

Date: January 30, 2023

Bill: SB 86

Type of Testimony: Written-only

Proponent

From: Kurt and Kelli Childs, State of Kansas taxpayers and Registered Voters

To: Senate Committee on Local Government, State of Kansas

Thank you for the opportunity to provide this testimony. We live in rural Republic County, Kansas. We dedicated much time and effort in 2022 working to get protections put in place for non-participants in regards to the High Banks Wind Project.

Unfortunately, no sufficient protections were put in place so non-participants' private property and lives will be encroached on with shadow flicker, sound, infrasound and possibly red blinking lights every night for up to 90 years from now. Construction is now underway, and this project will have **200+ wind turbines** – each turbine being 500-580 ft tall (this is nearly the height of the Gateway Arch). We repeat 200+ wind turbines. One third of our county is, as we speak, getting turned from a peaceful, rural agricultural community into an industrial zone. We are very saddened that an out-of-state entity came in here and was able to zone a third of our county an industrial zone.

All three of our county commissioners, who were involved in negotiating and approving the High Banks Wind Farm, have ties to the project or a wind energy company.

- The first commissioner has a brother who signed a lease with High Banks Wind.
- The second commissioner has a brother who works for a wind energy company in a neighboring county.
- The third commissioner setup a life estate on a tract of land in 2019 and then in September 2021, just two years later, gave up that life estate to his son (this is not something that typically happens with a life estate). Then two months later a lease was signed on that tract of land with High Banks Wind. Sign-on bonuses are common for signing leases with wind energy companies. How much of a sign-on bonus was this commissioner's son given?? We will never know. (Note: This commissioner did recuse himself from the vote however he was involved in every executive session discussing the project even the executive session on the day the vote was taken. Did the commissioners talk in executive session that day to know the other two were going to vote yes so that commissioner was able to recuse himself to make it look like he was doing the "right" thing? Why didn't he recuse himself from all the discussions throughout the year in regards to the project?)

How could these commissioners not want what is best for their family members and have a bias towards wanting this project to be installed? Additionally, these conflicted officials met in executive session on fifteen different meeting dates (some meetings had multiple executive sessions) to discuss the wind turbine project and **never once**

**discussed the project amongst themselves in open session** before voting to approve the project on October 24, 2022.

Other situations where county commissioners may have substantial interest are usually small in nature (where to purchase a county vehicle, who to contract the courthouse computer system with, etc.) and have a negligible impact on the citizens of the county. However, wind turbine developments have a significant impact on hundreds if not thousands of peoples' lives through negative effects on residents' health, the environment, property sale values, neighboring farm ground (decreased rainfall and reduced ability to use crop dusting), and an overall decrease in the quality of life.

On something of this magnitude that will impact all residents of a county for nearly a century (in our case leases are for up to 90 years), we cannot have conflicted officials making this decision. We recommend that in the case that any county commissioner is conflicted by the terms set in this bill, an advisory vote of the citizens of the county be taken. The vote can state: "Do you want commercial wind turbines in the county?" We proposed this to our commissioners. It was moved by one commissioner to put together wording for a vote, but the motion died for a lack of a second.

It has been very difficult for many of the citizens of Republic County to deal with how this project got approved. It is very concerning that this unethical behavior is allowed to take place when it will have such a lasting negative impact on hundreds of lives. We moved back here to the family farm for the peaceful, rural living and now here in a few months we will be looking at hundreds of wind turbines out our front door and our peaceful, rural countryside will be no more for the rest of our lives.

Please support SB86 with our proposed amendment of having an advisory vote of the citizens of the county and any future bills that would protect non-participants from the encroachment of wind and solar developments on their private property.

Regards,

Kurt and Kelli Childs