

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
MONDAY, MARCH 23, 2026 10:00 A.M.

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

Chairperson Running-Marquardt called the meeting to order.

Public Comment: Fairfax Mayor Jo Ann Beer, 300 80th St. Ct., Fairfax, thanked the Board for taking a proactive approach by creating a gas-fired ordinance. She discussed the recently passed Fairfax resolution that created a 2.25 mile setback from any incorporated city limit. She questioned why their proposed amendment wasn't discussed or incorporated into the County ordinance when others were. She feels a reduced setback would have a negative impact on Fairfax residents' quality of life and the city's future economic development.

Jeffry Howington, 4209 Linn Benton Rd., Fairfax, requested the Board adopt and enforce a 2.25 mile minimum setback for gas-fired power plants providing the same protective standard to unincorporated areas as incorporated cities. Clean air is not a privilege and does not end at a city limit sign. Howington shared how as a child he suffered a severe respiratory illness as a result of pollution from steel mills - different industry, but the same risk. He refuses to stand by and watch history repeat itself in his own backyard. He isn't saying no to progress but demands responsible progress. The setback is a reasonable, science-based safeguard that demonstrates foresight instead of regret.

John Zakrasek, 531 Lawndale Dr. SE, Cedar Rapids, requested that the ordinance be amended to include an energy study. He then discussed a county resolution that is in place to decrease countywide emissions and shared related statistics and data. As of 2019 Linn County has 7.5 million metric tons of heat trapping emissions. 3.5 of that was to be eliminated by 2030 and only 0.5 of that goal has been met thus far. This plant would add roughly 1.8 million metric tons thereby adding 3x what was previously eliminated. Zakrasek feels an energy study would provide transparency to citizens and the ability to look at options.

Debbie Howington, 4209 Linn Benton Rd., Fairfax, raised concerns about the water that she and her neighbors drink and the air that they breathe, especially since she is on a hill nearly as tall as the proposed smokestacks. She keeps hearing that the setback is being pushed to less and less – 2.25 miles from a city limit doesn't seem unreasonable to her. She sees no precedence for pushing back the limit repeatedly. She would like to see the protections stay in place.

Cindy Anderson, Fairfax resident, believes that the County has done good work and been proactive, but also believes that something of this magnitude needs to have stringent rules and people need to jump through hoops to make those things happen. She does not agree with a 50% setback reduction that could potentially push it to her back door. She is concerned about the rural residents as they've lived there for generations and they should matter as much as the city matters. She encourages the Board to not discount the people and make it easier for billion-dollar corporations to get what they want.

Tim Kilpatrick, 12308 Morgan Valley Rd., Fairfax, lives across from this proposed power plant and is concerned about his property value going down. He questioned why the Board threw the 2.25 mile barrier out the window, making it easier for Alliant. He can't believe that an area zoned as agricultural since the beginning of the state will be given to Alliant. He discussed rumors of another potential industrial site in the area. What will the Board's legacy be in 10 years – that they created a huge industrial complex west of Cedar Rapids, or that they stopped that? Iowa has some of the most productive soil in the world and there's only so much of it. Once it's built, they can't go back.

John Weieneth, 74 Morgan Bridge Rd. SW, Cedar Rapids, agrees with the other speakers. There was originally a lot of thought and consideration put into the setback, and a lot of residents were unable to attend the meetings. He encourages the Board to maintain the setback that is already in place. Weieneth gave an example of a previous ruling regarding the open burning law where air quality is a concern that needs to be monitored, restricted and permitted versus a 24/7 power plant – does the County really need to make an exception to allow them to come in? He encouraged the Board to think of the residents and that having a power plant will be undesirable. Just because they can, doesn't mean they should.

Dan Wozniak, 1518 Heartland St., Fairfax, presented multiple questions to the Board and feels a lot of the information is not clear or has a lot of unanswered gaps. He feels feedback from communities most impacted should be part of the process. Wozniak is also concerned how this plant will impact Fairfax's planned multi-million dollar expansion of their water infrastructure as a result of planned growth. It will be a concern if growth is limited or infrastructure becomes unused. He clarified that this is not opposition to development, but planning responsibility – residents are concerned about pollution and effects on health and property values. These are legitimate long-term planning concerns, not personal preferences.

Jay Hopkins, rural Linn County resident, agrees that the Supervisors are not thoroughly considering the comprehensive plan of Fairfax. He feels the first reading seemed that this ordinance could be applied evenly and without favoritism across the county. Hopkins was surprised to hear the ordinance being amended during the second reading with a 25% reduction clause, and the third reading amending to a 50% reduction. This ordinance isn't just to protect Linn County but is being crafted to allow Alliant to move

forward with plans that would not otherwise be possible. Allowing the setback to be reduced by any amount has not made the ordinance better but only increased the chance that Supervisors will be courted by special interests to allow use of the setback reduction. Hopkins asks the Board to remove the setback reduction language.

Motion by Running-Marquardt, seconded by Scheetz to approve minutes of March 20, 2026 as printed.

Charlie Nichols, Planning & Dev. Dir., discussed Fourth and Final Consideration of an ordinance amending the Code of Ordinances, Linn County, Iowa, by amending provisions in Chapter 107, pertaining to gas-fired electric generating facilities, and to provide for their siting within the EU-2 Exclusive Use-Two zoning district. He noted that gas-fired electric generating facilities are currently allowed by conditional use permits which have no population center setback requirements. Four amendments have been added to this ordinance including a population center setback reduction of up to 50%, a waste management plan requirement during construction, Host Community Agreement clarifying language, and the ability for adjacent property owners to reduce their applicable setback conditioned on Board approval. Nichols offered that a 5th reading could be done on Wednesday.

The Supervisors all agreed to move forward with this being the Fourth and Final Consideration.

Supervisor Scheetz explained that this not about approving any proposed application to the Board, but rather an ordinance that applies to the entire county. Staff has been working on this since around October, it went before the Planning & Zoning Commission twice, and a fourth reading was added which is unusual. He shared ways in which the Board included consideration from the City of Fairfax and discussed the Host Community Agreement (HCA) requirement. Scheetz then addressed emission and pollution concerns discussing a 2023 state law that makes it impossible for counties and local governments to have stronger pollution standards than state and federal standards. He thanked staff for putting together something so comprehensive that is both pro-growth and pro-community.

Supervisor Meisheid thanked everyone for verbal and written comments received. She pointed out that the Board decided against the Planning & Zoning Commission's recommendation of reducing the setback to 1 mile. With the reduction clause, it gives the County flexibility as technology and industries change and evolve. She believes this is the right balance between protecting the people and allowing that flexibility moving forward.

Supervisor Running-Marquardt expressed her disappointment in the ordinance amendments regarding setbacks and compensation, acknowledging potential economic and quality of life hardships. She will vote for the ordinance today because it also has other protections for residents and the Board has to do the best they can to protect the entire County. Leaving it to an un-elected commission like Nichols discussed did not seem ideal. Running-Marquardt continued by clarifying that the ordinance and any related rezoning decision concerning land-use planning within the County's zoning authority, including standards addressing the location and compatibility of large-scale energy facilities. The Board does not regulate facility operations, emissions, environmental permitting, or utility rates – matters that fall under the jurisdiction of state and federal agencies, including the Iowa Utilities Commission (IUC) – and any HCA would be considered separately to address site-specific local governmental infrastructure, economic impacts, or service considerations. The County does not regulate utility rates or whether a utility may seek cost recovery through the IUC, as those matters fall exclusively within the jurisdiction of the IUC. The County's actions are limited to land-use regulation and local governmental considerations within its zoning authority.

Motion by Running-Marquardt, seconded by Scheetz to approve upon Fourth and Final Consideration Ordinance 4-3-2026, an ordinance amending the Code of Ordinances, Linn County, Iowa, by amending provisions in Chapter 107, pertaining to gas-fired electric generating facilities, and to provide for their siting within the EU-2 Exclusive Use-Two zoning district.

Stephanie Lientz, Planning & Development, discussed a proposed Temporary Use Permit for seasonal rodeo events from April 11 to October 31, 2026, at 58 Sutliff Road, Lisbon, Iowa. This would be for Sandburr Rodeo which hosts 12-14 events, and building regulation concerns have already been addressed by the applicant. Staff recommends approval.

The Board will approve Wednesday.

Charlie Nichols, Planning & Dev. Dir., discussed a Resolution Setting a Date for a Public Hearing on a Proposal to Convey Real Property (Dows Farm) located generally between Dows Road, Mount Vernon Road SE, and Wanatee Creek Road, Cedar Rapids, Iowa. A proposal from the developer has been received. Nichols would like to set the public hearing for Monday, March 30th.

Motion by Running-Marquardt, seconded by Scheetz to adopt Resolution 2026-3-44
A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING ON A PROPOSAL TO SELL AND CONVEY REAL PROPRETY, AND PROVIDING FOR PUBLICATION OF NOTICE

WHEREAS, in accordance with the Purchase, Sale and Development Agreement dated May 11, 2022, between LINN COUNTY, IOWA and DOWS AGRI COMMUNITY DEVELOPMENT LLC, and in accordance with the Governing Plan for the Dows Farm Agri-Community recorded on April

9, 2025 as Document 2025-008451 of the records of the Linn County, Iowa, Recorder, DOWS AGRI COMMUNITY DEVELOPMENT LLC, has elected to exercise its right to purchase the Dows Farm Property; and

WHEREAS, the Board wishes to proceed to sell and convey the Dows Farm Property, which is located generally between Dows Road, Mount Vernon Road SE, and Wanatee Creek Road, Cedar Rapids, Iowa, and is more particularly described as:

Parcel A, Plat of Survey No. 2991, Linn County, Iowa as recorded as Document 2025-030937 in the Office of the Linn County Recorder

WHEREAS, Iowa Code Section 331.361 requires counties to hold a public hearing prior to making a determination on a proposal to sell and convey real property.

BE IT THEREFORE RESOLVED by the Board as follows:

1. The Board will hold a public hearing on the proposal to sell and convey the Dows Farm Property on the 30th day of March 2026 at 10:00 a.m. in the Formal Board Room of the Linn County Public Service Center located at 935 - 2nd Street SW, Cedar Rapids, Iowa, at which time any interested person may appear and file objections to the proposal, and, after hearing objections, the Board may proceed with approval of said proposal.
2. The Board hereby authorizes and directs the publication of a notice of public hearing on the proposal at least once, not less than four (4) nor more than twenty (20) days before the date of the hearing in one or more newspapers which meet the requirements of Iowa Code Section 618.14. The Notice shall be in substantially the form of the Notice attached hereto as Exhibit B and incorporated herein by this reference.

Public Comment: John Zakrasek, 531 Lawndale Dr. SE, Cedar Rapids, thanked the Board and the staff that put together today's ordinance saying it's incredible. More can be learned when an application is submitted, similar to the Palo solar farm. He then referenced the data center study and how the DNR handles all the water – just like the IUC handles all the energy, so why can't an energy study be done on this billion-dollar plant so that people know what it's about and what the options, costs, and benefits are.

Jay Hopkins, rural Linn County resident, echoed Zakrasek's comments. He gave pushback on the statement that Alliant has a site that meets the 2.25 mile setback. He has talked to people involved and fully believes they will come to the Board and require some amount of setback using that clause because their site does not currently meet the setback.

Motion by Running-Marquardt, seconded by Scheetz to approve payroll authorizations (detail is available upon request).

Motion by Running-Marquardt, seconded by Scheetz to appoint Joseph Sperfslage to the Linn County Planning & Zoning Commission to finish an unexpired term, ending December 31, 2027.

Adjournment at 10:59 a.m.

Respectfully submitted,

TODD E. TAYLOR, Linn County Auditor
By: Ana Brunscheen, Executive Assistant

APPROVED BY:

KIRSTEN RUNNING-MARQUARDT, Chairperson
Board of Supervisors