

The Fremont County Board of Supervisors met in regular session on Wednesday, September 1, 2021, in the Fremont County Courthouse Boardroom, with Sheldon, Hickey, and Clark present. A quorum was declared, and the meeting officially called to order at 9:00 a.m. Minutes of the previous board session were read and approved.

Let the records show that Engineer Dan Davis, Purchasing Agent Jeff Shirley, Maintenance Troy Housh, Ethan Hewett with KMA, Gary Whipple, Richard Payne, Gregg Connell, and Lisa Tiemeyer with Valley News were present for this meeting.

Assistant County Attorney Tyler Loontjer and Jack Reed with INCS were called by telephone to discuss departments that are not turning in timecards. Loontjer would like to have Reed's expertise as to getting the requirement for timecards put into the handbook. Chairman Sheldon expressed that he would like to see a resolution requiring timecards from all departments as required by Iowa Law. We have been repeatedly received comments from auditors for being non-compliant.

The board discussed a resolution regarding the abandonment of a county road and an easement for that road. Assistant County Attorney Loontjer explained the resolution that the board had already agreed with which to proceed. Motion by Clark to sign Resolution No. 2021-45. Sheldon, aye; Hickey, aye, Clark, aye.

RESOLUTION # 2021-45

RESOLUTION TO VACATE COUNTY ROAD RIGHT-OF-WAY EASEMENT

WHEREAS, pursuant to Chapters 306 and 331 of the Iowa Code allows the County to obtain and vacate easements for County Road Right-of-Way; and,

WHEREAS, Fremont County currently has such an easement, granted by the United States Army Corp of Engineers, as depicted on Exhibit A as attached and as legally described as follows:

A parcel of land located in the NW¼SW¼, NE¼SW¼ and the SE¼ SW¼ in Section 30, all in T68N, R43W of the 5th Principal Meridian, Fremont County, Iowa, as shown on Plat of Survey, attached hereto and by reference made a part hereof, said parcel is more particularly described as follows: Commencing at the Center of Section 30, T68N, R43W of the 5th P.M., Fremont County, Iowa; thence S3°22'26"W 1333.64 feet along the east line of the SW¼ of said Section 30; thence N86°37'35"W 921.31 feet to a point on the present northerly right of way line of Primary Road No. 1A. 2, the Point of Beginning; thence S34°48'03"W 90.00 feet along said present northerly right of way line to a point on the existing southerly county road right of way line; thence along said existing southerly county road right of way line for the following four(4) courses, N55°11'38"W 420.00 feet; N34°48'22"E 12.00 feet; N55°11'38"W 121.68 feet; northwesterly 40.88 feet along a 150.00 foot radius curve, concave southwesterly and having a chord bearing N63°00'17"W 40.75 feet; thence N63°10'46"E 81.30 feet to a point on the existing northerly county road right of way line; thence along said existing northerly county road right of way line for the following three (3) courses; S55°11'50"E 123.42 feet; N34°48'22"E 12.00 feet; S55°11'38"E 419.99 feet to the Point of Beginning, containing 1.08 acres.

WHEREAS, Fremont County, through its Board of Supervisors, believe it is in the best interest of Fremont County and its citizens for Fremont County to vacate and abandon the above-referenced easement.

NOW, THEREFORE, BE IT RESOLVED by the Fremont County Board of Supervisors that Fremont County hereby vacates and abandons the right-of-way easement described above and illustrated in Exhibit A.

Dated this 1st day of September, 2021.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

/s/ Dustin Sheldon, Chairman     aye  
/s/ Randy Hickey                     aye  
/s/ Chris Clark                       aye

Motion by Hickey to sign Payment Application 2 for the Nishnabotna Watershed Site 5 Mount Dam Project. Motion carried unanimously.

Motion by Hickey to sign Change Order 1 for the Nishnabotna Watershed Site 5 Mount Dam Project. Motion carried unanimously.

Troy Housh, Maintenance, met with the board regarding bids for the replacement of the courtroom air conditioning unit that is no longer working. Housh stated that he reached out to all local companies and others for bids and no one expressed interest except Rasmussen Mechanical Services from Council Bluffs for \$18,013.00 and Jones Mechanical from Red Oak for \$26,115.00. Motion by Clark to accept the low bid from Rasmussen. Motion carried unanimously.

Troy Housh, Maintenance, met with the board requesting approval of the Lawn World irrigation contract renewal. Motion by Hickey to approve the Lawn World contract for the premier package. Motion carried unanimously.

Engineer Dan Davis met with the board regarding the following:

Shirley discussed the purchase of a skid steer. He received bids from 3 dealers as follows:

Ziegler Cat	\$79,780.00	299D3
John Deere	\$77,850.00	333G
Takeuchi	\$78,643.05	TL12

Motion by Hickey to accept the bid for the John Deere skid steer. Motion carried unanimously.

Shirley discussed the engineer's vehicle. They went over previous discussions regarding pickups and the Durango. They were able to get a state fleet vehicle bid on a 2021 Chevy Tahoe for \$37,075.50. Motion by Hickey to allow the engineer to purchase the Tahoe. Motion carried unanimously.

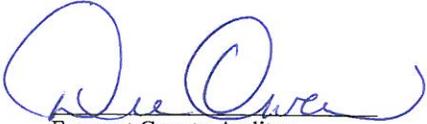
Motion by Hickey to sign application for approval of underground construction in county ROW for MidAmerican Energy Co. to bore a 2" conduit on 360th Avenue 1 mile north from J-18 at the intersection of 110th Street and 360th Avenue. Motion carried unanimously.

At 9:30 a.m., motion by Hickey to go into public hearing and the first reading of proposed Ordinance 2021-1 Solar Energy Systems. Motion carried unanimously. Present for the hearing were the full board, Auditor Owen, County Attorney Naeda Elliott, Engineer Davis, Ethan Hewett, Lisa Tiemeyer, Richard Payne, Gregg Connell, and Gary Whipple. Sheldon expressed concern about the height requirements in the ordinance needing to be raised. Clark's concern with that was if it was higher it might obstruct the view of adjoining landowners. Hickey stated that the board could allow exceptions if the matter came up. Lynn Webb joined the meeting at 9:34 a.m. The board asked for comments. Connell stated that solar was becoming widely popular. He expressed that it was a great, cheap source of energy. He believes it would be an attraction for Fremont County. He believes the Federal and State rebates will continue if not grow. The only concern that he has heard is the installation of transmission lines. Elliott stated that they could create a process to adjust the height requirements and add that to the ordinance for the second reading. Gary Whipple asked about permitting. Lynn Webb asked about the rebates and Connell explained that the Federal may extend theirs. Connell will give the information to Clark to give to Webb. Hearing no further comments Hickey made a motion to close the public meeting at 9:44 a.m. Motion carried unanimously. Motion by Hickey to propose a process for variance in the ordinance for the second reading. Motion carried unanimously. Motion by Hickey to set the date for the second public hearing for September 29, 2021, at 9:30 a.m. Motion carried unanimously.

Claims were approved for September 3, 2021.

At 9:46 a.m., there being no further business, Clark made a motion to adjourn. Motion carried unanimously.

ATTEST:

  
Fremont County Auditor

  
Dustin Sheldon, Chairman

**Claims September 3, 2021**

**General Basic Fund**

Wages of Temp & Part-time Empl	
Kyle, Lou A	160.00
Custodial Supplies	
The Home Depot Pro	478.56
Minor Mv Parts & Access	
B&C Towing & Repair, LLC	176.50
Dannar Auto	255.00
Larson Motors	369.48
Stationery & Forms	
Government Forms and Supplies,	568.49
Mail Services LLC	332.18
Medical & Laboratory Supplies	
John Deere Financial	99.98
Zee Medical Service Co.	111.75
Wearing Apparel & Uniform	
911 Custom	378.04
Other	
IA Dept of Veteran Affairs IDV	2,790.40
Board Proceedings	
The Hamburg Reporter Nebraska	146.78
Postage & Mailing	
Connie Aistrop	9.10
Pitney Bowes	119.88
Employee Mileage & Subsistence	
Stephanie Mahaney	960.00
Diane Owen	173.04
Alise Snyder	180.88
Telephone & Telegraph Services	
Chat Mobility	243.19
Windstream Iowa Communication	1,348.35
Data Processing Services	
Solutions Inc	287.50
Legal & Court-Related Services	
Radar Road Tec Attn: Jerry Esh	150.00
Reporting Services, LLC	158.40
Medical & Health Services	
Eyecare Associates of SW Iowa	15.00
Planning & Management Consult	
The Hamburg Reporter Nebraska	546.00
JEO Consulting	1,955.00
JNC Construction, LLC	160,496.56
Electric Power	
MidAmerican Energy Co.	6,076.39
Fixed Plant Equipment	
AAA Refrigeration DBA Dovel Re	796.81
Neil R Hills	431.00
Office & Data Proc Equip Maint	
Lawn World LLC	250.00
Radio & Related Equip Maint	
Verizon	480.14
Custodial	
CINTAS LOC 749	30.00
Dues & Memberships	
IACCVSO Cerro Gordo Veteran Af	50.00
Other Services-Misc	
SW Iowa Planning Council	13,000.00

Data Processing	
Office Warehouse Inc.	297.42
<b>General Supplemental Fund</b>	
Contrib to Other Gov & Org	
Fremont Co Emergency Mgmt Comm	72,394.00
<b>Secondary Road Fund</b>	
Cover Aggregate & Sand	
Schildberg Constr Co Inc	16,645.86
Traffic & Street Sign Material	
Iowa Prison Industries	374.22
Hardware (non motor vehicle)	
Tunncliff, Inc. dba JB Parts	6.60
Parts (non motor vehicle)	
Nebraska Hoist & Crane	3,501.50
Lubricants	
Allied Oil & Tire Company	1,533.60
Minor Mv Parts & Access	
Allied Oil & Tire Company	416.51
Freightliner Truck Center Co	1,345.50
Hawkeye Truck Equipment	1,968.00
MHC Kenworth	693.36
O'Reilly Auto Parts	154.76
Stationery & Forms	
Kriegler Office Equipment	2.79
Medical & Laboratory Supplies	
Zee Medical Service Co.	154.35
Engineering Services	
IDNR	175.00
Medical & Health Services	
County Employee	74.88
C. J. Cooper & Associates Inc.	70.00
Eyecare Associates of SW Iowa	125.00
Walman Optical Company	141.99
Electric Power	
MidAmerican Energy Co.	1,106.59
Motor Vehicle Equipment	
Murphy Tractor & Equip. Co Inc	689.78
Office & Data Proc Equip Maint	
DLT Solutions LLC	5,891.44
Bridges	
Henneman Lawn Svc/Snow Removal	1,200.00
Shop Equipment	
Tunncliff, Inc. dba JB Parts	36.49
<b>Jnt Disaster Serv.Fund</b>	
Telephone & Telegraph Services	
Chat Mobility	36.28
<b>Co. Assessor Agency Fund</b>	
Educational & Training Service	
Iowa State Assoc of Assessors	325.00
<b>E911 Surcharge</b>	
Telephone & Telegraph Services	
Windstream Iowa Communication	852.16
<b>Fremont Co-HRA</b>	
Medical & Health Charges	
ISAC Group Health Program	1,356.00
ISAC Dental Insurance	171.76
Midwest Group Benefits	2,658.95

**Grand Total 308,024.19**

The Fremont County Board of Supervisors met in regular session on Wednesday, September 8, 2021, in the Fremont County Courthouse Boardroom, with Sheldon, Hickey, and Clark present. A quorum was declared, and the meeting officially called to order at 9:00 a.m. Minutes of the previous board session were read and approved.

Let the records show that Assistant County Attorney Tyler Loontjer, Ethan Hewett with KMA, Mary King-Bateman and Arlene Bartholomew with the City of Tabor, Treasurer Alise Snyder, Deputy Recorder Pam Daniels, Tiffany Kruiuzenga with ISG, Lisa Tiemeyer with Valley News Today were present for this meeting.

Tiffany Kruiuzenga with ISG, Inc. met with the board to discuss Midwest Carbon Express. ISG is working on the carbon dioxide pipeline project that may come through the county. There is a public meeting in Farragut October 11<sup>th</sup> to inform everyone about this. Iowa Code requires the county to provide an inspector. ISG performs these inspections and they have staff that is dedicated to one project at a time. They have inspectors that are experienced in environment and ag inspections. The Iowa Code states that the pipeline is responsible for the cost. ISG stated they will invoice us and then we invoice the pipeline. Auditor Owen asked Kruiuzenga if it is acceptable for the county to wait for the funds from the pipeline to be received before paying ISG's invoices. She stated that it was. Kruiuzenga also added detailed report if tiles are disrupted or any other sort of issues occur. The county will end up with a lot of reports in the end that can be paper or digital. The board will consider letter of intent at next week's meeting.

Motion by Clark to approve the ARPA Funds Resolution which states how the money can and will be spent and that we are creating a sub-fund of the General Fund to keep funds isolated. Motion carried unanimously.

RESOLUTION NO. 2021-46

American Rescue Plan Act Fund

WHEREAS, March 11, 2021, the American Rescue Plan Act of 2021 was signed into law allocating dollars for State & Local Fiscal Recovery and;

WHEREAS, Fremont County anticipates receiving \$1,351,898 to be used only on allowable expenditures as determined by the U.S. Treasury;

THEREFORE, BE IT RESOLVED that the Board of Supervisors of Fremont County hereby authorizes the set up of a dedicated sub-fund of the General Fund for purposes of isolating these funds from the rest of the General Fund.

Passed and adopted on this 8<sup>th</sup> day of September, 2021.

/s/ Dustin Sheldon, Chairperson

Fremont County Board of Supervisors

Attest:

/s/ Dee Owen

Motion by to approve the CDBG Policies Resolution No. 2021-47. Motion carried unanimously. The full text of this resolution and the policies are available in the auditor's office.

RESOLUTION #2021-47

RESOLUTION ADOPTING CERTAIN POLICIES, RULES, AND REGULATIONS FOR THE PERFORMANCE OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, Fremont County desires to implement improvements to their water system located within Hamburg, Iowa; and,

WHEREAS, Fremont County was awarded \$185,000.00 through the Iowa Economic Development Authority, Community Development Block Grant Program, Project #21-WS-012, with which to complete this work; and,

WHEREAS, Fremont County must adopt certain policies and abide by certain rules and laws during the performance of this project.

NOW THEREFORE BE IT RESOLVED by the Fremont County Board of Supervisors as follows:

Fremont County hereby adopts the following policies and statements and authorizes and directs the Board Chairman to sign the same:

- Fremont County - Code of Conduct
- Fremont County - Procurement Policy
- Fremont County - Equal Opportunity Policy
- Fremont County - Excessive Force Requirements
- Fremont County - Affirmative Fair Housing Policy
- Fremont County - Residential Anti-Displacement and Relocation Assistance Plan

Upon signature, said policies shall become and remain effective for the duration of the CDBG project. In the event any policy shall be at conflict with an existing Fremont County policy, the above-referenced policies will be applicable exclusively for and to the CDBG project. Existing Fremont County policies will remain in full force and effect as enacted for all other projects.

Dated this 8th day of September, 2021.

ATTEST:

/s/ Dee Owen

Fremont County Auditor

/s/ Dustin Sheldon, Chairman aye

/s/ Randy Hickey aye

/s/ Chris Clark aye

At 9:13 a.m., Jake Miriovsky with JEO and Cara Morgan with Golden Hills RC & D joined the meeting.

Jake Miriovsky with JEO met with the board regarding the following:

The board considered the award of the contract for EN Bid Package No. 3. Miriovsky presented the board a letter of recommendation and bid packet. He stated that they received three bids in the following amounts:

Mount Farm Drainage, LLC	\$440,610.05
Horizon Building Services, LLC	\$560,319.50
Spiegel Farm, LP	\$625,982.65

Motion by Hickey to accept low bid from Mount Farm Drainage, LLC. Motion carried unanimously.

Miriovsky presented a Master Service Agreement Contract Amendment No. 3 for \$32,500.00. Hickey stated as long as it is covered under the grant, he is in support of signing. Miriovsky stated that it is covered in their budget and they are watching those funds closely. Motion by Clark to sign the Master Service Agreement Contract Amendment No. 3 for \$32,500.00. Motion carried unanimously.

Motion by Hickey to sign Task Order 3.5. Motion carried unanimously.

Assistant County Attorney Tyler Loontjer presented an amendment to the current handbook language requiring timesheets for all employees. Loontjer stated that we have repeatedly been written up from auditors for being non-compliant. Motion by Hickey to approve the amendment to the handbook requiring timesheets for all employees. Motion carried unanimously.

Motion was made by Hickey to approve the TIF reporting requirement to Department of Management. Motion carried unanimously.

Kim Johnson joined the meeting.

Mary King-Bateman and Arlene Bartholomew with the City of Tabor and Landowner Kim Johnson met with the board regarding the annexation of ground and Waubonsie Avenue east of Tabor. They are working with IEDA and using Flood Recovery Funds to try to build a housing development east of Tabor. They are planning a voluntary annexation of land in that area that is on both sides of the road. The grant requires that the road be hard surfaced, so that will take place if the county allows the city to obtain the road and maintain it. The supervisors questioned if the project would start on the Fremont or Mills County side of the road. They stated right now Mills County. The city is requesting a letter of support for the project and for the board to allow them to annex the road. The board will consider this at next week's meeting.

In other business, the Recorder's Monthly Report for August was approved.

Claims were approved for September 10, 2021.

At 9:41 a.m., there being no further business, Hickey made a motion to adjourn. Motion carried unanimously.

ATTEST:

  
Fremont County Auditor

  
Dustin Sheldon, Chairman

**Claims September 10, 2021**

**General Basic Fund**

Veterans Affairs Commission	
Justin Driever	36.00
Patrick Gilson	50.00
Fred Moyer	36.00
Phillip Peters	44.00
John Travis	44.00
Food & Provisions	
Card Services	770.27
Custodial Supplies	
Valeri Albertsen	240.00
Card Services	303.20
Great Western Bank	207.19
Fuels	
WEX BANK	109.17
Minor Mv Parts & Access	
Tunncliff, Inc. dba JB Parts	53.98
Jones Automotive	337.40
Kemz Service, LLC	953.60
Stationery & Forms	
Card Services	893.65
Minor Equip & Hand Tools	
Arrowhead Forensics Arrowhead	173.58
Medical & Laboratory Supplies	
Penn Drug	11.53
Safety & Protective Supplies	
Card Services	83.17
Wearing Apparel & Uniform	
Brown's Shoe Fit Co.	160.00
Card Services	944.42
Galls, LLC.	96.50
Acute & Emergency Treat.	
Penn Drug	92.37
Shenandoah Medical Center	85.15
Rent Payments	
Nishnabotany Lodge 153 c/o Wil	540.00
Care of Graves	
Carrot-Top Industries Inc	213.97
Board Proceedings	
The Malvern Leader/Beacon Ent.	1,058.01
Postage & Mailing	
Card Services	68.70
Employee Mileage & Subsistence	
Card Services	1,183.45
Great Western Bank	1,438.47
Holiday Inn Des Moines Airport	917.42
Troy Housh	17.92
Telephone & Telegraph Services	
AT&T Mobility	501.99
Community Connections, Inc.	70.00
Richardson Sanitation Scott Ri	51.00
Windstream Iowa Communication	751.86
Data Processing Services	
Solutions Inc	107.55
Engineering Services	
State Hygienic Laboratory	580.00
Water & Sewer	
City of Sidney	1,297.20
Buildings	
Midwest Data Center, Inc.	81.66
READY TO KOOL	2,040.00
Fixed Plant Equipment	
Great Western Bank	1,529.97
Lawn World LLC	275.00
Rasmussen Mechanical Services	347.70
Office & Data Proc Equip Maint	
Card Services	2,148.00
Midwest Data Center, Inc.	1,000.00
Vigilant Solutions, LLC Bank o	1,000.00
Miscellaneous Repair & Maint	
Fremont County Engineer	117.32
Fremont Co Sanitary Landfill	20.80

Jeff Vrba ResCom Services	270.00
Other Services-Misc	
SW Iowa Planning Council	1,500.00
Terracon Consultants, Inc.	973.00
Data Processing	
Access Technologies, Inc. Acce	1,588.54
Great Western Bank	437.14
<b>General Supplemental Fund</b>	
Educational & Training Service	
SEAT Treasurer	100.00
Custodial	
Iowa Secretary of State	930.83
<b>Hotel Motel General (unrest)</b>	
Contrib to Other Gov & Org	
SCIA Shenandoah Chamber and	5,000.00
<b>Rural Services Basic Fund</b>	
Fuels	
Card Services	7.31
WEX BANK	6,427.07
Sanitation & Disposal Services	
Fremont Co Sanitary Landfill	4,427.92
Contrib to Other Gov & Org	
Barbara Beran	160.00
Sharon Gilbert	160.00
Carole Hamilton	160.00
Tandon Van Scyoc	160.00
<b>Secondary Road Fund</b>	
Cover Aggregate & Sand	
Schildberg Constr Co Inc	7,295.94
Electrical Supplies & Parts	
Wells Fargo Bank Elite Card Pa	25.28
Custodial Supplies	
Wells Fargo Bank Elite Card Pa	86.86
Hardware (non motor vehicle)	
Tunncliff, Inc. dba JB Parts	33.48
Wells Fargo Bank Elite Card Pa	62.97
Parts (non motor vehicle)	
CINTAS LOC 749	48.84
Elizabeth Shirley	552.00
Fuels	
Sapp Bros Petroleum Inc.	2,651.76
Wells Fargo Bank Elite Card Pa	102.30
Safety Items	
Wells Fargo Bank Elite Card Pa	74.04
Tires & Tubes	
Bauer Built Tire	2,177.04
Sapp Brothers Truck Stops Inc	1,312.00
Minor Mv Parts & Access	
Freightliner Truck Center Co	158.88
Hawkeye Truck Equipment	266.77
MHC Kenworth	277.98
O'Reilly Auto Parts	18.77
Wells Fargo Bank Elite Card Pa	141.46
Ziegler Inc.	430.19
Postage & Mailing	
Wells Fargo Bank Elite Card Pa	80.40
Telephone & Telegraph Services	
Wells Fargo Bank Elite Card Pa	15.92
Engineering Services	
HGM Associates Inc.	5,934.49
Electric Power	
MidAmerican Energy Co.	10.00
Water & Sewer	
City of Sidney	114.75
Motor Vehicle Equipment	
Sapp Brothers Truck Stops Inc	442.76
Ziegler Inc.	730.97
Workmens' Compensation Ins	
IMWCA	5,852.00
Sanitation & Disposal Services	
Richardson Sanitation Scott Ri	140.00
<b>Jnt Disaster Serv.Fund</b>	

Holt Gas Co. Inc.	98.28	Fuels	
Hotsy Equipment Co	243.54	WEX BANK	105.47
Buildings - Rental		Motor Vehicle Equipment	
General Basic Fund	60.07	Tunnichliff, Inc. dba JB Parts	4.89
Office Equipment		<b>E911 Surcharge</b>	
Paper Tiger Shredding	30.00	Telephone & Telegraph Services	
Ricoh USA, Inc	20.96	FMTC-SWT, Inc Omnitel Communic	212.96
Custodial		Prairie Telephone Company, Inc	734.00
CINTAS LOC 749	30.00	Windstream Iowa Communication	206.10
JD Lawn Service James Allen Ba	1,066.66	Traffic Control Structures	
Extermination Services		Fremont County Engineer	324.32
		<b>Grand Total</b>	<b>77,560.08</b>

The Fremont County Board of Supervisors met in regular session on Wednesday, September 15, 2021, in the Fremont County Courthouse Boardroom, with Sheldon and Clark present. Let the records show that Hickey was present by telephone for this meeting. A quorum was declared, and the meeting officially called to order at 9:00 a.m. Minutes of the previous board session were read and approved.

Let the records show that Engineer Dan Davis, Deputy Recorder Pam Daniels, Mary King-Bateman with the City of Tabor, Jennifer Williams, Kim Johnson, and Lisa Tiemeyer with Valley News Today were present for this meeting.

Motion by Clark to allow Chairman Sheldon to sign the letter of intent with ISG, Inc. for inspection services for the Midwest Carbon Express Pipeline should it come through Fremont County. Motion carried unanimously.

Motion was made by Hickey to allow Chairman Sheldon Fremont County to be the Fiscal Agent for Percival Hometown Pride. Motion carried unanimously.

Mary King-Bateman, Jennifer Williams and Kim Johnson met with the board regarding the annexation of ground and Waubonsie Avenue east of Tabor. They are working with IEDA and using Flood Recovery Funds to try to build a housing development east of Tabor. They are planning a voluntary annexation of land in that area that is on both sides of the road. The grant requires that the road be hard surfaced, so that will take place if the county allows the city to obtain the road and maintain it. The supervisors questioned if the project would start on the Fremont or Mills County side of the road. They stated right now Mills County. The city is requesting a letter of support for the project and for the board to allow them to annex the road. The board will consider this at next week's meeting. Motion by Clark to approve letter

The board received a letter of resignation for Bud Jorgenson as they compensation board representative. Motion by Clark to accept the resignation with thanks for his many years of service. Motion carried unanimously.

Motion by Hickey to appoint Jeff Jorgenson as the board of supervisor's representative for the compensation board. Motion carried unanimously.

Engineer Dan Davis met with the board for the signing of the following:

Motion by Clark to allow Chairman Sheldon to sign IDOT payment voucher for HGM Associates for professional engineering services for on-call construction services, per agreements through June 30, 2021, and August 31, 2021. Motion carried unanimously.

Motion by Hickey to allow Chairman Sheldon to sign IDOT payment voucher for HGM Associates for professional engineering services for on-call construction services, per agreements through June 30, 2021, and August 31, 2021. Motion carried unanimously.

Motion by Clark to allow Chairman Sheldon to sign application for underground construction in county ROW for Midwest Data Center Inc. for fiber optic construction along ROW beginning at 2810 105th Street on south side of roadway going west into Tabor. Motion carried unanimously.

Sidney Junior Class requested that the green fees be waived for the Post Prom Fundraiser Golf Tournament Fundraiser to be held on September 26th. Motion made by Clark to waive the green fees. Motion carried unanimously.

At 9:14 a.m., motion by Clark to recess until 9:30 a.m. for the public hearing for the budget. Motion carried unanimously.

At 9:14 a.m., Hickey left the meeting.

At 9:30 a.m., Clark moved to go into public hearing on the proposed 2021/2022 budget amendment. Motion carried unanimously. At 9:31 a.m., hearing no comments and with no objections, motion was made by Clark to go out of public hearing. Motion carried unanimously.

Motion made by Clark to approve the budget amendment along with the following Resolution 2021-48. Sheldon, aye; Clark, aye; Hickey, absent.

**RESOLUTION NO. 2021-48**

**RECORD OF HEARING AND DETERMINATION ON THE BUDGET AMENDMENT  
And CHANGE OF APPROPRIATIONS**

On this 15<sup>th</sup> day of September 2021, the Fremont County Board of Supervisors met in session for the purpose of amending the current operating budget adopted March 31st, 2021. The notice and time and place of hearing was published on September 2<sup>nd</sup> & September 3<sup>rd</sup>, 2021. The amendment was taken up and considered and taxpayers heard for or against the amendment as follows and amendment passed unanimously:

<u>Expenditures</u>	<u>From</u>	<u>To</u>	<u>Difference</u>
County Environment & Education	468,528	4,441,752	3,973,224

Capital Projects	5,746,000	5,831,956	85,956
<b>Total</b>	<b>6,214,528</b>	<b>10,273,708</b>	<b>4,059,180</b>

**Revenues**

Intergovernmental	10,229,470	15,498,514	5,269,044
Use of Money & Property	103,251	106,851	3,600
<b>Total</b>	<b>10,332,721</b>	<b>15,605,365</b>	<b>5,272,644</b>

**Appropriations**

Non-Departmental	2,112,217	6,171,397	4,059,180
<b>Total</b>	<b>2,112,217</b>	<b>6,171,397</b>	<b>4,059,180</b>

Amendment for 2019 Flood Buyouts, Receiving ARPA Funds, and ISICS Radio Project.  
Motion to approve made by Clark.

ATTEST:

/s/ Dee Owen  
Fremont County Auditor

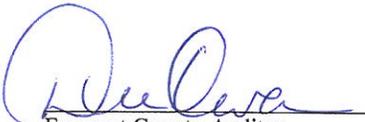
/s/ Dustin Sheldon, Chairman	aye
Randy Hickey	absent
/s/ Chris Clark	aye

In other business, the Sheriff's Monthly Report for August was approved.

Claims were approved for September 17, 2021.

At 9:32 a.m., there being no further business, Clark made a motion to adjourn. Motion carried unanimously.

ATTEST:



Fremont County Auditor



Dustin Sheldon, Chairman

**Claims September 17, 2021**

**General Basic Fund**

Chemicals & Gases-Herbicides	
Century Homes Co dbs D & K Pro	294.87
Kris Henneman	34.15
Cover Aggregate & Sand	
Lyman-Richey Corporation Accou	1,057.67
Electrical Supplies & Parts	
Midwest Turf & Irrigation	356.09
Food & Provisions	
Sidney Food Ltd.	249.36
Tires & Tubes	
Farragut Oil Inc	35.00
Davis Equipment Corporation DB	700.81
Minor Mv Parts & Access	
Farragut Oil Inc	170.00
Tunncliff, Inc. dba JB Parts	99.40
Jones Automotive	480.80
Stationery & Forms	
A-1 Locksmith	2,044.00
Great Western Bank	257.20
Kriegler Office Equipment	57.28
The Paper Trail	44.00
Quadient Finance USA, Inc.	1,037.77
Minor Equip & Hand Tools	
Holliman Auto & Truck Supply	667.64
Tunncliff, Inc. dba JB Parts	301.41
Davis Equipment Corporation DB	258.85
Recreational Supplies	
Davis Equipment Corporation DB	469.42
Acute & Emergency Treat.	
Shenandoah Medical Center	490.75
Homemaker-Home Health Aides	
Southwest Iowa Home Health Svcs	2,373.36
Other	
Great Western Bank	89.50
Board Proceedings	
The Hamburg Reporter Nebraska	708.75
Postage & Mailing	
Quadient Finance USA, Inc.	1,037.78
Employee Mileage & Subsistence	
D&L Pro	91.95
Great Western Bank	660.08
Telephone & Telegraph Services	
D&L Pro	40.00
Kris Henneman	40.00
Pioneer Telephone	22.41
US Cellular	58.28
Windstream Iowa Communication	1,479.51
Data Processing Services	
Great Western Bank	71.90
Electric Power	
MidAmerican Energy Co.	74.80
Water & Sewer	
Midwest Laboratories Inc	20.00
Buildings	
Culligan	177.95

The Glass Guy Inc	2,705.74
Fixed Plant Equipment	
Arnold Emberton	1,019.98
Office & Data Proc Equip Maint	
IA Dept of Public Safety ATTN:	1,303.50
Miscellaneous Repair & Maint	
TK Elevator Corporation	361.85
Machinery & Mech Equipment	
Beelner Service Inc.	6,194.82
Davis Equipment Corporation DB	6,250.00
<b>General Supplemental Fund</b>	
Election Supplies	
Storey Kenworthy	156.44
<b>Hotel Motel (restricted)</b>	
Contrib to Other Gov & Org	
So Loess Hills Welcome Center	8,839.30
Secondary Road Fund	
Asphalt & Asphalt Products	
Page County Engineer	614.07
Cover Aggregate & Sand	
Schildberg Constr Co Inc	6,408.93
Hardware (non motor vehicle)	
Menards	47.18
Parts (non motor vehicle)	
Tycos Fire & Security Johnson C	1,296.92
Nebraska Hoist & Crane	50.90
Fuels	
Farragut Oil Inc	1,361.70
Lubricants	
Murphy Tractor & Equip. Co Inc	779.69
Minor Mv Parts & Access	
Murphy Tractor & Equip. Co Inc	463.34
Medical & Health Services	
County Employee	224.69
Electric Power	
Atchison-Holt Elec.Co-Op	122.32
Motor Vehicle Equipment	
Country Tire-Shenandoah	536.08
Murphy Tractor & Equip. Co Inc	1,825.77
Sapp Brothers Truck Stops Inc	352.42
Extermination Services	
Jeff Vrba ResCom Services	98.98
Construction & Maintenance	
Karl Chevrolet	37,075.50
<b>Resource Enhance.(Reap)</b>	
Contrib to Other Gov & Org	
Darwin Bugg	160.00
D&L Pro	13.98
<b>E911 Surcharge</b>	
Telephone & Telegraph Services	
Windstream Iowa Communication	100.48
<b>Fremont Co-HRA</b>	
Medical & Health Charges	
Midwest Group Benefits	4,018.89
<b>Grand Total</b>	<b>98,436.21</b>

The Fremont County Board of Supervisors met in regular session on Wednesday, September 22, 2021, in the Fremont County Courthouse Boardroom, with Sheldon, Hickey, and Clark present. A quorum was declared, and the meeting officially called to order at 9:00 a.m. Minutes of the previous board session were read and approved.

Let the records show that Assistant Engineer Kevin Lewis, Terry Graham, Conservation Board Members Sherry Gilbert and Bob Geiger, Conservation Director Doug Weber, Deputy Recorder Pam Daniels, Cara Morgan with Golden Hills RC & D, and Lisa Tiemeyer with Valley News Today were present for this meeting.

The board was presented with a contract from Schneider Geospatial for consideration. The acting assessor has requested that Schneider be hired for services for splits and combinations. She asked that the board contribute the set-up cost of \$1,080. Motion by Hickey to pay the \$1,080 out of county betterment funds and to sign the contract with Schneider Geospatial. Motion carried unanimously.

The City of Sidney requested an abatement of taxes for Parcel No. 470470651000000. It is their intention to sell the property. The board would like to seek advice from the county attorney's office about how the process should work if they are selling the property. Motion by Hickey to table the tax abatement resolution for the City of Sidney. Motion carried unanimously.

Assistant Engineer Kevin Lewis met with the board for the signing of the following:

Motion by Hickey to allow Chairman Sheldon to sign IDOT contract construction progress voucher with Manatt's, Inc. for project FM-CO36(77) - - 55-36. Motion carried unanimously.

Motion by Clark to allow Chairman Sheldon to sign IDOT payment voucher with HGM Associates for engineering services for J-10 and J-24 per agreement through August 31, 2021. Motion carried unanimously.

Motion by Hickey to allow Chairman Sheldon to signing payment application 3 and final for Site 05 – Mount Dam Project. Motion carried unanimously.

Sherry Gilbert, Bob Geiger, and Doug Weber with the Conservation met with the board to update them on conservation items. Weber gave the financial report. They have brought in \$110,650.56. With still over a month of the season left they are within \$1,000 of their total for the whole season last year. Weber says they are seeing more out-of-state golfers than ever. He credits the staff with those numbers as he believes this course is one of the nicest within a 60-mile radius. Gilbert discussed the recent discussions about the conservation board taking over the pro shop lease agreement. She presented some of the issues that might make the costs rise if they did this. They had two quotes for 18 carts. These ranged from \$12,000 to \$40,000. Both businesses also told them there was no guarantee that any carts would be available for the 2022 season. Gilbert also pointed out additional costs that dram shop insurance and adding an employee would cost. Clark stated that there were other issues at hand but didn't elaborate. The board stated that they seem to be going in the right direction. The board agrees that as long as it is put out for bids that satisfies the requirements from the state auditor. Weber believes it should be promoted as a destination for this county. He also discussed opening the season in Mid-March instead of the 1<sup>st</sup> of April. Sheldon 7 Clark suggested going to boat, sports, and travel show or having food truck vendors to promote the course. Additionally, Weber asked for recommendations how to enforce camping fees when you have someone that pays for 5 days and then stays for 10 days. After much discussion, the board agreed that the course is headed in the right direction and that they continue to follow the bid process when the contract is up.

Motion by Clark to allow Chairman Sheldon to sign East/West Nishnabotna Watershed Intent to Obligate Funds - Bid Pack 3. Motion carried unanimously.

Motion made by Clark to allow Chairman Sheldon to sign the GAX Form to draw from the CDBG Grant for the East and West Nishnabotna Watershed Project. Motion carried unanimously. Morgan updated the board on the projects that are upcoming.

Claims were approved for September 24, 2021.

At 9:41 a.m., there being no further business, Clark made a motion to adjourn. Motion carried unanimously.

ATTEST:

  
Fremont County Auditor

  
Dustin Sheldon, Chairman

**Claims September 24, 2021**

**General Basic Fund**

Food & Provisions	
Dollar General Charged Sales	24.75
Hy-Vee Inc Accounts Receivable	81.75
Iowa DHS Distribution Facility	74.65
Clothing & Dry Goods	
Dollar General Charged Sales	19.25
Custodial Supplies	
Valeri Albertsen	240.00
The Home Depot Pro	170.33
Minor Mv Parts & Access	
Tunncliff, Inc. dba JB Parts	54.98
Larson Motors	4,824.60
Stationery & Forms	
MTE Office Center	6.56
National Pen	227.94
Storey Kenworthy	643.06
Safety & Protective Supplies	
Dollar General Charged Sales	37.50
Wearing Apparel & Uniform	
Iowa Law Enforcement Academy S	32.00
Board Proceedings	
The Hamburg Reporter Nebraska	119.00
Employee Mileage & Subsistence	
Troy Housh	17.92
Iowa Law Enforcement Academy S	6,875.00
Telephone & Telegraph Services	
Pioneer Telephone	25.24
Windstream Iowa Communication	151.18
Legal & Court-Related Services	
Pottawattamie Co Sheriff's Off	35.00
Medical & Health Services	
Caroline G. Sedlacek Caroline	350.00
Natural Gas,LP Gas, Fuel Oil	
Black Hills Energy	357.30
Electric Power	
MidAmerican Energy Co.	159.91
Radio & Related Equip Maint	
Verizon Connect NWF, Inc	258.00
Miscellaneous Repair & Maint	
B&C Towing & Repair, LLC	230.00
The Home Depot Pro	173.70
Mathew Shane Song Dog Towing,	325.00
Custodial	
CINTAS LOC 749	30.00
Data Processing	
Solutions Inc	445.00
Watch Guard Video	2,690.00

Office Equipment & Furniture	
Storey Kenworthy	1,963.21
<b>General Supplemental Fund</b>	
Election Supplies	
Signs & Shines	48.00
Legal & Court-Related Services	
SWI Juv. Emergency Svcs	15,020.12
<b>Secondary Road Fund</b>	
Cover Aggregate & Sand	
Schildberg Constr Co Inc	9,808.71
Hardware (non motor vehicle)	
Rockmount Research and Alloys,	1,392.34
Parts (non motor vehicle)	
CINTAS LOC 749	77.13
Minor Mv Parts & Access	
Freightliner Truck Center Co	125.25
O'Reilly Auto Parts	54.42
Whipp Sales and Service	607.02
<b>Telephone &amp; Telegraph Services</b>	
U.S. Cellular	774.63
Windstream Iowa Communication	469.06
<b>Educational &amp; Training Service</b>	
ICEA Service Bureau Rohe, Tom	900.00
Medical & Health Services	
Eyecare Associates of SW Iowa	140.00
Walman Optical Company	92.00
Natural Gas,LP Gas, Fuel Oil	
Black Hills Energy	128.57
Roads	
City of Farragut	1,594.63
City of Randolph	668.87
City of Riverton	365.45
City of Thurman	961.41
<b>Resource Enhance.(Reap)</b>	
Electric Power	
MidAmerican Energy Co.	5.54
<b>Jnt Disaster Serv.Fund</b>	
Telephone & Telegraph Services	
Windstream Iowa Communication	52.14
<b>Co. Assessor Agency Fund</b>	
Postage & Mailing	
US Bank	57.75
<b>Fremont Co-HRA</b>	
Medical & Health Charges	
ISAC Group Health Program	1,356.00
ISAC Dental Insurance	171.76
Midwest Group Benefits	20,409.76
<b>Grand Total</b>	<b>75,923.39</b>

The Fremont County Board of Supervisors met in regular session on Wednesday, September 29, 2021, in the Fremont County Courthouse Boardroom, with Sheldon, Hickey, and Clark present. A quorum was declared, and the meeting officially called to order at 9:00 a.m. Minutes of the previous board session were read and approved.

Let the records show that Assistant County Attorney Tyler Loontjer, Engineer Dan Davis, Gregg Connell, and Lisa Tiemeyer with Valley News Today were present for this meeting.

The City of Sidney requested an abatement of taxes for Parcel No. 470470651000000. Supervisor Clark spoke with someone from the city prior to the meeting. They have already sold the property on contract. It has been the county's policy in the past to abate taxes for cities that own the property. The board has a concern that this would set a precedence in the future. Motion by Clark to deny the abatement of the taxes. Motion carried unanimously.

Motion made by Hickey to approve the renewal of the Class C/Sunday Sales Beer Permit for The Junction (Cubby's). Motion carried unanimously.

The board discussed the solar Energy Ordinance No. 2021-1. Assistant County Attorney Loontjer asked the board if they would like to leave the fee schedule in the ordinance. They agreed that they did. Motion by Hickey to approve the second reading of Proposed Ordinance 2021-1 Solar Energy Systems. Motion carried unanimously.

Motion by Hickey to waive the third reading of Proposed Ordinance 2021-1 Solar Energy Systems. Motion carried unanimously.

Motion by Clark to approve of Ordinance 2021-1 Solar Energy Systems. Motion carried unanimously.

#### FREMONT COUNTY ORDINANCES 2021-1 – SOLAR ENERGY SYSTEMS

##### 1. Statement of Intent.

The purpose of this Ordinance is to facilitate the construction, installation, and operation of Solar Energy Systems (SES) in Fremont County in a manner that promotes economic development, protects property values, and ensures the protection of health, safety, and welfare while also avoiding adverse impacts to important areas such as agricultural lands, conservation lands, and other sensitive lands.

This Ordinance does not repeal, abrogate, annul, impair, or interfere with any existing ordinance.

##### 2. Personal Solar Energy System (PSES).

###### a. Purpose and Intent.

The purpose of these regulations is to provide a uniform and comprehensive set of standards for the installation and use of PSESS designed for on-site home, farm, and small commercial use that are used primarily to reduce on-site consumption of utility power. The intent of these regulations is to protect the public health, safety, and community welfare without unduly restricting the development of PSESS.

###### b. Permitted Use.

Personal Solar Energy Systems shall be considered an accessory use to a principal permitted use.

###### c. Special Requirements.

Personal Solar Energy Systems shall be subject to the requirements stated herein:

1) Ground Mounted PSES height. Shall not be greater than fifteen (15) feet at maximum tilt of the solar panel(s).

2) Structure Mounted PSES height. Shall not be greater than the allowable height of any structure within the zoning district in which the PSES is to be installed.

3) Setbacks. The ground mounted PSES shall maintain perimeter setbacks including: side and rear yard setbacks of ten (10) feet measured at full horizontal tilt and shall be ten (10) feet from any other building or structure on the same lot. No PSES shall be permitted to be located in the required front yard setback unless at least seventy-five (75) feet back from the edge of the county road right of way or at least eighty (80) feet back from the edge of state or federal road right of way.

4) Building Codes. All county, state, and national construction codes shall be followed.

5) Use. The PSES shall provide electricity for on-site use by the owner. This does not prohibit an owner from making excess power available for net metering.

6) Approved Solar Components. Electric solar energy system components must have an Underwriters Laboratory (UL) listing or approved equivalent.

###### d. Building Permit.

Before a building permit is issued, the following shall be submitted to the Fremont County Engineer's Office for review:

1) A site plan showing:

a) Name, address, email address, and phone number of the property owner;

b) Parcel lines;

c) All existing structures, with heights clearly marked;

d) Sanitary infrastructure (i.e. Septic field);

e) Setback measurements;

f) Easements present on the property, including those for utilities;

g) Septic field tile location;

h) Floodplain location, if applicable;

i) Topography lines (2-foot contours),

j) Location of all solar panels and associated equipment; and,

- k) Location of the electrical disconnect for the PSES.
- 2) Evidence that the local electric utility has been informed of the customer's intent to install a customer- owned solar energy system.
- 3) Evidence that the site plan has been submitted to the local fire protection district.
- 4) After a review and acceptance of site plan and required information, a letter authorizing construction shall be issued.
- e. Permit Fee for Personal Solar Energy System

For all permits for PSESs, up to 10 kilowatts (kW-dc), shall incur a one hundred dollar (\$100.00) permit fee payable to the Fremont County Engineer at submission of the permit request. All PSESs above 10 kilowatts (kW-dc) shall comply with the permit fee schedule set out in this Ordinance for Solar Garden Energy Systems and Solar Farm Energy Systems.

3. Solar Garden Energy System (SGES) and Solar Farm Energy System (SFES).

a. Purpose and Intent.

The purpose of these regulations is to provide a uniform and comprehensive set of standards for the installation and use of SGES and SFES designed for commercial energy production. The intent of these regulations is to protect the public health, safety, and community welfare while allowing development of solar energy resources for commercial purposes. Concentrating solar power (CSP) systems shall be prohibited.

b. Conditional Use Permit (CUP).

Solar Garden Energy Systems and Solar Farm Energy Systems shall require a Conditional Use Exception within the "AG" Agricultural District, the "CH" Commercial Highway Oriented District, and the "I" Industrial Districts and shall be subject to the procedures and standards included in the Fremont County Zoning Ordinance unless otherwise stated in this Solar Energy Systems Section 12.

c. Special Requirements.

SGES and SFES are subject to the following requirements:

1) Height. Shall not exceed fifteen (15) feet at maximum tilt of the solar panel(s) unless otherwise approved by the Fremont County Engineer and Fremont County Board of Supervisors following a public hearing on the matter.

2) Setbacks.

a) The front yard setbacks shall be a minimum of fifty (50) feet from the edge of the right of way which from the outside perimeter of a SGES or SFES project area and one hundred (100) feet from a residence that is a part of the SGES or SFES project area. The Fremont County Engineer may grant an exception and/or variance to the setback requirement if the proposed or existing buffer is sufficient to screen the project from view of adjoining property or public rights- of- way, if the owners of the adjoining properties agree in writing to waive these setback requirements.

b) In the case of a SGES or SFES to be built on more than one parcel and parcels are abutting, a zero (0) side or rear setback shall be permitted to the property line in common with the abutting parcel(s).

c) Solar panels shall be least three hundred (300) feet from a residence that is not part of the SGES or SFES project area.

d) Solar panels shall be eighty (80) feet from the state right of way and sixty (60) feet from county right of way(s).

3) Screening. A landscape buffer may be required to be installed and maintained during the life of the operation. Determination of screening requirements will be made by the Fremont County Engineer as part of the review and approval process and will be based on adjacent or nearby surrounding land uses and topography.

4) Fencing. A security fence of at least six (6) feet in height but no greater than eight (8) feet shall enclose the SGES or SFES.

5) Lighting. If lighting is provided for the SGES or SFES, lighting shall be shielded and downcast such that the light does not project directly onto the adjacent parcels.

6) Noise. Noise levels caused by the SGES or SFES measured at the property line the residence(s) and shall not exceed fifty (50) decibels when located adjacent to an existing residence or residential district.

7) Installation and Design. The SGES or SFES shall be designed and located in such a fashion to prevent best minimize glare towards any inhabited buildings on adjacent properties, as well as adjacent roadways.

8) Utility Connections. Reasonable efforts shall be made to place all utility connections from the solar installation underground, depending on appropriate soil conditions, shape and topography of the site, distance to the connection, or other conditions or requirements.

9) Outdoor storage. Only the outdoor storage of materials, vehicles, and equipment that directly support the operation and maintenance of the solar farm or solar garden shall be allowed.

10) Endangered Species and Wetlands. Applicant shall seek natural resource consultation with the Iowa Department of Natural Resources.

11) Weed control. Applicant must present an acceptable weed/grass control plan for property inside and outside fenced area for the entire property. The operating company during the operation of the Solar Farm must maintain the fence and adhere to the weed control plan.

12) Waste. All solid wastes, whether generated from supplies, equipment parts, packaging, operation, or maintenance of the SGES or SFES shall be removed from the site and disposed of in an appropriate manner. All hazardous waste generated by the operation shall be removed from the site immediately and disposed of in a manner consistent with all local, state, and federal requirements.

13) Maintenance, repair, or replacement of a facility. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to emergency response officials. Any retrofit, replacement or refurbishment of equipment shall adhere to all applicable local, state and federal requirements.

14) Cleaning chemicals and solvents. During operation of the proposed installation, all chemicals or solvents used to clean photovoltaic panels shall be low in volatile organic compounds and the operator shall use recyclable or biodegradable products to the extent possible. Any on-site storage of chemicals or solvents shall be referenced on the site plan.

15) Road Use Agreements. All routes on county roads that will be used for the construction and maintenance purposes shall be identified on the site plan. All routes for either ingress or egress shall be shown. The solar farm developer must complete and provide a preconstruction baseline survey to determine existing road conditions for assessing potential future damage due to development related traffic. The developer shall provide a road repair plan to ameliorate all damage, installation, or replacement of roads that might be required by the developer. The developer shall provide a letter of credit or surety bond in an amount and form approved by the appropriate highway authority(s) officials when warranted. The provision of this subsection shall be subject to the approval of the Fremont County Engineer.

16) Soil erosion and sediment control. The applicant agrees to conduct all roadwork and other site development work in compliance with a national pollutant discharge elimination system (NPDES) permit as required by the state department of natural resources and comply with requirements as detailed by local jurisdictional authorities during the plan submittal. If subject to NPDES requirements, the applicant must submit the permit for review and comment, and an erosion and sediment control plan before beginning construction. The plan must include both general "best management practices" for temporary erosion and sediment control (both during and after construction), and permanent drainage and erosion control measures to prevent both damage to local roads/adjacent areas and sediment laden run-off into waterways.

17) Storm Water Management. For the purposes of pollutant removal, stormwater rate and runoff management, flood reduction and associated impacts, the applicant shall provide a detailed storm water management plan with analysis of pre- and post-development stormwater runoff rates for review by local jurisdictional authorities.

18) Administration and Enforcement. The Fremont County Engineer and any necessary personnel may enter any property for which a Conditional Use or building permit has been issued under this ordinance to conduct an inspection to determine whether the conditions stated in the permit have been met as specified by statute, ordinance, and code. Failure to provide access shall be deemed a violation of this ordinance.

f. Certification.

SGES or SFES shall conform to applicable industry standards, including those from the Underwriters Laboratory (UL) and Federal Aviation Administration (FAA). And all applicable county, state, and national construction and electric codes shall be followed.

g. Safety.

All SGES or SFESs shall provide the following at all locked entrances:

- 1) A visible "High Voltage" warning sign;
- 2) Name(s) and phone number(s) for the electric utility provider;
- 3) Name(s) and phone number(s) for the site operator; and
- 4) The facility's 911 address, and GPS coordinates.

h. Application.

The application for a Conditional Use Permit for a Solar Garden Energy System or Solar Farm Energy System shall include:

- 1) A written summary of the project including a general description of the project and its approximate generating capacity.
- 2) The name(s), address(s), and phone number(s) of the owner and SGES or SFES operator.
- 3) The Interconnection Agreement, unless the developer is also the owner of the electrical power line(s).
- 4) A site plan of the SGES or SFES site showing:
  - a) Boundaries of the site;
  - b) All proposed SGES or SFES structures;
  - c) Property lines;
  - d) Setback measurements;
  - e) Location of all existing structures within the project area with their uses identified and any existing structure within three hundred (300) feet of the project area with their uses identified.
  - f) Topography lines (2-foot contours); and
  - g) Floodplain location, if applicable.
- 5) All other information contained in the Fremont County Zoning Ordinance as may be required to file a petition. To protect agricultural soils, all solar gardens and solar farms will be subject to a land evaluation site assessment (LESA). The LESA information will be utilized for a Conditional Use Permit application and not for map amendment or rezoning purposes.

i. Decommissioning Plan.

Prior to applying for a building permit, the SGES or SFES project owner/operator shall submit a decommissioning plan to the Fremont County Engineers Office. The engineer shall review the plan for completeness. The plan shall include:

- 1) A description of the plan to remove the SGES or SFES equipment and restore the land to its previous use upon the end of the project's life, as stated in the Solar Energy Ordinance granting the Conditional Use Permit, or as stated in the Fremont County Zoning Ordinance.
- 2) Provisions for the removal of structures, debris, and associated equipment on the surface and to a level of not less than ten (10) four (4) feet below the surface, and the timeline/sequence in which removal is expected to occur.
- 3) Provisions for the restoration of the soil, vegetation, and disturbed earth, which shall be graded and reseeded and/or the property may be returned to agricultural use.

4) An estimate of the decommissioning costs certified by a licensed professional engineer in current dollars. The engineer providing this estimate shall submit it to the Fremont County Engineers Office for review and all costs associated with this engagement shall be borne by the applicant.

5) A written financial plan approved to ensure that funds will be available for decommissioning and land restoration.

6) A provision that the terms of the decommissioning plan shall be binding upon the owner or operator and any of their successors, assigns, or heirs.

7) Upon review of the decommissioning plan, the Fremont County Engineer shall set an amount to be held in a bond, escrow, or other acceptable form of funds approved by the Board. The value of the surety shall not be reduced based on the salvage value of any materials or equipment. The plan shall state that Fremont County shall have access to the project and to the funds to effect or complete decommissioning one (1) year after cessation of operations.

8) Upon the county's request the applicant shall provide the county with a new estimate of the cost to decommission the SGES or SFES project every five (5) years under the same conditions as set forth in this Sections above. Salvage value of structures, electrical wire and other appurtenances shall not be considered with in the cost estimate calculations. Upon receipt of this new estimate, the county may require, and the applicant, owner, and/or operator of the SGES or SFES project shall provide, a new financial plan for decommissioning acceptable to the county. Failure to provide an acceptable financial plan shall be considered a cessation of operations.

9) Release of Financial Security. Financial security shall only be released when the Fremont County engineer determines, after inspection, that the conditions of the decommissioning plan have been met.

j. Building Permit.

Before a building permit is issued, the following shall be submitted to the Fremont County Engineer for review:

1) Site plan with all items previously required in the Application. Additional items to be included are:

a) All SGES or SFES structures including, but not limited to, the project solar panels, substation, interconnect substation, and location and voltage of any overhead transmission lines;

b) Ancillary equipment;

c) Transmission lines;

d) Wells;

e) Sanitary infrastructure (i.e. Septic fields);

f) Field tile location;

g) Existing easements; and,

h) Wetland location, if any.

2) Emergency Plan. The site and emergency plan shall be submitted to the local fire protection district(s) and/or department(s) whose jurisdiction is included in whole or in part within the SGES or SFES project area. Any specialized training necessary will be provided at the operator's expense.

3) All required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this ordinance.

4) After a review and acceptance of site plan and required information, a letter authorizing construction shall be issued.

k. Indemnification and Liability.

The applicant, owner, and/or operator of the SGES or SFES project shall defend, indemnify, and hold harmless Fremont County and its officials from and against any and all claims, demands, losses, suites, causes of action, damages, injuries, costs, expenses, and liabilities whatsoever, including attorney's fees, without limitation, arising out of acts or omissions of the applicant, owner, and/or operator associated with the construction and/or operations of the SGES or SFES project.

l. Cessation of Operations.

Any SGES or SFES provided for in this ordinance that has not been in operation and producing electricity for at least one hundred eighty (180) consecutive days, excluding natural catastrophic event, shall be removed. The Fremont County Engineer shall notify the owner to remove the system. Within ninety (90) days, the owner shall either submit evidence showing that the system has been operating and producing electricity or remove it. If the owner fails to or refuses to remove the solar energy system, the violation shall be referred to the Fremont County Attorney. In the case of a natural catastrophic event, a detailed restoration plan to return to operational status must be provided to the County Engineer.

m. Violations & Penalties.

Any person who fails to comply with any provision of this Ordinance shall be deemed subject to a county infraction and punishable by a civil penalty of not less than \$200.00 but not to exceed \$750.00 plus court costs for the first offense and not less than \$400.00 but not to exceed \$1,000.00 plus court costs for each subsequent offense.

Fremont County, Iowa may seek all relief prescribed by State law for county infractions. The Fremont County Auditor and the Fremont County Attorney and his or her assistants are the officers designated and authorized to enforce this ordinance by issuance of civil citations for county infractions. Each Wind Energy Device determined to be in violation shall constitute a separate infraction. Each day that a violation occurs or continues to exist shall constitute a separate offense.

n. Related Rules and Regulations.

Each Solar Energy System shall comply with all applicable local, state, and federal requirements.

o. Severability.

The provisions of this Ordinance are severable, and the invalidity of any section, subdivision, paragraph, or other part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

p. Conditional Use Permit Fee Structure for Solar Garden Energy Systems and Solar Farm Energy Systems.

System Size	Permit Fee
0-50 kilowatts (kW-dc)	\$300.00
51-100 kilowatts (kW-dc)	\$500.00
101-500 kilowatts (kW-dc)	\$1,000.00
501 - 1000 kilowatts (kW-dc)	\$3,000.00
1001 - 2000 kilowatts (kW-dc)	\$6,000.00
> 2000 kilowatts (kW-dc)	\$200.00 for each additional 0-100 kilowatts (Maximum of \$10,000.00)

Engineer Dan Davis met with the board for the signing of the following:

Motion by Hickey to allow Chairman Sheldon to sign application for approval of underground construction in county ROW for Windstream Iowa Communications, LLC for copper cable on Bluff Road 5.25 miles northwest from Hamburg. Motion carried unanimously.

Claims were approved for October 1, 2021.

At 9:11 a.m., there being no further business, Hickey made a motion to adjourn. Motion carried unanimously.

ATTEST:



Fremont County Auditor



Dustin Sheldon, Chairman

**Claims October 1, 2021**

**General Basic Fund**

Unemployment Compensation	
Iowa Workforce Development Att	745.14
Food & Provisions	
Reinhart Food Service LLC	676.65
Custodial Supplies	
Reinhart Food Service LLC	42.56
Stationery & Forms	
Kriegler Office Equipment	77.29
Mail Services LLC	306.13
Office Warehouse Inc.	48.42
Acute & Emergency Treat.	
Southwest Iowa Home Health Svs	186.42
Homemaker-Home Health Aides	
Southwest Iowa Home Health Svs	2,000.00
Board Proceedings	
The Hamburg Reporter Nebraska	269.50
Employee Mileage & Subsistence	
Kimberly Achenbach	136.53
Troy Housh	19.60
Diane Owen	48.60
Telephone & Telegraph Services	
Chat Mobility	242.40
Windstream Iowa Communication	1,265.61
Educational & Training Service	
IEHA Attn:Dustin Hinrichs Trea	50.00
Diane Owen	15.00
Planning & Management Consult	
JNC Construction, LLC	33,821.12
Electric Power	
MidAmerican Energy Co.	5,718.69
Office & Data Proc Equip Maint	
Solutions Inc	1,728.00
Radio & Related Equip Maint	
Verizon	480.12
Miscellaneous Repair & Maint	
Fremont Co Sanitary Landfill	56.10
The Home Depot Pro	103.18
Tunncliff, Inc. dba JB Parts	345.98
Office Equipment	
Concept Seating Division of La	30.25
Other Services-Misc	
Clear Title & Abstract Escrow	339,110.34
Cox Contracting Co., Inc.	14,000.00
Data Processing	
Interstate Battery of Omaha	151.80
<b>General Supplemental Fund</b>	
Employee Mileage & Subsistence	
Sydney Dailey	101.92

**Rural Services Basic Fund**

Contrib to Other Gov & Org	
Robert Benton	60.00
Larry Crom	60.00
Adam Malcom	60.00
Brett Smith	60.00
<b>Secondary Road Fund</b>	
Cover Aggregate & Sand	
Schildberg Constr Co Inc	19,209.05
Hardware (non motor vehicle)	
Don Shafer Display Inc.	518.01
Parts (non motor vehicle)	
Nebraska Hoist & Crane	550.00
Ready Mix Concrete Co	632.20
Fuels	
Sapp Bros Petroleum Inc.	4,145.60
Tires & Tubes	
Bauer Built Tire	4,242.00
Sapp Brothers Truck Stops Inc	680.00
Minor Mv Parts & Access	
Freightliner Truck Center Co	688.79
MHC Kenworth	64.16
O'Reilly Auto Parts	63.58
Woodhouse Parts Direct	344.00
Ziegler Inc.	260.76
Educational & Training Service	
Daniel R. Davis 1009 Mobile	15.00
Medical & Health Services	
County Employee	163.70
Shenandoah Medical Center	154.00
Electric Power	
MidAmerican Energy Co.	1,084.93
Roads	
Star Equipment Ltd	5,510.00
Perm.Landscaping,Capital Outla	
Continental Research Corp	559.08
<b>Jnt Disaster Serv.Fund</b>	
Telephone & Telegraph Services	
Chat Mobility	36.28
Verizon	40.01
Motor Vehicle Equipment	
Tunncliff, Inc. dba JB Parts	16.99
<b>E911 Surcharge</b>	
Telephone & Telegraph Services	
Windstream Iowa Communication	1,116.49
<b>Fremont Co-HRA</b>	
Medical & Health Charges	
Midwest Group Benefits	4,350.67
Wellmark Blue Cross and Blue S	750.00

**Grand Total** **447,212.65**