

WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT

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Daniel J. Priestley, MPA – Zoning Coordinator · dpriestley@woodburycountyiowa.gov
Dawn Norton – Senior Clerk · dnorton@woodburycountyiowa.gov

STAFF REPORT (3rd Edition) – REVISED MAY 23, 2023. PROPOSED AMENDMENTS TO ORDINANCE #56

SUMMARY	CONTENTS
SUMMARY OF PROPOSED REVISIONS TO WOODBURY COUNTY ORDINANCE #56: AMENDMENTS TO MODIFY SECTION 6.1.A: WIND TURBINES SET BACK REQUIREMENTS IN THE ORDINANCE REGULATING COMMERCIAL WIND ENERGY CONVERSION SYSTEMS IN UNINCORPORATED WOODBURY COUNTY.	<ul style="list-style-type: none"> Board of Supervisors' Direction Background Summary of Setbacks Staff Recommendation City Minutes & Comments Location Mapping Buffers Legal Notifications Proposed Ordinance Amendment

BOARD OF SUPERVISORS' DIRECTION

On April 11, 2023, the Woodbury County Board of Supervisors directed the Zoning staff to draft an amendment to *Woodbury County Ordinance #56: An Ordinance Regulating Commercial Wind Energy Conversion Systems in Unincorporated Woodbury County* to increase the Wind Turbines Protect Area Turbine Set Back Requirements from the City Limits and Public Conservation Areas. The Board requests for an increase in the setbacks from city limits to 2-miles and an increase in the setbacks from Public Conservation Areas to 2,640 FT or 4.5x tower height setback (whichever is greater) from Conservation Areas.

BACKGROUND

Woodbury County Ordinance #56: An Ordinance Regulating Commercial Wind Energy Conversion Systems in Unincorporated Woodbury County is a stand-alone ordinance that includes guidelines for the development of large-scale Commercial Wind Energy Conversion Systems (C-WECS) by regulating and requiring a C-WECS Special Use Permit for the siting, design, construction, operation, and decommissioning of these wind energy conversion systems (WECS). This proposal is to amend Ordinance #56 to increase the City Limit Setback to 2-miles and the Public Conservation Area to 2,640 FT or 4.5x tower height setback (whichever is greater) from Conservation Areas.

The incorporated areas within Woodbury County have a compelling interest in the land use activities that occur within 2-miles of their respective jurisdictions. Each community has their own plans for expansion and development as well as their own policies on how they expect their growth to trend. Both Iowa Code 354.9 and 414.23 acknowledge the incorporated areas authority for land use in this 2-mile zone. Under the extraterritorial review parameters contained within Iowa Code 354.9 and acknowledged in the Woodbury County Subdivision Ordinance, Section 1.03.2, "the county shall acknowledge the concurrent review and approval processes by municipalities of subdivisions located within the extraterritorial review jurisdictions of municipalities. The municipal exterritorial jurisdiction area is either the area within two miles of the corporate boundaries of the nearest city or an area described in a specific agreement pursuant to Chapter 28E of the Iowa Code."

In terms of public conservation areas, the Woodbury County Conservation Board "is a regional agency tasked with providing high quality and valuable education, recreation, enhancement and preservation of natural resources through professional and courteous service for the betterment of current and future generations." The Board owns and operates "four large developed parks, over 5,000 acres of undeveloped wildlife areas, several day use areas and river accesses." Hence, the Board also has a compelling interest in protecting and preserving public conservation areas for future generations. At the April 13, 2023 meeting of the board, the members approved a motion by a 5-0 vote "to approve support of the Board of Supervisors ordinance change of setback limits for wind turbines near conservation areas of ½ mile or 4 ½ times the tower height" (Woodbury County Conservation Board Draft Minutes, 4/13/23). Subsequently, the Woodbury County Conservation Board at their May 11, 2023 meeting revised their recommendation for the Turbine Set Back Requirement to be 1 mile from public conservation areas. This proposed setback has been updated in the table below for consideration.

CURRENT ORDINANCE SETBACKS

Protected Area	Turbine Set Back Requirement
City Limits	600 feet
Public Conservation Area	600 feet

PROPOSED ORDINANCE SETBACKS

Protected Area	Turbine Set Back Requirement
City Limits	2 miles
Public Conservation Area	1 mile

STAFF RECOMMENDATION

Staff recommends the approval of the proposed amendment to Ordinance #56 to increase the setbacks from the Protected Areas including the City Limits and Public Conservation areas as noted in the table above.

The following pages include comments from the public, other jurisdictions, organizations, and/or minutes from city councils.

CITY OF ANTHON: APRIL 10, 2023 – CITY COUNCIL DRAFT MINUTES

April 10, 2023

CALL TO ORDER & ROLL CALL: Mayor Lisa Petersen called the regular meeting of the Anthon City Council to order on April 10, 2023 at 5:30 p.m. Council members in attendance: Mona Kirchgatter, Paul Lansink, Barb Benson and John Kuhlmann. Absent: Tony McFarland. Also present: Karen Newman, Lori Handke, Donna Grilly, Ross Baldwin, Kevin Clausen, Tammy Reimer, Randy Dau, Kevin Carpenter, Jeff Collins and Mark Poese.

AGENDA: Motion by Lansink, seconded by Kirchgatter, to approve the meeting agenda. Carried 4-0.

PUBLIC COMMENTS: There were no questions from the guests of the council meeting.

POLICE REPORT – The Woodbury Sheriff's Department did not attend the meeting.

CONSENT AGENDA: Motion by Kirchgatter, seconded by Lansink, to approve the consent agenda All ayes. Motion carried. a. minutes of March 13 & 20, 2023 meeting; b. financial reports as filed; c. allow bills/claims presented:

CLAIMS REPORT

VENDOR	REFERENCE	AMOUNT
ANTHON RETIREMENT HOME	REFUND	\$ 1,650.56
AT&T MOBILITY	PHONE	\$ 180.51
CENTER POINT LARGE PRINT	LIBRARY MATERIALS	\$ 140.82
CENTURY LINK	PHONE	\$ 88.07
COCKBURN ENTERPRISES, INC	HAUL GRAVEL	\$ 1,839.70
	MILEAGE/MEALS - DMAAC	
COLLINS, JEFF	CLASS	\$ 337.51
CORNBELT CONCRETE & CONSTRUCTI	SIDEWALK - KATIE'S	\$ 1,000.00
CORRECTIONVILLE BLDG CENTER	PAINT - CITY SIGNS	\$ 102.22
MATTHEW CURTIN	CONTRACT	\$ 470.83
DELTA DENTAL	DENTAL	\$ 142.84
IRS	FED/FICA TAX	\$ 1,852.47
IRS	FED/FICA TAX	\$ 1,676.66
FIRST NATIONAL BANK OMAHA	LODGING - WATER CLASS	\$ 84.02
FOUNDATION ANALYTICAL LAB INC	ANALYSIS	\$ 16.50
GILL HAULING INC	LANDFILL FEES	\$ 65.00
OMG MIDWEST, INC	ROAD GRAVEL	\$ 1,856.36
HAWKINS INC	CHLORINE	\$ 572.13
ANNIE HEATH	JANITORIAL CONTRACT	\$ 211.50
IAMU	DUES	\$ 3,080.00
IOWA INFORMATION MEDIA GROUP	PUBLISHING	\$ 252.18
IPERS	IPERS	\$ 2,369.19
IRBY	SUPPLIES	\$ 373.80
LOFFLER COMPANIES - 131511	COPIER CONTRACT	\$ 218.28
LONG LINES	PHONE LIBRARY	\$ 89.61
MICROFILM IMAGING SYSTEMS	SERVICE AGREEMENT	\$ 319.00
DEBBIE O'CONNELL	SHELTER HOUSE CLEANING	\$ 82.50
OUR IOWA	LIBRARY MATERIALS	\$ 39.98

TREASURER STATE OF IOWA	STATE TAXES	\$ 507.14
PETTY CASH	POSTAGE	\$ 120.00
QUILL	OFFICE SUPPLIES	\$ 231.41
REHAB SYSTEM LLC	WW EMERGENCY JET VAC	\$ 985.00
TREASURER STATE OF IOWA	SALES TAX	\$ 4,788.71
TREASURER STATE OF IOWA	SALES TAX	\$ 2,000.81
SHEILA CRAIG	APRON PRESENTATION	\$ 150.00
SIOUX CENTER PUBLIC LIBRARY	JEVENILE NON-FICTION	\$ 120.00
SUANN STINES	2 DVD'S, 1 ADULT FICTION +	\$ 44.64
USA BLUE BOOK	STETHOSCOPE	\$ 101.19
WELLMARK BLUE CROSS/SHIELD IA	INSURANCE	\$ 6,693.77
WESCO	SUPPLIES	\$ 2,271.00

WIMECA C/O NIPCO ENERGY \$32,438.12

Accounts Payable Total \$69,864.03

Payroll Checks \$12,593.71

***** REPORT TOTAL ***** \$82,457.74

DISBURSEMENT SUMMARY – General – \$13506.82; Road Use Tax – \$5999.69; Water Fund – \$10431.83; Sewer Fund – \$ 5879.93; Electric Fund – \$46639.47.

RECEIPT SUMMARY – General – 15340.90; Road Use Tax – \$3615.52; Employee Benefits – \$145.69; Emergency Fund – \$192.81; Local Option Tax – \$8317.92; Debt Service – \$1801.20; Water Fund – \$16872.37; Sewer Fund – \$9589.48; Electric Fund – \$65245.67.

DISCUSS FINANCING OF PROPOSED ELECTRICAL PROJECT – The clerk was instructed to find out what Iowa Utilities Board recommends for cities to have on hand for reserves. The council would also like to hear from the engineer as to what the City's rates might be to pay for the project with revenue bonds.

PUBLIC HEARING 2023/2024 BUDGET – Motion by Lansink second by Kuhlmann to open the public hearing. All ayes. Motion carried. There were no comments from the guests regarding the agenda. Motion by Kuhlmann second by Kirchgatter to close the public hearing. Motion by Motion by Lansink second by Kirchgatter to approve the Resolution approving the 2023/2024 Budget as presented. All ayes. Motion carried.

ALLYSON DIRKSEN – LEGAL – Ms. Dirksen reported she would check on the status of the Don Jones house with the USDA.

BUILDING CODE – MARK POESE – Mr. Poese talked with the council about installing a fence and the need to be 5' off the lot line. Following discussion it was determined that the Ordinance only requires a 2' set back but he could apply for a variance to be be closer/farther away from the property line.

WATER TOWER INSPECTION – the Council discussed the proposal from Magure Iron to inspect the inside of the tower by drone for \$2000 and a bid from MidCo to send divers into the tower to inspect and clean for \$3786. Motion by Kirchgatter second by Lansink to hire MidCo to inspect and clean the tower at their earliest convenience. All ayes. Motion carried.

WIMECA ANNUAL MEETING – The council will decide who is attending the WIMECA Annual Meeting by Thursday, April 13, 2023.

OPTIONAL INSURANCE DEDUCTIBLES & INSURANCE PREMIUM – Following discussion motion by Kuhlman, second by Lansink, to leave the deductible as is and approve the \$69579 insurance premium for the 2023/2024 years. All ayes. Motion carried.

ANTHON EVENT CENTER – BOARD OF DIRECTORS – it was determined to let the present Event Center Board approve a new Board of Directors. The council felt that the new board could amend and update the by-laws for the event center following the election of officers.

CART FOR CHAIRS AT SHELTER HOUSE – Debbie O’Connell mentioned to the clerk that the chairs are scratching the tables when stacked after an event. The Maintenance Department will look at the chairs and see if there is a solution to prevent the scratching of the tables.

SILVERSMITH – GIS MAPPING – KEVIN CARPENTER – talked with the council about GIS mapping of the city’s utility lines and fire hydrants. He told the council they can schedule maintenance tasks as well as line locations. The council asked about pin pointing items closer than three to four feet. Mr. Carpenter will send a new proposal with the more precise marking/locating information.

SUBSURFACE SOLUTIONS – GIS MAPPING – the council looked over the brochure and encouraged Maintenance Supervisor Collins to try the 30-day free trial as he can use his phone for this system.

COUNCIL & STAFF COMMENTS – Council member Benson asked about two nuisance properties.

- Benson also told the council that Brad Welte is interested in selling a portion of ground to the city. It was determined he should name a price before the City decides to purchase as there are still lots available in Westgate Division.
- Mayor Petersen told the council the regulations have changed for meter sockets and she has ordered some to have on hand for new meter installations
- Ms. Petersen also reported the Woodbury County Supervisors are asking for the City’s support in restricting windmills to a two mile set back from City limits.
- Council member Lansink reported he has asked I & S Group for a quote to renovate the lift station.
- Maintenance Supervisor Jeff Collins talked with the council about bids he received from Knife River and Frank’s Asphalt to do street work this summer. He is waiting on BlackTop Service for another bid before determining how much street work will be done in 2023
- Mr. Collins also reported on the floats at the wastewater treatment plant need re-wiring so they work properly.
- City Clerk Anita Brandt reported she will be at IMFOA Conference next week April 19 thru 21, 2023

There being no further business the council adjourned upon motion by Lansink second by Kuhlmann. All eyes. Motion carried.

Mayor Lisa Petersen

ATTEST:

City Clerk Anita Brandt, IACMC/MMC

Special Correctionville City Council Meeting – April 25, 2023

CALL TO ORDER: The Correctionville City Council met in Special session on April 25, 2023, at the Correctionville City Hall. The meeting was called to order at 7:00 PM by Mayor Kathy Hoffmann.

ROLL CALL: Council members answering roll: Kourtnee Mammen, Bob Beazley, Ciara Alioth, Dan Volkert and Adam Petty. Absent: None. City Attorney was represented by Chad Thompson.

APPROVAL OF AGENDA: Motion by Beazley, 2ndby Mammen to approve the agenda. Passed 5/0.

NEW BUSINESS:

1. Mayor Hoffmann asked Maintenance Supervisor Langschwager if he would like to go into closed session pursuant to Iowa Code section 21.5(1)(i). Langschwager declined to go into closed session. No action discussed or taken.
2. Council member Petty discussed the recent fire in Correctionville and issues with the fire hydrant caps. After a lengthy discussion by the council, employees and members of the public, the decision was made to change ordinance 90.81 which restricts whom is allowed to access a fire hydrant. A committee will come together consisting of the fire department, employees, mayor and two council people to discuss maintenance of the hydrants.
3. Council discussed the setback limits that they would like to see for wind turbines from Correctionville. They made their recommendation to support a 5 mile setback from city limits.
4. More discussion was had on the drainage pipe at 803 4th Street. For now, we will wait to see if someone is interested in purchasing it before we purchase and install the pipe. Contact will be made with the individual whom showed possible interest.
5. Discussion on having a recreation coordinator position/pool manager for the 2023 summer season. At this time council feels it is best to work on it over the winter and advertise for that for next year as time is running short for this season.
6. Clerk Putzier will schedule two open houses for 200 Juniper Street.

OTHER BUSINESS:

- Mayor Hoffmann advised there will be an opportunity to ride the Union Trail Bridge on golf carts for those unable to walk it. This will take place May 6th from 10 am – 12 pm starting at the Correctionville Community Center. Refreshments will be served.
- Mayor Hoffmann addressed a break in the water line at the American Legion Building. She would like it to be put on the agenda for May to discuss the bill for damages done.
- With no further business, the meeting was adjourned at 7:55 p.m.

KATHY HOFFMANN, Mayor

Attest: _____

APRIL PUTZIER, CMC, City Clerk

CITY OF DANBURY: MAY 9, 2023 – CITY COUNCIL DRAFT MINUTES

City of Danbury Regular Session
May 9, 2023 - Official/Published Minutes

Mayor Brock Boyle called the meeting to order @ 7pm at Danbury City Hall. Mayor Boyle, Council Members Sexton, Welte, Simmons, Scholl and Allen were present. City staff Nelson and Clemon were present.

Visitors in attendance included Kris Rockdaschel, Sergeant Rose, James Loomis, Phil Wieseler and Grant Jager.

Scholl motioned to approve the consent agenda. Simmons seconded the motion. All ayes, motion carried.

(Insert claims list)

Sergeant Rose gave the Woodbury County Sherriff's Report.

James Loomis, our Woodbury County Attorney, spoke to all in attendance.

Clemon, Nelson and Scholl gave Maintenance, Clerk and Parks Reports.

Welte gave the Ordinance Report and addressed violation concerns.

Motion to approve changing the City Hall's hours of operation from 9am-1pm on June 1, 2023, was made Welte and seconded by Simmons. All ayes, motion carried.

Motion to schedule a public hearing for a budget amendment on May 22nd, 2023 at 5pm at the City Hall made by Simmons and seconded by Sexton. All ayes, motion carried.

Motion to enter a contract with Government Window a credit/debit card acceptance company was made by Scholl and seconded by Sexton. All ayes, motion carried.

Motion to support the 2-mile set back of wind turbines from The City of Danbury was made by Sexton and seconded by Allen. All ayes, motion carried.

Motion at 8:06 pm by Scholl to open public hearing, seconded by Welte. Five ayes, motion carried. Public hearing regarding the Ordinance Amending Sewer Service Rates. Motion to close public hearing at 8:18 pm by Simmons, seconded by Scholl. Five ayes, motion carried.

Motion by Simmons to approve Ordinance 2023-1 Amending Sewer Service Rates as shown in the table below, seconded by Welte. Roll call vote with five ayes, motion carried.

Sewer Service Charges				
Per 1,000 Gallons of Water Use or Part Thereof				
	Effective Dates			
	Current	7/1/2023 to 6/30/2024	7/1/2024 to 6/30/2025	Beginning 7/1/2025
Base Rate	\$15.00	\$64.50	\$65.79	\$67.11
Usage Rate (per 1,000 gallons of water used)	\$3.50	\$3.50	\$3.57	\$3.64

Item will be addressed at the next city council meeting.

Motion to approve Resolution 2023-10 Approving a Contract with the Iowa Economic Development Authority for a Wastewater and Drinking Water Treatment Financial Assistance Program (WTFAP) Grant made by Scholl and seconded by Allen. Roll call vote, five ayes, motion carried.

Motion to accept bids for the 50x60x6 concrete pad at the city park for the basketball and pickleball court by Sexton and seconded by Scholl. All ayes, motion carried.

Motion to approve use of the Shelter House by Danbury Catholic on 5-23-2023 and MVAO HS on 5-17-23 at no charge was made by Welte and seconded by Allen. All ayes, motion carried.

Motion to approve an application of the ATV-Park Permit Liability Waiver for Finnley Rockdaschel was made by Welte and seconded by Simmons. All ayes, motion carried.

Motion to adjourn by Sexton, seconded by Allen. All Ayes, motion carried.
Meeting adjourned at 8:42 pm.

Brock Boyle, Mayor

Attest: Barbara Nelson, City Clerk

Daniel Priestley

From: City Clerk <cityofhornick@wiatel.net>
Sent: Friday, May 12, 2023 11:44 AM
To: Daniel Priestley
Subject: RE: Comments Requested Proposed Ordinance to Amend Portions of the Ordinance #56: An Ordinance Regulating Commercial Wind Energy Conversion Systems in Unincorporated Woodbury County

Follow Up Flag: Follow up
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Daniel,
I realize this is past your requested date for comments, but our Council did not meet until May 10th. The Council received the information you sent. A motion was made, seconded and passed in support of proposal to amend Ordinance #56: An Ordinance Regulating Commercial Wind Energy Conversions Systems in Unincorporated Woodbury County.

If you need any other documentation, please let me know.
Thank you.

Lori Teel

*City Clerk/Treasurer
City of Hornick, (Pop 255)*

400 Main St. PO Box 67
Hornick, IA 51026

712-874-3374 (Fax) 712-874-3500

May 10, 2023
Hornick Council Meeting - Public Hearings
City Hall – 7:00 p.m.

1. Mayor Scott Mitchell called the Council Meeting to order at 7:00 pm
 - a. Roll Call: Andresen, Bebee, Byers, Johnston (Matthias – absent)
Also present: Lori Teel – Clerk

Public Hearing – Andresen motion; Bebee second to open Public Hearing. All for. MC
Mayor Mitchell opened the Public Hearing at 7:01 pm. **This is a Public Hearing for the proposed City Budget Amendment for Fiscal Year 2023.** No citizens voiced an opinion for or against the proposed FY2023 City Budget Amendment. No oral or written comments were ever received after the notice was published in the Sioux City Journal and posted in Hornick. Bebee motion; Andresen second to close Public Hearing. All for ... MC
Mayor Mitchell declared the Public Hearing closed at 7:50 pm

2. Council received Directed Patrol report. No discussion.

3. Open Session:

4. Unfinished business:

- a. FEMA Public Assistance
- b. Berm Flood Mitigation Project
Council discussed management of Drainage Ditch Flood Gates.
Bebee motion; Byers second to approve payment of \$72,944.00 to Port Neal Welding for the fabrication and installation of the berm flood gates. No further discussion. Four ayes. Matthias absent ...MC.
Byers motion; Bebee second to engage the legal services of the Crary Huff for the annexation properties to the City of Hornick. No further discussion. Four ayes. Matthias absent... MC.
- c. Water Treatment Filter Replacement Project
- d. Woodbury County Main Street Project
- e. City Code of Ordinances

5. New Business:

- a. Johnston motion; Byers second to approve and adopt **Resolution 2023-08 ...a resolution to approve and adopt the City Budget Amendments for FY2023.** No further discussion. Four ayes ...MC. Roll call vote: Byers (aye), Bebee (aye), Johnston (aye), Andresen (aye), Matthias (absent)
- b. Bebee motion; Johnston second to approve the proposed contract with Bruce Tevis for grazing in the lagoon area for the 2023 grazing season. No further discussion. Four ayes. Matthias absent. MC
- c. Byers motion; Andresen second that the City is in favor of the proposed revisions to Woodbury County Ordinance #56: Amendments to modify Section 6.1.A: Wind turbine set back requirements.
No further discussion. Four ayes. Matthias absent. MC
- d. Bebee motion; Byers second to join the PFAS Cost Recover Program as recommended by Iowa Rural Water and to approve the retainer agreement with Napoli Shkolnik PLLC as required for participation in the program.
No further discussion. Four ayes. Matthias absent. MC.
- e. Johnston motion; Byers second to approve Chances R Liquor and Tobacco licenses.
No further discussion. Four ayes. Matthias absent. MC
- f. Bebee motion; Byers second to hire a part-time summer employee to assist city staff with maintenance for a maximum of 20 hours per week at an hourly pay rate of \$9.00 to \$10.00; with applicant to be a minimum of 16 years of age and to meet any other requirements as set by our insurance policy.
No further discussion. Four ayes. Matthias absent. MC
- g. Byers motion; Andresen second to change the council meetings back to 7:00 pm on the second Monday of the month as established by City Ordinance Amendment 2016-01. No further discussion. Three ayes; Bebee (nay); Matthias absent. MC

6. Council received updated department reports.

Johnston motion; Bebee second to participate in the 2023 Highway 141 Garage Sales and to remit \$100.00 fee.
No further discussion. Four ayes. Matthias absent. MC
Clerk instructed to call JDH Services for weed spraying.
Water Dept to have connection installed north of 107 5th Ave.

7. Bebee motion; Andresen second to approve the April 12, 2023 meeting minutes.
No further discussion. Four ayes. Matthias absent. MC

8. Byers motioned; Johnston second to approve the May claims for payment.
No further discussion. Four ayes. Matthias absent. MC

9. **Building Permits:** Permit 2023-02 302 4th Ave – Storage building
Johnston motioned; Bebee second to approve building permit 2023-02.
No further discussion. Four ayes. Matthias absent. MC

10. Other Business:

Motion to adjourn Byers; second Andresen. No further discussion. All Ayes... MC.
Adjournment 8:28 pm Next regular Council meeting: Monday, June 12 2023.

CLAIMS TOTAL May 2023: \$116,969.11

3 Speed Automotive-fire truck repair-18,150.00; AquaChem-chlorine-714.00; CHN-garbage svc-2,822.87;
ClerkBooks-training-210.00; Crystal Lendt-cleaning-109.63; Echo Group-maintenance-550.00;
Menards-supplies-29.94; MidAmerican-972.84; Minnihan Law-berm legal-190.00; New Coop-fuel-1,744.49;
MasterCard -Town Hall Frig-811.50; Sioux City Journal-legal-372.12; Siouxland Dist Health-testing-42.00;
Staples-supplies-87.92; USA Blue Book-supplies-263.05; UECO-parts-764.47; V&K-admin-59.00;
Wiatel-100.41; Wiatel Solutions-repairs-75.00; Kots-lost check-184.05; Port Neal Welding-berm gates-
72,944.00; Thompson Solutions-filter project-13,630.36; IA Dept Rev-WET tax-164.65;
US Treasury-payroll tax-1,177.07; IPERS-799.74;

REVENUES TOTAL April 2023: \$68,762.63

General-27,399.00; Library-241.60; Road Use Tax-3,525.27; Local Option Sales Tax-2,794.49;
Fire Dept-1,198.77; TIF Revenue-26,317.05; Water-5,549.82; Sewer-1,736.63

FUND BALANCES (04/30/23) TOTAL: \$462,874.13

General-80,805.74; Road Use Tax-80,567.16; Local Option Sales Tax-61,866.24; TIF Revenue-89,675.70;
Fire Dept-23,280.37; Library-3,140.96; ARPA-10,391.61; 2019 FEMA Funds-(73,784.49);
Flood Recovery Berm-(5,989.82); Flood Recovery Roads-(14,382.58); Capital Projects-76,388.13;
Water-73,538.63; Sewer-57,376.48

Scott Mitchell, Mayor

Lori Teel, City Clerk

Daniel Priestley

From: Jason O'Mara <jason@kcengineer.com>
Sent: Thursday, April 27, 2023 11:45 AM
To: Daniel Priestley
Subject: Stakeholder comments on ordinance # 56
Attachments: Stakeholder_Review_Commercial_Wind_Ordinance_Amendment_Proposal.pdf

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My comments, pursuant to the attached request:

1. I believe that the current setbacks of 600 feet from City Limits and 600 feet from Public Conservation Areas are too low.
2. I agree with the proposed ordinance setback of 2,640 feet or 4.5X tower height (whichever is greater) from Public Conservation Areas.
3. I believe that the proposed ordinance setback of 2 miles from City Limits is excessive, especially for smaller communities with population under 10,000. Menville, for example is currently about one square mile. There is very little chance that future growth will necessitate expanding the city limits even 1 mile in any direction. Adding 2 miles in each direction would result in a 5 mile by 5 mile area of 25 square miles. I would support a 1 mile setback from City Limits.

Respectfully,

Jason O'Mara
Menville Planning and Zoning Member
C: 712.635.5468

CITY OF PIERSON: MARCH 29, 2023 – CITY COUNCIL DRAFT MINUTES

The Pierson City Council met in special session on Wednesday March 29th at 6:30PM. Mayor Struve called the meeting to order and all council were present. Chad Kehrt and Forrest Aldrich representing Veenstra and Kimm engineering, presented several options for wastewater treatment options. After much discussion on cost and timelines, councilmen Bubke motioned to have V&K prepare an agreement to start creating a facility plan for a 3-cell lagoon and present the agreement at the April 12th meeting for review and final acceptance. The motion was seconded by Krier, all voted aye; carried. Motion by McQueen, seconded by Saxon to have V&K review system valves to be able to isolate sections of town in case of water service disruptions, all voted aye; carried. Motion by McQueen, seconded by Bubke to support a county wide 2-mile wind turbine set back from city limits, all voted aye; carried. Motion by Sistrunk to adjourn the meeting, seconded by Krier, carried.

Jeanette Beekman, City Clerk

Jeanette Beekman, City Clerk, CITY OF PIERSON: MAY 3, 2023

5/3/2023

City of Pierson
PO Box 20
Pierson IA 51048

To: Woodbury County Planning and Zoning
Woodbury County Supervisors

The City of Pierson strongly supports AMENDMENT #1 to County Ordinance #56. We believe the amendment changing the turbine set back from the current six hundred (600)ft to the proposed two (2) miles will be beneficial to our community. A setback of two (2) miles aligns with Code of Iowa 414.23 and 354.9.

The current policy has the potential to prohibit outward growth with the limitations that would be encountered with turbines within 600 feet of the current incorporated city limits. This amendment will allow for all communities in Woodbury County to continue to pursue outward growth.

The Pierson City Council believes this amendment will benefit the county as a whole as well as our community and ask that the Woodbury County Supervisors pass the current proposed amendment.

Jeanette Beekman

Jeanette Beekman, City Clerk
City of Pierson

Daniel Priestley

From: Wade Schuldt
Sent: Thursday, April 27, 2023 12:25 PM
To: Daniel Priestley
Cc: Marty Dougherty
Subject: RE: Comments Requested Proposed Ordinance to Amend Portions of the Ordinance #56: An Ordinance Regulating Commercial Wind Energy Conversion Systems in Unincorporated Woodbury County

Follow Up Flag: Follow up
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Good Afternoon Dan.

Comments are as follows on your ordinance update on wind energy systems.

- In reading through the ordinance as a whole could we add some type of language while you guys are updating this that in Section 7. Discontinuance/Decommissioning C. That if the City of Sioux City were to annex land that would include a wind energy system or wind farm that is over the 100 kWh. That Woodbury County would transfer the cash, an irrevocable letter of credit, or a performance bond running in favor of the County or municipally that the land falls under their jurisdiction at the time of Discontinuance/Decommissioning in which the wind energy system center point is located. For remediation/discontinuance/decommissioning and would be updated every five years.
- Also, the four feet seems shallow in removal depth.
 - Could we add this for any solar ordinance you may also have?
- I have a feeling this ordinance change is being added to address shadow flicker. Does the county want to add some type of computer modeling stipulation into the ordinance where it could be shown that property or residence would not be impacted by the shadow flicker. The impact would be less on the south side than the north, west, and east. Just a thought. In addition to noise decibels fall off after 1000 feet is pretty minimal for wind turbines.
- Also, this seems to be written for the horizontal windmill style wind energy systems, what about vertical axis wind turbines? The setback might not fit for these if we were to ever get any.
- How was the city two-mile setback which is our jurisdiction limit for review picked?
- It might need to be laid out that pure power rating of these would be kW or MW but for machine output then it would need to be kWh or MWh. Not sure if that should or needs to be spelled out in the size of these wind energy systems or better clarified.
 - It might be a good idea in Section 5.3 that there is some spelling out that the if there is not director that his or her deputy have the ability to review the proposed construction documents.

That is all that I got.

Thank you for your time and attention.

Wade Schuldt, MCRP
Planner
City of Sioux City
Phone: 1 (712) 279-6283
Email: wschuldt@sioux-city.org
405 6th Street, P.O. Box 447
Sioux City, IA 51102

Daniel Priestley

From: LANE TABKE <LKTABKE@WIATEL.NET>
Sent: Wednesday, May 3, 2023 7:23 PM
To: Daniel Priestley
Subject: windmill setbacks

Follow Up Flag: Follow up
Flag Status: Flagged

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As a farmer in woodbury county Amendment #1 going to 2 miles, I think is a lot of overkill. To me 1 mile would be very sufficient in my thinking On #2 I think 2640 feet is ok.

I went to the meetings when the fanatics were raising their stink, I did not agree with the outcome, but it is what it is. I think it was greatly overblown by these people, as I would not be apposed to them. It makes no difference to me the outcome but their where a lot of scared people to not speak up out of fear of retaliation.

Just my 2 cents worth,

Lane Tabke

Moville

MIDAMERICAN ENERGY COMMENT: MAY 3, 2023

Daniel Priestley

From: Meinen, Casey (MidAmerican) <Casey.Meinen@midamerican.com>
Sent: Wednesday, May 3, 2023 11:53 AM
To: Daniel Priestley
Subject: RE: [INTERNET] Comments Requested Proposed Ordinance to Amend Portions of the Ordinance #56: An Ordinance Regulating Commercial Wind Energy Conversion Systems in Unincorporated Woodbury County

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Dan,

You should be receiving comment on this from Will Dougherty, if you haven't please let me know.

Thanks

Casey Meinen
Lead, Electric Distribution Engineering

Casey.meinen@midamerican.com

Phone (712-233-4831)



MIDAMERICAN ENERGY COMMENT: MAY 8, 2023

Daniel Priestley

From: Dougherty, William (MidAmerican) <William.Dougherty@midamerican.com>
Sent: Monday, May 8, 2023 9:55 AM
To: Daniel Priestley
Subject: RE: [INTERNET] Comments Requested Proposed Ordinance to Amend Portions of the Ordinance #56: An Ordinance Regulating Commercial Wind Energy Conversion Systems in Unincorporated Woodbury County
Attachments: MEC Comments to Woodbury Co Wind Ordinance 05.08.23 FINAL.docx

Follow Up Flag: Follow up
Flag Status: Flagged

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Good morning Dan,

Attached are MidAmerican's comments to the proposed wind ordinance amendment. I will be at the Board of Supervisors meeting tomorrow, May 9th, to answer any questions the Board may have. Thanks and have a great day.

Will Dougherty, P.E.
Project Developer
O: 515-242-4383
C: 515-587-7255



ORDINANCE NO. ____
WOODBURY COUNTY, IOWA

AN ORDINANCE AMENDING PORTIONS OF WOODBURY COUNTY ORDINANCE #56: AN AMENDMENT TO MODIFY SECTION 6.1.A: WIND TURBINES SET BACK REQUIREMENTS TO INCREASE CERTAIN SETBACK REQUIREMENTS IN THE ORDINANCE REGULATING COMMERCIAL WIND ENERGY CONVERSION SYSTEMS IN UNINCORPORATED WOODBURY COUNTY.

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA THAT THE BELOW AMENDMENTS BE MADE:

AMENDMENT #1:

On page 10, Section 6.1.A, to repeal and replace the Wind Turbine Set Back Requirement for the City Limits Protected Area from 600 feet to 2 miles.

MidAmerican Comments: Under Iowa Code Section 414.23, municipalities are granted the power to extend by ordinance into unincorporated areas up to two miles beyond the limits of such city, except for those areas within a county where a county zoning ordinance exists. Iowa code also mandates that a municipality must increase the size of its planning and zoning commission by two members and property owners within the affected area have the rights of hearing, protest, and appeal. Because Woodbury County has adopted a zoning ordinance within the unincorporated areas of Woodbury County surrounding several municipalities, these municipalities cannot exercise extra-territorial zoning.

During the development of a wind project, MidAmerican considers the growth of municipalities when siting turbines. This is an act of balancing the individual rights of landowners who have chosen to participate in a wind project and recognizing municipality land requirement to continue growth.

MidAmerican Suggestion: MidAmerican would suggest enacting a setback of 1-mile from city limits to balance the interests of rural landowners who wish to participate in a wind project and to allow municipalities room for potential growth.

AMENDMENT #2:

On page 10, Section 6.1.A, to repeal and replace the Wind Turbine Set Back Requirement for the Public Conservation Protected Area from 600 feet or 110% of total height (whichever is greater) to 2,640 feet or 4.5x tower height (whichever is greater).

MidAmerican Comments: MidAmerican recognizes the necessity for responsible siting of wind turbines, especially as it pertains public conservation areas. MidAmerican would see no problems with extending the required setback from public conservation areas from 600 feet to 2,640 feet or 4.5x tower height.

MidAmerican Suggestion: None.

NEXTERA ENERGY COMMENT: MAY 8, 2023

Daniel Priestley

From: Treharne, Thomas <Thomas.Treharne@nexteraenergy.com>
Sent: Monday, May 8, 2023 2:59 PM
To: Daniel Priestley
Subject: RE: Comments Requested Proposed Ordinance to Amend Portions of the Ordinance #56: An Ordinance Regulating Commercial Wind Energy Conversion Systems in Unincorporated Woodbury County

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from **OUTSIDE** of the organization. Please verify the sender and use caution if the message contains any attachments, links, or requests for information as this person may NOT be who they claim. **If you are asked for your username and password, please call WQCC and DO NOT ENTER any data.**

Dan,

I wanted to thank you for including NextEra in this correspondence. At this point we do not have any comment, and understand the County's desire to protect city growth boundaries and conservations areas.

Please continue to keep us in the loop with proposed ordinance amendments.

Thanks,

Thomas Treharne, AICP

Senior Project Manager Development
NextEra Energy Resources
Mobile: 319.213.7963
Thomas.Treharne@NexteraEnergy.com

IOWA DEPARTMENT OF TRANSPORTATION (IDOT) COMMENT: MAY 3, 2023

Daniel Priestley

From: Mulvihill, Kelly <Kelly.Mulvihill@iowadot.us>
Sent: Wednesday, May 3, 2023 1:17 PM
To: Daniel Priestley
Subject: RE: Comments Requested Proposed Ordinance to Amend Portions of the Ordinance #56: An Ordinance Regulating Commercial Wind Energy Conversion Systems in Unincorporated Woodbury County

CAUTION: This email originated from **OUTSIDE** of the organization. Please verify the sender and use caution if the message contains any attachments, links, or requests for information as this person may NOT be who they claim. **If you are asked for your username and password, please call WQCC and DO NOT ENTER any data.**

Dan,

We have no comments regarding the new ordinance.

Thanks,



KELLY MULVIHILL
UTILITY COORDINATOR
DISTRICT 3 OFFICE

iowadot.gov  Iowa Department of Transportation

Office: 712-274-5828  @iowadot  @iowadot

Cell: 712-539-1268

Please use 712-539-1268 due to working remotely

WOODBURY COUNTY ENGINEER – NO COMMENT: MAY 15, 2023

Daniel Priestley

From: Mark Naha
Sent: Monday, May 15, 2023 12:08 PM
To: Daniel Priestley
Subject: RE: Comments Requested Proposed Ordinance to Amend Portions of the Ordinance #56: An Ordinance Regulating Commercial Wind Energy Conversion Systems in Unincorporated Woodbury County

Follow Up Flag: Follow up
Flag Status: Flagged

Dan,

I have no comments on the proposal.

Mark J. Naha, P.E.
Woodbury County Engineer
759 E. Frontage Road
Moyile, IA 51039
Phone: 712-873-3215 or 712-279-6484
Fax: 712-873-3235
Email: mnaha@woodburycountyiowa.gov

WOODBURY COUNTY DEPUTY RECORDER FOR REAL ESTATE – NO COMMENT: MAY 1, 2023

Daniel Priestley

From: Diane Swoboda Peterson
Sent: Monday, May 1, 2023 2:13 PM
To: Daniel Priestley
Subject: RE: Comments Requested Homestead 1867 Addition Second Filing Minor Subdivision Proposal

Follow Up Flag: Follow up
Flag Status: Flagged

I have no comments. Thank you

Diane Swoboda Peterson
Woodbury County Real Estate/Recorder Deputy
620 Douglas Street; Room 106
Sioux City, Iowa 51101
(712)279-6528

**WOODBURY COUNTY, IOWA, CONSERVATION BOARD
MINUTES OF THE TUESDAY, APRIL 13, 2023, BOARD MEETING**

The following is a true copy of the minutes of the meeting of the Woodbury County, Iowa, Conservation Board held on Thursday, April 13, 2023, at the Dorothy Pecaut Nature Center beginning at 4:00 p.m.

BOARD MEMBERS PRESENT

Aaron Gehling, Chris Zellmer-Zant, Cindy Bennett, Neil Stockfleth, and Tom Limoges

BOARD MEMBERS ABSENT

None

STAFF PRESENT

Dan Heissel, Brian Stehr, Theresa Kruid, and Dawn Bostwick

OTHERS PRESENT

Mark Nelson, County Supervisor/Conservation Board Liaison

CALL TO ORDER

Vice Chairperson Bennett called the meeting to order at 4:04 p.m.

CORRESPONDENCE ITEMS

None

PUBLIC PARTICIPATION

None

ITEM R1. Approve Consent Agenda

MOTION by Neil, second by Aaron.

To approve the consent agenda.

VOTE:

Aye: Aaron Gehling, Cindy Bennett & Neil Stockfleth

Nay: None

Absent: Chris Zellmer-Zant & Tom Limoges

The consent agenda was approved and involved the following items:

- C1. Approve Minutes of the March 21, 2023, Regular Meeting
- C2. Approve the March 2023 Claims and Expenditures
- C3. Receive and Place on File the March 2023 Financial/Budget Report and 3rd Quarter FY23 Reserve Fund Report
- C4. Acceptance of Gifts/Donations:
 - \$200 Memorial donation from Don Brown Trust honoring Marv Berenstein
 - Photo frames donated by Mark Peterson

ITEM R2. NCIC, Taser & Body Camera Policy Updates and Addition to Law Enforcement Policy

Brian reviewed the recommended department law enforcement policy revisions and additions to address the newly acquired equipment, including the WCCB Law Enforcement Policy, Disciplinary Policy for Iowa System Violators, Policy for Utilization of BodyVision Body Worn Cameras and the Woodbury County Sheriff's Office Law Enforcement Policies and Procedures for Conducted Electrical Weapon (TASER).

MOTION by Aaron, second by Neil.

To approve and adopt revised Woodbury County Conservation Board law enforcement policies and procedures as presented.²³⁻⁹

VOTE:

Aye: Aaron Gehling, Cindy Bennett & Neil Stockfleth
Nay: None
Absent: Chris Zellmer-Zant & Tom Limoges

ITEM R3. Little Sioux Park Septic – ARPA Funds

Dan reported on his request to the Board of Supervisors for additional ARPA funds for a wastewater treatment system at Little Sioux Park. They granted an additional \$279,000 of ARPA funds for the increased costs of a wastewater treatment system, in addition to the original \$800,000 committed to the campground water and sewer project. Dan reviewed the two options which are a 2–3-acre retention pond or an enclosed tank system, such as the system available from BioMicrobics. The engineers recommend going with the enclosed tank system, and the DNR supports it for the park. If a retention pond is used, it would need to be permitted under Chapter 64 with the DNR which would delay construction for a year and a half. The ARPA funds need to be expended by 2025 which may not be possible with a retention pond.

(Tom arrived at 4:13 p.m.)

Neil requested that Dan call and/or visit at least two other campgrounds utilizing this system. Dan stated that this newer system would have less liability, no need for fencing, no certified operator requirement, and minimal maintenance. It would need to be pumped out annually, and the motor will eventually need to be replaced. Brian added that when the system discharges to the leach field, it is clean water. It has lifetime media in it and no filters. It does have a fan that will need to run during operation but can be shut off when the campground is closed. The Bio Microbics representatives recommended a 10,000-gallon tank which will provide plenty of capacity for future expansion.

Dan, Brian, and Nate met to plan the campsite layout for Bellamy campground. Bellamy currently has 40 sites which are very short and cannot accommodate most campers today. They were able to lay out 28 angled sites that are about 60' long. Tyler will go down with GPS to map it out. Dan told the engineering firm that they don't need to design the campground which will lower costs.

Dan discussed the possibility of delaying the septic work at Southwood if there aren't enough funds available. Delaying the playground replacement at Brown's Lake was also mentioned but may not be feasible due to the condition of the playground, which will be discussed later.

(Chris arrived at 4:30 p.m. and assumed the duties of chairperson.)

²³⁻⁹ To approve and adopt revised Woodbury County Conservation Board law enforcement policies and procedures as presented.

Dan anticipates an increase in revenue of \$30,000-38,000 with the extra \$5/night for each full-hookup site. He also noted that usage will likely increase because sewer hookups are available. Dan stated that the Correctionville city clerk, who is also a business owner, sent an email to each of the supervisors about the impact that Little Sioux Park has on the city of Correctionville. She said that when the beach was closed and usage was down, they noticed the impact.

MOTION by Neil, second by Aaron

To proceed as recommended in pursuing bids for the wastewater treatment system for Little Sioux Park, with the contingency that at least two other campgrounds using this type of system are contacted for reference.²³⁻¹⁰

VOTE:

Aye: Aaron Gehling, Chris Zellmer-Zant, Cindy Bennett, Neil Stockfleth & Tom Limoges
Nay: None
Absent: None

ITEM R4. Brown's Lake Beach Rules – Approve Opening/Closing Times

Dan reminded board members that the Brown's Lake beach hours had previously been changed to close at 6:00 p.m. rather than 8:00 p.m. in the hopes that it would take care of some of the problems being experienced but it did not help. He asked that the hours be returned to 11:00 a.m. to 8:00 p.m. with the new beach and concession stand and added staff presence. It will then match the hours at Little Sioux Park beach again also.

MOTION by Tom Limoges, second by Cindy Bennett.

To set the Brown's Lake beach hours back to 11:00 a.m. to 8:00 p.m.²³⁻¹¹

VOTE:

Aye: Aaron Gehling, Chris Zellmer-Zant, Cindy Bennett, Neil Stockfleth & Tom Limoges
Nay: None
Absent: None

ITEM R5. Capital Improvement Projects Update

1. Nature Center Shelter & Restroom

The shelter kit is on its way and will arrive by the end of the month. The contractor for the restroom project is also erecting the shelter. They will be showing up tomorrow or Monday to look at the project site to see how things have settled and how much dirt needs to be moved. The pad was intentionally overbuilt to accommodate settling. They will cut it down, pour concrete and then set up the shelter.

The contractor will start on the restroom next week. The biggest issue will be to coordinate with CW Suter for the plumbing and Williams for the electrical. They are aware that this is a busy time at the nature center with educational programs.

Neil asked about the plan for stabilizing the slope. Dan explained that when the retaining walls are taken out for the foundation project, the dirt that is cut down will go over the edge and will be

²³⁻¹⁰ To proceed as recommended in pursuing bids for the wastewater treatment system for Little Sioux Park, with the contingency that at least two other campgrounds using this type of system are contacted for reference.

²³⁻¹¹ To set the Brown's Lake beach hours back to 11:00 a.m. to 8:00 p.m.

sloped down towards the nature center, the woods, and the retaining walls. It was suggested that the new retaining wall be extended to the shelter. Dan will look into the cost of dirt versus extending the retaining wall.

2. Nature Center Foundation & Retaining Walls

Dan reported that additional issues have been found that weren't noticed on the initial inspection of the nature center foundation problem. Theresa found a half-inch gap in the library between the bookshelf/counter and the outside wall. The library door frame is also bending.

The contractors think they can just polyjack it to take care of the problem, because they don't think it is a foundation issue. Dan thinks they will need to do pillar work. Terry Glade with CMBA, the original architect, is coming out to meet with Kenny Schmitz, the two floor-jacking companies, Dan, and Brian next Tuesday meeting. Dan will make sure they do due diligence.

Additionally, the sidewalk is pulling away from the building, and the water feature railings are leaning. The water feature repairs will come from the WCCB budget since it is not part of the foundation project. The three levels will be eliminated, and water won't be directed through the wall, but will just have one drop. The moving water is important as the sound attracts birds and animals.

Drainage is also being added by the dog-friendly fountain. A grate will be added and concrete poured around it. This will help with the water coming down the hill toward the building.

ITEM R6. Board Member/Staff Reports

1. Administrative Items

Dan reported on the following items:

a. May Meeting Date

The next meeting will be held at 4:00 p.m. on May 11, 2023, at Brown's Lake/Bigelow Park.

b. Land Acquisition Discussions – Closed Session

Dan asked to enter closed session pursuant to Iowa Code Chapter 21A to discuss a land acquisition possibility.

MOTION by Chris, second by Aaron

To go into closed session for land acquisition discussions pursuant to Iowa Code Chapter 21A at 4:28 p.m.

ROLL CALL VOTE:

Aye: Aaron Gehling, Chris Zellmer-Zant, Cindy Bennett, Neil Stockfleth
& Tom Limoges
Nay: None
Absent: None

Discussion was held regarding a possible land acquisition.

MOTION by Chris, second by Tom.

To come out of closed session at 5:13 p.m.

ROLL CALL VOTE:

Aye: Aaron Gehling, Chris Zellmer-Zant, Cindy Bennett, Neil Stockfleth
& Tom Limoges
Nay: None
Absent: None

MOTION by Chris, second by Aaron

To decline the land offer as presented by the landowners but offer conservation easement programs they can explore.²³⁻¹³

VOTE:

Aye: Aaron Gehling, Chris Zellmer-Zant, Cindy Bennett, Neil Stockfleth
& Tom Limoges
Nay: None
Absent: None

It was noted that this offer was not practical to manage, but the board would like to keep the door open for future possibilities.

c. Naturalist II Position

Dan stated at the last board meeting that they were ready for naturalist II interviews, but two candidates withdrew their applications for various reasons leaving only one. Dan opted to open it up again with a deadline of April 7th or until filled. Six applications were received, and four were chosen to interview on the April 24th.

He also noted that positions for concession stand workers and summer security guards are open until Friday, and the part-time office assistant application deadline is April 21st. The resource technician position will be posted soon also.

d. Old Business

• **Budget Amendment for Motor Vehicles**

Dan updated board members that he will be submitting a budget amendment for the restricted reserves carried over from last year's budget upon approval of the board of supervisors to cover two vehicle purchases in the amount of \$72,511. This was approved at previous board meeting.

• **Technician Position at Southwood**

Dan reported that a motion was made by a supervisor to withdraw approval of the new technician position at Southwood. Dan called each supervisor prior to the supervisors meeting to reinforce the need for the position. He also gave a presentation at the meeting, and the motion failed for lack of a second. He expressed appreciation to Mark Nelson for

²³⁻¹³ To decline the land offer as presented by the landowners but offer conservation easement programs they can explore.

the supervisors' support. This position will be advertised soon and interviews will be done in time to start someone shortly after July 1st.

e. Other Business

Dan stated that Supervisor Nelson had approached the board regarding setback limits for wind turbines, but the board never took a formal stance on it even though there was discussion and consensus. Mark stated that there will be three hearings for the ordinance change, with the first being on May 9th. They are looking for resolutions supporting their recommendation of a setback of a half mile or 4 ½ times the tower height, whichever is greater. The ordinance will include a waiver process to allow requests to shorten the setback to come before the supervisors, but there are certain things that will not be subject to having a variance granted, such as conservation areas, cemeteries, rights-of-way, and property lines. He talked to the MidAmerican representative for Woodbury county and was told that as a policy MidAmerican wants to stay away from conservation areas and towns, but there is nothing binding and there are also two other companies working in the area. MidAmerican has no concerns with this ordinance. Dan reiterated that he wants to keep the good partnership with MidAmerican. Dan read an email request he had received from Dan Priestly regarding the ordinance.

MOTION by Tom, second by Aaron

To approve support of the Board of Supervisors ordinance change of setback limits for wind turbines near conservation areas of ½ mile or 4 ½ times the tower height.²³⁻¹⁴

VOTE:

Aye: Aaron Gehling, Chris Zellmer-Zant, Cindy Bennett, Neil Stockfleth
& Tom Limoges
Nay: None
Absent: None

Mark asked Dan to attend one of the hearings also.

(Tom left the meeting at 5:30 p.m.)

2. Nature Center Activities

Theresa reported on the following Nature Center activities:

- The programs and visitors report for March was presented.
- The programs schedule is full of field trips beginning next week and through the end of the school year. There is a wait list for groups which cannot be accommodated. Many are from outside of the county, so Theresa is keeping track to make sure the Woodbury county schools are reached. The scheduling process may need to be adjusted in the future. Schools outside of Woodbury county pay \$1/child with \$15 minimum. Theresa would like the board to review this pricing, as well as the nature center room rental fees. Rental rate information is being collected from surrounding counties.
- The big bluestem root bundle has been received.
- The designers at BrownKnows Designs are working on a scale model of the screech owl aviary. Both the aviary and the root bundle should be installed by the end of June.

²³⁻¹⁴ To approve support of the Board of Supervisors ordinance change of setback limits for wind turbines near conservation areas of ½ mile or 4 ½ times the tower height.

- Theresa is working on the Nature Calls committee volunteers list. Sponsor packets (letters, envelopes, and a digital letter to email) will be ready soon. She will send board members an updated list before finalizing the packets.
- The Nature Calls event will be held at the convention center again this year. They are trying to keep costs close to what it was last year.
- Offer letters have been sent to interns, and they are set to start on May 22nd. The AmeriCorps intern came in to fill out paperwork yesterday.
- Theresa and Kari did a Project Wild and Aquatic Wild session with 30 teaching students at Morningside. Theresa will also be doing a session at Briar Cliff.
- The volunteer clean-up day is April 22nd (Earth Day).
- The volunteer recognition event will be on May 18th with grilled hotdogs and popcorn. Unfortunately, Mark Peterson will not be able to attend, but Karen South will be there.
- Summer camp registration began last week for Foundation members, and numbers were way down. However, general registration opened yesterday, and camps are now 67% full with 150 kids registered.
- Mark Nelson complimented the social media posts about the union bridge and the eagle. He noted that whenever you put a spotlight on local parks, the people in that area will share it, giving extra exposure. Theresa asked members to thank the local Audubon and camera club people for sharing their photos.
- Next week is national volunteer week. Social media posts will highlight volunteers.

3. Park Activities

Brian reported on the following park activities:

- This is the busiest time for field staff, getting campgrounds ready and doing burns. Brian commended the WCCB field staff for always knowing what is needed and getting it done.
- Small burns have been done in the parks, and plans are underway for bigger burns at Oak Ridge Unit 1, the Breise property, and Owego. Brian will ensure there will be enough staff, equipment, and water for those burns.
- As of now, the cooperative burn week is still on for the last week of April. Pottawattamie county is now in a burn ban, and Harrison county might also be in a ban by then. More burns will be done in Woodbury county if not in a ban and the others still are.
- The Conex container in place at Brown's Lake but waiting on the electrician.
- The fence is being installed on the Brown's Lake beach tomorrow.
- Brown's Lake and Snyder Bend staff have also been doing playground repairs and installing some new slides. There is some cracking around bolt holes, paint peeling on posts, and metal exposed where the plastic coating has worn off steps and platforms. Equipment was installed over 25 years ago and should be replaced soon.
- Mark Nelson asked if information is included in campground kiosks about amenities in nearby towns. He suggested working cooperatively with those towns to list nearby restaurants, stores, etc., and build alliances with those towns.
- Brodie Skinner is graduating from the Iowa Law Enforcement Academy on April 21st. Dan, Brian, and Erik will attend to support him.

4. Board Information

Neil mentioned that a group from CF Industries will be conducting a volunteer day to treat parking posts with linseed oil at Snyder Bend in observance of earth week.

5. Other Business

None

ITEM R7. Adjournment

The meeting was adjourned at 6:08 p.m.

The above minutes were recorded by Dawn Bostwick.

Recording Secretary, Dawn Bostwick

Board Secretary, Tom Limoges

Board Chair, Chris Zellmer-Zant

**WOODBURY COUNTY, IOWA, CONSERVATION BOARD
MINUTES OF THE TUESDAY, MAY 11, 2023, BOARD MEETING**

The following is a true copy of the minutes of the meeting of the Woodbury County, Iowa, Conservation Board held on Thursday, May 11, 2023, at the Dorothy Pecaut Nature Center beginning at 4:00 p.m.

BOARD MEMBERS PRESENT

Aaron Gehling, Chris Zellmer-Zant, Cindy Bennett, and Tom Limoges

BOARD MEMBERS ABSENT

Neil Stockfleth

STAFF PRESENT

Dan Heissel, Brian Stehr, Theresa Kruid, Josh Van Voorst, and Dawn Bostwick

OTHERS PRESENT

Mark Nelson, County Supervisor/Conservation Board Liaison

CALL TO ORDER

Chairperson Zant called the meeting to order at 4:15 p.m.

CORRESPONDENCE ITEMS

None

PUBLIC PARTICIPATION

None

ITEM R1. Approve Consent Agenda

Add Old Business – Update on wind turbine setbacks

MOTION by Aaron, second by Tom

To approve the consent agenda.

VOTE:

Aye: Aaron Gehling, Chris Zellmer-Zant, Cindy Bennett & Tom Limoges

Nay: None

Absent: Neil Stockfleth

The consent agenda was approved and involved the following items:

- C1. Approve Minutes of the April 13, 2023, Regular Meeting
- C2. Approve the April 2023 Claims and Expenditures
- C3. Receive and Place on File the April 2023 Financial/Budget Report
- C4. Acceptance of Gifts/Donations:
 - \$1,000 cash from Loess Hills Audubon Society Mini Grant for Screech Owl Aviary
 - \$1,000 cash from Gene & Ginger Martin for Raptors (i.e. Screech Owl Aviary)
 - \$50 cash from Dawn Snyder (Memorials for De Saulsbury & Thomas Mahaney) - Use for Screech Owl Aviary
 - Newspapers from Linda Bockelman

ITEM R2. Little Sioux Park Septic Update

Brian and Dan researched BioMicrobics system. Met with contractor in Milwaukee and looked at small, medium, and large systems. Schools. Wisconsin DOT has contracted with them for their roadside systems and buildings. QuikTrips using them. Looks like a regular septic system above ground with a fan on them. Talked about maintenance and no different than what we do now. Pumps within the system.

Brian – They will last pretty much forever with maintenance on the mechanical portion (pumps and fan). Pump out septic tanks anyway. Can monitor them remotely. Company can monitor and advise if there is an issue. Seemed to be very customer service friendly.

Not charged a service contract on that. We can maintain them.

If an old system fails in the future, they can retrofit it using the original tank at a reduced cost.

MOTION by Tom, second by Aaron

To go forward with the BioMicrobics septic system.

VOTE:

Aye: Aaron Gehling, Chris Zellmer-Zant, Cindy Bennett & Tom Limoges
Nay: None
Absent: Neil Stockfleth

ITEM R3. Capital Improvement Projects Update

1. Brown's Lake Beach and Concessions

Took a walk to look at the concession stand.

Reviewed activities at Brown's Lake. Will be doing interviews for the concession. Finished small burn at Sheriff's office – Prairie Hill. Burned about 640 acres at Oak Ridge and Little Sioux. Balance park stuff with Owego. Burned 540 acres at Owego while it was dry this year. Working with forb gardens to put out there. 1,000 plugs growing here. Different species to diversify out there. Mostly forbs right now.

A lot of moving parts that are coming together. Interviewing for staff next week. POS using Square best percentage per swipe, user friendly. Targeting holiday weekend, but may not happen.

2. Little Sioux Park Renovations

Three acres of trees were cleared. Mark got a call that they are cutting all of the trees in the park. Ended up with 400 logs to go to the pallet makers. Had a little time left, and we wanted big rocks hauled to parking lot. Going to talk to Darren (Holly Brown) to haul the rock. North end of Little Sioux where they are doing the mining. Two phone calls from the Record, and they are going to write an article about the tree removal being for safety. It's graded, and they will get it seeded. See it next month when meeting is there.

3. Nature Center Shelter & Restroom

Found out shelter got pushed back to May 26th so Theresa will have to contact MRHD and ask for an extension. Supposed to have been here in April.

Discussed retaining wall. Poured wall behind shelter...will look like rock as the Little Sioux beach wall. They will start on it next week: Then it will be backfilled and they can pour the pad for the shelter.

Started restroom. Tore everything off the walls, got ready for plumbing, built the wall dividing the coat room. Brian had an idea to put a door into the nature center, so had them frame that up. plumbers will come in Tuesday. Electrician will drop heat into the room. Electrician will come in and do the lights.

4. Nature Center Foundation & Retaining Walls

Had two more meetings, last one was with certified testing services. Put a proposal into Kenny to do a floor survey. Couldn't understand why there is such a drop in the floor and no cracking outside and building is square. Do a survey and see where the drops are. \$950 Then they can tell where they have to do their soil borings. They don't think it is foundation so probably won't have to bring their big trucks in.

Retaining walls may come back on us if they don't need to take them out for access.

ITEM R4. Board Member/Staff Reports

1. Administrative Items

Dan reported on the following items:

a. June Meeting Date

The next meeting will be held at 4:00 p.m. on June 8 or 15, 2023, at the Little Sioux Park. Dan will check with Neil.

b. Naturalist II Position Update – Approve Starting Salary

Offer made and accepted. From Illinois, arranged physical there. She injured her shoulder the day before the physical. She is coming here on the 18th. Got a phone call from HR saying she didn't pass physical because of her shoulder injury. She can't start until they figure that out. HR was going to call Mariah and let us know. Hoping to have her on board and now it might be pushed back.

PT office assistant has been offered and accepted to start on may 24.

Starting wage per the salary matrix, \$50,730 depending on completion of physical and HR approval.

MOTION by Aaron, second by Cindy

To approve and authorize

VOTE:

Aye: Aaron Gehling, Chris Zellmer-Zant, Cindy Bennett & Tom Limoges

Nay: None

Absent: Neil Stockfleth

c. Old Business

Wind Turbine Set back update – First ordinance hearing at the supervisors meeting. Mayor of Merville & Correctionville and city clerk of _____. Merville & Correctionville wanted 5 miles instead of 2. They thought the setback on the parks wasn't enough and they wanted the bigger setbacks to cover Little Sioux and Midway. MidAmerican had told us they were going to stay out of the Loess Hills and Little Sioux River valley, since found out they have people signed up in the hills of Correctionville 3 miles from Little Sioux Park. Doing bird counts about a mile from Mark's house in an open field – no timber. They say they aren't seeing any birds. Concerned that they are not getting good information. Talked to Matthew, don't think they will do the larger town setbacks because it is within Iowa code, but open with the bigger setback for the parks. Reviewed it with MA and they approved it but at the meeting they came in and said they wanted 1 mile from town instead of 2 miles. County is within their right to change the numbers if they want. Easements signed up but no project permits.

See if the board wants to support the supervisors if they want to go to 1 mile in conservation areas.

Dan asked Will point blank, and he said they weren't going into the loess hills and little Sioux River valley, but their easements map shows differently.

Motion – Tom, Aaron – MCU to support the 1 mile setback by conservation areas.

Second hearing is this Tuesday.

d. Other Business

None

2. Nature Center Activities

Theresa reported on the following Nature Center activities:

- The programs and visitors report for April was presented.
- Field trips. Little Sioux last Friday with Woodbury Central 4th graders, tomorrow with their 2nd graders.
- Did not get Iowa Ornithologists union grant for the aviary. Heard from BNSF railroad for the shelter \$5,000. Email LH Wild Ones \$500 towards plants to redo garden beds. Invitation for Gilchrist for the exhibits.
- Model mockup for screech owl 8'tall 4'inside diameter. Working on round tube for prairie root. Have half the aviary raised.
- Gave out sponsor lists for Nature Calls.
- 3 of 4 interns are cleared. 2 really
- Next Thursday Volunteer appreciation event – conservation educator award to Karen South. 40+ years and she is retiring this year.
- Educational red-tail hawk passed away two weeks ago. 25-30 years old. Oldest in captivity is 28.

3. Park Activities

Brian reported on the following park activities:

- Camping kickoff weekend slower than anticipated. Might need to push it back a week. Depends on the weather. Gave out some freebies and permit for a free night.
- Staff working on food plot plans. Planting as soon as we can.
- Landscaping along steps and shower towers. Worked with cardis on the fence.
- Also did burn at Breise property – first time we burned it. When first seeded, no rain that summer, but second year a little bit. Have a really good stand of native grasses but need to interseed some forbs. Good time to burn and reinvigorate the grasses. Plans to convert into prairie. Challenging burn but was a huge success.
- Working on getting hay bids out. Talked about not renewing the ones at Shagbark and just do the ones in the park. Don't think there are additional areas in the park. Stick with the hayground currently have in the park 16.5 acres. Put out and advertise it. Two year contract instead of three so we have options.
- Kubota mower came in at Southwood. Looks like a very nice mower, heavier than the jd it replaced.
- UTV for Southwood run into some issues. Recall on power steering components and shut down production of them. Can't guarantee it will be here by the end of june. Looking at other options to purchase other equipment and shift this one around.
- One ton bid cancelled twice. Going to reach out this month or june and get it rebid.

Aaron – Upgrade to park, etc. Public doesn't know what all happened down here. Last thing in the news was about lake level. Suggest doing an announcement or ribbon cutting to let the public know. Did amazing work, let's share it with the public. Get the Chamber out to do a ribbon cutting. They are all about quality of life this year.

Mark Nahra said his department would contribute to a water study in Little Sioux area. Working with University of Iowa to look at the data and see what is going on.

4. Board Information

None

5. Other Business

None

ITEM R5. Adjournment

The meeting was adjourned at 6:19 p.m.

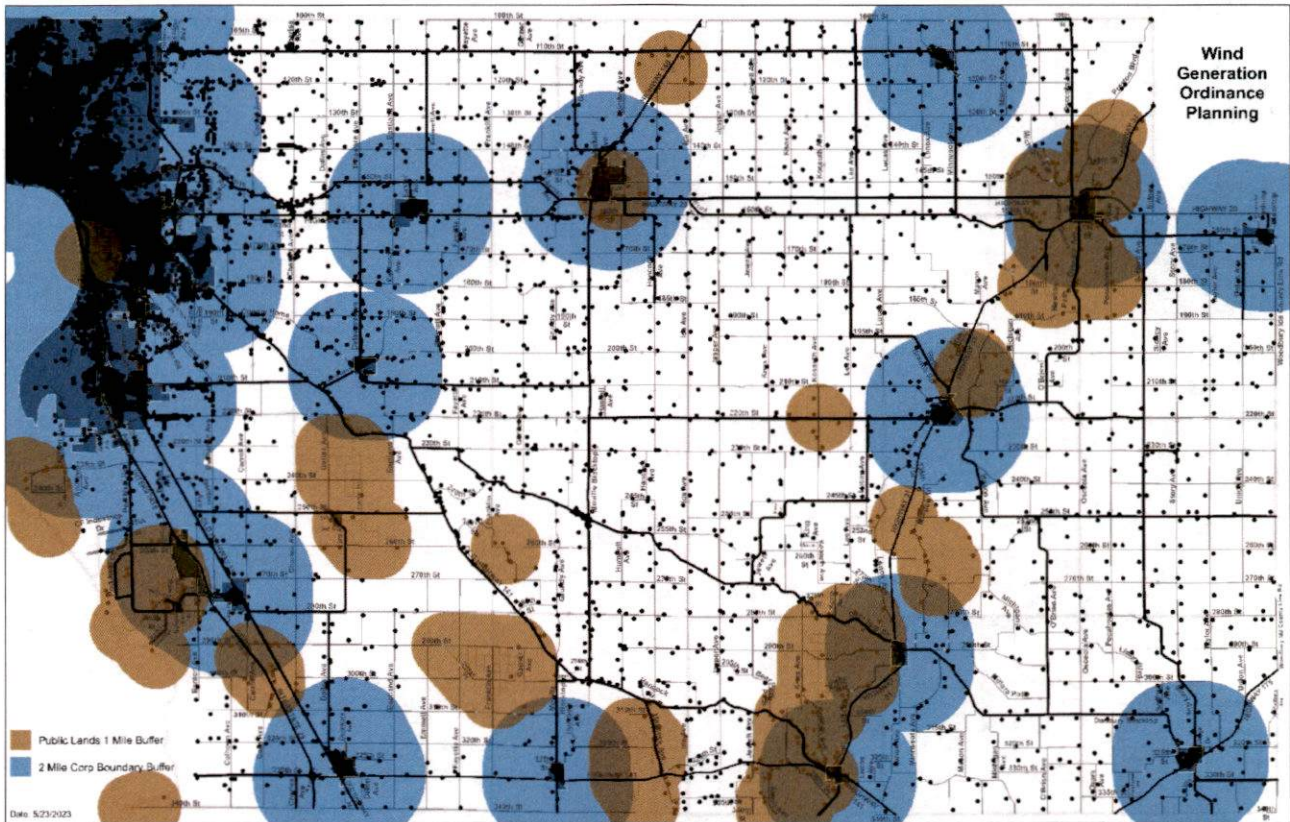
The above minutes were recorded by Dawn Bostwick.

Recording Secretary, Dawn Bostwick

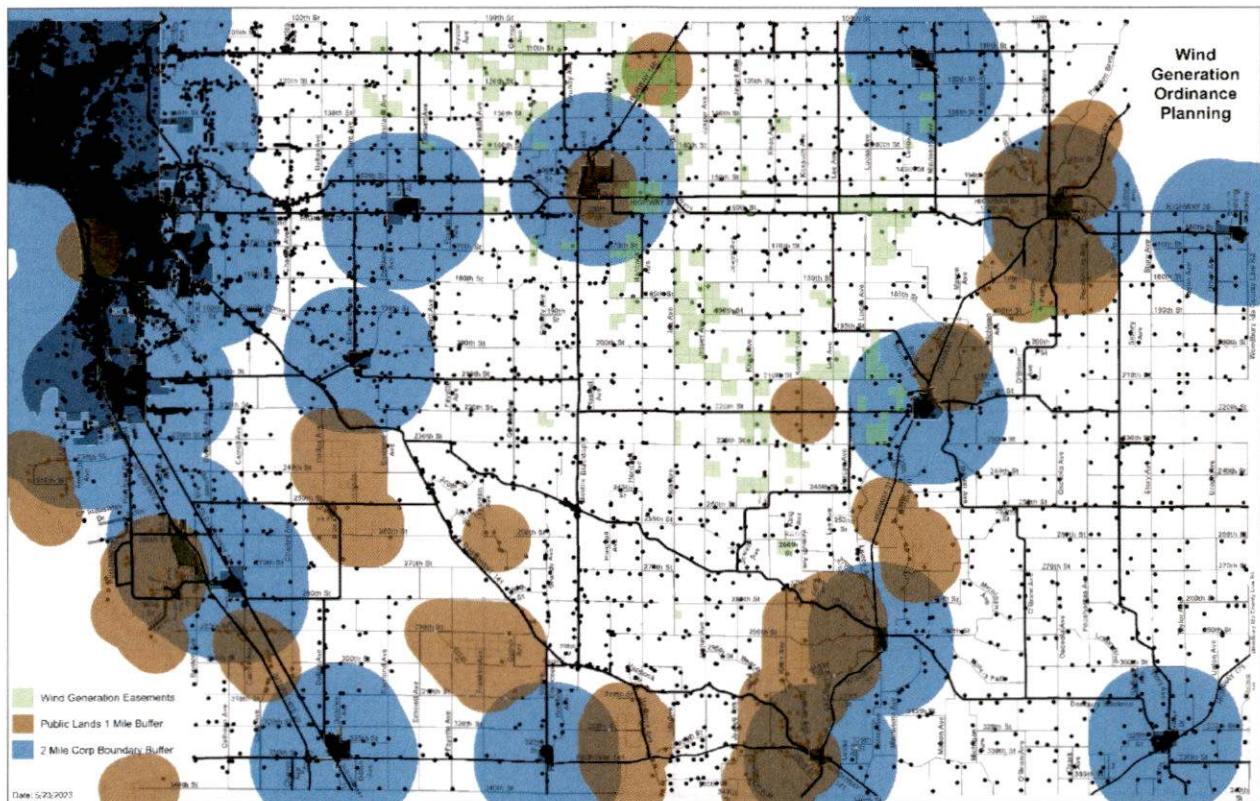
Board Secretary, Tom Limoges

Board Chair, Chris Zellmer-Zant

LOCATION MAPPING (Approximations). Revision to All Maps from Previous Reports

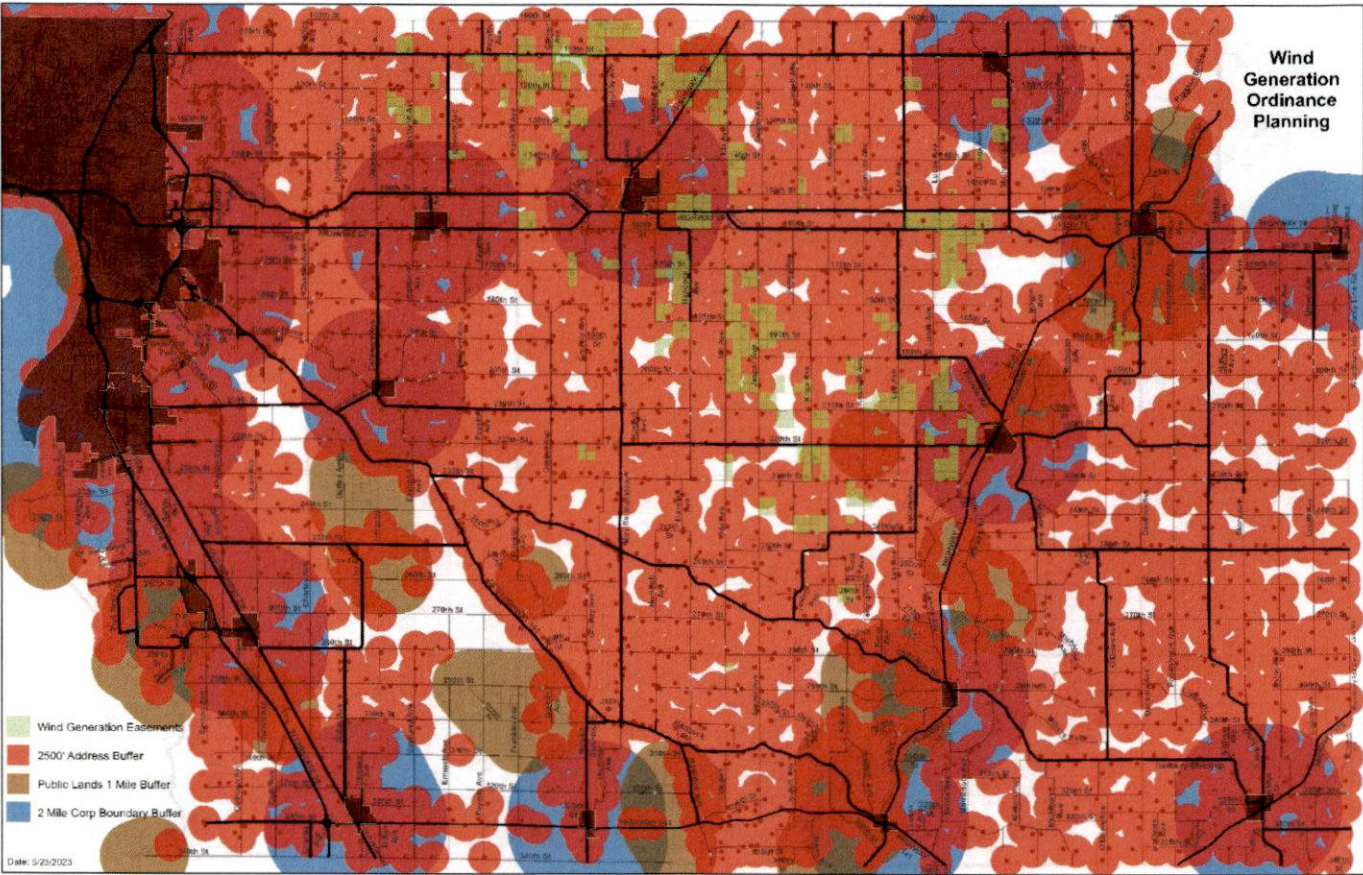


One (1) Mile Buffer from Conservation Areas and Cities.



**One (1) Mile Buffer from Public Conservation Areas and Cities with Public Easement Data.
Public Easement Data obtained from Woodbury County Recorder's Office as of May 10, 2023.**

**Wind
Generation
Ordinance
Planning**



**One (1) Mile Buffer from Public Conservation Areas and Incorporated Areas with Public Easement Data.
Public Easement Data obtained from Woodbury County Recorder's Office as of May 10, 2023.**

LEGAL NOTIFICATION OF PUBLIC HEARINGS BEFORE BOARD OF SUPERVISORS

Published in the Sergeant Bluff Advocate on May 4, 2023, the Danbury Review on May 3, 2023, the Merville Record on May 4, 2023, and the Sioux City Journal on May 4, 2023.

Sergeant Bluff Advocate

Danbury Review

Merville Record

Sioux City Journal

Public Notices

Public Notices # 14
 6,667.00
 Woodbury County Law 500864 Lease
 payment to LLC 200,000.00
 Woodhouse Sioux Ct 103940 2021 Jeep
 27,288.00
 Young Innovations 300638 Med/Lab
 Supplies 200 44
 Yulex*** April 104373 Program Business
 179.20
 Zaxxon*** VeriFone 500844 Message 64.50
 Zingbros*** Kel 101368 Home/Make
 Supplies 188.70
 Grand Total 1,023,860.50
 Published in the Sergeant Bluff Advocate
 weekly newspaper: Thursday, May 4, 2023
 The SB-Advocate is an Official Woodbury
 County Newspaper: 05/04/2023-NP

State Wide CLASSIFIEDS

NOTICE REGARDING PUBLIC HEARINGS WOODBURY COUNTY BOARD OF SUPERVISORS
 The Woodbury County Board of Supervisors will hold public hearings on the following item of business, hereafter described in detail, on Tuesday, May 9, 2023 at 4:45 PM, Tuesday, May 16, 2023 at 4:45 PM and Tuesday, May 23, 2023 at 4:45 PM or as soon as possible thereafter as the matter may be considered. Pursuant to Iowa Code Section 331.302, the second and third public hearings may be waived by the Board of Supervisors.
 Said hearings shall be held at the Woodbury County Courthouse, 620 Douglas Street, Sioux City, Iowa, in the Board of Supervisors' meeting room in the basement of the courthouse. Persons wanting to participate in the public hearings may attend in person during the meetings to comment.
 Copies of said item may now be examined in the Woodbury County Auditor's office in said Courthouse by any interested persons.
 All persons who wish to be heard in respect to this matter should appear to participate in the aforesaid hearing.
 Item One (1)
 SUMMARY OF PROPOSED REVISIONS TO WOODBURY COUNTY ORDINANCE #56: AMENDMENTS TO MODIFY SECTION 6.1.A WIND TURBINES SET BACK REQUIREMENTS TO INCREASE CERTAIN SETBACK REQUIREMENTS TO THE ORDINANCE REGULATING COMMERCIAL WIND ENERGY CONVERSION SYSTEMS IN UNINCORPORATED WOODBURY COUNTY.

C	L	A	D	A	L
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R	I	P	E	R	U
A	C	T	O	R	T
B	I	L	L	I	A

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Woodbury County Board of Supervisors

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 Published in The Record Thursday, May 4, 2023

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ORDINANCE NO. ____
WOODBURY COUNTY, IOWA

AN ORDINANCE AMENDING PORTIONS OF WOODBURY COUNTY ORDINANCE #56: AN AMENDMENT TO MODIFY SECTION 6.1.A: WIND TURBINES SET BACK REQUIREMENTS TO INCREASE CERTAIN SETBACK REQUIREMENTS IN THE ORDINANCE REGULATING COMMERCIAL WIND ENERGY CONVERSION SYSTEMS IN UNINCORPORATED WOODBURY COUNTY.

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF SUPERVISORS OF WOODBURY COUNTY, IOWA THAT THE BELOW AMENDMENTS BE MADE:

AMENDMENT #1:

On page 10, Section 6.1.A, to repeal and replace the Wind Turbine Set Back Requirement for the City Limits Protected Area from 600 feet to 2 miles.

AMENDMENT #2:

On page 10, Section 6.1.A, to repeal and replace the Wind Turbine Set Back Requirement for the Public Conservation Protected Area from 600 feet or 110% of total height (whichever is greater) to 1 mile.

Adopted this ____ day of _____, 2023

ATTEST:

Patrick Gill, Woodbury County Auditor

Matthew Ung, Chairman

Jeremy Taylor, Vice Chairman

Daniel Bittinger II

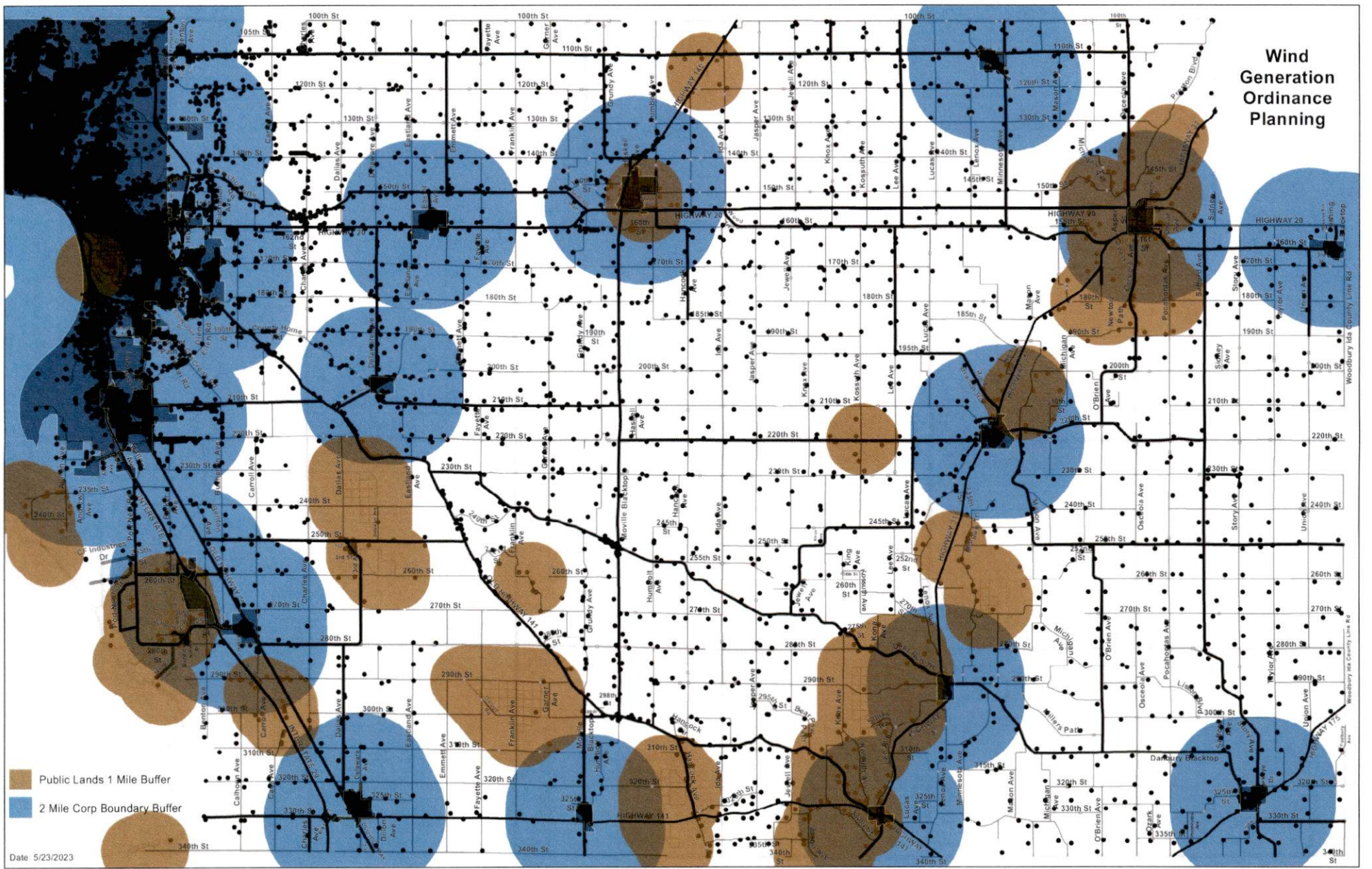
Mark Nelson

Keith Radig

Adoption Timeline

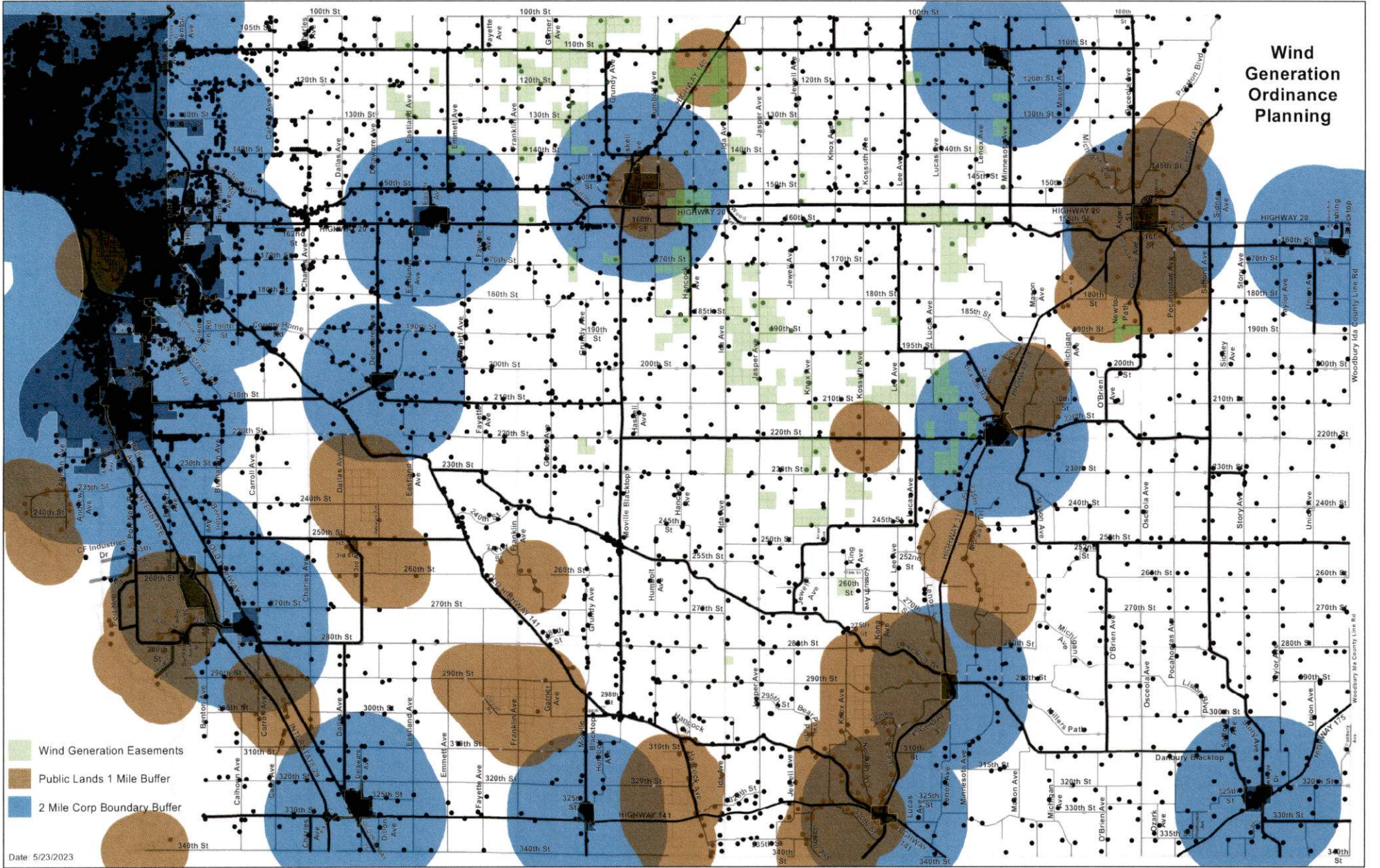
_____: Public Hearing and 1st Reading
_____: Public Hearing and 2nd Reading
_____: Public Hearing and 3rd Reading
_____: Adopted
_____: Published/Effective Date

Wind Generation Ordinance Planning



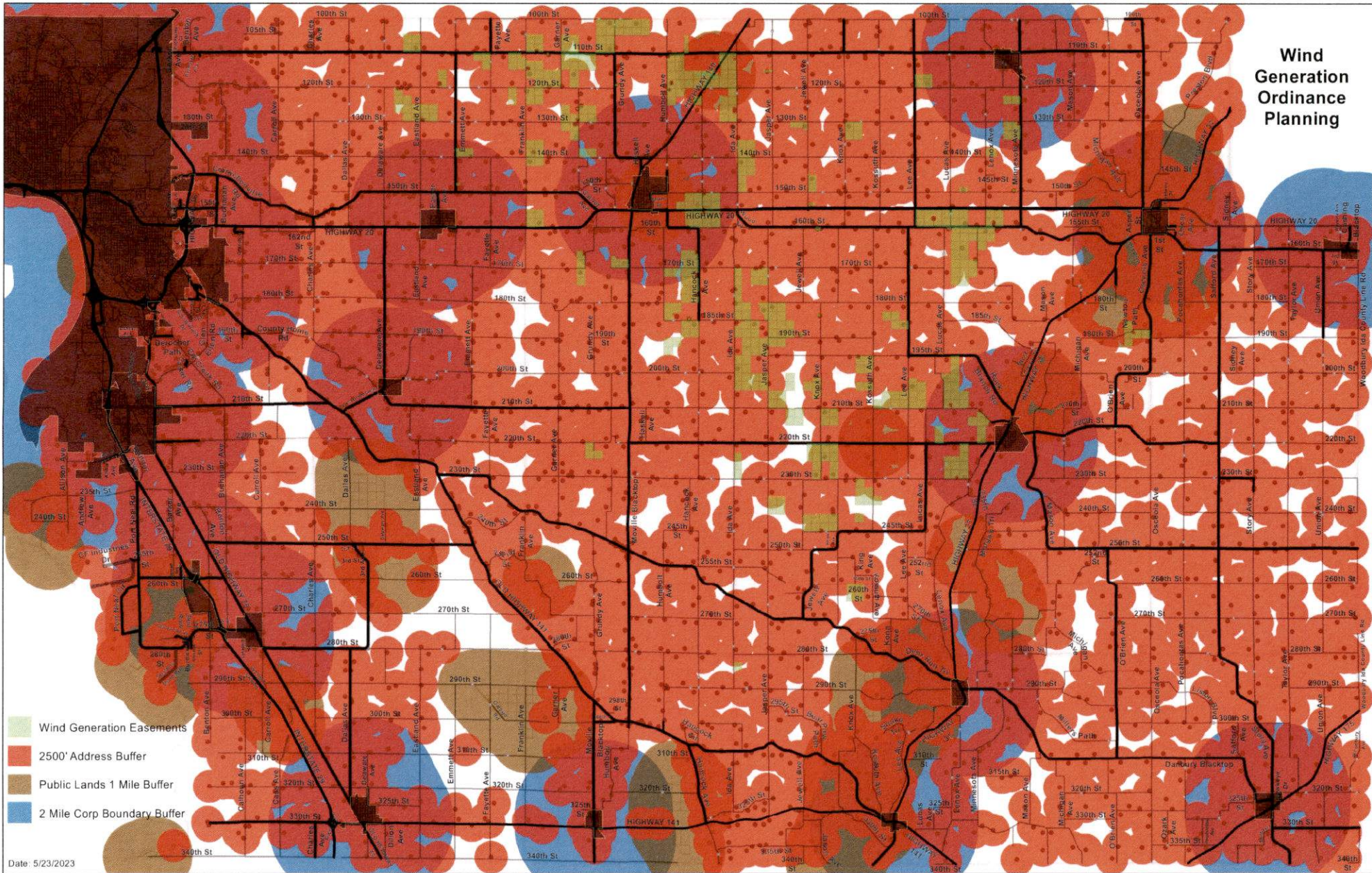
Date 5/23/2023

Wind Generation Ordinance Planning



Date 5/23/2023

Wind Generation Ordinance Planning



- Wind Generation Easements
- 2500' Address Buffer
- Public Lands 1 Mile Buffer
- 2 Mile Corp Boundary Buffer

Date: 5/23/2023