

APRIL 12, 2022

The Board of Supervisors of Clinton County, Iowa, met. Present were Supervisors Determann, Irwin and Srp. Minutes of the previous meeting were read and approved.

9:00 A.M. County Solar Project Discussion

The Board reviewed a response from Ranger Power provided after the last meeting.

One item included moving the setback from 250 feet to 300 feet from habitable structures. It also includes a 100 foot setback from Highway 30.

Another response concerned landscape buffering. County consulting Attorney Bob McGee said there was a suggestion made to have trees planted that would reach eight feet within three years. Supervisor Srp said that is an option, but sometimes those quick growing trees are susceptible to more disease. He said larger trees could be planted to begin, but he suggested a professional be consulted about what plants to use. There is a mention in the application about types and sizes to be planted. Ranger Power said plantings of 4-6 feet high will have a higher chance of living than something taller. The Board will ask various resources for recommendations for plantings.

Local employment was addressed in Ranger Power's responses. Supervisor Irwin said there has been plenty of discussion that the Board would really like Ranger Power to work with local contractors and hire local labor because it will help generate and turnover revenues in Clinton County. McGee said he spoke with Ranger Power about including something in their application to emphasize local hiring. Ranger Power said they would need 250-300 employees during construction. Srp said the job fair isn't going to meet the need to find 250-300. He believes to hit that number then unions would have to be involved to provide that much local labor. The Supervisors asked McGee to possibly enhance the wording for encouragement of using local labor. A resident of Clinton County who is a retired union member said the local unions have workers who live in Clinton County and they will do everything to get those folks on the job. He said a job fair can attract anyone who may say they are trained, but the contractor will know they are trained if they come from a union. Sam O'Keefe, Ranger Power representative, said they are not excluding anyone. He said this project is just at the application stage and will address hiring when it gets to that point.

Soil sampling was also responded to by Ranger Power. The company said it would establish a test methodology with the County.

Construction hours were reviewed. Construction hours were included to be 7 a.m. to 7 p.m. Monday through Saturday and included setbacks for staging.

Road use and repair responses were reviewed. McGee suggested something should spell out that the County will make the repairs instead of having a contractor from the solar company do the work. He said that will make sure that the roads are restored to County and DOT accepted levels. Clinton County Engineer Todd Kinney said he has prepared an agreement and will include material cost, labor cost and equipment cost. O'Keefe said the road condition agreement doesn't need to be signed now, but they will make sure the agreement has what the County is requesting.

The Board reviewed responses in regards to decommissioning. Srp said a substantial change is the removal of all project infrastructures instead of leaving some broken off pieces in the ground. Kinney suggested removing the line about subtracting salvageable value from the bond. He said that market is too volatile to make a determination on what that may be. Kinney said reviewing the bond every five years may address that concern. The five year review is included in the application. McGee said the County should make sure it has the right to approve which form will be used to secure the funds for decommissioning.

Ranger Power addressed the overlay district terms. O'Keefe said this makes clear the application is only for the 41 years for this project.

The response included that Ranger Power would have the project insured the entire time of the project and will make sure the County has a copy of that policy. The exact policy amount has not yet been determined.

Ranger Power included a section addressing fire safety including information and training for the Grand Mound and Calamus volunteer fire departments. Srp said he would like to check in with those fire departments to make sure they are fine with what is being offered. Srp suggested the plan also be reviewed by County EMA.

A section on assignment of ownership was reviewed and agreed upon. McGee suggested the notification should be 90 days instead of 30 days.

The Board reviewed responses from Ranger Power in regards to drainage and soil. Srp wants the maintenance of the soil and drainage reviewed from time to time to make sure erosion is not happening and that the drainage is working.

Srp asked about the County Master Plan and if the processes offered by the County allows for a project like a solar project. He said that has been mentioned at a previous meeting. County Attorney Mike Wolf said the process the County has gone through is evidence against anything that would be considered spot zoning. Wolf said the process and review has taken into account all the aspects of the master plan. Wolf said the state courts have upheld that

previously. Srp asked about the ordinance that was put into place in 2016 addressing solar power. Barnes said the 2016 ordinance allowed the County to consider an application for solar. Wolf said the court looks at the ordinances and the master plan as just a general outline where the County wishes to go. He said it is not ignored, but ordinances are the laws of the County. Barnes said it was last updated in 1997. He said it should be reviewed every few years by his department and the Board of Supervisors. Srp asked what the County should be thinking about as far as if limits on this activity should be placed in the County. Wolf said that discussion should take place. Irwin said the CSR should be considered or at least talked about. Chairman Wolf said the plan allows for the unpredictability of the future. Wolf said he would argue the County is not deviating from the plan and that the County is mindful of it, but it is not just rubber stamping any plan. He said the County is considering the unique characters of this land and the project presented. However, Wolf said someone could still file a lawsuit. Chairman Determann believed it is too early to set another meeting. He would like time to follow up with items that were discussed today. Srp said a couple of weeks would be reasonable to review all the new material that has been presented and to follow up with items mentioned today. Srp said he wants to make sure due diligence is being done.

Comments were taken from the audience and one person said trades are here to help fill these job opportunities. He said Ranger Power does have the ability to tell contractors how they will hire. A former Johnson County Supervisor said a comprehensive plan is a vision, but it is not law. He added a solar project that did not use local labor had a bad product and there were a lot of replacements that had to be done. He said Linn County is using local labor and the project is moving forward because of it.

Srp asked Planning and Zoning Director Thomas Barnes to put together a process and schedule for the County to review the County Master Plan.

The Board of Supervisors adjourned to meet on Monday, April 18, 2022.

Eric Van Lancker, County Auditor

Tom Determann, Chairperson

-APPROVED-

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County Auditor

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Chairperson