

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
TUESDAY, JANUARY 18, 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.

Motion by Rogers, seconded by Walker to approve minutes of Jan. 10 & 12, 2022 as printed.

Dawn Schott, Juvenile Detention Center, presented a Memorandum of Understanding between the Mental Health/Disability Services of the East Central Region and Linn County Juvenile Detention and Diversion Services in the amount of \$10,000. These funds will be used to train two staff members (train the trainer) and to purchase room enhancements. The Board will approve on Wednesday.

Pramod Dwivedi, Public Health Dir., presented and explained the Vacancy Forms requesting the following positions:

- Communications Specialist for Public Health - No budget impact as they eliminated three upper management positions.
- Health Equity Program Manager for Public Health - No budget impact as they eliminated three upper management positions.
- Senior Environmental Chemist for Public Health - Funding in FY 22 budget.

The Board will approve on Wednesday.

Tony Rossetti, Facilities Mgr., presented a Vacancy Form requesting a temporary part-time (30 hrs./wk) custodian to cover an extended medical leave for the Facilities Department. The Board will approve on Wednesday.

Sonia Evans, Finance & Budget, presented an American Rescue Plan Act (ARPA) Subaward Agreement between Linn County and the Housing Fund for Linn County for Linn County Providing Assistance to Community Homeowners (PATCH) Program. The Board will approve on Wednesday.

Tamara Marcus, Sustainability Program Mgr., discussed the Sustainability and Resiliency Committee member appointments. The terms are for 12 months with the option for a second term. Board will make the appointments on Wednesday.

The Board discussed setting a meeting date, time and process for final consideration on the Coggon Solar, LLC application ordinance.

Charlie Nichols, Planning & Development, presented a recap of what has happened to date (two readings of the ordinance with two additional conditions). He stated that the Board signaled on Thursday evening that they did not want to make a decision at the meeting this evening. This would require another meeting and would allow time for the applicant to respond to the two additional conditions. After meeting with County Attorney staff, he presented the following options for this evening:

- Vote on the third reading.
- Listen to applicant, ask questions of applicant and staff, deliberate, take public comment and postpone third and final reading for another meeting.
- Decide to start over and go back to first reading.

Darrin Gage, Dir. of Policy & Admin., explained that if the Board considers changes they have made and/or want to make to the ordinance, they need to decide if it is substantive changes or material enough to warrant starting over.

Lisa Epp, Asst. County Atty., stated that at this point, things have gone back and forth so many times, it would be the easiest and cleanest to start from scratch. The Board can make changes and have the final reading tonight or postpone for another night. If they start over, there will be a public hearing requirement.

A lengthy discussion continued regarding the pros and cons of cancelling or postponing tonight's meeting. More discussion continued with what is a substantive or material change.

Nichols stated that Planning & Development would not consider a change in the setback or panel height to be substantive.

Gage advised the Board that they are required to reasonably notify the public what they are doing. They left the meeting on Thursday with the approval of a 1250 ft. setback. He suggests a reasonable notification to say that they are going back to 300 ft. This is a "can" or "should" situation. Do they notify the neighborhood that they are considering that change.

Chairperson Rogers pointed out the amount of hours of public input that has been given at the first two readings (in excess of 10 hrs.) as well as emails and phone calls. He asked if the Board could hold the public comment period this evening to an hour total.

Supervisor Zumbach stated that this is the job he signed up for and he advocates for the Board to allow enough time between tonight and the next meeting for everyone that needs to work out issues has time to do so. People that live around there are realizing that they will likely have a solar farm.

Chairperson Rogers stated that based on what Sen. Zumbach and Rep. McClintock stated on Thursday night, he is included to move with some speediness, as there are bills in the House and companion bills in the Senate mandating a 1250 setback.

Epp advised the Board that the agenda indicates that public comment is up to 5 minutes and they cannot put a limit on the total amount of time based on that agenda wording. She advised that they leave it at 5 minutes a person with no total time limit. Going forward they can make reasonable limits on the time allowed for public comment.

Supervisor Walker stated that they have a "can" or "should" situation tonight and he believes that reverting to the original standards (300 ft. setback and 18' panel height) is not a substantive change. The applicant came into the process believing they would have to adhere to certain conditions to move forward. It would be not be good practice of government to continue to move the goal posts after applicants make their submissions. With regard to decommissioning, Nichols stated that he will go over the plan and changes made since it was first submitted. Some jurisdictions include salvage value and some do not. Salvage rights are included but the Board can deliberate on that as well this evening.

Discussion continued regarding the location of future meetings, noting that the applicant paid for the cost of the first three meetings. Funding will need to be identified for any future meetings.

The Board agreed to discuss and decide on the following agenda item next week: Linn County Board of Supervisors 2022 Committee Appointments and Liaisons Assignments Postpone until next week.

Motion by Rogers, seconded by Zumbach to approve Employment Change Roster (payroll authorizations) as follows:

COUNTY ATTORNEY'S OFFICE

Criminal Div. Head Jordan Schier Correction to job title from 1-10-22 roster 01/01/22

FACILITIES

Custodian Rocio Calderon New hire – PT 01/10/22 10A \$17.61 20 hrs/wk
Replaces P. Niyokwizera

SHERIFF'S OFFICE

Communications Oper. Lani Mumby New hire – FT 01/10/22 CB \$24.41 Replaces S. Redling
Senior Account Clerk Kelly Franck Corrected effective date from 1-10-22 roster 01/04/22

COMMUNITY SERVICES

Assistant Teacher Nicholas Stokes New hire – FT 02/07/22 53A \$16.76 Replaces J. Tibbott
Account Technician Kimberly Klinefelter Termination/retirement 01/10/22
Ryan White Options Couns. Sarah Regan Termination/declined position 01/24/22

JUVENILE DETENTION

Youth Leader Jordan Minnick End of probation 02/04/22 55A \$19.48 – 55B \$20.44
Tracker Aria Polglaze Step increase/contract 01/20/22 56B \$22.01 – 56C \$23.26

Public Comment:

Bob Doubeck, 8508 C St. Rd. CR, stated that he does not want the Board to make a decision on solar at midnight. He appreciates their due diligence and the meetings he has attended have all stayed positive. He does not want the Board to think they have to make a decision at midnight.

John Zakrasek, 531 Lawndale Dr. SE, CR, stated that the 1250' setback for solar panels will likely change the boundaries and is a substantial change. He encourages the Board to do deliberations first at the meeting tonight as they need to do that while they are fresh. He also does not want to see Linn County's role usurped by state legislation. He stated that discussions are ongoing within the community, among those supporting and opposing the project, with the objective of bringing the community together on this project. These discussions are fruitful and have a good probability of resulting in a viable proposal. He asked for additional time for them to work out the details among the parties and asked for 3 weeks. He also addressed decommissioning and Wapello's facility. They did not allow the developer to include salvage value in the decommissioning plans.

Laura Robinson, 2094 Linn Delaware Rd., Coggon, stated that she was not prepared to speak today; however, she wanted to express how disappointed she is in the Board that they are too tired and want to take some of the comment time away from the public as a whole. She understands that they have worked very hard and last Thursday night's meeting was horrendous and the Monday before also. She reiterated that this is going to affect Linn County forever and they had better get it right the first time. She feels like the Clenera project is the guinea pig for Linn County and the Board wants to pass it and then deal with the consequences later. She stated that they don't have good teeth in many of the important issues and she does not trust Clenera. As they keep looking into this, they are finding more and more loopholes. She stated that her family was slandered on the screen by Clenera Thursday night. She asked the Board to please get their information before voting.

Ben Rogers, speaking as a Linn County Supervisor, stated that he appreciated Mrs. Robinson's comments. He has met with her and her family and knows that this has personally caused them significant angst and hardship. This project has fractured the community and brought neighbors against neighbors. He clarified that his desire to limit the public comment period is not because he is tired, noting that these have been the longest meetings that they have ever had on any issue; they are open, transparent, accessible and amenable to different ideas. However, it gets challenging after hours of public comments to make decisions. They will stand by having public comments after deliberations and he looks forward to the meeting tonight.

Motion by Zumbach, seconded by Walker to appoint Ashley Balius to the following, terms ending 12/31/22: Housing Fund of Linn; Continuum of Care Planning and Policy Council; Heritage Agency on Aging Board of Directors and Local Homeless Coordinating Board - Board of Directors.

Motion by Rogers, seconded by Walker to make the following appointments:

Vildana Tinjic, Food Systems Council, term ending 12/31/26
Eric VanKerckhove, ECICOG Board of Dir., term ending 12/31/24
Louie Zumbach, Alternate, ECICOG Board of Dir.
Adam Griggs, ECICOG Reg. Planning Affil. 10 Trans. Pol. Comm., term ending 12/31/23
Brad Ketels, Alternate, ECICOG Reg. Planning Affil. 10 Trans. Pol. Comm., term ending 12/31/23.
Brent Oleson, Alternate, ECICOG Reg. 10 Passenger Trans. Adv. Comm., term ending 12/31/23.
Ted Doscher, ECICOG Region 10 Reg. Trails Adv. Comm., term ending 12/31/23.
Brent Oleson, Alternate, ECICOG Region 10 Reg. Trails Adv. Comm., term ending 12/31/23/.
Brad Ketels, ECICOG Region 10 Trans. Tech. Adv. Comm., term ending 12/31/24.
Garrett Reddish, ECICOG Region 10 Trans. Tech. Adv. Comm., to fill an unexpired term ending 12/31/22.

The Board recessed at 12:14 p.m. and reconvened at 6:00 p.m. at the Linn County Fairgrounds Lynn Dunn Memorial Building, 201 Central City Road, Central City, IA.

Chairperson Rogers called the meeting to order for the third consideration on an ordinance rezoning the following 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.

Present: Chairperson Rogers, Vice Chairperson Zumbach and Supervisor Walker. Also present: Charlie Nichols, Planning & Development Dir., Darrin Gage, Dir. of Policy & Admin. and Jon Gallagher, Soil Conservation.

Charlie Nichols stated that questions were raised on Thursday evening regarding the decommissioning plan and costs. He reviewed changes that have been made noting that Stanley Consultants reviewed the plan and estimated a total decommissioning cost of \$2.7 million. They changed the decommissioning cost from \$1.7 million to \$2.7 million (including salvage value). There is a \$1 million base performance bond. A condition was also added regarding debris cleanup. Discussion continued regarding a possible financial gap and burden on taxpayers with regard to decommissioning.

Darrin Gage recapped discussions from the Board meeting earlier today. The recommendation and advice is if they make a substantive or material change after the first two readings, they will need to go back and start over. A public hearing is required with the appropriate legal notifications. There is no place that defines what is substantive or material. It is subject to what the Board considers to be substantive or material. The three options are: 1) Proceed with third and final reading this evening. 2) Move to postpone the third and final. 3) Depending on whether or not changes are substantive or material, it may require starting the process over.

Tom Fitzgerald, Clenera, summarized the benefits of the project including \$150 million capital investment, create approximately 300 local union construction jobs including training opportunities, 2-3 long term jobs, 100% of energy will be used locally and regionally (18,000 homes), decrease CO2 emissions and increase property tax revenues by millions of dollars. He addressed the following concerns raised on Thursday: Panel clearance height - During the month of June, the panel is at 18 inches one hour and 15 minutes per day on either side. The rest of the time, it is above 24 inches, which is 60-70% of the time. He also stated that only 30% of the ground is covered or shaded by panels. There is minimum impact on vegetation. Property Value Impact - Coggon Solar commissioned a third party to do a property value impact report (interviewed over 40 Assessors). They determined that there is no negative impact on property value. Setback - They accommodated the request for a 300' setback of occupied within

1,000 ft. of site. They are including vegetation and screening and he noted that the 300 ft. precedent that Linn County is setting is in excess of most solar ordinances in the United States. They have been avoiding particular areas to help maintain soil quality and the 1250 proposed setback is forcing them to encroach closer and closer to the property boundaries of their neighbors. Decommissioning Plan - prepared by Terracon. There is a 20% contingency that covers all of the soft costs; there is financial assurance with Linn County that will go up when the decommissioning costs exceed salvage value; recycling costs will be updated every 2 years; salvage value updated every 5 years; salvage value will never go to zero. There was some reference as to the cost of removal of solar panels. Based on 1-2 modules per minute for a crew of two, (\$1.25/module/min equals a minimum of \$37.50/hr.

Nichols was asked to explain how they arrived at the \$2.7 million decommissioning costs and he stated that Stanley Consultants looked at Clenera's initial plan of \$1.7 million and found it to be low and communicated the increase to Clenera. Nichols also addressed the suggested financial gap that may be the burden of taxpayers, noting that is why there will have an annual review of recycling costs and salvage value. If the base bond and salvage value is not enough, they will ask for a performance bond. The project could come back to the Board and the project could be decommissioned at that point. A more frequent review would lessen the risk for the county.

At this time the Board deliberated on the process

Supervisor Zumbach stated that they made it clear on Thursday night that there was going to be a fourth meeting. He does not think that this has been given due diligence and prefers postponing the third reading until they get all of the issues discussed, (panel height, and seed mix). They need to heed the recommendation of their department heads and he is leaning towards following them. They do not need to make any rash decisions on changes tonight.

Chairperson Rogers stated that at the beginning of this, they were given the option of a moratorium. They now have a lot more experience and have gotten on the job knowledge of the complexities of an industrial scale solar project. He stated that perhaps a moratorium would be appropriate going forward for future applicants.

Supervisor Walker indicated that with respect to the moratorium, it is not necessary because it applies to counties that do not have ordinances in place and he does not see supporting that before or after this project. He has been reading many emails and he feels that the applicant has addressed many concerns. He voiced concern regarding a financial enumeration or some sort of financial award being made if this project encroaches so far on a person's property. He warned that this Board should be careful when it comes to considering conditions of that nature, as it should not be the business of government to serve as a leveraging tool for residents with private business. He also stated that he is not a fan of dragging it out any longer than it needs to be, and stated that many of the concerns that this Board had (panel height, setbacks or decommissioning) have been addressed. This Board is never going to get to a place where every interest group will feel 100% about an outcome. He cautioned this Board from falling into a cycle that could go on to infinitum because they are trying to appease or please every interest group. They have set the criteria, the applicant has met the criteria and the recommendation before them from Planning & Development is to move forward. They have raised concerns about decommissioning and got information on that. He stated that everyone involved is ready for this to be resolved.

Supervisor Zumbach clarified that he was not suggesting a moratorium. He meant that he is recommending postponing a decision this evening and look into property protection and look deeper into decommissioning. He knows about a case where a hog confinement was closer than the suggested feet allowed because it was negotiated. There are all kinds of different businesses that encumber people's land, which happens every day in the country. He is personally the recipient of a pipeline that he was not thrilled about but at the end of the day, it was negotiated. In both cases, it was not the participating landowners, but the non participating that received some benefit for the devaluation of their property. There is room for compromise. People from both sides have told him that they are willing to negotiate and they are the ones who need to work this out (they have not met with Clenera yet). There is time to do that and they should give them that time.

Darrin Gage explained the property protection guarantee adopted in 2006 with regard to the landfill and Nichols continued to explain that a property value protection program has been used for landfills and quarries.

Chairperson Rogers clarified that if they go back to the 300' setback, the original footprint will not be changed. He also wanted to, for the public's benefit, explain that the Board was made aware this morning that there are groups meeting to try to get to a win win situation with each other. It was described as conversations of healing and reconciliations. While he applauds those groups of citizens, they are not negotiating with the applicant; so in essence, they are asking a governmental entity to tell a private company to negotiate with individuals. The Board was asked to delay for at least three weeks.

The Board recessed at 6:59 p.m. to allow Clenera time to caucus.

The Board reconvened at 7:06 p.m.

Jerod McKee, Clenera, stated that a solar farm is no comparison to facilities such as a hog confinement, landfill or quarry. This is very different. There is a fixed income with a 20 yr. contract. Clenera does not want to delay and would like to move forward. They want to be good neighbors; however, negotiations with neighbors are completely separate from this process. If this were approved tonight, Clenera would still have those conversations. This has been an eight-month process and their availability is only this week.

Gage noted that he heard comments during the recess that the Board was having discussions. He noted that they were discussing their individual availability for a possible fourth meeting.

It was the consensus of the Board that they would honor their word that a vote would not be taken during the third meeting and that suggested changes would not be substantive or material.

Chairperson Rogers stated that at the first meeting he supported exploring the 1250' setback. Last Thursday the applicant gave a compelling reason to not do the 1250' and they did make a good business case. Now this evening they have learned that the panels are at 18' only 15% of the day. Tonight brought out a lot of meaningful discussions and he is glad they discussed the 1250' and for some people it will upset them that it may not be a reality. The county started at 50' and he appreciates that Clenera moved to 300'. They have done some negotiating and made some concessions. He also appreciates and applauds the out of the box thinking of the members of the community as they are trying to get together to figure out circumstances that would help them sleep better at night. The problem is they want the Board to compel a private company to go back and pay people more that are already under contract. He is supporting the 300' setback and he advocates postponing third and final reading to another time.

Nichols indicated that the funds that were set aside by Clenera to pay for the three meetings has been exhausted, however, Clenera agreed to pay for the fourth.

Motion by Walker , seconded by Rogers to postpone third consideration of 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) until 6:00 p.m. on Monday, January 24, 2022 to be held at the Linn County Fairgrounds, Lynn Dunn Building. VOTE: All Aye.

Public Comment:

Swati Dandikar, 2731 28th Ave., Marion and Chairperson of Bright Future Iowa, thanked the Board on behalf of the 4000 plus residents for conducting a thorough process and listening to the concerns of all speakers. Based on what she heard at the two previous hearings, it is in the best interest of Linn County to approve the Coggon solar project. As someone that has held public office, most decisions will not please everyone and approving the Coggon solar farm is the best decision for Linn County. It will create 300 good paying union construction jobs. Manufacturers and other companies are looking at locating in Linn County ask about renewable energy. She stated that the concerns of neighboring properties has been addressed, noting that the 300' setback is larger than what is required in most jurisdictions. The 1250' setback threatens to kill the project and would require the removal of more Ag. land. Power generated will flow to Linn County homes and businesses. She recommended support for the project for the greater good of Linn County.

David Osterberg, Mt. Vernon, stated that he was speaking as an employee of Common Good Iowa and former professor at the University of Iowa College of Public Health. He wanted to address the 300' setback and noted that there is no comparison to the setbacks for CAFO's and wind turbines. He stated that is no reason for a large setback for solar as there is no health and safety issue. He recommends going back to the 300'.

Atty. Greg Geerdes, Iowa City and representing the Robinsons, stated that he is glad they are talking out the bond, as there are details to address. Among those details: What will be covered? Is it just for decommissioning? Does it cover storm debris and damage to tile? Decommissioning - it is a hard number to pin down as it is 30-40

years down the road. They need to error on the side of caution and protect the taxpayer.

He also urged the Board to let the neighbors and other affected people to weigh in on the criteria that the bond specifies. Substantive or material - looking at the map tonight, the arrays have been moved. 1250 ft. setback - based on what the Senator and Representative had to say last week, they are running the risk of losing everything if it is not required. They need something acceptable to all concerned. If this were cited on poor farmland, they would not have this dilemma.

Quinn Sladen, Linn Liberty Coalition, commended the Board for their foresight. The 1250' setback sends a message that Linn County is not open for business. By going back to the 300', that indicates that Linn County is committed to affordable clean homegrown energy.

Doug Schmidt stated that he lives on the east edge of the project. When looking at the presentation, the boundaries where the panels are located has changed. Nobody has ever talked to him and noted that Clenera is able to arbitrarily change lines. He stated that the 300' is an absolute minimum but he likes the 1250'. There is no such thing as a nonparticipating party, they are all participating as they are the first to be taken advantage of and they have no say in it. Some say that they are being a nuisance to the Board, but they have rights and he hopes the Board does not lose sight of that.

Wally Taylor, Marion, stated that this is an extremely important issue. On one hand, climate change is real, it is here and they need to transition to renewable energy as quickly as they can. Solar projects are one clear way to do that. It is unfortunate and sad that Clenera has been required to come close to doing what is necessary to make the project acceptable. They need to focus on public interest and they hear three issues repeatedly: decommissioning plan, height of panels and setback.

Kelly Merta, Center Point, spoke with regard to salvage values and noted that Wapello has no salvage value. Wapello was built by Clenera, CIPCO and REZ, all the same for Linn County. What is the difference and why take the risk. Clenera came back a week and a half ago and asked the Board for a delay and now tonight a delay doesn't work for them.

Alicia Porter, 3253 Fishel Rd. Marion, stated that she has been in real estate and yes, property values will negatively be impacted. She did a lot of digging to find some comps. and provided a spreadsheet to the Board that shows the devalue of properties near the landfill. This is a prime example of the negative impact and why neighbors do not want to live next to one. She also spoke to appraisers and they also agreed on the negative impact. She expects more out of the Board to protect all rights. There are other places to put these panels, there are other options. She asked the Board to stand up for each and every one of them.

Mike Carberry, Iowa City, stated that he represents Peoples Republic of Johnson County, was a former supervisor and was an environmental consultant and agricultural lobbyist. He stated that good policy makes good projects and Linn County has two projects they are looking at. Last week he gave the Board a copy of the Johnson County solar ordinance that was updated in August. They put a moratorium on until June of this year because they are waiting to see what Linn County will do. Johnson County needs to beef up their ordinance and include 8 ft. trees. He applauds Linn County for holding Clenera's feet to the fire (as well as NextEra). He asked the Board to take a step back and consider beefing up their solar ordinance and maybe add a moratorium. He noted that a 300' setback is 6 times more than Johnson County requires.

Greg Bickal, 2250 Coggon Rd., stated that the 300' setback does not benefit anyone. However, it does benefit him and he feels guilty about that. He went to all neighbors on Sunday and discussed what is going on with the setbacks. He talked to all eight homeowners and four are present this evening. They agreed that they would do to assure project is not killed. A 1250' setback does something to help protect property value, protect from fire and storm damage. He has done extensive setback analysis for Coggon and Palo. Screenings will not work for everyone. Clenera did not do anything to negotiate with the neighbors. He asked that they negotiate and come up with something for everyone. He also noted that substantive changes are different for everyone. He asked that they be allowed to talk and heal the community and put everything back together.

Laura Robinson, 2094 Linn-Delaware Rd., Coggon, respectfully stated that she does not believe many comments that the applicant said throughout this process. They are an out of state for profit company and now owned by a company in Israel. Changes are being made on the maps dating back to March of 2021. Told it was a printing error, which was not true. Another map tonight showing panels where there were never panels before. Some of these homes have not seen the map until tonight. Fitzgerald said in a meeting that if someone wants out of their lease, they could get out. Now they say that they misspoke. Also said they reached out to neighboring landowners about tiles, not true. They say that the recommended 28" panel height is cost prohibitive. Should they be doing business with a company that cannot pay for that? The 1250' setback is crucial as it helps protect homes and gives a little bit of tolerance.

Tom Robinson, 2094 Linn-Delaware Rd., Coggon, stated that the trees that CIPCO planted seven years ago are just now knee high. He also wanted to address what was said about his family last Thursday by CIPCO, lies and smears. Their actions were illegal under Iowa law as their tile was rerouted without permission. They act as if property is theirs.

Sara Alden, 4124 Greens Grove Rd., Center Point, stated that this process has been enlightening. They have been told decisions are made by those who show up. There is a clear bias in favor of the developer. They will tell the Board what they want to hear. They stand to make millions of dollars and the County should be cautious. Residents are concerned by many elements. Scale - there is a huge discrepancy. At the beginning, a moratorium was suggested. At the June 29 meeting, everyone listened to the flexibility that was proposed in the process. Developers will do what is minimally required of them. She asked the Board to take the time to sort out the community concerns.

Nancy Patrilla, 3796 Alice Rd., Toddville, posed the following questions: Companies wanting to locate in Linn County require clean energy, why? What is the appropriate vegetation? How long will it take to get screening in place? Who decides what is appropriate? Does the decommissioning bond stay with the farm if the ownership changes?

Seth Green, Valley Farm Rd., stated that there is a problem with the zoning ordinance and they should take the recommendation of the Planning Commission (6-1 to deny). He is horrified that Linn County set their zoning that this solar farm can go anywhere. He is building a new house on Valley Farm Rd. Should he disclose to every potential buyer that this zoning is in place. It is only common sense to have a buffer zone from something like this and that is all many residents are asking for. Maybe it is time to step back and see what the State is going to do. Most of those in favor has some financial benefit. He recommends taking a breath and everyone needs to take a look at it.

Fred Hubler, 9422 Deer Ridge Dr., CR, stated that he is opposed to the project and read a prepared statement including the need for backed up reliable on-demand generation; the electric cooperatives are non-profit but does not mean companies that buy power from them are; questionable reduced electricity rates; and companies wanting to locate or expand where there is renewable energy.

Erin Moeller, Mt. Vernon, challenged the Board to stop for a moment and do a sanity check. This will be going on 750 acres of prime Iowa farmland with an average of 200-bushel corn. After doing the math, that helps to feed 15,000 head of hogs. She heard a lot about how this solar farm will help produce local jobs. Do they realize how many jobs are necessary to support a farm operation (and she listed them). There are factories in Cedar Rapids that are operated by skilled union workers that depend on Iowa farmers (ADM, Cargill, General Mills & Quaker Oats). Solar can be placed anywhere so why target 85 CSR. They need to work together to find a more appropriate place to site these solar panels as this land is intended to raise crops not solar. She stated that Clenera is not from Iowa and they do not know what it will mean to be an Iowan.

Deb Yates, 2362 Young Rd. Palo, stated that there is currently 6,300 acres of land under lease for solar development in Linn County. That is just short of 10 square miles or 5,775 football fields. It is not just the Coggon project and the land around the old nuclear site. This will be 2% of the farmland in this county, not just the half-percent supporters that keep using in their arguments. There is also an additional 2,000 acres under lease directly adjacent in Benton County, surrounding the town of Atkins. These projects will choke off Palo, Covington and even Cedar Rapids development to the west. What the Board does with this first project will set precedent for the future. Are they going to ask for realistic standards the residents deserve or is the Board going to let solar developers decide how the county is used?

Tracey Nelson, 3311 Pleasant Creek Rd., Palo addressed the impact on property value and presented documentation obtained from cohnreznick.com.

Laura Myres, 3372 64th St. Dr., Palo, asked that the proposed panels be tested to see if there is any lead in them (Clenera changed the panel and the spec sheet). She also asked why not require them to build to generation facility standards category 3. She also understands that Clenera plans to clean up damage, but can they be forced to clean up damage on another property (she would like to see a fund for that). She hopes that they can go back and make a better process starting with the inclusion of everyone impacted by this. Nobody is anti-solar.

Steve Myres, 3372 64th St. Dr., Palo, stated that there are three distinct different ways to research the impact on property values. The different methods of evaluations give different results.

Carolyn Petersen, 4808 Olde Mill Ct. NE, CR, addressed decommissioning and asked if they have read Stanley consultant's report. She supports revising the decommissioning plan cost estimate and also summarized additional conditions addressing setback, panel height, performance bond and the creation of a mediation committee.

John Zakrasek, 531 Lawndale Dr., CR, read a statement for Marc Franke of Ely. He asked the Board to allow them time to work on joint procedure before any additional changes are made and a final vote. They know that they have until Monday night, but Clenera has to be at the table.

Brian Molevack, Center Point, stated that the \$1 million bond for decommissioning is not even partially funding the risk Linn County is taking on. At the time the Linn County solar ordinance was created (ten years ago), it was done in good faith and based on the knowledge they had at that time. A ten-year-old Code is outdated and he asked the Board to take the time to allow the current Linn County staff to review the current data and update the ordinance so they can proceed with less evasive procedures.

Steve Mason, Benton County, encouraged anyone to run for the Board of Supervisors in Districts 1 and 2. They need to look out for the taxpayers. The proposed moratorium was turned down because they were told that the process is flexible and they can add conditions at any time. This was recommended for denial on November 30. It looks like Clenera has been successful in their tactics; they are dividing friends and neighbors. In the end if something goes wrong, he wants the taxpayers to know who is responsible.

Darrow Center, 1945 9th Ave. SW, CR, stated that she admires the Board for their dedicated time to the process, transparency, listening, and addressing concerns.

Adjournment at 9:30 p.m.

Respectfully submitted,

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

Approved by:

BEN ROGERS, Chairperson
Board of Supervisors