

**COUNTY BOARD MINUTES  
AUGUST 17 & 18, 2020**

The Board convened on Monday, August 17, 2020, at 9:00 AM with all members present Byrne, Geerts, Tilkes, Zoll, and Hackman in the Boardroom located on the second floor of the Courthouse, New Hampton, Iowa. Courthouse is open to the public. The meeting was called to order by Chairman Hackman. Present were Joan Knoll, Rick Holthaus, Jeff Bernatz, Attorney Aaron Murphy, Terry A. Johnson, and Mark Huegel. Also electronically was HR Consultant Ann Smisek.

Motion by Byrne, Seconded by Geerts to approve agenda for August 17 & 18, 2020. Roll Call: All Ayes. Motion Carried.

Motion by Tilkes, Seconded by Byrne to approve Board minutes for August 10, 2020. Roll Call: All Ayes. Motion Carried.

Jim Cook present at 9:05 AM.

Public comment requests from Mike Kennedy, Terry Johnson, and Attorney Aaron Murphy.

The Board reviewed the Certification of 2019 Tax Assessment Payable FY 2020-2021.

Motion by Zoll, Seconded by Tilkes to approve the Certification of Abstract of Taxes for 2019 assessment collectible FY 2020-2021 as recommended by the County Auditor and County Treasurer. Roll Call: All Ayes. Motion Carried.

Update on the Radio Communications Project.

Bob Fenske from the media, Mike Kennedy, and Martin Hemann present at 9:17 AM.

Motion by Tilkes, Seconded by Byrne to take a five-minute recess. Roll Call: All Ayes. Motion Carried.

Lisa Welter present at 9:26 AM.

The Board reconvened at 9:30 AM.

The Board discussed the possible removal of Public Health Board Member pursuant to Iowa Code Section 331.321(3) and the Chickasaw County Board of Health Bylaws. Also electronically were HR Consultant Ann Smisek, Matt Kuhn, and Dusten Rolando.

Comments from Mike Kennedy, Terry Johnson, Attorney Aaron Murphy, and HR Consultant Ann Smisek. Discussion followed. Questions were asked and addressed.

Motion by Tilkes, Seconded by Hackman to remove Terry Johnson as public health board member pursuant to Iowa Code Section 331.321 (3) and the Chickasaw County Board of Health Bylaws, effective August 17, 2020. Discussion followed. Roll Call: Ayes: Tilkes and Hackman. Nays: Geerts, Byrne, and Zoll. Motion failed.

Shirley Troyna present at 9:56 AM.

Mike Kennedy and Jim Cook left at 10:00 AM.

Calvin Poppe present at 10:00 AM.

Sue Breitbach and Ray Armel present at 10:10 AM.

Terry Johnson and Aaron Murphy left at 10:10 AM. Also, electronically Ann Smisek left at 10:10 AM.

Update on the Coronavirus-Covid-19.

Shirley Troyna, Lisa Welter, Martin Hemann, and Sue Breitbach left at 10:14 AM.

Jeff Bernatz left at 10:15 AM.

Ray Armel, and a representative of the CWEC via phone conference. The Board review the agreements regarding the proposed Chickasaw Wind Energy Conversion Project in Chickasaw County, Road Use Agreement and Collection Easement Agreement, and Decommissioning Agreement. Also, electronically present from the public were Mark Zaccone, Bret Dublinske, N. Klooster, and Isaac Lamppa.

Motion by Geerts, Seconded by Byrne to enter in the proposed Chickasaw County Wind Energy Conversion Project in Chickasaw County and authorize Chairman Signature. Roll Call: All Ayes. Motion Carried.

Motion by Byrne, Seconded by Geerts to enter into the Decommissioning Agreement with CWEC. Roll Call: All Ayes. Motion Carried.

Motion by Geerts, Seconded by Zoll to enter in the Road Use Agreement and Collection Easement Agreement with CWEC. Roll Call: All Ayes. Motion Carried.

The Board discussed resolution directing the Chickasaw County Auditor to public notice of hearing on the adoption of an ordinance regulating the placement, operation, and removal of wind energy conversion systems. Discussion regarding publications in newspapers.

Motion by Byrne, Seconded by Tilkes to publish the notice of public hearing on the adoption of an ordinance regulating the placement, operation and removal of wind energy conversion systems besides the official newspapers (New Hampton Newspapers and Nashua Reporter) to also include the Fredericksburg Review. Roll Call: All Ayes. Motion Carried.

Motion by Geerts, Seconded by Byrne to approve Resolution 08-17-20-64 directing the Chickasaw County Auditor to public notice of hearing on the adoption of an ordinance regulating the placement, operation and removal of wind energy conversion systems. Roll Call: All Ayes. Motion Carried.

**RESOLUTION NO. 08-17-20-64 RESOLUTION DIRECTING THE CHICKASAW COUNTY AUDITOR TO PUBLISH NOTICE OF HEARING ON THE ADOPTION OF AN ORDINANCE REGULATING THE PLACEMENT, OPERATION AND REMOVAL OF WIND ENERGY CONVERSION SYSTEMS** WHEREAS, the Board of Supervisors of Chickasaw County, Iowa has determined that a regulatory means for the construction, operation and potential decommissioning of commercial Wind Energy Conversion Systems (WECS) in Chickasaw County is necessary for the protection of the citizens of Chickasaw County; and WHEREAS, the Board of Supervisors of Chickasaw County, Iowa, has determined that Chickasaw County Ordinance No. VI-6 which provides for regulating the placement, operation and removal of wind energy conversion systems for the purpose of protecting and preserving the rights, privileges and property of Chickasaw County and its residents and to preserve and improve the peace, safety, health, welfare and comfort and convenience of its residents is in need of an adoption; and WHEREAS, the Chickasaw County, Iowa Board of Supervisors has caused to be

prepared and filed with the Chickasaw County Auditor, a copy of the Ordinance, and WHEREAS, a public hearing shall be set at which time and place the said Chickasaw County, Iowa Board of Supervisors will consider arguments for or against the adoption of the proposed Ordinance providing for regulating the placement, operation and removal of wind energy conversion systems. NOW, THEREFORE, BE IT HEREBY RESOLVED that a public hearing thereon will be held in the Chickasaw County Board of Supervisors meeting room at the Courthouse in New Hampton, Chickasaw County, Iowa on the 1<sup>st</sup> day of September 2020 at 9:15 o'clock a.m., at which time and place the Chickasaw County Board of Supervisors will consider arguments for or against the adoption of the proposed Ordinance. BE IT FURTHER RESOLVED the Chickasaw County Auditor is hereby authorized and directed to cause to be published notice of such hearing on the time not less than four (4) days or more than twenty (20) days prior to the date herein established for hearing as provided by law. A copy of said Notice of Public Hearing is attached hereto marked Exhibit "A" and is incorporated herein as though set forth verbatim. BOARD OF SUPERVISORS, CHICKASAW COUNTY, IOWA /ss/ Jacob Hackman, Chairman ATTEST: /ss/ Joan E. Knoll, Auditor **EXHIBIT "A" NOTICE OF PUBLIC HEARING** The Chickasaw County Board of Supervisors will hold a public hearing at 9:15 o'clock a.m. on the 1<sup>st</sup> day of September 2020 in the Chickasaw County Board of Supervisors meeting room on the second floor of the Courthouse in New Hampton, Chickasaw County, Iowa. The purpose of this hearing is to consider Chickasaw County Ordinance No. VI-6, an Ordinance providing for regulating the placement, operation, and removal of wind energy conversion systems. This Ordinance will protect and preserve the rights, privileges and property of Chickasaw County and its residents and preserve and improve the peace, safety, health, welfare and comfort and convenience of its residents by providing regulations for the placement, operation and removal of wind energy conversion systems. A copy of the proposed Ordinance is available at the office of the Chickasaw County Auditor for public inspection and copies may be obtained at the Auditor's Office. Anyone wishing to speak in support of or in opposition of this ordinance should be present at this hearing. Written comments in support of or in opposition of this ordinance may be sent to Board of Supervisors, Box 311, New Hampton, Iowa 50659 before the date set for hearing. Notice is hereby given that pursuant to Iowa Code Section 331.302(6), the Chickasaw County Board of Supervisors may suspend the multiple reading requirements provided for in Section 331.302 and may approve this ordinance at this meeting.

Also, electronically Bret Dublinske, left at 10:43 AM.

Also, electronically Mark Zaccone, N. Klooster, and Isaac Lamppa left at 10:48 AM.

Update on the Building/renovation project at 516 S. Linn Avenue, New Hampton. The Board discussed the contract with Align architecture & planning. Supervisor Geerts informed the Board that the County Attorney's Office reviewed the contract. Discussion followed.

Motion by Geerts, Seconded by Byrne to accept the quote from Align architecture & planning in the amount not to exceed \$10,000.00 and authorize Chairman Signature. Discussion followed. Motion was amended to include the address of building/renovation project.

Motion by Geerts, Seconded by Byrne to accept the quote from Align architecture & planning in the amount not to exceed \$10,000.00 at 516 S. Linn Avenue, New Hampton, IA and authorize Chairman Signature. Roll Call: Ayes: Geerts and Byrne. Nays. Tilkes, Zoll, and Hackman. Motion failed.

Motion by Zoll, Seconded by Geerts to table the discussion until Supervisor Geerts contact the vendor for a timeline of the building/renovation project. Roll Call: Ayes: Zoll, Geerts, Byrne, and Tilkes. Nays: Hackman. Motion Carried.

Supervisor Zoll updated the Board on the Floyd-Mitchell-Chickasaw Landfill meeting held on August 11, 2020.

Supervisor Byrne updated the Board on the Board of Health meeting held on August 12, 2020.

Motion by Byrne, Seconded by Tilkes to adjourn at 10:50 A M. Roll Call: All Ayes. Motion Carried.

The Board convened on Tuesday, August 18, 2020, at 9:00 AM with all members present Byrne, Geerts, Tilkes, Zoll, and Hackman in the Boardroom located on the second floor of the Courthouse, New Hampton, Iowa. Courthouse is open to the public. The meeting was called to order by Chairman Hackman. Present were Joan Knoll and Rick Holthaus.

The Board reviewed the claims.

Martin Hemann present at 9:14 AM.

The Board discussed with Mr. Hemann a claim for lodging of prisoner in Winneshiek County.

Marty Hemann left at 9:20 AM.

Motion by Tilkes, Seconded by Zoll to approve claims in the amount of \$853,581.96. Roll Call: All Ayes. Motion Carried.

Supervisor Geerts gave an update on the timeline from the Align Architecture & Planning for the building/renovation projected at 516 S. Linn Avenue, New Hampton. Mr. Geerts informed the Board that it be approximately two months for the architect to review the drawings and prepare the documents Discussion followed.

Motion by Geerts, Seconded by Byrne to accept the quote from Align Architecture & Planning in the amount not to exceed \$10,000.00 (\$9,500.00 plus \$500.00-reimbursible expenses for printing, postage, and mileage) at 516 S. Linn Avenue, New Hampton, IA. Roll Call: Ayes: Geerts, Byrne, and Zoll. Nays: Tilkes and Hackman. Motion Carried.

Received and filed in the Auditor's Office Utica Township Summary Statement of Receipts and Disbursements for FY 2019-2020.

Received and filed in the Auditor's Office Washington Township Summary Statement of Receipts and Disbursements for FY 2019-2020.

Received and filed in the Auditor's Office MMP Short Form for Annual Updates for GJL Real Estate LLC-Gerald Lynch for North Lawler Farm LLC (ID #63965) located at 1548 Union Avenue, Lawler, IA 52154.

Received and filed in the Auditor's Office MMP Short Form for Annual Updates for Mark Bruening and Ron Reis (ID #60444) located at 2504 140<sup>th</sup> Street, New Hampton, IA 50659.

Motion by Geerts, Seconded by Tilkes to adjourn at 9:40 A M. Roll Call: All Ayes. Motion Carried.

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Jacob Hackman, Chairman  
Board of Supervisors

ATTEST:

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Joan E. Knoll, Auditor