

THE PENDLETON TIMES

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Commission, US Wind Force Rescind Agreement

The Pendleton County Commission has been released from the facility development agreement that governing body signed with representatives of Liberty Gap Wind Force and US Wind Force.

On Friday afternoon, the commissioners met in special session at the courthouse and formally executed a termination agreement.

On Monday, Tom Matthews, the president and chief operating officer of US Wind Force, and

Jim Cookman said they and the commissioners agreed to terminate the facility development agreement "because of the amount of concern we saw in the community."

Thus, Liberty Gap officers will, in January, move forward with the project by themselves, rather than the commissioners, negotiating directly "with each and every landowner" on the matter of acquiring easements for 138-kilovolt transmission line running some nine miles from Franklin to the proposed wind farm site on Jack Mountain in the southeastern quadrant of Pendleton County.

Matthews said that landowners will be "pleasantly surprised" by the valuations the wind energy project developer will place on those easements.

Also, notwithstanding the termination of the facility development agreement, Matthews and Cookman said they intend to honor provisions providing for a "revenue stream" for the county.

Those revenue streams were an annual \$100,000 payment in addition to property taxes and a \$450,000 allocation to be used to help bring water to the Sandy Ridge area.

The facility development agreement had drawn fire because of concerns about a lack of public information before it was signed and because the document invoked the commission's

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right of eminent domain in the acquisition of easements.

It remains to be seen whether or not concerns over the potential use of eminent domain will go away with the termination of the facility development agreement.

At the stormy, Dec. 7 county commission meeting at the courthouse, "US Wind Force said it may have the right of eminent domain itself," to quote from an article about the meeting by Anne Adams in the Dec. 10 edi-

tion of "The Recorder."

That point of view is thought to be based on rulings by the West Virginia Supreme Court of Appeals.

Also on Monday, Cookman and Matthews acknowledged that they were invited to participate in Monday evening's public meeting in the middle/high school auditorium about the wind farm project but could not attend because of prior commitments.

They said they will conduct a public forum on the subject with the assistance of county officials and citizens, probably in January.