

WIND  
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and 220th Street southwest of Traer).

Liu said there were currently 50-some people on site with that number expected to swell to nearly 250 at its peak later this summer.

The total anticipated investment in Tama County as it relates to SCW is pegged at \$270 million, Liu said.

“That is all of the equipment that goes in ... all civil work ... all construction labor ... land use agreements – initially paid to develop the project, all of the development fees ... as well as interconnection of the project itself,” he said.

The project should generate approximately \$50 million in tax revenue over its lifespan, he added, while also generating approximately \$2.5 million in estimated economic activity locally (based on third party research) and approximately \$7.5 million in revenue for the State of Iowa.

Franklin also took Liu through the project’s conditional use permit (CUP) granted by the Board of Adjustment in Dec. 8, 2020, and never appealed. She likewise went through SCW’s zoning application for 60 turbines and one (1) substation which was approved by the Zoning Administrator on Sept. 16, 2024.

“These are the zoning certificates related to the Salt Creek Wind project, right?” Franklin asked.

“Yes,” Liu said in response.

“To your knowledge, is there any pending appeal of the zoning certificates?”

“No,” he replied.

Liu then described the financial commitment NextEra and previous project owners had made and/or plan to make toward the

project including \$140 million already expended to acquire all 60 turbines, \$12 million on development work by the prior owner, and an additional \$9 million spent by NextEra on ongoing construction and engineering efforts since acquisition.

In closing arguments which took place later that morning close to noon, SCW stated that “over 50 percent of the total cost of this project” was spent or committed prior to the Jan. 6, 2025 moratorium enacted by the Board of Supervisors.

“If this project doesn’t move forward,” Franklin asked Liu, “does NextEra have another use for the 60 turbines that it has purchased?”

“It does not have an alternate site for the turbines,” he replied.

“Does Salt Creek Wind have another use for the 60 turbines that it has purchased,” she asked.

“It does not,” he said.

Liu added that NextEra would incur approximately \$70 million in fines (as of the end of April) if the purchase of the turbines is not finalized; later he stated delaying the project would cost the company approximately \$2.5 million per month including turbine storage costs.

Franklin also addressed Tama County’s recent denial of SCW’s application for a zoning certificate for a meteorological station (LiDAR) submitted on Jan. 24, 2025. The application was denied by Zoning Administrator Laura Wilson on May 20, 2025. In the denial letter, Liu said, the moratorium was cited as the basis for the decision.

“Did a delay in processing this permit cause harm to Salt Creek Wind?” Franklin asked.

“Yes, it introduced significant uncertainty in terms of how Tama County was dealing with the moratorium,” Liu replied before later stating, “The large logistical effort that’s required and our committed spend to the project would be at harm if the moratorium were to be applied by Tama County to this project.”

**County cross-examines**

Attorney Michael R. Reck, representing the Board of Supervisors, also questioned Liu during the hearing, at one point focusing on the Nov. 2024 election during which Tama County moved from three supervisors to five – four of those elected were new to the position.

“Sir, are you aware that Tama County voters overwhelmingly elected supervisors who had been raising questions about this project?”

“I am aware that new supervisors were elected recently, over the last seven or eight months or so, in Tama County, yes,” Liu replied.

When asked how much NextEra paid to acquire SCW, an objection was raised by Franklin. In response to Judge Cox’s inquiry regarding the line of questioning, Reck replied, “They’re claiming a vested right. But this is a company that stepped into this knowing these issues. They bought a pig in a poke, and we intend to demonstrate that. And I think we have a right to show how much they spent to [acquire the project] – if it was \$1, then they really knew what the problem was, right? If it was \$50 million, then we have a different sort of issue.”

Ultimately, Judge Cox ruled the courtroom would need to be cleared to address the acquisition costs (due to

a protective order requested by SCW) and would reserve doing so until the end of the hearing.

Later, when asking Liu about any warranties NextEra may have secured prior to its purchase of the project, Reck said he was addressing “the same issue.”

“We think that it was obvious that this project was built on a faulty foundation – that it violated the ordinances from the very beginning. And we suspect, if they did their due diligence, they would absolutely know that and should have gotten warranties,” Reck told the judge.

“Do you understand supervisors are likely to be the voice of the Tama County residents?” Reck later asked Liu before adding, “Do you agree elected officials should listen to constituents’ concerns?” To both, Liu responded affirmatively.

Reck then asked if Liu understood “the moratorium was put in place to allow Tama County to review and address concerns” related to CWECS. Liu responded that he could not speak to the exact discussion by the supervisors regarding the moratorium.

Reck also asked Liu if NextEra sought a “variance from the moratorium,” to which Liu responded, “I can’t speak to whether this is specifically a variance or not, but I know that we did submit a zoning certificate (application) for a LiDAR device as we discussed earlier.”

In reference to SCW’s application for an extension of its zoning certificates – an application which was approved in the fall of 2024

by now-former Zoning Administrator Bob Vokoun – Reck asked Liu if he knew Vokoun “had been a vocal advocate of this Salt Creek Wind project?” before later referring to Vokoun as the “losing candidate” for the seat now held by Supervisor Heather Knebel. Knebel defeated Vokoun in a three-way GOP primary in June 2024.

“We had started construction on the project, but we had also filed for an extension as a standard practice to grant additional time” Liu said in reference to SCW’s extension request on the 90-day period to start the project.

Questions surrounding Vokoun were repeatedly objected to by Franklin on relevance grounds.

“What they have done is they have gone and sought extreme extensions of the 90-day permit,” Reck told the judge. “They went to the losing candidate who they knew advocated on their behalf and they got the permit extension five-fold over what the ordinance provides. And they did it intentionally to try to put this beyond the reach of the supervisors ... before they took office.”

After ascertaining Vokoun was the Zoning Administrator as of Dec. 6, 2024, Judge Cox pointedly asked Reck, “Who else would they have sent [the extension application] to?”

Later, following a brief recess, Reck addressed inconsistencies in the model of turbine NextEra had procured for the Salt Creek Wind project in comparison to what was specified in the 2020 CUP application.

“Are you using any of those four turbines identified in the CUP application of this project?” Reck asked.

“Not these four specific turbine types,” Liu said while holding a copy of SCW’s 2020 CUP application before adding, “No, we are not using any of the turbines listed in this table here.”

Reck also addressed alleged inconsistencies between maps of collection lines for the project contained in both the CUP application and the zoning certificates, repeatedly showing Liu map after map for specific turbine locations.

After repeated questioning — and repeated objections by Franklin, some which were upheld by the judge — Liu conceded, “There appear to be some differences,” before later stating, “We represent a proposed location for electrical lines in the conditional use permit application.”

Toward the end of his time, Reck also brought up SCW’s decommissioning plan which includes a bond for the project. Whether done intentionally with malice or just sloppy legal-work, Reck pointed out at least one instance in the decommissioning plan which refers to a location not in Tama County — Cedar Rapids. He also pointed out an instance where a different project — the Rock Creek Solar Project which is also not in Tama County — was referenced, among other inconsistencies.

PUBLIC NOTICE Tama County Zoning Board of Adjustment Appeal Hearing			
The Tama County Zoning Board of Adjustment will meet at 6:00 P.M. on Tuesday June 17, 2025, in the Board of Supervisors meeting room, County Administration Building, 104 West State Street, Toledo, Iowa 52342. The purpose for this meeting is to hold a hearing on an appeal of the Zoning Administrator's extension of expiration dates of Zoning Certificates #2024.255.01-61 for the erection of 60 (Sixty) wind turbines and 1 (one) substation at the following locations within TAMA County:			
Turbine	PIN	Lat & Lon	Abbreviated Legal
1	0524100005	42.162 -92.662	24-85-16 SE NW
2	0524200002	42.165 -92.654	24-85-16 NE NE
3	0619200005	42.162 -92.638	19-85-15 SW NE
4	0620400001	42.158 -92.616	20-85-15 NW SE
4	0620400002	42.158 -92.616	20-85-15 NE SE
5	0621100003	42.162 -92.608	21-85-15 SW NW
6	0622100003	42.161 -92.588	22-85-15 SW NW
7	0623100001	42.163 -92.570	23-85-15 NW NW
8	0623200003	42.160 -92.557	23-85-15 SW NE
9	0719100003	42.162 -92.530	19-85-14 SW NW
10	0719200008	42.161 -92.520	19-85-14 E-2 SW NE
11	0720100002	42.163 -92.508	20-85-14 NE NW
12	0525400002	42.144 -92.655	25-85-16 NE SE
13	0630100005	42.146 -92.643	30-85-15 SE NW
14	0630200002	42.150 -92.634	30-85-15 NE NE
15	0629100005	42.148 -92.622	29-85-15 SE NW
16	0628100002	42.148 -92.607	28-85-15 SW NW
17	0627100003	42.147 -92.590	27-85-15 SW NW
18	0627200004	42.148 -92.575	27-85-15 SE NE
19	0626100002	42.150 -92.566	26-85-15 NE NW
20	0625100002	42.149 -92.548	25-85-15 NE NW
20	0625100001	42.149 -92.548	25-85-15 NW NW
21	0730300001	42.142 -92.539	30-85-14 NW SW FRL
22	0536100002	42.136 -92.660	36-85-16 NE NW
23	0631300004	42.127 -92.647	31-85-15 W-2 S-2 SW FRL
24	0631200004	42.132 -92.634	31-85-15 SE NE
25	0632100004	42.133 -92.622	32-85-15 SE NW
26	0632200004	42.132 -92.613	32-85-15 SE NE
27	0633400001	42.130 -92.597	33-85-15 NW SE
28	0634100003	42.133 -92.589	34-85-15 SW NW
29	0635100003	42.133 -92.570	35-85-15 SW NW
30	0635400002	42.128 -92.556	35-85-15 NE SE
31	0636100005	42.132 -92.547	36-85-15 SE NW
32	0636200004	42.132 -92.536	36-85-15 SE NE
33	0729400003	42.140 -92.501	29-85-14 SW SE
34	0732400001	42.130 -92.500	32-85-14 NW SE
35	0901400003	42.110 -92.657	01-84-16 SW SE
36	1006200003	42.118 -92.639	06-84-15 SW NE
37	1005100002	42.119 -92.624	05-84-15 NE NW FRL
38	1005200005	42.117 -92.617	05-84-15 SW NE
39	1004300002	42.114 -92.605	04-84-15 NE SW
40	1004400002	42.113 -92.594	04-84-15 NE SE
41	1003300002	42.113 -92.585	03-84-15 NE SW
42	1003400007	42.110 -92.575	03-84-15 E 38.3 AC SE SE
43	1002200004	42.118 -92.556	02-84-15 FRL SE NE
44	1106100006	42.120 -92.525	06-84-14 PCL "E" NW 1/4
45	1105100002	42.120 -92.508	05-84-14 NE NW FRL
46	1018100003	42.087 -92.646	18-84-15 S 1/2 FRL SW NW
47	1007400003	42.094 -92.635	07-84-15 SW SE
48	1008300003	42.094 -92.627	08-84-15 SW SW
49	1016100001	42.091 -92.606	16-84-15 NW NW
50	1016200005	42.087 -92.594	16-84-15 SE NE
51	1015100001	42.091 -92.587	15-84-15 NW NW
52	1011300003	42.096 -92.570	11-84-15 SW SW
53	1014200001	42.091 -92.559	14-84-15 NW NE
54	1014200002	42.092 -92.552	14-84-15 NE NE
54	1013100001	42.092 -92.552	13-84-15 NW NW
55	1012300004	42.096 -92.545	12-84-15 SE SW
56	1012400004	42.097 -92.536	12-84-15 SE SE
57	1107100004	42.103-92524	07-84-14 SE NW
58	1108300005	42.100-92508	08-84-14 N 1/2 N 1/2 SW
59	1118200004	42.088 -92.519	18-84-14 SW NE
60	1008200003	42.104 -92.617	08-84-15 SW NE
61 (Substation)	0720100014	42.165-92.511	PCL 'E' NW NW 20-85-14

This meeting will permit public comment and also invites interested people to provide support or objections to the proposal in writing. Written information can be submitted any time prior to the hearing by presenting it to the Tama County Zoning Administrator at 104 West State Street, Toledo Iowa 52342 or by email at lwilson@tamacounty.org

This Notice has been posted outside the Board of Supervisor's Meeting Room.

If you have any questions, you may contact the Zoning Administrator.

Laura Wilson  
Tama County Zoning Administrator  
641-484-4191 Ext. 1  
lwilson@tamacounty.org

Legals  
Board of Supervisors  
Minutes  
May 19, 2025

The Tama County Board of Supervisors met at 8:30 a.m. May 5, 2025. Present: 1st District Supervisor, Curt Hilmer; 2nd District Supervisor, David Turner; 3rd District Supervisor, Heather Knebel; and 4th District Supervisor, Mark Doland. Also, Tama County Auditor, Karen Rohrs, and members of the public. Absent: 5th District Supervisor, Curt Kupka.

The Pledge of Allegiance was recited.

Motion by Turner, seconded by Knebel to approve the agenda. Discussion: None. All voted aye. Motion carried.

Public Comments: Public comments were heard from Karen Murty. Public comment time closed at 8:34 am.

Motion by Hilmer, seconded by Turner to approve the minutes of the May 12 th regular meeting. Discussion: None. All voted aye. Motion carried.

Katherine Ollendieck was present to discuss the future of Economic Development for Tama County. The Board of Supervisors said they do not want to see Economic Development go away but would like to see a different approach to Economic Development and would like to maybe see a revamped 28E agreement. The next Economic Development meeting is scheduled for May 27 th , but the date may change so that the Board of Supervisors can attend.

Darcy Maiden-Parks with Prairie Ridge Integrated Behavioral Healthcare was present to discuss services that they provide to Tama County. They were formerly Satuci and now have their own office in Tama with a clinician in it one day a week. They provide a variety of services. Some services they provide are outpatient mental health services, substance use treatment, gambling treatment, and prevention services. They also can provide medications. After the first of the year, they will have an ACT Team, which is a crisis team. They also have the ability to provide tele-health services. With Center Associates closing, Darcy is hoping to work with the county to bring more services to Tama County.

The Board met with Ben Daleske, Tama County Engineer, to get a road projects report.

Mike Davis was present for William (Bill) Davis to ask the supervisors to reassign Tax Certificate # 17-0225. The current amount owed is \$10,895.00. \$2,157.00 of that is actual taxes, the rest is for interest, special assessments and miscellaneous fees. Mr. Davis would like to offer \$1,078.50, one half the amount of the taxes. He would like the supervisors to abate the other half of the taxes owed, interest, and miscellaneous fees. The City of Toledo has already approved waiving the special assessments. Motion by Turner, seconded by Hilmer to reassign Tax Sale Certificate #17-0225 to William (Bill) Davis for \$1,078.50. Discussion: None. All voted aye. Motion carried.

Roll Call Vote: Hilmer, aye. Turner, aye. Knebel, aye. Doland, aye. Resolution passed and adopted this 19th day of May, 2025. Mark Doland, Chairman, Board of Supervisors. Karen Rohrs, County Auditor.

Motion by Knebel, seconded by Hilmer to move next week's meeting to Thursday, May 29 th at 9:00 am due to the Memorial Day holiday. Discussion: None. All voted aye. Motion carried.

Doland stated he had spoken

with State Representative Dean Fisher and Fisher had stated the county needed to put something in place to protect them regarding community solar. Motion by Turner, seconded by Knebel to approve the following resolution. Discussion: Turner stated he had spoken to a representative from TED Renewables, and they had also mentioned natural gas. Turner asked them about nuclear and TED stated they hadn't thought about that yet. Turner believes we need this moratorium. Knebel stated there are a lot of technologies that are now in place that hadn't existed. She stated zoning is already working on this. It's a pause for zoning to look at it and get an ordinance in place.

**RESOLUTION 5-19-2025A**  
**Resolution Approving a Moratorium on Community Solar**  
**WHEREAS**, Community Solar is several solar energy systems whose primary purpose is to harvest energy by transforming solar energy into another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means; and

**WHEREAS**, the Tama County Board of Supervisors have been made aware during the Zoning Commission meetings this year about Community Solar, and the lack of an ordinance for Community Solar in Tama County's Zoning Ordinance Number VI.1 published July 7, 1998; and

**WHEREAS**, concerns have been raised by the public regarding Tama County's level of preparedness when it comes to the development of Community Solar within the county. There currently isn't an ordinance to regulate the setback distances, finances in place for decommissioning, permitting process, the agricultural impact any future Community Solar projects would have on the County's agricultural resources including whether such impact would run counter to Tama County's Comprehensive Land Use Plan adopted by the Tama County Board of Supervisors on May 5, 2025; and

**WHEREAS**, the County has an interest in protecting the County's infrastructure, natural resources and property rights through adequate setback provisions; and

**WHEREAS**, The Tama County Board of Supervisors wishes to enact a moratorium effective immediately upon passage on the development and construction of Community Solar, and the application for permits relating to such development and construction of Community Solar effective immediately upon passage is approved indefinitely.

Roll Call Vote: Hilmer, aye. Turner, aye. Knebel, aye. Doland, aye. Resolution passed and adopted this 19th day of May, 2025. Mark Doland, Chairman, Board of Supervisors. Karen Rohrs, County Auditor.

Motion by Knebel, seconded by Hilmer to move next week's meeting to Thursday, May 29 th at 9:00 am due to the Memorial Day holiday. Discussion: None. All voted aye. Motion carried.

Due to Supervisor Turner traveling for the next 3 weeks, other board members will need to cover his committee meetings. Motion by Doland, seconded by Knebel to temporarily reassign Supervisor Turner's Central Iowa Detention and EMA committees to Supervisor Doland and Economic Development committee to Supervisor Hilmer. Discussion: None. All voted aye. Motion carried.

Elizabeth Ledvina, Tama County VA Director, and Darrell Niedermann, VA Commissioner, was present to discuss her FY26 budget with the Board of Supervisors. She stated due to the board decreasing her salary fund line there will not be enough in the VA budget to cover her part-time wages along with the new VA Director's wages and her commissioner's wages in the new fiscal year. Ledvina stated the new VA Director will not be certified before she retires on July 1 st . She needs to continue as part-time after July 1 st to help cover since he won't be certified. The board asked if another county could help cover. Ledvina stated that would be a burden to other counties. She stated she currently helps other counties out. The board stated they never intended to not pay the VA commissioners. This will be revisited to see if a budget amendment needs to be done after the new fiscal year begins.

Sheriff Schmidt stated new Deputy Sheriff Andrew Batcheller comes to us from the Belle Plaine Police Department. Deputy Batcheller will be a rural deputy with his official start date being today, May 19 th . Motion by Hilmer, seconded by Turner to approve appointing the new Deputy Sheriff Andrew Batcheller to the sheriff's department. Discussion: None. All voted aye. Motion carried.

Sheriff Schmidt administered the oath of office to Deputy Batcheller.

Supervisor Turner introduced the new IT Director, Mike Jackley, to the board and public. Turner stated Jackley interviewed well and is happy that he said yes to the position. Motion by Turner, seconded by Knebel to appoint Michael Jackley to the IT Director position. Discussion: None. All voted aye. Motion carried.

Supervisor Turner stated now that an IT Director has been hired, Jackley will now be taking over the power over Ethernet project.

There were no hiring freeze exemptions to act on.

Motion by Turner, seconded by Hilmer to approve the claims for payment as presented in the amount of \$240,718.55. Discussion: None. All voted aye. Motion carried.

Public Comments: Public comments were heard from Karen Murty, Jim Smith, and Richard Arp. Public comment time closed at 10:14 am.

Chairman Doland adjourned the meeting at 10:15 am.

These minutes are intended to provide a summary of the discussions and decisions made during the Board of Supervisor meeting. For the most accurate and comprehensive record, please refer to the audio recording of the meeting that can be provided upon request at the auditor's office.

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