

September 26, 2018

Board members present for regular session at 8:15 a.m. were: Hoadley, Homan, Shelley, Twombly, and Wedemeyer.

Also present: Mindy Schaefer

All motions were approved unanimously unless noted otherwise.

The Board meeting was held in the Courtroom of the Courthouse.

Also present were: Jade Zimmerline, Colleen Oxley, Jerry Oxley, Bill Crees, Jeanette Creas, Joanie Finck, Seianna Rawlings, Tammy Baier, Tanya Lamb, Kim Eddy, Ken Eddy, Chris Nikolaisen, Deb Lilly, Steve Lilly, Deloris Barnett, Deb Bauer, Alan Carr, Bart Knox, Pat Eddy, Janet Zimmerline, Jimmy Zimmerline, Mike Lamb, Lori Nelson, Mike Nelson, Caleb Nelson, Matt Ott, Adam Jablonski, Tom Reavely, Gary Randel, Beth Frank, Ed Jenson, Paul Ehm, Ricky Reyes, Eric Jeanneret, Randy Caviness, Tim Foster, Jeff Sackett, Bill Lamb, Wayne Oxley, Bill Belden, Patricia Randel, Karen Seley, Josh Rardin, Lynne Don Carlos, Clel Baudler, Evelyn Hopf, Kathy Foster, Genri Rice, Sherry Rice, Carol Herrman, Mandy Thompson, Amber Wires, Daryl Nelson, Janna Nelson, Carol Baudler, and Marlin Markmann

MINUTES: Moved by Shelley and seconded by Wedemeyer to approve the September 19, 2018 minutes. Approved.

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

Vendor Name	Payable Description	Total Payments			
			Jensen, Nathan	Roadside Conference	365.34
			JEO Consulting Group	Prelim Design G-61 Grading	10,900.00
Accurate Control	Security System Repair	193.50	Johnson Controls Security	Quarterly Billing	387.00
Adair Co Health System	Jail Meal Supplies	50.40	Leroy & Sons, Inc.	TIF Grading Project	125,996.75
Adair Co Sanitary Landfill	1st Quarter Census Per Capita	10,668.00	Lilly, Greg	Township Meeting	20.00
Adair News, The	Bd Minutes	248.77	M & M Motors	Parts/Labor	365.20
Allender Butzke Engineers	Courthouse Elevator Concrete	1,868.95	Mail Services LLC	Print, Postage	281.95
Alliant Energy - IES	Intersection Lighting/Utilities	146.41	Marco Technologies LLC	Copier Fees	135.29
Aramark Uniform Services	Misc Shop	309.84	Mastercard/ISSB	Meeting Hotel	153.23
Bridgewater Tires & More	Service/Oil Change	50.00	Metal Culverts Inc	Culvert Maint - Summerset In21	16,644.00
Central IA Distributing Inc	Misc Shop	15.46	Midwest-Wheel Companies	Parts	732.13
Century Link	Utilities - Phone	38.06	Morgan, Janelle M.	VA Mileage	94.29
Cintas	Safety - 1st Aid Supplies	115.81	Nelson, Josh	Meeting Mileage	195.00
Co Cons Peace Off Assn	Training, Annual Dues	65.00	Northland Products Co	Oil/Grease	1,588.80
County Community Center	Meal Site Reimbursement	772.16	O'Brien, Vince	Township Meeting	20.00
Don Carlos Insurance	Elevator Construction Insurance	126.47	Office Machines Company	Office Supplies	45.69
Eastern Iowa Tire	Tires/Tire Repair	2,687.00	O'Halloran International	Parts	5,951.35
Eckles, Clint	Township Meeting	20.00	Orient City	T. J. Payment	601.15
Ed M Feld Equipment Co	Extinguisher Inspection/Testing	160.00	Petzsnicks	Envelopes	168.50
Edsall, Carolyn	VA Mileage	84.48	Pitney Bowes Rental	Postage Meter Rental	146.61
Ehrsam, Monte	October Office Utilities, Janitor	114.07	Postmaster	Postage - Stamps	100.00
Farmers Electric Coop	Utilities	1,600.41	Schaecher, Rick	Window Display Flags	96.48
Farmers Lumber Company	Enging Supplies/Vacating Rd	329.45	Schaefer, Mindy	Ness Conference Expense	67.80
FNB Bank	ACH Origination	121.20	Schildberg Const Co Inc	Rock/ Shoulder Rock/ Driveway	124,740.74
Fox Welding Co	Parts/ Bridge Supplies	889.77	Secondary Road Fund	August Fuel	978.24
Galls, LLC	Uniform Supplies	108.32	Secretary Of State	Notary-Nelson	30.00
GATR Truck Center	Parts	1,075.46	Sickles, Dean	Safety Footwear	25.44
Grantham Sanitation	Trash Collection- Sept & Oct.	260.00	Silverstone Group	FY18 Actuarial Valuation Report	3,250.00
Greenfield Lumber Co	Keys	4.50	Snap-On-Tools	Shop Tools	433.95
Greenfield True Value	083118 Statement	1,769.23	Southern IA Rural Water	Utilities	19.00
Gus Construction	TIF Culvert Replacement	5,213.76	State Public Defender	Fy19 Juvenile County Base	246.00
Hansens M & M Services	Maps	18.45	Strohman Enterprise Inc	Aimpoint Pro	370.00
Homan, David	Mileage, Training	221.82	SW IA Pest Control	Pest Control	48.00
Hopkins & Huebner P.C.	Legal Services-Wind Turbines	4,497.77	Thomson Reuters - West	Library Plan Changes	296.98
Housby Mack Inc	Parts/ Filters	527.93	Tires & Service Inc	Tire Repair	58.00
IA Dept Transportation	Misc Yards	177.40	Tyler Technologies	Financial	17,520.59
IA Prison Industries	Signs	1,596.00	Unplugged Wireless	Radio Pouch	116.00
IA State Fire Marshal	Diesel Tank Annual Registration	20.00	Verizon Wireless Bellevue	Survey Crew Equip	148.25
IMWCA	Workers Comp Premium	6,174.00	Volz Trustees	R-O-W	2,435.10
Infomax Office Systems	Copier Fees	316.52	Wallace Auto Supply Co	Office Supplies	25.33
Inland Truck Parts Co	Other Equip Supplies	154.20	Wallace, Richard W	Mower Gas	18.32
ISAC Unemployment	3rd Quarter Unemployment	1,231.40	Wild, Baxter & Sand, Pc	Substance Abuse Committal	103.70

Young, Nancy	October VA Rent	450.00	Grand Total:	<u>367,490.30</u>
Ziegler Inc	Cat 60" Tine Forks	7,078.13		
Fund		Expense Amount		
0001 - General Fund		19,236.28		
0002 - General Supplemental		991.58		
0011 - Rural Services		11,806.23		
0020 - Secondary Road		173,956.16		
1520 - NW Wind Farm Ur Capital		142,110.51		
1599 - Misc Capital Projects		19,389.54		
	Grand Total:	<u>367,490.30</u>		

Approved.

SOUTHERN IOWA COUNCIL OF GOVERNMENTS: Moved by Twombly and seconded by Homan to acknowledge receipt of the FY17 Annual Audit. Approved.

MANURE MANAGEMENT PLAN UPDATES: Moved by Wedemeyer and seconded by Homan to acknowledge receipt of the Manure Management Plan update from Platinum Pork located at 2758 Carriage Trail, Winterset, Madison County. Approved.

TAXABLE MILEAGE: Moved by Shelley and seconded by Wedemeyer to approve the taxable mileage for Dave Homan for \$53.40. Approved.

TOWNSHIP CLERK WAGES: Moved by Hoadley and seconded by Wedemeyer to approve the township clerk wages for Harrison Township Clerk Billi Shelley for \$20.00. Approved. Hoadley, aye; Wedemeyer, aye; Homan, aye; Shelley, abstain; Twombly, aye. Approved.

HEALTH INSURANCE: Supervisor Hoadley discussed with the Board about having employee meetings on the health insurance that might happen. Moved by Shelley and seconded by Twombly to have educational meetings to inform the employees of the possible changes that might happen. Approved. The group discussed when would be the best time to have the meetings, before the Board has decided what to do with the insurance plan or after the change has been made. The decision was to do it as soon as possible before the Board has made any changes or decided what options they have.

ENGINEER: Nick Kauffman, County Engineer entered at 8:25 a.m. **Set Public Hearing** – Kauffman presented the petition to reclassify Marion Ave. Moved by Shelley and seconded by Wedemeyer to set a public hearing on October 17, 2018 at 9:30 a.m. for designating a portion of Marion Ave. a Level "C" Road. Approved. **Road Use Agreement** – Kauffman stated that he does not have the signed copy of the Agreement from the City and the County Attorney has had time to review. Moved by Shelley and seconded by Wedemeyer to table the Road Use Agreement with the City of Greenfield and MidAmerican Energy for South Townline Road. Approved. **Report of Maintenance and Activities** – Kauffman gave an update to the Board on the following projects: Quebec Ave request to reclassify.

TAX ABATEMENT RESOLUTIONS: Brenda Wallace, County Treasurer entered at 9:37 a.m. Moved by Wedemeyer and seconded by Twombly to approve **Resolution #2018-39** – Abatement Of Taxes. Whereas, As Per Iowa Code 445.63, the Adair County Board of Supervisors, does hereby abate the taxes for the following parcels:

City of Orient

District	Parcel	Year	Taxes	Interest	Cost	Total
01005	1515501003	2017 CT	\$16.00	\$0.00	\$0.00	\$16.00
					Total	\$16.00

Roll call vote: Hoadley, aye; Wedemeyer, aye; Homan, aye; Shelley, aye; and Twombly, aye. Approved.

Moved by Shelley and seconded by Hoadley to approve **Resolution #2018-40** – Abatement Of Taxes. Whereas, As Per Iowa Code 445.63, the Adair County Board of Supervisors, does hereby abate the taxes for the following parcels:

Adair County

District	Parcel	Year	Taxes	Interest	Cost	Total
01019	0623100006	2017 CT	\$4.00	\$0.00	\$0.00	\$4.00
01019	0623100008	2017 CT	\$2.00	\$0.00	\$0.00	\$2.00
01006	1308200007	2017 CT	\$2.00	\$0.00	\$0.00	\$2.00
01030	0188000001	2017 CT	\$302.00	\$0.00	\$0.00	\$302.00
01025	0388100001	2017 CT	\$22.00	\$0.00	\$0.00	\$22.00
01030	0188100001	2017 CT	\$28.00	\$0.00	\$0.00	\$28.00
01035	0188300003	2017 CT	\$102.00	\$0.00	\$0.00	\$102.00
01035	0188300003	2017 CT	\$16.00	\$0.00	\$0.00	\$16.00
01034	0588100001	2017 CT	\$386.00	\$0.00	\$0.00	\$386.00
01029	0588200001	2017 CT	\$148.00	\$0.00	\$0.00	\$148.00
01019	0688300001	2017 CT	\$4.00	\$0.00	\$0.00	\$4.00
01002	1588000001	2017 CT	\$8.00	\$0.00	\$0.00	\$8.00
01017	0826100009	2017 CT	\$28.00	\$0.00	\$0.00	\$28.00

Total \$1052.00

Roll call vote: Hoadley, aye; Wedemeyer, aye; Homan, aye; Shelley, aye; and Twombly, aye. Approved. Wallace exited at 8:47 a.m.

VETERANS AFFAIRS: Rick Schaecher, VA Director entered at 8:30 a.m. The Board had asked for an opinion from the County Attorney on the issue of paying \$1260.00 of "back pay" that would include \$20/month since May 2013 thru August 2018 for a cell phone allowance to Rick Schaecher. The County Attorney opinion stated that the policy to pay the VA Director \$5.00/month was an agreement between the Board and the VA Director. The Agreement was signed by all of the parties and has been satisfied and "was therefore the Board of Supervisors duty to make only the payment which had been agreed to, which is what was required and has been done. No additional payment for those five years would be appropriate." Schaecher went over the history of the cell phone and continued to ask for the back pay of \$1260.00 even though the attorney opinion advised against the payment of additional funds. Schaecher stated that he was not going to follow federal law about recording his time off hours when he receives phone calls. Schaecher feels that he should not have had to negotiate the cell phone allowance and should have automatically receive the \$25/month. Homan stated that he feels that Schaecher was confused and should receive the back pay. Hoadley agreed. Moved by Homan and seconded by Hoadley to pay the \$1260.00 back pay. Roll call vote: Hoadley, aye; Wedemeyer, nay; Homan, aye; Twombly, nay; and Shelley, nay. Motion failed. Wedemeyer stated that he does not believe that Schaecher is due the \$1260.00 since he signed the agreement to receive \$5.00/month. Schaecher exited at 9:00 a.m.

ORDINANCE 31A DISCUSSION: Shelley stated that he has a contract with Mid-American and declare his son, daughter-in-law and wife also have a contract and stepped back from the table and did not participate in the discussion. **MidAmerican Energy** – Adam Jablonski, MidAmerican Energy, presented proposed changes to the Board of Supervisors that are clean up and clarifications to the draft Ordinance 31A. Jablonski asked for clarification that it does not apply to the contracts already signed and an option to waive and negotiate the setbacks on a non-participating property if the owner wants. Jablonski discussed the revenue that would come to the county and the participants. Jablonski also discussed the setbacks in other counties that MidAmerican operates wind farms and with an 1800ft setback, Adair County would have the largest setback in the State of Iowa. **Whitfield & Eddy Law** – Thomas Reavely, Attorney represents people in Adair County that are opposed to wind farms. Reavely discussed a comprehensive ordinance that the Board should consider. The emphasis has been on the setbacks in the current draft but he feels that there is more issues that should be considered. Reavely distributed a handout on the items that he feels should be addressed. Reavely compared other counties that have a comprehensive ordinance that addresses windfarms. Reavely expanded on some of the important issues, including noise levels, signal interference, shadow flicker, height limitations, non-reflective color and finish, lighting intensity and strobing, and decommissioning costs. He feels that a comprehensive ordinance should protect the people who do not have them and the people who do have them.

PUBLIC HEARING – ORDINANCE 31A – AN AMENDMENT TO ORDINANCE NO. 31 – ASSESSMENT OF WIND ENERGY CONVERSION PROPERTY: Moved by Wedemeyer and seconded by Hoadley to open the public hearing for Ordinance 31A – An Amendment To Ordinance No. 31 – Assessment Of Wind Energy Conversion Property at 9:30 a.m. The Chair conducted the 1st reading of Ordinance 31A – An Amendment To Ordinance No. 31 – Assessment Of Wind Energy Conversion Property. The County Auditor received 26 emails or letters, of which 18 were in support of wind farms and 8 were in opposition to the wind farms. Copies of the correspondence were given to the Supervisors. The following people spoke in opposition to the wind farms: Tammy Baier, Colleen Oxley, Joanie Finck, Deb Lilly, Steve Lilly, Thomas Reavely, Paul Ehm, Wayne Oxley. The following people spoke in support of the wind farms: Patricia Randel, Kerri Johannsen, Marlin Marckmann, Randy Caviness. The following people were neutral: Bill Lamb. Moved by Wedemeyer and seconded by Twombly to close the public hearing at 10:15 a.m. Approve. The Board discussed an amendment to the current draft that was sent to the Board via email yesterday. The changes were proposed by Attorney Cain. Moved by Twombly and seconded by Wedemeyer to amend the current draft to include the changes that was sent by Attorney Cain including a waiver of the set back by a non-participating landowner and some grammatical corrections. Approved. Hoadley asked about changing to a comprehensive ordinance and Attorney Cain stated it would change the timeline and the process would need to start over including publications for new public hearings. Hoadley asked about including a sound limitation. Attorney Cain stated that the issue would be who will be in charge of enforcing and measuring the limitation. Twombly asked about these changes being considered zoning verses an ordinance. The group decided to pass the current draft and then consider doing a separate ordinance at a later date that may address other issues. Moved by Wedemeyer and seconded by Twombly to pass the amended ordinance and move to the second reading. Hoadley, aye; Wedemeyer, aye; Homan, aye; Shelley, abstain; and Twombly, aye. Approved.

Moved by Wedemeyer and seconded by Shelley to recess at 10:27 a.m. Approved. The Board of Supervisors reconvened at 6:30 p.m.

Board members present for regular session at 6:30 p.m. were: Hoadley, Homan, Shelley, Twombly, and Wedemeyer.

Also present: Mindy Schaefer

The Board meeting was reconvened in the Courtroom of the Courthouse.

Also present were: Sara Crook, Bart Knox, Clarence A Seley, Karen Seley, John Houghton, Mike Lamb, Tanya Lamb, Eric Jeanneret, Michael Femr, Matt Ott, Geoff Greenwood, Chris Nikolaisen, Diane Antisdell, Jerry Oxley, Vern Blazek, Karen Johansen, Colleen Oxley, Joanie Finck, Clark BreDahl, Linda BreDahl, Sieanna Rawlings, Zayden Rawlings, Rob Foss, Chris Gothner, Adria Pickrell, Amanda Pickrell, Doug Holliday, Mark Zaccone, Bret Skellenger, John Downing, Betty Downing, Janet Jimmerline, Jimmy Zimmerline, Mary Long, Kaye Bax, Della Kramer, Patricia Randel, Janalee Caviness, Merritt Caviness, Paul Baier, Paul Ehm, Jade Zimmerline, Randy Caviness, Gary Randel, Connie Hansen, Rachel Oxley, Kim Perkins, Doris Crosswhite, Laura Sturdy, Bill Lamb, Mary Lou Lamb, Steve Lilly, Jordan Oster, Martin Lonsdale, Maureen Lonsdale, Deb Lilly, Carol Hermann, Larry Reis, Ginger Reis

PUBLIC HEARING – ORDINANCE 31A – AN AMENDMENT TO ORDINANCE NO. 31 – ASSESSMENT OF WIND ENERGY CONVERSION PROPERTY: Shelley stated that he has a contract with Mid-American and declare his son, daughter-in-law and wife also have a contract and

stepped back from the table and did not participate in the discussion. Moved by Wedemeyer and seconded by Twombly to open the public hearing for Ordinance 31A – An Amendment To Ordinance No. 31 – Assessment Of Wind Energy Conversion Property at 6:30 p.m. Auditor Schaefer informed the Board that 2 email and letters were received since this morning both in support of the wind farms. The following people spoke in opposition to the wind farms: Tammy Baier, Sieanna Rawlings, Zayden Rawlings, Karen Seley, Dean Seley, Mike Lamb, Tanya Lamb, Colleen Oxley, Joanie Finck, Clark BreDahl, Kaye Bax. The following people spoke in support of the wind farms: Patricia Randel, Diane Antisdal, Doug Holliday. Moved by Homan and seconded by Twombly to close the public hearing at 7:12 a.m. Approve. The Chair conducted the 2nd reading of Ordinance 31A – An Amendment To Ordinance No. 31 – Assessment Of Wind Energy Conversion Property. Moved by Homan and seconded by Hoadley to amend the Ordinance to increase the set back established in Section C from 1800ft to 2200ft from the nearest Occupied Building and to increase the 500ft set back from the property line of a Non-Participating Landowner from 500ft to 1000ft from a non-participant's property line. Roll call: Hoadley, aye; Wedemeyer, nay; Homan, aye; Twombly, nay; and Shelley, abstain. Motioned failed. Moved by Hoadley and seconded by Wedemeyer to cap the total number of turbines in Adair County at 530 until a comprehensive study can be done on the packet of information provided by Attorney Reavely at the beginning of the meeting this morning. Roll call vote: Hoadley, aye; Wedemeyer, aye; Homan, aye; Twombly nay; and Shelley, abstain.

ADJOURNMENT: Moved by Wedemeyer and seconded by Hoadley to adjourn at 7:21 p.m. Approved.

ADAIR COUNTY BOARD OF SUPERVISORS: _____ Jodie Hoadley, Chairman

ATTEST: _____ Mindy Schaefer, Auditor