

ADAMS COUNTY  
PLANNING & ZONING COMMITTEE  
SPECIAL MEETING MINUTES: JANUARY 26, 2011  
Room A260

Chairman Joe Stuchlak called the Adams County Planning & Zoning Committee meeting to order at 9:00 A.M. with the following members present; Terry James, Secretary; Diane England, Karl Klingforth, Randy Theisen and Barb Morgan. Jack Allen was sitting in for Glenn Licitar. Others present were: Phil McLaughlin, Zoning Administrator and Cathy Allen, Recording Secretary. Was this meeting properly announced? Phil McLaughlin stated that it was. Roll Call. Karl Klingforth made a motion to approve the agenda as noticed. Terry James seconded the motion. All in favor. Motion carried.

Corporation Counsel joined the meeting at 9:02 A.M.

Chairman Stuchlak stated that the meeting was scheduled at a request by Jim Ostrom, President of Milk Source to discuss the contingency requirement added to Conditional Use Permit #291, 2010 issued November 3, 2011.

Mr. Ostrom stated that he thought it was highly unusual for a Government agency to require a contingency between two private parties and asked that the clause be removed from the Conditional Use Permit. Terry James recalled that the representative from Milk Source, Mr. Bill Hardin did not have any objections at the November public hearing when the indemnity clause was included in the motion to approve the Conditional Use Permit. Mr. Ostrom stated that Mr. Hardin was not qualified to comment as he is not a stray voltage expert. Mr. Ostrom is willing to work with Pioneer Power by hiring an outside engineer to determine if there may be any foreseeable stray voltage problem, but will not sign the agreement with the hold harmless clause. He stated that if Pioneer Power & Light has a legitimate concern in the Milk Source design, Milk Source would address it.

Motion by Terry James to hold a hearing to reconsider the contingency language added to Conditional Use Permit #291, 2010 requiring Milk Source Holdings, LLC to provide an indemnity agreement to Adams Columbia Electric Co-op and Pioneer Power & Light in regard to stray voltage issues. Barb Morgan seconded the motion. Roll Call Vote: 6 – Yes. 1 – Abstain. (Stuchlak). Motion carried.

Terry James made a motion to adjourn. Jack Allen seconded the motion. All in favor. Motion carried.

Adjourned: 10:09 A.M.

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Joe Stuchlak, Chair

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Randy Theisen

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Jack Allen

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Barb Morgan

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Terry James, Secretary

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Karl Klingforth

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Diane England

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Cathy Allen, Recording Secretary

**THESE MINUTES HAVE NOT BEEN APPROVED BY THE COMMITTEE.**