

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
MONDAY, JUNE 10, 2024 10:00 A.M.

The Board met in session at the Linn County Jean Oxley Public Service Center. Present: Chairperson Running-Marquardt, Vice Chairperson Rogers and Supervisor Zumbach. Board members voting "AYE" unless otherwise noted.

Chairperson Running-Marquardt called the meeting to order.

Public Comments: The following comments are relating to the proposed Ordinance Amendment for Wind Energy Conversion Systems:

Nelson Baethke, 1276 Ivanhoe Rd., stated that there are a tremendous number of environmental impacts related to wind energy and industrial scale wind farms. There is irreversible damage to thousands of bird species including those in the endangered and vulnerable categories. He referred to a comprehensive scientific study on the effects on animals and cited the number of bird fatalities. Wind energy companies have a limit of 15,000 bald eagles that can be killed. A single turbine blade can be longer than a wing on a jumbo jet and made of fiberglass. Over the next 20 years, the United States alone will need to dispose of 720,000 tons of turbine blade material. Where will that waste be buried? What environmental consequences will there be? Currently they get less than 10% electricity from wind and solar combined, but if they continue this massive build out of wind facilities the environmental damage will be astronomical.

John Zakrasek, 531 Lawndale Dr., stated that staff has done a great deal of research, and it looks pretty comprehensive. He has two concerns. 1) Noise levels. Other counties have 55 decibels rather than the proposed 45. He referred to the findings of a survey and key factors of those living next to existing wind farms. 2) Toxic leach process. He likes the idea that the county will make sure any hazardous materials are going to be disposed of through the ordinance. He's not sure that's the best way to do it. He said they should ask for identification of hazardous materials and ask that they be removed.

Junior Luensman, 4100 Woodridge Dr. NE, echoed what John Zakrasek said about the decibel level. He sat on an advisory committee regarding the solar ordinances and those sound levels were set at 55 during the day and 50 at night. As a matter of consistency, it would be good to set the wind ordinance the same as that. He also asked if a score card would be considered for the wind ordinance, the same as the solar ordinance.

Les Beck, 3406 Sycamore Crt, Iowa Policy Analyst for the Center for Infrastructure & Economic Development, stated that the Center advocates for balanced renewable energy policy across the State of Iowa. They review proposed renewable energy policy and ordinances for Iowa counties. Overall, this is a well written ordinance and there is a number of forward thinking provisions in it. It addresses a number of both cultural and environmental impacts through the application process. There are a lot of things to like about the proposed ordinance. He would echo a lot of the concerns stated about noise and he would add setbacks as well. The industry standard (and other ordinances across the state) seem to be setting decibel levels at 50-55 and measured from the outer wall of the occupied structure as opposed to a property line. The setback provisions are approaching the upper end of what might be reasonable. There are a couple other areas that they would ask the Board to take a second look at but overall, everyone should be congratulated on writing a good ordinance.

Motion by Running-Marquardt, seconded by Rogers to approve minutes of June 5, 2024 as printed.

Motion by Rogers, seconded by Zumbach to approve claims dated 06-07-24 for payroll deduction checks #71014708 - #71014712 in the amount of \$595.33; ACH in the amount of \$21,423.07; an EFT Wire in the amount of \$22,629.44 and a wire in the amount of \$2,145,761.26 for a total of \$2,190,409.10.

Will Wright, Dir. of Juvenile Detention Center, presented the Solo Program Contract between Linn County and the Iowa Judicial Branch acting through the Juvenile Court Services and the Chief Juvenile Court Officer, effective July 1, 2024, through June 30, 2025, for an amount not to exceed \$241,700 (Contract JUV-25-CB-06-003). He stated that the main change is the funding source (previously through grants). The Board will approve on Wednesday.

Wright also presented a First Amendment to the Tracking Contract between Linn County and the Iowa Judicial Branch acting through the Juvenile Court Services and the Chief Juvenile Court Officer, effective July 1, 2024, through June 30, 2025, for an amount not to exceed \$881,457 (Contract JUV-24-TR-001). He explained the change in funding whereby Juvenile Court Services will be funding it for the first three months and then Decat will fund. The Board will approve on Wednesday.

Treasurer Brent Oleson presented an agreement for a Public Bidder Tax Sale Certificate Abatement between Linn County, New Leaf Gladiolus, LLC, and the City of Cedar Rapids. This is for a property located at 124 Park Crt. SE which has been in disrepair. Interest and penalties accrued would be only abatement. The adjacent property owner wants to pay taxes and rehab the area. The Board will approve on Wednesday.

Kim Hanna, Chairperson of the Linn County Historic Preservation Comm., presented the Linn County Historic Preservation Commission Fiscal Year 2025 Preservation Grant funding recommendations. They are awarding \$28,800. The Board will approve on Wednesday.

Motion by Running-Marquardt, seconded by Rogers to open a public hearing on an ordinance amending the Code of Ordinances, Linn County, Iowa, by amending provisions in Chapter 107, Unified Development Code, relating to Wind Energy Conversion Systems. Proof of publication was presented.

Charlie Nichols, Planning and Development Dir., presented a PowerPoint on an ordinance amending the Code of Ordinances, Linn County, Iowa, by amending provisions in Chapter 107, Unified Development Code, relating to Wind Energy Conversion Systems. He stated that they have been researching this for two years. He has been asked if there is a project on the horizon for Linn County and he does not know of any. He continued to present public feedback including setbacks, noise analysis, wildlife avoidance mitigation, agricultural impact and mitigation, lighting, emergency response plan, decommissioning plan, and debris cleanup. Nichols stated that the Planning & Zoning Commission voted 4-1 to recommend approval of the draft ordinance with one minor change related to debris cleanup language.

Chairperson Running-Marquardt asked that they look further into the setbacks so that Linn County remains on the path of being a champion for renewable energy and wind energy is a part of that. They can work together to find a good balance. She stated that 55 decibels at the property line is fair and reasonable.

A lengthy discussion continued regarding a visit that was made to a farm in Cedar County that had two wind turbines struck by lightning. Photos were presented demonstrating the extensive damage and fiberglass in the fields (it was an explosion of fiberglass about a mile and a half wide). Among language that needs to be in the ordinance is liability, who is responsible for the disaster cleanup, testing of hazardous materials and what is the basic plan to protect folks.

Supervisor Zumbach wanted to be sure that people understand that a property owner can ask for more conditions with the company, over and above what the county requires.

Chairperson Running-Marquardt also mentioned that she wants to put in place that the labor on some of the windmills be locally sourced and that the big concern is who's responsible for disaster cleanup, noting that she saw failures on the Cedar County farm.

When asked about the proposed timeline, Nichols stated that based on what he has heard today, his staff will need three weeks before the Board's second consideration (July 1st).

Seth Gorman, 51 Edgewood Rd. NW, stated that he is a proud 27-year member of Iron Workers Local 89. He suggested 55 decibels to mirror the existing solar ordinance (55 during the day and 50 at night would match the industry standard). They are at a unique crossroads in Linn County, and they have a chance to diversify energy production. He does not agree with putting more stringent rules in place than the solar ordinance. The construction of wind projects creates jobs and returns money to the community.

Bill Gerhardt, Johnson County, stated that he is the past President of the Iowa State Building Construction Trades Council and a Business Rep. for a local labor union. He now works for a business development labor/management political outreach arm of the labor union. They need to encourage renewable energy and anything that would discourage it in Linn County is bad business. With more and more use of electricity, electric vehicles and businesses coming that demand a lot of energy, it is only appropriate to encourage renewable energy. People have been working on wind farms for two decades and they make careers of building wind turbines. These are good paying jobs; it will help the economy and he encourages raising the decibel level.

Mike Sadler, Center Point, stated that it is important to have a good ordinance and they have a good solar ordinance. He stated that the decibel level should mirror the solar ordinance. The decommissioning plan is important and that looks fairly decent. He agrees with Chairperson Running-Marquardt about the liability of damage cleanup and a lot of the time that gets overlooked and it's important to take care of the neighbors.

Thomas Bean, West Des Moines, stated that they have done a good job with both ordinances and noted that there are no projects in que. However, small rural counties look to larger counties (like Linn County) and it's important to have a template. 55 decibels is more reasonable and the property line is not a bad idea. It's also good to have liability language.

John Zakrasek spoke again. He stated that having a lower decibel at night for solar makes sense, but not for turbines. After seeing the pictures of the Cedar County explosion from lightning, he agreed that they need strong language regarding liability.

Motion by Rogers, seconded by Zumbach to close public hearing.

Motion by Running-Marquardt to approve first consideration of an ordinance amending the Code of Ordinances, Linn County, Iowa, by amending provisions in Chapter 107, Unified Development Code, relating to Wind Energy Conversion Systems.

Discussion: Charlie Nichols stated they are not making any changes today. They will look at changes for the second reading in three weeks.

Supervisor Rogers clarified that they will be approving the amendment as written today with the expectation that all issues discussed today will be addressed at the second reading.

Supervisor Rogers seconded the motion.

Vote: All Aye

Public Comment: Todd McNall, Historic Preservation Comm., stated that he appreciates the funding that the Board makes available through grants. They had \$100,000 in requests and asked that the Board consider increasing the grant amount in October, noting the big demand for funding.

Motion by Rogers, seconded by Zumbach to approve Employment Change Roster (payroll authorizations) as follows:

AUDITOR’S OFFICE

Payroll/Payables Spec. Victoria Wims	Promotion – internal applicant : 06/08/24 58E
\$31.79 – 59D \$32.70 New position	

Payroll/Payables Spec. Karen Nesheim	Promotion – internal applicant 06/08/24 58E
\$31.79 – 59D \$32.70 New position	

TREASURER’S OFFICE

Universal Clerk Michaela Cole	Step increase/contract 06/28/24 56D \$25.69 –
56E \$27.08	

Accounting Analyst Beth Ludwig	Step increase/contract 06/10/24 38C \$31.82 –
38D \$33.65	

FACILITIES

Custodian Iona Smith	End of probation 07/01/24 10A \$19.20 + \$.25 –
10B \$19.81 + \$.25	

SHERIFF’S OFFICE

Detention Officer Caleb Stull	New hire – FT 06/24/24 TB \$29.68
Admin. Secretary Melissa Walton	Promotion – internal applicant 06/10/24 55E
\$25.10 – 57C \$26.34 Replaces D. Chase	

LIFTS

LIFTS Driver Sherri Etscheidt	Step increase/contract 06/12/24 55B \$21.42 –
55C \$22.54	

JUVENILE DETENTION

Youth Counselor Randall White	New hire – FT 07/08/24 36A \$26.09 Replaces
C. Wagner	

JDDS Manager Jennifer Campen	Promotion – internal applicant 06/08/24 Gr 25
\$36.04/hr – Gr 27 \$78,705/annually Replaces W. Wright	

PUBLIC HEALTH

Environmental Chem. Colin Brose	Step increase/contract 06/10/24 39B \$32.63 –
39C \$34.37	

PH Epidemiologist Christine Rossi	Step increase/contract 06/27/24 40C \$37.02 –
40D \$39.01	

Adjournment at 11:15 a.m.

Respectfully submitted,

JOEL D. MILLER, Linn County Auditor
By: Rebecca Shoop, Deputy Auditor

APPROVED BY:

KIRSTEN RUNNING-MARQUARDT, Chairperson
Board of Supervisors