

SUMMARY OF THE WELD COUNTY PLANNING COMMISSION MEETING

Tuesday, June 18, 2019

A regular meeting of the Weld County Planning Commission was held in the Weld County Administration Building, Hearing Room, 1150 O Street, Greeley, Colorado. This meeting was called to order by Chair, Michael Wailes, at 12:30 pm.

**Roll Call.**

Present: Michael Wailes, Bruce Sparrow, Bruce Johnson, Gene Stille, Tom Cope, Lonnie Ford, Richard Beck, Elijah Hatch, Skip Holland.

Also Present: Kim Ogle, Chris Gathman, and Tom Parko, Department of Planning Services; Lauren Light and Ben Frissell, Department of Health; Mike McRoberts and Elizabeth Relford, Public Works; Karin McDougal, County Attorney, and Kris Ranslem, Secretary.

CASE NUMBER:	USR18-0100
APPLICANT:	PUBLIC SERVICE COMPANY OF COLORADO
PLANNER:	CHRIS GATHMAN
REQUEST:	A SITE SPECIFIC DEVELOPMENT PLAN AND SPECIAL REVIEW PERMIT FOR A MAJOR FACILITY OF A PUBLIC UTILITY (ONE (1) 230KV TRANSMISSION LINE EXTENDING APPROXIMATELY 10.4 MILES, ONE (1) NEW SUBSTATION (GRAHAM CREEK) AND UPGRADES TO AN EXISTING SUBSTATION (WAPA AULT SUBSTATION) IN THE A (AGRICULTURAL) ZONE DISTRICT. THE APPLICANT IS AMENDING THE ORIGINAL APPLICATION THAT WAS ORIGINALLY SUBMITTED UNDER THE SAME CASE NUMBER. THE ORIGINAL REQUEST READ (ONE (1) 230 KV TRANSMISSION LINE EXTENDING APPROXIMATELY 21 MILES, ONE (1) NEW SUBSTATION (GRAHAM CREEK) AND UPGRADES TO AN EXISTING SUBSTATION (WAPA SUBSTATION) IN THE A (AGRICULTURAL) ZONE DISTRICT.
LEGAL DESCRIPTION:	THE TRANSMISSION LINE IS TO BE LOCATED IN SECTIONS 2, 3, 4, 5, 6, 10, 15, 22, 26, 27 AND 35, T7N, R66W OF THE 6TH P.M., WELD COUNTY, COLORADO.
LOCATION:	THE TRANSMISSION LINE RUNS FROM THE WAPA AULT SUBSTATION LOCATED SOUTH OF CR 86 AND EAST OF CR 25 TO THE PROPOSED HUSKY SUBSTATION (WITHIN THE TOWN LIMITS OF AULT). THE HUSKY SUBSTATION WILL BE LOCATED EAST OF CR 33 AND SOUTH OF CR 86. THE TRANSMISSION LINE THEN CONTINUES FROM THE HUSKY SUBSTATION TO THE PROPOSED GRAHAM CREEK SUBSTATION SITE LOCATED EAST OF AND ADJACENT TO CR 33 AND APPROXIMATELY 0.5 MILES NORTH OF CR 74.

Chris Gathman Planning Services, presented Case USR18-0100, reading the recommendation and comments into the record. Mr. Gathman referred to the Town of Eaton’s referral and read it into the record. A letter was received from Fisher, Brown, Bartlett & Gun on behalf of Collins Lateral, Pierce Lateral Ditch, Larimer County Canal, New Cache La Poudre, and the Greeley #2 Ditch stating that any encroachment within the ditches and ditch easements not be allowed without the ditch’s prior written permission. Therefore, a condition of approval has been attached requiring an agreement or another acceptable form of authorization if any transmission structure or construction easements encroach into the ditch rights-of-way. Mr. Gathman noted that a letter of objection regarding the proposed preferred route from the WAPA substation to the proposed Husky substation outlining concerns that the transmission line will impact and potentially disable the existing irrigation system on the property and impact irrigation supply to the Meisner property to the south. Additionally, another letter was received from Leonard and Doris Trujillo who live adjacent to the segment between the Husky substation to the Graham Creek substation outlining concerns of impacts to farm production and impacts due to the change of the pivot and easement that may be impacted by the transmission lin. Mr. Gathman noted that multiple letters from KUTAKROCK were received on behalf of multiple property owners in opposition to this case and are part of the exhibits for today’s hearing. Mr. Gathman said that the way the corridor is shown the centerline is identified, however, there is 500 feet on either side to allow the applicant the ability to modify the location of the transmission line within that area. The Department of Planning Services recommends approval of this application with the attached conditions of approval and development standards.

Mike McRoberts, Public Works, reported on the existing traffic, access to the site and drainage conditions for the site. Mr. McRoberts requested an amendment to Condition of Approval 2.17 to replace “property” with “Graham Creek Substation” for clarity purposes.

Lauren Light, Environmental Health, reviewed the public water and sanitary sewer requirements, on-site dust control, and the Waste Handling Plan.

Larry Claxton, Public Service Company of Colorado, 1800 Larimer, Denver, Colorado, stated that the project consists of a new substation, a new terminal at the WAPA Ault substation and two sections of transmission lines. The primary benefits of the project are increased electric safety and service reliability for the surrounding community. Additionally, it will replace the existing 44 kV transmission line which is over 100 years old. Mr. Claxton provided an overview of the route, substation locations and the proposed structures along the route.

Mr. Claxton said that they have had community outreach from 2017 to 2018. They submitted the original application in 2018 which triggered several comments and concerns. As a result, to respond and work with stakeholders and the Town of Eaton they amended the application into two (2) separate segments. He added that they continue to perform outreach with the community, when requested, as well as work with landowners on the project.

Mr. Claxton said that they started by defining the project, establishing the siting area and determining the project scope. He provided a timeline of the process and the criteria that they analyzed from establishing the siting area and project scope to determine the opportunities and constraints of the area. Additionally, they held the three (3) open houses to receive input from landowners as well as two (2) public hearings with the Town of Ault and they continue to have outreach to discuss easement agreements.

Mr. Claxton said that they are looking at having a 1000-foot wide siting corridor (500-feet on either side of the transmission line) to allow them to do micro-siting. He added that the preferred route has the fewest residences within 200 feet of the potential centerline and the fewest residences within a quarter-mile of the preferred route. The benefits of following along the edges of property is that they can span the radius of the center pivot with the transmission line. Essentially there will be a structure on each side so that the agricultural activities can continue. He added that they will work with the landowners to minimize any agricultural activities and when avoidance is not possible, appropriate compensation for system modifications will be provided.

Mr. Claxton said that they will work with the impacted oil and gas companies for certain safety buffers that they will require. He provided the analysis for siting the Graham Creek Substation within the area of the Town of Eaton and their projected growth. He noted that the preferred location of the Graham Creek Substation is better situated for the future growth.

In conclusion, Mr. Claxton stated that this project provides a preferred route that is located best to serve the current and future electric demand while minimizing impacts to the land uses in the community, including existing residential.

Commissioner Beck asked how many existing power lines will go away as they are replaced by this transmission line. Mr. Claxton said that the existing 44 kV line would stay in place as back up to this proposed transmission line. Once the Graham Creek to Cloverly line is constructed, they will be able to remove the 44kV line completely. Mr. Beck asked what the timeline is for that. Mr. Claxton said that it would be removed two to three years after the line is energized.

Commissioner Holland asked him to describe the meetings with the Town of Eaton. Mr. Claxton said that they have met with Eaton four or five times through this process. They were asked to include an analysis of a line east of Eaton (from Graham Creek to Cloverly) which they included in the open house. He added that they have been cordial and productive meetings. He said that they have amended their application to expand the siting study area between Graham Creek and Cloverly to see if there is a better transmission line route separate from the preferred route. He feels that that the town has a better understanding of how the substations are situated for future growth.

Commissioner Johnson said he heard the transmission lines can create adverse health issues from the electromagnetic field and asked if that is true. Mr. Claxton said that studies show that EMF's are in electrified components whether it is a transmission line or even components within your house. Studies have shown EMF's associated with transmission lines do not create adverse health effects. Mr. Johnson asked about the effect it has on crops under the transmission lines. Mr. Claxton said he is not aware of that and does not have any studies to support that.

Commissioner Wailes asked what the driving factor is of this project and where the demand will be coming from. Mr. Claxton said that expect to serve residential, oil and gas and commercial growth; however, they have been told the growth of Eaton will be to the west and oil and gas growth could be all around. Commercial and industrial loads in the Town of Eaton is in the southeast part of town and the preferred Graham Creek site will still serve those.

Commissioner Ford asked if the EMF affects the GPS equipment used by farmers. Mr. Claxton said that he doesn't know about the actual impact, but they will work with the farmers to mitigate it.

The Chair called a recess at 1:46 pm and reconvened the hearing at 1:55 pm

The Chair asked if there was anyone in the audience who wished to speak for or against this application.

Sara Irby, Fisher, Brown, Bartlett and Gun, 1319 East Prospect Road, Ft Collins, Colorado, stated that she is here on behalf of Keith Amen and Dixie Meisner as they have land that will be impacted by the transmission line. Ms. Irby also noted that she is representing the Water Supply and Storage Company, Pierce Lateral Ditch Company, and the Mead Lateral Ditch Company and have provided comments on behalf of New Cache Irrigating Ditch Company and the Collins Lateral, however she understands that they won't be crossing these ditches at this time.

Mr. Irby referred to the Right to Farm Statement and added that it reminds them that agricultural users of the land should not be expected to change their long established practices to accommodate intrusions of urban users into a rural area. She said that the applicant's failure to fully analyze the impacts to agriculture are clear. For Mr. Amen and Ms. Meisner, their livelihood is dependent upon ensuring that the applicant meets the required condition that the benefit of the proposed development outweighs the reduction of productivity of their farmland. Ms. Irby referred to Table 2 in the applicant's application which is designed to show how they have complied with the Comprehensive Plan Goals and Policies. However, she stated that this table makes generalized and unsubstantiated conclusions.

Ms. Irby stated that Mr. Amen and Ms. Meisner were not contacted until June 3, 2019. She stated that according to the application it states that only a small amount of land would be taken out of production, however, she argued that the applicant appears to be indifferent to or ignorant of how the transmission lines, towers and other infrastructure actually interfere irrigation operations and productivity.

Ms. Irby stated that the applicants are seeking approval based on an incomplete application and legally and procedurally you cannot approve an incomplete application.

The Chair said that the claim is that the application is incomplete and asked Ms. Irby to provide specifics. Ms. Irby said that the applicant has not analyzed the impacts to the agricultural community and they have the burden of showing the effects and how can they do that without talking to the landowners and farmers.

Keith Amen, 15400 CR 86, Pierce, Colorado, stated that they support the Mayor of Eaton's comments as well. He said that his property is within 1000-foot corridor of the preferred route and added that he also is speaking on behalf of Dixie Meisner in which he farms. Mr. Amen expressed concern regarding the impacts to irrigation infrastructure (above ground and below ground irrigation system), groundwater wells, potential interference with today's precision agriculture as John Deere has stated that there is a high potential that it cause interference with GPS, crop spraying, decrease of property values, and unknown affects from construction timing, the potential of electrocution with the maintenance of water wells in the corridor.

Commissioner Beck asked if his pumps run from electricity. Mr. Amen said that they are electric and added that he is served by two electric companies – the Poudre Valley REA and Xcel Energy. He added that Poudre Valley REA has the most reliable and cheaper power supply.

Commissioner Sparrow asked if anyone has discussed with him about placing a tower on their property. Mr. Amen said that they were approached two weeks ago but they didn't have any pole placements. He said that they did narrow their corridor and said it would be on Ms. Meisner's property and not his property.

The Chair referred to Ms. Irby who wanted to speak on behalf of the ditch companies. Ms. Irby said that the Water Supply and Storage, the Pierce Lateral Ditch and the Mead Lateral Ditch has an existing and valid right-of-way and easement that needs to be recognized during the placement of these transmission lines and Colorado law requires that the placement of the towers and transmission lines don't unreasonable interfere with the ditches and the ditch easements. She added that the height of the lines needs to be considered with the maintenance of the ditches. Ms. Irby stated that the ditch companies have asked Public Service to provide their plans and specifications for every crossing and enter into a written agreement with the ditch companies.

Dustin Winter, 41555 CR 33, Ault, Colorado, stated that his property will be influenced by this project and is concerned with the uncertainty of the transmission lines and structures. He had the understanding that the structures were going to be built Ms. Meisner and the City of Thornton's properties. He said that he was approached yesterday for obtaining an easement on his property because it will overhang on his property. He added that he doesn't know how she can obtain an easement when there is currently an easement for a gas line on his property. He expressed concern regarding the danger of the placement of the power line over the top of the gas line that is in his yard as well as a decrease in property values.

Patsy Deines, 41474 CR 33, Ault, Colorado, stated that the Ault substation is 700 feet from her house and the proposed transmission line will go down the length of her property. She has 5.5 acres and the line will be 50 to 75 feet from her bedroom window. She is concerned with the power lines and believes it will devalue their property.

Kevin Ross, Mayor of the Town of Eaton 1500 Falcon Ridge Road, Eaton, Colorado, stated that he appreciates Public Service Company's continued efforts to find resolution and a solution to the placement of power substations and transmission lines. The Town of Eaton has some major concerns regarding the segmentation of this project and how it was filed with the State as it takes routing options off the table and forces routes to go where they are opposed to in Segment II of this plan. The long-term vision for how the town will grow will need to be taken into account. He said that the projected growth pattern is headed towards the west and the south and the placements of the transmission lines and substations do not fit within the character of their town. The new Ault (Husky) substation is located in their industrial area and the Town of Eaton wants the subdivision in their industrial area as well. Mr. Ross said that they are also concerned with the impacts of agricultural ground surrounding Eaton.

Commissioner Stille asked if they have said how many feeder lines there will be into the Town of Eaton. Mr. Ross couldn't recall but understands that if Segment II were to get approved then the current Eaton Substation eventually would be removed, and the feeder lines would be rerouted. Mr. Ross said that Eaton's industrial area is to the east of Eaton and would like the substation located east of Town.

Commissioner Cope said that it seems no matter where the substation is located there will be the same number of feeder lines and may have a greater impact from the substation than the feeder lines. Mr. Ross said that electricity flows both ways and doesn't understand why the feeder lines can't go west just as easy as they can come east. Therefore, he said that proponents of Graham Creek Substation III because of how it fits with their community.

Commissioner Beck asked how long they have been working with the applicant. Mr. Ross said that they have been working with them for about two years. Mr. Beck asked if they have been trying to work to move the substation and lines from the west to the east side of town. Mr. Ross said that they have not waived in that sentiment.

Ken Skogg, Kutak Rock LLP, 1801 California Street, Denver, Colorado, stated that he represents a number of landowners in this corridor including Lynn and Ryan Fagerberg own 1040 acres along the proposed transmission corridor; Brad and Spencer Keirnes own 250 acres agricultural and residential property within the Xcel study area; Russ Loeffler and Loeffler Family own approximately 1500 acres of agricultural property along the proposed corridor and 60 acres of residential development within the Town of Eaton;

Arlen Anderson owns 160 acres directly in the proposed route and a total of 380 acres within the study area; Ted Carlson owns 150 acres along the proposed transmission corridor and they all will be referred to landowners or his clients. The corridor cuts across or is along all of their properties. The City of Thornton demonstrates that this is not just a not in my backyard issue and will have more property impacted if the line were to run to the east and to accept the Town of Eaton's recommendation for a Graham Creek III location of that substation.

Mr. Skogg said that the landowners acknowledge the PSCO's need to upgrade and enhance electric transmission in northern Colorado. However, they have serious concerns regarding the procedures followed by PSCO in pursuing this application. Upon filing their 1041 application in August 2018, it was based on a Certificate of Public Convenience and Necessity (CPCN) that was obtained from the Colorado Public Utilities Commission (PUC). The project identified in the CPCN is the Northern Greeley Area Transmission Plan Project. The project sought and received approval from the WAPA substation to the Cloverly in Greeley and not just to Eaton. He said that they were told they amended the application so that PSCO could have an opportunity to try and address some of the objections; however, their contention is that it is to avoid having to deal with the overall impacts of their project and to ignore the specific issues related to the running of the transmission corridor from Graham Creek to Cloverly.

Mr. Skogg referred to Weld County Code Section 21-2-200.B stating that a 1041 Application shall not be accepted or processed until it is complete. The amended application which is only half of the project is incomplete and added that on that basis the recommendation should be for denial.

Mr. Skogg referred to a letter they submitted from Thomas Ghidossi who is a professional engineer licensed in the State of Colorado and his findings of PSCO's design and application. He read the letter into the record.

Mr. Skogg said that the Fagerbergs have underground drip systems and fear how this will be impacted by the proposed lines. Mr. Skogg said that PSCO is empowered with the ultimate power of eminent domain and they can exercise their right to take landowners property. He added that this project threatens this irrigated prime farmland in Weld County and the growth.

Barney Hammond, PDC Energy, 3107 52<sup>nd</sup> Avenue, Greeley, Colorado, said that they hope to see this project approved because of the lack of power capacity for their future plans and current locations. He said that they would like to add additional power for their battery and facility sites planned for this area through 2025.

Commissioner Stille said that the sites could utilize generators. Mr. Hammond said that they run a third of their locations off of generators due to lack of power in certain areas. He added that it wouldn't shut them down, but they prefer to have power for all of their locations.

Commissioner Ford asked where most of their operations are located. Mr. Hammond said that approximately 60% of their operations are to the east of Ault and Eaton and 40% to the west.

Mr. Claxton referred to the agricultural impacts associated with this project and said that they understand all forms of irrigation including the underground drip irrigation system. He said that they can go through the property or on the edge of properties. He added that they try to go on the edge of agricultural property as it would minimize those impacts.

With regard to the 1000-foot corridor, Mr. Claxton said they have tried to identify the general corridor that they feel has the least impacts and it allows them to meet with the landowners and identify specifically where that line could go. He added that this gives a second level analysis with the property owner to see where they can adjust within that 1000-foot corridor to help limit some of the potential impacts. He said that they will continue to contact and communicate with landowners on how to best identify the final centerline of the transmission line.

Commissioner Sparrow asked how sure they are of where the centerline will be. Mr. Claxton said that the centerline allows them to do an analysis and added that it is hard to make that statement because that means that they won't work with the landowners to see if there is a way to better shift that to accommodate their concerns.

Commissioner Wailes said that he is concerned since they have been asked to essentially approve a corridor and not a route. He added that 1000 feet is a wide corridor. Mr. Claxton said that the challenge is finding routes that have the least impact and that is what this siting study did. Mr. Claxton was asked about how many agreements/easements for the transmission line were in place. Mr. Claxton indicated the majority of property owners have not signed agreements for the transmission line location. He indicated many were waiting to see what action the County will take under this application before proceeding in negotiation with the applicant as to the location of the proposed transmission line.

Commissioner Ford referred to the spraying of crops and the danger of pilots having to spray around something this tall. He said that there is no detail in this application of where the structures will go and that is what they would like to see. Mr. Claxton said that they will work with the landowners on the aerial concern. He said that the advantage of the 1000-foot corridor allows for shifting of the line to avoid any features.

Mr. Claxton referred to the comments that the application doesn't meet the criteria. He said that they feel they have met all the criteria in the code. He added that they filed a CPCN with the Colorado Public Utilities Commission (PUC) and this doesn't preclude a phased approach or filing multiple 1041 permit applications. The PUC does not have local authority and added that their role is to determine present or future need and that the proposed project would be an improvement justifying their costs for the project. He added that the Colorado Revised Statutes does vest local governments rather than the PUC with its exclusive authority over siting.

Mr. Claxton said that the locations of the substations are critical because they need to anticipate where the growth is to best serve the community. He said that they are going to open up the expanded siting study area for the Graham Creek to Cloverly substation. He added that to work with the community they are willing to pause on the Graham Creek to Cloverly section to see if there is a less impactful route than proposed.

Commissioner Beck asked why they haven't looked east of Eaton as suggested. Mr. Claxton said that they have looked at alternatives east of town; however, their preferred substation location may be closer to their industrial area and the majority of their total population growth, but just because it is an industrial area doesn't necessarily mean it is a higher load and added that it depends on what those activities are in that industrial area.

Commissioner Johnson asked why this line is needed and if it is because of a big demand from Greeley, Loveland or Ft. Collins. Gilbert Flores, 1121 South Dover, Lakewood, Colorado, stated that this would serve the entire area and to increase the reliability of the area, increase the load capacity for the 44 kV system, and to accommodate resources to flow into the much larger grid. They intend to enhance the whole system of Greeley, Eaton and Ault.

Commissioner Cope asked if they should evaluate just the transmission line or the substation because they both have separate impacts. Mr. Gathman said that they are both included in the application. Mr. Cope said that the substation is less compatible with the area over to the west since that will be a higher residential area rather than somewhere on the east side of Eaton since there are more industrial areas. Mr. Claxton said that if the substation were to locate at the Town of Eaton's preferred location, they would still highly likely need a substation somewhere west of Eaton to accommodate that growth. He said that there would be a substation to the east, but it likely wouldn't be as soon because of the projected population growth. They will continue to study the Graham to the Cloverly but the preferred site to the west is better to meet the existing and future needs.

Mr. Claxton said that the existing 44 kV line needs to remain energized until this project is completed. He added that the right-of-way that they need for this project is wider than what the existing 44 kV needs. Some of the 44 kV structures are within if not the existing road right-of-way it would be in the expanded road right-of-way and their lines have to go outside of the projected rights-of-way per County requirements. That pushes those lines potentially further away from the centerline of the road and further into people's properties and potentially closer to existing residences. By expanding that right-of-way, it may bring structures into the easement so there is a lot of challenges with the widened right-of-way.

The Chair called a recess at 4:06 pm and reconvened the hearing at 4:22 pm.

(Tom Cope left the hearing)

The Chair referred to the proposed amendment to Condition of Approval 2.17. Mr. McRoberts requested the amendment as recommended.

**Motion:** Amend Condition of Approval 2.17 to read “Show and label the parking and traffic circulation flow arrows showing how the traffic moves around the Graham Creek Substation”, **Moved by** Bruce Johnson, **Seconded by** Elijah Hatch. **Motion carried unanimously.**

The Chair asked the applicant if they have read through the amended Development Standards and Conditions of Approval and if they are in agreement with those. The applicant replied that they are in agreement.

Commissioner Sparrow said that they are asking for permission to do something before they want to say exactly where they want to put this so it gives them a lot of authority to instigate eminent domain later.

Commissioner Beck agreed and said that it was not good public relations for the applicant to bring up eminent domain. As incomplete that he feels the application is, he doesn't think they have completed the application satisfactorily.

Holland has sympathy for both aspects.

**Motion:** Forward Case USR18-0100 to the Board of County Commissioners along with the amended Conditions of Approval and Development Standards with the Planning Commission's recommendation of denial, **Moved by** Skip Holland, **Seconded by** Richard Beck.

Commissioner Holland cited compliance with the Comprehensive Goals and Policies and concern over lack of detail associated with the application. He referred to Table 2 in the application, the intent of the agricultural goals is to support all forms of agricultural industry and at the same time to protect the rights of the private property owners to convert their lands to other appropriate uses. Additionally, he quoted Item C that land use regulations in the County should protect the infrastructure used for the delivery of water users.

Commissioner Wailes said that historically with these cases they have been presented the route. He understands that the size of the corridor provides flexibility for each landowner but until it is fully defined it creates a lot of uncertainty for the landowner. He has reasonable faith that the applicant will be able to address the concerns, but he can't operate on faith. Mr. Wailes cited Section 21-3-340.A.1 and Section 21-3-340.A.4 regarding health, welfare and safety and implementing a program that will satisfactorily mitigate and minimize adverse impacts. He added that in an area that they don't know specifically where that impact will be happening, he doesn't know that the applicant has developed a plan to mitigate any impacts. Mr. Wailes said that we need power, but he would like to have seen a higher detail at that property line level how this transmission line will work.

Commissioner Beck said that it turned out to be a deception, whether the applicant meant it or not, not to show this portion of the transmission line in its full scale because their mistake might have been that they already showed the full transmission line. He said that it should be viewed as a whole, and the applicant should have told them what their ultimate goals are for the whole transmission line.

Commissioner Johnson agreed with Staff's listing of all the reasons that they were in support of the application; however, he interprets those regulations differently. He cited Section 21-3-340.A.3 regarding alternatives and added that they don't know the entire project and that they have negotiated in good faith or made a diligent attempt to try and make this line compatible with each of the property owners. Mr. Johnson cited Section 21-3-340.A.4 and added that everything has to have some compensation where it is mitigating or minimizing in order for it to be dealt with.

Commissioner Sparrow doesn't understand why the applicant can't narrow the corridor down. He doesn't want to see the point where the County gives up the ability to protect its citizens by passing this on and giving it a right to do it.

Commissioner Ford said that the applicant should have more discussions with the landowners because of the uncertainty about where this line will be and 1000 feet is just too much.

Commissioner Stille cited Section 21-3-340.A.1 through A.5. Mr. Stille suggested presenting the big picture to the Board of County Commissioners.

Commissioner Hatch agreed with the Commissioner's comments and added that he is concerned that the applicant has been unable to, according to the placement of the substation, convince this Board and the Town of Eaton why it needs to be where it is.

The Chair called for the vote.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8).

**Yes:** Bruce Johnson, Bruce Sparrow, Elijah Hatch, Gene Stille, Lonnie Ford, Michael Wailes, Richard Beck, Skip Holland.

**Absent:** Tom Cope.

Commissioner Wailes said that the application lacked the necessary detail for them to adequately assess the impact and cited Sections 21-3-340.A.1, 21-3-340.A.3 and 21-3-340.A.4.

Meeting adjourned at 7:44 pm.

Respectfully submitted,



Kristine Ranslem  
Secretary