

OCTOBER 9, 2024

The Board of Supervisors of Clinton County, Iowa, met at the Northeast High School Auditorium, Goose Lake, IA. Present were Supervisors Irwin, Srp and George.

6:00 P.M. Call to Order – Pledge of Allegiance

DISCUSSION WITH POSSIBLE ACTION

Public Discussion of the County Renewable Energy Wind Turbine Ordinance: Don Eickert lives near Bryant and said he's worried that a turbine going up near his property would decrease his property value and said NextEra should cover the decrease in property value. He's worried about emergency communications around the turbines. He said the union hall will get called to build the turbines but most of them will not be from the area. He would like something in the ordinance to address contamination of wells. He said no hunting is allowed around the turbines and wondered how that may be enforced. He said no one will move to Clinton County to live near a turbine. He asked if there was investigation into Supervisor Srp before he was approached to consider a wind turbine. Chairman Irwin said NextEra did not approach Srp.

Peggy Eickert lives near Bryant, and she cited an article about NextEra in Minnesota where state officials called for NextEra to remove abandoned turbines because they left them in the fields. She said it took an order from a Minnesota state commission to make them remove the blades and they were left on a pile on the edge of town. She asked the Supervisors to make sure any ordinance require an account with three times the decommissioning cost and include penalties for equipment that is not responsibly removed.

Richard Jenkins lives in southwest Wisconsin and is a sixth-generation farmer. He said in 2003 a wind turbine went up 3.5 miles south of his property and didn't have any issues until 2023 when 23 went up around his property and his family members started having issues. He said when winds are heavy his wife will get vertigo in the house from the emission of wind turbines. He explained the air pressure pulses come out of the wind turbines that can cause 10-20% of the population to get ill.

Penny Swanton of Goose Lake asked the Supervisors for a half-mile setback from neighbors' property lines and high wire lines. She shared stories of ice thrown a distance of 3.5 times the height of the turbine shattering a skylight and damaging a semi-truck driving on a highway. She also mentioned concerns of turbines catching fire around farm fields especially in the fall when the fields are dry. She asked for a setback of six times the height of the turbines from property line.

Mary Bartels owns land in Clinton and Jackson counties and asked the Supervisors to consider what they are leaving the next generations. She said turbines are not farming. She said she has every right to be on her property and be protected from projectiles that could come off wind turbines. She said blade tips can top speeds of 150 mph. She said at over 600 feet tall the concern is ice can be thrown and it has been reported ice can be thrown between one to two miles. She is also concerned about her livestock. She said NextEra tallied more than \$30 million in penalties since 2000. She asked the Board to reconsider setbacks on property lines and not take advice from paid agents of NextEra.

Lucy Finnicum asked for setbacks to protect the health, safety and welfare of the residents of the county. She said setbacks should be set at property-owner lines. She asked the Board to protect all landowners by making one- to two-mile setbacks from property lines, schools and cemeteries.

Mark Jacobsen is from DeWitt and was born and raised in Clinton County. He suggested setting the height of wind turbines at 120 feet. He said it should be placed on the ballot and let the people vote. He added the setback should be at least a half mile from property lines and no flicker should be allowed on the property line. He said the people who sign a lease for the turbines should have to live there. He said they should not be two miles within an eagle's nest. He said a fund should be made to pay for damage to farm fields. He said the property tax slowly builds so they are paying less taxes than some neighbors.

Melissa Mommsen an attorney, landowner and farmer said she has not signed a lease agreement but has reviewed some. She has been contacted by some who have signed up and are now looking to get out of the lease. She said the ordinance should be amended in several areas that will protect all landowners by increasing personal liability if there is an event or failure. She said she asked some insurance companies what would happen to a non-participating landowner who experiences damage from a turbine event. She was told the landowner could attempt to file a claim with the landowner and the turbine operator, but they weren't sure which insurance would cover the event. She said a certificate of insurance can be produced at the start of the project, but there is no guarantee it will provide coverage in the future. She said the Supervisors could increase setbacks and expand the definition of an inhabited structure to include structures housing livestock and businesses. She said Woodbury County recently passed a good ordinance with strong setback definitions.

Ron Boesh read a statement for Ray Wolf who is retired from the national weather service. Wolf pointed out that wind turbines can degrade the radar beam and misrepresent what they are reading when predicting weather. He said NextEra should work with the National Weather Service to study the potential impacts of the turbines.

Matt Niemann lives north of DeWitt and is a landowner and farmer and he said 100% of people in Clinton County will see these windmills. He said if employees of NextEra have to stay a certain distance from a turbine during a lightning storm then that should be the same for setbacks. He said this is a chance for the community to come together to come up with what the community wishes. He suggested using a multiplier that is in the current ordinance for the new turbines being proposed.

Janae Henningsen is a property owner in Clinton and Jackson counties and suggested that individual farmers should have the two-mile setbacks that cities get. She said there is nothing more important than our serenity and nature.

Dustin Johnson, County Treasurer, said corruption in federal government is the reason why we are here today. He said property tax from the proposed project does not make up for the subsidies the developers get from the federal government. He said it isn't fair a Fortune 200 company can shut down a nuclear power plant and claim there is a power shortage. He said they invaded the county under secrecy to secure leases. He said county residents should keep fighting against the NextEra and called for strong setbacks like six times the height of the turbine from property lines and two miles from cities and airports. He said there should be teeth in the ordinance regarding flicker. He said that we were here first, and sound and flicker were not. He added the ordinance should make the developer deposit the decommissioning funds that the county controls.

Priscilla Peterson said smoking and asbestoses were considered safe until research was done and research has been going on regarding turbines. She said studies have shown there have been birth defects in livestock around turbines. She said NextEra has paid fines for eagle deaths and there are better forms of green energy and turbines are destructive.

Sam Sharp landowner said there was an accident on highway 30 this week while they were flying. He said a medevac helicopter was coming in and had to fuel at the Clinton airport. He said he spoke to the pilot who said he once had to go around towers that added eight minutes to their trip. He said seven aircrafts came into the Clinton airport today. He said there are a lot of training between Dubuque and Clinton and Davenport in the area. He added the medevac pilot also talked about flying around the red lights, but the blades are still 200 feet above that.

Margaret Kuhl, Clinton resident, said several years ago she was driving at night around Sac City in northwest Iowa and encountered many pulsating red lights and found it disturbing. She had to pull over to get her bearings. She said after 20 miles the blinking stopped. She said she spoke with people at the Woodbury County Fair and how terrible they were to drive through. She said an older couple said driving through them is nothing compared to living around them. She said the couple said several turbines were built around them and they are loud and dirty. She said it was crushing listening to those people talk about how the turbines have affected their lives. She said Clinton County should consider Woodbury County's ordinance of 5.5 times setback as height of turbine.

Annette Eslick owns land and a business in Clinton County. She said the wind turbine company has mentioned reasonable setbacks but asked reasonable to who. She said reasonable is one mile away during a lighting storm for the developer employees than 1 mile should be the setback for non-participating residents. She said flying debris can fly 4.2 times the height of the turbines so should be 4.2 times the height from schools, property lines and residents. She added fire suppression systems should be required and maintained. Sound is being studied and it is reasonable to consider these studies as the ordinances are being rewritten. She said height seems to continue to change so there should be a maximum height. She said large setbacks should be used away from eagle nests and marsh lands that attract migrating birds. She said bats are also especially susceptible to wind turbines.

Jake Dever wants details on when NextEra studied the migratory birds in the area. He said the time of year and day matters. He said moon phase also matters when birds migrate. He said the distance the study was done from the Mississippi River also is important. He mentioned a study that recommended wind turbines should be used sparingly in areas of migration. He asked for a 20-mile restriction from the edge of the Mississippi River to the west. He said no shadow flicker should be measured within nonparticipating land.

Airport Setbacks and FAA Requirements: Irwin said he has a map from skyvector.com of the airports around the area includes airports in Clinton, Maquoketa, Savanna and Dubuque. Irwin said Clinton has an extended Class E surface area. He said they learned yesterday from the Clinton airport consultant that the City of Clinton has an ordinance that states any development in the air space goes back to the Director of the Clinton Airport. He said he would like to include the City of Clinton verbiage but have the decision go back to the Airport Commission. Irwin wanted to put in a number that could be followed, but the Clinton Airport consultants were concerned that putting in a solid number may restrict some development. Irwin said anything that comes into the County for a change will need to go to the Airport Commission and that will have to come to the Board of Supervisors as a recommendation. Supervisor George said the city consultants said there is little difference between the city and the county ordinance and doesn't have an issue with the proposal. Joe Swanton said the Class E transition area is not addressed in either ordinance. George asked about the transitional Class E air space. Swanton said that is to protect the separation of aircraft flying at different altitudes. Swanton said the Class E needs to be protected in Clinton County. A representative of Capital Airspace Use said his firm reviews obstruction cases through the FAA. He explained the FAA processes and their primary objective is to ensure safety. He said Class E boundary is not physical protection so from FAA its to provide separation between

aircraft. Swanton said the FAA won't consider small aircraft and then it won't consider wind turbines as hazards. Sharp says the turbines will also shrink down the practice area for pilots and could make it crowded with planes flying close together. Jen Kutch submitted the should ordinance include a four-mile setback from airports and five miles from any heliports and consider any setbacks required by the FAA and also include consideration for any private airstrips. Matt Neimann was asked about considerations needed for his private strip for crop dusting. He said at take off the crop dusters are really heavy and take some time to gain altitude. He said a 100-foot obstacle at the end of the runway within a couple of miles would be a problem. He said keeping their airstrip instead of keeping off the Clinton airport runway would help decrease traffic at the airport. George said private airstrips that accommodate ag functions should be considered in the ordinance. Irwin said he will speak with others who have private airstrips for their input.

The Board of Supervisors adjourned to meet on Monday, October 14, 2024, at 9:00 a.m. at the Clinton County Law Center, 241 7th Ave N, Clinton, IA.

Eric Van Lancker, County Auditor

Jim Irwin, Jr., Chairperson

-APPROVED-

County Auditor

Chairperson