

- **Michele George Gangnes**

From:mggangnes@aol.com

To:MALINAK FRANK,Alan Turner,Martin Placke

Cc:Travis Brown,Kourt Jirasek,Amanda Casey

Sat, Feb 8 at 12:57 PM

Judge Malinak and Gentlemen:

I was notified by text Thursday evening that the MTGP resolution would be on Monday's agenda with no indication the resolution had been revised by the County. On Friday afternoon, I received via email the county's revised resolution.

We have reviewed the county's proposed resolution as quickly as possible and find **we cannot support it, without one significant change that should not surprise you or the other commissioners**. In the shortness of time, we took the liberty of making our full argument here.

We **do agree to omit our original proposal that asked for the project to be *abandoned*** if SLE is unwilling to move it out of Blue. **However, we are unable to accept this revised one-paragraph resolution in the county's version:**

NOW, THEREFORE, BE IT RESOLVED that the Commissioner's Court hereby recognizes the economic and infrastructure benefits that the Sandow Lakes Energy natural gas power plant will bring to the County, but requests Sandow Lakes Energy to consider economically feasible alternative locations within Sandow Lakes Ranch but within Lee County for its proposed natural gas power plant.

At the Dec. 16 special meeting, the court directed Judge Malinak and Commissioner Turner to meet with Move the Gas Plant representatives and come up with language for a resolution that would be acceptable to all. We recall the Judge, Commissioner Turner and the other commissioners expressed that, **like us, they do not believe the Blue community is a suitable location for the plant**, and that they were willing to consider a resolution that addressed moving the plant elsewhere on SLR's property in Lee County (rather than to the old Alcoa industrial site as our original resolution requested).

We at Move the Gas Plant made a good-faith effort to do just that. We met with Judge Malinak and Commissioner Turner on Jan. 28 and delivered a revised, alternate version of our original resolution,

with maps showing three alternate, feasible locations in Lee County. **(Our Jan. 28 revised resolution is attached for the convenience of your commissioners because we hope you will share this email with them.)**

Our Jan. 28 alternative resolution addressed the major concern expressed by the judge and commissioners about the original resolution, namely the contention that deed restrictions prevent the gas plant from being built at the old industrial site. (While we disagree as to the scope of the deed restrictions, we decided to put that issue aside in favor of getting a resolution acceptable to the court.)

Both Judge Malinak and Commissioner Turner have said repeatedly, in public and to us in meetings, that they don't think the gas plant should be located in Blue. Our original resolution as well as our January 28 revised resolution was the logical conclusion of the foundation laid for it in the WHEREAS clauses ---as follows:

NOW, THEREFORE, BE IT RESOLVED that the Commissioner's Court hereby opposes the location of the Sandow Lakes Energy gas power plant at the current proposed site in the Blue community and requests the company instead locate the plant further within Sandow Lakes Ranch... (January 28 MTGP version)

In any resolution, clearly stated "Be It Resolved" language is the substance that matters, while the preceding Whereas clauses provide relevant facts and circumstances to support the Resolution.

Though we had concerns with some of the county's new "WHEREAS" clauses, **below is the one change in your version that we request, to have our county specifically oppose putting the plant in Blue** -- the reason we asked for the resolution in the first place. Otherwise, the RESOLUTION itself is rendered meaningless, leaving only the WHEREAS clauses' oblique references to the unsuitability of Blue.

REPLACE the final paragraph of the county's version (NOW, THEREFORE, BE IT RESOLVED) as follows:

NOW, THEREFORE, BE IT RESOLVED that the Commissioner's Court hereby opposes the location of Sandow Lakes Energy's proposed natural gas power plant in the Blue/Adina

community in favor of an alternative suitable, feasible and less populated location within the Sandow Lakes Ranch property in Lee County.

Please get back to us as soon as you can so we can try and move forward on Feb. 10. Or, if we cannot reach an agreement by early Monday, then we suggest the resolution be tabled until the next court meeting so we have time to iron out our differences.

Sincerely,

Michele G. Gangnes, for MTGP

PS I will notify the Judge and Alan of this email via text, and thank you in advance for returning the favor to me at 512.461.3179.

○

[MTGP Resolution Rev_1_28_2025.docx](#)

[19.5kB](#)