

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
TUESDAY, AUGUST 30, 2022 6:00 P.M.

The Board met in session at the Palo Community Center, 2800 Hollenbeck Road, Palo, IA. 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:

Laura Myers, 3372 64th St Dr, Lot 3, Palo, discussed promises made, promises kept and promises broken. She also spoke with the Mayor of Wapello. She highlighted the promises that were made including tax revenue that is yet to be determined, land lease rent, construction jobs and tourist attractions. Promises broken include construction jobs that were given to out of state companies, and they are not happy about the salvage value of decommissioning. The Mayor of Wapello shared that he would get everything in writing and be very specific and would be happy to speak to others.

Kelly Merta, Center Point, stated that she will be speaking about economic and employment opportunities in the county. From the economic development section of the comprehensive plan, a portion of it states that consideration should be given to the stability of their existing businesses. Linn County's annual financial report from 2021 highlighted 3 of the top 10 employers in the county and they are all intervening in the utilities rate case. A lot of time is spent talking to them about the good jobs that these projects are going to bring. There are more open jobs in Linn County than current businesses can fill. Will the existing businesses be hurt when they are looking to fill the new jobs and what happens when the rates increase? Alliant already has some of the highest rates in the state. Will local employers stay in the community with skyrocketed utility bills? Is retention of existing businesses and jobs a better value than acquisition of new businesses? Are they aligned with their comprehensive plan? Planning & Development is responsible for balancing the needs of the customer and the public through building safety and the wise use of their land an environmental resource. Have these projects been evaluated through a fair and objective review? Have the needs of the customers been balanced and a wise use of their land and valuable resources? Do not fool yourself, the answer is no.

Don White, Cedar Rapids, stated that a Palo house was flooded (up to the rafters) in 2008 and was purchased in 2015 for \$125k and then was sold for \$225k. The real estate values are not going down in his book. His job deals with consensus building including keeping an open mind and listening. He gave an example of a system he uses. The earth's carbon cycle is running out of control and there was a deep-sea volcano that erupted adding more moisture to the air. They need to take action now on this project to help move them in the right direction. White stated that they need more projects like this along with rooftop solar and heat pumps for energy efficiency as well.

Pam Mackey Taylor, 2200 S 31st Street, Marion, representing the Iowa Chapter of the Sierra Club, urged the Board to support the changes to zoning. Landowners are participating on a voluntary basis. She added that there is no risk from radiation. She reiterated that the Board should support the zoning changes.

Brett Mason, Cedar Rapids, stated that the people who attended last night's meeting do not get to accept this voluntarily. He asked the Board to listen to them carefully. Last night, the Board had the opportunity to allow one homeowner the ability to allow 13 panels to be moved so she could maintain the view she moved to the country to get. He is concerned that the Board is putting citizens against citizens. There is also an opportunity to add a 1,250' setback into the contract and give a voice to the people at the table. He requests that the Board consider these items for those that do not want solar on their land.

Sara Alden, Center Point, stated that she hears advocates talking about agrivoltaics. This is about tax credits directly or indirectly being utilized by the developer. It is about money. Idealism is what they seek with solar energy but it is not what they will receive with these projects. The billionaire companies will continue to rake the money in. Alliant and NextEra have both stated that this will be cheaper energy. She discussed the voluntary shutdown of DAEC and Alliant's buyout. Alliant customers are going to pay for the development and the power it creates. Power that is generated will be sold out of state. She does not see how utility scale solar is a solution to save the planet. Solar on productive land is not responsible. She urged the Board to deny the rezoning application.

Steve Emerson, 3880 Lewis Bottoms Rd., Palo, asked that the Board approve Phase 1 but hold off on Phase 2. It was evident last night that Phase 2 is not ready since they couldn't answer their questions. This approval is 100% based on their word. He asked the Board to look at how many environmental fines NextEra has received. If the Board approves Phase 1, they can ensure that they do everything they say they will and get to prove themselves, then they can make a decision on Phase 2. He highlighted facts regarding NextEra noting that they have more money and resources than the county does. Emerson is curious why the Board is so cautious about telling NextEra what to do. He has been through many rezonings, and the Board has the right to approve with conditions. The Board should approve Phase 1 with a condition for the 28" panel height to allow for a forbs and native mix. The Board can require buffer plantings

also. He added that someone had a good idea last night to add earthen berms as a visual and acoustic buffer. They are already stripping the topsoil so they can create berms. He asked the Board to reject Phase 2, look closer at the map since it appears they have no setback from the road. Why can't they have a 300' setback to the fence and require buffer plantings? He thinks a billion-dollar company toting the environmental flag could afford some trees along the roads that are being aesthetically contaminated for the next 35 years.

Mary Benion, 3657 Lewis Bottoms Rd., Palo, asked how the tilt mechanisms work on the panels. How can NextEra be trusted when they don't even know what batteries will be used? If solar is the way of the future, why is it not installed on the roof of city hall or other locations. A solar farm in Georgia that NextEra installed has been operational for 10 months and has already had 2 fires with the battery storage. Setbacks needs to be addressed. What happens if the solar panel bill is passed? The decommissioning plan is very concerning and appears they do not have a plan in place. She asked what local unions have signed a contract. A conditional permit was withdrawn for Cedar Rapids regarding a new Kwik Star, why do rural residents not get the same respect? The City of Palo has an ordinance with no development in the 2-mile buffer outside of the city limits. She asked that the Board honor that. Benion also asked if the county roads that will be used have been identified yet and what happens if there is damage to those roads. The issues are being skirted around instead of having definite answers. She asked if the Board will be taking the next 6 days to review all of their concerns or are their minds already made up. 30 years is a long time to live with this mistake and she asked that they respect their livelihoods. Benion invited the Board members to come to her house and see why she is trying so hard to protect what is around her.

Swati Dandekar, 2731 28th Ave., Marion, representing Bright Future Iowa, stated that people are always afraid of new ideas and the unknown. This is a great idea and as leaders of the community they should do what is best for Iowa. This project will also give great jobs to the citizens of Linn County.

Mike Carberry, 2029 Friendship St, Iowa City, stated that the Board has a tough job representing all of Linn County, not just Palo. This project was voted down 6-0 according to the 28E agreement with Palo, however Planning and Zoning voted 4-3 in favor. Studies have shown that solar farms build soil health, concrete does not build soil health. This is a 30-year plan that will help build soil health and possibly return to farm ground when complete. He added that sheep could also be brought it to graze. Utilities are in the business of making money. This would entail 3 levels of income from the same land. Battery storage is the holy grail of renewable energy. If all of the energy isn't used in one day, it can be saved for another.

Nancy Petrilla, 3796 Alice Rd., Toddville, presented several question's including: sheep grazing; farming that is only solar does not produce any food; how does the sun shining on the solar panels affect the air temperature; this is a Linn County issue why do people living outside of Linn County have a right to voice their opinion; who will be responsible for checking the solar panels for damage and how often; how many people wanting green energy actually practice it at home; she's extremely disappointed that two of the Board members voted against the 1250' setback.

Jo Pearson, 1210 Starry Dr., Marion, stated that they are accepting of alternative energy sources but to think beyond the view from their own backyards. They should consider the fires raging throughout the west and the flooding that happens every year. Many people are still recovering from the Derecho. It is the magnitude of the world. She asked the Board to please approve the solar project.

Carolyn Petersen, 4808 Olde Mill Ct. NE, Cedar Rapids, asked if they would buy a house without hiring an inspector to look at it first? That is what Linn County is doing with this project. They have hired consultants to review items but what is blatantly missing is an environmental engineer to review the project. She confirmed with Charlie Nichols that Linn County will not be hiring an environmental consultant to review this project. She asked why the county won't hire their own expert to represent their interests instead of just accepting what the applicant is telling them. When a battery burns, it will release toxic gases and the applicant admitted to this yesterday. This toxic gas is not a chemical to mess with and it does not readily degrade into something harmless. If there is a fire, the residue is corrosive and can cause chemical burns on skin. She asked that they require the battery chosen to not emit HF and require testing documents to prove it. A second toxicity issue not addressed with this project is lead. She asked that they require the applicant to use the non-lead panels and then confirm by requiring a TCLP RCRA-8 metals testing. The nuclear plant operated with significantly more regulation than is proposed for the utility solar project and BESS. Without additional evaluation they cannot claim that this project will not be detrimental to existing agriculture uses or will not degrade significant environmental, ecological or natural resources. With Petersen's previous experience as an environmental consultant, she can see that Linn County is not protecting citizens regarding releases of toxic gases and allowing use of hazardous PV panels. This inaction invites further liability on Linn County and each taxpayer. She asked that the Board please protect Linn County citizens by hiring a qualified environmental consultant to review this project and by requiring documentation that the batteries will not emit HF and the PV panels are not hazardous.

Greg Geerdes, Iowa City lawyer representing several opponents of the solar project, stated that he is thankful he is a lawyer and not a politician. All politicians should take comfort in the fact that foolish decisions are not illegal but that doesn't mean they should make them. A number of speakers tonight questioned and suggested to the Board that they require more specificity from the applicant before allowing the project to proceed and they are right. For example, the Board would require more specifications if purchasing a squad car for the Sheriff's Office than they are for this project. There is no commitment from anyone as to what the unknown batteries are. The Board should slow down, get it right and don't make the citizens of Palo put up with the unknown consequences of a hastily made decision. He hopes the Board recalls a conversation from last night where it was mentioned that these farm leases have a renewal possibility, so there is no guarantee that this valuable farmland is going to ever return to its agricultural purpose. The Board is taking farmland out of production and infringing upon critical natural resource areas. Zoning in Iowa has to be done according to a comprehensive plan so that they cannot rezone or zone spur of the moment projects that come up. Linn County has a very good comprehensive plan that was made in 2013. He suggests that the Board review it and give credit to the hundreds of people on that committee that spent lots of time hashing it out. He referenced page 34 of that plan regarding evaluating prime agricultural areas. There is an affirmative obligation to protect that soil. The Board decided that they did not like that provision and passed an ordinance which says that they are not going to apply that to renewable energy projects and the comprehensive plan does not allow that. The Board has another ordinance that says they can change the comprehensive plan and they need to repeat the process. The Board is trying to evade the comprehensive plan and he doesn't understand why if this plan is so valuable.

Cindy Golding, 7000 Tower Terrace Rd., Cedar Rapids, read an article that was in today's Des Moines Register regarding farm ground and the urgency for farmers to double plant. She was at a CO2 meeting today and the high-pressure CO2 they want to put through Iowa prime farm ground. They also talked about the promise of economic development. She asked at the meeting if there were no tax credits would they still be doing the project and the answer was no. If there were no tax credits with this solar project, would they be doing it? They are taking their tax dollars and land to enrich someone else's economic picture, not theirs. Fool me once shame on me, fool me twice shame on you. She shared a recollection of an activity that happened 30 years ago with fighting a new development in Cedar Rapids involving PMX and tax credits. She asked the Board to very seriously consider what they are allowing to happen to their farm ground, citizens and tax dollars and who they are enriching.

Paul Hansen, 2260 Timber Creek Dr., Marion, stated that he retired from Alliant after 37 years and is speaking as a private citizen. He is a long-time employee that knows the commitment the companies have put into this area. There is a reason solar was requested to be placed on the location of the DAEC, it's an ideal location with low cost and a minimal impact. The economic impact with the facility built will add jobs and money.

Eloise Dennis, 3693 Lewis Bottoms Rd, Palo, is the 6th generation of the family to live on the 1839 homestead and her passion is preserving the heritage and legacy of Lewis Bottoms. She has preserved the 1892 home and is only 160 feet from the adjoining solar project and can't imagine telling the forefathers about looking out a window and they can only see a sea of solar panels. Those forefathers will roll over in their graves, as the scene below the Lewis Bottoms cemetery will be a sea of solar panels. It is incredible that this change of zoning is being allowed after the county has adamantly enforced the no development on land with a CSR above 65. A family member isn't even allowed to build a home. She quoted Iowa Code 2022, Chapter 352.1. Shouldn't they be concerned about conserving some of the most productive land in Linn County? Their future generations may be more concerned about food on the table before they are concerned about the global warming. The northern two parcels are a real stretch to be considered contiguous, as defined by sharing a common border, touching, adjoining, distances parcels are apart is over one and a half miles and another mile. Driveway to driveway they are 6 and 7 miles from the fire station. There are already 800 acres in Lewis Bottoms condemned by state eminent domain for the nuclear plant to have a cooling lake that was deceptively not even needed. The writing is already on the wall and her voice is for naught. She appealed to Supervisor Walker and Rogers to please consider the setbacks and screening and allow her to live out her declining years cherishing the land the ancestors founded 183 years ago.

Melody Cunningham, Palo, stated that the Supervisors are city people, and they don't live in the country so they could care less. How much did Kimberly Dickey pay the Board under the table to do what they want. She is married to a Vietnam vet. He gave up enough in Vietnam and now the two Supervisors are going to make him give up even more. The solar panels will affect him, the land and the well. Who pays the Board members to work? The people in Linn County do so they should be able to tell the Board what to do and not do. How much did NextEra pay the Board under the table? The Board lets NextEra do whatever they want. People cannot get out of their contracts. Two of the Supervisors are sad and don't care about anyone except those that live in the city. They need farmland and will end up paying a lot to grocery stores and for gas. It will also affect factories. The price of corn and beans will also go down. The Board better get their crap together.

Doug Hanover, Palo, stated that he owns land by Phase 2 and sat on the Planning and Zoning Committee for over 9 years and was on the council for 11 years. He heard talk about the 28E agreement and spoke in front of the Board previously about dog boarding kennels. That project did not pass because those people listened to the citizens of Palo. He stated that he received a flyer that said there were 4,000 signatures for this, and the other group has 3,600 signatures against this project. Those signatures came from people in other cities. The Mount Vernon Mayor said that this would be a good project. They will give Mount Vernon the project because Palo does not want it. Palo has good farm ground that he has fished and hunted on, and he has worked the ground for farmers and knows what it produces. There are a few parcels that do not perform as well. Questions were asked about their conservation land and that shows they do not care about the land. It was a 5-0 vote that night to not back that. He referenced previous applications for hog confinements that people did not want and did not pass. There were a lot of promises made when DAEC was built. Palo is trying to grow and will not benefit from this project.

John Zakrasek, 531 Lawndale Dr. SE, Cedar Rapids, stated that the Derecho was like a bomb going off cleaning up 30 acres. They now see what can happen if the climate chaos continues to happen. They need clean energy and fast. Solar is less expensive and can be built rapidly. This is important to him personally to see this project take place. The landowners in Palo could develop and sell but they chose to keep it and farm or preserve it. There are a lot of benefits. He encouraged the Board to approve the project.

Traci Nelson, 3311 Pleasant Creek Rd., Palo, stated that she is contesting the meeting due to improper notifications. She lives across the road from Phase 2 and didn't receive notifications. Nelson feels that more people would be in attendance if they were notified. She referenced wind events and fire damage. She sent pictures back in May of neighboring farms and asked when they are going to force them to fix broken tiles. The county will not take sides. If they break tiles on their land, it is up to the homeowner to hire an attorney to get it fixed. Supervisors Rogers and Walker refuse to listen to them. It is millions of dollars in costs to remove panels and an ongoing loss of tax revenues and wildlife.

Eric Van Kerckhove, Mayor of Palo, stated that he would like to share a neighboring community's resolution and help give volume to their voice, alongside Palo's voice. Center Point shares many of the same cultural values as Palo and at his request, looked at these projects and share an official stance of opposition. Center Point is concerned that if the Board approves these two projects, cutting off Palo's ability to grow, additional Phases could be approved, and future projects could present similar or greater challenges to Center Point. He wants to know how Linn County can be a leader in renewable energy and corn production at the same time as Supervisor Rogers previously stated. Would this be through cultural assimilation or cultural pluralism? Forced assimilation is not fair and this project's approval, specifically Phase 1, would be just that, forced and unfair to Palo. Palo City Council and Center Point City Council have both voted unanimously against these projects, well over 6,230 combined voices. Their arguments aren't against clean energy, solar panels or NextEra. The project would be stunting their community's growth through irresponsible sighting of projects this like. He referenced and shared an article that appeared in the Corridor Business Journal on August 29th regarding missing nuclear power in Iowa highlighting that NextEra decided to close and decommission the DAEC early after Alliant decided to pay \$110 million to end its power purchase agreement. He shared the article to give another perspective and to encourage long-term thinking that includes consideration of possible unintended consequences, both for Linn County and the City of Palo. He hopes that his context has added value to the discussion and ultimately helped to make the Board's job a little easier.

Deb Yates, 2362 Young Rd., Palo, stated that everyone involved is 55 years old or older including 2 that are snowbirds. They are taking away the option of farming for people and were coerced into signing agreements with NextEra. NextEra are not honest people, and they are taking people's land from them. She is totally against this and what it does to the farming community and the community of Palo.

Laura Robinson, 2094 Linn Delaware Rd., Coggon, stated that she is finishing her husband's comments from last night's meeting. Their family has been making several trips to Des Moines to talk to legislators and had a brief conversation with a Senator from Des Moines. Big companies do not care about the little guys, only the money. Her family, their neighbors, and friends have attended Board of Supervisors meetings, Planning & Development meetings, Board of Adjustment meetings and Technical Review Committee meetings over the last two years and do not get paid to do it. They are trying to protect their homes. The world is run by those who attend. She doesn't think that is true anymore. The world is run by politics, big money and maybe even dark money.

Adam McDonough, 180 Pleasant Creek Dr., Palo, stated that he is a union guy and explained his previous jobs including working on a windmill farm near Montezuma (Alliant project). There were a lot of citizens for and against that project as well. He asked a participating landowner about the project and that landowner said the money he was making leasing was paying for his mortgage on the property and then some.

There's been a lot of negativity towards this project and he is for it. He would love to see a code that every new development and commercial building has to have solar. This project is such a big deal because the interstate of electricity is so close and why they want to take the farmland out of use and build it in Palo. People also talked about not needing these jobs because businesses can't fill the jobs they have. As an electrician, no self-respecting skilled tradesman is going to take those other jobs. They talk about taking productive land out of use, what about taking productive labor out of use. It was said last night that people don't want to invest in this 30-year commitment and how do they know a better solar panel won't be produced. He didn't see anyone using a horse and buggy in the parking lot when he left last night. People can't constantly hide from and fear change. Investment and interest in projects like this inspire innovation and that's how they get better quality products. He would like to see Linn County be a part of solar and renewable energy.

Hazel Grimm-Rhomberg, 2187 Sisley Grove Rd. NW, Palo, stated that she grew up on Ross Rd. and her grandpa is buried in Palo and founded a bank. She is next generation, and they are not rich. She is trying to keep her family off the streets and teach them what is right from wrong. The government and democratic party have done nothing but destroy her and she voted for him. How stupid she was. Her family has fought for this country and the right of freedom. She asked that the when the Board votes tonight to vote from their heart instead of about the dollar.

Alicia Porter, 3253 Fishel Rd., Marion, stated that the first communication she had was a letter from NextEra talking about imminent domain. Imminent domain should not be pushed under the rug or the contracts they sent her and her mom that they were asked to destroy. They are 6th generation, and she wants her kids to be that 7th generation and to have viable land. She is a realtor and has been for 21 plus years. She has talked to the Board and provided them with paperwork on how this project will depreciate values and the Board is not taking it into consideration. She sells a lot of acreages and there are stipulations involved. The whole reason is to preserve farm ground. Benton County has a CSR rule they follow. Why is Linn County not being responsible and learning from their neighbors. She is disappointed after what happened with Coggon. The Board turned a blind eye to all of the information they were provided with about setbacks and depreciated values. They need the Board to step up and be that powerhouse negotiator.

Renee Potts, Marion, stated that she is the daughter of a landowner. The decision to participate did not come lightly. It is a decision that will impact their families for the next 30 years. In the end, solar makes sense and Palo makes sense. They chose to participate and do not regret it. A lot of people in this community are spreading fear through misinformation and she finds that sad. She is glad she is not in the Board's shoes sifting through all the information. It is the Board's job to determine what is in the best interest of the county. Remember, over 50 years ago this town was in a similar debate with the creation of a nuclear power plant. Many did not see the positive impact that decision made but they do today.

Jean Waite, Palo, stated that she was a born and raised farm girl. She is in favor of solar on roofs and covered parking lots but not in taking away from farmland. She volunteers her time and visits an elderly lady in Cedar Rapids every week. She shared a story about how a group of people approached the elderly lady and buffaloeed her into composing a letter in favor of this project. If they are looking for a majority, they need to look for constituents in Linn County.

Leah Bennett, Palo, stated that she is a union electrician in support of this project. People are complaining about this project not producing the work force they want. This will generate jobs in their community and people that put money into the City of Palo. They need to look towards the future and how they are going to get their energy and need to use the infrastructure with the nuclear plant. People bought properties in a nuclear zone but now are afraid of chemicals on solar panels. She wishes people would do more research. No one knows the repercussions from working in a nuclear power plant.

Doug Neumann, Cedar Rapids, stated that he has a great respect for the many arguments on both sides of this project. There are a lot of complex issues and opinions. He has an even greater respect for the Board members and anyone serving in elected public service these days. He is worried that some of the economic arguments are being diminished or lost here tonight. The local labor agreement was a really critical component of this project. If people were going to come from out of state, he doesn't think the project would have half the support it does. For this region to remain competitive for economic growth they have to be moving in the direction of renewable energy.

Claire Simmons, representing Power Up Iowa, stated that projects like this do not limit landowner's rights but they put the power back in the hands of these landowners by allowing them to choose how they want to use their land. The landowner's have voluntarily chosen to participate in the project. This project is set to create quality, local jobs in Linn County as well as generating millions of dollars in tax revenue that goes back to the community and supports local schools and other services. By saying yes to this project, they are also saying yes to empowering local landowners and farmers.

Fred Hubler, 9422 Deer Ridge Dr., Cedar Rapids, stated that he lives not far from the nuclear plant and was never worried about living there. They have heard how cheap the

cost of solar is but what Senator Grassley said 2 years ago was that solar gets 250x's the investment tax credits of nuclear. Solar sounds so cheap because the cost of baseload generation is not considered and that is why rates have to be increased. He gave history of what happened in Germany with shutting down nuclear plants. California also invested heavily in solar but have some of the highest electricity rates in the country. Solar is not that cheap when you take into account providing reliability to the grid. He also spoke about the climate and 30 years without a name storm this year, yet.

Dylan Hillyer, 2316 Ridgeway Dr. SE, Cedar Rapids, stated that he supports this project for a variety of reasons. This will allow the soil to take a breath, like it needs to. It is the landowners right to do what they want to do with their land. He is the son of people that have signed up to participate in the solar projects in Muscatine County. That decision did not come lightly but will allow the kids to inherit the farm. He wouldn't be able to pay for it otherwise and this will add longevity to their family. His hope is that the Board approves this project.

Discussion followed regarding questions from the public and developer's responses including: union representation, lease payments, tax credits, depreciation, road repairs, panel temperature and setbacks.

Motion by Rogers, seconded by Walker to approve upon first consideration for rezoning case JR22-0004, request to rezone property located north of Palo along Palo Marsh Road, McClintock Rd, Daec Road, and Mather Ln from AG (Agricultural) district to RE-AG (Agricultural with a Renewable Energy Overlay) district and CNR (Critical Natural Resource) to RE-CNR (Critical Natural Resource with a Renewable Energy Overlay), approximately 316 acres, Elizabeth Sharyl Mather, FPL Energy Duane Arnold LLC, NextEra Energy Duane Arnold, LLC et al, NextEra Energy Duane Arnold, LLC, R&G Bull Farms LC, owners, Duane Arnold Solar LLC, petitioner.

Discussion: Supervisor Zumbach stated that he can have any setback he wants at his farm and a lot of people in favor of this solar project still want different things included in it. He thinks the Board can do a better job, take their time and work more with Charlie Nichols. This project requires a no vote with the knowledge that it would be a yes vote in the end. Zumbach feels that this would be the best approach. This project does not have to be a 2 to 1 vote. The Board has to protect their neighbors back yard too.

Supervisor Walker stated that his process is cumbersome, as it should be. It is an informative exchange with a question and answer section. The county is aware of these solar projects in advance and there are commissions that get to ask questions. This application has been with county staff for months and it is not the first time the Board has had access to the information. There are experts in the Planning & Development Dept., and they have contracted third parties as well.

Supervisor Rogers stated that there were lessons learned by the Board when they went through this process with Coggon this past winter. There was discussion about a 1250' setback and having to expand the footprint and it requires more land. People do not want more farmland taken out of production so why create a setback that would require additional farmland. Rogers is supportive of this project because it is voluntary, and no one was forced to sign a contract. The landowners get to decide if they want to participate. It is a property rights issue, but it is not permanent and there is no use of eminent domain like the carbon pipeline. The Board has a commitment to the rural areas and hopes that is not in question noting that 50% of the local option sales tax goes to rural residents for property tax reductions in unincorporated areas. Rogers went on record stating that he is opposed to the pipeline. He also explained that he was in favor of keeping the Board at five members and not reducing to three. Rogers is supportive of solar.

VOTE: Rogers and Walker - Aye Zumbach - Nay

Motion by Rogers, seconded by Walker to approve upon first consideration for rezoning case JR22-0005, request to rezone property located north of Palo along Palo Marsh Road, Lewis Access Rd, Power Plant Road, and Lewis Bottoms Rd from AG (Agricultural) district to RE-AG (Agricultural with a Renewable Energy Overlay) district and CNR (Critical Natural Resource) to RE-CNR (Critical Natural Resource with a Renewable Energy Overlay), approximately 815 acres, David E. Nemecek, Lewis Bottoms Farms Revocable Trust, Lewis Bottoms Farms Revocable Trust et al, Dennis W. Bizek, Kibbie Family Farms, LLC, Melvin M. Young, Potts Family Irrevocable Trust, Tabitha Andrews, FPL Energy Duane Arnold LLC, FPL Energy Duane Arnold LLC ETAL, R&G Bull Farms LC, ITC Midwest LLC et al, Charles A. Stodola Revocable Trust ETAL, ITC Midwest, LLC, Lewis Family Revocable Trust, owners, Duane Arnold Solar II LLC, petitioner.

VOTE: Rogers and Walker - Aye Zumbach - Nay

Adjournment at 8:46 p.m.

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Respectfully submitted,

JOEL D. MILLER, Linn County Auditor
By: Amanda Hoy, Executive Assistant

Approved by:

BEN ROGERS, Chairperson
Board of Supervisors