

February 25, 2025

Meeting at 9:30 AM of the Clayton County Board of Supervisors at 600 Gunder Road NE, Elkader, Iowa.

Present: Steve Doepcke, Ray Peterson, and Doug Reimer

Guests: Brent Ostrander, Justin Augustyn, Sean Hoppenjan, Patti Ruff, Bob Kurdelmeyer, Elaine Follon, Casey Stickfort, Zach Herrmann, Tiffany Johansen, and Jennifer Garms

Information Technology Director Bob Kurdelmeyer provided a departmental update.

Doepcke moved, Peterson seconded to approve the meeting minutes for February 18, 2025. Ayes: Doepcke, Peterson, Reimer. Motion carried.

Peterson moved, Doepcke seconded to approve the claims as presented totaling \$208,582.02. Ayes: Doepcke, Peterson, Reimer. Motion carried.

Peterson moved, Doepcke seconded to approve resolution #8-2025 "Establishing a Temporary Moratorium on the Issuance of Rezoning Requests and/or Conditional Use Permits for Digital Asset Mining/Data Centers". Roll Call Vote: Doepcke-aye, Peterson-aye, Reimer-aye. Motion carried.

#### RESOLUTION #8-2025

#### ESTABLISHING A TEMPORARY MORATORIUM ON THE ISSUANCE OF REZONING REQUESTS AND/OR CONDITIONAL USE PERMITS FOR DIGITAL ASSET MINING/DATA CENTERS

WHEREAS, Digital asset mining/data centers have the potential to create an excessive burden on the County's infrastructure as well as nearby property owners; and

WHEREAS, Digital asset mining/data centers are subject to consideration and action by the Clayton County Zoning Board of Adjustment; and

WHEREAS, the Clayton County Board of Supervisors recognizes that digital asset mining/data centers may affect the character of the surrounding area and the Board desires that all applications for energy storage solutions be considered consistently within the purpose and intent of the Clayton County Zoning Ordinance so that the most appropriate uses of land are encouraged throughout unincorporated Clayton County; and

WHEREAS, the Clayton County Board of Supervisors desires to explore the possibility of updating the approval requirements for Digital asset mining/data centers to ensure the protection of the public's health, safety, and general welfare; and

NOW, THEREFORE, BE IT RESOLVED that the Clayton County Board of Supervisors hereby establishes a temporary moratorium on the issuance of any rezoning requests, conditional use permits or other approvals or authorizations for the construction or operation of digital asset mining/data centers, expiring at 11:59 p.m. Central Time on Wednesday, December 31, 2025, unless extended by further action of the Board of Supervisors, to allow the above referenced changes to the Clayton County Zoning Ordinance concerning energy storage solutions to be duly considered by the Clayton County Planning and Zoning Commission and the Clayton County Board of Supervisors; and

BE IT FURTHER RESOLVED that the Clayton County Board of Supervisors reserves the right to end the moratorium prior to the approved term of the moratorium upon completion of the amendments to the Zoning Ordinance and satisfactory resolution of the issues as determined by the Clayton County Board of Supervisors; and

BE IT FURTHER RESOLVED that the moratorium approved by this resolution shall become effective immediately upon adoption of this resolution.

Peterson moved, Doepcke seconded to approve resolution #9-2025 "Acceptance of Minor Subdivision Plat of Clayton Heights Two". Roll Call Vote: Doepcke-aye, Peterson-aye, Reimer-aye. Motion carried.

#### RESOLUTION #9-2025

#### ACCEPTANCE OF MINOR SUBDIVISION PLAT OF CLAYTON HEIGHTS TWO

Accepting the final plat of the Minor Subdivision of Clayton Heights Two Subdivision consisting of Lot One (1), Lot Two (2), and Lot Three (3) being part of the Southwest Quarter of the Southwest Quarter (SW

1/4-SW 1/4) of Section Twenty-Nine (29), part of the Northeast Quarter of the Southeast Quarter (NE 1/4-SE 1/4) of Section Thirty (30), part of the Southeast Quarter of the Southeast Quarter (SE 1/4-SE 1/4) of Section Thirty (30), part of the Northeast Quarter of the Northeast Quarter (NE 1/4-NE 1/4) of Section Thirty-One (31); and part of the Northwest Quarter of the Northwest Quarter (NW 1/4-NW 1/4) of Section Thirty-Two (32); all in Township Ninety-Three (93) North, Range Two (2) West of the Fifth Principal Meridian, Clayton County, Iowa,

WHEREAS, there has been submitted to the Board of Supervisors of Clayton County, Iowa, a plat of real property hereinafter designated as a Minor Subdivision of Clayton Heights Two Subdivision consisting of Lot One (1), Lot Two (2), and Lot Three (3) being part of the Southwest Quarter of the Southwest Quarter (SW 1/4-SW 1/4) of Section Twenty-Nine (29), part of the Northeast Quarter of the Southeast Quarter (NE 1/4-SE 1/4) of Section Thirty (30), part of the Southeast Quarter of the Southeast Quarter (SE 1/4-SE 1/4) of Section Thirty (30), part of the Northeast Quarter of the Northeast Quarter (NE 1/4-NE 1/4) of Section Thirty-One (31); and part of the Northwest Quarter of the Northwest Quarter (NW 1/4-NW 1/4) of Section Thirty-Two (32); all in Township Ninety-Three (93) North, Range Two (2) West of the Fifth Principal Meridian, Clayton County, Iowa,

WHEREAS LaGina R. Hoth (Power of Attorney) for Shirley A. Moore, of said real property, have executed and acknowledged an instrument consenting to said plat,

WHEREAS, it appears that said plat complies with all requirements of Chapters 354 and 355 of the Code of Iowa,

WHEREAS, the Clayton County Subdivision Review Committee has recommended approval of said subdivision, affirming that it has complied with all the regulations of Clayton County, Iowa,

THEREFORE BE IT RESOLVED by the Clayton County Board of Supervisors that the Board approves the final minor subdivision plat submitted by LaGina R. Hoth (Power of Attorney) for Shirley A. Moore, Clayton County, Iowa, and described above,

The Chairperson of the Board of Supervisors is hereby authorized and directed to endorse the Board's recommendation of approval by certifying a copy of this resolution for recording with said Plat and supporting documents if the offices of the County Recorder and the County Auditor of Clayton County, Iowa.

Doepcke moved, Peterson seconded to have the County Engineer draft an agreement for placing a temporary scale on county property. Ayes: Doepcke, Peterson, Reimer. Motion carried.

Peterson moved, Doepcke seconded to approve the transfer of \$80,382.00 to the 911 operating fund for FY2026 as amend from January 14, 2025. Ayes: Doepcke, Peterson, Reimer. Motion carried.

Doepcke moved, Peterson seconded to authorize the chair to sign a letter of support for the City of Volga's application for Surface Transportation Block Grant (STBG) funds for the Oak Stret Bridge Project over Nagel Creek. Ayes: Doepcke, Peterson, Reimer. Motion carried.

Peterson moved, Doepcke seconded to authorize the chair to sign a letter of support for Clayton County's application for Surface Transportation Block Grant (STBG) funds for resurfacing Gunder Road and Apple Road. Ayes: Doepcke, Peterson, Reimer. Motion carried.

Peterson moved, Doepcke seconded to authorize the chair to sign a 28E Agreement with the City of Garnavillo regarding the maintenance and use of a Winter Material Storage Shed. Ayes: Doepcke, Peterson, Reimer. Motion carried.

Doepcke moved, Peterson seconded to authorize the County Engineer to advertise for a seasonal roadside management position to work no more than 1,000 hours. Ayes: Doepcke, Peterson, Reimer. Motion carried.

Reimer moved, Peterson seconded to start Maintenance Workers, Mechanics, Engineering Aides, and Partsmen at 90% of the starting wage and increase to 100% after six months beginning March 1, 2025. Ayes: Peterson, Reimer. Nays: Doepcke. Motion carried.

Insurance coverage for Secondary Roads Mechanics' tools was discussed.

Peterson moved, Doeppke seconded to authorize the chair to sign the Oak Road agreement granting public access over and across the portion of Oak Road now owned by ITC Midwest, in exchange for Clayton County providing maintenance along that same portion. Ayes: Doeppke, Peterson, Reimer. Motion carried.

Doeppke moved, Peterson seconded to enter into a closed session per Iowa Code Section 21.5(1)(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Ayes: Doeppke, Peterson, Reimer. Motion carried.

-- CLOSED SESSION --

Peterson moved, Doeppke seconded to leave closed session per Iowa Code Section 21.5(1)(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Ayes: Doeppke, Peterson, Reimer. Motion carried.

Peterson moved, Doeppke seconded to set the public hearing date for the FY2026 Clayton County Proposed Property Tax Rates for 9:00 AM on March 25, 2025. Ayes: Doeppke, Peterson, Reimer. Motion carried.

The Board worked on the FY2026 County Budget.

/s/ Doug Reimer, Board of Supervisors Chair  
Attest: Jennifer Garms, Clayton County Auditor