

The Clay County Zoning Commission meeting was called to order at 9:02 a.m. by Chairperson, Keith Kruse.

Those in attendance were Keith Kruse, Sharon McKeever, David Kaus, Rita Smith, Bill Gerdeman and Zoning Administrator Tammy McKeever.

Motion by Sharon McKeever, seconded by Rita Smith to approve the minutes from meeting number 281 held on June 8, 2015. All those present voted aye. Motion carried.

The time having arrived for petition 13-15 of Carol Hermstad, for a special exception use permit for a permanent mining operation located in the Southwest Quarter of the Southwest Quarter of Section Sixteen (16), Township Ninety-four (94) North, Range Thirty-six (36) West of the 5<sup>th</sup> P.M., Herdland Township, Clay County, Iowa and in the Southeast Quarter of the Southwest Quarter of Section Sixteen (16), Township Ninety-four (94) North, Range Thirty-six (36) West of the 5<sup>th</sup> P.M., Herdland Township, Clay County, Iowa.

The zoning administrator explained the application and reported procedure to date. All property owners within 500 feet of the property were notified and a legal notice was published in the Daily Reporter on July 24, 2015. No written objections were received.

Greg & David Hermstad were present to explain and answer any questions regarding the application. The brother's plan on doing core samples in the fall, however, they are confident there is a good vein of gravel on the site because of the poor crop production and the gravel pit already in existence immediately adjacent to their property. This is on a hard surfaced road so dust should not be an issue. They will not extract gravel from the area that is in the floodplain. The intent is to access the area from an existing old lane or from an easement they have on the Vicki Wood property.

Following all discussion, motion by David Kaus, seconded by Bill Gerdeman to recommend to the Board of Adjustment that they approve the special exception use permit for a permanent mining operation located in the Southwest Quarter of the Southwest Quarter of Section Sixteen (16), Township Ninety-four (94) North, Range Thirty-six (36) West of the 5<sup>th</sup> P.M., Herdland Township, Clay County, Iowa and in the Southeast Quarter of the Southwest Quarter of Section Sixteen (16), Township Ninety-four (94) North, Range Thirty-six (36) West of the 5<sup>th</sup> P.M., Herdland Township, Clay County, Iowa All those present voted aye. Motion carried.

There being no further business, motion by Rita Smith and seconded by Sharon McKeever to adjourn. All those present voted aye. Motion carried. The meeting adjourned at 9:28 AM.

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Sharon McKeever, Secretary

The Clay County Zoning Commission meeting was called to order at 10:01 a.m. by Chairperson, Keith Kruse.

Those in attendance were Keith Kruse, Sharon McKeever, David Kaus, Rita Smith, Bill Gerdeman, Marilyn White and Zoning Administrator Tammy McKeever.

Motion by Bill Gerdeman, seconded by Sharon McKeever to approve the minutes from meeting number 282 held on August 4, 2015. All those present voted aye. Motion carried.

The time having arrived for petition 22-15 of Upland Prairie, LLC, 310 4<sup>th</sup> Street NE # 200, Charlottesville, VA 22902 for a special exception use permit to construct a 198 foot temporary meteorological test tower in the Section 28 of Township 96, Range 38 West of the 5th P.M., all in Clay County, Iowa.

The zoning administrator explained the application and reported procedure to date. All property owners within 500 feet of the property were notified and a legal notice was published in the Daily Reporter on November 27, 2015. No written objections were received.

Brenna Gundeson and Molly McCoy Nelson, Apex Development Managers, were present to explain and answer any questions regarding the application. They explained that the temporary tower does not emit anything and there is no sound. This tower would strictly be utilized to collect data. The tower would remain until the project is completed which is estimated at 2018. The tower is gathering data for a 300 megawatt wind project. They are looking for two more sites for met towers. David Fell, property owner, was also in attendance and in favor of the project.

Following all discussion, motion by David Kaus, seconded by Bill Gerdeman to recommend to the Board of Adjustment that they approve the special exception use permit for a 198 foot temporary meteorological test tower in the Section 28 of Township 96, Range 38 West of the 5th P.M., all in Clay County, Iowa. All those present voted aye. Motion carried.

Clay County Zoning Administrator, Tammy McKeever, informed the Planning and Zoning Commission that there would be a workshop available to them on Monday, March 21, 2016 at Arrowood Resort in Okoboji.

There being no further business, motion by Marilyn White and seconded by Sharon McKeever to adjourn. All those present voted aye. Motion carried. The meeting adjourned at 10:57 AM.

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Sharon McKeever, Secretary

The Clay County Zoning Commission meeting was called to order at 9:03 a.m. by Chairperson, Keith Kruse.

Those in attendance were Marilyn White, David Wyatt, Keith Kruse, Sharon McKeever and Zoning Administrator Tammy McKeever.

Motion by David Wyatt, seconded by Marilyn White to approve the minutes from meeting number 280 held on September 15, 2014. All those present voted aye. Motion carried.

The time having arrived for petition 04-15 of Kent Sassman, 3675 300<sup>th</sup> Avenue, Dickens, IA 51333, for a special exception use permit for a permanent mining operation located in the Southeast Quarter of the Southeaster Quarter of Section Twenty (20), Township Ninety-six (96) North, Range Thirty-five (35) West of the 5<sup>th</sup> P.M., Freeman Township, Clay County, Iowa.

The zoning administrator explained the application and reported procedure to date. All property owners within 500 feet of the property were notified and a legal notice was published in the Daily Reporter. No written objections were received. .

Kent Sassman presented the application and distributed CSR ratings for the property. The CSR rating is 52.8 for the 40 acres on the north side of the creek. Mr. Sassman purchased the property from his family approximately three (3) years ago. His plans are to remove the top soil and not sell that.

Following all discussion, motion by David Wyatt, seconded by Marilyn White to recommend to the Board of Adjustment that they approve the special exception use permit for a permanent mining operation located in the Southeast Quarter of the Southeaster Quarter of Section Twenty (20), Township Ninety-six (96) North, Range Thirty-five (35) West of the 5<sup>th</sup> P.M., Freeman Township, Clay County, Iowa. All those present voted aye. Motion carried.

Motion by Marilyn White, seconded by Sharon McKeever to retain the current officers in their respective positions. Chair person, Keith Kruse, Vice Chairperson, David Wyatt, Secretary, Sharon McKeever. All those present voted aye. Motion carried.

There being no further business, motion by Sharon McKeever and seconded by David Wyatt to adjourn. All those present voted aye. Motion carried. The meeting adjourned at 9:24 AM.

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Sharon McKeever, Secretary