

Call to Order.

The meeting was called to order at 9:00 a.m. in the Zoning Office 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, Jeff Sherman Zoning Administrator, Swati and Arvind Dandeka Bright Future of Iowa, Bob Steenson Charles City Press, Boyd Campbell farmer, Gregory Christensen farmer, Tom from Nextra and John Robbins NIACOG .

Approval of Agenda.

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

Approval of Minutes.

The chair asked if there was a motion for the October 12, 2023, November 28, 2023, December 20, 2023, January 29, 2024 and February 21, 2024. A motion to approve the minutes from the dates above was made by Candi Brandu-Larson and seconded by Guy Carpenter. The motion was unanimously approved.

Election of Chairman & Vice Chairman.

Discussion and Motion on a new chairman and vice chairman, A motion to elect a new chairman, Dean Tjjean as Chairman by Guy Carpenter and seconded by Pam Erbe-Lines, A motion to elect a new vice chairman, Candi Brandu Larson as vice chairman by Guy Carpenter and seconded by Ben Rottinghaus.

Discussion with John Robbins over feedback regarding process and Zoning amendment of Wind Turbine Ordinance/Future Meetings:

John Robbins stated that any subject on ordinance, future discussion or meetings he would report to the Board of Supervisors.

John summarized the options for conditional use permit through the Board of Adjustment, rezoning as an overlay district through the Planning and Zoning Commission and Board of Supervisors, or a possible hybrid process. John asked about process of the conditional use permit (application) by the Board of Adjustment, does the board want a floating overlay or rezone.

Ben asked about overlay and setback waivers and who would be make that final discussion on the conditional use permit or application.

Candi also spoke about the hybrid and wanting to also know about board of adjustment and what their decision is going to be.

Dean spoke and said that would like to have a conditional use permit

John spoke and said cross check and ultimate who will make the final decision, he said that some counties, especially some bigger counties have decided to the use of overlay (floating) district to rezone and regulate where the wind turbine, which basically would be with the board of supervisors making the decision.

Dean, Ben and Pam to keep as conditional use and all board members agreed.

John suggested a pre-hearing informational meeting occur 30-45 days before the public hearing host by the applicant to educate the public on any proposed project, with required notice about the project also be posted to the county website, Charles City Press, Nora Spring newspaper. John also stated that any landowner within 1 mile of the project should receive a direct mail notification before the pre-informational meeting and all required public hearings. John also stated to let the conservation board and all applicable department heads in the county be provided packets. It was also brought up maybe do submission form.

Tom from NextEra said that pre-hearing public meeting would be good and have more knowledge on the waivers and setback and environmental specifics on eagles nest and bats this should be in the site plans. In addition, John suggested that the following should also be required with the application for a wind farm:

- That the contractor or project manager provide financial security, such as a bond, and the cost of decommissioning needs to be updated every 5 years. John stated that the ordinance should be require a decommissioning plan on how long that they have to remove the turbine and removal of infrastructure should be to the depth in the ground should be specified--4' is typical.
- A road use agreement with the County should be required for any new wind farms and should be follow up with the engineers/board of supervisors where infrastructure modifications should be. This is following the conditional use permit is issued.
- Noise regulations and pre-application study conducted by an independent third party should be completed.
- A complaint process should also be in the ordinance where the landowner should initially try to resolve complaints with the project coordinator or the developer first.
- A pre application study for shadow flicker conducted by an independent third party should also be in the ordinance, typically requiring no more than 30 hours per years set level duration board of adjustments should be the ones to agree on this. Mitigation strategies could include installing trees for barriers.

Other discussion of requirements that should be in the ordinance include floodplain requirements, an emergency action plan and 911 address requirements, FFA-required lighting, FAA determination of No hazard requirement/meeting all FAA requirements(approval proposed heights prior to any construction), FCC approval to any construction/proof of application, should have Transfer of ownership and contact on record requirement, Proof of agreement/control of land for all properties with wind farm infrastructure (wind turbines, MET towers, battery energy storage systems, substations and transmission lines). All wind farm infrastructure should also meet all requirements for type of structure and zoning district requirements,

John stated that the board should have requirements in ordinance for battery energy storage systems, including requirements for meet NFPA 855 standards and other state or federal standards, a decommissioning plan, safety requirements, an emergency response plan, setback requirements from property lines generally, and list any separate conditional use permit or rezoning procedure.

Adjournment. At 10:54 AM Zoning Administrator Jeff Sherman/Minutes taken by Jen Solomon