

FOR IMMEDIATE RELEASE

January 19, 2021



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Madison County Supervisors Strip Citizens of Property Rights

Vote 2-1 for Ordinances that Make Clean Energy Projects Unworkable

MADISON COUNTY — Madison County Supervisors introduced, and passed, new ordinances for commercial wind and solar energy projects on December 22, the week of the Christmas holiday. The ordinances passed with a 2-1 vote, with Supervisors Diane Fitch and Heather Stancil voting in favor, and Supervisor Phil Clifton voting against.

Instead of following the usual procedure, the Supervisors voted 2-1 to waive the second and third readings of the ordinance, and to skip a review and input from the Zoning Commission. This move eliminates the opportunity for citizens to weigh in on the newly-introduced policies and skips the due diligence review provided by the Zoning Commission.

“Every landowner should have the right to decide if a wind turbine is right for his or her farm,” said Ray Gaesser, Chair of the Iowa Conservative Energy Forum. “The fact the Supervisors made the unprecedented decision to pass the most restrictive ordinances in the country without input from residents or the zoning commission is astonishing, and does not make for transparent government. They have sent a clear message that Madison County is closed for business and have forced their landowners to miss out on a consistent form of revenue when it’s needed most.”

Items in the provisions effectively end wind and solar development in Madison County, including a 51-turbine cap on wind turbines (the current amount installed) and a 10% cap on land use for solar projects. In addition to the restrictive provisions, the solar ordinance also declares that all lease agreements with landowners are public information, which automatically makes a private contract between two private entities public information.

“My family and I have been part of the ordinance discussion from the start, and welcome energy innovation in Madison County. Revenue from wind energy development is enabling the county to update its aging infrastructure and build needed community amenities,” said Judy Neal, Madison County resident. “The county developed a transparent process for ordinance development and citizen input that would enable smart growth, but Supervisor Stancil ignored the years of work and rammed through her personal agenda instead. What happened is a disgrace to all residents and a power grab from the people.”

Without workable clean energy ordinances, Madison County will lose out on new tax revenue and landowners will lose out on economic opportunity. Across the state, wind alone has [spurred more than \\$61 million in local and state tax revenue, and \\$69 million in annual land lease payments](#).

Background information on Madison County's clean energy ordinance development:

- Madison County adopted a moratorium on commercial wind and solar projects in October 2019.

- The moratorium halted only NEW renewable development in Madison County for a period of 12 months, sunsetting on October 1, 2020.
- The moratorium did not call for setbacks for wind turbines or any other ordinance language, it simply put a pause on project permitting while ordinance language was developed.
- Proposed ordinances for wind and solar were sent to the Madison County Zoning Commission prior to the COVID-19 pandemic. The new ordinances passed in December of 2020 are different than the ones sent to the Zoning Commission.

To learn more about ICEF, please visit <https://www.iowacef.org/>.

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The Iowa Conservative Energy Forum is a 501(c)(3) nonprofit organization that advocates for common-sense, market-based energy solutions that increase access to clean, affordable and reliable energy statewide. ICEF was established in 2019 as a platform for Iowa conservatives to promote the benefits of an “all of the above” energy strategy that values clean energy and seeks to level the playing field among energy sources. ICEF is a member of a growing network of conservative state-level organizations that promote clean energy and energy waste reduction to stimulate economic growth, create jobs, protect and responsibly use our natural resources, while improving energy reliability and enhancing national and grid security.

The Land & Liberty Coalition (L&LC) is a project of the Iowa Conservative Energy Forum and is a group of local citizens who support utility-scale renewable energy developments. The coalition consists of farmers, land owners, and key stakeholders who are concerned about protecting their private property rights, developing their communities, and being good stewards of the land.