

**FINAL MINUTES**  
**JACKSON COUNTY ZONING COMMISSION**

6:00 p.m.

Monday, January 23, 2024

Community Room, Jackson County Courthouse  
201 W Platt Street, Maquoketa, Iowa

**Commissioners Present:** Chair Monica McHugh, Vice Chair Tom Stewart, Commissioners Sandra Gerlach, Mike Burke, Emerita Kies and John Manson.

**Commissioners Absent:** Tim Kammeyer

**Staff Member Present:** Zoning Administrator Lori Roling and Administrative Assistant Ruth Eltrich.

**CALL TO ORDER AND ROLL CALL:** The meeting was called to order by Chair MCHugh at 6:04 p.m. and roll call taken. A sign-in sheet was distributed. The Zoom meeting was launched. There were 5 people attending the meeting via Zoom. Those in attendance were:

- Laura Carstens, ECIA (Zoom)
- Emerita Kies, Commissioner (Zoom)
- John Manson, Commissioner (Zoom)
- Mike Burke, Commissioner (Zoom)
- Sandra Gerlach, Commissioner (Zoom)
- Ryan Keller, Next Era Energy, Des Moines

**MINUTES:** Motion by Stewart, seconded by Kies, to approve the minutes of the December 18, 2023 Zoning Commission meeting as submitted. Motion carried by the following vote: Aye – Manson, Burke, Gerlach, Kies, Stewart and McHugh; Nay – None.

Roling provided information on Commissioner Tim Kammeyer. Tim Kammeyer put in his resignation for the Zoning Commission. The Board of Supervisors has been informed.

**ELECTION OF COMMISSION CHAIR FOR 2024:** Discussion about election of Zoning Commission Chair for 2024. McHugh requested nominations be made. Kies nominated Monica McHugh for Zoning Commission Chair. McHugh agreed to continue to serve. Motion by Kies, seconded by Stewart, to appoint McHugh as the Zoning Commission Chair for 2024. Motion carried by the following vote: Aye- Manson, Burke, Gerlach, Kies, Stewart and McHugh; Nay – None.

**ELECTION OF COMMISSION VICE CHAIR FOR 2024:** Discussion about the election of Zoning Commission Vice Chair for 2024. Motion by McHugh, seconded by Kies, to appoint Stewart as the Zoning Commission Vice Chair for 2024. Motion carried by the following vote: Aye – Manson, Burke, Gerlach, Kies, Stewart and McHugh; Nay – None.

**WIND ENERGY ORDINANCE DRAFT:**

McHugh requested to go over the changes made to the WEC-S Ordinance Draft. On page 3 of the definitions section the wording was changed for the setback definition. It was suggested 120 sq' should be changed to 120sf for clarification.

On page 6, number 3, lighting was updated to include that wording that the Aircraft Detection Lighting Systems be installed on all wind turbines where the FAA will allow. The wind turbine developer is required to install lighting that is approved by the FAA, it is not up to the developer to choose the lighting requirements. Also on page 6, number 4, signage was updated to require any changes in ownership, management, name or emergency action plan to be updated within 10 days.

On page 8, a more complete definition of temporary extreme weather events was provided. The extreme weather event was defined as winds in excess of 45 mph. Roling did research on classification of winds to create a more complete definition of extreme weather event as requested by the Commission.

On page 9 safety standards were updated. Commissioners requested non-commercial WEC-S safety standards be separate. On page 9, letter F, all WECS should be all C-WECS because we do not have any non-commercial information included yet. Roling will continue to research safety standards for aerial spray applicators and wind turbines. McHugh suggested reaching out to Ag Companies that do aerial applications for information on safety standards.

On page 11, discussion followed regarding the performance bond requirement. It was questioned whether other utility companies need to supply performance bonds before projects are started. Roling stated the performance bond is in place to ensure that the roads are brought back up to the condition they were in before the turbines were brought in. Discussion followed regarding whether the wording meets the requirements for the county. Commissioners suggested reaching out to the county engineer to be sure that this wording would match with their policies. Roling will coordinate with the county engineer on the performance bond.

On page 12 and page 13, the wording was changed from Board of Supervisors to Board of Adjustment.

On page 13, letter D is commonly found in other counties ordinances. Discussion followed regarding the information that was provided for the non-commercial WECS that is in Jackson County. It was requested to send that information to the Zoning Commission. Discussion followed regarding engineering specification for on grid and off grid devices along with those that may be homemade. Roling will do more research on requirements for on grid and off grid devices.

Roling presented information on Decommissioning. Roling explained that counties have very different decommissioning policies. Discussion followed regarding the decommissioning bond that will need to be put in to place. Commissioners are concerned about protecting property owners in Jackson County if an energy company were to go out of business. Commissioners agreed that a decommissioning fund should be in place when construction begins.

Roling asked Ryan Keller to explain what a typical decommissioning plan looks like. Keller stated it is required by the Iowa Utilities Board to have a decommissioning plan and a bond in place during construction. Keller stated it is typically updated every five

years to make sure the bond is appropriately funded, and it is filed with the state of Iowa. McHugh stated that our ordinance should meet the state requirements. McHugh stated that there should be wording regarding the state of the land after the turbine is decommissioned. Keller stated that the landowners could be provided with some choice in the wording of the decommissioning to allow them to keep a field road for example. Discussion followed. Roling will research state standards for decommissioning.

**COMPREHENSIVE PLAN:**

Carstens provided an update on the Comprehensive Plan and public participation for December. The survey has been available for six months now, so we have started to analyze the data. ECIA can continue to collect data. An update was provided for the second Steering Committee meeting on January 30, 2024. We will hold a public workshop in the spring. The goal is to have more participation from families with children.

Carstens provided an update on the changes requested for Chapter 10. Details were added about Whitewater Canyon. A new page was added on the Driftless Area National Wildlife Refuge. The driftless area is mentioned in many of the chapters. Page 21 was updated to include some photos. A clarification was made on page 23 about Big Mill Homestead. Clarification was made on the ownership of the County Farm on page 24. On page 27 information was added on the Pioneer Cemeteries in Jackson County and the volunteer information was put together in one place.

Carstens presented the draft of Chapter 9. The Census for Agriculture should be updated in 2024. This chapter contains statistics on agriculture. Many of the links are from 2022-2023. Roling stated that Jackson County does adopt the Master Matrix every year. We have very few operations in Jackson County that fall within the Master Matrix guidelines. Commissioners agreed we do not need more information included on Master Matrix. On page 10 can the land capability class be made easier to read. McHugh suggested contacting NRCS for maps and watershed information. A page will be added giving information on watershed projects in Jackson County.

**ADJOURNMENT:** Motion by Stewart, seconded by Burke, to adjourn the January 23, 2024 Zoning Commission meeting. Motion carried by the following vote: Aye – Manson, Burke, Gerlach, Kies, Stewart and McHugh; Nay – None.

The meeting adjourned at 7:38 p.m.

Respectfully submitted,

*Lori Roling*  
Zoning Administrator

Adopted: 2/20/2024