

UMATILLA COUNTY PLANNING COMMISSION
Meeting of Thursday, November 17, 2011
6:00 p.m., Umatilla County Justice Center, Media Room
Pendleton, Oregon

COMMISSIONERS

PRESENT: Gary Rhinhart, Frank Kaminski, David Lynde, Randy Randall, David Lee, John Standley, Don Wysocki

ABSENT: Tammie Williams.

STAFF: Tamra Mabbott, Carol Johnson, Gina Miller, Connie Hendrickson.

NOTE: THE FOLLOWING IS A SUMMARY OF THE MEETING. A RECORDING OF THE MEETING IS AVAILABLE AT THE PLANNING DEPARTMENT OFFICE.

CALL TO ORDER:

Chairman Rhinhart called the meeting to order at 6:04 pm. He read the opening statement.

APPROVAL OF MINUTES:

The minutes from October 10, 2011 were approved by consensus with one change requested by Commissioner Rhinhart.

CONTINUED HEARING:

LAND USE DECISION REQUEST, #LUD-138-11; WKN Chopin, LLC, Applicant.

The applicant requests a Land Use Decision Permit to construct and operate a substation and a 230 kV transmission line from a proposed project site northeast of the City of Athena to a point of interconnection with an existing PacifiCorp 230 kV transmission line located on Linton Mountain. The transmission line is approximately 12 miles in length, and approximately 11.5 miles are proposed to be located on existing public rights of way. The private property lands proposed for the line include lands owned by Carl & Nancy Vollmer, Mark and Jan Perkins (Agents), Ted Reid, and The Arne L. Filan and Harriet Y. Filan Family Trust, Randall Barton, Trustee. The applicable Standards of Approval are found in Umatilla County Development Code Sections 152.617(II) (7).

Commissioner Rhinhart read the LUD application aloud. He clarified that this hearing was solely in regard to the WKN transmission line and had nothing to do with the siting of the wind farm project. He then called for abstentions, bias, conflict of interest, declaration of ex-parte contact or objection to jurisdiction. There were none

Staff Report: Commissioner Rhinhart called for the staff report which was given by Planning Director, Tamra Mabbott. Mrs. Mabbott stated that the information needed for this hearing was in the packet that was sent to the Planning Commission before the September 29, 2011 hearing. She reviewed the exhibit list that had been given to the Planning Commission in their packets for the September 29 hearing and made note of some items on a list of new submissions that were turned in this evening.

Mrs. Mabbott stated that the applicant had been granted a continuance by the Planning Commission. She referenced a request by the Planning Commission for WKN to explore alternatives for the proposed transmission line. She stated there were three alternatives identified by staff: co-locating with Umatilla Electric, co-locating with Pacificorp and co-locating with Bonneville Power Association. She stated that they had submitted a one paragraph explanation for each alternative.

Mrs. Mabbott referred to her staff memo and said that part of the information that was provided to the Planning Commission was a consideration to relocate a portion of the route and she had explained to the applicants that that was possible but that it could not be done prior to this hearing because the land owners signatures would have to be obtained and legal and property owner notifications would have to be changed. Given that, WKN decided they would like to move forward with the original routing which was almost entirely in the public right of way.

Mrs. Mabbott made reference to the vicinity map which showed the over all routing of the proposed transmission line and she pointed out the area on the map where the approved towers would be located.

Commissioner John Standley clarified that the applicant was now requesting a 69 kV transmission line and Mrs. Mabbott said that was correct. She said it did not require a new application because they were still proposing a transmission line in the same area but it was just down-sized from the original plan.

Commissioner Frank Kaminski verified with Mrs. Mabbott that all the affected property owners had been notified. Mrs. Mabbott said that the list of property owners had not changed with the downsizing of the transmission line.

Mrs. Mabbott referred to the applicable standards, which were in ORS 215.275 and the Umatilla County code, section 152.617 that were in affect when the application was submitted. She stated that in order to approve this project the Planning Commission needed to adopt some findings, either what she drafted or some modification, which would show that the route must be sited in farm ground due to specific factors. One standard would be information provided in a technical and engineering feasibility study to defend the location and design of the project. She said that her finding did not show that the application complied with that standard because there was no engineering or feasibility work done for the transmission route. She stated that that was proposed to be made a condition of approval. A second standard was that the proposed facility was

locationally dependent, meaning that it must cross land in one or more areas that is zoned Exclusive Farm Use in order to achieve a reasonably direct route or to meet unique geographical features that cannot be satisfied on public lands. Mrs. Mabbott said that she did not find that the proposed route complied with that standard.

The transmission line certainly had to cross land that was zoned Exclusive Farm Use (EFU) because the wind project was on land zoned EFU and the only way to get power to the proposed route would be to cross other EFU grounds. But it was not clear the proposed location was a direct route.

She said that the third standard was to show that there was a lack of available and non-resource lands. She said that her findings did conclude that they do comply with that standard because the project was in resource grounds.

She said that another standard was that the location was selected due to availability of existing rights of way. Their proposal is very clear that that is the reason that they chose that route. Some factors in the route selection was chosen due to public health and safety concerns and that it meets the requirements of other State and Federal agencies. She stated that proof of meeting the State and Federal requirements would be a condition of approval.

Mrs. Mabbott said that the Planning Department's experience with another private transmission line is that the Public Utility Commission which typically oversees construction of transmission lines does not have a program set up for overseeing construction of privately owned transmission lines. She said that it was a new development in the State of Oregon. Mabbott recalled another wind/transmission line project that the Planning Commission had approved in the past, where the Public Utility Commission (PUC) was not involved in the permitting process. They came after the fact. She said that if it were a regulated public utility they are automatically built into the PUC permitting process.

Mrs. Mabbott went on to say that the Planning Commission had to find that alternatives that are identified don't necessarily have to be selected but that the applicant had to show why the different alternatives were not chosen. She said she would let the WKN representatives explain why they had chosen not to co-locate with other transmission lines.

Commissioner Kaminski referred to the initial submission in which staff had indicated that they had researched and spoken with the alternate utilities and they were feasible alternatives. He asked if there was any new information from the other utility companies stating that they were unavailable or were not interested in cooperating on this project. Mrs. Mabbott confirmed that she had done the initial research to identify that there were the options and WKN had, over the past month, spoken to and worked with the three companies and had provided a response. She said that when she had their response, which was the November 9 email that had been forwarded to the Planning Commission, she then forwarded it to Pacificorp and Umatilla Electric for their responses. Pacificorp said

they had nothing to add. Umatilla Electric provided a very detailed written response which showed that the project was feasible to co-locate. Mrs. Mabbott stated that representatives from Umatilla Electric were present and would answer questions the Planning Commission might have.

Mrs. Mabbott said she had, in their original packets, laid out four different options for the Planning Commission and they were: to find that the application, as presented, complies with the criteria and approve it; make some modifications to it; request additional information; or say that it does not comply with the criteria and deny it.

Mrs. Mabbott said that either the applicant or the representatives from Umatilla Electric would be able to provide answers to any technical questions that may be asked.

Proponent Testimony: Steve Corey, Attorney for WKN, 222 SE Dorion, Pendleton, OR 97801. Mr. Corey said they respectfully challenged David Lee as a Commission member to hear this matter stating a possible bias issue. Mr. Lee's sister-in-law was an opponent of the WKN project vocally at the last two hearings. Mr. Corey also noted that Commissioner Lee's brother was present at this hearing. Commissioner Lee stated that he would step down. Commissioner Rhinhart inquired as to whether or not Mr. Lee was alright with this situation and he confirmed that he was.

Mr. Corey referred to the first hearing for the transmission line that had been continued to this time. He said that at that hearing, they had agreed to look at alternatives. He stated that the alternatives, in their judgment, work but that they would explain why they had reached that determination, what they had done, and where they were with the application. He said that Eric Johnston, from WKN, was present at the hearing and would present the reasons for their decisions and why the original route was the best route for the project.

Proponent Testimony: Eric Johnston, 4365 Executive Drive, Suite 1470, San Diego, CA 92121. Mr. Johnston stated that they were pleased to be at the hearing to talk about the transmission line which was a part of the wind farm project which was approved by the Planning Commission on October 10, 2011. He said he would be responding to staff's comments in the staff report regarding alternate analysis and would try to clarify any issues there might be.

He affirmed that there were three other transmission lines in proximity to the project; a Pacificorp line, a Umatilla Electric Co-op line and a Bonneville Power Association line. He stated that they had spoken with all three of those agencies. He noted that they had met with the Umatilla Electric Co-op in the field and in their office during the last month at which time WKN had reminded them that they had approached them several years ago when the project was first being considered. He said that Umatilla Electric said that, originally, they were not interested in co-locating or working with a developer. Mr. Johnston said they were pleased that staff had contacted the Umatilla Electric Co-op and that their position had changed and they were now willing to try to work with them.

Mr. Johnston said that they went to the site and looked at the line and found that to co-locate within Umatilla Electric Co-ops line, they would have to use Highway 204 as part of their primary transmission pathway. He said that gave them great cause for concern because they knew based on Commission hearings for the Conditional Use Permit for the wind farm, that Highway 204 had some scenic issues and was designated as a scenic highway and also has Goal 5 issues associated with it. He stated that they drove and looked at the line and their main concern was that to use Highway 204 they would have to rebuild and overbuild the existing Umatilla Electric Co-op structures that were out there to a much larger size. They would also have to acquire additional private property right of way and would cause a much greater visual, construction and pathway disturbance to Highway 204 based on the large size of the line, the large size of the power delivery poles and the additional right of way. He said that because of this they thought that based on the concern of the public about Highway 204, with this going through the wooded, forested areas as opposed to the low lands where the agriculture takes place, it would be a greater disturbance to install even bigger power poles of and acquire additional right so they elected not to continue to pursue that line.

Commissioner Kaminski asked Mr. Johnston if that would be only if they were going to tie in at Pacificorp at Linton Mountain. Mr. Johnston stated that somewhere along the Pacificorp 230 kV line where they have their interconnection at Pacificorp. Commissioner Kaminski stated that was the only time they would have to use 204 as the access to that point and Mr. Johnston said that was correct.

Mr. Johnston said that with their knowledge of how sensitive the issue of Highway 204 was, especially the wooded pine forest areas where they would have to tear a wider swath of destruction than already exists due to the Umatilla Electric Co-op line, they did not consider that route a permissible option.

Mr. Johnston said they looked at Pacificorp's existing line that runs north-south just to the east of their project. He then referred to a letter he had written which stated that the staff report mentioned something that was factually incorrect. The report said that it was feasible to utilize the existing Pacificorp transmission corridor to transmit power to the location where WKN has an interconnection with Pacificorp. He said that was incorrect because their interconnection agreement was with the 230 kV line and the line that goes north-south; that small, undersized line does not interconnect with the 230 kV line. He said they did not have a way to off load power to Pacificorp through that line. He went on to say that in addition, their extensive discussions with Pacificorp showed that was a very old line that was built to deliver power from Walla Walla into Weston and not capable of power flows going in the opposite direction.

He said that Pacificorp also had some reluctance because it is such an old line, they didn't have records of the public right of way where they have easements across private property.

Mr. Johnston said that the last option was Bonneville Power who has an abundance of wind resources right now. He said that in May of this year Bonneville Power Administration had to curtail wind energy in favor of their own hydro-projects because of high water flows and that they were currently being sued by either eight or nine wind companies for breaking the conditions of their power purchase agreement by curtailing them in favor of their own generation assets. He went on to say that BPA had stated that they were not soliciting any offers and have no interest in developing with any wind companies at this time. Mr. Johnston said that ruled out using the Bonneville Power line.

Commissioner Kaminski asked if there was any one present at the hearing from Bonneville Power or Pacificorp; there was not. He then asked if there was any documentation which supported the statements from Mr. Johnston regarding those companies and the inability to do business with them. Mr. Johnston stated that the information he had presented was not in written form but came from conversations between WKN and BPA and Pacificorp. Mr. Kaminski said that without anything in writing, in his opinion, it was just hearsay.

Mr. Johnston said that the only viable option for them would be the Umatilla Electric Co-op line but he restated that they had great concern about more destruction on Hwy 204, especially in the forested, wooded areas and then trying to find a location in the forest to clear out for five acres of the substation that they would need to do.

Mr. Johnston stated that one of the things that WKN proposed to staff to possibly make their existing route more palatable was to downsize the line from a 230 kV line using steel pole structures to a 69 kV line that typically uses wooden pole structures similar to a telephone pole local distribution electrical system. He said that the towers are typically fifty percent less in size and they are wood instead of steel. He said it would also preclude them from the ability to expand the project which would probably alleviate the concerns of opponents of the project because it would not be a viable alternative to add any more power to that line. He said it would put the onus on them to build a substation on the property that they already have under site control at Linton Mountain instead of a simple point of interconnect, they would have to build a small substation to up-convert the 69 kV power back to 230 kV. They thought that the option of bringing that line to a smaller size to make it more palatable to the Planning Commission and the public was a good idea and an acceptable compromise that they thought would work for everyone.

Commissioner Kaminski commented that in order to decrease the energy level they would have to have a substation where originally they were not anticipating a second substation. Mr. Johnston stated that it was anticipated on one of the diagrams that were being shown that there would be a five acre site for a point of interconnection station. This was originally going to be a 230 kV line with a point of interconnect into the existing Pacificorp 230 kV line. The five acres that they have under site control and that they were looking at would be more than adequate for them to build a 69 kV to 230 kV substation. Mr. Johnston stated that they were willing to spend the additional money because they would end up with a small substation on both ends of the line; on the project side because they would have to bring the power up from 34.5 at the wind farm to 69 kV

and then at the far end of the line to bring it up from 69 kV to 230 kV. He said that was a sacrifice that they were willing to make along with basically closing the door on any additional expansions of the project.

Commissioner Rhinhart asked if a 69 kV line would be enough for the 33 turbines that they had or would it be overloading it? Mr. Johnston stated that it would not be overloading it. He said that they had had studies done by electrical engineers of 230 kV versus 69 kV and it was shown that either was an acceptable use. The difference is that the 69 kV line would not be a good alternative if they wanted to expand the project further but it would be more than sufficient for amount of power flow that they were proposing.

Commissioner Standley said the map routing displayed had some changes from the one they had received. Mr. Johnston said they were told by staff that they could not discuss that particular option at this hearing because notification for those affected land owners would not have sufficient time. He went on to say that the only farm land area that they were proposing to utilize that was mentioned that was the very short farmland run from the project substation along Stagg and along York which was along existing county roads in that area.

Discussion followed regarding the smaller size of the power poles that would be used due to the down sizing of the transmission line and the reduced impact to the surrounding area.

Eric Johnston referred to the staff report and the exhibits that showed the size of the transmission pole structures. He stated that poles can vary in size based on the size of the transmission line they are carrying and the terrain conditions they traverse. Poles for 230 kV lines are typically steel, 105 to 135 feet in height and 21 to 27 inches in diameter at the base. He said that 69 kV poles are typically wood, 55 to 70 feet tall and are 16 to 21 inches at the base. He said that the 69 kV poles are fifty percent smaller structures. He said that the poles would require foundations based on the soil conditions at each pole location, typically subsurface sleeve-type concrete foundations. He said there had been a question about their ability to maintain transmission lines. He said that WKN had built over sixty-five wind projects since 1990 and had built transmission lines that were up to eighteen miles long and have never had any issues. He stated that their most recent project in the United States was built in 2007 and has a four and one-half mile transmission line that is in good service.

Commissioner Standley stated that the road in the project area may be closed for as much as five and six months out of the year and Mr. Johnston agreed that it would be closed to public traffic.

Commissioner Lynde asked who would maintain the line. Mr. Johnston said that it would either be their company through their operations and maintenance facility that they would have to the west of the wind park or since it would be interconnecting with the Pacificorp line, Pacificorp often wants to be the owner and proprietor of any transmission line that

they have in their inventory. He said that they do not like to off-load anything. He said it was too early to say at this time, but Pacificorp might insist they turn the line over to them for them to manage and operate because they like to be able to respond to outages in their inventory.

Commissioner Standley said a large part of the concern of the Planning Commission was to protect the public and the public rights of way and they may want to make it one of the conditions that Pacificorp own and maintain the line. Mr. Johnston said that he could not speak for Pacificorp but in past experience with them they tend to like to have their own transmission line because they like to own, operate and maintain them. He said that he would put great effort into convincing Pacificorp into taking ownership of this line.

Commissioner Standley asked if they would be able to put in steel structure poles and eliminate the down guide and the anchoring. Mr. Johnston stated that they could if it were necessary. They would have to look at the soil conditions of each location and the angle points. He stated that they would ask of staff and Planning Commission to please condition them with having a full engineering study for it because it would have to be done.

Commissioner Standley said he would like to have a better understanding of what it would look like when it was completed before giving the go ahead to allow it to be done.

Commissioner Lynde questioned the part of the map which showed the route from Steen Road to Blue Mountain Station Road and said there was no documentation of the county having right of way there. Mr. Johnston said that it was their understanding that there was a recorded right of way for that but if there were further investigation, they would look at that and see if they need install an overhead line in that section so there would be no right of way issues.

Commissioner Kaminski referenced the concrete and the structures but said that in the worst parts of the proposed route the line would be crossing areas where there were extreme drops and there are no poles currently there, wood or otherwise. He said that the tallest poles there at this time were fence posts.

Commissioner Lynde talked about how the farmers in that area moved their combines from place to place with the headers left on because there was little to no traffic in and around Kinnear Road. He said that if poles were placed in that area it would limit the size of equipment that would be able to travel that road. He said that concerned him because of the type of soil that was there.

Mr. Johnston said that their initial study showed that the paved road width area, or graded road width was between eighteen and twenty-two feet; and there was between forty and sixty feet depending on which part of the road it was with right of way.

There was discussion regarding the width of some farm equipment which operated in that area and potential problems with reduce space from the poles for the transmission line.

Mr. Johnston stated that the vehicles that operated within the eighteen to twenty-two foot road way, as long as they were not operating in that space and still locate in the right of way, the vehicles would not be affected.

Commissioner Lynde asked if WKN had any plans to show how they would prevent erosion on the road in the proposed area. He said that the water run off from that road would eventually get to Couse Creek which was a part of the Walla Walla Watershed. Commissioner Standley stated that there would be very little disturbance from the poles placed in that area. Mr. Johnston said that over the last twenty years the WKN company had built projects in California of varying type and size and have dealt with the regional water quality control board and had never had a project that did not pass with flying colors or that did not meet all of the water quality, erosion and runoff standards. Mr. Johnston said that in California, if those standards are not met, Marshalls come to your office and place you under arrest as the project signee so they make certain that meet all of the erosion standards.

Commissioner Standley stated that the change to the 69kV calmed him down a little bit. Mr. Johnston said that was a concession they were willing to make and spend the extra money for the extra substation interconnect at the other end because they would rather do that than the destructive path to go through the wooded area of the Blue Mountains on the 204 Highway.

Mr. Standley asked what the total route would be from substation to substation. Mr. Johnston answered that it would be between eleven and twelve miles. Mr. Standley asked if they had a per mile figure of their construction build. Mr. Johnston said that he had been quoted everything from \$750,000.00 per mile to \$1.8million per mile. He said that the upper end figure was for the 230 kV size poles and structures. He also said that the 69 kV line poles and structures were a lot easier to transport, to purchase and to install.

Commissioner Kaminski mentioned again about wanting to talk to the other power companies. He said that if someone from Bonneville Power Association were there they could ask them why they had refused to work with WKN if that is what they did say. Mr. Johnston said that it was public record that Bonneville Power Association declined to issue a 2011 RFO/RFP for new additional resource from wind or renewable energy because they are not interested in taking any new energy.

Commissioner Rhinhart asked if there were any other proponents that wanted to speak. There were none. He then asked if a representative from Umatilla Electric Co-op would come forward and explain their contact with WKN.

Nate Rivera, Community Relations representative for Umatilla Electric Co-op, 750 West Elm, Hermiston, Oregon. He stated that WKN had come to their office and that they had toured the project site with them. He said that WKN did not request a feasibility study and when they had met with them, their only discussion was regarding a 230 kV line. They did not discuss the possibility of a 69 kV line. He said that they currently own and operate a 69 kV line that is the proposed alternative route which runs through their

service territory. Mr. Rivera stated that their line has a reliability rate of over ninety-nine percent which is well above standards. He asked if the Planning Commission had any questions.

Commissioner Standley said that they had tried to standardize corridors for utility and he referred to some correspondence that Mr. Rivera had sent which addressed the feasibility of that need as well as the perks of having a utility owned co-op in the area to maintain and take care of the line. He said the project group had made several statements regarding the Highway 204 concerns and getting the additional easement procured and timber foliage or caring of ground and wanted to know if those would be challenges for the Umatilla Electric Co-op if they had to do the same thing, themselves. Mr. Rivera stated that for them, he would not see it as a challenge because they currently have a line there. He said that they currently own and operate a 230 kV transmission line. He said that if this line would go into place with Umatilla Electric, they would own and operate it. He stated that they had local crews out of Hermiston and Pendleton who would maintain the line and the right of way and would ensure that the public obligation for safety to the community would be met.

Commissioner Standley pointed out that that option would almost double the distance of the bill for the developer and Mr. Rivera said that a feasibility study would need to be done to see what the options were. He stated that he did not have any firm numbers to discuss without more information.

There was then discussion about the difference in environmental impact between a 69 kV line and a 230 kV line.

Commissioner Rhinhart asked if WKN came to them and wanted to upgrade their line would the cost of the upgrade be totally on WKN or would Umatilla Electric Co-op finance part of the project, too if it were to upgrade their lines for future use. Mr. Rivera stated that the way a traditional agreement would be handled is that they would meet with the developer and the first step would be to do a feasibility study and once that was identified there would be discussion about how it would proceed. Part of the discussion would be the cost, but traditionally if it were a line that a developer were wanting to upgrade, they would bear the cost, as well as bearing the cost of any additional easement that would be required.

Mrs. Mabbott referenced the Umatilla Electric Co-op's existing 69 kV line, which could be an option for WKN to co-locate, and asked Mr. Rivera if there would be additional right of way needed if they were transmitting WKN's power at 69 kV rather than 115 or 230. Mr. Rivera referred the question to an engineer for UEC.

Josh Lankford, Resident Engineer, Umatilla Electric Co-op. Mr. Lankford said that if they were to run another 69 kV line in the same right of way, it would be along side of the existing line. He said for 115 which is what a 69 kV line is built up to, there would need to be a forty foot easement; twenty feet on each side. He said that to answer an

earlier question, they did not build transmission lines in the right of way because they did not want to have to move them so they put them right outside of the right of way.

Commissioner Kaminski referred to a line that Umatilla Electric has that goes up Highway 204, a substation and then more line that continues up toward Linton Mountain and asked Mr. Lankford where the forest area that WKN would be concerned about cutting was. Mr. Lankford answered that they did have an easement through there which is where they have to trim the trees to keep them out of their right of way and that area is anywhere from twenty to thirty feet now. He said that they would be taking out about five more feet on either side of that right of way to accommodate the extra line.

Commissioner Rhinhart asked if they would be using the same power poles that they have now and Mr. Lankford said that they would have to rebuild it little bit bigger because they would be putting three more phases on there. He said that it would be taller and little bit wider.

Mrs. Mabbott asked if the 69 kV line was added would they be able to do it within the existing easement that they have or would they need to increase the easement. Mr. Rivera answered that they currently have a blanket easement because it was originally done with a blanket easement so they would have to get it recognized as a legal easement.

Commissioner Rhinhart asked what the meaning of a blanket easement was. Mr. Rivera said that Umatilla Electric Co-op had been in business since 1937 and during that time when lines were being constructed, they would give them a blanket easement wherever the lines went across; they did not have a legal description which would list the distances. He said that if they were to make any changes to this line they would have to acquire a legal description.

Commissioner Rhinhart asked if they would have to have it surveyed to accomplish this and Mr. Lankford stated that they would. He said that they would survey any project before they started designing it.

Mrs. Mabbott stated that her reason for asking the question about the existing line was that it might make it more appealing to WKN to co-locate in an existing easement or location because an upgrade to an existing easement is an outright use so they would not have to go through an additional land use permitting process. She said that she did not know about the nuance between a blanket easement or a specific meets and bounds easement but that this option might be a straight forward process for WKN if it is 69 kV on an existing 69 kV and there was no need for expansion of the right of way or the easement of that transmission line.

Commissioner Rhinhart asked how old the line was that goes up Highway 204. Mr. Rivera stated that that area was part of the cooperative that they acquired; that it was not a part of the Umatilla Electric originally. It had belonged to another cooperative that Umatilla Electric merged with during the mid 1960's. He said that particular line would have been constructed prior to that time.

Commissioner Standley said they need to impress upon WKN that the Planning Commission is going to play hard ball when it comes to knowing who is going to own and operate the transmission line twenty-four hours a day, seven days a week.

Commissioner Lynde asked about road closures during the winter and if that would present a problem with the maintenance of the lines. Mr. Rivera answered that they have snow cats and snow mobiles in their inventory and are used to dealing with power outages and roads being closed. Commissioner Rhinhart asked about the amount of maintenance needs to be done during the winter, such as knocking ice off of the lines. Mr. Rivera answered that they had an aggressive tree trimming schedule which limited a lot of the exposure. He went on to state that every line and right of way is inspected and trimmed on a three year rotating basis. He said that they were actively working to increase the reliability in that area.

Commissioner asked Mr. Rivera if it would be to the advantage of Umatilla Electric to help with the expense if the line were upgraded to make it better line for their customers, as well. Mr. Rivera stated that that current line did already meet the requirements of their current members that were in place so it would not be fair for them to make an additional investment for their members to pay for because they were a non-profit cooperative.

Commissioner Rhinhart stated that that was the problem that he was seeing is that Umatilla Electric was not looking down the road far enough. He said, in his opinion that sort of an investment now would be of benefit to their customers fifty years down the line which would make it a worth while investment.

Mr. Rivera stated that they were not opposed to having that kind of a conversation. He said that Umatilla Electric was a business for the community and their key goal was to their commitment to their community. He said that at the end of the day, if there were a joint benefit that would benefit they would certainly look at all options.

Commissioner Kaminski referenced the routing and the earlier statements from WKN about cutting the pine forest. Commissioner Lynde said that when WKN was speaking about that area and the line they were still talking about the 230 kV line which is considerably bigger. He said that his understanding was that the Umatilla Electric line in that area was a 69 kV line. Mr. Rivera stated that that was correct. Commissioner Lynde said that from his understanding that WKN had not talked to Umatilla Electric about a 69 kV line and Mr. Rivera confirmed that was true. He said their only discussion had been about a 230 kV line. Discussion followed.

Steve Corey said that WKN would like the opportunity to testify again stating that they had some responses to the issues that had just been discussed with Umatilla Electric. Chairman Rhinhart called the WKN representatives forward to speak.

Eric Johnston said it was the understanding of WKN that they would have to build a second 69 kV line along side their existing 69 kV line with new poles and new structures. They would not be sharing their existing 69 kV line which would require that they obtain additional private right of way. He said that based on what they had heard at the hearings for the Conditional Use Permit from those who were trying to protect the Blue Mountains, he did not see much of a chance of any of the private land owners wanting to grant them or sell them additional private right of way.

Commissioner Standley asked Josh Lankford of Umatilla Electric if the line would be a single structure and he said that it would. He said that the WKN line would be on one side and theirs would be on the other but on the same poles. Commissioner said WKN would not need to put in a new set of poles but would probably have to put new poles in instead. Eric Johnston commented that the new poles would have to be larger than the existing poles and still would require additional private right of way.

Commissioner Standley referred to some earlier discussion about Umatilla Electric owning the lead which would simplify the process because upgrading the line is allowed by ordinance as it is an outright use of the land. Mr. Johnston said he was unsure if that was the case in this situation which involved private right of way. He said there would have to be signed easements and there would have to be compensation for the land owners.

Commissioner Standley said the way he understood things was that because Umatilla Electric would be the owner of the line so they would be entitled to rebuild because of standards set by the county. He asked Mrs. Mabbott if that was correct regarding the county regulations and she said she would have to see a detailed map and would have to look at it more closely before answering that question. She said that she did not have enough information at this time. Discussion followed.

Mr. Johnston said he wanted to make it clear that from the understanding of WKN that they would need additional private right of way and he did not believe that anyone in that area is happy with WKN or their idea of a project or a transmission line and he did not believe that any of those land owners would be willing to sell or grant them for a price any additional right of way for a project that they are opposed to. He said that he was concerned that based on that, if they asked Umatilla Electric Co-op to obtain additional right of way they would have to use eminent domain powers. He added that that was not something that any of them wanted to have to look at. Commissioner Standley said that in defense of WKN, distance would make a big difference. He inquired as to how many miles the difference would be and Mr. Johnston said it would be twenty-two miles versus twelve miles.

Mr. Johnston said WKN had one other point, with all due respect to Umatilla Electric Co-op, they left out one small factor which was, if WKN were to use their line, they would have to pay a wheeling charge for every kilowatt of electricity that was transmitted on that line. He said that Umatilla Electric did have a financial interest in WKN building and improving that line and in using that line.

Commissioner Kaminski said the Planning Commission could not make a decision based only on money. Mr. Johnston said he understood that but that it was something that the Planning Commission might want to take into consideration when they are considering the testimony that they received from the Umatilla Electric Co-op. He stated that WKN was aware that it was not based on finances alone; their company had paid wheeling charges in other areas, but besides having WKN rebuild the line, they would also be charged an amount for every kilowatt that they transmitted on that line. He said that because the line now belonged to the Umatilla Electric Co-op, the charge was called a wheeling charge, and WKN would be paying Umatilla Electric for the next twenty years.

Commissioner Kaminski referred to an area on a map that was shown of one possible route for the transmission line and the concern that WKN had about protecting the Blue Mountains and not installing a line that would greatly impact the area. He said if WKN were to work with Umatilla Electric the line would follow the route that is already there until the line got to Linton Mountain where the 230 kV line was located. Mr. Johnston agreed but stated that at the interconnect point with the 230 kV line they would have to have enough room to build a five acre substation.

Commissioner Standley said then that basically WKN was not interested in working with Umatilla Electric Co-op. Mr. Johnston replied that it was not that they were not interested in Umatilla Electric but his concern was that they would find themselves in a legal battle with landowners who did not want to give additional right of way because they were in opposition to the project. He said that he was concerned about the negative impacts, if additional right of way was required, of having Umatilla Electric Co-op go into the eminent domain process.

Commissioner Kaminski then asked the representatives of Umatilla Electric if they thought that additional right of way would be needed. Nate Rivera responded that without doing a feasibility study he did not think it was fair to ask any of those questions. They did not have all of the facts needed to be able to say exactly what would be necessary. Commissioner Rhinhart stated that that was the problem that the Planning Commission was having in that they did not have all of the facts in front of them.

Commissioner Standley said that the Planning Commission had to make a decision on the proposal that was in front of them. He said all of the other information and the speculation did not matter they had to focus on what was presented in the application.

Mrs. Mabbott said she wanted to clarify that it would not be WKN that had to get the right of way; it would be UEC expanding their line which would involve a relationship between UEC and their existing customers and those existing land owners. Discussion followed.

Opponent Testimony: Jack Howard, 81252 Couse Creek Road, Milton-Freewater, OR. He read the letter that he submitted to the Planning Commission.

Opponent Testimony: Dave Price, 80488 Zerba Road, Athena, Oregon. He said there had been a lot of information come presented tonight that had not been discussed previously. Mr. Price said that the application began on March 26, 2011 when it was separated from the wind power project which was dealt with at a previous hearing. He stated that application for the transmission line was certified as complete on August 3, 2011 and the hearing was scheduled for September 29, 2011 but was continued at the request of WKN until this evening. He said that nothing new had come up about the transmission line until during the last week when on November 9, 2011 WKN submitted information to the Planning Department about evaluating the alternatives which had been discussed, and their reasoning as to why they felt none of the alternatives would work for them. Also in the November 9 submission they talked about down grading the size of the project from 230 kV to 69 kV.

Mr. Price said that on November 15, 2011 WKN submitted more written correspondence which gave their answer to certain items that were in the staff report. He stated that at the end of that correspondence WKN requested that the Planning Commission approve the original application. He said there was some confusion because the original application was for a 230 kV line but in the correspondence dated November 9 WKN talked about down grading from 230 kV to 69 kV. He said that he would like clarification about what the project is now. He said that also in the November 15 correspondence there was mention of the engineering and plans for the project to be made a condition of approval.

Mr. Price said that tonight they had been given the best clarification so far in which the company had stated that they want a 69 kV line on the original proposed route. He went on to say that they had apparently excluded the possibility of the private right of way they had talked about. He said that all of the information given had been very helpful to him but that he had just learned about it during the last hour. He asked how the Planning Commission would be sure of what was actually being requested and what they were being asked to voted on. He said there were a lot of issues. He thought that a decision tonight would be premature.

Opponent Testimony: Norm Kralman, 52151 Fruitvale Road, Milton-Freewater, Oregon. Mr. Kralman said that he wanted to say now that he would like to have a continuance. He made reference to the number of years that had passed since a similar WKN project had been in the planning stages but that there were still many questions in spite of how much time had gone by.

Mr. Kralman said that he was concerned about the Blue Mountains and the erosion that happens every year from the ground being so saturated. He said the road is closed from December to March and he asked when the project was supposed to be built and how long it would take to be completed. He referred to the proposed five acre substation and that it would detract from the aesthetics of the area.

Commissioner Lynde responded to Mr. Kralman's questioning of the contact that was made between WKN and Umatilla Electric Co-op seven years previously. He said that in

defense of WKN, it was his understanding that in the past UEC had not been interested, for whatever reason, for being involved in projects such as this one but that things were different now. He said that as the Planning Commission they did not know the reasoning behind the change of opinion by UEC or what took place seven years ago.

Commissioner Rhinhart asked for clarification on why Mr. Kralman wanted a continuance. He said that his request was based on the lack of information, as well as, new information. He referred to the changing from the 230 kV line to the 69 kV line and changes to the route, etc. which he felt was reason to request a continuance but had decided after all not to make that request.

Opponent Testimony: John Lee, 81356 Lower Dry Creek Road, Milton-Freewater, Oregon. Mr. Lee talked about the power poles for the 230 kV line which are large and unattractive and can be seen from the south window of his home. He talked about how the seventy foot poles impacted the view on his property and the aesthetic concerns that he had. He said that he and his family are concerned that the transmission line would take away from projects that they might want to do on their property such as events. He stated that they had a pretty place which they maintained well and an historic one hundred forty year old home. He said that 230 kV lines and wind mills make noise and detract from the aesthetic view of the property. He said that there were alternatives to where they wanted to place this transmission line. Mr. Lee submitted a letter for the record.

Opponent Testimony: Brian Wolcott, 810 South Main Street, Milton-Freewater, Oregon. Mr. Wolcott showed some slides, photos and maps of the terrain where the existing Pacificorp line runs. He described the exhibits he was showing including the terrain and the wildlife in the area.

He described a map that showed the south fork of the Walla Walla River and talked about the fish that use that area of the water. He referenced the money that had been spent to restore the many species of fish, some which are protected, that populate the area.

He discussed the areas that have a high risk for erosion. He showed a map that showed current wind power leases and rainfall totals in those areas. Mr. Wolcott showed another map that was of the Walla Walla Basin and another of soil erosion risk index for the Umatilla County which showed the Blue Mountain foothills.

He said he would like to see the engineering and the plans so they could address the risk of erosion. He hoped that they could find a way to work with the existing power companies and they could figure out some way to co-locate with the existing lines that were already out there.

Opponent Testimony: Richard Jolly, 54462 Upper Dry Creek Road, Milton-Freewater, Oregon. Mr. Jolly talked about WKN going back to their original concept and having to bypass the PP & L's transmission line which is a 69 kV line. He also commented on Umatilla Electric Co-op building a double circuit line which would need only a small amount of additional easement. He said that was only one of the options that could be

used. He said that no one had even looked to the west where there were transmission lines that were tying back into the very 69 kV line that they were talking about which goes out Seven Hills Road. He questioned the need for this power. He referred to testimony that none of the power companies wanted to handle the power but said it really had to do with the wheeling costs. He asked if we really want everyone who wants to have their own project to have their own line because they did not want to pay for the wheeling costs.

Opponent Testimony: Lindsay Winsor, 224 SE 20th Place, Milton-Freewater, OR. Mrs. Winsor said she is the property manager for Shumway Conservancy, LLC and a fourth generation owner in part of the property which lies along the portion of Couse Creek that would be traversed by the proposed power line. She said she had to drive that route at least once a week. She said that it was her opinion that the request that was before the Planning Commission was prepared with more concern for submission date than for thorough investigation or preparation of a quality proposal.

She said that there still had not been adequate consultation with other possible power transmission lines. She went on to say that they heard that they did not even discuss a 69 kV transmission line with Umatilla Electric Co-op and there was no consultation with the Confederated Tribes about this line even though it is going up Couse Creek as was pointed out earlier. She commented that they did not have even a preliminary engineering study showing the feasibility of this route. She said that just because other options were not desirable did not mean that this one would be feasible. She described the right of way as narrow and twisting and said that even a smaller line up that way would impact public safety, in her opinion.

She said that the Planning Commission was being asked to make a decision on inadequate information and said WKN could do better than that. She urged the Planning Commission to reject this proposal as it was no the kind of quality information that they needed from someone who would be their partner for a long time even if they sell their power line. She said if they were serious about working with Umatilla County let them come back with a proposal that was done right.

Opponent Testimony: Chris Banks, 80856 Couse Creek Road, Milton-Freewater, OR 97862. Mr. Banks talked about the erosion that happens on the road that was in question. He said there was a ditch on the side of Kinnear Road which turned into rushing, muddy water when there were heavy rains. He remarked that the soil was thin and went right down to the creek. He said that the Tribe and other organizations were working hard to stop that from happening but more disturbances on Kinnear Road would certainly not help the situation.

Mr. Banks described the environmental impact from high voltage power lines and how susceptible birds and bats are to electromagnetic radiation. He said that birds and bats depended on reading the earth's magnetic field in order to navigate and that area is a very narrow valley. He said that although WKN had an environmental impact study done they could not know of some of the things that would be impacted like the doves that winter in

the Sumac under where the transmission line would go. He talked about the hawks that hunt the side hill there every day of the year. He mentioned the owls that do the night shift on the same hill and said there are many animals, like cattle and deer, which would be negatively impacted by this project.

Mr. Banks talked about the possible health risks linked to electromagnetic radiation. He referred to a study done in 1998 that he found on the EPA website; a National Institute of Health study. He said the study was of the electromagnetic field in households that were close to power lines which found that there is a possible cause of cancer that comes from the lines. He said that his family and the neighbors walk that road which would expose them to those fields.

Mr. Banks read from some papers that he had brought with him which referenced some statements that had been sent by representatives of WKN a year ago. The article said that the company instead of their usual "develop; build; sell" strategy might actually retain a portion of the ownership in the projects. He said that at this time that strategy seems to have changed because WKN the parent company sold WKN USA. He went on to say that they did not actually sell but they gave away seventy percent of the company. He said that it went to another German company who also absorbed fifteen million dollars of its debt. He also said that WKN could not really give them any assurances of what would happen if they were granted the permit because they did not know themselves.

He said that he thought that WKN was trying to avoid making a deal to share power poles with another company. He said he wondered about the negotiations with the UEC. He said also that he was surprised that WKN had not done a feasibility study since Highway 204 was a scenic route. He stated that recently he had walked along Couse Creek Road and measured from the creek side of a power pole to the end of the pavement and it was thirty-two and one half feet. He said that the pavement was a little wider than he had originally thought. He said that would leave seven and one half feet in a forty foot right of way for WKN to get away from the road and place a pole. He said that when Milton-Freewater Electric placed those poles they had no way of knowing that one day someone would want to put poles on the other side of the road. Mr. Banks said that a forty foot right of way would not be possible in that area. He said that Couse Creek was too small for two lines.

Commissioner Standley clarified that Milton-Freewater Electric was the power company that had lines in place in the proposed WKN line route at this time and Mr. Banks confirmed that it was. Discussion followed.

Commissioner Rhinhart called for state or public agencies. There were none.

Proponent Rebuttal: Commissioner Rhinhart called for rebuttal from the WKN representatives. Mr. Eric Johnston stated that he had taken notes during the opponent testimony and would address, in order, the points that he would like to make. His first point was in regard to Umatilla Electric Co-op saying that they are fine with doing a combined 69 kV line on a pre-existing route, he stated that he had a copy of an email that

was in the record that they sent on November 16, 2011; on the second page, in the fourth paragraph from the bottom, Mr. Nate Rivera stated "that a 69 kV line is economically unfeasible on another level for Chopin; a 69 kV double circuit line for a 100 megawatt capacity for Chopin would require a 1590 kcmil Falcon conductor which would cost as much as a double circuit 230 kV line with a 795 kcmil; \$700,000 and would have five times the losses even with big conductor. UEC would not want to take on the operation and maintenance of a 1590 conductor."

Commissioner Kaminski stated that he didn't think anyone on the Planning Commission had seen that email and Mr. Johnston said that it was in record. Commissioner Lynde stated that he did not understand the technical information that Mr. Johnston read from the email. Mr. Johnston said that he did not understand all of it either but said that the most important part of all of it was that Umatilla Electric Co-op would not want to take on the operation and maintenance of a 1590 conductor which they were saying was necessary for a 69 kV double circuit line; which was in direct opposition from what the Planning Commission had been told at this hearing.

Mr. Johnston addressed Mr. Kralman's concerns about erosion by saying that they had looked at this and worked with their planning consultant and to their knowledge the County had never had a complaint regarding erosion issues related to a wind farm in Umatilla County.

Mr. Johnston also commented on the seven years referenced by Mr. Kralman; he said that WKN had said three years since they undertook the project. Mr. Johnston stated that he had been with the project for about nineteen or twenty months and it was his understanding that the person who previously held his position and had started working on this project for WKN, had started in 2008; making it a three year process to date.

Mr. Johnston referred to Mr. Lee's concern about 230 kV lines and aesthetic issues but said that on his portion of Dry Creek Road he would be far more impacted by the Umatilla Electric Co-op option than he would by WKN going through Couse Creek and Kinnear which they had proposed. He stated that the UEC line goes directly through Dry Creek Road on the hillside right next to it so the construction and everything necessary to put new polls in on that hillside would directly affect him far more than the other line.

Mr. Johnston said that Mr. Banks had discussed WKNAG, their German parent company, dumping them to another company and said that was an incorrect statement. He went on to say that WKNAG was a large, renewable developer in Europe and had built projects in sixteen different countries in Europe. He added that they still owned thirty percent of their business but wanted WKN to be able to expand their business in the United States beyond the capital requirements that they could commit to. So they brought in BAYWA group, which is an eleven billion dollar company, to take seventy percent ownership of them and help them to move forward on projects. He said that BAYWA was basically the John Deere of Europe. He said that they are one of the largest agriculture and energy supply firms that is in Germany. He also said they grow uncounted crops and sell farm and maintenance equipment from gloves all the way up to combines and employee

somewhere around fifteen thousand employees world wide. He said that WKN was not dumped on anyone's door step but were fortunate enough to have a company interested in them and expend additional capital so that they could do additional projects and expand their reach in the United States.

Mr. Johnston referred to Mr. Banks' comments on WKN having rushed their application under the wire. Mr. Johnston said that the new rules were not put into effect until the end of July and their application was submitted in February. He said he did not think that five months could be considered under the wire.

Mr. Johnston said that Ms. Winsor and Mr. Banks represent the Shumway Conservancy. He said that before they submitted their application, WKN met with the Shumway Conservancy to try to figure out a way so that they would not have to go into the public right of way in Couse Creek and Kinnear and tried to reach an agreement with them to put a transmission line across their property but they declined after WKN had spoken with them.

Mr. Corey stated that completed their rebuttal and said that they would respectfully ask for a decision to be made this evening.

Commissioner Rhinhart stated that he had a few concerns and had hoped that WKN would want to continue the hearing and come back with something more solid; who would own the line and who would be responsible. He wanted to have something in writing that stated who would have the responsibility for the line.

Mr. Johnston said they were unable to provide that information at this time. He said that WKN would be having an operations and maintenance facility for the wind farm locally, probably in Weston, and if they were to own the line, the line maintenance and repair crews would be a part of that operation.

Commissioner Rhinhart said that he would also like to see the construction, as built, so that he would know what he was giving his okay to. Mr. Johnston said that WKN would be happy to condition the approval on the engineering and plans which would mean that they could not construct the line or use the Planning Commission approval without them having first looked at those plans.

Close of Public Hearing: Mr. Rhinhart closed the hearing and the Commissioners began deliberation.

Commissioner Standley said that they had a unique situation with this project in that they were dealing with an unknown by letting different entities into the shared public rights of way. He said that the ORS stated that they were obliged to let that happen but he said that did not want to okay this proposal without being able to review the design; see how it would impact the existing utilities the people who are currently using the rights of way. He said that he also was concerned because there was no firm commitment as to who

would be maintaining the line twenty-four hours a day; seven days a week. He said that it was part of the Planning Commissions' responsibility to make that happen. He went on to say that maybe because this was in a new realm that they may not have established adequate procedures, they were learning as they went along. He said that he wanted to see a finalized proposal and plans and know who would be doing what before he would make a motion to support the project.

Commissioner Randall said he was a bit opposed to running a new line when an existing line could be used, regardless of cost and whether it were eleven miles of line or twenty-two miles of line. He said that he thought that the community would be more in support of a UEC project as opposed to running a new transmission line in an area where there had never been one. He said he felt like he needed more information; he would like to see the engineering and the feasibility. He said that he felt that the current proposal they had was not complete; he referenced the varying easements along the route, the possibility of going across some private land and the very steep terrain. He said he felt that they would be able to control the erosion through engineering so that would not be an issue and was not one of his concerns. He said that he felt they had the complete engineering so that he would feel comfortable approving it, as is.

Commissioner Standley commented that Umatilla Electric had made a good point of reference in saying that most power companies do prefer to use private property because it would eliminate the problems created when the county came in to do a road widening; they would not need to relocate a project or have to move their plans, which would be an advantage so maybe they could look at that as an option.

Commissioner Kaminski commented that in visiting that site and looking at the map, he could see all sorts of power lines to the west and he did not know if those had been visited or not. He said that he did not see the need to cross Highway 11 when there was a tangle, a cobweb of power lines up there.

Commissioner Wysocki said there is confusion because he had been hearing different messages. He said that if he were an investor investing in a wind project his first concern would be how would it get hooked to the grid.

Commissioner Lynde said he was in agreement with what Commissioner Standley had said so far. He said that when you looked at our Comprehensive Plan in chapter fourteen, policy nineteen that says where feasible all utility lines and facilities shall be located on or adjacent to existing public or private rights of way so as to avoid dividing existing farms or forest units and transmission lines should be located within existing corridors as much as possible. He said that was printed in bold print and further down it says that the Planning Commission could require that to provide additional information about the feasibility and impact of co-locating within the three existing transmission corridors of the facility. He went on to say that he did not think that WKN had given enough information so that they should grant them a single line. He referenced chapter fifteen, policy eighteen of the Comp Plan which said that the County would review proposals for transmission lines as to minimize adverse impacts on the community. He said that he did

not think WKN had provided enough information for them to allow a single power line to be constructed in that area.

Commissioner Standley made a motion that they deny permit application #LUD-138-11 for various reasons, i.e. the design of the construction is not complete enough for their review. He said that they needed to address the conflicts of how it would impact the public right of way. He said that he was not satisfied with the agreement for perpetual care of the existing line or the new line. He said that he did not think that all of the alternatives had been reviewed so that he felt comfortable in supporting it so his motion was to deny it.

Commissioner Lynde seconded the motion.

Commissioner Rhinhart called for question. Commissioner Standley's motion to deny the permit passed unanimously.

Mrs. Mabbott requested from Commissioner Rhinhart to have a motion to accept the findings with modifications to support the denial. She stated that the Planning Commission needed to adopt the findings. She went on to say that some of the findings lend themselves to a denial and others don't so she would need to modify the findings, with his permission, to support the comments stated in the motion to deny by Mr. Standley.

Commissioner Standley made a motion to accept the findings that present the rationale behind the reason for denying the application.

Commissioner Lynde seconded the motion.

Commissioner Rhinhart called for question. Commissioner Standley's motion to accept the modified findings passed unanimously.

OTHER BUSINESS:

Tamra Mabbott asked the Planning Commission how they felt about receiving documents electronically. There was discussion about this subject. Mrs. Mabbott said that the Planning Department tried to include everything necessary in the paper packets that were mailed to the Commissioners which went out, by law, seven days prior to the hearing. She stated that often items are received by the Planning office after packets have been mailed, which had happened before this hearing, so she had decided to forward them to the Planning Commission by email. This made part of the packet paper and part of it electronic.

Commissioner Standley said that since they were there to represent the public and if they got new information introduced to them at the last minute at the hearing he did not think it should be admissible. Mrs. Mabbott stated that information submitted at the hearing had to be admissible. Mrs. Johnson said that the people come to the hearing with information that the applicant had not seen; so even to the end of the meeting new information could be submitted. Commissioner Standley asked if that was legal and both Mrs. Mabbott and Mrs. Johnson stated that it was.


Mrs. Mabbott said the exception was that if there was anything that was not made available to the public seven days prior to the hearing; a continuance could be granted if there was new information. Discussion followed.

It was decided that the paper copies should be mailed out as they have been and anything new could be emailed to the Commissioners. Commissioner Rhinhart also said that they would like to have paper copies brought to them at the hearing of the items that had been emailed. Discussion followed.

ADJOURNMENT:

Commissioner Rhinhart adjourned the hearing at 9:06 p.m.

Respectfully submitted,



Connie Hendrickson
Administrative Assistant

(Adopted by the Planning Commission on January 26, 2012)