

BOARD PROCEEDINGS
January 10, 2017
REGULAR JANUARY SESSION

The Board of Supervisors met pursuant to adjournment. Present were: Don McGregor, Chairman, Don Besch, Jack Plathe, Roger Tjarks and Pam Wymore.

Public discussion was held.

Motion by Besch and 2nd by Plathe to approve the agenda and the minutes of the previous meeting dated January 3, 2017. Motion carried.

Scott Curtis from KRHC was unable to attend but provided the Board with reports.

Motion by Tjarks and 2nd by Wymore to approve the liquor license for North Kossuth Golf Club, Bancroft, Iowa. Motion carried.

Motion by Besch and 2nd by Tjarks to set the date and time for the FY 2017-2018 Budget Hearing for Tuesday, March 7, 2017 at 8:35 a.m. Motion carried.

Discussion with Kossuth County Engineer/Zoning Administrator was held followed by Drainage and Public Hearing for Bid Letting for Improvement Project Drainage District 2 Lateral 3-2 and Lateral 3-4.

Discussion with Kossuth County Auditor was held followed by Board Discussion and Committee Reports.

Motion by Tjarks and 2nd by Plathe to approve Resolution #01-10-17-01 which is a resolution approving Ordinance No 310 which is an Ordinance Regulating the Construction and Operation of Commercial Wind Energy Conversion Systems in Kossuth County, Iowa. Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: yes, Besch: no, McGregor: yes Motion carried 4 to 1 with Besch being the NO vote.

KOSSUTH COUNTY RESOLUTION NO. 01-10-17-01

A RESOLUTION APPROVING ORDINANCE NO. 310, being *"An Ordinance Regulating the Construction and Operation of Commercial Wind Energy Conversion Systems in Kossuth County, Iowa"*

WHEREAS the Kossuth County Board of Supervisors has drafted a new Ordinance governing the construction, operation, and decommissioning of commercial wind farms within the County; and

WHEREAS, the Board (i) being mindful of the controversy that accompanies the development of commercial-sized wind farms – between those residents who may be against the placement of any large-scale wind farms and those who stand to directly benefit financially from the leasing of property rights for wind farms – and desirous of creating an Ordinance that allows for the reasonable development of wind farms without unduly interfering with the comfort and enjoyment of those Kossuth County residents and businesses that do not want, or have no control over the placement of, such farms, and (ii) having engaged in a months-long process of soliciting comments from Kossuth County residents and windfarm proponents and personally inspecting other wind farms, hereby makes the following FINDINGS in conjunction with said Ordinance:

1. That Kossuth County is an agriculturally-based economy that enjoys some of the most productive farmland in the world.

2. That the development of commercial wind farms in Kossuth County will provide direct financial benefit to participating landowners, as well as to the County, through lease payments and real estate taxes.

3. That the development of alternative sources of energy such as wind is a laudable goal for the County.

4. That large-scale wind farms can have off-site effects, including visual clutter on the landscape, noise, shadows, damage to roads, drainage districts, and private drainage systems, interference with communication systems, and interference with farming practices (including aerial applicators), which effects can negatively impact the use and enjoyment of the surrounding land and resources, and that the nature and extent of such effects is difficult to measure or predict.

5. That the Board does not want an Ordinance that allows for unlimited windfarm development in the County, but rather sought to design an Ordinance that encourages (i) windfarm projects that occupy a minimum geographic "footprint" with protections for the nearby land from such negative impacts; and (ii) spacing between windfarm projects in order to protect the visual landscape from pervasive interference by such large structures; and to ensure that there is not a concentration of wind farms in any area of the county that could lead to strains on and damage to the public infrastructure (including roads and drainage district facilities) from the construction and maintenance activities associated with wind farms.

6. That the Board also felt it important to provide strong provisions in the Ordinance to insure that wind farms would be decommissioned upon the cessation of their operation.

WHEREAS, the Board desires to adopt said Ordinance.

NOW, THEREFORE, BE IT RESOLVED, BY THE KOSSUTH COUNTY BOARD OF SUPERVISORS THAT:

Section 1: The Kossuth County Commercial Wind Farm Ordinance, as provided in Exhibit A hereto, is approved, and shall be effective within Kossuth County upon its adoption as required by Iowa law.

Section 2: Adopted by the Board of Supervisors this 10th day of January, 2017.

Don McGregor, Chairman

Attest:

Amber Garman, Auditor

Public Comments were received prior to the first reading of Ordinance #310.

Motion by Wymore and 2nd by Tjarks to approve the 1st Reading of Ordinance #310, an ordinance regulating the construction and operation of commercial wind energy conversion systems in Kossuth County, Iowa. Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: yes, Besch: no, McGregor: yes Motion carried 4 to 1 with Besch being the NO vote.

Motion by Besch to act on the second reading of the Ordinance #310 an Ordinance Regulating the Construction and Operation of Commercial Wind Energy Conversion Systems in Kossuth County Iowa on January 24, 2017 at 6:30 p.m. Motion fails due to lack of a 2nd.

Motion by Wymore and 2nd by Tjarks to act on the second reading of the Ordinance #310 an Ordinance Regulating the Construction and Operation of Commercial Wind Energy Conversion Systems in Kossuth County Iowa on January 24, 2017 at 8:35 a.m. at the Kossuth County Board of Supervisors Meeting Room. Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: yes, Besch: yes, McGregor: yes Motion carried.

Motion by Tjarks and 2nd by Plathe to act on the third reading of the Ordinance #310 an Ordinance Regulating the Construction and Operation of Commercial Wind Energy Conversion Systems in Kossuth County Iowa on January 31, 2017 at 8:35 a.m. at the Kossuth County Board of Supervisors Meeting Room. Chairman McGregor called for a roll call vote: Wymore: yes, Tjarks: yes, Plathe: yes, Besch: NO, McGregor: yes Motion carried 4 to 1 with Besch being the NO vote.

On motion adjournment was taken until January 17, 2017.

Attest:

Amber Garman
Kossuth County Auditor

Don McGregor, Chairman
Kossuth County Board of Supervisors