



## BOARD OF ADJUSTMENT MEETING MINUTES

THURSDAY MARCH 10, 2022

5:30 P.M. – BOONE COUNTY COURTHOUSE, 4<sup>TH</sup> FLOOR CONFERENCE ROOM  
201 STATE ST, BOONE, IA 50036

### I. OPEN MEETING AND ROLL CALL

Dennis Lynch  
Steve Kieffer  
Ruth Berglund  
Sam Fisher  
Holly Kilstrom

**ATTENDANCE:** Dennis Lynch, Steve Kieffer, Ruth Berglund, Holly Kilstrom and Sam Fisher

**ABSENT:**

**ALSO, IN ATTENDANCE:**

### II. APPROVAL OF MINUTES:

None

### III. APPROVAL OF AGENDA

### IV. DISCLOSE CONFLICT OF INTEREST AND EX-PARTE COMMUNICATION

A. None

### V. CITIZENS COMMENTS ON ITEMS NOT ON THE AGENDA (ADDITIONS TO AGENDA)

A. None

### VI. OPEN PUBLIC HEARING(S) AND CONSIDERATION OF APPLICATION(S)

A. None

### VII. UNFINISHED BUSINESS

A. None.

### VIII. NEW BUSINESS

A. None

### VIII. DIRECTOR'S REPORT (PLANNING AND DEVELOPMENT DEPARTMENT)

A) Update to Board on Apex Wind Energy Project

1. Determination of substantial progress

Director Mike Salati started by noting that under Boone County Zoning Ordinance provisions, Conditional Use Permits are issued for a one -year period and would expire one year after the date of issuance unless substantial progress had been made on a project.

Salati also noted with a project of this size much work has gone on behind the scenes before ground is even broken. Salati noted he had been in regular contact with Bipin Thapa and other Apex staff.

Salati noted Apex had been pursuing financing, FAA Permits, EPA permits and many other federal and state required permits for the project.

Director Salati also noted he had previously spoken with former Boone County Attorney Dan Kolacia in regards to the requirements of substantial progress. He stated even after just a month or two of the Conditional Use Permit being issued Kolacia agreed there had been enough progress to make the determination.

Director Salati stated that he has officially determined that substantial progress has been made on the project and that the Conditional Use Permit is valid.

## 2. Decommissioning Plan

Director Salati next addressed the decommissioning plan. Salati noted that in today's economy the current prices of this were quite abnormal. He noted that building materials and steel had greatly increased. Salati noted Great Path Finder had asked for a review of the decommissioning project which he had reviewed.

Salati noted Great Path Finder had requested a reduction to the original decommissioning plan which was done in 2020. Salati also noted a condition to the original Conditional Use Permit was that a cost review be done at least every five years to be done by the Planning and Development office. Salati stated the new proposal was appropriate and that Great Path Finder was ready to proceed to the construction phase and to make application for the Non-Agricultural Zoning Permits.

Vice-Chairman Steve Kieffer questioned whether the applicant would use a bond or a letter of credit in regards to the decommissioning plan.

Bipin Thapa noted legal counsel was in the process of preparing an acceptable form which they intended to submit soon.

Chairman Sam Fisher questioned what would be done with the old blades noting now some blades were being buried in Nebraska.

A representative of Apex stated the blades would be recycled and not buried in the ground.

Holly from Apex also noted some companies were grinding up the old blades and putting them into concrete.

Chairman Sam Fisher asked for any further comments of which there were none.

## **IX. ADJOURNMENT**

Holly Kilstrom moved to adjourn the meeting

*Seconded by Steve Kieffer*

Dennis Lynch—yes  
Steve Kieffer—yes  
Ruth Berglund—yes  
Sam Fisher –yes  
Holly Kilstrom—yes

*Motion Carried*

Respectfully submitted

Wanda Cox

## **5:30 P.M. –VIA ELECTRONIC TELEPHONE CONFERENCE**

[HTTPS://US02WEB.ZOOM.US/J/89340521480?PWD=MLk0dEdMAWZFL2VCbVRpM2xKYzNLUt09](https://us02web.zoom.us/j/89340521480?pwd=MLk0dEdMAWZFL2VCbVRpM2xKYzNLUt09)

**MEETING ID: 893 4052 1480**

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