

**December 7, 2022**

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

Also present: Mandy Berg, Kurt & Andrea Beane, Caleb Nelson, Nathan Baier, Colleen Oxley, Craig Schoenfeld. Ric Hansen - KJAN, Jennifer Nichols – Atlantic News Telegraph, Mandy Billings – KSOM 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 in the boardroom.

**MINUTES:** Moved by Twombly and seconded by Walker to approve the minutes from November 30, 2022. Approved.

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

AUXIANT	HRA INSURANCE TRUST CLAIMS	\$2,616.99
	<b>GRAND TOTAL</b>	<b>\$2,616.99</b>
8500 - ADAIR COUNTY INSURANCE TRUST		\$2,616.99
	<b>GRAND TOTAL</b>	<b>\$2,616.99</b>

Approved.

**TAXABLE MEALS:** Moved by Shelley and seconded by Walker to approve the taxable meal for John Twombly for \$10.00. Approved.

**TAXABLE MILEAGE:** Moved by Walker and seconded by Shelley to approve the taxable mileage for Jodie Hoadley for \$325.00. Approved.

**ISAC DENTAL & VISION INSURANCE RATES:** Auditor Berg presented the preliminary ISAC Dental and Vision Insurance Rates. Vern Blazek entered at 9:08 a.m.

**IMWCA & ICAP RECOMMENDATIONS:** Auditor Berg went over the recommendations and responses that followed the IMWCA and ICAP visits. Moved by Hoadley and seconded by Shelley to approve the responses to the recommendations from IMWCA and ICAP and for the Chair to sign. Approved.

**AUDITOR: Eagle Software Migration** – Auditor Berg updated the Board on the Eagle Software migration, but they have yet to receive an estimate from Eagle on how much this migration will cost. **TIF Values** – Auditor Berg presented the TIF values to the Board that were calculated at the 72.5% of value captured for the County. Alex Kading entered at 9:13 a.m.

**PUBLIC HEARING: PUBLIC HEARING – ORDINANCE #39:** Moved by Shelley and seconded by Walker to open the Public Hearing or Ordinance 39 - Approval Of Ordinance Number 39 An Ordinance Regulating The Placement Of Hazardous Liquid Pipelines On Property Located In The Unincorporated Areas Of Adair County, Iowa at 9:15 a.m. Approved. The Board discussed their reasoning for the Ordinance. Supervisor Wedemeyer stated we can not stop the pipeline from happening, but this ordinance will at least set some ground rules. Supervisor Shelley and Hoadley agreed stating that we can't outrun eminent domain, but this will at least provide some protection for the County and it's residents right now and can always be tweaked down the road if needed. Alex Kading stated that he believes this Ordinance makes sense and if you can't stop them, you can at least make them pay fees. Kading and Vern Blazek also voiced their concerns about the setbacks and whether they were enough. Supervisor Wedemeyer thought that what was in the ordinance now is fine and thinks the Ordinance is reasonable for both ends although the Iowa Utilities Board and other Government regulations may overrule our ordinance anyways. Supervisor Hoadley stated she didn't know if the setback was enough, but that seems to be what a lot of other Counties are starting with. Supervisor Wedemeyer state that the County has not received any kind of information about the pipeline project as of yet and that the Board is just going off of other Counties' experiences and trying to be proactive. The Board, Kading, and Beane also discussed crops, safety and environmental concerns, and if there would be an ill effect on the rock quarries. Craig Schoenfeld, who represents the Navigator Pipeline, explained that all that is going on is prospective and that nothing with the project has been set in stop and because of that, there has not been any notices to the County. However, Schoenfeld would like to work with the County and talk about their requirements, engineering, construction, drilling, training, or anything else that the Board has questions or concerns about. Schoenfeld stated the project is years away from development and would like the Board to have an open conversation before this ordinance is set and before we get too far down the road. Supervisor Hoadley stated that she thought the pipeline was supposed to be fully functional by 2025, which is not years down the road. Schoefeld stated that that is just for phase one and that the map that the Board has seen is just prospective. Supervisor Hoadley just wanted to make sure our landowners are protected. Supervisor Shelley stated that even if the map is prospective, he believes they should have reached out to the County before now. Supervisor Twombly believes we need something in place before anything happens and that changes can always be made down the road. Beane thanked the Board for drafting the Ordinance and looking out for the landowners. Supervisor Hoadley stated that we have had trouble with other companies before and didn't want the same to happen this time. Changes can be made down the road as more things come to light. Supervisor Wedemeyer stated that the County is not looking for litigation by any means and appreciates the offer by Schoefeld to open the conversation. Supervisor Walker agreed stating that we can always talk with Navigator and can always make changes after we learn more. Supervisor Shelley stated he doesn't think that taxpayers should be responsible for any roads or any other damage that may be caused. Colleen Oxley stated that she hoped

the Board would stand their ground even if it does come down to litigation because as a County resident she has been bit before with other companies and there is not trust. Moved by Twombly and seconded by Hoadley to close the Public Hearing at 9:42 a.m. Approved.

**CONSIDERATION OF 2<sup>ND</sup> AND 3<sup>RD</sup> READINGS:** Moved by Twombly and seconded by Hoadley to waive the 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ordinance #39. Roll Call Vote: Wedemeyer, aye; Twombly, aye; Shelley, aye; Hoadley, aye; and Walker, aye. Approved.

**ORDINANCE #39 APPROVAL RESOLUTION:** Moved by Hoadley and seconded by Twombly to approve **Resolution #2022** – Approval Of Ordinance Number 39 An Ordinance Regulating The Placement Of Hazardous Liquid Pipelines On Property Located In The Unincorporated Areas Of Adair County, Iowa. WHEREAS, the Board of Supervisors of the County of Adair, State of Iowa, after public notice and hearing as prescribed by law; and WHEREAS, the purpose of this Ordinance is to establish appropriate conditions and safeguards of any use of land for the purpose of a Hazardous Liquid Pipeline in Adair County, Iowa WHEREAS, the intent of this Ordinance is to facilitate the construction, installation, and operation of any Hazardous Liquid Pipeline in Adair County in a manner that preserves and protects the rights, privileges, and property of the County and its residents, that ensures the protection of the health, safety, and welfare of the county’s residents, and that provides an opportunity for economic growth and development. And WHEREAS, All Hazardous Liquid Pipeline projects shall follow this Hazardous Liquid Pipeline Ordinance. THEREFORE, the Board hereby adopts Ordinance 39, with the ordinance to be effective after final publication of said ordinance. Roll Call Vote: Wedemeyer, aye; Twombly, aye; Shelley, aye; Hoadley, aye; and Walker, aye. Approved.

**SIGN ORDINANCE:** Moved by Shelley and seconded by Walker to sign Ordinance #39. Roll Call Vote: Wedemeyer, aye; Twombly, aye; Shelley, aye; Hoadley, aye; and Walker, aye. Approved. Supervisor Shelley stated that the Board still has questions and think we need to have a discussion with the pipelines. Twombly is most worried about eminent domain. Supervisor Wedemeyer stated that the County is just trying to be proactive. Schoefeld stated that the education piece is certainly on them, but they just aren’t to that point yet. Schoefeld, Kading, Kurt and Andrea Beane, and Nelson exited at 9:47 a.m.

**ENGINEER: Sign ROW Contracts** – Moved by Shelley and seconded by Hoadley to sign the right of way contracts for N72 Culvert Extension Project FM-C001(121)—55-01. Approved. **Sign Final Voucher** – Moved by Twombly and seconded by Hoadley to sign the final voucher for the FY22 FM Rock Contract FM-C001(119)—55-01. Approved. **Sign Final Voucher** – Moved by Twombly and seconded by Walker to sign the final voucher for the Lakeview HMA Project L-LAKEPAVEPH2-7X-01. Approved. **Sign Front Page** – Moved by Walker and seconded by Shelley to sign the front page of Plans for FY23 Pavement Markings Project FM-C001(122)—55-01. Approved. **Fuel Agreement** – Moved by Walker and seconded by Shelly to sign the fuel agreement with the Sheriff. Approved. **Fuel 28E Agreement** – Moved by Shelley and seconded by Twombly to sign the 28E fuel agreement with Greenfield Municipal Utilities. Approved. Oxley exited at 9:53 a.m. **North 8 Grand River Bridge Repair** – Engineer Kauffman stated that they planned to dig down to where there was good piling, chainsaw out what is no longer good and pour a solid foundation. They will encase the entire abutment, solid concrete from outside edge to outside edge. The two exterior piles are sound and will be left. The total cost will be approximately \$60,470. Kauffman disbursed a copy of the LOST budget for this fiscal year explaining it will fit well in the existing budget and it is exactly what that LOST money is for. Moved by Shelley and seconded by Walker to move forward with the rebuilding of the North 8 Grand River Bridge. Approved. **Maintenance & Activities Report** – Kauffman gave an update to the Board on the following projects: W31 Harrison bridge, truck auction results, Schildbergs hauling rock on Elk, road level discussion, and fuel contract.

**ADJOURNMENT:** Moved by Shelley and seconded by Twombly to adjourn at 10:11 a.m. Approved.

**ADAIR COUNTY BOARD OF SUPERVISORS:** \_\_\_\_\_ Matt Wedemeyer, Chair

**ATTEST:** \_\_\_\_\_ Mandy Berg, Auditor