Approved Emmet County Board of Supervisor Minutes
March 17, 2026 at 08:30 a.m.
Regular Meeting
Board Room, Courthouse

Present: Lisa Hansen, Chair; Jeff Quastad; Tim Schumacher, Vice-Chair; Todd Glasnapp; John Pluth

Media: Mike Tidemann, Ed Funston

Emmet County Employees present: Melanie Summers-Bauler, Heidi Goebel, Kathy Johnson, Roxanne Budach

Chairperson Hansen called the meeting to order. All in attendance recited the Pledge of Allegiance. Motion by Schumacher, second by Glasnapp to approve the board meeting minutes from 3-10-2026, also approving them for publication. All ayes. Motion carried. Motion to approve agenda by Pluth, second by Schumacher. All ayes. Motion carried.

Committee updates: Quastad, Glasnapp and Hansen-Assessor Conference Board Meeting; Quastad-Petersen Point.

Public forum: Goebel gave an update on the ISAC Spring Conference.

Motion to approve March claims by Quastad, second by Pluth. All ayes. Motion carried. No monthly drainage claims.

Vendor Name	Payable Description	Total Payments
Ahlers & Cooney	IUC PERMIT JUDICIAL REVIEW	226.98
Ace Hardware	NEW SHOP	431.43
AG NEWS	ADVERTISING	162.50
Alex Ewen	PHONE	20.00
Alliant Energy	ARMSTRONG GAS	1,303.09
ALLISON FISHER	SAFETY MTG	28.00
Alpha Wireless Comm	SHOP RADIO	76.24
AMAZON CAPITAL SERVICES	MONITORS AND TV	5,084.78
Anthony Olson	VA MILEAGE	165.06
ANTHONY TATMAN	MMPI FOLLOWUP	200.00
Armstrong Ambulance	Monthly payment	579.67
Armstrong Building Supply	SUNDRY	4.98
Armstrong Historical Society	Monthly Payment	125.00
Armstrong Journal	PUBLICATIONS	1,755.17
Armstrong Senior Citizens	Monthly Payment	150.00
Arnold Motor Supply	PART	216.91
AT & T	E911 ACCESS	53.60
AVERA MED GROUP ESTHERVILLE	AM 9739-3/3	132.29
AVERA PATIENT FIN SERVICES	EMPLOYEE TESTING	390.00
BCN TELECOM	PHONE	59.75
Ben Huntley	MILEAGE AND CELL	327.80
Black Hills Energy	MONTHLY GAS BILLS	6,708.75
BOMGAARS SUPPLY	NEW SHOP	114.92
BRICK GENTRY PC	RED ROCK	5,491.00
Diamond Eye Detailing	WINDOW TINT	440.24
CAASA	Monthly Payment	208.33
Emmet CO Fairgrounds	Monthly Payment	9,039.58
Central Iowa Detention	MEMBER DETENTION CH	624.00
Centurylink	E911 SERVICE	179.13
Centurylink-Lumen	PHONE	35.04
Christensen Construction Company	ARPA CH RENO APP #9	159,980.00
Christina M Dunlavy	MATRON FEES	45.00
City of Armstrong	WATER/SEWER	120.75
City of Estherville	UTILITIES	5,268.62
City of Estherville - Ambulance	Monthly Payment	3,333.33
City Of Ringsted	WATER/SEWER	40.50
City of Wallingford	WATER/SEWER	49.76
City of Wallingford	Monthly Payment	434.75
CLAY COUNTY EMS	RADON KITS	130.00
Corporate Translation Services Inc	INTERPRETER SERVICES	142.24
Dacotah Paper Co.	SUPPLIES	1,103.22
Daniel Welhousen	CUSTODIAL SERVICE	140.00
DAN'S REPAIR	REPAIRS	254.50
DEB KARELS	Monthly Cell Phone	26.00
DIANN MINION	BATTERIES	19.91
DICKINSON CO AUDITOR	FY 26 OUTREACH	9,000.00
DISCOVERY HOUSE	Monthly Payment	583.33
DON JOSE RESTAURANT, Inc	FEB SUPPER 3/4	392.00
DUITSMAN PLUMBING & HEATING	MINI SPLITS IT OFFICE	10,319.59
Elizabeth Bixby	Monthly Cell Phone	38.00
Elizabeth Sanchez	INTERPRETER	195.95
Emmet Co Engineer	FUEL 3/3	2,578.40
Emmet Co Historical Society	Monthly Payment	500.00
Emmet Co Sheriff	VEHICLE	10,376.37
Emmet Co Treasurer	POSTAGE	771.11

Emmet Publications	PUBLICATIONS	2,101.34
EMPLOYEE BENEFIT SYSTEMS	HEALTH INSURANCE PREMIUM	115,898.25
Equipmentshare.com Inc-Forge & Build	NEW SHOP	45.17
Estherville Chamber of Commerce	Monthly Payment	1,666.67
Estherville Communications, LLC	INTERNET FEES	454.33
Estherville Dinner Date	Monthly Payment	300.00
Estherville Library	Monthly Payment	1,477.50
Estherville Pharmacy	PRISONER MEDS	22.40
ESTHERVILLE PRINTING CO	Envelopes	172.68
EXCEL PLUMBING & HEATING	ADDING DRAIN & WATER LINES	4,708.24
FAREWAY STORES	GROCERIES	680.47
FIRSTNET AT&T MOBILITY	AIR CARDS	1,065.20
FORCE America Distributing LLC	PART	3,120.96
GENERAL TRAFFIC CONTROLS	SIGN BATTERY	255.00
GLENIN BECKMAN	HB TIME AND MILEAGE	66.00
GORDON FLESCH COMPANY	CONTRACTED MACHINE	122.01
GORDON FLESCH COMPANY	SUPPLIES/OFFICE/BIO GRANT SA7	961.21
Growmark, Inc	DOLLIVER LP	1,556.90
HEARTLAND SECURITY SERVICES	ANNEX MONTHLY PAYMENT	113.85
Heartland Tire, Inc	TIRES	870.00
Heidi Goebel	MILEAGE AND REG FEE	673.80
HOLIDAY INN-DES MOINES AIRPORT	ASPHALT CONF	806.40
HOTSY EQUIPMENT CO	HOTSY PARTS	1,408.38
HY-VEE ACCOUNTS RECEIVABLE	GROCERIES & SUPPLIES	457.24
IA DEPT OF INSPECTION & APPEAL	CERT FEES AND BOILER INSPECTIONS	270.00
INMAN ELECTRIC	LABOR AND SUPPLIES	12,741.03
IOWA COMMUNICATIONS NETWORK	DISPATCH ICN	1,814.84
IOWA LAKES CORRIDOR DEVELOPMEN	FY 26 3RD QTR PYMT	8,750.00
IOWA LAKES ELECTRIC COOP	UTILITIES	1,390.50
IOWA LAKES REGIONAL WATER	GRUVER	156.50
IOWA LAW ENFORCEMENT ACADEMY	TRAINING AND EDUCATION	950.00
IOWA PRISON INDUSTRIES	UNIFORM SHIRTS	103.98
IOWA SECRETARY OF STATE	LOAN PYMT 1 OF 3	5,925.00
ISAC-DUES	ANNUAL ISACA DUES 2026	250.00
ISCTA	LISA MAY CONFERENCE	175.00
J & K SNOWMOBILE	PARTS	39.52
JAMES CREECH MD	MEDICAL EXAMINER FEES	200.00
JEFFREY ENDERSON	Monthly Cell Phone	20.00
JOHN DEERE FINANCIAL	DEF	250.80
JOHNSTON AUTOMOTIVE	BATTERY	707.10
KARI BATMAN	MILEAGE	25.20
Kathryn Johnson	MILEAGE AND MEALS	520.07
KAYLEEN FARMER	Monthly Cell Phone	20.00
KEVIN SHRYOCK	PART	26.75
KWIK TRIP	GROCERIES	69.59
Larry Kirchner	PHONE	20.00
Larry White	TOOLS	99.10
LAWSON PRODUCTS INC	PARTS	4,371.48
LISA HANSEN	MILEAGE	211.20
LOREN BATES LB ELECTRIC	OUTLET INSTALLATION	2,898.10
LORI LARSEN	PEO	144.00
LUCAS OLESON	PHONE	20.00
MARCO (DALLAS)	PRINTER FEES	357.69
MARCO (MPLS)	COPIER AND COPIES	280.97
MARCO SERVICE NW7128 (MPLS)	COPIER CONTRACT	14.23
MARIA HANSGAARD	Monthly Cell Phone	29.30
MARTIN KANE	MILEAGE -MEETINGS	98.88
MATHESON TRI-GAS INC	WELDING	870.63
MATT REINEKE	UNIFORMS	200.80
MEDIACOM	PHONE SERVICE	738.58
MELANIE SUMMERS BAULER	Monthly Cell Phone	20.00
MENARDS	SHOP	107.92
MICHELLE HOWING	Monthly Cell Phone	20.00
MIDAMERICAN ENERGY CO	NATURAL GAS	225.42
MIDWEST TECHNOLOGY SERVICES	RUN FIBER	7,870.47
MIDWEST WHEEL COMPANIES	PARTS	3,840.56
MONICA CASTILLO	MILEAGE 241 MILES	164.60
MONTANDON WRECKER SERVICE LLC	VEHICLE MAINTENANCE	304.54
Motorola Solutions	BODY CAMERA EXPENSES	465.00
NORTHERN SAFETY CO INC	SAFETY GLASSES	138.60
NuWay-K&H Cooperative	LP FUEL	498.42
NW IA PLANNING & DEVELOPMENT	SHIELD FY 26 4TH DRAW	3,500.00
O'REILLY AUTOMOTIVE	PARTS	48.30
PAMELA DETTMANN	Monthly Cell Phone	20.00
PAULA MYHRE	MILEAGE 126 MILES	95.60
Phelps The Uniform Specialist	LAUNDRY SERVICE	171.48
POMP'S TIRE SERVICE INC	TIRES	4,446.68
Pro Cooperative	OIL	22,375.76
Pro Cooperative	GAS	60.91
Professional Office Services, Inc	POSTAGE	6.40
Quadient Postage Funding	POSTAGE FUNDING	1,000.00

Reliable Glass Solutions LLC	WINDSHIELD REPLACEMENT	2,710.21
Richard McKean	ROAD CROSSING	2,714.12
Ringsted Ambulance	Monthly Payment	483.08
Ringsted Dispatch	PUBLICATIONS	830.48
Ringsted Library	Monthly Payment	492.42
Ringsted Senior Citizens	Monthly Payments	150.00
Ringsted Telephone	ARMSTRONG	132.97
RIVER VALLEY TELECOMMUNICATION	TELEPHONE AND INTERNET	170.96
Riverside Plaza LLC Tara Pyawasit	DHS Monthly Rent	1,992.00
ROXANNE BUDACH	Monthly Cell Phone	20.00
RYAN J EWING	WEST ADMIN REMODEL	29,715.85
SANOFI PASTEUR INC	VACCINES	2,289.73
SCHUMACHER ELEVATOR	MAINTENANCE	208.38
SEAT TREASURER %ISAC	2026 SEAT TRAINING	500.00
SHARON HOOGE	MILEAGE EXP	68.00
SHERRI WILLIAMS	ANNEX CLEANING SERVICES	465.75
SIDNEY KRUEGER	Monthly Cell Phone	20.00
SPENCER MUNICIPAL HOSPITAL	BLS TRAINING CARDS	22.00
Stacie R Inman	VETERAN TRANSPORTATION	40.44
STALLS FARM & HOME	PARTS	1,516.66
STAR GROUP LLC-NAPA	WASHER FLUID	1,423.22
STATE STEEL OF SPENCER	STEEL	844.20
Steve J Hallgren-Planning Solutions LLC	ZONING ADMINISTRATION FEES	1,554.45
STOREY-KENWORTHY Company	PAPER	93.48
SWIFT AIR INC	PROGRAM MODULE, PNEUMATIC TSTAT	3,262.97
TAMMY KRIEGER	Monthly Cell Phone	20.00
TAYLOR HOWING	MILEAGE	53.40
THOMAS EGELAND	Monthly Cell Phone	20.00
TIGER PRIDE LAWN CARE	BUG SPRAY	95.00
T-Mobile USA Inc	CELL PHONE SERVICE/HOT SPOT SERVICE	166.42
TRAVIS FREDERICKSEN	PHONE	20.00
Travis Sheridan	Monthly Cell Phone	20.00
TRAVIS WILSON	TIRE BALANCE	40.00
TREVOR DUCKETT	OFFSITE BACKUPS EDR, ITDR, SIEM	1,186.12
TRUCK CENTER COMPANIES	SERVICE	1,482.38
TYLER TECHNOLOGIES	EAGLE YEARLY SUBSCRIPTION	7,700.52
UNIVERSITY OF IOWA STATE HYGIENIC LAB	WATER TESTING	99.50
VANGUARD APPRAISALS INC	Annual Service	2,450.00
VEIT, LLC	Copies- Overage	59.69
VERIZON WIRELESS	CELL PHONE SERVICE	40.01
VFW POST 3388	INMATE MEALS	208.00
VISA	IT SUPPLIES	8,934.96
WALTER DAVIS-OETH	HOTEL	293.14
WELLS FARGO - ELITE CARD	TRANSPORT EXPENSES / QUICKBOOKS	269.06
WELLS FARGO FINANCIAL LEASING	Copier Lease - Ricoh IM C2500	68.00
West Payment Center	WESTLAW	1,027.11
WINDSTREAM	DOLLIVER PHONE	56.53
WINDSTREAM	DOLLIVER PHONE	106.38
ZIEGLER	PARTS	5,219.43
		$550,680.09

Claims paid prior to March 17, 2026 total $130,350.49:

DATE	VENDOR	PURPOSE	AMOUNT
2/18/2026	Employee Benefits Systems	Monthly premium and PSF requirements	$125,602.84
3/5/2026	Boulders Inn Boone	Alex 2 meetings **in March Lodging**	$160.00
3/5/2026	Mechanical Sales Iowa**/Mechanical Sales**	Welding room exhaust fan	$2,235.00
3/5/2026	Visa	Casee Ross **monthly charges Conference,T-shirts**	$2,102.65
3/5/2026	Iowa County Recorders Association	2026 Research and Education Dues	$250.00

Payroll 2026 February	
Total Gross Payroll	**$386,102.19**
County Share IPERS	**$35,099.79**
County Share FICA/SS	**$22,428.17**
County Share Medicare	**$5,245.29**
County Share Health/Life/Dent Ins.	**$79,015.89**

Emmet County Fair Board members Brian Rosburg, Bret Mace, Cami Paulson and Melissa Lutat, ISU Ag Extension Region 2 Director, came before the supervisors to request support of the Ag Extension moving to the Emmet County Fairgrounds. Quastad does not want any more additional land to change ownership at the fairgrounds. Lutat stated a Memorandum of Understanding (MOU) would need to be in place between the ISU Ag Extension and Emmet County. Lutat clarified that the extension would be the entity applying for the remodeling loan. Summers Bauler explained that the remodel paid for by the ISU Ag Extension would be to an Emmet County owned building. Consensus of the board to move forward with developing a Memorandum of Understanding for county attorney review between the ISU Ag Extension and Emmet County.

9:30 Ordinance second reading. 2026-01 An Ordinance Amending the 2013 Zoning Ordinance by Updating Text and Adding New Text to Article XVI, Wind Energy Regulations. Quastad asked the three members of the public if they would like a third reading of the ordinance. Emmet County resident Norma Beaver would like to know the process for wind turbine oil spills on the wind turbines and the complaint procedure that will be in place. Member of public present, Laura Winter, distributed an article she had found on Facebook that details what residents in Oklahoma have experienced

Motion to approve the second reading of the ordinance and to waive the third reading by Pluth, second by Glasnapp. Schumacher would like the third reading next week. Roll call: Schumacher-nay; Glasnapp-aye; Pluth-aye; Quastad-aye; Hansen-aye. Motion carried.

Motion to adopt Ordinance 2026-01 An Ordinance Amending the 2013 Zoning Ordinance by Updating Text and Adding New Text to Article XVI, Wind Energy Regulations by Quastad, second by Pluth. Roll call vote: Schumacher-aye; Glasnapp-aye; Pluth-aye; Quastad-aye; Hansen-aye. Ordinance adopted.

EMMET COUNTY, IOWA
ORDINANCE NO. 2026-01

AN ORDINANCE AMENDING THE 2013 EMMET COUNTY ZONING ORDINANCE
BY UPDATING TEXT AND ADDING NEW TEXT TO
ARTICLE XVI. WIND ENERGY REGULATIONS

WHEREAS, the Emmet County Zoning Ordinance and zoning map on file in the office of the County Assessor designates certain standards as provided by Chapter 335, Code of Iowa, and

WHEREAS, the Emmet County Planning and Zoning Commission has reviewed and considered the proposed zoning changes, and it is deemed advisable and recommended by the Planning and Zoning Commission to amend the zoning ordinance.

NOW THEREFORE IT BE ORDAINED, by the Emmet County Board of Supervisors.

Section 1. AMENDED ZONING TEXT. The Emmet County Zoning Ordinance is hereby amended by repealing the existing Article XVI Wind Energy Regulations and replacing it with the new Article XVI Wind Energy Regulations, as follows.

ARTICLE XVI
Wind Energy Regulations

Article 16: Wind Energy Regulations

Section 16.1. Intent
Section 16.2. Jurisdiction
Section 16.3. Definitions
Section 16.4. Wind Energy Requirements
Section 16.5. Conditional Use Permit
Section 16.6. Permit Requirements
Section 16.7. Notification
Section 16.8 Review and Approval
Section 16.9. Mitigation of Damages
Section 16.10. Discontinuance or Abandonment
Section 16.11. Liability Insurance
Section 16.12 Safety
Section 16.13 Resolution Protocol
Section 16.14 Documentation
Section 16.15 Penalty

Section 16.1. INTENT

The intent of this article is to provide for the regulation of owners/developers engaged in the construction, erection, placement, location and maintenance of wind energy devices in Emmet County; and to preserve and protect public health and safety.

Section 16.2. JURISDICTION

The regulations stated in this article and adopted by the Emmet County Board of Supervisors governing all lands within the unincorporated areas of Emmet County, Iowa. This article and its provisions shall not apply to those properties or projects occurring within the incorporated cities in Emmet County.

Section 16.3. DEFINITIONS

1. Administrator - Any person or firm appointed by Emmet County Board of Supervisors to oversee the permitting and compliance of the wind energy device regulations.
2. Commercial Wind energy device – any wind energy device with a nameplate capacity of more than 100kw of which its primary intent is to generate electrical power to be sold to utility or power companies.
3. Owner/Developer - shall mean the individual or entity that intends to own and operate the wind energy system in accordance with this ordinance. This term shall apply to all subsequent owners of the wind energy system or an individual wind energy device, if ownership is transferred at any point during the operational lifespan.
4. Rotor Diameter - means the cross sectional dimension of the circle swept by the rotating blades.
5. Total Height - means the vertical distance from ground level to the tip of a wind generator blade when the tip is at its highest point.
6. Tower - means a monopole, freestanding, or guyed structure that supports a wind generator.
7. Wind energy device - means equipment that converts and then stores or transfers energy from the wind into usable forms of energy. This equipment includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, wire, inverter, batteries, or other components used in the system. The term wind energy device often refers to and includes wind towers, wind turbines, wind generators, windmills or wind energy conversion systems.
8. Meteorological Tower (Met Tower) - Any meteorological, measuring, or surveying equipment erected on or attached to any tower, monopole, or guyed structure to verify the wind and weather resources found within a certain area. Meteorological towers are also subject to permitting on both temporary and permanent structures.
9. Small Wind energy device - A wind energy system that is used to generate electricity and has a nameplate capacity of 100kw or less. Wind energy devices with a generating capacity of 20kw or less may be used for residential or personal use. A wind energy device with a generating capacity between 20kw and 100kw is considered small wind energy for commercial/industrial applications. A wind energy device is considered "small" if it supplies electrical power for on-site use or when excess electrical power generated and not presently needed for on-site use may be used by a utility company in accordance with Section 199, chapter 15.11 (5) of the Iowa Administrative Code.
10. Decibel (dB) – A unit of measurement for the intensity of sound.
11. Human Occupied Dwelling – A dwelling currently occupied or capable of being occupied for residential purposes.

Section 16.4. WIND ENERGY REQUIREMENTS

1. Location and Height.
   a. Commercial wind energy devices shall be limited to a total height of 600 feet in all districts.
   b. Small wind energy devices, meteorological towers and all associated structures shall have a height limitation of 200 feet and shall not be permitted to extend into approach zones, clear zones or other restricted air space required for the protection of any airport.
2. Setbacks.
   a. Dwelling. Commercial wind energy devices shall be setback no less than 2,900 feet from any human occupied dwelling. A human occupied dwelling is defined as one that is currently occupied or capable of being occupied for residential purposes. Any landowner may waive the minimum required setback from a human occupied dwelling, however, a minimum setback of 110% of total height is required. The waiver must be in a written instrument signed by all owners, included in the application, and recorded at the County Recorder's office.
   b. Property lines. Commercial wind energy devices shall be setback no less than 110% of the total height from any adjacent property line. An adjoining property owner may waive the minimum setback. The waiver must be in a written instrument signed by all owners, included with the application, and recorded at the County Recorder's office.
   c. Public Right of Way and Overhead Utility lines. Commercial wind energy devices shall be set back a minimum distance equal to 110% of the total height from any public right of way or overhead utility lines.
   d. Small Wind Energy Devices. Any small wind energy device located on a freestanding pole or other tower structure must maintain a setback distance equal to 110% of the total height from any public street or road right-of-way, overhead utility lines or adjacent property lines not under the same ownership unless written permission is granted by the property owner or entity with jurisdiction over the street, utilities, or adjacent properties.

3. Placement or Spacing. Commercial wind energy device spacing will vary depending on common industry practice and manufacturer specifications. Small wind energy devices designed for residential or personal use shall be erected on either a freestanding pole or tower.

4. Public Lands or Waterways. It is required that the owner/developer of commercial wind energy devices have a preliminary review with the Iowa Department of Natural Resources (IDNR) and the Emmet County Conservation Board early in the planning stages of all wind energy device projects located in Emmet County. This review will allow the IDNR and/or County Conservation Board to comment and offer suggestions regarding the siting of wind energy devices near wildlife habitats. The review will also allow IDNR staff or the County Conservation Board to identify sensitive environmental concerns near public lands or waters, and to work with the owner/developer to voluntarily identify alternative siting options that minimize negative impacts to environmentally sensitive areas.

5. Access. All ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.

6. Electrical Wires. All electrical wires associated with any wind energy device, other than wires necessary to the operation of the wind turbine itself shall be located underground. In the instance of commercial wind energy projects, transmission lines or high-capacity electrical lines from substations transferring cumulative energy resources from a wind energy project shall not be required to be placed underground.

7. Lighting. No wind energy device shall be artificially lit unless such lighting is required by the Federal Aviation Administration. It is required that Aircraft Detection Lighting Systems (A.D.L.S.) be installed on any and all future wind turbines; this will reduce the impact of continuous red flashing nighttime lights upon residents, communities, and migratory birds.

8. Appearance, Color, and Finish. Any wind energy device shall remain painted or finished the color or finish that was originally applied by the manufacturer, unless approved in the conditional use permit.

9. Signs. All signs shall be prohibited other than the manufacturer or installer's identification sign and appropriate warning signs. Documentation showing any signage is required with the application. Signs indicating the 911 rural addressing of each commercial wind energy device or grouping of multiple wind energy devices shall be placed at each wind energy device site and/or the entry points of access roads as per the Emmet County 911 rural addressing signage requirements.

10. Code Compliance. Any wind energy device shall comply with all applicable state construction and electrical codes, and the National Electrical Code.

11. Utility Notification and Interconnection.
    a. Commercial wind energy devices that connect to the electric utility shall comply with all local, state and federal regulations regarding the connection of energy generation facilities.

    b. Small wind energy devices shall not be installed until evidence has been given that the utility company has authorized interconnection of the small wind device to its electric distribution or transmission, under an agreement approved by and subject to regulation adopted by the Iowa Utilities Board. Small wind energy devices not connected to a public utility system shall be exempt from this requirement.

12. Sound. Sounds produced by any wind energy device under normal operating conditions as measured at the closest point of the human occupied dwelling nearest to the wind energy device shall not produce a sound at a level that would constitute a nuisance. Wind energy device sound shall not exceed 46dB, however sound levels may be exceeded during short term events out of anyone's control, such as utility outages and/or severe windstorms. Sound buffering technology is to be implemented per industry standards at construction**.** In the event of a sound complaint that is consistent and abnormal, the sound measured at the human occupied dwelling that exceeds the limit of 46dB will be considered nonconforming. Observations of excess noise can sometimes indicate the need to repair or maintain equipment. See resolution protocol in the application and/or Section 16.13 of this Article in the event of non-compliance from the owner/developer. The owner of a human occupied dwelling may waive the sound limits established above, said waiver must be in a written instrument signed by all owners, included with the application, and recorded at the County Recorder's office.

13. Change of Ownership and Subsequent Ownership. Any commercial wind energy device, whether singularly or within a group of multiple wind energy devices, shall submit notification to the zoning administrator or the board of supervisors upon change of ownership of commercial wind energy devices. The person(s) or other entities that own any wind energy structures and equipment comprising a wind energy system, regardless of whether they own the land upon which it is situated, shall be subject to the regulations of this ordinance. These regulations shall remain applicable to the current owner and all subsequent owners, regardless of change in ownership. Such regulations shall remain in effect until time of decommissioning and removal.

14. Electromagnetic Interference. Any wind energy device shall be designed and constructed so as not to cause interference to any electronic device. If it is determined a wind energy device is causing electromagnetic interference, the owner shall take necessary corrective action to eliminate interference including relocation or removal of the facilities, subject to the approval of the appropriate county authority. A zoning compliance permit granting a wind energy device may be revoked if electromagnetic interference from such device becomes evident.

15. Airports and Airspace.

    Estherville Municipal Airport. There shall be no wind energy device located within a circular area within a 4.6 mile radius of the GPS coordinate of the center of Estherville Municipal Airport's primary runway 34-16. Additionally, no wind energy devices shall be installed within an area extending 2 miles east and 2 miles west of a line down the center of primary runway 34-16 and extends down the center of primary runway 34-16. That same line extends for 8 miles north and eight 8 miles south from the GPS coordinate of the center of Estherville Municipal Airport runway 34-16.

    Privately Owned Public Use Airports. No wind energy devices shall be located in airspace in Emmet County that is within a three and one-half (3.5) mile radius of a public use airport. A privately owned public use airport is in the NE ¼ of Section 36 Jack Creek Township (8y8) and has FAA coordinates: 43-15-57.48 N and 94-33-45.19 W.

    Privately Owned Private Use Airports. No wind energy devices shall be located within one (1) mile from the width of the runway and two (2) miles from the length all measured off the GPS coordinate of the center of the runway in airspace of a privately owned private use airport in Emmet County. Privately owned private use airports are identified below, until the airport is removed:

Section/Township:	GPS Coordinate location:
NW ¼ Section 5 Swan Lake TWP	Lat 43.425691 Long -94.658621
NW ¼ Section 1 Armstrong Grove TWP	Lat 43.427725 Long -94.458374
W ½ SE ¼ Section 7 High Lake TWP	Lat 43.316169 Long -94.786542
Steve Corderman (private in Kossuth Co.)	Lat 43.360210 Long -94.442486

16. Shadow Flicker. A report prepared by a qualified third-party using the most current modeling software available establishing the amount of potential shadow flicker affecting any Human Occupied Dwelling will experience, measured from the closest point of the Human Occupied Dwelling based on the assessment modeling. The report must show the locations and estimated amount of shadow flicker to be experienced at all human occupied dwellings as a result of the individual wind energy device in the project. No more than ten (10) hours annually of shadow flicker shall fall on any human occupied dwelling. Shadow flicker received on a human occupied dwelling requires that the offending turbines be installed with the optional shadow flicker system resulting in no more than ten (10) hours annually of shadow flicker on a human occupied dwelling. The owner of any human occupied dwelling may waive the shadow flicker limits established above. Said waiver must be in a written instrument signed by all owners and included with the application and recorded at the County Recorder's office.

17. Fire Suppression. The latest automated fire suppression system shall be required on each wind energy device.

Section 16.5. CONDITIONAL USE PERMIT

Commercial wind energy devices, wind energy towers or meteorological towers erected in any zoning district may be granted as a conditional use and approved by the board of adjustment after a public hearing. The zoning administrator shall perform an assessment of the issues raised as a result of erecting wind energy devices and issuing conditional use permits in the zoning district prior to any public hearing and any action by the board of adjustment. Any conditions or requirements issued as part of the conditional use permit shall not be more lenient than the stated wind energy requirements in Section 16.4. Additional conditions or requirements for the acceptable erection and operation of wind energy devices in any zoning district shall be clearly stated in the conditional use permit.

Small wind energy devices designed, marketed and sold explicitly for personal or private residential or business applications, which have a nameplate capacity of 100kw or less shall be considered a conditional use in all zoning districts. If small wind energy devices are used expressly for agricultural purposes or to supply power for agricultural purposes, such wind energy devices are determined to be farm exempt and not subject to these regulations. Small wind energy devices may be connected to an electrical grid and sold for profit or power credit.

Section 16.6. PERMIT REQUIREMENTS AND FEES

A conditional use permit shall be required for the installation of any wind energy device, except for small wind energy devices used expressly for agricultural purposes or to supply power for agricultural purposes. The conditional use permit application will be accompanied by a detailed site plan for the wind energy device. A site plan and other such plans and manufacturer's specifications shall show the dimensions, arrangements, descriptive data, site layout and other information essential to an understanding of the use and construction of the proposed

wind energy device. The conditional use permit application shall include an application fee of $2,000 for commercial wind energy devices and $500 for small wind energy devices plus publication costs, postage and other associated costs. A site plan shall include the following at a minimum:

- Location of the proposed wind energy device(s)
- Wind energy device specifications, including manufacturer and model, rotor diameter, tower height, tower type (freestanding or guyed)
- Tower foundation blueprints or drawings and tower blueprint or drawing
- Site layout, including location of property lines, wind turbines, electrical wires, connection points with electrical grid, and related accessory structures.
- The site plan shall be drawn to scale.
- Documentation of land ownership or legal control of the property.
- FAA permit application, if applicable.
- GPS coordinates for wind energy device locations on final or approved site plan
- Applicable for commercial wind energy:
  - Access points to roads showing construction details typical of all entrances proposed to be built in the public right-of-way.
  - Leaseholder or ownership details of the building site.
  - Distances to any human occupied dwellings and the distances to other wind energy devices or other tower structures within 2,900 feet.

Wind energy devices are subject to a permit fee of $1,000 per commercial wind energy device erected and $250 per small wind energy device erected, of which must be received and acknowledged prior to approval of said application. If the wind energy device is used solely for agricultural purposes then the wind energy device is considered exempt from these zoning regulations and not subject to the permit fee.

Section 16.7. NOTIFICATION

The owner/developer shall be responsible for obtaining and submitting to Emmet County an abstractor's certificate or attorney's certificate, at the time the application is made, showing the names and last known addresses of the owners of all property and occupants of residential dwellings within 5,280 feet (1 mile) of the parameter of the total project development site containing wind energy device(s). At least fifteen (15) days prior to the public hearing for such conditional use permit, notice shall be given by ordinary mail to all adjacent property owners and owners of property and occupants of residential dwellings within 5,280 feet (1 mile) of the proposed site(s) for which the conditional use is requested. An affidavit of mailing shall be obtained for each notice mailed. Notice shall include the name and the location of the proposed project, (list township names and section numbers), a contact person of the proposed project, and the time and place of the public hearing.

Section 16.8. REVIEW AND APPROVAL

A zoning compliance permit shall not be granted for a commercial wind energy device or commercial wind energy project unless and until the following procedures have been fulfilled:

1. Pre-Application Meeting. Whenever a commercial wind energy project is proposed in Emmet County, the owner/developer of the wind energy project is required to hold a public informational meeting on the proposed project. This meeting shall be held a minimum of 45 days and a maximum of 90 days prior to the submission of the conditional use application. The meeting shall be held in Emmet County at a place adequate in size to serve the anticipated attendance. The meeting shall be advertised as the "Pre-Application Informational Meeting" in the official county newspaper(s) and local county shopper once a week for the two weeks prior to the meeting. No less than 4 days and no more than 27 days prior to the meeting. The ad in the newspaper shall be a minimum size of 1/8 page. The ad shall include, as a minimum, the name of the proposed project, a contact person for the proposed project, the location of the proposed project (list Township names and Section numbers), the time and place of the meeting and a description of the proposed project. Computer modeling information for sound and shadow flicker will be available for all human occupied dwellings within the project area at the time of the meeting. The owner/developer of the proposed wind energy project is responsible for meeting all of these requirements and shall provide documentation to the county that all of these requirements have been met. At least fifteen (15) days prior to the pre-application meeting for such wind energy project, the owner/developer shall give notice by ordinary mail to all adjacent property owners and owners of property and occupants of residential dwellings within 5,280 feet (1 mile) of the proposed site(s) for which the conditional use is requested.

2. Agency Notice and Review. Prior to applying for a commercial wind energy device, whether singularly or within a group of multiple wind energy devices, the project owner/developer of such structure shall be responsible for notifying applicable governmental and community agencies and allowing each agency 60 days notification to do a preliminary review. Notification shall be sent certified mail and return receipt. Documentation of notification of these agencies below is required, and any reports from the agencies shall be provided in their entirety to the county when the application is submitted. If the agency does not respond, it may be deemed there was no action taken. It is recommended that any issues be addressed prior to the public

hearing. The following statement shall be included at the beginning of each notification: "*This notification is being sent to comply with Article 16, Wind Energy Regulations of the Emmet County Zoning Ordinance. If your agency does not respond, it may be deemed there was no action taken."*

- Federal Aviation Administration
- U.S. Fish and Wildlife
- Environmental Protection Agency
- Federal Communications Commission
- Iowa Department of Transportation
- Iowa Department of Natural Resources
- Iowa Utilities Board
- Office of State Archaeologist
- Emmet County Engineer's Office
- Emmet County Conservation Board
- Emmet County Board of Health
- Emmet County Planning and Zoning
- Local EMS Fire and Rescue
- Incorporated city within 2 miles of project area
- Iowa Lakes Community College Aviation Department
- Emmet County Emergency Management
- Any utility providers
- Any Communication providers
- Any registered airstrips
- Estherville Municipal Airport

3. Within 60 days of receiving the official permit application for a commercial wind energy device, whether singularly or within a group of multiple wind energy devices, the board of adjustment shall schedule a public hearing regarding the conditional use permit. Notice shall be given to the public no less than 4 days and no more than 20 days prior to the public hearing by publication in the official newspaper(s) of Emmet County as well as publication in a newspaper within the general vicinity of the proposed project site. Prior to the public hearing, notice shall be given by ordinary mail to all adjacent property owners and all property owners within 1 mile (5,280 ft.) of the total development site of the proposed wind energy device(s) for which the permit is requested.
4. The board of adjustment may prescribe additional appropriate conditions and safeguards in conformity with this ordinance and other ordinances of the county.
5. Approval of the conditional use permit for a wind energy device shall be valid for a period no longer than two (2) years from the date of such permit, unless construction has commenced, or the board of adjustment specifically grants a longer period for the building permit.
6. The approval and issuance of a conditional use permit for the construction or installation of a commercial wind energy device, whether singularly or within a group of multiple wind energy devices, under this ordinance shall not relieve any permittee, applicant, or owner from compliance with all legal requirements, nor relieve the permittee, applicant, or owner of any liability for damage or loss resulting from the placement, construction, or maintenance of such wind energy device. Emmet County assumes no liability whatsoever by virtue of the issuance of a conditional use permit for wind energy devices.

Section 16.9. MITIGATION OF DAMAGES

In the event any damages occur during construction, maintenance, or operation of any wind energy device the owner/developer shall be fully responsible to mitigate and correct any damages to public or private infrastructure.

1. Roads. Costs of replacement, maintenance, restoration, and/or damage to county roads, rights-of-way, or any county infrastructure resulting from modifications, adjustments, heavy or frequent use during construction and operation of the wind energy devices shall be the responsibility of the owner/developer of such project. A separate roads agreement that clearly and specifically lays out the rights and obligations of Emmet County and the owner/developer with respect to the construction, maintenance, and use of roads in connection with the development project will be required as a condition of the permit.

2. Drainage System. The owner/developer of the wind energy device shall immediately remedy any adverse effect on any existing drainage tile caused by construction or repair of such project. It is required that all underground electrical wires be bored under all drainage district tiles with a minimum of 5 feet separation distance. No wind energy device may be located within 100 feet of any public county drainage district tile or open drainage ditch. The Emmet County Board of Supervisors acting as county drainage district trustees shall have the authority to impose special requirements for each access road that crosses drainage district tile lines and any crossing of drainage district lines by heavy construction equipment in accordance with Iowa Code Section 486.186 drainage district damage. The owner/developer shall provide a map of the path traveled by any heavy construction equipment in any drainage district. This map shall include GPS locations, accompanied by GPS digital data.

Section 16.10. DISCONTINUANCE OR ABANDONMENT

Each application for a commercial wind energy device shall have a decommissioning plan. In the event of abandonment or discontinued use of one or more devices within the wind energy device, the owner/developer shall be responsible for dismantling the abandoned or discontinued use of wind energy devices and returning the property to its original use. Any wind energy device shall be considered a discontinued use or abandoned after one year without energy production, other than as a part of a pre-planned program of operation or maintenance. Any plan that arises from this can only be approved by the board of adjustment. All abandoned or discontinued use wind energy devices and accessory facilities shall be removed within 180 days of the discontinuation of use. Each wind energy device project shall have a decommissioning plan outlining the anticipated means of removing the wind energy device upon the wind energy device becoming a discontinued use. This plan shall be submitted with the application. The abandonment or discontinued use of one wind energy device does not require decommissioning of the entire wind energy device project. If the entire wind energy device project enters the abandoned or discontinued phase, the owner/developer shall have 180 days to commence and two (2) years to complete the decommissioning.

The wind energy device owner/developer, including a public utility shall make the following financial assurances to the county:

1. Performance Agreement and Proof of Financial Surety. At the time of permitting, the applicant, facility owner, or site operator shall provide a performance agreement and accompanying financial surety instrument to cover the cost of decommissioning in accordance with the following:
   a. Decommissioning funds shall be an amount equal to the total costs for decommissioning the site, plus a ten percent (10%) contingency.
   b. Decommissioning funds shall be maintained in the form of a performance bond, surety bond, bank letter of credit, or other form of financial assurance as approved by the Emmet County Board of Supervisors. Any financial document evidencing the maintenance of the decommissioning funds shall include provisions for releasing the funds to the county in the event decommissioning is not completed in a timely manner.
   c. Prior to any ground disturbance, grading or construction activity on the site, twenty-five percent (25%) of total estimated decommissioning costs shall be provided by any of the means listed above. An additional twenty five percent (25%) shall be provided within five (5) years and ten (10) years and the date of initial approval, and the remaining twenty five percent (25%) of the total re-estimated decommissioning costs shall be provided within fifteen (15) years of the date of initial approval. From that point forward, 100% plus a 10% contingency of the total estimated decommissioning costs as determined by the most recent re-estimation shall be maintained in the decommissioning fund until the end of the functional life of the project.
   d. Financial surety shall be maintained for the life of the project.
   e. Proof of recertification of financial surety instrument shall be submitted annually to the county.
   f. Every five (5) years, the facility owner or operator shall retain an independent licensed Iowa engineer approved by the county to re-estimate the cost of decommissioning and attest that the value of the financial surety instrument is appropriate. This report shall be filed with the county and shall incorporate any new industry information learned since the last cost determination.
   g. The required amount of the decommissioning fund shall match the re-estimated cost of decommissioning. Within ninety (90) days of filing the re-estimation report with the county, the facility owner or operator shall cause the fund balance of the financial surety instrument to be adjusted to ensure that it matches the re-estimated decommissioning cost.

2. Disposal or Recycling Plan. A disposal and/or recycling plan for damaged or obsolete facility equipment or hazardous waste shall be provided. No storage or burial of inoperable, damaged, or otherwise obsolete equipment shall be allowed to remain on property within the approved project site. The current wind energy device operator and all successor operators shall be responsible for debris cleanup, removal, and property restoration to all participating, and non-participating property, resulting from natural disaster, severe weather event, mechanical failure, fire or act of vandalism to any property and equipment. A debris cleanup and property restoration effort shall be completed within one hundred eighty (180) days and shall not be considered complete until receiving board of supervisors' approval.

3. No storage or burial of inoperable, damaged, or otherwise obsolete equipment shall be allowed in Emmet County.

4. When decommissioning wind tower, all components of tower shall be removed by crane to prevent soil contamination.

Section 16.11. LIABILITY INSURANCE

The owner/developer of a wind energy project shall maintain a current and general liability policy covering bodily injury and property damage with limits of at least ten (10) million dollars per occurrence. The owner/developer shall also certify that the insurance does not contain an exclusion for environmental pollution or force majeure. If so, the owner/developer shall provide an alternative policy that covers environmental pollution and force

majeure. The owner/developer of the wind energy project shall maintain this policy for the lifetime of the wind energy project and submit a copy of the same to the zoning administrator and board of supervisors at each renewal. Emmet County and its officials shall be named as additional insureds. The above policies must have a three percent (3%) annual inflation adjustment.

Section 16.12 SAFETY

Issuance of a wind energy device permit is strictly conditioned on the applicant executing the following:

1. A written emergency response plan provided by applicant and approved by the board of supervisors. Said plan shall contain response procedures to be followed in the event of a fire, collapse, personal injury, or other emergency at a project. The plan shall contain 24-hour emergency contact information for the project. The written emergency response plan must be reviewed and approved by the fire chief(s) of the district where the project is located and by the Emmet County Emergency Management Director prior to submission to the zoning administrator.
2. All signs shall be prohibited other than the manufacturer or installer's identification sign, appropriate warning signs and 24-hour emergency contact information. Documentation showing any signage is required with the application. Signs indicating the 911 rural addressing of each commercial wind energy device or grouping of multiple wind energy devices shall be placed at each wind energy device site and/or the entry points of access roads as per the Emmet County 911 rural addressing signage requirements.
3. An unredacted Health & Safety Instructions Manual for make, model, and type of turbines in the project from the manufacturer(s) must be presented to the county to have on file and must be made available to the public at time of application. No other generalized statement, document, or manual is acceptable. This Health & Safety Instructions Manual must be specific to the make, model, and type of turbine permitted and contain the evacuation and danger zone measurement for the specific turbine permitting. The owner/developer must comply with all requirements of turbine safety therein.

Section 16.13. RESOLUTION PROTOCOL

Application shall include a complaint resolution protocol. The owner/developer shall investigate all complaints consistent with the complaint resolution protocol. At a minimum, the complaint resolution protocol will include the requirement for a wind energy device representative to follow up with any local resident within 5 business days that submits a complaint to fully understand the complaint. All complaints shall be logged along with the results of the investigation and measures taken to resolve the complaint and provided to the board of supervisors. If such complaint is not resolved with the owner/developer, then the affected property owner can then follow the procedure below:

1. Complaints shall be submitted to the board of supervisors in writing from the affected property owner or written designee; including name, address, contact information and specific complaint. The written complaint shall include the specific section of the ordinance which is believed to be violated. The County Auditor shall cause the complaint to be added to the agenda of the next Emmet County Board of Supervisors meeting in accordance with the procedure for setting the agenda.

2. Complaints received by the county and the date of the board of supervisors meeting where complaints may be considered shall be communicated to the owner/developer at least 5 days prior. The notice shall state that the Emmet County Board of Supervisors and the County Attorney may determine that the wind energy device is in violation of its permit and is therefore a nuisance and may be ordered out of service until the owner/developer can demonstrate compliance with the requirements of this ordinance.

Section 16.14. DOCUMENTATION

Documentation is required by the owner/developer at the time of application for all items of this Article XVI.

Section 16.15 PENALTY

It shall be unlawful for any person, firm or corporation to construct, install, or operate a wind energy device that is not in compliance with this ordinance or with any special conditions contained in the conditional use permit. Wind energy devices installed prior to the adoption of this ordinance are exempt. The zoning administrator or the board of supervisors may enter any property for which a permit has been issued under this ordinance to conduct an inspection to determine whether the conditions stated in the permit have been met. Any person who fails to comply with any provision of this ordinance or an approved conditional use permit for any wind energy device shall be deemed a county infraction and punishable under the provisions of Article XXII of the Emmet County Zoning Ordinance.

INTERPRETATION OF REGULATIONS

In their interpretation and application, the provisions of this ordinance, and any amendments and permits pursuant thereto, shall be held to be minimum requirements. Where this ordinance imposes a greater restriction than is imposed or required by other provisions of law, other rules, regulations, or ordinances, the provisions of this ordinance shall govern. This ordinance is not intended to abrogate or annul any easement, covenant, or other

private agreement provided that where any provision of this ordinance is more restrictive or imposes a higher standard or requirement than such easement, covenant or other private agreement, the provision of this ordinance shall govern.

REPEAL AND SAVINGS CLAUSE
Effective on the effective date of this ordinance, all ordinances or parts of ordinances previously adopted by Emmet County which conflict with the provisions of this ordinance, or amendments thereto, are hereby repealed. The repeal of said ordinance shall not have the effect to release or relinquish any penalty, forfeiture or liability incurred under said ordinance or any part thereof, and such ordinance and all parts thereof shall be treated as remaining in force for the purpose of instituting or sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture, or liability.

VALIDITY AND SEVERABILITY CLAUSE
Should any section, provision or any part of this ordinance, or amendments thereto, be declared by a court of competent jurisdiction to be invalid or unconstitutional, such ruling shall not affect the validity of the ordinance as a whole or provision or part thereof not specifically included in said ruling.

EFFECTIVE DATE
This ordinance shall be in full force and effect from and after its adoption and publication as required by law and as provided for in the Code of Iowa, or amendments thereto.

Passed and approved this 17th day of March, 2026. Lisa Hansen, Chairperson Attest: Heidi Goebel

First Reading: 3-10-26
Second Reading: 3-17-26
Third Reading: waived
Adopted: 3-17-2026

Schumacher left the meeting at 9:45 a.m.

Motion to approve the FY 27 tax asking budget dollars for Public Health $410,000 Conservation $298,000 and Veterans' Affairs $89,980 by Quastad, second by Pluth. All ayes. Motion carried.

Motion to approve a 3% COLA wage increase for non-elected, non-board ran, non-wage matrix departments by Quastad, second by Glasnapp. All ayes. Motion carried. These departments include secondary roads, jail, dispatch, attorney, information technology, sheriff (civil clerk) and custodial.

Motion to discontinue the weekly Board of Supervisors' Tuesday meeting mileage for FY27. Motion by Glasnapp, and second by Quastad. All ayes. Motion carried.

Board reviewed manure management plans:

Facility	Owner	Site
Paul Clausen	Paul Clausen	#57871

Board reviewed Treasurer's Monthly report.

Motion by Pluth, second by Glasnapp to adjourn at 10:30 a.m. All ayes. Motion carried.

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Heidi Goebel, County Auditor Lisa Hansen, Chair