

April 14, 2021

Board members present for regular session at 9:00 a.m. were: Twombly, Shelley, Wedemeyer, Hoadley and Walker.

Also present: Timber Woosley, Karen Seley, Curt Beane, Bart Knox, Colleen Oxley, Darren Weill, Carol Weill, Greg Cooper, Caleb Nelson-Adair County Free Press and Joanie Finck, Mandy Billings-KSOM, John Easter, Tanya Lamb and Ric Hansen-KJAN joined via conference call.

All motions were approved unanimously unless noted otherwise.

Due to heightened public health risk from the coronavirus outbreak, the Board Meeting was held via conference call pursuant to Iowa Code section 21.8 along with in-person public attendance using social distancing in the courtroom. Maximum occupancy for public attendance is 21 people.

MINUTES: Moved by Hoadley and seconded by Wedemeyer to approve the minutes from April 7, 2021. Approved.

CLAIMS: Moved by Twombly and seconded by Walker to approve the following claims:

Vendor Name	Payable Description	Total
Alliant Energy - IES	Intersection Lighting/ Utilities	\$815.77
Auxiant	HRA Insurance Trust Claims	\$3,294.54
Kerber, Marilee	Aflac Refund	\$48.12
Metzger, Sam	Aflac Refund	\$23.90
Verizon Wireless	Hot Spot for Survey Crew Equip	\$38.52
	Grand Total	\$4,220.85
Fund Summary		
0020 Secondary Road		\$854.29
8500 Adair County Insurance Trust		\$3,366.56
	Grand Total	\$4,220.85

Approved.

SHERIFF EMPLOYEE PAY INCREASE: Moved by Walker and seconded by Twombly to approve the wage increase for Kim Perkins of \$0.51/hour to a rate of \$18.07 for 24-month anniversary effective April 1st, 2021 per Sheriff Vandewater's recommendation. Approved.

HOMESTEAD & MILITARY ALLOWANCES: Moved by Wedemeyer and seconded by Walker to approve the 32 Homestead and 11 Military disallowances and for the chair to sign the letters. Approved.

COVID-19 UPDATES & DISCUSSION: The courthouse is currently open. Nick Kauffman, County Engineer, entered at 9:06 a.m. Nathan Jensen, Weed Commissioner, joined via conference call at 9:06 a.m. Nelson exited at 9:09am.

NOXIOUS WEED NOTICE: Nathan Jensen, Weed Commissioner, explained the noxious weed notice that was handed out by Clerk Woosley. Moved by Shelley and seconded by Wedemeyer to approve the noxious weed publication. Approved. Nathan Jensen exited the conference call 9:11 a.m.

ENGINEER: Approve New Hire – Moved by Walker and seconded by Twombly to approve the new hire Bobby Jeanes with a starting wage of \$17.54/hour. Approved. **Sign Front Page –** Moved by Twombly and seconded by Hoadley for Chair to sign the front page of plans for W20 Jackson RCB Culvert Project FM-C001(115)-55-01. Approved. **No Spray Agreement –** The City of Fontanelle is drilling a new well south of their existing well and would like a signed agreement of no spray within 200 feet of the well. The 200 feet is per the DNR. The City of Fontanelle will provide and maintain the "no spray" signs. Moved by Twombly and seconded by Shelley to approve the no spray agreement for City of Fontanelle's Well site. Approved. **Report of Maintenance & Activities –** Engineer Kauffman handed out a paper regarding starting wage for Cass County new employees. Kauffman pointed out that Adair County is lower and therefore employees are leaving and this lower wage is hard to get quality candidates. Other counties have latitude to hire at different levels according to training, experience, etc. Kauffman would like to look at this in the fall and suggest raising the start wage to \$19.38/hour. Supervisor Shelley said that the Board will look at this in the future. Kauffman gave updates on current projects and looking at the 3 culverts on Lake Road that will need to be dug up and replaced ahead of resurfacing work. Summit Builders have been working on the city shed and it looks nice. Engineer Kauffman talked about the \$263,015.41 in covid relief that will be received in the future and will need to do an amendment to use it. Melissa Larson, County Attorney, entered at 9:25 a.m. Caleb Nelson joined via conference call 9:30 a.m.

SOLAR PANEL ORDINANCE DISCUSSION: Clerk Woosley handed out information that was received in the Auditor's Office from Attorney Larson, Eric Giddens – Program Manager at UNI Center for Energy & Environmental Education, Attorney Larson and Engineer Kauffman, Nick Boeyink – Field Director at Iowa Land and Liberty Coalition, Curt Beane, Karen Seley, and Matt Ott – MidAmerican Energy. Those also present for the discussion via conference call were Matt Ott, Andrea Beane, and Jayne Stephen. Attorney Larson handed out the Decommissioning Plan to the Board. Attorney Larson had modified a sample that was done by Union County for wind turbines. Attorney Larson asked if there was anything that needs changed on the Ordinance draft. Attorney Larson went off of Supervisor Wedemeyer's agreement suggestion because previously that was what was voted on. Supervisor Hoadley would like to see setbacks be more than what they are. Supervisor Wedemeyer suggested we add a waiver for a person's individual situation as a non-participant. Supervisor Wedemeyer made a motion that the 500 feet in the draft be changed to 1,000 feet and if they are, a participant can sign a waiver to be closer. Motion died for lack of a second. Supervisor Shelley suggested we look out the window and envision 3 football fields for the 1,000 feet. Supervisor Shelley said that almost gets you across a 40-acre parcel. Supervisor Wedemeyer said 1,000 feet is basically around 30 acres. Supervisor Hoadley asked if we can do a total number of acres cap for solar panels and is concerned that most solar panel counties do not have the number of turbines that Adair County has. Moved by Wedemeyer and seconded by Hoadley to change the Ordinance draft from 500 feet to 1,000 feet as occupant setback, take out smaller parcel limitation ROW and set setback for non-participant at 250

feet from property line with allowance for non-participant to sign a waiver. Roll call vote: Shelley, aye; Twombly, aye; Hoadley, aye; Wedemeyer, aye; and Walker, aye. Approved. Supervisor Hoadley would like to cap the number of acres limited to solar panels in our county. Supervisor Hoadley said we have lost a lot of crop ground to the turbines. Supervisor Shelley mentioned that if we take geographical site abilities from any house, we have already done what Supervisor Hoadley is asking. Supervisor Twombly said we can always amend the number and agrees with Shelley that 1,000 feet seems plenty. Supervisor Hoadley mentioned that with Arbor Hill turbines there were going to be 125 and there ended up being around 145 and if we put a cap on the solar panel acres, we can always raise that cap. Supervisor Hoadley and Supervisor Wedemeyer stated that the Board does not know enough about these solar farms. Supervisor Hoadley said they have already put driveways in and we need to protect the residents by maybe setting a 300-acre limit on solar farms and we can always raise that. Supervisor Wedemeyer said maybe 500 acres comes to his mind and Supervisor Hoadley said we can meet in the middle at 400 acres. Supervisor Hoadley said that none of this electricity is making our bills go down and it is not helping our local people. Supervisor Shelley disagrees and said that electricity is a nationwide thing and every bit out there affects people across the nation. Moved by Hoadley and seconded by Wedemeyer to cap the solar panel farms to 400- acres in Adair County. Supervisor Shelley asked for Board comments and he commented that 1,000 feet is going to eliminate most farms anyway and push the solar farms to another county. Roll call vote: Shelley, nay; Twombly, nay; Walker, aye; Wedemeyer, aye; and Hoadley, aye. Approved. Attorney Larson said there is nothing in the ordinance about the airport, if it affects it or not. Other counties have that in there. Supervisor Hoadley said there is a 2-mile buffer strip and Supervisor Twombly said he believes it is 5 miles. The Board asked Attorney Larson if she will check into this with the City of Greenfield, please. Supervisor Hoadley asked about eminent domain and is worried that is a possibility to capture more panels and Attorney Larson stated that is a government domain, not individual. Supervisor Twombly agreed that the individual has no control, it is a government domain. Supervisor Shelley said that with the pipeline that went through in Northern Iowa they used eminent domain and were a private domain; however, the government was involved. Supervisor Twombly expressed concern that the cap limits landowners' and their rights. Attorney Larson will look into the eminent domain. Supervisor Twombly asked the Board to look at the decommissioning plan before next week's meeting and Clerk Woosley will ask Auditor Berg to put it on next week's agenda. Attorney Larson plans to attend next week, April 21st. The Board thanked Attorney Larson for all the time she has put into this project. The Board will plan to set the public hearing after the draft is wrapped up. Clerk Woosley said that the Code states the board shall publish the notice for publication at least once, not less than 4 nor more than 20 days before the date of the hearing in one or more newspapers. Supervisor Shelley would like it to go out twice before the hearing. Supervisor Shelley thanked everyone for coming in this morning.

ADJOURNMENT: Moved by Twombly and seconded by Wedemeyer to adjourn at 10:05 a.m. Approved.

ADAIR COUNTY BOARD OF SUPERVISORS: _____ Steve Shelley, Chairman

ATTEST: _____ Timber Woosley, Auditor Clerk.