

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
MONDAY, JANUARY 10, 2022 11:00 A.M.

The Board met in session at the Linn County Jean Oxley Public Service Center.
Present: Chairperson Rogers, Vice Chairperson Zumbach and Supervisor Walker. Board members voting "AYE" unless otherwise noted.

Chairperson Rogers called the meeting to order.

Public Comment:

Jessica Wiskus, 242 Green Ridge Rd., Lisbon, stated that she is speaking about the Navigator Co2 proposed pipeline. She presented information from an article published regarding medical conditions as a result of Co2 exposure. She explained the estimated fatality rates and what a pipeline rupture would look like, including a ¼ mile toxic plume. She stated that she attended the Poweshiek, Story and Linn County meetings regarding the Navigator pipeline and presented information from those meetings. She asked the Board to issue their opposition for the use of eminent domain for this dangerous project and to also call upon the Iowa Utility Board to deny Navigator a permit to build the pipeline. She asked them to put the people first over private profits.

Mike Feurbach, 8404 Briden Court SW, CR, stated that the pipeline goes through his backyard and is within 150' from his house and 75' from his neighbor's house. His property backs up to the College Community baseball diamonds and is proposed to go near the Prairie Point School and housing developments. He does not want to sleep next to a pipeline that can explode. Given Ms. Wiskus' information, a ¼ mile toxic plume would wipe out the neighborhood and thousands of kids in a couple schools and hundreds if there is baseball games going on. He viewed an online video of an explosion in Mississippi whereby people were confused, convulsing, foaming at the mouth and unconscious. He does not want to live in fear.

Josh Henick, 654 Wilcox Rd., Mt. Vernon, stated that he farms near Mt. Vernon and wanted to speak about the pipeline on behalf of Linn County Farm Bureau. As the past president of the Linn County Farm Bureau, he attended several meetings as well as public and informal meetings between landowners and members of the Farm Bureau. He stated that the Board will hear from others concerned about the environmental aspect and others will tell them about land development potential. He noted that the pipeline also cuts near Fairfax, Mt. Vernon, Springville, Prairieburg, Ely and parts of Cedar Rapids. It is going through the second most populous county in the state of Iowa. There is a consensus among the Farm Bureau members that they fear the use of eminent domain from a private company making money off of federal tax credits. The Linn County Farm Bureau has drafted and intends to file a resolution (which he read) urging the Iowa Utility Board to carefully weigh the public good. They are requesting the Iowa Utilities Board to deny the use of eminent domain for Navigator LLC at this time.

Mike Lynch, 433 Cedar River Rd., Mt. Vernon, stated that the pipeline directly affects his whole family, neighbors and friends and he does not understand why they are pushing poison underground to get more poison out of the ground. He also asks why the pipeline is going west, then southwest to go east? It makes no sense. He also said that to place "we the people" to the backseat of a profiteer is not what the constitution of the United States is about. This is not for the public good; it's for profit and unethical. He asked the Board if it went through their back yard, would they feel safe and asked if there were on the private side for profit or for protecting the good of the community.

Ed Mertens, 4000 Vista Rd., Ely, stated that he wants to express his concern for the community of Ely. The proposed pipeline will be higher than the community of Ely. It sits on a creek so if there is a rupture, the carbon dioxide would flow directly down to over 2,000 people. He asked the Board to consider that when they move forward.

Pam Mackey Taylor, 2200 S. 31st. St., Marion, stated that she is the Director of the Iowa Chapter of Sierra Club and on behalf of the Sierra Club, she is encouraging the Board to write a letter to the Iowa Utility Board in opposition to using eminent domain for the Navigator pipeline. It is not being built for a public purpose, it is simply for the economic benefit of the pipeline company and the industries using the pipeline. No landowner should be required to give up any portion of their land for the use of eminent domain and she encouraged the Board to write a letter stating the same to Iowa Utilities Board.

Steve Pisarek, 137 Ivanhoe Rd., Mt. Vernon, stated that he lives next to the observatory. He is a fourth generation landowner. Value of land- it will go through some of the most potentially valuable ground in the county for development. Ely brags that it is the fastest growing town in Iowa. The pipeline will go right through the heart. If they put the pipeline through, the tax base will go down and it's going to be tough. Safety - he talked to an EMT from Mt. Vernon and asked about the response time. Ely would be responding and it will take 20 minutes. Even if they did respond, they are not equipped to respond to something like this. He currently has a pipeline through his farm now (6 ft. deep in 1958). There is now 18" of dirt over the top and they have to lift up the chisel plow so they do not hit it. If there was a pinhole in it, it would burst and hundreds of thousands of gallons of fuel would be spilled on his land and it is under less pressure than this one. Over the lifetime of this

pipeline (and they don't know how long it will be there), companies change hands and they might not maintain the same way and over time, something will happen. He urged the Board to send a letter condemning this to the Iowa Utilities Board as well as the Governor. He also does not understand why there is no zoning regulations. They are putting a sewer line of toxic waste across half of the county. His family has never asked for anything from government but he is asking the Board to flex their muscles on this and try to protect them.

Dennis Uthoff, 1366 W. Mt. Vernon Rd., Mt. Vernon, stated that he has farmland near the Abby Creek School & Museum that will be directly affected by the pipeline. He just did a lot of tiling and waterway work over the last 8 years and they will go directly across it. More importantly this is within a mile of the Mt. Vernon High School and Cornell College where there are thousands of students. He wanted to reiterate opposing the eminent domain application of the project and hopes that the Board will do what they can do to keep it out of Linn County. It affects a lot of the people long term in a lot of ways.

Karmen McShane, 3712 Alderman Rd., Central City, stated that she lives in the farmhouse that she was raised in (been in the family for multiple generations). The proposed pipeline will cut through the middle of two parcels and will come within 50 ft. of their home. It endangers two streams, ruins the topsoil and is cutting right through the middle of the land. This will diminish the future value of the land and will have an environmental impact for them and others across Linn County and the State of Iowa. She urged the Board to write a letter to the Iowa Utilities Board asking them to deny eminent domain for this proposed hazardous liquid pipeline. It is not a public purpose and is being built for the financial benefit of the pipeline company at the expense of Iowa taxpayers.

Mike Russell, 361 Cedar River Rd. Mt. Vernon, stated that he went to the first meeting with an open mind. He has an existing pipeline on his farm, built in the 50's, that has caused no problems. He realized at the meeting that this pipeline will go through his nephews home, a corner of his mother's home and through state registered Indian burial mounds (18). He asked at the meeting why they are not near his existing easements and they said they were unaware of them. They said they can move within a ¼ of a mile either way. He stated that there are way too many unanswered questions and vagueness at these meetings. If they get approval from the Iowa Utilities Board for eminent domain, then the landowners have to take what they offer. They want voluntary easements. He said to let them try to get the voluntary easements before they are given eminent domain.

Motion by Walker, seconded by Zumbach to approve minutes of January 4 & 5, 2022 as printed.

The Board discussed submitting a letter to the Iowa Utilities Board opposing proposed carbon dioxide (Co2) pipelines requesting denial of eminent domain.

Motion by Zumbach, seconded by Walker to submit a letter to the Iowa Utilities Board opposing proposed carbon dioxide (Co2) pipelines.

Discussion: Supervisor Zumbach stated that the Board will be having discussions later with Planning & Zoning regarding what the county can do. He noted that their hands are somewhat tied. Pipelines are treated differently.

Supervisor Walker stated that it warms his heart (no matter how long meetings go) to see citizens taking an active role in county government. This issue has lots of challenges. He appreciates that folks realized that it is out of the control of the Board of Supervisors even though they are in receipt of emails that suggest otherwise. He appreciate folks engaging in government in a civil manner and he hopes to see a world where folks continue to engage with government and then take that activism to other issues that don't directly impact their lives.

Chairperson Rogers echoed those comments and appreciates the attendance today.

VOTE: All Aye

Motion by Walker, seconded by Zumbach to adopt Resolution 2022-1-7
WHEREAS, pursuant to Section 331.903(1), Code of Iowa, Nicholas G. Maybanks, Linn County Attorney, has submitted to the Board of Supervisors, Linn County, Iowa, for approval of Shayl G. Wilson, for appointment as Assistant County Attorney, and
WHEREAS, the Board of Supervisors, Linn County, Iowa, finds Shayl G. Wilson to be qualified to serve as Assistant County Attorney and that the appointment of Shayl G. Wilson will not exceed the number of assistants authorized for the Linn County Attorney's Office by the Board of Supervisors, Linn County, Iowa.
NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, that the appointment of Shayl G. Wilson as Assistant County Attorney by Nicholas G. Maybanks, Linn County Attorney, is hereby approved.

Gloria Witzberger, Child Development, presented an amendment to the Contract for Provision of Service Agreement between Hawkeye Area Community Action Program, Inc. (HACAP) and Linn County outlining mask and COVID-19 vaccination requirements, effective January 31, 2022.

Supervisor Walker stated that he applauds Witzberger and her team for being flexible given all of the changes and challenges that they have been coping with over the past two years and the pandemic. The Board will approve on Wednesday.

Jodi Bridgewater, MH/DD Region staff, presented a request for the reallocation of Tanager Place Linn County fund balance project funding to include the flexibility to use the funding to provide additional mental health related services at the Collins Community Credit Union Hub and/or Willis Dady Homeless Shelter. The Board will approve on Wednesday.

The Board discussed a proposed 2022 Linn County Medical Examiner Service Agreement between Donald J Linder, D.O., Linn County Medical Examiner and Linn County.

Supervisor Walker stated that he has no questions but will make sure Budget and Finance are aware of the contract.

Rodd Baxter, Planning & Development, presented Linn County's annual recertification in the Community Rating System for flood insurance. The Board will approve on Wednesday.

Motion by Rogers, seconded by Walker to approve the following Payroll Authorizations:

COUNTY ATTORNEY'S OFFICE

Civil Division Head	Jordan Schier	Promotion/appointment 01/01/22 \$125,262.45/annually -
\$142,321.92/annually New position		
Criminal Prosecutor II	Alex Anderson	Promotion 01/01/22 \$79,563.54/annually -
\$97,067.62/annually Replaces M. Edwards		

SHERIFF'S OFFICE

Deputy Sheriff	Austin Hoffmann	Termination 12/31/21
Deputy Sheriff	Taylor Buhmeyer	Termination/resignation 01/20/22
Secretary	Raelynn Dawson-Jesen	Transfer/internal applicants 01/01/22 56E \$25.84 + \$.25 + \$.25 -
55E \$23.95 + \$.25 Replaces D. Kosobucki		
Female Correctional Officer1	Kathryn Driscoll	New hire – FT 01/10/22 56A \$20.95 + \$.25 + \$.25

LIFTS

LIFTS Driver	Dean Ormiston	Termination/retirement 12/31/21
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COMMUNITY SERVICES

Child Care Worker	Destinee Niemeier	Resignation of permanent PT position/ transfer to on-call 48C
\$13.05 – 48A \$11.77		
Child Care Worker	Sherri Kunce	Resignation of on-call position/ New hire – PT 48A \$11.77 – 48A
\$11.77 + \$.25 Replaces D. Niemeier		

PUBLIC HEALTH

Medical Assistant	Rebecca Lewis	Termination of temp position 12/16/21
Medical Assistant	Nancy Reasland	Termination of temp position 12/16/21

Motion by Zumbach, seconded by Walker to approve claims for payroll deduction checks and settlement checks #71005573 - #71005593 in the amt. of \$847,697.39, payroll on-site checks for settlement #63000012 - #63000012 in the amt. of \$43,185.47, payroll deduction ACH in the amt. of \$60,453.03, and payroll wires in the amt. of \$2,024,946.83.

Motion by Rogers, seconded by Zumbach to appoint Ted Beuter to the Building Board of Appeals, term ending December 31, 2024.

The Board recessed at 11:47 a.m. and reconvened at 1:30 p.m. to review the proposed FY 2023 budget for the Sheriff. Present: Dawn Jindrich, Finance Dir., Sara Bearrows, Budget Dir., Sheriff Gardner and Col. Riniker.

Sheriff - Proposed general fund appropriations budget exceeds the Board's guidelines by \$229,000 including \$11,000 for increases in vehicle replacements and \$218,000 for other operational increases (out of their control) including food, fuel and maintenance contracts.

Col. Riniker presented the budget narrative and a lengthy discussion continued including unexpected billings and inmate revenue.

Motion by Zumbach, seconded by Walker to approve Sheriff's FY 23 expenditures in the amount of \$28,021,888 and revenue in the amount of \$6,882,507. The Board will revisit this budget and potentially increase inmate revenues at the time of budgets being finalized.

Col. Riniker presented the following Offers:

- Patrol Deputy \$161,301 (first year)
- Transport Deputy \$ 66,000 (initial cost)
- Female Correctional Officer \$ 54,903 (actual cost)

Discussion continued regarding School Resource Officers.

The Board recessed at 2:34 p.m.

Chairperson Rogers reconvened the meeting at 6:00 p.m. at the Linn County Fairgrounds, 201 Central City Road, Central City, at the Lynn Dunn Memorial Building. Present:

Chairperson Rogers, Vice Chairperson Zumbach and Supervisor Walker. Also present: Charlie Nichols, Planning & Development Dir. and Jon Gallagher, Soil Conservation.

The Board met to conduct a public hearing and first consideration for rezoning case JR21-0008, request to rezone property located near Coggon Rd, from AG (Agricultural) district to RE-AG (Agricultural with a Renewable Energy Overlay) district, approximately 750 acres, Balster Family Trust; Michael and Tammy Dougherty; Clayton Kramer; Kenneth and Deanice Ludolph; Joel and Kerry Peyton; and Levi and Sierra Peyton, owners, Clenera, petitioner.
Public Comment:

George Maxwell, 4431 Boy Scout Rd., Central City, stated that he served on the Planning & Zoning Commission for 10 years and their mission was to try to save all farm ground above 65 CSR. He stated that because Linn County has two rivers and a large creek, there is a large amount of farm ground that is below 65 CSR and more suitable for a solar farm. The land by Coggon is over 80 CSR. They need the world to produce double the amount of food by 2050 and taking land with CSR of 80 is not right. There has to be a better proposal.

Ted Hoffman, 3350 Pleasant Creek Rd. Palo, addressed the Paris agreement which is an international treaty on climate change. The only crisis more dire than clean energy is food production. The Paris agreement recognizes this threat and specifically protects food production. He stated that of all potential strategies, only solar energy threatens farmland.

Charlie Nichols gave a presentation on Linn County permitting process for Utility Scale Solar Projects. He presented the following background:

- Request to rezone 750 acres from Agricultural (AG) to Agricultural with a Renewable Energy Overlay zoning district (RE-AG).
- The subject parcel is designated AA (Agricultural Area) on the Linn County Rural Land Use Map.
- Surrounding properties zoned AG.
- The purpose of the rezoning is to allow for the construction of a utility-scale solar facility generating 100 MW of power using approximately 640 acres of solar panels.
- Applicant is Coggon Solar LLC, Clenera is the parent company.
- The project would sell power to CIPCO (Central Iowa Power Cooperative) for a period of 20 years. The project would continue to sell power to either CIPCO or another utility off-taker for another 10-15 years after.
- Project utilizes solar photovoltaic modules to convert sunlight into DC electricity.
- Battery storage is not proposed as part of the project.
- Project will use approximately 325,000 PV modules.
- A fence is required around the entire project area per federal regulations for utility sites.
- Inverters will be used throughout the site to convert the DC electricity to AC electric before connecting to a substation.
- The project is located approximately 2.75 miles west of Coggon.
- On November 29, 2021, the Linn County Planning and Zoning Commission voted to recommend denial of this rezoning proposal 6-1.
- Planning and Zoning Commissioners expressed doubt that the standard "proposed development is not detrimental to existing agricultural uses" was met by the application.
- The Planning and Zoning Commission is an appointed body who's purpose is to review development proposal for conformance to development regulations and the Linn County Comprehensive Plan and make recommendations to the Board of Supervisors based on their findings.

Staff believes standards have been met and generally is in compliance with the Linn County Comprehensive Plan. Staff recommends approving the proposal submit with conditions.

Jon Gallagher stated that he focused on the native vegetative seed mix. His concern was the low panel height of the solar arrays (18 inches) which triggers issues on the vegetation management standpoint. He proposes the seed matrix that was going to be taller than 18 inches and recommends the minimum height of the panels to be 28 inches.

Jared McKee, Clenera, presented the company's background.

Tom Fitzgerald, Clenera Dir. of Development, presented the technical components of the Coggon Solar project and addressed concerns raised at the Planning & Zoning Commission meeting, including benefits such as the project being built with local labor.

Supervisor Zumbach asked Fitzgerald for clarification, regarding whether or not eminent domain would be used if the footprint changed.

Clenera representatives stated that at this time, eminent domain is not being

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considered.

Supervisor Zumbach also asked why the other substations are not being considered and Clenera explained.

Supervisor Zumbach asked for clarification that if someone had entered into an agreement with Clenera and later decided to get out of it, how is that handled.

Fitzgerald responded that if the footprint did not require their land, they could be released from the agreement. Generally, if all of the land under contract is not needed, they would be excused but they need to follow their obligation under the contract.

Zumbach also asked for clarification regarding the labor agreement. Who is the agreement with, Clenera or the construction company?

Fitzgerald at this time presented a letter of intent between the Cedar Rapids/Iowa City Building Trades Council and REZ, the construction company.

Supervisor Walker thanked everyone for being in attendance this evening. He stated that he is guessing that most people in attendance are in opposition. He asked Clenera that while they have worked on other projects, have they run into this sort of opposition and are the concerns more or less the same.

Fitzgerald stated that a lot of the concerns through this process have been encountered before in various jurisdictions. When it is the first in a county, it is more challenging. They are seeing solar become more prevalent across the entire United States and that is why it is so important to set the record straight.

Supervisor Walker stated that he visited the industrial scale solar farm by Wapello. He asked Clenera what the response is from those that live near that project.

Mike Gallego, Clenera Vice Pres. of Operations, stated that he has been involved with every project Clenera has built and they are proud about what they do and a lot of that is how they get the community involved in their project. Wapello is one of those projects where they did their best to hire locally. The dollars that come into those communities includes local hardware stores and hotels and affects all kinds of people and businesses in the area. They did a lot of work with the surrounding neighbors regarding setbacks, vegetation, etc. He receives very little feedback from the community but noted that it is generally positive.

Supervisor Walker stated that there has been lots of concern about impacts to property values for homes and businesses near the proposed project. There have been several studies that demonstrate little if no impact and other studies that say otherwise. One of the things he sees from major energy projects are participation agreements with folks that are very near to the project. He asked if there have been any discussions about benefits afforded to residents nearby.

Jared McKee, Clenera, stated that the Coggon Solar project does not have the ability to go to the retail residents. There is no rebate, etc. They can, however, offer solar panels and are open to those conversations.

Supervisor Walker asked if in the unlikely event that Clenera would change construction contractors, can the Board be assured the new contractor will be held to the same standards. McKee stated that would be their intent.

Chairperson Rogers asked if there is a maintenance and/or replacement schedule of solar arrays of this size.

Gallego stated that a solar facility typically does not have a lot of work going on once the project is operational. There will be times when something will go down or something is broken with the tracking system. They hire an operation maintenance provider and they will troubleshoot the site on a regular basis. There will be maintenance and some life cycle.

Rogers stated that there are a lot of citizens concerned about chemicals released into the soil and water streams.

Gallego stated that there are technologies out there that could do that but they do not use those. They do not use concrete for foundations other than the substation. They drive galvanized steel piles into the ground (7-10'). Transformers on site will have oil in them.

Motion by Zumbach, seconded by Walker to open the public hearing.

Marty Robinson, Colorado, stated that he is a 20 year resident of an adjacent property to the project. He stated that the solar overlay is incorrect and must be amended (there is a loophole). Now is the time for the Board to respond appropriately and vote no, noting that politics and money destroy common sense. He stated that Linn County used to protect high quality farmland. This project is only for the convenience of the

profit and loss statements of a utility company. He feels misled and is skeptical. There is a lack of trust. He stated that a substation can be relocated but not prime farm ground. He submitted a petition with 113 owners of property and/or residents near the proposed Coggon solar project opposing the project and requested that the Iowa Utilities Board not approve it.

Greg Geerdes, 105 Iowa Ave., Iowa City, stated that he is a lawyer representing the Robinson family who live just across the street from the proposed project. He wanted to concentrate on something that the Board should be applauded for and that is the Linn County Comprehensive Plan, which preserves natural resources and the preservation of Ag. property. He stated that they are not protecting this Coggon property. It is prime farmland by world standards. They will be taking this land out of farm production for 25 years. That is not maintaining agriculture. It is not just the protection of the production; it is also the protection of the aesthetics of the landscape of agriculture. The real rub is that the Board adopted an objective and a strategy that says they are going to direct development away from areas best suited for Ag. use. The Board is not directing it away from Ag. production, they are incentivizing it. There could not be a bigger violation. It is also important to note what the next developer that wants to ignore one major part of the comprehensive plan will be told. Once they start with Clenera, they start on a very slippery slope. Again, every one of the good things that Clenera can do, they can just as easily accomplish on lower quality land. There is no need for good farmland to be ruined. There are alternatives.

Greg Bickal, 2250 Coggon Rd., stated that he has postponed plans to build their forever home ever since this was announced. He is concerned with this project creating flash flooding of his Koi fish business. He too visited a solar farm in Wapello. The house was surrounded by barbed wire fence. The solar arrays might be a good fit for Wapello, but not a good fit for Coggon. Everyone not receiving a financial award are against it. The last time that the substation was upgraded, it destroyed the Robinson's tile lines and they are still waiting for them to get fixed. Are they trying to attract more urban sprawl? Local farmers are losing their farm leases because they cannot compete with Clenera. He begged the Board to deny the solar application.

Ron Corbett, 286 Thunderbird Rd. SE and Cedar Rapids Economic Development, stated that the Board has made it clear over the years that they are committed to renewable energy, specifically solar. Over those years, the private sector has taken note and Clenera, CIPCO and REC is stepping up to invest millions of dollars in it. The Board is seeing the fruits of the policy. With regard to economic development, he saw 18 different requests for proposals for companies to expand in the area. They are looking at communities that are embracing renewable energy (solar and wind). Most importantly is equity and opportunity. Equity to renewable energy afforded to the rural area. They need the whole state to be successful, including the rural parts of Iowa.

Helen O'Brien, 3334 Washington Ave., Coggon, stated that she is a concerned farmers wife and farmers daughter who lives three miles from the project. She attended previous meetings and read all of the information on the website. She is concerned for the soil, drainage, weed control and the lack of corn that provides moisture back into the environment in the summer. She noted that CIPCO was going to purchase energy for 20 years, which can then be sold to another utility that is not local. They are hoping to advertise to fill jobs locally but what is their definition of local. As far as the economic impact, Coggon does not have a hardware store or hotel. So what is generated for Coggon? She prefers a business that does not have outside foreign investors. She is opposed to the project.

Martin Smith, 3219 Carlisle Ct. NE, CR, stated that he supports this project and hopes it moves forward. The Ordinance provides reasonable guidance and they should try it. He addressed the amount of ground that will actually be covered in panels and decommissioning. The panels should last the life of the project. He hopes that it goes forward.

Marc Franke, 4205 Vista Rd., Ely, stated that the recent extreme weather shows the wisdom of the county's 2013 strategic plan. There are two companies proposing utility scale solar farms. It is a deal that works for them and the Board needs to make sure it works for the people of Linn County too. With regard to nonparticipating landowners, there should be generous setbacks, vegetative screenings and no neighbor should suffer from the project. Since this is an Ag. county in an Ag. state, they should insist on solar sheep grazing. The Board needs to serve and protect the neighbor's needs and agreements should be enforceable over the 35 years. He supports utility scale solar but they must take the time to do it right.

Pam Mackey-Taylor, 2200 S. 31st St. Marion, stated that she is the Dir. of the Iowa Chapter of Sierra Club and speaks on behalf of them. They support the project and the proposed zoning changes. Everyone leasing the land to Clenera has done so voluntarily. There is no additional infrastructure, it is providing construction jobs, and they support the performance bond that was added to this project as a condition.

Danny Hemminger, 6219 Ridgewood Meadows Ln. NE, CR, stated that he is in favor of the project. This is an opportunity for Linn County to be a leader. Landowners should have the right to choose how they use their land and this use is to harvest the sun's energy. He stated that he is the Business Manager of Local 33 and he hopes that the Board votes in favor of moving this project forward.

Mike Sadler Jr., 4192 Pikeview Dr., Center Point and Pres. of the Building Trades, stated that the agreement signed by RES is assuring that they will use the building trades to construct the project. He supports the project and it should move forward. It will be good for the community and Linn County.

Tim Jordan, 1350 Timber Valley Dr., Rock City, stated that he works for RES and they built the Wapello project. It will bring economic benefits to Linn County and he reiterated their intentions to use the building trades. Regarding addressing some of the concerns from landowners, relationships are important to them as a company, which is a family owned company. He stated that he wanted to introduce himself as the contractor and as someone from Iowa that will be leading construction efforts and he hopes the Board approves it.

Jeremy Teresinski, 1730 Sun Franklin Dr., Ankeny, stated that he was the Project Manager at Wapello. He did door knocking himself and actually bought a house in Wapello. There is no detriment to landowners or impact to the housing market. He is confident he can sell his house when the time comes and is confident will be no loss of value. He has talked to many business owners and they say there has been a positive impact overall and no negative feedback from neighbors or local community members. He is proud of what they have done there and he hopes that the Board votes to move forward.

Bill Cherrier, CEO and Vice Pres. of CIPCO, 1348 S. 46th St., W. Des Moines, stated that Coggon Solar is an extremely important investment and addition not only for CIPCO but for all 13 of their rural cooperative members, including Linn County REC. They are all nonprofit organizations, so all costs that they incur are passed onto their members. The economics of these projects are extremely important and the impact on the land and property for these projects is extremely important. They always try to minimize as much impact as that they can. This will be located on their existing system with an existing substation that will be expanded (and is on the footprint). They have to expand the substation to accommodate the solar farm but they are not building a whole new site and location on their system. The addition of this in Eastern Iowa really helps offset the loss that they incurred when the Duane Arnold Energy Plant closed. There is more demand in the Linn County territory that requires additional capacity and energy (FedEx and Univ. of Iowa Hospital) and they actually demand renewable energy. This is rural power for rural Iowans and especially Eastern Iowa.

Kirk Hiland, 3743 Hiland View NE, North Liberty and a member of the REC Board of Dir. stated that their lives changed in the utility industry when they lost 40% of their baseload power when Duane Arnold closed. They have to replace it by purchasing power from CIPCO. This will allow them to keep their rates substantially below Alliant and allows them to be competitive to bring in new businesses. This is the only way to provide safe, clean, reliable and affordable electricity to members. This power will be used here and enables them to grow and give members a good deal on electricity and also gives them the sustainability that they know is coming into their system. They need more power in this area and appreciates the Board's consideration in this matter and looks forward to a successful project.

John Zakrasek, 531 Lawndale Dr. SE, CR and representing Linn Clean Energy Dist., stated that they were present at the initial meetings and have been working diligently to listen to all of the people with concerns and those in support. They organized tours of Wapello and two other locations. He gave a big complement to Linn County staff and the Board of Supervisors because of the incredible amount of listening that went on. Many good things have happened that has improved this project and made it much more palatable. They are strong supporters of getting clean energy in place. When the nuclear plant went down, it took out jobs and emissions went up. He encouraged the Board to support this project. He again complemented staff and the Board on all that has been done to truly protect the interest as best as possible for all the neighbors.

Junior Luensman, 4100 Woodridge Dr. NE, CR, stated that he supports the proposed solar project and especially the use of local labor. He is the Vice Pres. of area building trades and business manager of IBEW Local 405 and represents over 700 union electricians in the corridor. Throughout the course of his career, he has seen numerous projects built in this area by out of town contractors. Usually these projects were staffed with out of state migrant workers. The compensation for those workers undercut the area labor standard leaving local contractors at a disadvantage to secure work for their employees that live in Linn County. The Coggon project is a commitment to local labor. They agreed to use a project labor agreement that will provide jobs to citizens and provide opportunity for those in the apprentice program with good pay and benefits. He asked the Board to support the people of Linn County by supporting this project.

Tom Robinson, 2094 Linn-Delaware Rd., Coggon, stated that he wanted to address some misinformation on social media and went back to the Nov. 29, 2021 Planning & Zoning meeting. Mr. Fitzgerald said, "If one of the participating landowners decided not to participate, or Clenera no longer wanted them to participate in the project, they would just be relieved of doing so". He stated that he mostly wanted to talk about the tile issue surrounding the CIPCO substation (directly next to his property). CIPCO made changes to their substation years ago and built over the tile main which he has an easement on. CIPCO ignored their legal easement and according to one of their employees, they cut and knowingly removed the tile main, which is against Iowa law. Linn County officials as well as CIPCO officials signed off on the application process as well as the engineering plan. In the plan, there are numerous references in honoring drainage easements, yet none of it was followed. The Ag. mitigation plan provides no protection for legal easements. It would allow Clenera to move any drainage line without any landowner's permission. This is yet another example of a bad plan almost certain to create problems. He thanked the Board for their time and asked them to please deny the project.

Tracy Nelson, 3311 Pleasant Creek Rd., Palo, addressed fires and fire protection. It has been stated that there has been few solar fires; however, there is an incident report that does not have a box to check for solar panel fires. There are several reasons that will cause fires at solar arrays. There is one fire per 10,000 units. They can expect 32 -33 fires/year. She asked the Dir. of EMA how they would respond to a solar fire and he said that they would let it burn. The volunteer fire department would take care of a fire outside of the solar farm. If there is a grass fire, it will spread 10-15 miles per hour. The setback for the neighbors needs to be increased or require sprinkler system or some kind of fire suppression system or require them to provide their own fire fighters. She asked the Board to vote no based on the lack of fire protection.

Al Schabuch, 509 Sherman St., Dysart, stated that he has been a farmer all his life. He looks at a solar farm as only producing half of the time (not at night). The reasons they are building it is because of government subsidies, tax dollars are paying for this. If they had to pay for it themselves, they would not do it. An acre of corn will sequester 36,000 lbs. of carbon dioxide and solar will not take any carbon dioxide out of the air. They have a million dollar bond for decommissioning. One million is not high enough. Solar is not bad but they have to not put it on prime farmland. Surely, they can find some land in Iowa with lower CSR. He stated that the Board needs to turn it down because it needs to be on lower quality land.

Paula Robinson, 1127 Linn-Delaware Rd., stated that she lives directly across from the north boundary of the Coggon solar project and has never been contacted by Clenera since the inception of the proposal. As an adjacent non-participating landowner and an opponent of the intended project, she and her family have demonstrated continued participation in the 12-month plus process. They attended meetings where there was no public comment opportunities and where there was however, no discussion ever entailed. Their messages, along with the help of their Palo posse, include declining property values (that was disputed); environmental detriments (that was not expected); the demise of prime farmland (that is very small and not significant); the presence of hazardous chemicals (that was denied); the desire for Clenera to be a neighbor (yet to be seen); Iowa law (doesn't seem to be applicable); and recycling (that will take place in 35 yrs. at decommissioning). This week's 2021 Linn County PAFR states that they promote community collaborations in health and wellbeing. Will this community outreach be available to the nonparticipating landowners and the community of Coggon? She moved from California in 2021 for her mental wellbeing and her home is her mental health access center, which provides family, security, support, faith and community.

Phil Engen, 4913 Lincoln Hts. Dr., CR, stated that he has been a resident for 22 years and is speaking in support of the solar project on behalf of himself and 150 local members of Citizens of Climate Lobby. Much has been said about the evils of taking farmland out of production but the opposite is the case. Every farm is a solar farm. Farmers take the energy of the sun and use a mechanism such as a corn plant, maybe a cow or a pig and they convert that energy into something they want to use like cornbread, beef, pork or ethanol. This newer type of solar farm is just another crop using a different mechanism such as a solar panel. A new farmer has come to our area and wants to further increase efficiency in farm yields. This farmer wants to harness the energy of the sun like every other farmer but rather than using an inefficient corn plant, a solar panel will be used. This innovation should be supported. He compared corn used to produce ethanol to solar and renewable energy. Our country needs renewable energy.

Tom Wieseler 406 Palisades Rd., Mt. Vernon, stated that he is the Mayor of Mt. Vernon and supports and endorses the Coggon Solar Farm. Five years ago, he was asked by an organization to be a presenter for the Four Power Hours. The appetite for solar in Linn County has been proven based on the number of those who attended the sessions. Over the last five years, he has done over 20 presentations. He knows a farmer west of Mt. Vernon that brought up the concept that he considers what he is doing with his solar panels is just another form of farming. Harvesting solar energy is farming.

Josh Henik, 654 Wilcox Rd., Mt. Vernon, stated that he is speaking on behalf of the Linn County Farm Bureau (LCFB) to state their position regarding large-scale industrial solar projects (LSISP). The LCFB has been supportive of Four Power Hour

and residential solar, however, this project is a LSISP. It is their position that siting and setback rules of LSISP should be considered as well as the Ag. productivity, environmental and neighborhood impacts. It is the determination of the LCFB Board of Directors that those conditions have not been met and there are yet unresolved concerns about damage to drainage tile of adjacent neighboring properties that will substantially impact not only Ag. productivity of the land on which this project will be placed but also the productivity of the surrounding area. Additionally, it is the position of the LCFB that LSISP should not be built on productive farmland nor should LSISP be allowed on leased land. The decision that the Board of Supervisors will make regarding this LSISP will set precedent for future LSIS in Linn County. The LCFB, while recognizing climate solutions, asks the Board to carefully weigh the impact this project will have on the rural Ag. communities of Linn County and he reminded the Board that the Linn County Board of Adjustment recommended against approving this project. With regard to posting a bond for tile drainage repairs, one point he wanted to note, he received a bid for a tile project on 80 acres and the bond would be \$100,000 on a \$80,000 - \$90,000 project. His main concern is the lack of funding to finance large-scale unresolved drainage issues and tile projects. He wanted to make sure to clarify that the LCFB has been very supportive of residential solar and utilizing solar for livestock facilities. He also knows the Board is considering projects in other areas of Linn County and this will set a precedent for future projects in terms of who Board of Supervisors will protect and prioritize Ag. land and the rural communities.

Scott Roland, 2935 Cedar Ridge Dr. NE, CR, addressed ecological statistics regarding food production, insect pollination and solar arrays. He also addressed comments regarding instances of fire and leased payments per acre. He stated that they are simply running out of time to address the energy capacity and the consequences of climate change. The human cost will be profound.

Swati Dandikar, 27131 28th Ave., Marion and Chairperson of Bright Future Iowa, stated that the organization helps Iowans understand the benefits of renewable energy. She is at the meeting to say that Linn County residents support solar energy in Linn County. The support of solar is bi-partisan, comes from farmers, union members and businesses. She presented a Petition in support of solar farms signed by 4,002 Linn County residents (collected on line and in local neighborhoods). They support solar farms because of the tax revenue and Linn County citizens are excited about the possibility of new businesses that are attracted by solar energy. Farmers can rely on diversified income. The Chairman of the Linn County Democratic Central Committee supports solar because of jobs coming to the community. Ron Corbett spoke and supports solar for new businesses it will attract to the area. Linda Langston, former Linn County Supervisor, supports solar energy because it will help the rural community grow. Of course, the support of solar is not unanimous. The Board has heard from some that are opposed and it is their right to voice their opinions and ask questions. However, they believe the approval of the Coggon solar farm will help communities and the county grow and prosper. She joins with the 4,0002 Linn County residents who signed the petition and looks forward to all of the benefits solar brings to the community and call on elected officials to support the future of solar energy in Linn County.

Darrow Center, 1945 9th Ave. SW, CR, stated that she wanted to share her interest in a potential opportunity for local farms to consider grazing sheep in between solar panels as a mutually beneficial way to manage prairie plants grown around the panels. She encourages this opportunity as it is a win-win because sheep grazing manages the height of the grass, minimize or eliminate the need for mowing, allow farmers to be connected with the land and all at the same time as benefiting from the local renewable electricity production. Regarding the prairie ground around the panels, she also wanted to share her deep appreciation and support for that because they will do the following: support pollinators and wildlife, improve soil health, improve water quality, help flooding and prevent erosions and sequester carbon in the soil. Property Values: she personally would pay more to live near project because of the beauty of the prairie and the solar panels themselves would be a beautiful reminder of local clean energy that they need to slow down rapid climate change. She thanked the Board for the public hearing, their transparency and addressing concerns. She asked them to please vote yes to proceed.

William Rogan, 5737 Pering Ridge Rd., Coggon, stated that he is a non-participating landowner southeast of the project. He has concerns about fires noting that it is a legitimate concern especially when talking about something of this scale. He is not against solar but this project just does not seem like it is being put in the right place. Why are they talking about it now in this location? It is because of the money. It is the cheapest place to put it for an out of state company that will profit. Why is there not anyone in the State of Iowa that wants to take on this project if it is so great? Why are they having someone from Idaho reach out? It is not passing the sniff test. He talked about the flow of money, where is it coming from, where is it going. He encouraged the Board to put the interest of citizens of the local community at the top of their priority list. Actions speak louder than words and actions so far are years of waiting for the Robinson's to get a simple tile

taken care of. It is still unresolved. They are sitting in a situation where they have no rights. Its Iowa law and it' not right that they had to hire an attorney just to protect their rights. This solar project takes up a huge part of his view and he has had zero contact from Clenera. He is not seeing them speaking on their actions and it is concerning how they will treat the situation in the future. This solar farm will be in his view the rest of his life.

Ken Hart, 2092 Wapsi Y Rd., Coggon, stated that he attended the Planning & Zoning meeting in November and two things came to his attention: Decommissioning dollars and land use. Decommissioning dollars - it is nice to see the million dollar bond, but 325,000 solar panels x \$12-\$25/panel - that is \$4 -\$8 million dollars in today's dollar. Add 1.5% over the next 20- 35 years and that grows faster than \$1 million. Therefore, some tax revenues may have to go into decommissioning the solar arrays. . Land Use - It could be located at the CIPCO substation across from the sewer plant. He heard them explain the solar system but did not hear the word "reliable". When he is driving the country in Iowa, he sees snow on solar panels after a snowstorm. There is only 6-7 hrs. of sunlight in the winter, so it does not make a lot of sense for Iowa. For example, tonight, there is no sun and there is no wind. There has to be backup generation. Not always reliable and not always there. He thanked the Board for their time and thoughtfulness.

Judith Hart, 2092 Wapsi Y. Rd., Coggon, read a document about the darker side of solar including environmental impacts, bird mortality and the lake affect. She lives 1 ½ miles from this proposed farm and there is a waterway by Camp Wapsi, across the road, and she often sees the herons that fly through. She also voiced concerns about fires.

Steve Myers, 3372 64th St. Dr., Palo, presented a handout and explained issues with the reliability of solar panels.

Laura Myers, 3372 64th St. Dr., Palo, stated that there has been a lot of talk about property values. The clean energy task force filed a document addressing property values. If there are panels on your property, chances are your assessed value will go up. If you do not have panels on your property and you can see panels, assessed value may go down as much as 10%. View is considered an amenity and a bad view is considered a dis-amenity and will affect a property value. Based on the numbers that she ran, there are nonparticipating landowners that could lose as much as \$15,000/home. The Board needs to find a way to make the nonparticipating landowners whole. She does not have the answer to that but they need to do it because eventually they will file and ask that their assessed values be reduced and therefore that will mean less tax revenue. She asked that they consider those in whatever decision they make.

Katy Rock, 4521 49th St., Des Moines and representing Sierra Club Beyond Cole Campaign, stated that they have been tracking this project and are supportive and hopes that the Board will vote in favor of it. The two main things that they track is that it is sited responsibly and it leads to a clean energy economy centered around justice and equity. They are happy to see that a local labor agreement was signed as a part of this project. It sounds like there was not great communication for landowners as the Farm Bureau rep mentioned within the setback boundary, which is important. There are concerns and risks tied to that and she hopes it is remedied. That should not impede the vote tonight however. She also hopes that the Board will take Jon Gallagher's advice because if the goal is to seed native prairie, 18' is excessively low. They also could have a grazing contract instead of a mowing contract. She hopes that the Board votes yes.

Laura Robinson, 2094 Linn-Delaware Rd., Coggon, apologized since they have been at the meeting for 4 hours but for the past year that is the average amount of sleep she has gotten because of the stress that their family is going through. About a year ago, their family was attending a Linn County Board of Supervisor meeting and heard the comment that the world is run by those who attend. They took it to heart and she has lost count of how many meetings they have attended. They have offered several invitations to Linn County officials to visit their home and the area. Mr. Zumbach is from the area and he knows what the farm looks like and what the site is like. Mr. Charlie Nichols and Asst. County Eng. has been out and she thanked them. She reminded the Board that their votes will determine if this industrial solar site next to her home passes or does not pass. She wanted to personally thank Mr. Rogers for taking the time out of his busy schedule to come to their home. Their family was able to visit with him around their kitchen table and most importantly, he was able to see what a small farm is like and able to see how close it is to the proposed site as well as the protected farm ground involved (CSR is at 88). They drove around the area, saw the neighbor's homes of those opposing the site, visited with Mr. Bickel, and discussed how his Koi fish farm will be affected. She stated that a farmer, Matthew Crane, published an article in 2010 whereby experts were predicting that they will need to double food production by 2050. She asked the Board to please remember how they vote will affect their lives physically, mentally and the homes that they have worked for and paid taxes on. She asked the Board to please think of them too.

Fred Hubler, 9422 Deer Ridge Dr. CR, stated that he attended a meeting at Hawkeye Downs and he asked if they could name a single solar or wind project that reduced electricity rates. Nobody could answer that question. The reason is that the wind or

the sun cannot be controlled, so base load generation is still needed. That forces base load generators to operate at a fraction of their capacity and drives up rates. He explained what California is going through right now and how they have to sometimes pay two states to take the excess electricity, but yet they have the highest electricity rates in the country. He also gave information about how France generates nearly 80% of their electricity with nuclear safely and economically.

Quinn Sladen, lifelong Iowa resident, stated that this decision ultimately comes down to landowner's rights of a property owner being able to decide what is best for their property. We would not tell a neighbor when to plant their crops, where to build a shed or whether or not they could put up a fence. This decision should not be any different. There are so many benefits to investing in a solar project and welcoming a solar project onto a property. Landowners should not be deprived of investing in solar and getting the additional income or losing the right to manage their own property. He hopes the Board votes in favor of the project.

Nick Boink, 95 36th St. SW, Bondurant, stated that Ag. land preservation is a resource and a tool for farmers to preserve their land. This project is temporary and can be turned back to Ag land. In fact, it is a benefit after years of resting and natural vegetation (CSR would be improved). The grandchildren of the farmers can consider this not only an investment in Iowa's energy future but is an investment in their family farm and their future. He discussed the State of Iowa's billions of dollars in investments (Microsoft, Apple, Google, etc.) that has a sustainability portfolio and this is Linn County's opportunity to show that their portfolio is better than any other county in the state. He praised Linn County for decades of work to come up with the most comprehensive plan that he has seen across the state and hopes the Board supports the project.

Nancy Patrila, 3796 Alice Rd., Toddville, stated that she has many questions that she will email before the next meeting. She has kept track of who came up to speak for and against the project. There were 20 in favor of solar and 16 against. Of the 20, in favor, 15 represented businesses. All of the 16 against solar are homeowners with the exception of Farm Bureau. She asked the Board to take that into consideration.

Charlie Nichols presented the following handwritten questions:

- Will landowners be notified if tile is damaged?

Mike Gallego, Clenera: yes, if they hit one, they have instructed their contractors to fix at the time. They treat it on a case-by-case basis.

- Will adjacent landowners receive a map of drainage tile locations once the maps are made?

Gallego: if they put in an improvement on the property, they are required to build and as built drawing. The day of the project, they show each improvement on a map. They have no problem giving a copy of the map to an adjacent landowner.

- What do local jobs mean?

Gallego: local jobs means their commitment to the local labor force. They always want to hire local and they hope that the partnership between RES and the local labor providers that they will be successful in staffing the projects and get the project done in a timely fashion.

Motion by Walker, seconded by Zumbach to close public hearing.

Motion by Walker to approve first consideration rezoning case JR21-0008, request to rezone property located near Coggon Rd, from AG (Agricultural) district to RE-AG (Agricultural with a Renewable Energy Overlay) district, approximately 750 acres, Balster Family Trust; Michael and Tammy Dougherty; Clayton Kramer; Kenneth and Deanice Ludolph; Joel and Kerry Peyton; and Levi and Sierra Peyton, owners, Clenera, petitioner (parcels located on portions of Robinson Rd, Coggon Rd, Sutton Rd, Castle Ln, Pering Ridge Rd, Linn Delaware Rd, and Quality Ridge Rd from Agricultural (AG) to Agricultural with a Renewable Energy overlay (RE-AG). Parcels include: 020525100100000, 020627600100000, 026015100100000, 020632600100000, 020630100100000, 020642600100000, 020635100100000, 020637600100000, 020646100100000, 020647600200000, 020535100300000, 020720100100000, 020712600100000, 020712600200000, 020715100100000, 020717600100000, 020612600200000).

Supervisor Zumbach seconded the motion for the purpose of discussion.

Discussion: Supervisor Zumbach thanked Mr. Bill Cherrier from CIPCO who brought forward that this came about because of the closing of the Duane Arnold Energy Plant. He was in the Iowa House when that happened and it is unfortunate that the Iowa Utilities Board let that happen and now it is a chase for tax credits. He has received more emails on this topic than anything while he served at the Iowa House. He stated that many people present tonight were at the Board meeting this morning opposed to the proposed Co2 pipeline. He would have liked to have asked the Mayor of Mt. Vernon which

backyard is he most interested in. They all have a backyard and they are all guilty of not wanting something in our backyard (pipeline, landfill, etc.) John Zakrasek came in last week and they spoke on many topics and came to agreement on some.

Motion to add an additional condition and adopt NRCS Jon Gallagher's recommendation for a 28" panel height and proposed seed coverings.

Supervisor Walker stated that he would like to have discussion on the issues that they all think are important and then signal to the applicant, however, voting on each is fine.

Supervisor Walker seconded motion for the purpose of discussion.

Discussion: Supervisor Walker stated that he too was in receipt of Gallagher's email sent on Friday. His approach to this was to allow for one public hearing, another public hearing and then the final. There will be more questions that folks can ask. He is not in favor of voting to kill the project on the first hearing. That would not be wise as there is a lot more to learn and there are more voices to be heard. With that, he also is not sure it would be prudent to lay out so many hard and fast absolutes at this point because there may be room for additional learning as these hearings go on. Supervisor Zumbach is right to want to heed the advice of resident experts when it comes to panel heights and certain seed mix. Supervisor Walker stated that he is not in a position right now to make that a condition without further consultation. He will probably get their but he thinks there has to be a little more crosstalk before he votes to support this particular condition.

Chairperson Rogers stated that he has the utmost trust in Jon Gallagher as it relates to soil and water. If he believes that a 28" panel height and a certain seed mix is most appropriate and they also have the approval by the Planning & Development Dir., then he has no problem supporting it as well as having more robust discussion on Thursday.

VOTE: Rogers - Aye Zumbach Aye Walker - Nay

Supervisor Zumbach made a motion to adopt a 1250 ft. setback to be split by the 300 ft. already in document and the 950 soft setback negotiated between the building owner and Clenera. This is for nonparticipating property owners.

Discussion: Supervisor Zumbach explained where he came up with the 1250 ft. which is what the State has deemed for a CAFO, which has been determine to not damage a property value. That would protect the people that live around there. When they talked about the moratorium, the biggest issue was building values and this is a way that it can be determined between the two parties involved. It could alter the footprint but does not stop the project from moving forward. Those people have rights too.

Supervisor Walker stated that they are articulating additions without necessarily having the benefit of hearing from the applicant and how this could fundamentally alter the project. So, they've issued a condition (Supervisor Zumbach has done some research on how he arrived at the 1250') but he is not sure how prudent it is for the Board to start laying these out without being able to talk with outside experts and the applicant about how the project changes. That is why he thinks it is more prudent to say here are some of the things this Board thinks are really important. There is another hearing on Thursday which gives the applicant a couple days to present to the Board whether or they can feasibly meet this and if they can't, tell the Board why not. This gives them time to talk to impacted and adjacent landowners. He worries about the Board making conditions in this fashion without more information of how those conditions might impact the project, either positively or negatively. Again, he will vote no on this, not because he thinks the condition is unreasonable, but because there should be more talk with the stakeholders before creating hard and fast rules for the project.

Supervisor Zumbach also wanted to say that the Board has been urged to hire their own independent reviewer of the potential pipeline construction. He is wondering if the Board should hire their own overseer of the solar construction. Trust is an issue and it is a well-deserved issue. He is also concerned about decommissioning and the salvage value.

Chairperson Rogers stated that they will leave it up to Charlie Nichols to discuss these conditions with Clenera. Second consideration is on Thursday and there may be a need for more robust discussion between then and now as to how it could impact the project, positively or negatively.

VOTE: Zumbach - Aye Rogers - Aye Walker - Nay

Motion to approve first consideration with the two additional conditions.
Supervisor Walker seconded motion for the purpose of discussion.

Discussion: Supervisor Walker thanked the attendees, his colleagues, staff and Sheriff's Deputies. This has been a lengthy process and he will signal that he will

vote no only because he is not sure they followed an ideal process. With that, he takes no issue with Supervisor Zumbach who is extraordinarily well read in this area and has rural experience. He just wonders if between now and Thursday if Planning & Development's conversation with the applicant and other stakeholders, they may find that there may be a wiser course of action than what was just come up with now. It might be more prudent to signal the wishes of the Board to see what major stakeholders can come up with.

Chairperson Rogers noted that changes can be made between 2nd and 3rd considerations if there is a wiser course of action and thanked everyone for their participation and appreciates everyone taking their time to be present. He has stated that decisions are made by those that show up as Laura Robinson pointed out. It is important that this is done correctly for both participating and nonparticipating landowners. They also want to make sure that the public interest is held at the very top of what they are deciding. A lot of discussions will happen outside the Board meeting with staff and representatives of Clenera and he looks forward to the additional discussion on Thursday.

VOTE: Zumbach - Aye Rogers - Aye Walker - Nay

Adjournment at 10:39 p.m.

Respectfully submitted,

JOEL D. MILLER, Linn County Auditor
By: Rebecca Shoop, Deputy

Approved by:

BEN ROGERS, Chairperson
Board of Supervisors