

Call to Order.

The meeting was called to order at 9:00 a.m. in the EOC at the Court House. Commission members present were, Dean Tjaden, Ben Rottinghaus, and Pam-Erbe-Lines, Guy Carpenter and Candi Brandu-Larson. Also present was Jen Solomon Zoning Administrative Assistant, Jessy Willadsen Zoning Administrator, Swati and Arvind Dandeka Bright Future of Iowa, Bob Steenson Charles City Press, Boyd Campbell farmer, Gregory Christensen farmer, Tom Treharne Nextra, Mike Carberry Bright Future of Iowa, Isacc Lamppa Invenergy, Adams Sears Floyd County Conservation, Merlin Bartz Invenergy, Jim Jorgensen Floyd County Board of Supervisor and John Robbins NIACOG.

Approval of Agenda.

A motion to approve the agenda as was made by Pam Erbe-Lines and seconded by Ben Rottinghaus. The motion was unanimously approved.

Approval of Minutes.

The chair asked if there was a motion for the March 7, 2024. A motion to approve the minutes from March 7, 2024 was made by Guy Carpenter and seconded by Ben Rottinghaus. The motion was unanimously approved.

Discussion on Wind Energy and Battery Energy Storage Systems Ordinance

John Robbins and Zoning Board Commission summarized Wind Energy and Battery Energy Storage Systems amendment to the Zoning Ordinance draft (copy of draft attached for reference).

- Candi advised in Section 1 (4) Commercial Wind Energy Conversion System definition also referred as Large Wind Energy System that the kilowatts change from 100 to 600 kilowatts for the minimum energy generation. Anything less should be defined as Small Wind Energy Conversion systems. The rest of the zoning commission agreed.
- Zoning Board Commission advised John Robbins on Section 1 (14) Small Wind Energy Conversion System referred as Small Wind Energy System the board wants it to say in the definition that this is for on-site systems.
- Section 11 (1) (b) Period of review the board advised this to be a period 15 business days instead of 14 days to confirm all required documentation has been received with an application and to formal letter accepting the application or confirm where an application does not have required application materials.
- Section 11 (1) (c) Public Information Meeting the board advised that advertisement for the public hearing should be a quarter page, not 1/8, and advertise as the Board of Supervisors would advertise a public hearing.
- Section 11 (3) (g) For Total Height, a wind turbine generator or meteorological tower cannot be taller than specified in a Determination of No Hazard by FAA. And in Section 11(3) (h) for the Airport Chairman review/airport safety, the Board advised that his review should be for an area of 5 miles around Charles City Airport and 3 miles for private airports. The Board wanted to see some clarification regarding the review as well. Robbins stated he would consult with Bill Kyle regarding the revision as well.
- Section 11(3) (o) Board advised on Protected Locations and Setback Requirements. For wildlife and park setbacks, they advised to take out public use area (too vague) and replace with Public Recreation Area and take out commercial feed operation. The board advised to increase the setback from 1,320 feet (1/4 mile) and replace this with 1,500 feet or 3 x's the total height, or whichever is greater. Candi advised that she would like to see this further than 1,500 feet indicated that she wanting a 1-mile or more setback. Candi suggested a separate setback

requirement for bald eagles nests. The rest of the board did not think it needed a separate setback requirement from wildlife areas.

For setbacks from a dwelling or occupied building, Dean, Ben, Pam and Guy stated that the 1,500 feet or 3 x's the total height, or whichever is greater should be the furthest required or less. Candi suggested a 3.75 x's the total height. Robbins suggested keeping the same for the time being and gathering public feedback at the public hearing as a result.

- Section 11 (4)(d), for the financial security requirement, the board inquired with Isaac Lampa of Invenenergy, who informed the board that the Iowa Utilities Board (IUB) also requires financial security at the state level. The Board advised that if the IUB also requires financial security that that should be sufficient to protect landowner. For end of useful life, Candi suggested that a minimum of 2,000 kilowatts of power be generated in a year to be considered active for a wind farm. The board agreed and advised that be included.
- For Commercial Battery Energy Storage Systems, the board advised the use should be a conditional permitted use in all districts, like substations (e.g. AG, R1, and R2).
- The board advised that Emergency Response Plan for battery storage should state that the applicant must to have refresher courses every 2 years with first responders. Robbins stated he would consult with Jason Webster regarding the revision as well.

Discussion of next meeting for public hearing on Wind Energy and Battery Energy Storage Systems amendment to the Zoning Ordinance. The board stated that would like to have the meeting again the EOC at the Courthouse the date would be June 26 @ 6:00 p.m.

Adjournment. At 12:13 PM Zoning Administrator Jessy Willadsen/Minutes taken by Jen Solomon