

## PUBLIC HEARING

7:00 p.m. September 17, 2025

Eddyville High School Cafe 1301 Berdan St., Eddyville, IA 52554

DATE: 9-17-2025

TIME: 7:00 p.m.

ROLL CALL: Darren Batterson, Chair; Bryan Ziegler, Vice Chair; Carrie Teninty, Supervisor; Miranda Bailey, Planning & Zoning; Karen Wilcoxson, GA; Dave Weber; Michele Weber; Jim Rudd; Vicki Rudd; Bonnie Horsley; Travis Kaster, Wapello County Assessor; Randy Reed; Nick Batterson; Larry Sample; Carla Kaup; Jeffrey Hamann, Dennis Willhoit; Tom Lazio; Peg Lazio; Corey Eberling, Apex Clean Energy; Mike McCarty; Bryan Pearson; Tyler Orman; Chloe Thomas; Carson Smith; Jim Woodruff; Kevin Holzhauser; Matt Eberl; Milo Arnold; Taylor White; Wilene White; Savannah Arnold; Jody Trenary; Roberta Archer; Tony Teninty; Travis Bailey; Thomas Bean; Will Heckart; Kelly Heckart; Jared Hershberger; Dennis Whitlow.

Chair Batterson opened the meeting. Supervisor Teninty moved, seconded by Vice Chair Ziegler, to move to start the meeting. All ayes. Motion carried.

Supervisor Teninty moved, seconded by Vice Chair Ziegler to approve the agenda for the Renewable Energy Ordinance. All ayes. Motion carried.

Supervisor Teninty moved, seconded by Vice Chair Ziegler, to open the Public Hearing. All ayes. Motion carried.

The MSA Group did a brief presentation for the citizens to educate them on the Renewable Energy Ordinance. They discussed the proposed ordinance for Wapello County, Iowa. Key points included that 62% of Iowa's energy comes from renewables, with 54 counties adopting ordinances. The ordinance aims to balance landowner interests, defining personal and commercial renewable energy systems. Setbacks for wind turbines are 2.2 times their height, and decommissioning plans require financial assurance. The ordinance includes definitions for various renewable energy systems.

**Written Comments-** Debbie Wordehoff I am writing to you in support of the Dusty Fox Wind Project. Roger Russ I cannot believe the amount of money spent to develop an ordinance concerning wind and solar energy and it sounds like we have nothing to show for it. Neither wind nor solar energy are reliable. You can easily do as our adjoining counties have done and opt out of the project. Ms. Teninty, thank you for excusing yourself from voting on this issue. Charles Willhoit I'm in favor of the renewable energy ordinance. It will be positive for the community and provide jobs. Dennis Kurt I am a Wapello County landowner that has signed up for windmill(s) to be installed on our farm. I also understand there is a potential proposal to limit or exclude property owners who do not reside in Wapello County. I am in full support of Dusty Fox Wind project. Karen Gooden I am in favor of the Wind Project. I feel it will increase the revenue for the county. Todd Bowman is in favor of the renewable energy ordinance. The tax revenue generated by wind energy systems poses significant benefits for rural communities. Larry Whittington is in support of the project. Economic growth, Job creation,

Landowner income, Reliable Homegrown energy. This project offers a powerful combination of economic, environmental and community benefits. Kay Whittington is in favor of the Dusty Fox Wind Project. Projects of this scale create a ripple effect throughout the local economy. It's an opportunity to grow the tax base, support local jobs, and strengthen the backbone of small businesses like ours. 2-letters from anonymous citizens in favor of the renewable energy ordinance. **Verbal Comments-** Tom Lazio attended the County Planning Commission meeting earlier and read the ordinance prepared by MSA. I think it's a good ordinance and I would encourage supervisors to pass the ordinance. Michele Weber I support this project, and we have signed. We have a choice what happens to our land. I think it will be good for Wapello County and it's another source of income. I also think it is good for Iowa to have a variety of sources of electricity and power. Mike McCarty I am opposed to them because things will never offset the carbon footprint. Concerns about the fiberglass with the tip speed. They will never generate enough electricity to offset what it takes to make them. Scott Sloan I'm opposed to them. The commercial plants come in and destroy the roads. Our roads are not designed for these huge cranes, huge pieces of equipment and large amounts of traffic. The solar panels are known to leak toxic metals into the environment. Potato farmers said even when the solar panels are gone you cannot grow potatoes because the ground is contaminated. The county north of where my mom lives people had to move out because of headaches from the noise. Be very cautious about what you are signing up for. Tyler Orman concerns the roads being torn up and not fixed. Also, a safety standpoint for fire safety. I don't think the fire departments have the tools it would take. Thomas Bean states it's a good ordinance and it's voluntarily for this project to sign up. Jim Woodruff has a friend in New Sharon who has 3 on his property and he's happy with them. He has a friend who lives south of Lancaster, MO and he had 2 built in the last 5 years. He said the blades have to be changed out in 20 years. What are they going to do with 5 million blades that need replaced. Just want people to think about it. Brandon Reed I don't want to look out and see one 400 feet away that's not on my property. I've heard the noise level concern. We drove through the New Sharon area the other night and the lights drive you nuts, you're going to look at that for life. I think it's your supervisory duty to educate yourself before you do anything major. I bet your property value when next to a windmill, its value is not worth as much as it was before. The battery and solar panels seem to be alright. Larry Sample wants to know about when the turbines are decommissioned. Can the company just walk away from it and the property owner is responsible. Can you explain where the tax money will get divvied up? Is there a formula? Will the taxes go up since we have a wind turbine and will that also affect the neighbors' taxes too. Is there an inconvenience fee for those who choose not to have them but have to look at the neighbors who choose to have them. In the highly productive areas of Northeast Wapello County, where the ICSR ground is, there could be a special variance. What is that special variance? Supervisor Teninty, I understand you have property you have signed up for. Can you or cannot you vote? Travis Kaster, of the Assessor's Office, answered a question regarding taxes. It will not make your land value increase if you have a wind turbine on your land. Your land will not assess higher than if there was not a turbine. Your question about where everything goes. If you are in a single school district, that school will

get the revenue. They are assessed at 30% of the acquisition cost. That steps up over seven years before you get 30%. Regardless of how much revenue they bring in, it's not going to happen tomorrow. Example: Say they are still building in 2029, and it gets turned on 2030 this would be your 0%. You would have to go to 2037 before you would reach your 30% acquisition cost. Vice Chair Ziegler I have been through 3 budget cycles, and our law enforcement system/ jail is over capacity. This is a real problem that needs fixed. It will cost about a million dollars to house outside inmates. This is frustrating and this is why I'm excited about any potential revenue, without the burden on landowners and property owners in our county. I have been with the Wapello County Rural Fire Dept. for 37 years and I know a little bit about the fire risk. We would save lives of the citizens first, contractors, and then property. We have been to the coal plant for a fire about every 3 years. This is a fire that scares me, because water on hot coal could cause an explosion. We have worked with the power company over the years, and they help fund some of the things we do. We have achieved good ability to fight fires at the coal plant. This is the same thing we could do with the many energy facilities. Miranda Bailey spoke on where variance comes from. The solar company is looking to come to Wapello County. After they looked at our ordinance they asked if we could apply variance to the setbacks. Currently they are looking at 120 feet. They would like to know if they could get a variance down to 50 feet. Another question was the height and the flood zone. We do have flood areas. They would have to apply more floodplain through Iowa DNR and meet those base flood elevation. Which is one foot above whatever that base flood elevation is. When this happens, they cannot be at the max tilt, 20 feet. So if you are raising the base flood elevation, then you are going to be too high. If we could look at possibly having a variance in our ordinance. Another concern is the setbacks on the wetlands. Iowa DNR is going to get back to me on this. An unnamed person asked about one of the Supervisors having signed up ground voluntarily already. Is this a conflict of interest. Supervisor Teninty states just so everyone is aware that my husband and I signed a lease back in 2023 before it was even a thought to run for supervisor. I have been advised from my attorney that I am authorized to vote on this. I have spoken with the county attorney who does represent the Board of Supervisors, and I am still waiting for an opinion. This is where I am with this. Larry Sample says he has heard there's an inconvenience fee being paid to anybody living adjacent to a structure. Matt Eberl, Dusty Fox Wind; the state has an ordinance and if it is passed it will allow us to do that. We have well over 100 people who want to sign up, which would allow us to start designing where the project will be built. The point of having a good ordinance is that we have to follow the rules and regulations to do a good job here. Make sure we are held accountable to have a decommissioning climate funded. We do have some agreements that could become available so everyone can benefit from the project. Dennis Willhoit any investments in this county that helps relieve property tax and is not assigned to property owners. That is what this opportunity is for. I may not be here in 30 years, but it's important to me to make decisions regarding my farmland. I am in favor of wind energy. Supervisor Teninty explains once you have public hearings and get public input there can be readings scheduled. Because where I stand, I need to wait for the opinion of the county attorney. Carson Smith I've been calling around the state and called North Dakota to

find information about this project. APEX has been in a lawsuit with Illinois. They sold their project to another company, and they failed to pay the vendors and subcontractors, which resulted in over \$2.1 billion of means filed against the farmers. North Dakota had a good ordinance, and their roads were torn up and they didn't fix them. They want to build between 66-100 turbines. You take that time however many yards of concrete for each one. That is a lot of waste in my opinion. By 2040 they will need to replace 10,000-20,000 blades. Where are these going to go? Concerns about livestock if there were a natural disaster. Will the ground be returned back to the CSRA rating once concrete is taken out. It's not all that green. Will Heckart I'm against them. I live in the country and enjoy not seeing the red lights and hearing the woosh sound of the turbines. I also think there should be something in the ordinance if you don't live on the property, you shouldn't be able to put a wind farm on the land. Kevin Holzhauser 5<sup>th</sup> generation landowner, and I support this economic development ordinance. Over 30 years \$90 million divided up into the county and schools. This will also bring jobs to our community. It's good for economic development. Larry Sample How do the setbacks work? What are the substation requirements? (They are 2.2 times the height). Substations are not covered in the ordinance. I just want to make sure everything is covered in the ordinance. Jenna Gilliam The definition of wind energy system includes wind turbine, electrical components, feeder lines, substation, and accessory structures. All the components are in a setback. Larry Sample feels there's a lot of holes in the ordinance. Sarah Runkel states variances are up to the county board of adjustments, and that is already a process that Miranda does as zoning administrator. Miranda Bailey generally knows how variances work, if it was so we would notify everybody within 500-1000 feet, whatever the variance is. The owner will have the right to come to a public hearing and address the Board of adjustment and then if that's the time for them to answer questions they can set conditions. This is why we have these meetings and diversity of solar, and APEX is here to address these things. This is something the Board of Supervisors can add to the ordinance. Scott Sloan how much is the decommissioning cost calculated? Is it calculated for 30 years in the future. And is it bonded or is there some way we have security if these guys or any other company goes bankrupt or gets bought out. How do we make sure that's paid for? Bonnie Horsley is against having a windmill. She has 14 acres she built her home on and she doesn't want flashing lights or the noise near her. Sounds like the people who want the windmills are being compensated for them, but what about the people who do not want them. I'm totally against it.

8:35 p.m. Supervisor Teninty moved, seconded by Vice Chair Ziegler to close the Public Hearing. All ayes. Motion carried.

8:37 p.m. Vice Chair Ziegler moved, seconded by Supervisor Teninty to adjourn. All ayes. Motion carried.

ATTEST:

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Kelly Spurgeon  
Wapello County Auditor

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Darren Batterson, Chair  
Board of Supervisor

Submitted:ksw