

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON MAY 26, 2020.

With no public access to the courthouse due to COVID-19, this meeting was held telephonically with the public able to participate. This complies with Iowa Code section 21.8 that outlines the guidelines to hold an electronic meeting when there are valid concerns that an in-person meeting is "impossible or impractical".

Meeting called to order at 9:00 a.m. by Chairman Pro-tem Greg Barnett with member Rusty Eddy present. Chairman Tom Heidenwirth was absent.

Minutes of the previous meeting were read and approved as read.

Public comment: Fern Feldman commented that everything was garbled and she couldn't hear half of what has been said. She has background noise, too. Fern sent a petition with signatures of the majority of the land owners and they are opposed to Henry's Finisher Farm. There are 10 barns in a 3 mile radius. There is not a good separation distance. Less than 1/2 mile away. It is also near a creek. Neighbor awareness and communication is important. You find out that they aren't really interested in the hogs, just the manure. Our quality of living is not good out here with 10 barns surrounding us. You can't work in the garden, lawns or sit on the deck for coffee. We don't want the barn out here and we don't need it. Ms. Feldman talked to the DNR and submitted comments and the petition. Ms. Feldman says DNR has no control if they have less than 2500 hogs. Fern has 17 signatures on the petition. Environmental Health Specialist Misty Kroeze will submit comments to the DNR Field Office.

Emergency Management Coordinator Chris Showalter wanted to revisit the timeframe on re-opening to the public, but is waiting to hear what the Governor's proclamation entails, as it expires tomorrow. We will address re-opening next Tuesday, June 2nd meeting. Department Heads report that, "by appointment only" is going well. Director of Public Health Jennifer Becker reports that there are 15 cases of COVID-19 in Butler County, with 13 recovered and 2 remain under isolation orders.

Time and place for a public hearing on a Construction Permit Application for Henry's Finisher Farm, owner J & S Kramer, LLC for a new swine facility. Location of proposed facility is in the NW¹/₄ of the NE¹/₄ of Section 4, Tier 91 North, Range 17 West of Ripley Township. Present were members Barnett and Eddy. Chairman Heidenwirth was absent. Auditor reported one verbal comment and one written comment. Fern Feldman's letter and petition were retrieved from the courthouse drop box. Supervisor Barnett read letters of opposition from Jesse Folkerts and Fern Feldman and acknowledged petition with 17 signatures. Becky Sexton works for the Kramers, and commented that they have good separation distances to neighbors. Their closet neighbor is 2170'. Kramers are trying to be good neighbors. Fern Feldman injected that they have the footage but the aroma is so strong and there is nothing to prevent it. Fern commented that she is 2 miles from a site and can't go outside at times. Supervisor Barnett commented that he county would like sites to use tree barriers and electromagnetic fence. Rusty Eddy stated that he would not make a motion to approve this hog confinement and his vote will be no. Specialist Kroeze says a no vote by the Supervisors does not have much, if any impact. Fern Feldman is sending letters to elected officials in opposition to more hog sites. She states that we are the victims and don't have any rights. Supervisor Eddy has taken 29 comments in opposition to these 2 sites, and pointed out that there are 133 hog sites in Butler County. Supervisor Eddy reiterated that he does not approve of these sites going up and will vote no. Steve Kramer commented that he and his brother need to have cash flow in their farming operation. How can my son ever continue to farm? In the 70's you could make a living on 320 acre farm, and those days are gone. He is looking for an investment so he can look forward to his golden days, too. He wants another generation behind him to be able to farm. He understands the concern because he lives in the neighborhood, but sees very few manure trucks on the roads. We have to balance what we can do to help the economy so young people can stay here and farm. We are a family trying to make a living at farming and this is an investment opportunity to continue farming. At the close of the public hearing, it was moved by Barnett to approve said facility. Motion died for lack of a second. Heidenwirth was absent. Construction Permit Application not approved.

Time and place for a public hearing on a Construction Permit Application for Best Finisher Farm, owner Maximus Decimus Meridius, LLC. Location of proposed facility is in the SE¹/₄ of the SE¹/₄ of Section 13, Tier 90 North, Range 18 West of Washington Township. Present were Barnett and Eddy. Heidenwirth was absent. Owner of said facility called Supervisor Barnett and withdrew his application. Auditor reported 3 written comments. There was no interest in Supervisor Barnett reading the letters. John Zimmerman stated that item 5 is not a public hearing as stated on the agenda. It was published in the paper which may be moot point because it was withdrawn. He also believes the public was confused on public comment portion, so they stayed quiet. He would like that addressed when this hearing is closed out. Supervisor Barnett feels that the wording on the agenda is a moot point, as the application was withdrawn. Supervisor Eddy would like to commend Jim Luebbers for listening to his neighbors and the community and deciding to withdraw the Application for Construction. Hearing no further comments, Supervisor Barnett closed the public hearing. No action was needed.

Board approved claims as submitted.

Board acknowledged receipt of a new Construction Application for Allison Site

Moved by Eddy, second by Barnett to adjourn the meeting at 10:03 A.M. to Tuesday, June 2, 2020 at 9:00 A.M. Motion carried.

The above and foregoing is a true and correct copy of the minutes and proceedings of a regular adjourned meeting of the Board of Supervisors of Butler County, Iowa on May 26, 2020.