for wind turbines, and so maybe we should put something in there to say, you know, like we did with that other stuff about, you know, just because everyone here or in the audience wants that, not doesn't want that, maybe some people maybe want them. So, it's a... and it's just like my property. You're going to tell me what I can do with my property. I don't like that mentality, because a lot of people do stuff on their land right now that ain't good for the environment, and ain't good for the property, and other people, you know, so got to consider how are you going to balance that? It can't just be, yeah, this is the way it's going to be, and you have to deal with it, you know, that's the government... that's like the government, man like government telling people what to do on their own land. That's what I don't like about it.

Dave Gibney- I'm not going to argue with you on that. I have, I have a very great deal of respect for the private property rights, which is one of the reasons that I'm still here and that we need to... we need to have good solid, valid reasons that are defensible for our ultimate code. And you're correct a mile from the boundaries from Kamiak probably wouldn't impact a great deal of Harvest Hills. I... as I was trying to say, I did... I drew a circle, a 3-mile circle around and the best of what I could tell, that wouldn't have a lot of impact on the sites that I've seen, and this is just my gut, I didn't read it on the sites I've seen for Harvest Hills, I drew a 5 mile around, and... and that would pretty much preclude what I think is the area that they're doing. It has been stated by a member of the audience last time that the Palouse wind is approximately 6 miles from the top of Steptoe. 7 okay. So, you know, when we get down there that's pretty much, you know, stuff that we have to talk about.

So, in the interest of getting things moving a little bit I put in a mile. Let's just start with A, the Cities. I put a mile. Anybody? And currently the setback to the city of Pullman, it's in the code is, the four-time... no, it's the 1 times the height of the tower.

Bill Myers- I believe it's 6 times.

Dave Gibney- No, in the existing code.

Bill Myers- Oh, in the existing code.

Alan Thomson- 4 times.

Dave Gibney- 4 times. In the existing code, it's, it's, it's that 4 times Just like it was... okay, so that... so that's what it is, and so if we were to just keep this one the same, we'd change that to 4 times the height of the tower or... or we could keep it consistently with the 6 times that we're going for, or we can but, but, but again, the reasons for this area are not the same as the reasons for the areas and the setbacks, necessarily. These are... these are specific areas that we're just saying we don't want the towers nearby.

Dave McKiernan- And so you're wanting to address section A.

Dave Gibney- Section A, you know, okay, unless you...

Dave McKiernan- No I'm asking.

Dave Gibney- Right, right, So yes, let's just do A and do B, and then obviously we're going to have a longer discussion about C.

Chris Melhous- I think overall, I'm comfortable with the 6 times the height on outside the city limits, but if, you know, there's more push for a mile, I could probably be talked into that as well. But I think 6 would be sufficient.

Dave Gibney- Okay.

Julian Matthews- How far would that be 6?

Dave Gibney- It's approx.... 6 times the height of current turbines is approximately. Well okay 6 times 300, or 6 times 400. It's about a... It's less than a mile.

Bill Myers- Less than a mile, 2400.

Dave Gibney- Yeah, you know, 6 times the height of the hypothetical, but we know about them. 7-to-800-foot towers is... is going to be a mile. I don't know... I don't... you know, again, I'm not sure that there's any reason to... to do these in terms of tower height, rather than an explicit number.

Dave McKiernan- I agree with you Dave, and watching how Pullman is developed and the community of Uniontown has been developing there on the South Side, and how Colfax has developed out here on the river, you know, tower height doesn't really fall into place because of our topography. I think we need to keep it to miles, set these things back. As we... as every community in Whitman County is seeing growth. I think we need to make sure we protect those communities, and we... and we put a mile buffer in. Just no different than, like, Pullman has their growth impact area, you know, out in the county.

Dave Gibney- And we do need to... when we are supporting this at our hearing, we do need to have some logical, defensible reasons that we've... for the number we pick. But a mile... a mile is... It's about... that Urban Growth Boundary is about the same, or the Pullman one, which the County isn't... The County does not have to recognize Pullman's Urban Growth Boundary but it's about a mile. Okay Chris.

Chris Melhous- Just for clarification, I guess, since we've used nautical miles in the past, is that how we want to stick with it, as far as... I mean, for consistency.

Bill Myers-Yes, I think that would be... I agree with you.

Chris Melhous- I'd like that, just to be consistent.

Dave Gibney- Okay, one everybody?

Dean Kinzer- Do you need a motion?

Dave Gibney- Yeah.

Dean Kinzer- Okay.

Carol Black- Dave can you speak into your microphone?

Dave Gibney- I'm trying.

Carol Black- I Know, we got a lot of old people out here.

Dave Gibney- Okay

Dean Kinzer- Mr. Chairman, I move to insert one mile as the boundary, one mile from the boundaries of incorporated communities, as you have it stated in here.

Weston Kane- I'll second.

MOTION by **Dean Kinzer** and seconded by **Weston Kane** to insert one mile from the boundaries of incorporated communities for setback distances.

Dave Gibney- Okay, so we have a motion to do... and I'll accept the nautical. I don't... I'm not sure what the difference... personally, I'm not sure what the difference is between a nautical mile and a standard mile, and a, you know...

Bill Myers- I's 1.15 statute miles.

Dave Gibney- 1.15?

Bill Myers- Yeah, 1.15 statute miles.

Dave Gibney- Okay, alright good. 1.15.

Denis Tracy- Mr. Chairman, I'm sorry to interrupt, this is your lawyer. Why does anybody want to use nautical miles.

Bill Myers- They're longer.

Dave Gibney- I believe there's a desire to be specific as to what kind of miles and nautical is the term that was used first in our... in the discussions we've had so far.

Denis Tracy- I am in favor of using nautical terminology every place that I can, I love it. But, I just... so, that's fine, I'm just curious.

Tom Thompson- it follows the curvature of the earth versus the actual curves.

Dave Gibney- Okay, I'll repeat what Mr. Thompson said that a nautical mile is based on the curvature of the earth rather than, I'm going to assume, the horizontal direct distance of I'm going to... I'm going to guess it still is the spherical average curvature of the Earth and not what would take... because actually it end up shorter if you had to go up and down the hills.

Julian Matthews- So, are nautical miles applicable to land.

Dave Gibney- Yeah.

Bill Myers- Use them all the time.

Denis Tracy- It can be.

Dave Gibney- Surveyors use them. Oh go ahead Denis.

Denis Tracy- My suggestion is that, is that you have a... a definitional section somewhere that says the distance, when a distance is measured, it's a horizontal distance, and we can wordsmith this, but it's a horizontal distance, as a crow flies, not the distance a wolf runs to account for, you know, you... you don't mean that the measurement taken by...

Dave Gibney- Okay.

Denis Tracy- ...going up and down, but nautical miles doesn't solve that issue.

Dave Gibney- You're right, okay, so... let's do, we definitely have a definitions section and we can... we'll add miles in the section mean at this point, 1.5.

Dave McKiernan- What's... what's Mr. Tracy's recommendation? I mean when I look at the county map and it has it laid out in quarter sections. Is that what we need to go off of, or what would Mr. Tracy recommend so that we alleviate a little bit of paperwork and definitions here?

Dave Gibney- We have to have a defin... we would have had to be really do a definition for nautical miles in that section, one way or the other, so..

Dave McKiernan- Okay.

Julian Matthews- So, do we have to clarify, can't we just say one mile. Like rather than have an hour discussion on whether a nautical mile is.

Dave Gibney- I'm, I'm, I'm...

Julian Matthews- Mr. Tracy can we just call it one mile and call it good.

Denis Tracy- Yes, you can. One, one mile I think means one statute mile in the Country. Unless you say... unless you specifically call it out as a nautical mile, and you batten down hatches. Let's use some more nautical phrases.

Dave Gibney- Okay, we.

Denis Tracy- But...

Dave Gibney- We will use...

Denis Tracy- You do need to have... you do need to have a definitional...

Dave Gibney- We will use one mile in the code here, and we will have a definition of miles, or mile, in the definition section that we have to have that's going to be a part of our discussion next week.

Alan Thomson- But if you just say one statute mile, you don't need a definition.

Chris Melhous- So we need to go back and revise the portion then?

Dave Gibney- No, because I just agreed to do that,

Chris Melhous- Okay.

Dave Gibney- You know, because somebody said it. So, we'll just leave it as it is and we'll... and there are other places that we got miles in the code.

Chris Melhous- I thought Nautical miles at one point was something. Just making sure we're consistent. (Inaudible, mic might be off).

Dave McKiernan- Yeah one, once.

Dave Gibney- I don't remember whether that made it into the actual code as we did it.

Chris Melhous- Yeah, the words are consistent. That is the main thing.

Dave Gibney- And we spent more time on this than I hoped to. So, all in favor of it being one mile from the borders of incorporated communities in Whitman County, please say aye. Opposed?

Julian Matthews- All right.

Dave Gibney- I guess it. So, I had,,. I'm sorry, I have to... it has been stated a couple of times that when we disagree, sometimes it's hard for people to know who says what, so and the thing is, is I want to... Okay so, Chris?

Chris Melhous- Yes

Dave Gibney- Julian?

Julian Matthews- Yes

Dean Kinzer- And we're voting for?

Dave Gibney- For the... for part a, with one mile.

Dean Kinzer- Just one statute mile, or are we talking, or does it matter?

Dave Gibney- We're talking about... about one mile and it will be as we do a definition of mile for the purpose of the code.

Dean Kinzer- Okay, yay.

Dave McKiernan- Nay.

Bill Myers- Nay as well.

Weston Kane- Yay.

Dave Gibney- So, I've got, Chris, Julian, Dean and Weston...

Julian Matthews- 4 to 2.

Dave Gibney- ...at 4 yays and Dave and...

Dave McKiernan- Bill.

Dave Gibney- Bill.

Bill Myers- Bill.

Dave Gibney- ...as 2 nays, which is insufficient for the majority of our council, of our Commission at this time. Just to let everybody know, it takes five. My vote will be yay, which is the 5. But it takes 5 affirmative votes to do anything in this Commission. So, at the final action so.

MOTION CARRIES.

Dave Gibney- Okay, do you think we might be able to do this Part B a little faster in agreeing that if we're going to do miles from incorporated, we'll do miles from the unincorporated.

Julian Matthews- So, are you saying that A passed or didn't?

Dave Gibney- A did pass for the purposes of this... of the... of the amending this amendment at this time. We haven't... we haven't done a final, we're going to send... put this all as part of the code as we will be at the hearing, and we're... and when we meet next week, we're going to have all of this in front of us, and we'll do another vote at the end that this is what we want to pass to the hearing. Go ahead.

Julian Matthews- So, then I can make a motion to approve B or what?

Dave Gibney- That's where I... that's where I was going. Yes, can we... can we have the motion to do B, and are we going to do a different number? Go ahead and move.

Bill Myers- I move that, we, for these districts that we have a minimum of 2 miles.

Dean Kinzer- I'll second it.

MOTION by **Bill Myers** and seconded by **Dean Kinzer** to have a minimum of 2 miles buffer around districts.

Dave Gibney- Okay, we have a motion and a second that we be 2 miles from what are basically the unincorporated, populated area, you know, specific... this is... this is Steptoe and... and I don't think Elberton can... I'm not sure.

Alan Thomson- There's a number of them.

Dave Gibney- There's a number of them.

Julian Matthews- Is this...

Dave Gibney- Okay.

Julian Matthews- ...throughout other counties, or do you know, is it standard language for however many miles they are from all community residential districts?

Dave Gibney- These are specific Whitman County Districts.

Julian Matthews- No, what I mean is, is the ordinance saying 1 mile or 2 miles, is there a standard? I do all over the county's...

Dave Gibney- These districts are Whitman County Districts.

Julian Mathews- No, I know that, but what I'm saying just like we were talking about the Spokane, is that something or other in their ordinance? Is this standard? Is there some standard?

Alan Thomson- It's not standard. Nope.

Dave Gibney- Even the... and I guess the point is,,, that I was trying to make, is even these districts aren't standard to other counties, they're ours, so you can't... in anyway... so okay? Let's have some reasoning why.

Bill Myers- The reason why is, basically, you'll have, in a lot of these areas, they're a... a loosely placed higher, higher population area than, that, just a regular rural area. There's, and the one that gets my attention, more than any of them, it is, now, an airport commercial district also is, you know, also, has the, the area around it that has commercial activity, I'm sure it's, you know, it's larger just than the airport itself. But a... a mile is nothing, as far as an exclusion around the airport, It's these things are 700 feet tall, and the, the standard traffic pattern altitude for a small aircraft id 800 feet. The, when you fly a standard traffic pattern around an airport, you are typically a mile away from the airport. And these will, will be...

Dave Gibney- Okay... I put the commercial air in there. In reality the airport is going to be protected by FAA regulations, which I suspect are going to make it larger than that.

Bill Myers- We, we should... we should, you know, we should specify that, you know, I know it's going to be redundancy, but it should be specified. But as far as... and these, these rural community... rural community districts, it's one of the reasons we're having the problem we have right now, is, the area in question is infringing on, on these, on rural residents and it's, it's something we need, you know, if the City's come out and specified a mile buffer for, these people do not have that vehicle in which to, to , to make their, their desires known. So that's why, why I feel they need a greater area than, than just a mile. So, that's my rationale.

Dave Gibney- Okay, Dean. Anybody... anybody want to give reasons or argue for staying with the one mile?

Chris Melhous- On my end, I think 2 and 3, I'm comfortable sticking at 1 mile. The airport. I definitely understand the need for probably bumping to 2 on that, I know, again, that's redundant but...

Dave Gibney- Well, actually, you know, if...

Chris Melhous- ...if not more.

Dave Gibney- I'm beginning to regret even putting it in here, because it doesn't... I don't believe that there's any point in us protecting what the FAA is going to.

Chris Melhous- Yeah.

Dave McKiernan- I honestly... I think that the small communities, the Johnsons, the Farmington's.

Dave Gibney- Farmington is an incorporated area.

Dave McKiernan- Oh, my bad sorry.

Dave Gibney- Johnson is not.

Dave McKiernan- Yeah correct. You know, I think we need to protect some of these communities, because they actually hold a lot of history for Whitman County, and there's also a lot of opportunity for people to move out there and raise their kids, and I think Bill touched on it a little bit. They don't have a real strong voice, and so I think if we can protect some of these areas with a 2-mile buffer, I don't think that's asking too much.

Dave Gibney- Okay.

Denis Tracy- Mr. Chairman?

Dave Gibney- Yes

Denis Tracy- Thank you, I want to suggest to the Planning Commission that you consider striking the words Commercial District after the word airport, the number 4 and that you strike number 3 altogether. The reason that I'm suggesting that is from what I'm hearing from the Planning Commission, you're not really interested, or you may be, but you're not expressing an interest to protect commercial areas from have commercial windmills within what is it a...

Dave Gibney- Okay.

Denis Tracy- ...a certain distance, so you're concerned about being within a certain distance of the airport, then don't say commercial district, say airport. And in number three, I don't know what number three is so I could just...

Dave Gibney- Let me, let me clarify. I will support striking number 4 entirely from this, because it, the FAA's going to cover it for me. I shouldn't have put it here in the first place. I will note the Commissioner Brian Davies has joined us online.

The other 3, they're here because they are explicitly designed... defined zones in the Whitman County zoning code that talk about areas where the density of the population is permitted and, outright. The... the rules for building the set... for building homes and businesses in these areas are different from the ag zone and these are the three that we have that are explicitly that. As far as I understand the only difference between a community center district and community commercial district is that the ones more in the center of the community, and the ones...others more in the outlier. So go ahead Alan.

Alan Thomson- I think that there's a lot of clarification that needs to happen right here. Johnson is the agricultural district. It is not a rural commercial or a residential district. So, problem right there. I think, Dave, you definitely need to remove airport commercial and maybe do that separately. Airport commercial is an actual zone.

Dave Gibney- And so are the other three.

Alan Thomson- Yep. Colfax has an airport commercial district, as well as a heavy industrial district, It's a combo. And then of course Pullman Airport is inside city limits of Pullman. So, I think you need to treat the rural commercial and rural residential districts the same as incorporated towns. There is a boundary there, it's not an incorporated boundary, but you've got property lines, you've got houses, and it's the same thinking. You want to have the setbacks to where people live, so you can define where those property boundaries are in the rural commercial and residential areas. And rural commercial is a mixture of residences and commercial. Steptoe is a very good example of that. There's a number... all three of those zones are in Steptoe, but some of the other... most of the other rural communities do not have those 3 zones. Dusty has the 3 zones. So, I think you should keep

it consistent and be one mile, as you're doing with incorporated towns, and treat airport district differently.

Dave Gibney- And I, I tend to agree with Alan that I will, when we get, when we get done with the discussion of this number, I'm going to move that we strike 4 in its entirety, and that we're talking about the commercial districts and I understand where Dave's coming from about and Bill, too, about maybe doing it a little bigger around these existing districts. But I'm... I'm going to have to say that those residences and properties are all... are supported in the setback... are protected by the language that we're doing in the setbacks and that this is intended explicitly for specific land areas that...

Dave McKiernan- I think, I think a lot of them are protected by the setbacks but going back to 19.61A that you have proposed here, that we just voted on the one mile, I don't feel that one mile actually allows for future growth over the next 15 years, for whether it be Colfax or Pullman and that's my concern, is we need to make sure that we keep these things outside of our municipalities so that we have room for growth, to encourage growth and encourage development.

Dave Gibney- Okay. You're actually suggesting that we revisit the number around the incorporated communities. Which we can, okay, which we can do, but I'm gonna... I'm gonna reiterate what Alan said, that we should be consistent with our numbers around the incorporated communities and the rural residents.

Dave McKeirnan- And I agree with, I agree with Alan 100% on that, and I recognize what he's saying, and that's why I think we need to take a step back and really consider that, and maybe make that buffer outside of our, our towns and our communities a little bit better to prepare for expanded growth so that we do have room for development.

Dave Gibney- Okay. So, we... do we have... we have a motion right now to put the number 2 miles in B. And we're not getting anywhere, so I'm gonna ask for the vote, let's vote that down. Let's let me strike number 4 from this so that we get that out of, that confusion out of there, and then we'll talk about a number again. We'll go back to where we were. So, all in favor of 2 in number B, please say aye.

Unknown- Opposed.

MOTION CARRIES.

Dave Gibney- Okay, alright, so, just to get it out of the way, I would move that we strike number 4, airport commercial district from B that we're considering.

Dean Kinzer- So moved.

Brian Davies: Second.

MOTION by **Dave Gibney** and seconded by **Brian Davies** to strike number 4, airport commercial district from B.

Dave Gibney- All right, so we've got a motion and a second to amend the motion that's on the floor to remove B4. All in favor, please say aye. Any opposed?

MOTION CARRIES.

Dave Gibney- That passed unanimously. Okay.

Weston Kane- Mr. Chairman?

Dave Gibney- Go ahead.

Weston Kane- I move to reconsider the, 19.61.0A to reconsider that, the one-mile boundary up to two miles.

Dave Gibney- We just got a motion to reconsider, and you voted in the affirmative, so it's all, you voted in the prevailing side, so yes, is there a second?

Dave McKeirnan- Second.

MOTION by **Weston Kane** and seconded by **Dave McKeirnan** to change the one-mile boundary to up to two miles.

Dave Gibney- Okay. All in favor of going back to our number, please say aye. Any opposed?

MOTION CARRIES.

Dave Gibney- Okay, alright, I don't care what kind of a mile it is, but it's gonna be a distance. And while we're having this discussion, I'd like us to consider the making that we change that the number be the same in A and B, whatever we come up with. Okay?

Dave McKeirnan- I'm, I'd make, well, is there a motion that's made?

Dave Gibney- There's no motion, there's no, there's no amendments to the main motion on the table. Go ahead.

Dave McKeirnan- I have to agree with you. Make it 2 miles to match section B.

Dave Gibney- Okay, so... so when we move a number, the motion will be that we move that A and B be not permitted within the number we're going to agree with these areas. Okay whenever somebody wants to... Whatever motion we want to do.

Dave McKiernan- I make a motion for 2 miles.

Dave Gibney- Okay.

Bill Myers- I second.

MOTION by **Dave McKernan** and seconded by **Bill Myers** to change the one-mile boundary to up to two miles.

Dave Gibney- Okay, we have a motion and a second that... that A and B be, will read 2 miles and I will just go ahead and read what the result would be if this passes. The result would be that wind energy turbine towers are not permitted within 2 miles of the boundaries of the incorporated communities. It's implied we're talking about Whitman County, and we don't, you know, I don't get to do anything about Moscow. And there... and we know there are 20 some...

Alan Thomson- 16.

Dave Gibney- 16 incorporated communities in the County, in Whitman County .

Alan Thomson- Oh, incorporated or unincorporated.

Dave Gibney- Incorporated.

Alan Thomson- No, it's not 16. It's unincorporated, it's 16, I think. I'm not... I think it's 8 or 9.

Dave Gibney- It... it... is Malden and Lamont and Pine City...

Alan Thomson- Rosalia.

Dave Gibney- Rosalia.

Alan Thomson- Colfax.

Dave Gibney- Colfax, Tekoa, Oakesdale...

Alan Thomson- It's about 8 or 9.

Dave Gibney- Pullman, Uniontown, Colton.

Alan Thomson- Incorporated.

Dave Gibney- Okay, it's the incorporated we're not talking... we're not doing anything about the unincorporated that don't have the, one of these three zones. Okay. So, two miles of the

incorporated boundaries and B is, again, they're not permitted within 2 miles, and these are the three rural community district zones in Whitman County. Go ahead Brian.

Brian Davies- I was, I was just going to ask if the only one of these would be Steptoe, at this point that or are there other communities, like Farmington, and

Alan Thomson- Farmington is incorporated,

Dave Gibney- Farmington is incorporated. Dusty? You mentioned Dusty.

Alan Thomson Dusty is unincorporated,

Brian Davies- Oh Dusty,

Dave Gibney- And it has rural community zones.

Alan Thomson- And there's a few others.

Dave Gibney- Okay.

Alan Thomson- And you... we can identify them by name.

Brian Davies- Diamond.

Dave Gibney- But the answer to Brian is that there are more... specific questions, there are more than just Steptoe.

Alan Thomson- Yes.

Brian Davies- Okay, thank you.

Dave Gibney- All right , everybody Okay. Any further discussion, or do we want to vote on two for A and B. All in favor of it being 2 miles in A and B and we're just going to. Chris?

Chris Melhous- Sure

Dave Gibney- Okay, Julian?

Julian Matthews- Yes.

Dave Gibney- Julian's yes.

Dean Kinzer- Yes.

Dave McKiernan- Yes.

Bill Myers- Yes.

Dave Gibney- Yes.

Weston Kane- Yes.

Dave Gibney- Brian?

Brian Davies- Brian says yes.

MOTION CARRIES.

Dave Gibney- Okay, so those are done and we're at 2 miles, and we're not going to... we're going to leave the airports to the FAA at this point. So, Brian you joined us later, so I'll re-read part C here.

Brian Davies- Thank you.

Dave Gibney- Which as I go, as I first wrote it. Is wind energy turbine towers are not permitted within the number-to-be-determined miles of the following areas of State, National, State, local significance, Kamiak Butte County Park, Steptoe State Park, Palouse Falls State Park, and earlier discussion was we weren't very comfortable with it being from the highest point of the Buttes, and it was suggested that we probably would be going with the boundaries. I picked out a point to draw a circle around Palouse Falls, I'm going to guess that maybe we want, we might want to do that from boundaries too. There was, quite a bit of discussion before we got going on the potential for additional areas of which we would have to have some reason that they are National, State or local significance. So, that's where we're at. We need to... and maybe before we okay. We're going to come up with a number.

Alan Thomson- Mr. Chair?

Dave Gibney- Go Ahead.

Alan Thomson- One correction, Palouse Falls is between Whitman and Franklin Counties.

Dave Gibney- Franklin? Okay, you're sure, because I'm... because I have to drive a lot of ways through Adams to get... okay Franklin.

Alan Thomson- We had a comment online correcting us.

Brian Davies- It is corrected.

Dave Gibney- Okay, okay so anyway we probably aren't going to use that anyway. And just to be clear, we're not going to have any jurisdiction about somebody planting a wind tower, or however close to Palouse Falls in some other County.

Brian Davies- No.

Dave Gibney- Okay, go ahead.

Julian Matthews- So, what's the difference, like, with the Whitman County ordinance Means, it's a Kamiak Butte County Park and State Park? Is there any difference? Does the State have jurisdiction over Steptoe and the County has jurisdiction over Kamiak?

Alan Thomson- Only in the park areas.

Brian Davies- Maintenance, just park maintenance.

Dave Gibney- The areas around them that we're talking about are all the County so.

Bill Myers- I move that we use the number 9 miles, around Kamiak Butte State Park, Steptoe State Park, Palouse falls State Park, as far as it is to our County. Also to include, the Steptoe Battlefield, oh gosh there's our... basically, the, the rest of our State, County, at parks.

Dave Gibney- We're... we are... we are going to need a specific list of specific areas and yeah so.

Denis Tracy- Mr. Chairman.

Dave Gibney- Go ahead Brian or Denis I'm sorry.

Denis Tracy- I want to remind the Planning Commission member, I did send you a memo about have protection areas around the National Historic Landmarks and that yes, you can do that, in my view, and it will be upheld if you find that, you know, sufficient things are present in order to justify this regulation and those included the fact that they are both National Historic Landmarks. I don't know if Palouse Falls State Park is or not, but the other two are. And also a finding that those two Buttes, Kamiak Butte and Steptoe Butte, contribute to the economic viability of Whitman County and that having wind towers there is going to significantly have a significant impact, not only on aesthetics and visuals but on part of the economy of the County as well, both in tourism dollars and excuse me, and otherwise. I say this because I'm not sure that all of those findings that apply to Kamiak and Steptoe will also apply to every other place in the County and in order to have this type of a protection area, you have to have some significant findings to back it up. So, I just mention that, put that bug in your ear.

Dave Gibney- Alright.

Denis Tracy- You can batten down the hatches and move forward.

Dave Gibney- Thank you Mr. Tracy. I have your memo here in front of me and I can read it is the... the commission and everybody would... okay.

Denis Tracy- It went to the whole Planning Commission.

Dave Gibney- It did, but it... I don't... and it's I believe it's on the website, but just to refresh our memories, I can read it now.

Julian Matthews- All right.

Dave Gibney- So this is dated October 15th, from Tracy to the BOCC, the Planning Commission, and the County Planner. And it states, the question presented was, can the County increase the minimum setbacks from... Okay, that's the... that's the setbacks. We're... where do we discuss the...

Julian Matthews- Buttes.

Dave Gibney- ...the Buttes on...

Brian Davies- The email was from the 14th, Mr. Chairman.

Denis Tracy- And it's a different memo.

Dave Gibney- Okay I don't have the email, I have the, the memo, and it's property lines, so I... okay.

Brian Davies- I can read the memo, I can read the parts that we're... we're discussing tonight, as in the brief answer, being yes, and the facts are. Would you like me to read those?

Dave Gibney- I was just about to read it from... from Weston's phone here, the same one.

Brian Davies- Okay go for it.

Dave Gibney- And I don't... yeah... we probably can hear you better, but I'll go ahead. So, this is October 14th. I didn't know he sent us two, or I didn't remember. The zoning code for commercial windmills setbacks near landmarks. Question presented. Can the County enact minimum setbacks from National Natural Landmarks, Kamiak Butte and Steptoe Butte? So, we didn't ask about any of the others. We did ask about Palouse Falls, but it's not asked here. So, the brief answer, Yes, if the County plan... if the County Planning

Commission and or Board of County Commissioners find that the two landmarks are very significant to the public welfare, and that siting large commercial windmills nearby would have a significant negative impact on that welfare, the County can enact minimum setbacks to keep the windmills a significant distance from the Buttes. And then you have Prosecuting attorney Tracy has presented us with some facts. In 1965, Kamiak and Steptoe Buttes were designed as National Natural Landmarks as part of a program run by the National Park Service. According to the Park Service, the program recognizes and encourages the conservation of sites that contain outstanding biological and geological resources. Sites are designed by the Secretary of the Interior for their condition, illustrative character, rarity, diversity and value to science and education.

The program promotes conservation and appreciation of our nation's national heritage. The top, and much of the areas surrounding both Buttes are parks. Steptoe Butte is a State Park, Kamiak Butte is a County Park. So... and then Commissioner, or Attorney Tracy has a section titled, anticipated facts, based on my review of the comments so far from the Public and Planning Commission members, and what I will believe will be expressed in upcoming meetings, I anticipate that the following are facts. That the Planning Commission and the Board of County Commissioners could, underline, find in support of any particular setback that they find appropriate. And again the question was asked the two locations, and the answer applies to the two locations Steptoe and Kamiak and Steptoe Buttes are unique natural features in the County. These are proposed facts. They are an outstanding geological resource for the County and our Nation. They are rare. They have an extraordinarily beautiful visual character, both from the Buttes looking out and from the surrounding areas looking towards the Buttes. And this phone moves up.

Julian Matthews- Yup.

Dave Gibney- The Buttes are located near the center of Whitman County, a County with about 2,200 square miles of mostly rolling hills and farmland. Steptoe and Kamiak have stark, dramatic panoramic views of the surrounding farmlands, materials and states. From the top of Steptoe, a person can see 200 miles to view Idaho and Oregon, as well as surrounding mountains, including the blue and Bitterroot Mountains. Similar views can be had from the top of Kamiak. The next paragraph... the other landscape of the County is primarily rolling hills, a unique and dramatic landscape in itself, Steptoe and Kamiak Butte stand out from the surrounding rolling hills of the Palouse. They're prominently visible for 50 miles or more from every direction. The views of the dramatically beautiful Palouse are the tops of the Buttes, from the tops of Buttes are critical to character and quality of life of the County residents. That's a... we're at about our fourth or fifth paragraph our fourth or fifth fact. All of these results in the Buttes being very significant to the character and quality of life of all the residents in the County. The Buttes are not just critically important to the County for their unmatched views of their tops, but for the views of... Buttes from the sounding... for the view of the Buttes from the surrounding communities. Unobstructed views from and towards the Buttes also bring important tourism to the County's residents. It is critical for the general welfare of the County's residents to preserve and protect these

visual resources and protect their visual quality from the adverse effects of wind energy towers. And okay, again, these are all proposed and potential, and I believe not necessarily the... and advocacy and... by the Attorney. And I almost, I believe I'm almost done.

Current practices in wind energy include generator towers that are about 700 feet tall, including the rotating blades. Towers are not installed in isolation or small groups of three. The towers are installed in large groups. These tall towers cannot be screened with vegetation or other means. There's no color or paint that can conceal them. A group of towers too near the Buttes will starkly visible from the Buttes, as well as starkly visible from the surrounding area. When looking towards the Buttes, even a grouping of towers does not dominate the whole view, it would still break the nature of these National Landmarks and the views from them and toward them. By setting back a group of towers a distance that makes them not dominant is not nearly enough to protect the general affair. There's one group of commercial towers, and this is the Palouse Wind, over 10 years ago, set to the North and West of Steptoe, which are between 300 and 400 feet tall. According to what I heard, the towers are bank miles away, I heard today 7. According to a majority of public comment received during the consideration, the visual enjoyment of the Steptoe is reduced by the presence of the towers. Allowing even more towers inside a minimum setback, no below, could have significant detrimental effect, you know, for the citizen guide. For these reasons, the minimum setback should be set at a number. And that's there's more to this, we did all receive it. But that's... there are... There's more... There's more in other sections.

The general point of both what Mr. Tracy was saying, and what he said then, is that we may be able to defend protecting the two specific and nationally significant areas. If we extend this exclusion zone to all of the County Parks, or, as I also heard earlier, the potential of the National Scenic Byway, and some of the other things were... we're losing that potential defensibility, and we would have, reasons to do that. So, go ahead Julian.

Julian Matthews- I was kind of curious. Yesterday when I went up to the Kamiak, they have cell towers, and, I think TV towers. So, is this just applicable to wind, wind turbines or what's the deal? I don't understand what they can about.

Dave Gibney- This Ordinance would be applicable only to wind turbines.

Julian Matthews- So, cell towers, or you can put them anywhere, because that's okay on... you can put them on the top of Kamiak Butte, because it's some site that's, you know, those are eyesore too, there Mr. Commissioner.

Dave Gibney- Techni... technically.

Julian Matthews- Technically, what?

Dave Gibney- Technically under our ordinance, they could put one wind tower at the top of each of those, because it's outside of our jurisdiction. So, now we are not talking about... we're not taking public comment at this time. It's discussion amongst us.

Bill Myers- I'd like to justify the 9 miles. In the Growth Management Act, which was dictated by the State to the counties, was to identify and protect resource land in critical areas, and... and they develop regulations for zoning, you know, which we've done and are doing. Anyway, our comprehensive plan, which we're also mandated to write, instructs us to do the following on, pages 11 and 21, and preserve farms, and agriculture, agricultural character, preserve and protect the County's rural character, which includes productive agricultural lands, large open spaces, and sweeping views of the Palouse Hills. And shall not only this... the preservation of the rural character shall not only include the county's scenic beauty, but also the protection and sustainability of the rural way of life. And then more information from our... our...

Dave Gibney- Can I?

Bill Myers- Yep.

Dave Gibney- Can I interrupt you briefly?

Bill Myer- Well you read quite lengthfully as well, and I'm about...

Dave Gibney- But I'm... I want to... I want to point out that Mr. Tracy interrupted us while you were making your motion.

Brian Davies- Motion?

Dave Gibney- And that we at this point, we don't yet have a motion.

Bill Myers- Oh, we don't have a motion, okay.

Dave Gibney- And so... and I think that, in the interest of everything, I would like to separate the concept of additional areas from the distance that we're going to set. And so, if you would make your motion to make that number 9 miles, and we get a second then I would be more than happy for you to continue your discussion.

Bill Myers- Yeah, I move that we have a setback of 9 miles, from Steptoe, Kamiak, whatever portion of Palouse Falls that we have jurisdiction over. The, there are, are additional Counties...

Dave Gibney- Is there a second?

Dean Kinzer- I'll second it.

MOTION by **Bill Myers** and seconded by **Dean Kinzer** to have a setback of 9 miles, from Steptoe, Kamiak, and the portion of Palouse Falls in Whitman County.

Dave Gibney- Okay, we will talk later about adding different areas. So, and... and it's Bill's... Bill's the maker of the motion, so he will let him continue his, from the comprehensive plans so okay.

Bill Myers- Anyway, also we have the... to preserve the cultural heritage of Whitman County, recognize the value and importance of Witman County's heritage, protecting important and prehistoric, historic, local historic districts, areas, and buildings, both commercial, residential, local, state. Anyway that's... that's all in our comprehensive plan, and it's, it's, it's, it's, it's in addition to, to what you just read, it's good, strong basis for 9 miles I feel.

Dave Gibney- Okay.

Bill Myers- I think 9 is.

Dave Gibney- Julian had his hand up.

Julian Matthews- Yeah, I just like I said before, I just don't get how you can say the wind turbines would say maybe bigger, but you have cell towers on there, I think radio towers and T.V. towers on the top of Kamiak Butte, so how does that work if you're trying to... is it logical to say you want to approve, spare the aesthetic value of a site when you already have these towers on top of it and you know, I don't know when those were put up there, but it just seems really strange to me how we have this double standard. That's my comment.

Dave Gibney- Thank you Julian. Any?

Bill Myers- I'd like to respond to that. Yes, there are towers. They're not 700 feet tall and painted white, and... and they don't move and they're... they're you know, these are a different animal. I have a tendency to agree with you as far as, you know, towers on high places. Unfortunately, it's... it's one of the things that we all rely on. These particular structures we've been getting along without for a long, long time, and there again, they're big, they're painted white and that's, you know, but I get it, so okay.

Chris Melhous- I think again, to support Bill on that, a lot of this is tying back into a public safety issue. A lot of those repeaters you know, related to radio and that sort of thing for rural areas. That, you know, we rely on where these towers aren't something we're relying on for public safety or anything like that. So, it's kind of a necessary evil where these towers don't necessarily fall under that.

Dave Gibney- The a... what we ae talking about in this ordinance whether other towers exist or not, which is true, we're talking about wind and wind towers and a specific distance from specific areas that we have some proposed findings and support to do that. We haven't,

you know, and some of what I read, you know, what I'm going to say is after hopefully we'll spend some time on that next meeting and then we're going to be at the end of next meeting, we have to have our code ready to go for the SEPA project. But we will have a meeting on the 1st Wednesday of December and at that meeting, we're going to have to not have anticipated facts from the prosecuting attorney. We're going to have to prepare all these facts that we will be presenting as part of our record at the... at the hearing, and we're going to have to have the exhibits that have been presented to us as we're going to list them as what we're going to have in the hearing. And I was, I'm getting ahead of myself, because I was going to have the discussion after we had this landmark discussion. So, right now we have, are there anybody who want... who thinks that 9 miles is the wrong number. Any further discussion? Go ahead.

Chris Melhous- Just briefly, I think as long as we're sticking with the 9 miles in relation to these three, you know Palouse Falls, Kamiak Butte, Steptoe Butte, you know, I'm comfortable moving forward with that. I think there's a couple areas that we're talking about protecting that maybe don't deserve the same level of protection, but for these three, I think those are the major ones you really need to go after.

Dave Gibney- The new can do D, additional areas, additional length.

Chris Melhous- I'm fine with that.

Dave Gibney- Okay, go ahead Dave.

Dave McKiernan- No, I just, I'd have to agree with him, because I agree there's other going off of what you wrote down, of local and local significance, I think that's an area that is one that we need to address. There's a reason why we have County Parks. The county, over time is but I don't, I don't agree with them having 9-mile setbacks. So, that was what I was thinking.

Dave Gibney- Okay, well we are currently talking about the three areas mentioned, and if you... I we were to think that that's not right even for all three of them. We can... we can divide this up into,,, we can....specifics so.

Brian Davies- Mr. Chairman, we have a motion and a second on the floor.

Dave Gibney- Correct, and is there any... I asked further discussion, and I could see that there was a little bit more. So, I'm going to say, all in favor of making it 9 miles at this point? Opposed?

Dave Gibney- Okay so, at this point, we, if we were to go forward right now we would say 9 miles for these 3 specific areas. We have a lot...

Brian Davies- How many votes did that pass? What was the vote?

Dave Gibney- It was unanimous.

Brian Davies- I voted against it.

Dave Gibney- Oh, I'm sorry, you're correct, I failed to ask, are there any opposed? So, you did not have the opportunity to do that.

Julian Matthews- I abstained, actually I didn't bother.

Dave Gibney- An abstention is a no vote. It has to be... there is no... there is no effective difference from an abstention and a vote of no. So...

Alan Thomson- Give us a count.

Brian Davies- Yeah.

Alan Thomson- Roll call count.

Dave Gibney- Well okay, so, yeah, actually.

Brian Davies- Roll call vote.

Dave Gibney- Brian?

Brian Davies- Brian votes no.

Chris Melhous- I vote yes.

Julian Matthews- Nope.

Dean Kinzer- Yes.

Dave McKiernan- Yes.

Bill Myers- Yes.

Dave Gibney- No.

Weston Kane- Yes.

MOTION CARRIES.

Dave Gibney- So we have 2 no's, 3 no's and 5 yeses. And for... that's... that's enough to pass it for now, you know, as amendment to the... amendment that's the main, code. So, all right

if you... as an example, say that it should be a different number from Palouse Falls or Steptoe or whatever. We do... at this point, I still have the language at the highest points versus, boundaries. So, And I know that... Well okay it's a moot point, because 9 miles is going to be well outside the borders of the... of Kamiak, or Steptoe, or Palouse Falls okay.

Alan Thomson- So, where are we measuring it from?

Dave Gibney-At this point, highest point of the Butte, highest point of Steptoe, and the point where it crosses the County line at the top of the Falls.

Alan Thomson- So the highest point 9 miles, okay.

Dave Gibney- From the, from the Peak at Kamiak Butte, 9 mile circle.

Bill Myers- As the maker of the motion, I would agree with that. I don't know if that's a proper thing to say but.

Dave Gibney- Well, okay the... if you... the original motion has the highest point in the middle.

Bill Myers- Yes.

Dave Gibney- If you don't... if nobody amends it, that's where we're at.

Bill Myes- That's, that's... I would agree with that, and that's what... yeah, I would.

Dave Gibney- Okay, at this point we have a motion to add the three sections to the code and the next.... The other possibility would be at this point, or we can do it when we get back to it. To try and add additional areas. I frankly, I'd rather we have a better knowledge of the specific areas, and that we do that later, and that... and I'll go with Julian.

Julian Matthews- So, I can make a motion to approve these actions we took tonight?

Dave Gibney- There... that the motion, that motion is on the table. That's the original motion I made, was to put these action... this amendment before us. If you, if you want to, it you want to, vote, move to end discussion, you can.

Julian Matthews- Move to end discussion.

Dave Gibney- Okay, is there a second ending the discussion?

Julian Matthews- Because we're talking about adding any additional later on. Is that the deal?

Dave Gibney- That's where I was going, but right now, you've made a motion that we quit talking about it and vote. That takes a second. Which we don't have okay.

Weston Kane- Mr. Chairman, I move that we add a Section D onto this new overall section. And that reads: additional areas, wind energy turbine towers are not permitted within, and we can discuss the miles of the following area, within, let me back up here. Within blank miles of National, State. I'm trying to wordsmith this as I go here. National, State and local significance. These lands include all State Parks, both Idaho and Washington, County Parks, and public access areas operated by both Washington Department of Fish and Wildlife and BLM.

Dave Gibney- Okay.

Julian Matthews- Is that a motion?

Weston Kane- That was a motion.

Julian Matthews- Second.

MOTION by **Weston Kane** and seconded by **Julian Matthews** to add Section D onto this new overall section.

Dave Gibney- Okay, so we have... and you've got that read I'm not... and I'm... we'll get it from the record. We have a motion from Weston and a second from Julian to add spec... specify additional areas as described by the wording in this motion. Any... and we don't have a num... we do not have a specific number on that.

Alan Thomson- Are you going to name them?

Dave Gibney- That's what I'd kind of rather that we... table this amendment to our next discussion so that we can actually have those named. But...

Audience- I've got them right here.

Dave Gibney- I don't want them from anybody that's not a member of this Commission.

Bill Myers- We could.

Dave Gibney- Wes, Weston it'd really be nice if we had, if we could list those and take it up there. You know it.

Weston Kane- So, the main reason I didn't list them is I know one of those is still in debate that's coming up for purchase for Fish and Wildlife. So, I want to have that avenue open, because that would be Pampa Pond, which is heavily used for a lot of fishing. That was the

main reason I didn't... I want to leave an open way for when those lands change. And so maybe we list them all and then put an avenue like that.

Dave Gibney- Can we table this entire... or move to postpone my amendment to our next meeting, when we will take it up at the point where you motion has been made and seconded?

Weston Kane- I'd be fine with that.

Dave Gibney- Okay, well consider that I'm making a motion to postpone it, and you can second it.

MOTION by **Dave Gibney** and seconded by **Weston Kane** to postpone adding Section D onto this new overall section.

All in favor, please say Aye. Any opposed?

MOTION POSTPONED.

Dave Gibney- Okay, we are at 8:30, and let's have our... take a break till 4 minutes after, or 8... we're at 8:27, so let's whatever the word is, suspend until 8:35.

Weston Kane- Recess.

Dave Gibney- Recess, Let's go out and play for a little bit.

Brian Davies- Smoke them if you got them.

8:27 p.m. - RECESS

8:35 p.m. - RETURN FROM RECESS

Dave Gibney- Alright. So, so where we're at right now is that we have language for A, B, and C of the, potential new excluded zone and that, that is an amendment that I proposed and was seconded, and it has been, the further discussion on that at the point where Weston has proposed an amendment to my amendment, and it has been seconded, we will pick that up at that point in our next meeting, where we will have more information about what those affected areas might be. And we are, you know, fairly far into tonight. I want to talk a little bit, about the upcoming, and I think, I think we're gonna, I'm going to talk for a little while, and then we'll probably open it for the public comment, because I don't think we're going to accomplish much more of ourselves tonight. So, I want to talk a little bit about what the public hearing procedure will be. And there should be some extras there. We're gonna, at this time, we're still on schedule to have code ready for SEPA at the end of our meeting next week and have a SEPA period and, and we are, we're doing this in, as

requested by the Board of County Commissioners, to have some work done before the moratorium ends on January 6th. I fully acknowledge that this is an incomplete effort and we, depending on how the Commissioners take our effort and whatever, we may find ourselves back here in March or April. Or we may not. I understand it's complete, but we've been asked to come up with something and so we're on a pathway to try and do that.

The meet, the, the meeting at the first Wednesday in December will be during, the SEPA will still be going on. It'll be almost over. But that's, that meeting is where we're going to need to be, preparing our findings of fact and our list of exhibits for a public hearing that we have scheduled for the 17th of December. And I'm going to suggest that we start that at 6pm, rather than 7. We can discuss that in the next couple of them, too. So, I figure we'll open up the public hearing and one of the things that has to happen, and as we sit, as part of what we send forward to the County Commissioners, is, is a record. We have an awful lot of documents and public testimony that's been submitted. Do we enter everything? Do we, enter selected portions? Any or all of our minutes from the last, 6 to 9 months? Any or all of the mem, the, the comments that have been made to us, given to us from the public in their presentations? If we're gonna do that, we need a list of them that we can say, this is the list of what we had and I think we actually need, I don't know if a date needs to be in paper, but we need a, here's a place, electronically, that they're stored, that we can have that we'll keep for basically forever. So that's, that's gonna take us some time at this hearing. Then we need to have all of the findings of fact. Not all of them, but the proposed findings of fact that we're going to have to support the changes that we're making to the code. And, you know, some of that is how we got here.

We were doing, you know, we were doing a drafting of the solar, the moratorium was established, you know, on such and such a date. We've had a number of these hearings. But it's also going to need to be, this is what we found, and why we chose to pay attention to these certain facts and presentations, and why we chose not to pay attention, or listen, or use other stuff that's been brought before us. And, and we're going to spend our majority of our, actually, we're gonna spend all of December 3rd, I think it is? Working mostly on that. And that's, and the staff is this going to, you know, do a lot of the infrastructure and per, the specifics around, you know, how we got here, where we got here but I, the members of the Commission also need to have some of those ready to go. And then specifically, I think that, there's a certain amount of disagreement on some of the health issues and the setbacks. So, I really am asking those who proposed and passed and voted for them to prepare them. And thank you, Dean. You did give Alan a set of that yest... the day before yesterday.

Dean Kinzer- Correct.

Dave Gibney- And, and...

Dean Kinzer- Correct its first draft, basically, but I'm gonna try to get some help from other people.

Dave Gibney- And Alan distributed that to all of us today and if it's not on the website, it will be soon. So anyway, that's, we're gonna have a busy, we're gonna have a busy couple meetings, because at our next meeting we need to finish the discussion we had. We will then have, basically, four, three changes in some of the early stuff we did to the ordinance. We have some comments back from the legal area, one of which is basically, or at least one was, you're using these 3 or 4 different terms for the same thing, use one. And so, whatever we pass, we'll fix that, and whatever we passed we'll, we will re-pass it with those things fixed and some other stuff. Go ahead, Julian.

Julian Matthews- So, you're saying that by, we're having one more meeting in the December meeting, and we're going to have a final draft to the Board of County Commissioners for their approval or whoever has to...

Dave Gibney- At the end, that's, the goal is, at the end of the hearing in December 17th, to have a product of that hearing, which will be a record, findings of fact, the proposed amendments, and a recommend, you know, and, and, and I'm, you know, I was trying to get, I don't, maybe I take too long, but I was gonna get there. So, and at the end of that, there'll be a, we'll forward it to the BOCC with a recommendation to adopt, a recommendation to object, to reject, no recommendation. You know, because it's gonna take, it's gonna take 5 votes to recommend and, or decline to forward it at all. Those are all potential possibilities at the end of December. We'll spend, again, we'll spend December 3rd in finalizing the rest of the record and the findings of fact, because for the SEPA process, we have to have our language finished at the end of our meeting next Wednesday. In order for it to go through a sufficient SEPA notice to hold a hearing as early as the 17th. So, and then, and that's, that's the way it's gonna be. We're, we will, we'll get the draft on the record. We'll talk about it one more time amongst ourselves. We're gonna ask the public. That's a public, that's a public hearing with public comment. And I'm sorry, but in the interest of time, we will limit that to 3 to 5 minutes of each person. Hopefully, we will end that with enough time to have our final actions.

Julian Matthews- Is that online, too? Like the public can make comments online somewhere in the Whitman County?

Dave Gibney- Yeah. And, and, and, and there'll be, you know, again, you can put more stuff on the record. They will, or you can make comments to the Board of County Commissioners about what's coming to them. We might, after the end of the public hearing and the public comment, we'll have some discussion. We may have some final amendments to the draft ordinance. We may have, we will, we will have additional findings, because at least one of those will be held the public hearing. And, and, that's not a valid fact until after we've held it. So, go ahead again, Julian.

Julian Matthews- I was, Mr. Davies, I was just wondering, so then we give you a final draft?

Dave Gibney- Davies is a member of this Commission.

Julian Matthews- Oh, oh yeah.

Alan Thomson- Tracy.

Julian Matthews- I thought he was on the County...

Dave Gibney- No, I don't believe we have any of the County Commissioners here with us.

Dave McKiernan- Tom Handy is.

Dave Gibney- Is Mr. Handy there? But I...

Julian Matthews- I was just kind of curious okay. We give it to them and they do what?

Dave Gibney- Okay, well, I will okay, I will reiterate that, I've stated that on several of these meetings. My understanding is of what the County Commissioners can do is we will give them a recommendation if they, 2 out of 3 of them say cool, great we're not going to make any changes they can adopt it as we send it and we could... and... or... or okay. If they... they wish to make changes on their own then they have to hold a public hearing of their own for the changes that they propose. And quite obviously, that is going... the notice alone will push that past the moratorium. But that's their action. They can accept everything we send or they can say, we don't like or they can reject it outright right then. If they want to go forward with changing what we've sent to them however they wish to change it, and they can at that point but they have to hold a public hearing... another public hearing with proper notice and everything. And then at the end of that there will be presumably, there will be changes to the Ordinance 1961.

Julian Matthews- Okay thanks.

Dave Gibney- And once we're done this Commission isn't going to be taking up any more about wind until they're done. But almost a year ago, we set solar and battery on the table, to do wind and there is another project in the wings of solar. So, depending on where we're at at the beginning of next year there is business for this Commission to do. While we wait for the County Commissioners. So, we have 12 minutes left. Do you guys want to...

Dean Kinzer- I'd like to float my amendment, it's quick, it's easy up or down vote.

Dave Gibney- Okay.

Dean Kinzer- Pass to everyone please. Mr. Chairman I move to amend the current Chapter 19.69 commercial. I'm sorry. Mr. Chairman I move to amend the current chapter 19.61, Commercial Wind Energy Code Section 030 to add Section D. Which states all transmission lines from and to the wind turbines shall be required to be placed underground.

Bill Myers- Second.

MOTION by **Dean Kinzer** and seconded by **Bill Myers** to amend 19.61 to add Section D which states all transmission lines from and to the wind turbines shall be required to be placed underground.

Dave Gibney- Oh, well do... do the whole thing.

Dean Kinzer- Okay, and of course, there's other references in the code that would need to be struck, but my reasoning is this will eliminate wildfires caused by overhead transmission lines, this will eliminate atmospheric damage by storms, and this will eliminate electrocution hazards for people and wildlife and this will eliminate collision and entanglement and end entanglement hazards from traffic or planes or helicopters, and there should be less chance of vandalism or terrorism.

Dave Gibney- And just to be clear, your motion has to strike all references from the code to above-ground electric lines and towers on page 4, line 34, 5, line 17, and page 7, line 9, and section G, the lines 37 for. Do these I guess have to... these are... these talk about wind tower, lines with specifically for wind towers, and they... They're not going to... Okay we're in... we're in the wind tower zone already.

Dean Kinzer- Correct, it states it right there, transmission lines 2 and 5.

Dave Gibney- I just didn't want us to be throwing something in that says all of the existing above-ground towers have to go... and transmission have to go.

Dean Kinzer- No.

Dave Gibney- Okay, It's strictly to the wind. Okay we have a motion and a second, and some discussion. Can I ask that we postpone that to the discussion next week. Also?

Dean Kinzer- Sure, if people need more time to research it.

Dave Gibney- Well, okay is there discussion, or do you want to just...

Julian Matthews- I think it's a good idea.

Dave McKiernan- I don't see there's a whole lot of reasons to discuss it.

Dave Gibney- Okay, we have a motion to add these amendments to the Section 19.61.030. Which basically say that the wind tower, the wind energy's got to be underground all the way to... from where it's generated to the substation. Brian?

Brian Davies- Yes?

Dave Gibney- Would you like to... we're going to do a vote on this, would you like to vote yay or nay.

Brian Davies- I vote nay, because I don't believe it, I don't believe the utilities or anybody would ever go for that.

Dave Gibney- Okay, Chris?

Chris Melhous- I vote yay.

Dave Gibney- Julian?

Julian Matthews- Yes.

Dean Kinzer- Yes.

Dave McKiernan- Yes.

Bil Myers- I like it yes.

Dave Gibney- No, Weston?

Weston Kane- Yes.

MOTION CARRIES.

Dave Gibney- Okay, so we have a... what are we tonight? We're 6-2?

Dean Kinzer- Yep.

Dave Gibney- Okay, all right .

Bill Myers- In the spirit of that, if I've got another one here, if we wouldn't take long.

Dave Gibney- I really would like to let the public have a few minutes.

Bill Myers- Would the public yield to talk about fire mitigation?

Audience- Yes

Bill Myers- Okay, I think that's what they... okay, I'd like what I've got. I've got paper I can pass out, but anyway, while I'm doing that, fire mitigation requirements.

I want to make this in the form of a motion. Each nacelle turbine to have comprehensive fire protection system. I think it's in the bottom anyway. To detect, monitor for smoke, heat, sparks, flash, compressible gases, these systems will be capable of automatic shutdown of the turbine upon alarm. Each nacelle turbine will have automated fire suppression system. The detection system will be linked to a central alarm that will remotely notified operators and first responders. The developer or owner is required to submit emergency response plans with the initial application that have been coordinated with all fire departments, districts within 20 miles of the project boundaries. The plan will include water sources, fuel break, locations, and turbine shutdown procedures shall be filed with the Whitman County Planning Department and appropriate fire department districts. The project owner shall bear full financial responsibility for suppression costs and third-party damages from fires determined to originate from the facility, equipment, or operations, The Whitman County Fire Marshal or Director of Emergency and Consultation with the affected fire districts may order temporary suspension of turbine operations during extreme fire danger periods, including red flag warnings, drought emergencies, other declared risks and conditions. If everybody's got a copy you can see the justification for these, below, but a...

Dave Gibney- Is there a second?

Dave Kinzer- Second it.

MOTION by **Bill Myers** and seconded by **Dean Kinzer** to require each nacelle turbine to have comprehensive fire protection system.

Dave Gibney- We have a motion and a second. Is there any discussion. And I have some discussion.

Dave McKiernan- I like where we're heading here, I would like to personally, I would like to have another week to review this and look into it before going to a vote.

Dave Gibney- So, I will take that as a motion to postpone this to our next meeting, Is there a second?

Chris Melhous- Second.

Weston Kane- Second.

MOTION by **Dave McKeirnan** and seconded by **Chris Melhus** to postpone the fire protection system motion.

Dave Gibney- All in favor?

MOTION POSTPONED.

Dave Gibney- Okay, alright.

Brian Davies- Aye.

Dave Gibney- Okay, anybody else? Okay, I appreciate every, everybody's patience with me, and with the, we got quite a bit done. We'll, if I could ask, Dean and Bill to provide these in electronic format so that we can cut and paste them into the master document.

Dean Kinzer- Sure, yeah.

Dave Gibney- Yeah, because the, you know, what we have today, right now, is printed. If you can get, pass to Alan these motions...

Dean Kinzer- I can send my copy to Alan later today...well first thing this morning is when I...

Dave Gibney- Okay, okay.

Dean Kinzer- Excuse me , first thing this morning, I sent it to Alan.

Dave Gibney- We're, you know, it was a, I hope everybody had a, pleasant and remember, memorable Veterans Day, yesterday. It's definitely, our nation owes quite a bit to our veterans, so I...we, we're not, I'm not, I'll give you, I'll put you at the first public comment which we're about to get to Ken. So, if Bill would send that electronically, so and, and Alan will distribute it to all of us and get it on the record. So, Ken had his hand up first, and we will adjourn when we're done with the public comment, so you guys are staying here as late as we are.

Ken Duft- Do you want to show me how to use this? Yes, good evening, my name is Ken Duft. To the Planning Commission's individually and collectively, I stand before you this evening to issue my heartfelt appreciation. A deep thank you for all of the time that you have put in on this project to this point. I have some appreciation for the amount of volume of reading that you have done in the course of your deliberations. Some appreciation for the volume of listening that you have had to do to persons like myself and from experts provided. While I have not agreed with all that you have done, what you have done is to show that you care. To show that you care about the residents of Whitman County and that, to my mind, counts more than anything else. So, once again, I issue to you my heartfelt thank you very much.

Dave Gibney- Thank you, Ken.

Julian Matthews- That was nice.

Dave Gibney- Carol?

Carol Black - Carol Black, and I concur with Ken very much, heartfelt thank you, because I can't imagine the hours that you're putting in. And regarding that, I think something that we have to really think about, and I would ask you to think about is, we've dealt with a couple issues, but I really feel, I feel rushed in trying to prepare responses and comments to you, so I can't imagine how rushed you're feeling. And I feel that by having to have these meetings every two weeks, and now, like a week after a week after a week, we're not giving this topic probably all of the time and consideration that it needs. And so, I would suggest that you consider whether an extension of the moratorium is necessary. We do not have to hurry this process. I would almost recommend to you, as I did in my memo to you this morning, we go back to a monthly schedule. Your regular monthly schedule, instead of these every two weeks. That gives you time to think about things in between, and if it takes us another 6 months to get through this, or 3 months to get through this, we do the entire code, and we don't give it to the County Commissioners until it is 100% done. Because my concern is that if we give them something on December 17th, they're gonna say, that's enough, we don't even need to deal with this for the rest of it, and we don't get to deal with some of the other important matters. Fire protection, thank goodness, came up tonight, but there are some other issues that need to be in the code, because the code is the backbone of this regulation. And so, I just implore you that we, we don't need to rush just because of it, and it's now the holiday season. You should be with your families. We should be with our families. We shouldn't be asking the staff to be putting in overtime to meet a deadline that has somehow now been self-imposed. Thank you very much.

Dave Gibney- Thank you, Carol. We have one online. Before we start I do want to say one thing, or a coup...we, at our last meeting, we had the request from the County Commissioners to do this partial work in an expedited manner. It may or m...you know, we can have, we all can have our opinion on it, but this Commission elected to go forward in this path that we're on right now. I tend to agree that, well, I agree that there's more to do. I think it is important that we have a certain amount of this ready and in the code because the other pathway, you know, the EFSEC pathway is always there. And, and, and I'll, and I, you know, so, it, unless, you know, the Commission wants to change its direction, when we're, before we adjourn, because we're going to continue the public comment. We're on the path that we're on. I see that Shane Roche is online with his hand raised.

Shane Roche- Thank you, Planning Commission, and yeah, I want to appreciate, I concur with Mr. Duft that I appreciate the time that the Planning Commission has put in. And I'm sure, you know, the Planning Commission is aware, but I just want to make it clear that, you know, the language that is currently approved is a de facto ban on wind for every developer across the country...the county. Specifically, you know, the setbacks from property lines, and setbacks from residences, and not even taking into account the new setbacks that were discussed tonight. But you know, just those two, across the county, you're gonna be de facto banning wind to permit through the county. Thank you.

Dave Gibney- Thank you Shane. And, well, there's a lot, there was a comment there, there's a lot of folks out there that aren't putting their faces forward, and the request is, it's intimidation, so let's not do that. Go ahead, Tom.

Tom Thompson- Tom Thompson Pullman. Thanks again gentlemen and, ladies, I know there's one missing tonight but, thank you for your time and efforts. I would concur with, Ms. Black here, and I just want to challenge Mr. Whetzel, Mr. Handy, and Mr. Swannack, why are we under such a convoluted, pressurized schedule? Are we on somebody else's agenda, or is this Whitman County, and we need to look out for the best for Whitman County, and do this in a timely and thorough manner? Just tossing that out there, my mind could speculate on some other people's agendas, but I won't go there right now. I would suggest also the comprehensive plan for the county, that is an extremely valuable document. I know that Mr. Thomson and others spent lots of time putting that together, and that's very explicit in protecting the unique heritage, the history, and the viewshed of this area. And that's not just in a couple places. That's all, it's riddled throughout the document. So, there's a, there's a lot of findings right in that, and I appreciate Mr. Tracy's, belabored efforts to explain how we don't have to have a whole Funk and Wagnall's encyclopedia for a finding. We need to have a reasonable consensus with some basic facts to have a finding. And the other thing, one last thing, you know, if it's not written down in the wind code, it ain't written down. It's not worth nothing. We can't say, oh, the SEPA will take care of it, the environmental impact's gonna take care of it. Nope, we gotta have it written down, or it ain't there. Thank you very much, appreciate your help, and I hope, I hope it does get extended so you guys can have a reason, well, we all can have a relaxed holiday season. Thank you.

Dave Gibney- To the best of my knowledge, the Commissioners meet on Mondays.

Roger Guiney- I'd like to also thank you for your time. Anyway...

David Werner- Can you state your name?

Roger Guiney- My name is Roger Guiney. The question I have is how can we with a clear conscience justify destroying perhaps the best non-irrigated, non-irrigated is one of the key words, productive, dependable, and flexible, and by flexible, I mean the ground we're about to destroy can grow probably the greatest variety of crops in the world. Because the weather and the fact that we get sufficient rainfall are huge factors. Since I've been here, I've been here in this county over 50 years and we've never had a crop failure in this part of the county. There's been other areas of the county where there was insufficient rainfall where the crops did suffer. I just don't understand, with all the marginally I, to some extent I do, because I dealt, dealt with it on my own ranch in Oregon. I have a full mile within a half, within a half a mile of the state line project. My fence line runs almost parallel less than a half a mile away. And so I've dealt with this with a variety of different companies wanting to get my land to put in solar farms, and wind, wind, wind. But anyway, I don't understand, with all the marginal ground, oh yeah, one other thing. A major power line goes through my land, and that explains a big part of why they want it. It goes to Pendleton,

from the river to Pendleton. Anyway, what I don't understand, with all the marginal ground, other than it not having a major power line, why, I know there's a lot more marginal ground in the Whitman County than there is good, really, the best land in the world. And I also, my family also has really good land in Ireland, but it doesn't compare with Whitman County, with the, on the west slope. I think the west slope of Kamiak produces per acre every year, more land, more food than anywhere else in the world at a time, when almost a half a billion people worldwide are suffering food deprivation. I would like to have the answer, but...

Dave Gibney- Thank you.

Roger Guiney- I'm sure we'll find out here shortly. Hopefully, we have another few months before a final decision is made, because all those things have to be taken into consideration. Our children and grandchildren will have to suffer the consequences of what we do.

Dave Gibney- Thank you, we're short on...

Roger Guiney- Thank you.

Dave Gibney- This Commission is not making any final decisions one way or the other, you know, as to what is actually going to happen. So, go ahead.

Kevin Akesson- Kevin Akesson, Colfax. I would encourage the Commission to populate the record with all documents, and public testimony that has been provided. Apparently there will be a decision made about what to populate the record with, and I would encourage the Commission to use all of that information to, you know, I believe it's all valuable information for the Commissioners to know where the coun...where the people of the county stand. There's a lot of effort, and time and energy and research and knowledge that went into the public record as we, the public, understood when we presented it to the Commission. So, that would be my recommendation and it's good to hear from Shane Roche that the de facto ban on wind with the current changes proposed to the code, that's, that's encouraging to me and, I appreciate the work that you've done along those lines. Wind energy is not necessary. It's, it's wasteful, it's harmful. And, the whole purpose for us addressing this, regulation is because of a comprehensive plan commitment, or statements within the comprehensive plan that say that the County has a commitment to renewable energy and, to address issues and em...you know, emergency, issues regarding, anthropogenic climate change and, that issue is losing steam rapidly. It would be a shame to make permanent changes to the landscape of the County for these harmful and wasteful industrial wind turbines and, thank you for allowing the time.

Dave Gibney- Thank you. I agree that I'd like the record to be everything that we have received. I'm, I'm concerned about the logistics of making that accurate, and making it in a form that is transmissible, so...

Julie Clarkson-Gulick- Hi, Julie Clarkson-Gulick. I want to echo my concerns about the possibility of submitting an incomplete, updated ordinance. We have one opportunity to do this. We need to make sure that it is done correctly. And I'd also like to suggest, in addition to the decommissioning section, I recently saw a video of some towers being decommissioned, and they were blown up at the base and fell over, and I can't fathom the level of contamination to the grounds when those towers fell. You know, think about a 700-foot tower falling on the agricultural land that we have, and what that will do to the, to the agricultural land. So, thank you.

Dave Gibney- Such a method of decommissioning would not be permitted under the code, under the code that we were putting forward. It explicit...

Julie Clarkson-Gulick- They can't blow up the base?

Dave Gibney- It explicitly states, they have to restore the location as close as possible as to what it was, so they, yeah, you can't contaminate it like that.

Julie Clarkson-Gulick- Okay, I'm not confident that that addresses it, but hopefully it does.

Dave Gibney- We'll see, but yeah.

Tom Thompson- Give me 30 seconds, I promise. Tom Thompson Pullman. So, I just wanted... I forgot to respond to Mr. Roach's comment. When I look at this wind code, and I've, you know, given testimony and evidence here, I'm not looking at trying to ban wind. Okay? I'm looking at, looking out for the best for Whitman County, and it's better that we are conservative at this point than we just go with the, the past recommendations that are obsolete now. Even Mr. McCunney and Olsen admitted that wind turbines have been placed too close to different residences and occupied dwellings. So, here and again, this isn't trying to ban wind. We can't do that in Washington, but we need to have reasonable protection, because more and more evidence is coming out that there are issues with infrasound in those very low frequencies. Thank you very much.

Dave Gibney- Thank you. So, this pass at this doesn't have to be the end of it. It, it is, there are, there are 3 ways that the action can come before this Commission. One of which is this Commission initiated. So, now, that may or may not happen. You know the Board of County Commissioners may not ask us. County Planner may not ask us. We may not choose to do so, but this does not have to be the end of it. And I'm, I've taken a look at some of the maps too, as if you, the, the property, the setbacks to property lines pretty much makes, there's no piece of land in Whitman County that's eligible to have a tower on it, unless the surrounding 3 or 4 owners agree. So, but in any case, that's, you know, that's where we're at right now.

Dave McKeirnan- Can I address miss Black, her comment about us meeting, meeting up? Carol, I really appreciate your comment, and Mr. Left's comment, or Left's comment about meeting and trying to rush it through. The reason why we have had, like, I believe this meeting is, I asked for it, and that's a board member up here. My biggest fear is we get to a deadline, and we have shown no progress to the County Commissioners in the time that we have had to do this job. And so, I agree with what Mr. Gibney has brought back from the County Commissioners. Let's get these hot topic issues addressed and like Dave just said, we can go back and fine-tune it down the road, if any of us address it. The one thing I don't want to see happen is us show up at the end of the moratorium and not have shown any progress. We've given this a lot of opportunity for public input, for and against, which is awesome. And my big push is, it's better to turn in half a completed assignment than no assignment. And so, I don't want to be like Garfield County when they pulled, the Commissioner said, the Planning Commission hasn't done anything, we're just gonna adopt a 17-year-old code. And so that's, that was my push, and that, and I appreciate these guys and, and...

Dave Gibney- We, we under...

Carol Black- So, Dave, can I just, quick response to that?

Dave Gibney- As long as it's quick.

Carol Black- I understand the I want to have some progress. I do believe the public record, after the last two weeks, you have documented, you've had votes, you have shown progress. We've had Commissioners that have been participating. There is a report from Alan that's going to these folks that's saying we are making progress. My concern is, is that if you give them something that's 75%, they can then say that's 75%. Then an application comes through, and you may not have been able to decide on two very important issues, because they've now said the code's good enough, now we get to have applications come in when the County is not done. And I don't think it's gonna take you 6 more months. I truly think you get it done in two more sufficient meetings. But those two meetings shouldn't be every single week. They should be the one in January, the one in February, and then this goes to the Board of Commissioners in March.

Dave Gibney- Carol? Carol? We, we understand you, and, and I, I will, I can hear that. The letter we received from the Commissioners was fairly explicit to finish this by the 6th of, I'm, I'm, I'm, it was.

Carol Black- Is it, but is it not your purview to also...

Dave Gibney- No.

Carol Black- Let me ask my question, please.

Dave Gibney- Okay.

Carol Black- Is it not your purview to make a suggestion to the Commissioners? Give us two more months, then we'll give you a completed project. Isn't that what it, isn't that what you're there to do, advise them?

Dave Gibney- That's, that's, that's where we were when we got this last letter was, let's do some...okay, no, okay, I'm not going to speak for the Commissioners. I'm going, because I can't. I'm going to state again the request...the request that was made and, okay.

Audience- CHATTER.

Dave Gibney- Yeah, okay. Again, I agree we're making progress. I, but I will also go back to the point I made when I urged the Commissioners give us some direction. Today, an application, if an application happens tomorrow, it gets the existing code with no improvements. If we do our work, send them a hearing, to a hearing, and some improvements have been made before an application happens, that's the code the application gets. If we go, if they extend the moratorium, and we go a few more months, and an application happens, not to us, but to the state in that time period, the code that they get is the existing 19.61. Not our improved code, partially improved code, and certainly not any code that we get to do further on. So, that's, that's why I believe we're on this. Now, I will let, you know, is there anybody in the Commission who wants to say, let's slow down? Or, okay, I'll, but our other comments.

Chris Melhus- Just as a comment real quick. I think the question I ask myself, and it's something you should probably ask yourselves too, is in a vacuum is the code we have, that we'd be putting forward, that we've worked on stronger now than it was previous to this? And that's the big question that I'm working with. In a vacuum, I'm happier where we're at now than we were 2 months ago, and so that's where I'm at. I guess everyone has to answer that for themselves, but that, that's where I'm coming from. I feel we have a stronger code now than we did before. It's not perfect, we're still working on it, but we'll get there. It just, I think we're in better shape now than we were before.

Dave Gibney- Okay. Does anybody else want, on the Commission want to say anything before someone moves that we adjourn?

Bill Myers- I'm not opposed to the weekly meeting schedule. This is important work. You know, I, but I, my feelings are somewhat of a hybrid here. Let's continue to do the hard work, and let's work hard at it. But, if we need to take time with something, let's take the time. There's a lot of issues here, and I do believe that, you know, as a County, we're entitled to, another, interim control and another moratorium to get this, every last bit of it done. Then we have something that we can, but it could take every, every Wednesday night until that, you know, so, we've got something worth, worth doing here, and something worth protecting in this County. So, that's, that's my, that's my feeling. That's, that's just one man's, one man's words, but, anyway, that's how I feel about it.

Dave Gibney- I, I, I, I'll agree with a lot of what you said. I'm fairly sure that if, and this is entirely hypothetical, if the County Commissioners were to change their position and say that additional time moratorium is more likely than not, I do believe that we could go back to our regular meetings and certainly not every week for, you know, 4 or 5 weeks as we're at. I'm, okay, but they're not there. Go ahead.

Theresa Bannister- Question, for you. So, which Commissioner gave that order, and was Alan involved in that?

Dave Gibney- The Commissioners met and discussed this issue, on...

Theresa Bannister- But which one specifically...

Dave Gibney- Two, two were, I'm...okay, first of all, I'm going to answer your question. And the letter came from Tom Handy a...for the whole board. The Commissioners met at their regularly scheduled meeting two or three Mondays ago. This was discussed at my request, because I had sent him a letter saying we need, you know, we need some direction from, alright?

Theresa Bannister- Great. Was Alan involved in that?

Dave Gibney- Would you please not interrupt me and allow me to finish? And we're not going to have any more personal attacks on any individual.

Theresa Bannister- How is that a personal attack, that was a question?

Dave Gibney- Okay, yes, of course, Alan was attack...oh I'm sorry, I am going...of course, the County Planner is at a meeting of the County Commissioners where they're discussing planning issues. So is the Public Works Director, so were many other, department heads, including, I believe including Mr. Tracy, although I'm not sure, at that meeting.

Denis Tracy- No, I wasn't.

Dave Gibney- Okay, so at that meeting, I participated with them also and at the end of it, they agreed to consult with Mr. Tracy on the logistics of whether or not they could send us this letter. And they did, on the following Tuesday, on the Tuesday after, we received the letter.

Theresa Bannister- Thank you.

Julian Matthews- I mean, if you have questions for County Commissioners, couldn't they ask, call up the County Commissioner.

Dave Gibney- Yeah, as, as, as I said, they're meeting, as far as I know, they're meeting Monday. Is...

Alan Thomson- No, they're not, Dave.

Dave Gibney- They're not? When's, when, okay, so when is their next meeting?

Brandon Johnson- The first Monday in December.

Dave Gibney- First Monday in December.

Julian Matthews- But what I'm getting at is we can't second guess...

Dave Gibney- No, we're, we...

Julian Matthews...or interpret what they meant.

Dave Gibney- No, we, we, we can't do, we can't do anything. Okay, so, I'm, I'm, I'm sorry that you can't meet with them sooner. I know that they have perfectly valid email addresses and are also, probably in their offices, at known in specific times, and all of that stuff, so I know that they can be comment, communicated to us, and...

Dave McKeirnan- Mr. Chair, I'd like to make a motion to adjourn this meeting.

Bill Myers- Second.

MOTION by **Dave McKeirnan** and seconded by **Bill Myers** to adjourn the meeting.

Alan Thomson- Amen.

Dave Gibney- All in favor? Thank you, everyone.

9:24 p.m. - MEETING ADJOURNED.