

By ROBERT PIERCE

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Wind blowing in Southwest Kansas has become second nature to its residents, and with many turbines already set up in the area, locals are preparing for a potential arrival of the towers in Seward County.

County officials met with commissioners Monday to discuss what needs to be done should a wind energy company want to build in Seward County.

Planning and zoning administrator Stacy Johnson said Monday's work session had all to do with the county being prepared for the possibility of a wind company coming to town.

"I have a set of regulations in my zoning regulations that deal with these things, but there are other things they don't deal with that the commissioners have to deal with," he said.

Johnson said these include Payment In Lieu of Taxes agreements, road maintenance agreements and emergency management agreements.

"There's all these types of agreements that are going to have to be looked at," he said.

Johnson said whatever is done, consistency is a necessity.

“In my eyes, I would like to see a certain set of standards for everyone,” he said. “That’s totally up to the commissioners on how they want to do that. It was just a starting point to start looking at some documents.”

County counsel Dan Diepenbrock said the basic documents necessary to sign a contract with a wind company are PILOT resolutions and decommissioning agreements. This, he said, is a plan for if and when a utility decides to leave.

“Now, you’ve got however many wind turbines out there that will cost millions of dollars to decommission, take down and clear down below the surface,” he said. “In addition to the decommissioning agreement, there’s a security agreement that I would recommend. There’s one that Butler County did that essentially provides for them to pay in escrow over the years so there’ll be a fund of money there in the event they do shut down.”

Johnson said some contracts already have a decommissioning clause built in.

“There’s other ways of looking at it too,” he said. “The county can retain the salvage rights to those turbines with the copper and the steel and actually bid those out. When you look at the cost of copper and metal right now, there is value in those turbines.”

County clerk Stacia Long said she was concerned about the limits of a PILOT agreement.

“Typically, your payment in lieu of taxes that I’m familiar with is only for a short period of time,” she said.

Johnson said while PILOT agreements are limited, he said some are viable for up to as many as 25 years.

Commissioner Jim Rice said it would likely be best for the county to set up guidelines in order to keep uniformity.

“If we allowed each landowner to negotiate that, one could say we’ll do this and I’ll do that,” he said. “When you get down to it, you’ve got all this acreage sitting out there, and half of them are gone and some are completely gone.”

Long said other issues concern paperwork regarding a payment in lieu of tax agreement.

“I don’t know if there’s a tax program out there now for it, but the PILOT that we currently have is all manually done,” she said. “If there were wind farms everywhere, that would be an absolute nightmare to keep track of as far as dealing out the payment in lieu of taxes and distributing it in each tax district. That’s all the more reason to have it where the county has a little bit more control.”