

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
TUESDAY, SEPTEMBER 6, 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 and welcomed Cedar Rapids City Councilman Scott Olson.

Motion by Rogers, seconded by Walker to open public hearing to create Chapter 105 Article VII Housing Code Ordinance. Proof of publication was presented.

Luke Maloney, Planning & Development, stated that this new chapter is for their primary focus on incorporated jurisdictions that contract with them through 28E Agreements. There were no oral or written objections.

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

Motion by Rogers, seconded by Walker to approve upon first consideration of Ordinance to create Chapter 105 Article VII Housing Code.

Motion by Rogers, seconded by Walker to approve upon first consideration to amend Chapter 105 Article VI. Property Maintenance Ordinance.

Stephanie Lientz, Planning and Development, presented a Major Site Plan application for the Linn County Secondary Roads Department Morgan Creek Shop project in the 2300 Block of Covington Rd. The Board will approve on Wednesday.

Sonia Evans, Finance & Budget, presented an amendment to the subaward agreement between Linn County and Eastern Iowa Health Center for Increasing Access to COVID-19 Education & Vaccinations for Underserved Linn County Populations. The only change is how they are expending the dollars and Evans recommends approval.

Motion by Rogers, seconded by Walker to approve an amendment to the subaward agreement between Linn County and Eastern Iowa Health Center for Increasing Access to COVID-19 Education & Vaccinations for Underserved Linn County Populations.

Brent Oleson, Deputy Dir. of Public of Policy & Comm. Relations, presented the following Resolution noting that the County Engineer and County Attorney have reviewed.

Motion by Rogers, seconded by Walker to adopt Resolution 2022-9-141

A RESOLUTION TO PROVIDE FOR NOTICE OF PUBLIC HEARING ON PROPOSAL TO CONVEY REAL ESTATE INTERESTS TO CITY OF CEDAR RAPIDS

WHEREAS, the Linn County, Iowa Board of Supervisors (the "Board") is empowered under authority of §331.361, Code of Iowa, to dispose of the interest of Linn County, Iowa, in real property, and WHEREAS, the Board has engaged in discussions to convey temporary and permanent easements in real property described as:

LEGAL DESCRIPTION

Part of Lot 1, Dar-T's Second Addition, Linn County, Iowa, and WHEREAS, Linn County, Iowa, (the "County") as the owner of real property as described above has been offered financial consideration by the City of Cedar Rapids to sell a portion of the land by fee title and to grant both temporary and permanent easements in said real property. NOW, THEREFORE, THE LINN COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES AS FOLLOWS: The Board will hold a public hearing on the 12th day of September, 2022, at 11 o'clock, in the Formal Board Room on the lower level of the Jean Oxley Linn County Public Service Center, 935 2nd Street SW, Cedar Rapids, Iowa, to determine whether the County will convey to the City of Cedar Rapids, Iowa, the interest of the land described in the purchase agreement by fee title, and grant temporary and permanent easements as described therein, from the real property legally described above owned by the County at which time any interested person may appear and file objections and, after hearing objections, the Board may proceed with approval of the conveyance. The Board hereby authorizes and directs the publication of a notice of public hearing on the proposal at least once, not less than four (4) nor more than twenty (20) days before the date of the hearing in accordance with Iowa Code Section §331.305.

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

RECORDER'S OFFICE

Clerical Specialist	Amy Speed	Transfer to Planning & Development 09/02/22
<u>TREASURER'S OFFICE</u>		
Universal Clerk	Sarah Keeling	Step increase/contract 09/21/22 56C \$23.78 – 56D \$25.06
Universal Clerk	Morgan Driscoll	Step increase/contract 09/21/22 56C \$23.78 – 56D \$25.06

INFORMATION TECHNOLOGY

Desktop Technician	Nicholas Distler	Correction to step increase from 08/29/22 08/24/22
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60C \$32.93 – 60D \$34.77

FACILITIES

Custodian	Cody McIntosh	New hire – PT 09/19/22 10A \$18.01 + \$.25 20 hrs/wk Replaces A. Charles
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SHERIFF'S OFFICE

Communications Oper. Rebecca Moore New hire – FT 09/19/22 CB \$25.14

LIFTS

LIFTS Driver Rudy Rodriguez Correction to termination/resignation date from 08/29/22 roster
: 08/26/22

JUVENILE DETENTION

JDDS Supervisor Alan Steil Promotion 09/10/22 56B \$23.78 – Grade 25 \$28.99 Replaces W.
Wright

Tracker Jada Grubbs Termination/resignation 09/23/22

PUBLIC HEALTH

Environmental Hlth. Spec. James Mount New hire – FT 09/19/22 39A \$30.26

Medical Assistant Robina Ulrich New hire – temporary 09/19/22 55A \$19.92

Medical Assistant Nancy Reasland New hire – temporary 09/19/22 55A \$19.92

Motion by Rogers, seconded by Walker to approve claims for payroll deduction checks #71008218-#71008239 in the amt. of \$355,981.62, payroll deduction ACH in the amt. of \$57,200.40, and payroll wires in the amt. of \$1,988,096.98 for a total of \$2,401,279.00.

The Board recessed at 11:07 a.m. and reconvened at 6:00 p.m. at the Palo Community Center, 2800 Hollenbeck Road, Palo, IA, for third and final consideration of the Duane Arnold Solar I and II Projects.

Public Comment:

Ron Corbett, 286 Thunderbird Rd. SE and Cedar Rapids/Marion Economic Alliance, stated that he is in favor of the project for two reasons. 1) Continue tradition of growing the tax base and 2) A growing trend of businesses wanting and seeking renewable energy. He encouraged the Board to support projects.

Craig Seeley Jr., Cedar Rapids, stated that what is going on globally is a great concern to him. They need all the farmland they can get because Iowa is known for feeding the world. He realized that from the influence of the people in the room that they need to work with Mother Nature in such a way to copy the way it functions and then will not have so many negative ramifications. If the Board chooses to approve, one thing he hopes is to integrate this solar farm with the environment so that it does not hurt the environment in any way. Start thinking a little bit ahead about power plants small enough to fit in the home, cars or any type of structure that needs to be heated or cooled. He asked about how resistant the solar panels are to severe weather. He stated that they cannot seem to do the simplest thing as fellow Americans. They have to stop functioning the way they are because it is destroying the country and he hopes some people will set a precedent to help make that happen.

Sallie Buelow, 3394 64th St., Palo, stated that she and her husband live on the eastern edge of the project. She does not feel that people who live around the project are being selfish and to be called selfish is a slap in the face. Most people who are in favor of this project live elsewhere and do not have to worry about property values or view shed. The character of their rural community will be lost. They are trying to protect their greatest asset, which are their homes and property. She is dreading the next few years of heavy equipment, traffic, dust, and long hours of noise from pounding pilings. Her home is her sanctuary and she worries about how this project will affect many people's mental health. She asked the Board to please take the suggestions they have heard and do the project the right way, make it the best it can be. She also asked that they put ordinances in place for screenings, setbacks for adjacent landowners and set reasonable construction hours. Her husband is set to retire soon and is looking forward to farming the land that has been in his family for many years. She noted that many local farmers are losing ground to rent because they cannot compete with NextEra. She is not against solar but against large scale solar, that will negatively affect so many people. Saying yes to this project will be a green light for additional phases and she asked the Board how much land are they willing to sacrifice in the county to make up for the power loss from Duane Arnold. Tonight feels like a sentencing. They are being sentenced to industrial scale solar for the rest of their lifetimes. This is about greed and not green energy policies.

Steve Mason, 6547 Benton Linn Rd., Palo, wanted to add to what Supervisor Zumbach said last Tuesday. He was trying to do what is best for the public. The public needs to know that this project is the beginning of a 24,000-acre project in Linn County. Where there are electrical substations, there is a possibility of a wind or solar project. He referred to a May 18 meeting between NextEra and the Palo Fire Dept. and a Technical Review Committee meeting the next day. He asked if the May 18 meeting was a PR stunt. Costs of replacing the BESS in 15 years will be passed onto the consumers. He asked if there are plans to test nearby private wells within a mile of the solar sites for a base number before construction and will they be tested thereafter. He questioned soil contamination after a severe weather event and the lack of security around the battery storage. Two yes votes will open the barn door.

Chad Todd, 945 Valley View Dr., Marion, stated that he is against the solar farm because solar is a poor source of energy for the county. Solar and wind are not going to solve the climate problem. The problem is the three Supervisors who are consumers of power (electricity and natural gas). They need that to heat and cool their homes.

When they go to turn on power or furnace in the middle of a cold night, remember, solar does not work at night (does not matter how many batteries there are). The new green deal wants to drop all coal, nuclear and natural gas plants and only go to wind and solar. Batteries are also a poor way of storing energy. Who pays for the backup generator? The consumers. They want industry to move to Linn County. Solar is not going to bring new industry. He gave the example of California and the brown outs and lack of power. 500 MW of power has been lost in this area and where is that power going to be made up? When the Board votes tonight, remember the future of economic growth and their families. He guarantees that the electric rates in Linn County will go up 20-25% which will put more economic strain on the people of Linn County. If the Board votes yes, they have nobody to blame but themselves when they lose their power in the future.

Swati Dandekar, 2731 28th Ave., Marion and representing Bright Future Iowa, urged Supervisor Zumbach for a unanimous vote to approve the project as it is good for Linn County. If they look at her career, it is clear she has been helping with economic development, innovation and a strong portfolio centerpiece of her legislative life. She strongly believes that renewable energy (wind, solar, battery, and ethanol) provides Iowa with an incredible economic opportunity and a chance to lead the world. This is not just her, but also the 5,000 plus people who want solar in Linn County. It is also about families who without this project would be at risk of losing family farms. This is their land and their choice. Linn County has done great things in its history and has never shied away from change or making the community better for the future. Move forward and welcome the next great opportunity and again urged the Board to support the project.

Clare Simmons, representing Power Iowa Linn County Coalition, stated that the jobs for this project that are set to be created are important to local workers up and down the supply chain. Projects like these are often times the difference between going to work and being laid off. They are starting to see that students are not taking the traditional four-year degree route and instead choosing programs much like Kirkwood has to offer. These well-paying skilled jobs will be attractive to these students. They encourage the Board to approve and bring the project across the finish line.

Nancy Patrilla, 3796 Alice Rd., Toddville, stated that at the second meeting last week only 13 people spoke in favor of the solar farm. Seven of those were representing businesses. 22 spoke against using the county's fertile farmland for solar. It was evident that most of the pro solar people were talking about their business interests disguised as being good for attracting new businesses and therefore about making more money. The people against the project have been talking about their homes and quality of life for their families. They were 2:1 against the solar farms being built on productive farmland. According to NextEra, the project will remove 1131 acres of farmland from production until 2057. They also stated that 90% of land for project is currently used for row crops. Over 50% of the leased land is moderate/high to high soil productivity. Why is the Board allowing some of the richest soil in Linn County to be covered by solar panels? She went on to compare the Board's political affiliations and how they voted and possible ramifications at election time. She thanked Supervisor Zumbach for his votes on this project.

Tom Wieseler, Mt. Vernon Mayor and member of the Linn County Energy District, thanked the Board for the tough decisions they have to make. He is in support of the project and walks the talk. He has had solar at his residence for 5 years; implemented solar on city hall, Police Station and Center. He was the presenter for the Midwestern Renewal Energy Assoc. (Solarized Linn and Johnson County). He found out that there is a big appetite and demand for solar in Linn County. Over 2,000 attended conferences and over 600 signed up for residential solar. As a consumer, he can say that solar is safe and visibly non-intrusive. He asked the Board for their support of the project.

Don Clow, 4511 Twin Pine Dr. NE, Cedar Rapids, stated that he has been watching energy production and costs for many years and this is a great project for the area. People talked about giving up land for solar. He pointed out that one of the major uses of land now for corn is converting half into ethanol because there is no other use for it. Raising corn has environmental problems too (sediment in streams, fertilizer runoff). Solar holds the promise of holding the land in place and it will be great for Linn County. It is a known fact that carbon dioxide in the atmosphere keeps heat from being radiated out into space. As weather becomes more extreme due to that, there is rapid warming at both poles. This project influences and affects people in a much greater circle than just us. When converting corn into fuel, he noted that there is more useful energy produced per day with solar.

Pam Mackey-Taylor, 2200 S. 31st St., Marion, spoke on behalf of the Iowa Chapter Sierra Club. She encouraged the Board to support these zoning changes. It is clean energy, does not generate emissions and is radiation free. It is not the same risk as the nuclear plant. Landowners are participating voluntarily and there is no imminent domain. Landowners have the right to put panels on their land and she encouraged the Board to approve.

Renee Potts, 3370 McGowan Blvd., Marion, stated that she is the daughter of a landowner. One side of the argument, everyone says that they want to keep farmland in

production. Running a farm is expensive, especially small farms. The cost of equipment, tools, diesel, inflation, storms and repairs has made it hard for small farms to maintain profitability. They farm with a tenant farmer and most years run in the red. On the other side of the argument, there is the city of Palo and its expansion plans (focused on moving north). They have no interest in the agricultural value of the land. They want to pave over paradise. She is there to support her dad and to stand by her siblings and fellow landowners. Solar is the right choice. Farmers were presented with another option (try a new crop, let the ground rest and use existing infrastructure). Personally, it keeps the farm in the family.

Junior Luensman, 4100 Woodridge Dr. NE, Cedar Rapids, stated that he has attended meetings over the last several months pertaining to solar projects. He supports the project and feels the environmental and economic impacts on Linn County are important factors that should be considered in making a decision. Preserving the rights of property owners should remain paramount. The land being used will be used again for growing crops in the future. Rezoning for residential, commercial or industrial will lose the family farm forever (this saves it for future generations). Diversification of income with solar is a guaranteed source of income. One neighbor should not be able to dictate what another neighbor does with their land. Each farmer should be empowered to make personal decisions on the land that supports their long term farm viability provided it complies with the county ordinance. Concerns were discussed at meetings of other solar projects in the area and it is clear that this application follows Linn County's Comprehensive Plan. The Supervisors have an obligation to approve this application that has diligently followed their guidance.

Eric Van Kerckhove, Mayor of Palo, stated that he has shared Palo's Resolution (per 28E Agreement with Linn County) respectfully requesting the Board to deny NextEra's request. He also shared Center Point's Resolution supporting Palo's Resolution. No matter the outcome, not everyone will be happy and it appears that approval is all but certain and placing Palo squarely amongst the unhappy. Palo's relationship with the Linn County planning team and Conservation is strong. He feels good knowing that Linn County's staff will be looking out for their community. They will be watching closely to ensure this project is engineered, constructed, inspected and maintained to the highest of standards. Alliant Energy has been a long time energy provider for Palo and they have a good working relationship. Alliant needs this project to be successful and so does Palo and working together they can make that happen. Using local union labor will help Palo feel confident about the quality of the project and Palo will welcome the local skilled union tradesmen and tradeswomen. He asked one final time to honor the 28E Agreement and to respect local leadership by rejecting this project. If the Board is going to approve regardless of local leaderships opposition, the Palo will do what Palo must. Palo will find opportunity within this challenge. They will rise to the occasion and once again find a way to move their community forward.

Mary Benion, 3657 Lewis Bottoms Rd., Shellsburg, referenced Ordinance 107-179/ Rezoning Map Amendment and the terms "shall", "will" and "must". How can the Board vote on an incomplete proposal from NextEra? She gave examples of the incomplete proposal and quoted a paragraph in 28E Agreement with Palo. She reminded the Board that they are in control of this project. They can ask for more information and higher setbacks. NextEra will not walk away if asked for a higher set back. They need the Board more than the Board needs them. If it's voted down, they will just move on to the next county. She asked why the maps showing leased land is different from each meeting and from the proposal. Are they acquiring more for Phase 3 and 4 or even 5? Is there a plan to stop leap frogging? What if there is another large flood? She asked them to do what is right for the community and tell NextEra no. Take a step back, put this vote on hold and review all the information again. The Board was elected to represent them. Stand up for what is right and protect them and their land.

Sandy David, 401 Prairie View Dr., Fairfax, stated that she is representing the Charles Stodola Farm. Her family was in a position when the Nuclear Plant came in and it frightened them (she was 10). A big field was going to be used for railroad and they needed acres of her grandfather's land (large chunk of prime farmland). He fought that with every fiber of his being and money for lawyers went out the window. The power plant and the railroad was built. There was dust and traffic (dust never went away). They had to accept it and move on. The point she is making is that they feared the unknown. It is better to accept progress than to waste time, energy and money. Her family was approached by NextEra to participate using land that has been in the family for generations. They finally decided to listen to them and they did not make a snap decision when they signed the contract. They are excited for the project noting that it is voluntary. They still have almost half of their land for a farmer to lease.

Steve Emerson, 3880 Lewis Bottoms Rd., stated that he is sure he owns more solar panels than anyone in the room (with the exception of NextEra). He hides them (puts them on office buildings), he does geothermal in downtown Cedar Rapids and is pretty deep into reducing his carbon footprint. He dug a pond and made it so it retains water in the event of a flood event. He is doing things right and environmentally. He is not telling the Board who they should or shouldn't "solar with", just don't do it in his face, pull it back 300' and plant some trees. If the Board were ever out in that area, they would know Lewis Bottoms gets a ton of activity. Bikers, runners, Pigman,

and there are countless events that come out of the park and use the road. Could they at least give them one way to go without having to race through a solar field? The view studies that they supposedly did are worthless. They assume everyone sits in their houses and stare out the windows. They do not. They are outside. He asked the Board to make the right choice for all of them. They can do as much solar as they want, just hide it and still have a very successful development.

Carolyn Peterson, 4808 Olde Mill Ct. NE, Cedar Rapids, stated that the Board has the opportunity to protect the environment but are not requiring non-hazardous panels or batteries that don't emit HF or forbid the use of PFAS chemicals. Damaged panels will need a TCLP test before landfill disposal. What if they turn out to be hazardous waste? What will Alliant do? Why won't the Board require debris cleanup to be agreed upon in a legal document? Is the Applicant skirting RCRA hazardous waste rules? She thanked Charlie Nichols for having the Applicant address her earlier comments on decommissioning noting that several issues were fixed. However, the newly revised decommissioning cost estimates still contain a mistake. Will that be fixed? She seems to be the one and only person commenting on potential future environmental damage for this project. That was her job for many years. She seems to be the only expert the County has in this area. She sees red flag after red flag. She is not funded by dark money and in fact, she is giving up nighttime work to be at the meetings. She asked the Board to please require non-hazardous panels, batteries that don't emit HF, no PFAS, correct the decommissioning cost estimate and include a legal document requiring debris cleanup.

Laura Myres, 3372 64th St. Dr., Palo, stated that they don't need to be where they are today because she does not think they are that far apart. A unanimous vote could have happened with a few simple changes. They should have talked to the neighbors first and involved them in writing the Renewable Energy Overlay. They can find a way to make the neighbors whole/happy with setbacks/screening. There is a confidentiality issue (kids don't know that mom signed the agreement). There are questions about placement of the panels. Where? (lot line or occupied structure). She asked for testing of the panels for contaminants; The BESS is a whole different animal (no regulations or code); . There are questions about building standards and explained; Questions about debris cleaning (can NextEra legally be made to cleanup someone else's property?). There appears to be no oversight. If NextEra or Alliant mess up, does Linn County have the resources to remove the overlay and who pays for it? She asked how much land Linn County is willing to give up because there is more coming and waiting in the wings. They are not anti-solar or anti-renewable, they just want it done right

Deb Yates, 2362 Young Rd., Palo, asked the Board what's the rush? The project developer was a member of the Planning & Zoning Committee when the Renewable Energy Overlay was accepted. Yates gave the timeline of when the first lease was signed. After LESA was dropped, all other leases were signed. LESA could have been reworked and should have been. Now they have a poorly written code that is not fair to other landowners. It doesn't contain screening provisions or address many things including dangers associated with battery storage or what an adjoining landowners wanting to develop their land. It will certainly change future development of those properties. Haste makes waste.

Kelly Merta, 4194 Quail Ridge Rd., Center Point, addressed screening as it reads in Ordinance 107-117 and presented Exhibits. The community was told in June 2021 and February 2022 that there was no need for a moratorium because the ordinance was drafted in a way that would allow the Board to take the appropriate action to set screening requirements that protected the adjoining residences. To date, that has not been done. It is the Board's duty to enforce ordinances and to protect the health and welfare of the county's residences. Over the last 16 months residents have been assured that there would be ample opportunity to get it right. She asked the Board if they have personally reviewed the view shed analysis and asked what are the final screening requirements.

Sara Alden, 4124 Greens Grove Rd., Center Point, stated that there are so many things wrong with this project from county due diligence and accountability, greed, politics, and a complete disregard to rural resident concerns. Since she began this journey in April 2021, she has learned that greed and politics are alive and well in Linn County. She has learned that courage to stand up for what is right is rare and that the majority of people who oppose these projects do so in silence for fear of retribution or for the simple reason they know it was a done deal from the beginning. Residents who stand up for their way of rural life, their home and agricultural future are being minimized by big money groups who are spending 10's of thousands of dollars in misleading ads and telemarketing calls all over the county. There are special interest groups and business organizations from Cedar Rapids supporting the projects and residents from other counties and states are coming here to tell the Board to stick it in our backyards. She continued to talk about home rule and the lack of a storage battery ordinance or standards in place. She personally addressed Supervisor Rogers' challenges and played a sound bite. Her biggest take away is that political agendas and big money will win at all costs.

Sam Dillon, 250 Wolf Valley Rd., Hiawatha, stated that he has had solar panels on his house for a year and his electric bill has dropped (charges his car as well). No one

complains when they see power lines, substations, transformers and turbines. Solar panels are fairly low to the ground and will remove the need to build more power plants. Few complain when a developer buys 1,000 acres of land and puts up more homes (city says it will increase tax base). The solar panels will take land out of production for 20-30 years and then land goes back for farming or housing. If project is approved, the Board can pass a code to require berms in front of them to remove view from public, put in trees and shrubs to beautify the land.

Chris Larson, 3106 E. Ave. NE, Cedar Rapids and a member of the Sunrise Movement, stated that their focus is getting local policy for clean air and a more sustainable future. They are in full support of this project. They cannot deny that climate change is a looming threat. There is a sense of urgency to this so he understands why rushing the project a little bit can pay off in the end. Everyone voicing their concerns should not be overlooked; they should listen to the people and not just fall for big business and all they have to offer. He bought a house in Cedar Rapids and he is there because of solar. He knows the flaws and the benefits noting that it is not perfect but it is much better than the alternative. If they do not invest in renewables now, they will continue to invest in fossil fuels and continue the trend of warming the climate. If this was happening in his back yard, he would be angry too. He asked them to do the best they can.

Angela Davis, 3920 Lewis Bottoms Rd., Shellsburg, thanked the Board for listening to her and noted that they have brought up her case a number of times. During a discussion last week, she heard the question asked that if they did not want screening on their land, would it be put on the participants land. The response was yes but the NextEra representative did not know how the participant would feel about that. No one has reached out to her to talk about screenings (received a blank screening plan in the mail). She spoke last week about a setback. It appears that NextEra can resist any suggestions that the Board might have. Panels work best in full sun; how well do they work in the shade? Panels behind her house will not receive full sun and she explained in detail suggested relocation of panels (maps provided).

John Zarasik, 531 Lawndale Dr. SE, Cedar Rapids, stated that climate change threatens everyone in the room. Solar can be installed quickly, safely, are clean and reduce emissions. The solar farm makes exceptional use of infrastructure already in place. He explained economic benefits, energy storage, and the fact that the landowners voluntarily determined the best use of their land. The Board listened to many concerns of the citizens and conducted highly professional hearings which he greatly appreciates. He supports the project.

David Osterberg, 318 2nd Ave. NW, Mt. Vernon, reminded the Board that he spoke in Coggon and talked about health effects. Animal confinements need large setbacks. He can not find health effects from wind turbines or solar panels. He also can not find demotion of property value and he sees no obvious negative affects of project. There are many positive things coming out of large solar arrays at this particular location such as local union jobs and economic development. It is clear that climate change is a problem and it is getting bigger.

Scott Roland, 2935 Cedar Ridge Dr. NE, Cedar Rapids, stated that he is very disconcerted about the length of the approval process for a project like this. He spoke about the catastrophic costs associated with climate change and provided a lengthy list of statistics. He understands there are concern about setbacks but he urged everyone to look at the larger picture. He cannot emphasize enough how catastrophic this will be and how frustrated he is with how slow this is going.

Paula Robinson, 1127 Linn Delaware Rd., Coggon, stated that she came across an article written by the Orlando Sentinel on August 30 regarding NextEra and their partnership with Florida Power and Light. She wants to make sure the Board knows who they are getting into bed with and read the article which includes the manipulation of politicians. She stated that she loves solar but hates dirty money.

Traci Nelson, 3311 Pleasant Creek Rd., Palo, stated that she believes the Board meetings have not followed Iowa law regarding notifications. She is in favor of solar utilities if in the right place which is not on high value farmland. Prior to receiving the applications, the Board was warned about possible damages to neighboring landowners that can occur from weather, loss of property values and damaged tiles. The Board chose not to adopt an ordinance to protect neighbors from great financial losses but they still have the opportunity by voting no tonight. If the Board does not step up to protect farmland, she can hold them personally responsible for their actions. She presented pictures to the Board demonstrating how property values are negatively affected.

Marc Franke, 4205 Vista Rd., Ely, asked how a private citizen can recommend a vote change to the solar ordinance. He has been speaking well over a year on this and all they want is for it to be done right. Integrate it into the country; protect the community with a beautiful facility; build it to the highest standards; work together; to fit it into the rural area and preserve the rural character; take suggestions regarding wind standards, decommissioning, battery, panel and screening specifications. There are people with experience and knowledge and the Board should

listen to them. He supports the project, but he wants it done right. He encouraged the Board to figure out a way that when it is approved, that additional safeguards are in place before it actually starts.

Eloise Dennis, 3693 Lewis Bottoms Rd., Palo, stated that she thinks NextEra could sell snow to the Eskimoes, because they did a good sale job on two of the Board members. It's nothing but a big money grab for NextEra, Alliant and a few select farmers and probably the County. If the farmers really wanted to be good stewards of the land and rehab the land, they would be engaged in sustainable farming. She addressed a solid canopy needing a filter, drainage, pollinators and wildlife, noting that it is a wildlife sanctuary. She heard several farmers wanted out of their contract after hearing the nitty gritty details and couldn't. Have they read the paper lately? There is a global shortage of food and there is only so much farmland in the US. She stated that it is ludicrous that they are taking the most productive land in Linn County out of farming. She thinks this is a big mistake and the next two generations will have to live with it.

Motion by Rogers, seconded by Walker to approve upon third and final consideration Ordinance #13-9-2022, an Ordinance Amending the official Zoning Map of Linn County, Iowa by rezoning and changing the district classification of certain property located North of Palo, Iowa along Palo Marsh Road, McClintock Road, DAEC Road, and Mather Lane from "AG" Agricultural District to the "RE-AG" Agricultural with a Renewable Energy Overlay District and from the "CNR" Critical Natural Resource District to the "RE-CNR" Critical Natural Resource with a Renewable Energy Overlay District, approximately 316 acres, rezoning case JR22-0004 (Phase I)

Discussion: Supervisor Zumbach stated that there are an overwhelming number of people that want it done right. He does not believe that they are exactly doing their due diligence in knowing what is actually going to be built. He thinks it is too vague and he can not go along with that.

Supervisor Walker stated that he will personally talk to the Civil Division regarding the question about making changes after the vote. If there is the ability to make edits, then that is something they should know. He came into this leaning towards supporting the project and the meetings were helpful and educational. He took concerns very seriously about safety. He did fact checking on his own to a point where he was satisfied. His support is rooted in the fact that responsible elected leaders make decisions that have ramification for 20 - 50 years out in the future. They have to do as much as they can to address climate change because that is reality. All objective facts and evidence points to the fact that they are experiencing a climate crisis. Folks have rightful concerns about another extraordinary wind event blowing panels onto their properties. The Derecho (land hurricane) is a result of the changing climate (experienced in Linn County). This is serious stuff and he is not making the claim that one utility scale solar project is going to solve the world's climate crisis but it is the job of responsible policy makers to do the best job they can with what knowledge they have in the here and now to address that. They owe that to future generations. This is a starting point and his hope that going forward they can learn from the project and that there are innovations in the future to find more clean renewal energy to bring to communities to combat the severe climate crisis they face.

Chairperson Rogers stated that they were asked why here and now. The transmission lines from the Nuclear Power Plant is here. It is an on-ramp to the interstate for power. There are willing landowners. He has also been very transparent about anything he can do to help his children's generation get at least what he has been able to experience in his lifetime and he is noticing rapid change in the climate. If they can give the next generation the best chance and beat the predictions, he will do everything in his power where it makes sense. For him, this makes sense. All they have been doing is listening even though accusations and insults say otherwise. He addressed Sara Alden's sound bite and talked about his personal challenges. This is challenging for him and everyone's mental health. He takes this seriously and he has done his due diligence (reading and research). He will continue to vote in favor.

VOTE: Rogers and Walker - Aye Zumbach - Nay

Motion by Rogers, seconded by Walker to approve upon third and final consideration Ordinance #14-9-2022, an Ordinance Amending the official Zoning Map of Linn County, Iowa by rezoning and changing the district classification of certain property located North of Palo, Iowa along Palo Marsh Road, Lewis Access Road, Power Plant Road, and Lewis Bottoms Road, from the "AG" Agricultural District to the "RE-AG" Agricultural with a Renewable Energy Overlay District and from the "CNR" Critical Natural Resource District to the "RE-CNR" Critical Natural Resource with a Renewable Energy Overlay District, approximately 815 acres, rezoning case JR22-0005 (Phase II).

VOTE: Rogers and Walker - Aye Zumbach - Nay

Adjournment at 8:31 p.m.

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September 6, 2022

Respectfully submitted,

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

Approved by:

BEN ROGERS, Chairperson
Board of Supervisors