

**COMMUNITY & DEVELOPMENT SERVICES**

P.O. BOX 7  
215 COMANCHE STREET  
KIOWA, COLORADO 80117  
303-621-3185 FAX: 303-621-3165  
cds@elbertcounty-co.gov



**MEETING MINUTES  
PLANNING COMMISSION**

Agriculture Building, 95 Ute Avenue, Kiowa, CO 80117

**DATE: June 3, 2025 TIME: 7:00 PM**

- 1. CALL TO ORDER:** 7:04 PM – Chair Kirkwood
- 2. PRAYER:** 7:04 PM – Chair Kirkwood
- 3. PLEDGE OF ALLEGIANCE:** 7:05 PM - Led by Chair Kirkwood
- 4. ROLL CALL:** 7:06 PM – Wendy Doyle  
Commissioners Present: Chair Kevin Kirkwood, Vice Chair Robert Poletiek, Van Sands, Dede Schott-Grace, John Gresham, Kyle DeNardo, Nicole Hunt, Diana Edstrom, and Dan McCallin.  
Meeting Staff: Jennifer Jones, Planning Manager and Wendy Doyle, PC Recording Secretary.  
Meeting Staff Consultant: Stephanie Blochowiak, SWCA Environmental Consultants Inc.
- 5. STAFF REPORT:** 7:07 PM – Jennifer Jones  
Recent action of the Board of County Commissioners (BOCC) reported.
- 6. CITIZEN COMMENTS - Unrelated to public hearings:** 7:07 PM – Chair Kirkwood  
Solar farm to be located along Kiowa-Bennet Road and County Road 154 (Sundance Solar Major 1041 Permit and Special Use by Review). Sue Willard-13250 County Road 154, Kiowa, CO 80117, expressed appreciation to the Planning Commission (PC) for its time, effort, and careful consideration in review of the thousands of pages of information on the project.  
**CITIZEN COMMENTS CLOSED**
- 7. APPROVAL OF MEETING MINUTES:** 7:10 PM  
Commissioner Poletiek moved to approve the May 6, 2025, meeting minutes as corrected by Commissioner Edstrom.  
Commissioner Hunt seconded the motion.  
**Motion Passed 9 – 0.**
- 8. PUBLIC HEARING PROCESS:** 7:12 PM – Chair Kirkwood  
Appointed by the Board of County Commissioners (BOCC), the Planning Commission is a quasi-judicial volunteer board that essentially takes the application at hand, references the regulations and ordinances in place, and compares them with the application. Following the public hearing, the commission may vote one of three ways: 1. Vote to recommend approval; 2. Vote to recommend denial; 3. Recommend approval with conditions. The recommendation is forwarded to the BOCC holding the authority to approve the application. All testimony must be competent, on topic and not repetitious. The Chair's statement concluded with the order of business for public hearings.

**PUBLIC HEARINGS #1 AND #2 (CONCURRENTLY): 7:13 PM**

**XCEL COLORADO POWER PATHWAY MAJOR 1041 (1041-2024-9235) AND XCEL COLORADO POWER PATHWAY SPECIAL USE BY REVIEW (SUR-2024-9236)**

**Staff Consultant Presentation:** 7:13 PM – Chair Kirkwood

Stephanie Blochowiak, Environmental Consultants Inc. – The applicant is Xcel Energy (Xcel) on behalf of the Public Service Company of Colorado (PSCo, Xcel and applicant). Xcel is requesting approval of the Major 1041 Permit and

Special Use by Review (SUR) applications (being processed concurrently) for site selection and construction of a major utility service facility of a public utility for part of the Segment 5 route of the Xcel Colorado Power Pathway (Pathway) proposed in Elbert County. The proposed project is for 48 miles of new 345-kilovolt (kV) double-circuit electric transmission line and all temporary construction areas needed to complete the construction of facilities proposed in unincorporated Elbert County (Project). *Updates presented:* referral comment period closed on May 22; applicant provided responses to comments May 27; May 27 was also the day staff reports were due for the packet and posting, so the referral comments response from the applicant were not reviewed at that time; and the information has been reviewed since then and is updated in today's presentation. The Project location and land use approval is determined by Elbert County and through easement negotiations with landowners. Location: northwest Elbert County at County Road (CR) 194 and CR 129, south to Kiowa, southeast along State Highway 86, and south to Simla. Zoning: Agriculture (A), Residential Agriculture (RA), Residential Agriculture-One (RA-1), and Economic Development Zone (EDZ). Footprint: 310-acres temporary disturbance and 97-acres permanent disturbance. Slides reviewed included project location maps depicting zoning school districts; landcover; weather/climate; surrounding land use; route road photos (Google 2024); and specifications/configurations/placement of the approximately 275 new steel pole structures. Details of temporary construction areas, road improvements, access/access easements were presented along with background information and timelines of the applications. The Xcel Project 1041 and SUR applications have not been deemed complete by Elbert County; however, Xcel has chosen to proceed with the incomplete applications to public hearing. A project review by staff outlined unresolved comments/requirements and a review of Elbert County Approval Criteria (both 1041 and SUR) noted those addressed and those not adequately addressed. Slides submitted by applicant including Fire Risk, Mitigation, and Response were presented.

Based upon review of the application materials, review by applicable Elbert County Departments and outside agencies, and consideration of the approval criteria, Community and Economic Development Services staff recommend the Planning Commission make a recommendation of denial of the proposed Xcel Colorado Power Pathway Major 1041 Permit application 1041-2024-9235.

Based upon review of the application materials, review by applicable Elbert County Departments and outside agencies, and consideration of the approval criteria, Community and Economic Development Services staff recommend the Planning Commission make a recommendation of denial of the proposed Xcel Colorado Power Pathway Special Use by Review (SUR) application SUR-2024-9236 to the Board of County Commissioners.

**Applicant Presentation:** 8:01 PM – Chair Kirkwood

Public Service Company of Colorado (PSCo and Xcel) co-presenters Andrew Holder, Director, Community Relations & Local Government Affairs and Jennifer Chester, Senior Manager, Sitings & Land Rights. Multiple property owners are identified on the 1041 Application Narrative, and SUR Attachment C, Attachment I. Seated presentation team also included Julie Stencel, Assistant General Counsel; Delaney Selvidge, Senior Agent, Sitings & Land Rights; and Patrick Kurelich, Senior Director, Wildfire Mitigation Strategic Planning & Organization.

Slides pertaining to the company of Xcel Energy Colorado and its customers were reviewed; overview of Colorado's Power Pathway encompassing about 550 miles divided into five segments through nine different counties and ten jurisdictions; four new substations and expansion, equipment additions, or equipment upgrades at four substations; map depicting proposed project route; sequencing of construction; status of permits; economic benefits short term/local/long term/regional; and topics related to electric energy, resources evaluated, miles of transmission route options, and public outreach efforts and results; routing and siting process and considerations; segment five routing history (six individual maps) reflecting the evolution from the original 20-mile study area to the preferred route links.

Information specific to Elbert County included wildfire mitigation plan, transmission line and pole specifications; photographic simulations – simulated weather conditions; pathway facilities proposed; layout of the portion of segment five to be constructed; and an estimated schedule of construction.

Resources that influenced the selection of the proposed route in Elbert County included existing linear infrastructure; feedback from the public, jurisdiction staff, and Colorado Parks and Wildlife (CPW); existing homes; existing land use patterns; location of proposed route to the north and south of Elbert County; and existing wind turbines; access for construction and maintenance. Applicant stated the proposed route in Elbert County has the highest percentage (68.3 percent) of co-location with existing linear infrastructure (existing transmission lines, roads, rail, and pipelines) and, as such, is the least impactful compared to other route alternatives; submitted applications applicant believes are compliant with 1041 and SUR approval criteria and displayed slides depicting approval criteria and compliance. Referral agency comments and Xcel Energy's responses were provided to Elbert County and to Xcel Energy. The response document also contained comments and responses regarding unresolved comments noted by staff. During review of the referral agencies, the applicant referenced and addressed unresolved comments noted by staff.

**Public Testimony Opened:** 8:27 PM - Chair Kirkwood (three-minute limit, per Chair)

*Testimony in opposition:* Mike Walker-37361 Forest Drive (Dr.), Elizabeth, CO 80107; Suni Mills-27310 Forest Ridge Dr., Kiowa, CO 80117; Peggy Patzkowsky-950 County Road (CR) 133, Rush, CO 80833; Susan Knapp-11340 Copper Canyon Circle (Cir.), Kiowa, CO 80117; Kerry Jibblits-19656 Wedemeyer, Kiowa, CO 80117; Eric Jibblits-19656 Wedemeyer, Kiowa, CO 80117; Don Gray-16000 State Highway (Hwy) 86, Kiowa, CO 80117; Deb Gray-16000 Hwy 86, Kiowa, CO 80117; Pam Struthers-33252 CR 73, Kiowa, CO 80117; Gabrielle Wiemers-24905 Hwy 86, Kiowa, CO 80117/Document to staff for record.

**Public Testimony Recess:** 8:59 PM – 9:10 PM Chair Kirkwood

Rick Orcutt-3535 CR 141, Ramah, CO 80832; Roger Shultz-26162 CR 122, Ramah, CO 80832; Dave Johnson-32481 Elbert Road (Rd.), Kiowa, CO 80117; James Williamson-41591 Way of Goodness, Deer Trail, CO 80105; John S. Miranda-12781 Wilderness Dr., Kiowa, CO 80117; Mark Kanipe-17274 Hwy 86, Calhan, CO 80808/Document to staff for record; Debbie Ullom-11195 Copper Canyon Cir., Kiowa, CO 80117; David Knapp-11340 Copper Canyon Cir., Kiowa, CO 80117; Doug Bennett-35600 Private Road 73, Kiowa, CO 80117; Shannon Rose-34693 Forest Park Dr., Elizabeth, CO 80107; Brenda Kelly-26501 Flower Cir., Simla, CO 80835; Susie Doge-18560 Wedemeyer Rd., Kiowa, CO 80107; Jeryl McKinney-16501 Hwy 86, Kiowa, CO 80117; Henry J. Smith-25411 CR 105, Ramah, CO 80832; Trent Chappel-30680 Mountain View Trail, Kiowa, CO 80117; Kathy Davis-2488 Palomino Trail, Elizabeth, CO 80107; Beverly Durant-40968 Kiowa-Bennett Rd., Kiowa, CO 80117; John Moet-18087 CR 150, Kiowa, CO 80117; Debie Mortenson-13510 Hwy 86, Kiowa, CO 80117; Darrell Littlefield-27454 CR 113, Simla, CO 80835; Molly Stuchlik-18952 Wedemeyer Rd., Kiowa, CO 80117; Teri Nilson Baird-27653 CR 89, Ramah, CO 80832; Lee Bronson-38905 Private Rd. 43, Kiowa, CO 80117; Saskia Knapp-11340 Copper Canyon Cir, Kiowa, CO 80117.

Elbert County Environmental Alliance (ECEA) displayed a slideshow of present landscape and present landscape after completion of the proposed project.

*Topics included* project monetary profit recipients; beneficiaries of power; cable power levels; inclement weather impacts; fire concerns/response/resources/procedures/evacuation; water source; 1041 regulations approval criteria; unaddressed requirements; no financial benefit to Elbert County; viewshed; noise/traffic/visual/health impacts; public welfare; emergency medical services implications; rural environment; insurance increases; property value decreases; resident easement use limitations; safety; transmission line pole specifications; eminent domain; consultant report; condemnation; 5<sup>th</sup> Amendment to the US Constitution; fee-simple ownership of property; landowner rights; just compensation; insufficient Xcel communications; legal representation costs; economically not viable; reclamation; assurance of performance; nuclear energy; county growth and power needs; opposition to route - not project; overhead vs. underground lines; route options; applicant slide discrepancies; validity of referral agency response time; wild and domestic animal impacts; green energy; and wind turbine and solar energy.

*Testimony in favor:* None

**Public Testimony Closed:** 10:17 PM – Chair Kirkwood

**Meeting Recess:** 10:17 PM – 10:25 PM – Chair Kirkwood

**Chair Comment:** Documents distributed to staff and the slideshow presented during public testimony will be posted to Elbert County's website.

**Applicant Rebuttal:** 10:25 PM – Chair Kirkwood.

Concerns raised during public testimony were addressed by the applicant team. Responses included:

- Moved to public hearing as felt had sufficiently addressed all of the asks; chose to bring the information to the PC as well as the BOCC; and move forward in accordance with statutory timelines associated and set by the State of Colorado in addition to Elbert County code timelines.
- Optional routes were never identified as the proposed or preferred route. Routing considerations, segment 5 routing history, maps related to fire, etc. were referenced.
- The proposal is not the only 345-kV line that exists in Elbert County. Xcel Energy has about 73 miles of existing transmission that has been maintained and operated safely for the years that it has been installed.
- Health and Safety: slides reviewed, and information provided related to electromagnetic fields (EMF), audible noise, coordination/collaboration/adjacent agreements with fire districts; wildfire risk/mitigation plan; Colorado Public Utilities Commission (PUC); emergency management/response/training; and public and school safety.
- Process, costs, technical, and construction (installation/repair/maintenance) requirements and challenges pertaining to placing transmission lines underground were explained. Distribution lines are primarily placed underground.

- Eminent Domain is the tool utilized only if a voluntary agreement is not able to be reached after lengthy discussions and negotiations with landowners. It is under the jurisdiction of the districts courts to determine. The preferred route was announced in late 2022 and applicant has been working to secure land rights in the area since early 2023.

Additional comments included misconception that the line is primarily being built for additional wind and solar resources; overall grid reliability and stability; the opportunity to interconnect with other station locations; Xcel and nuclear energy; and reiteration of benefits.

**Board Discussion:** 11:02 PM - Chair Kirkwood

Resolution 00-01 requires adjournment no later than 11:00 PM

Chair Kirkwood presented options to the Commission of whether to proceed down the path of asking questions, simply vote on the idea that Staff has presented – motion to deny, or suggestion to deny based on information that is lacking, and an incomplete application. Brief discussion ensued regarding asking questions or pushing forward with the vote; agreement reached to continue the conversation with a series of questions.

**Call for Motion to Continue:** 11:02 PM – Chair Kirkwood

Commissioner Schott-Grace moved to continue *Xcel Colorado Power Pathway Major 1041 (1041-2024-9235)* and *Xcel Colorado Power Pathway Special Use by Review (SUR-2024-9236)* to date and time certain Wednesday, June 4, 2025, 6:00 PM, at 95 Ute Avenue, Agriculture Building, Kiowa, CO 80117.

Commissioner Sands seconded the motion.

**Motion Passed 9 – 0.**

**9. ADJOURNMENT:** 11:04 PM – Chair Kirkwood

Commissioner Poletiek moved to adjourn.

Commissioner Sands seconded the motion.

**Motion Passed 9 – 0.**