

WAPELLO COUNTY BOARD PROCEEDINGS  
3rd Floor Courtroom/Boardroom at Courthouse

DATE: 9-23-2025

TIME: 9:36 a.m.

PRESENT: Darren Batterson, Chair; Bryan Ziegler, Vice Chair; Carrie Teninty, Supervisor; Chad Drury, Ottumwa Courier; Rick Tebbs, WCCB; Willene White, NOEL; Miranda Bailey, Zoning; Brad Skinner, Secondary Roads; Lisa Kent, Recorder; Karen Wilcoxson, GA; Danielle Weller, Auditor's office; Kevin Holzhauser; John Helgerson; Andy Alderson, Wapello County IT; Bryan Pearson, JGG Land Services; Jared Hershberger, Dusty Fox Wind; Jerry Angle; Edward Miller; Marc Roe, GOPIP; Cyan Bossou; Corey Eberling; Ken Sobaski; Tom Lazio; Peg Lazio; Dennis Willhoit; Thomas Bean; Steve Sieren; Carson Smith; Duane Bass; Jane Berg; Chloe Thomas; Jody Trenary; Hailee Keasling; Justin Smith; Travis Kaster, Chief Deputy Assessor; Gary Smith, Assessor; Michele Weber; David Weber; Riley Waters; Cathy Angle; Scott Sloan; Betty Moore; Jenny Dalbey; Todd Moore; Jeff Dalbey; Dennis Whitlow; Roger Russ; Jim Rudd; Vicki Rudd; Tim Richmond, EMA; Matt Eberl; Ryan Reed; Mike McCarty; Zoom: Primo Giusti; A; Rob Pilcher; Amanda Jones; Laurie Fountain, Treasurer.

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

Vice Chair Ziegler moved, seconded by Supervisor Teninty to approve Minutes of the 9-23-2025 Board Meeting. All ayes. Motion carried.

Supervisor Teninty requested to make a Public Announcement to be reflected in the minutes that disclosing in 2023 prior to being elected she and her husband signed a contract with Dusty Fox Wind and that it is a potential conflict of interest. As of today, I will not participate in discussion regarding The Renewable Energy Ordinance and will be Abstaining from any official action regarding the ordinance. This decision is not made lightly. My decision is made in the interest of maintaining transparency, accountability, fairness and integrity of our Board. I want to ensure the Boards decision is rounded solely with the merits of the ordinance.

Vice Chair Ziegler moved, seconded by Chair Batterson, to Open the Public Hearing for Renewable Energy Ordinance. 2 ayes Chair Batterson and Vice Chair Ziegler. Supervisor Teninty Abstained. **Written Comments** – Fred & Tatyana Svejda has farmed his 350 acres for many years and would like to see the Board move forward with the project to provide green energy and help secure their retirement. Nate Bissell expresses opposition to the proposed wind turbine development in our area. Nate has serious concerns about the long-term effects. Noise pollution, limited life span and the beauty of the landscape/countryside being altered with the towering turbines and flashing lights. Charles Willhoit supports the Renewable energy project. It will be positive for the community by bringing in another industry to provide jobs. Dennis Kurt (Avery Family Farms) has signed a contract with Dusty Fox Wind. Dennis expressed concern there is a potential proposal to limit or exclude property owners who do not reside in Wapello County. He feels it is unfair and perhaps illegal. He faithfully pays taxes and is in full support for moving forward with this project. James Barker shared his personal belief that it should be left up to the voters of the county to decide whether the windmills be built or not. Karen Gooden is a property owner and taxpayer who has lived in Wapello County for 68 years. She in favor of the windmill project and feels it will increase the county's revenue. Karen is participating in this project. Deb Stephenson would like to register her support for both forms of energy. Regardless of what people think, climate

change is real. We have to make changes for the future of our children and grandchildren. Wind and solar energy are some of the means to do this. Please consider acting positively to bring these types of energy to Wapello County. Riley Waters is with Brotherhood of Electrical Workers Local Union 13 and part of the skilled local construction workforce. He would like to express his strong support for ensuring that future energy projects in Wapello County, including wind and solar energy, the priority would be to use local building trade workers. This project could create great employment opportunities for our community. Paula Carter supports renewable energy when it is done responsibly, but this ordinance doesn't protect Wapello County residents the way it should. The way the current ordinance reads allows turbines, solar fields and battery sites too close to homes, roads and schools. Permits noise and shadow flicker levels that will disrupt families and lower quality of life. Fails to protect non-participating neighbors, who could see their property rights being restricted and property rights restricted, and land use limited by someone else's easement. Equipment, training and long-term support for all-volunteer fire/EMS. Underfunds cleanup and decommissioning. Does not clarify who pays for cleanup after a natural disaster like tornadoes. Urges you to insist on stronger protection before moving forward. Andy Noe is not for the windmills as he doesn't think it will improve anything for anyone in the long term. Agrees it will bring revenue, but we will lose revenue by way of people not expanding and not building houses in the areas of the windmills. We need to bring more industry to our area such as John Deere and Dr. Pepper. I would love to see another natural gas power plant as that will create jobs for the people that maintain them and local contractors. Andy has a relative in Greentop, Missouri who has windmills on his farm. He doesn't care about the noise they make, but on the side of that conversation the one he hears the most is the one on the neighbor's ground. In his area they shut off at 7 pm due to bats in the area. (environmental). Vicki Rudd and her husband attended a Public Hearing and heard both sides of the of the issue. Unsure when the vote will take place, but they are a firm no and so are their neighbors. They also would like to see more Public Hearings to gather more information. Mary Jo Sloan lives in Clinton County Missouri and included a speech she gave to Planning and Zoning how they built and didn't want obstructed views of their cows and all wildlife they experience on their land. The company they deal with made big promises and didn't follow through with fixing roads, bridges and maintaining roads that the buses will travel on. Mary Jo recommends adopting a moratorium for at least a year. Do your research before you let the wind company take over your county on things such as: Land values, wildlife, shadow flicker, roads will be destroyed, wind isn't cheap, not reliable, Health dangers to humans and animals, destroyed the landscape and view, destroys the quiet country life, destroys quality of life, noise levels, stray voltage, trespass zoning-a wind turbine on a neighbors land will cause health issues, setbacks from a nonparticipating landowner's property, and the decommissioning of the turbines at the end of their life. Scott Sloan forwarded emails from his mother (Mary Jo Sloan) who fought Clinton County Missouri. Scott states this is a very serious issue that consumes the land for eternity. Large wind turbine bases are nearly impossible to remove and both solar and battery contaminate the land with heavy metals forever. Connie Denny is opposed to a wind turbine field in Wapello County. She has heard of people living near the current windmills the noise is annoying and causes constant headaches for some people. Concerned why you would use crop land to place solar panels. David Orman is a lifelong resident of Wapello County all but about 3 years. David was in college over those 3 years. He spoke to a farmer in Adair County whom had 5-7 wind turbines on his property. One of them was missing a blade, one had an oil leak running from top to bottom and the company was in no hurry to repair either of these. David was concerned about the conflict of interest of one of the supervisors that has ground and will be getting wind turbines. David is not a fan of the

proposal for wind energy. He made note of all the equipment Secondary Roads has and wondered if we really needed all of it. Bonnie Horsley is opposed to the ordinance. She feels people are only in it for money. Bonnie was concerned about the elected official who has signed up for wind energy and the ethics of the vote of this official. Lonny Floen is 100% opposed to polluting the skyline with windmills. Everywhere you go people are unhappy with them unless you are the farmer getting money from the power company for letting them build on your land. Shelley White is concerned that the ordinance is not strong enough to protect the health, property, and quality of life of Wapello County residents. She also shared other counties have learned the dangers of adopting weak ordinances. If the ordinance moves forward, she suggests requiring setbacks of at least 1,900 feet or 3x turbine height, limit turbine noise to less than 40 dBA at non-participating residence, require ADLS lighting and enforce strict shadow-flicker limits, allow only small pilot projects first, proving compliance and safety before permitting large scale expansion. The written ordinance is not strong enough to move forward. **Verbal Comments** – Mike McCarty expressed opposition to the ordinance, citing concerns about the carbon footprint, debris from fiberglass, and lower quality of life. Marc Roe discusses the economic development benefits of green energy offsets, particularly for data centers and job expansion, and mentions the financial impact of the ordinance of Wapello County. Highlights the state revenue cuts and the potential for the ordinance to offset these losses, emphasizing the tax benefits and the cheapest source of electrical generation. The potential drive for solar and battery generation to drive economic development. John Helgerson recalls a historical context, “not in my backyard” ordinance led to higher energy costs and blackouts in California. Roger Russ discusses the high rates of electricity due to Alliant Energy’s rate increases and negative impact on wind turbines on quality of life, including noise and flashing lights. Nuclear energy is cleaner and more efficient alternative. He questions the use of tax money for wind turbines. Dennis Wilhoit supports this project He reminds us that we are here to talk about the ordinance. He has done his research and knows the economic development of the ordinance would be positive. Dennis stated he is a participant and is fully capable of making his own decision for the future of his farmland. Ed Miller commends the transparency and expresses concerns about the timeline and communication of the meetings suggesting the process is rushed. He also raises concerns about setbacks for adjoining landowners and small towns, and the need for better language on the decommissioning and battery storage. Dave Weber emphasizes the importance of economic development and the right of farmers to use their land for additional income, despite concerns about the timeline and communication. Justin Smith from Diversity Infrastructures discusses the environmental standards and income potential of a solar farm. Mentioning a project in Worth, Howard and Mitchell Counties scheduled to bring in \$77.5 million over 35 years the lifetime of the project. This money goes to infrastructure, emergency services, schools, and no tax burden to the public. Justin suggests allowing variances for solar farm setbacks if local landowners give written consent to make projects more viable. Riley Waters emphasizes using local labor for building projects to keep money within the community by using local trades. Matt Eberl with Dusty Fox Wind made a couple statements regarding the lighting. ADL’s require on the current ordinance. That’s aircraft detection lighting system. It’s a radar setup that detects when flights are coming in, turns on the FAA required blinking lights at that point. And when the plane has safely left the area they turn off. The decommissioning and road use plans are also required in the ordinance. The setbacks in this ordinance are more restrictive up to 36% more than what the state had in their draft ordinance. Ken Sobalski has land in Keokuk County and a farm in Wapello County. I lost the opportunity in Keokuk and would like to take advantage in Wapello. I would like to think that Wapello is looking forward to and would like to grow. Chair Darren Batterson We’re going to

have an ordinance, but I don't feel this ordinance protects the county enough. It doesn't protect the participants or the non-participants. It does not highlight a lot of the features that are unique to Wapello County. Almost all the counties have a quantity limit, height limit and setbacks. They have setbacks on the times height. That's not enough because this is based off a 700-foot windmill. What if they built a 350-foot windmill. That's too close to somebody's house. It needs to be a certain number of feet, whichever is greater. That way it covers regardless of the height. There's no minimum distance for the blade to the ground. Most commonly in all the ordinances I've read it was 50 to 75 feet the blade couldn't come within the ground. When you read other county ordinances, which I would encourage you to read. Some have almost no restrictions and some are extremely restrictive. We need to find a middle ground that protects everybody involved. Insurance is another issue on how far does it cover? If a blade falls on the highway and kills a passerby. Who is liable? A lot of things that happen with wind turbines are natural. A tornado and that can't be controlled. If there's a fire the company provides a fire suppression system, but that's not required in the ordinance. We have a neighboring county Mahaska County talk to them about the people who have them. I want to protect A-1 farm ground. Once we give it up, its built on and they tear it up, it's no longer A-1 farm ground. Anybody ever built a terrace? Once you build a terrace it doesn't grow the same. Tearing up field tile. There's been a horror story about going in and tearing up field tiles. People with water wells and different people who use ponds and water wells to water their cows. What insurance do we have that won't be contaminated. I feel we have some things to work on to make it better for everybody. I'm not against wind turbines, but I am against the procedure to get them here. I got a call from a farmer last week saying they were following him around his field and wouldn't take no for an answer. Vice Chair Bryan Ziegler thanked Darren and Carrie for their thoughts. Two things on the Republican platform are individual land rights and fiscal responsibility, and I feel both are at stake here. I'm in favor of individual land rights and fiscal responsibility for us when it comes to taxes. I said the other night at the Public Hearing we're facing a financial crisis in the county. It's not terrible, but it is before us and if we don't have another income stream coming into the county, we are going to have to do something on the tax side of it. Example: Our law center/jail population is maxed out and we must contract out inmates costing a little over a million dollars a year. It can't go on forever. I'm looking at any kind of opportunity so that we can expand our revenue. I would say we have been doing this for two and a half years. I have heard some of Darren's concerns that I didn't know about until today. Iowa Code 68B.2A reads: to give the person or member of the person's immediate family an advantage or pecuniary benefit that is not available to other similarly situated members or classes of members of the general public. In my opinion Carrie does not have that, she does not have an isolated interest that is not available to the other landowners in the county. I question that idea of conflict of interest. If you are in any kind of county or city government, you risk being attacked on conflict of interest all the time. I could vote to lower the landfill tipping rates, so it's cheaper for me to take stuff to the landfill. I don't do that. I act responsibly in my role as an elected official. I appreciate your comments and like to have us in this with the idea that we are committed to working together and to improving the conditions in our county together. Scott Sloan I'm not really in favor of the wind turbines. I understand the economic side. How do we move forward? What's next? Justin Smith asked if it is possible the wind and solar could be separated verses being lumped together. Chloe Thomas, I think it would be a great idea to look at splitting solar energy away from wind energy. It's all green energy. Jane Berg I am totally against the project. I've heard the energy will be going to Illinois. I have horses and I absolutely do not want the windmills to close them. Michele Weber what we get for our 170 acres, is equivalent to a one-month social security check. Duane Bass we have cattle and

hay. I hear a lot of good concerns being discussed. How will you proceed? What is the next step? Dennis Wilhoit would like to know what is next. Concerned that there's been Public meetings and work sessions. Sarah Runkel answered there have been joint workshops between the commission and Planning and Zoning board in April and June. The Board of Supervisors asked that we draft an ordinance. This was presented in July. Chair Batterson moved, seconded by Vice Chair Ziegler to close the Public Hearing. 2 ayes Chair Batterson and Vice Chair Ziegler. Supervisor Teninty Abstained.

Supervisor Teninty moved, seconded by Vice Chair Ziegler to approve Request for Payroll Approval, Change of Employment for Isaac Mills to Correctional Officer-Full Time effective 9-8-2025 He will stay at \$23.00 per hour. All ayes. Motion carried.

Supervisor Teninty moved, seconded by Vice Chair Ziegler to approve Request for Payroll Approval, New Hire to Hunter Collins to Operator III/Utility Operator effective 9-15-2025 at \$27.85 per hour. All ayes. Motion carried.

Supervisor Teninty moved, seconded by Vice Chair Ziegler to approve Request for Payroll Approval, New Hire for Ryne Denniston to Operator II/Motor Grader Operator effective 9-15-2025 at \$27.85 per hour. All ayes. Motion carried.

Supervisor Teninty moved, seconded by Vice Chair Ziegler to approve Request for Payroll Approval, New Hire for Justin Drummond to Operator III/Boom Mower Operator effective 9-15-2025 at \$27.85 per hour. All ayes. Motion carried.

Supervisor Teninty moved, seconded by Vice Chair Ziegler to approve Request for Payroll Approval, New Hire for Cari Porter to Universal Deputy – Treasurer's Office effective 10-6-2025 starting salary \$58,738.42. All ayes. Motion carried.

Vice Chair Ziegler moved, seconded by Supervisor Teninty to approve Potential Cancellation Fee for Network Services for \$15,000.00. All ayes. Motion carried.

Supervisor Teninty moved, seconded by Vice Chair Ziegler to approve Replacement of Network Equipment. There were three bids submitted. Winger \$43,612.80, Insight \$47,292.15, Fortinet Phase 1 \$46,731.99. Winger's Bid was approved. All ayes. Motion carried.

Vice Chair Ziegler moved, seconded by Supervisor Teninty to approve Liquor License for The Bougie Barrell LLC. for the dates 10-16-2025 to 10-20-2025, 10-23-2025 to 10-27-2025 and 10-30-2025 to 11-3-2025. All ayes. Motion carried.

Vice Chair Ziegler moved, seconded by Chair Batterson to Table Setting Date for the First Reading on the Renewable Energy Ordinance. 2 ayes Chair Batterson and Vice Chair Ziegler. Supervisor Teninty Abstained.

Vice Chair Ziegler moved, seconded by Supervisor Teninty to approve Treasurer's Investment Report for August 2025. All ayes. Motion carried.

Claims in the amount of \$2,435.07 were approved on 9-18-2025. Claims in the amount of \$792,857.21 and Payroll in the amount of \$ 456,743.58 were approved for 9-19-2025. Claims in the amount of \$1,5000,000.00 were approved for 9-23-2025

10:48 a.m. Supervisor Teninty moved, seconded by Vice Chair Ziegler 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