

MINUTES OF THE KINGMAN COUNTY
BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING
ON February 26th, 2020

The Board of Kingman County Commissioners met in the Commissioners' Meeting Room, Kingman County Courthouse, Kingman, Kansas on February 26th, 2020. Those present:

John Steffen, Chairman
Fred Foley, Commissioner
Jerry Henning, Commissioner
Carol Noblit, County Clerk
John Caton, County Counselor

Visitors: Bob Morris, Kingman Leader Courier; Richard Chandler, AEP; Trish Voth, AEP.

Staff: Charles Arensdorf, Public Works Director and Jon Halbgewachs, Kirkham Michael.

Chairman Steffen called the Board of County Commissioners Meeting to order at 10:30 a.m.

The Pledge of Allegiance was said by all in attendance.

MOTION: Commissioner Foley moved to approve the agenda as presented. Commissioner Henning seconded the motion. The motion was approved upon the unanimous vote of the County Commissioners.

10:30 a.m. Richard Chandler, AEP and Trish Voth, AEP Attorney were in to discuss the agreements with the County Commissioners.

Chairman Steffen said that they will work towards the addendum for the contract of the Road Agreement.

Charles Arensdorf, Public Works Director discussed his concerns.

John Caton, County Counselor discussed that there was a change to the Road Agreement number 3 paragraph D that he is questioning.

Trish Voth discussed that the change was discussed on Monday and agreed upon.

The County Commissioners discussed the concerns on the difference between business days and days.

Mr. Arensdorf discussed the compromises that have been made through the process of getting an action plan.

Commissioner Henning discussed what is the big difference in the action plan that was added to the road agreement for reconstruction.

Mr. Chandler said that roads used in the reconstruction period must be put back to initial construction period standards.

Chairman Steffen discussed his concerns of the action plan and the road agreement.

The County Commissioners asked Mr. Chandler and Ms. Voth if they wouldn't mind stepping out while they discuss information with the County Counselor.

Mr. Chandler and Ms. Voth stepped out at 11:35 a.m.

Chairman Steffen was concerned that a change was made at 4:30 p.m. the day before and the County Counselor is not comfortable with the change proposed.

Commissioner Henning discussed that he doesn't understand what the problem is because other windfarms are driving on whatever roads they want to use with no recourse for it unless we can prove they are driving on roads.

Chairman Steffen asked Mr. Chandler and Ms. Voth to come back into the meeting at 12:02 p.m.

Chairman Steffen let Mr. Chandler and Ms. Voth know that if they would change the 5 & 10 days to business days in the road agreement and anything above 10 days to stay as days, then they would vote on the agreement.

Mr. Chandler and Ms. Voth agreed to make the day changes in the road agreement and will bring it back before the Board of County Commissioners for a vote.

John Riggins with Kirkham Michael submitted an engineering services agreement between Kingman County, Kansas and Kirkham, Michael and Associates, Inc. for the Commissioners approval.

MOTION: Commissioner Henning moved to approve the Kirkham Michael Engineering Services for Flat Ridge 3 Wind Energy LLC. Failed for a lack of a second due to the wording in the agreement was incorrect.

MOTION: Commissioner Henning moved to approve the Agreement for Engineering Services between Kingman County, Kansas and Kirkham, Michael and Associates, Inc for the Flat Ridge 3 Wind Energy LLC. Commissioner Foley seconded the motion. The motion was approved upon the unanimous vote of the County Commissioners.

Trish Voth representing AEP let the Commissioners know that the only change to the Decommissioning & Pilot Agreement document is the Company changed from Sempra to AEP and the new document is dated 2/26/2020.

Chairman Steffen read Resolution 2020-R4, A Resolution of the Board of County Commissioners of Kingman County, Kansas authorizing the execution and delivery of a certain memorandum of agreement between the County and the Townships named there in, A road access and repair agreement and a commercial wind farm decommissioning and pilot agreement in connection with the development of a proposed commercial wind farm in Kingman County, Kansas and approving the execution of certain documents in connection therewith.

MOTION: Commissioner Henning moved to approve Resolution 2020-R4. Commissioner Foley seconded the motion. The motion was approved with a majority vote of the County Commissioners. Commissioner Steffen voted against because he was not in favor of the Road Access and Repair Agreement.

MOTION: Commissioner Foley moved to adjourn the regular board meeting at 1:45 p.m. Commissioner Steffen seconded the motion. The motion was approved upon the unanimous vote of the County Commissioners.

