

The Fremont County Board of Supervisors met in regular session on June 3, 2020, in the Fremont County Courthouse Boardroom, with Hickey, Sheldon, and Graham 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. The agenda was unanimously approved as posted.

Let the records show that IT Arnold Emberton, Treasurer Alise Snyder, and Sandy Parmenter with the Valley News Today were present by telephone. Engineer Dan Davis and Deputy Recorder Pam Daniels attended in person.

There were no updates on flood projects this week. The board will continue with flood updates each week.

Motion by Graham to approve the cigarette/tobacco/nicotine/vapor permit for Cubby's Inc. Motion carried unanimously.

The board discussed abandoned properties in Hamburg. They have been served petitions for entry of judgment for properties in Hamburg. The city would like to take possession of these properties as the buildings are hazardous to the community, citizens, and, with the exception of 1111 Main Street need to be torn down. The city is asking through Attorney Rawson Stevens that the county sign Consents to Decree forms to allow the city to take possession of the properties. Motion by Sheldon to approve the Consents to Decree. Motion carried unanimously.

Engineer Dan Davis met with the board for the following:

Motion by Sheldon to allow Chairman Hickey to sign IDOT payment voucher with HGM Associates for engineering services for L-31 over Waubonsie Creek Bridge management per agreement through May 15, 2020. Motion carried unanimously.

Motion by Graham to allow Chairman Hickey to sign IDOT payment voucher with HGM Associates for engineering services for NEPA assistance for the Manti Road Bridge through May 15, 2020. Motion carried unanimously.

Motion by Sheldon to sign contract between Janet Sue Vanatta Life Estate & Fremont County for Project # FM-CO36(79) - - 55-36. (L63) Motion carried unanimously.

Motion by Sheldon to allow Chairman Hickey to sign IDOT payment voucher with HGM Associates for services for bridge replacement at 310th Avenue per agreement through May 15, 2020. Motion carried unanimously.

Motion by Sheldon to table signing grade crossing construction and maintenance agreement with BNSF for J-24 and J-10 to give the county attorney's office to negotiate a fair contract. Motion carried unanimously.

Motion by Hickey to sign Resolution No. 2020-27 for salaries for supervisory and non-union personnel which begin July 1, 2020. Motion carried unanimously.

RESOLUTION NO. 2020-27

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors that the following salaries be in effect commencing on the 1st day of July 2020, for the supervisory and non-union personnel in the Secondary Road Department.

MAINTENANCE SUPERINTENDENT: \$24.44 per hour salary

ADMINISTRATIVE ASSISTANT: \$20.60 per hour salary

ASSISTANT TO ENGINEER: \$29.72 per hour salary

ENGINEER: \$96,138.00 salary

Motion is hereby made by Hickey, seconded by Sheldon to adopt this resolution.

Dated this 3rd day of June, 2020.

ATTEST:

/s/ Dee Owen
Fremont County Auditor

/s/ Randy Hickey, Chairman	aye
/s/ Dustin Sheldon	aye
/s/ Terry Graham	aye

Motion by Graham to allow Chairman Hickey to sign title sheet for Project #ER-CO36(85) - - 58-36, J-24 from L-31 2.431 Miles to West of Thurman, Iowa. Motion carried unanimously.

Auditor Owen asked for a temporary raise in the poll worker pay as hazard pay for the workers that worked during the COVID-19 Pandemic. She would like to pay this group \$2.00 an hour extra. She has it in her budget due to the fact that there were fewer poll workers this election. Motion by Sheldon to allow the poll workers for the Primary Election to be paid \$2.00 more per hour. Motion carried unanimously. The board expressed their thanks to the poll workers for all that they do.

The board discussed changing the meeting date of June 10th to June 9th. The canvass of elections must be held on June 9th. This would require an extra meeting for the board. Motion by Hickey to change the meeting date for next week's meeting to June 9th at 9:00 a.m. Motion carried unanimously. The board will still have their public hearing at 9:30 on June 10th regarding the wind turbine ordinance.

Motion made by Sheldon to approve the following Resolution 2020-28. Motion carried unanimously.
RESOLUTION NO. 2020-28

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 3rd day of June 2020, that the following transfer of funds be approved and made: \$700,604.00 from the Rural Services Basic Fund, share of Rural Services taxes, to the Secondary Road Fund and \$6,906.00 property tax relief of local option taxes, from the Local Option Sales Tax Fund to the Secondary Road Fund.

Motion to approve transfer made by Sheldon.

ATTEST:

/s/ Dee Owen
Fremont County Auditor

/s/ Randy Hickey, Chairman	aye
/s/ Dustin Sheldon	aye
/s/ Terry Graham	aye

The board discussed the reopening of the courthouse. Treasurer Snyder stated that if the courthouse opens she will close her door as she will still have to make appointments as there will be a large influx of customers at one time. They are encouraging doing business by mail. Snyder would like to see it open by appointment only, so people know they can come into the courthouse, but with an appointment rather than being met at the door for services. Sheldon said that eventually we will have to have a reopening that will be painful with a lot of customers coming in. Sheldon stated he doesn't think masks should be required. Snyder stated that she will require masks in her office. Motion by Graham to approve the policy as revised to partially reopen the courthouse beginning June 8, 2020. They will review it again on June 9. Motion carried unanimously. The full text of the policy is available at the auditor's office.

The board discussed the Management Services Contract for Buyout Program. Hickey stated that Assistant County Attorney Loontjer agreed to do the paperwork as he is also doing Mills County. Motion by Graham to sign the contract. Motion carried unanimously.


Claims were approved for June 5, 2020.

In other business, the Recorder's Monthly Report for May 2020 was approved.

At 10:09 a.m., there being no further business, Graham made a motion to adjourn. Motion carried unanimously.

ATTEST:


Kristi O'Neal, Assistant Auditor
Fremont County Auditor


Randy Hickey, Chairman

Claims June 5, 2020

General Basic Fund

Clothing & Dry Goods	
Charm-TEX	678.90
Custodial Supplies	
Culligan	147.05
The Home Depot Pro	649.78
Tunnichliff, Inc. dba JB Parts	32.10
Minor Mv Parts & Access	
Jones Automotive	146.33
Peterson Auto	189.18
Stationery & Forms	
Mail Services LLC	328.39
MTE Office Center	84.51
Ricoh USA, Inc	32.35
Data Processing Supplies	
Solutions Inc	1432.00
Safety & Protective Supplies	
Galls	192.82
Wearing Apparel & Uniform	
Galls	435.68
Acute & Emergency Treat.	
Penn Drug	75.31
Homemaker-Home Health Aides	
Southwest Iowa Home Health Svcs	594.52
Board Proceedings	
The Hamburg Reporter Nebraska	220.50
Sidney Argus-Herald	156.17
Postage & Mailing	
Erman Mullins III	67.10
Employee Mileage & Subsistence	
ICIT c/o Alissa Holtz	50.00
Iowa Law Enforcement Academy S	400.00
Telephone & Telegraph Services	
Chat Mobility	133.67
Community Connections, Inc.	265.00
US Cellular	1914.60
Windstream Iowa Communication	350.79
Data Processing Services	
Solutions Inc	432.41
Windstream Iowa Communication	186.13
Electric Power	
MidAmerican Energy Co.	2107.63
Water & Sewer	
City of Sidney	379.32
Buildings	
Electronic Contracting Co	81.00
Fixed Plant Equipment	
Electronic Engineering Co	425.00
Radio & Related Equip Maint	
Verizon	560.35
Miscellaneous Repair & Maint	
O'Keefe Elevator Co. Inc.	361.85

Extermination Services

Jeff Vrba ResCom Services	165.00
Sanitation & Disposal Services	
Richardson Sanitation Scott Ri	532.00
Jdgments-Dmges-Sett-Fines	
Hugh J. Perry, Arbitrator	1080.00
Data Processing	
Solutions Inc	3395.16

General Supplemental Fund

Election Supplies	
Office Warehouse Inc.	132.90
Official Publ & Legal Notices	
The Hamburg Reporter Nebraska	259.00
Sidney Argus-Herald	267.20
Printing of Ballots	
Henry M. Adkins & Son Inc	3659.42
Workmens' Compensation Ins	
IMWCA	9330.00

Secondary Road Fund

Asphalt & Asphalt Products	
Asphalt & Concrete Materials	1916.33
Cover Aggregate & Sand	
Schildberg Constr Co Inc	7272.78
Traffic & Street Sign Material	
Iowa Prison Industries	2170.00
Parts (non motor vehicle)	
CINTAS LOC 749	40.10
Electrical Eng & Equip Co	450.00
Electronic Engineering Co	703.92
Elizabeth Shirley	621.00
Minor Mv Parts & Access	
Freightliner Truck Center Co	30.81
Tunnichliff, Inc. dba JB Parts	91.41
Sioux City Truck Sales, Inc Mi	318.78
Stationery & Forms	
Kriegler Office Equipment	43.60
Engineering Services	
HGM Associates Inc.	2435.30
Snyder & Associates Inc	26640.00
Medical & Health Services	
Elizabeth Shirley	37.50
Electric Power	
MidAmerican Energy Co.	550.17
Motor Vehicle Equipment	
Sapp Brothers Truck Stops Inc	294.25
Ziegler Inc.	81.58
Land	
Janet Sue Vanatta Life Estate	308.00

E911 Surcharge

Other	
Windstream Iowa Communication	206.10

Grand Total 76142.75

The Fremont County Board of Supervisors met in regular session on June 9, 2020, in the Fremont County Courthouse Boardroom, with Hickey, Sheldon, and Graham present. A quorum was declared, and the meeting officially called to order at 9:08 a.m. Minutes of the previous board session were read and approved. The agenda was unanimously approved as posted.

Let the records show that IT Arnold Emberton and Treasurer Alise Snyder were present by telephone. Assistant Auditor Jolene McGinley, Assistant County Attorney Tyler Loontjer and Deputy Recorder Pam Daniels attended in person.

At 9:11 a.m. the board canvassed and certified the 2020 Primary Election. The following county candidates were nominated for the Republican Party: Board of Supervisors - Chris Clark; County Auditor - Dee Owen; Sheriff - Kevin Aistrope. The following candidate was nominated for the Democratic Party: Board of Supervisors - Josh Heard.

There were no updates on flood projects this week. The board will continue with flood updates each week.

Motion was made by Sheldon to allow Chairman Hickey to sign the ICAP Insurance Renewal Paperwork. Motion carried unanimously.

Motion made by Sheldon to allow Chairman Hickey to sign the Rural Transit System Joint Participation Agreement with SWIPCO. Motion carried unanimously.

Motion was made by Sheldon to approve the Cost Advisory Services, Inc. contract. The consultant will develop annual central services cost allocation plans based on actual costs incurred for fiscal years 2020, 2021, and 2022. The cost remains the same as the last contract and is \$4125.00 per year. Motion carried unanimously.

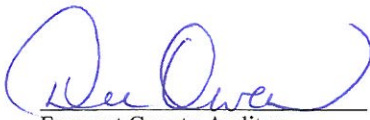
The board discussed the reopening of the courthouse. Motion by Sheldon to open the Courthouse Monday, June 15 at 8:00 a.m. Access to each office is at the discretion of each elected official. Motion carried unanimously.

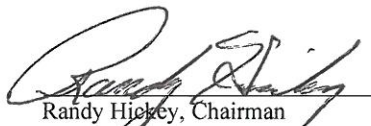
Motion by Sheldon to allow Chairman Hickey to sign the letter of engagement with Gronewold, Bell, Kyhnn, & Co., PC for auditing services. Motion carried unanimously.

Claims were approved for June 12, 2020.

At 9:45 a.m., there being no further business, Sheldon made a motion to adjourn. Motion carried unanimously.

ATTEST:


Fremont County Auditor


Randy Hickey, Chairman

Claims June 12, 2020

General Basic Fund

Chemicals & Gases-Herbicides	
Kris Henneman	15.24
Tall Corn Ag., Inc.	150.00
Fertilizer & Seed	
Century Homes Co dbs D & K Pro	746.60
Food & Provisions	
Card Services	23.00
Dollar General Charged Sales	101.20
Sidney Food Ltd.	87.63
Custodial Supplies	
Valeri Albertsen	240.00
Card Services	181.19
City of Sidney	50.85
Dollar General Charged Sales	88.65
Fremont Co Sanitary Landfill	16.05
Great Western Bank	458.24
The Home Depot Pro	351.97
Tunncliff, Inc. dba JB Parts	96.62
Fremarek, Inc. Mid-American Re	109.03
Fuels	
WEX BANK	3,594.07
Lubricants	
Dannar Auto	95.00
Farragut Oil Inc	80.00
Tires & Tubes	
Farragut Oil Inc	188.00
US AutoForce	933.28
Minor Mv Parts & Access	
Dannar Auto	83.00
Farragut Oil Inc	391.63
Larson Motors	325.30
Stationery & Forms	
Card Services	190.49
Paper Tiger Shredding	30.00
Storey Kenworthy	749.59
Data Processing Supplies	
Office Warehouse Inc.	157.75
Medical & Laboratory Supplies	
Dollar General Charged Sales	4.50
Safety & Protective Supplies	
Galls	144.89
Wearing Apparel & Uniform	
Card Services	191.97
Galls	1,009.19
Acute & Emergency Treat.	
Shenandoah Medical Center	85.15
Homemaker-Home Health Aides	
Southwest Iowa Home Health Svcs	4,750.85
Rent Payments	
Nishnabotany Lodge 153 c/o Wil	540.00
Official Publ & Legal Notices	
Sidney Argus-Herald	28.72
Board Proceedings	
The Hamburg Reporter Nebraska	136.50
Postage & Mailing	
Card Services	21.95
Pitney Bowes	113.25
Postmaster	275.00
Telephone & Telegraph Services	
D&L Pro	40.00
Kris Henneman	40.00
Richardson Sanitation Scott Ri	46.00
Windstream Iowa Communication	436.11
Educational & Training Service	
Solutions Inc	51.75
Medical & Health Services	
Eyecare Associates of SW Iowa	283.00
Shenandoah Medical Center	434.85
Natural Gas,LP Gas, Fuel Oil	
Black Hills Energy	143.75
Sapp Bros Petroleum Inc.	171.00

Data Processing

Great Western Bank	381.40
General Supplemental Fund	
Employee Mileage & Subsistence	
Sandra K. Bugg	48.30
Connie Scott	5.75
Faye French	47.84
Denise Jardon	55.20
Beth Mincer	23.00
Lois J. Whitehead	20.70
Polling Places	
Sidney High School	50.00
Election Officials	
Michael Batenhorst	175.00
Sandra K. Bugg	85.00
Anne Chambers	175.00
Connie Scott	195.00
Faye French	195.00
June Hardy	85.00
Denise Jardon	195.00
Nancy Johnson	85.00
Carolyn Maher	215.00
Beth Mincer	215.00
Lois J. Whitehead	85.00
Hotel Motel (restricted)	
Contrib to Other Gov & Org	
So Loess Hills Welcome Center	3,036.02
Rural Services Basic Fund	
Sanitation & Disposal Services	
Fremont Co Sanitary Landfill	4,427.92
Secondary Road Fund	
Cover Aggregate & Sand	
Schildberg Constr Co Inc	5,806.44
Whetrock/Splitt Quarries	7,647.38
Electrical Supplies & Parts	
Michael Todd & Co. Inc.	157.66
Custodial Supplies	
Wells Fargo Bank Elite Card Pa	91.50
Hardware (non motor vehicle)	
Tunncliff, Inc. dba JB Parts	8.07
Menards	4.49
Fuels	
Holt Gas Co. Inc.	16,583.63
Lubricants	
Wells Fargo Bank Elite Card Pa	27.96
Tires & Tubes	
Sapp Brothers Truck Stops Inc	2,359.60
Minor Mv Parts & Access	
AgriVision Equipment Group LLC	487.00
Freightliner Truck Center Co	1,028.17
The Glass Guy Inc	80.00
Interstate Battery of Omaha	476.80
Menards	86.79
O'Reilly Auto Parts	253.09
Stationery & Forms	
Wells Fargo Bank Elite Card Pa	7.46
Postage & Mailing	
Wells Fargo Bank Elite Card Pa	7.05
Medical & Health Services	
C. J. Cooper & Associates Inc.	35.00
County Employee	7.95
County Employee	225.00
County Employee	43.15
County Employee	84.72
County Employee	95.60
Water & Sewer	
City of Sidney	132.72
Motor Vehicle Equipment	
Lazer Alignment Inc.	375.00
Murphy Tractor & Equip. Co Inc	1,921.50
Sapp Brothers Truck Stops Inc	141.25
Dues & Memberships	

Water & Sewer		FUEL Iowa	200.00
Beelner Service Inc.	384.50	Secretary of State Notary Divi	30.00
City of Sidney	27.35	Perm.Landscaping,Capital Outla	
Hatch Company	449.95	Wells Fargo Bank Elite Card Pa	39.98
Buildings		Shop Equipment	
Midwest Data Center, Inc.	81.66	Wells Fargo Bank Elite Card Pa	109.95
Fixed Plant Equipment		Resource Enhance.(Reap)	
Great Western Bank	218.12	Electric Power	
Office & Data Proc Equip Maint		MidAmerican Energy Co.	20.00
D&L Pro	201.97	Local Option Sales Tax	
Midwest Data Center, Inc.	1,000.00	Contrib to Other Gov & Org	
Trane U.S. Inc.	3,548.00	SW Iowa Planning Council	3,587.00
Miscellaneous Repair & Maint		Jnt Disaster Serv.Fund	
AgriVision	63.84	Fuels	
Fremont County Engineer	205.31	WEX BANK	63.68
Tunncliff, Inc. dba JB Parts	22.64	Co. Assessor Agency Fund	
Midwest Turf & Irrigation	1,151.43	Educational & Training Service	
Custodial		Southwest Iowa Assessors Attn:	400.00
CINTAS LOC 749	30.00	E911 Surcharge	
JD Lawn Service James Allen Ba	779.50	Traffic Control Structures	
Sanitation & Disposal Services		Fremont County Engineer	324.32
Richardson Sanitation Scott Ri	152.00	Iowa Prison Industries	294.00
Dues & Memberships		Other	
ISCTA/Kris Rowley Cass County	250.00	CenturyLink	280.36
Perm.Landscaping,Capital Outla		FMTC-SWT, Inc Omnitel Communic	211.96
D&L Pro	282.08	Prairie Telephone Company, Inc	712.00
Kris Henneman	266.09	Windstream Iowa Communication	110.77
		Grand Total	81,957.38

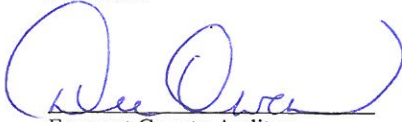
The Fremont County Board of Supervisors met in special session for a public hearing on June 10, 2020, in the Fremont County Courthouse Boardroom, with Hickey, Sheldon, and Graham present. A quorum was declared, and the meeting officially called to order at 9:30 a.m.

Let the records show that IT Arnold Emberton, Sandy Parmenter with the Valley News Today, Mark Zaccone, Jon Saxon, Mike Blazer, and Gabe Klooster with Invenergy were present by telephone.


At 9:30 a.m., Graham moved to go into public hearing on the second reading of proposed Ordinance 2020-1 regarding wind turbines. Motion carried unanimously. Gabe Klooster with Invenergy discussed the setbacks in the document. These setbacks will not allow them to move forward with a project in our county. Mike Blazer stated they would like our setbacks to mirror Page County's and other counties that are part of this project. This project has the potential to bring in \$52,000,000 as it is a large project. There is significant interest in both Page and Fremont Counties. Graham asked for a new table of setbacks that Invenergy would like to see & clarification on the section regarding other waterways. Sheldon questioned the dollar amount that would go to a school in Page County. Invenergy stated they would ask their tax person how the tax breakout looks. They will also make changes to the table and submit them. Hearing no further comments Graham made a motion to close the public meeting at 9:56 a.m. Motion carried unanimously. The third and final public hearing will be held on June 24th.

At 9:47 a.m., there being no further business, Graham made a motion to adjourn. Motion carried unanimously.

ATTEST:



Fremont County Auditor



Randy Hickey, Chairman

The Fremont County Board of Supervisors met in regular session on June 17, 2020, in the Fremont County Courthouse Boardroom, with Hickey, Sheldon, and Graham present. A quorum was declared, and the meeting officially called to order at 9:00 a.m. Minutes of the previous board sessions were read and approved. The agenda was unanimously approved as posted.

Let the records show that IT Arnold Emberton and Sandy Parmenter with Valley New Today were present by telephone. Assistant County Attorney Tyler Loontjer, EMC Mike Crecelius, and Mark Zaccone with Invenergy attended in person.

There were no updates on flood projects this week. The board will continue with flood updates each week.

The board discussed the debris removal contract. Iowa Homeland Security and Emergency Management Department is stating that they aren't comfortable with forwarding the debris removal payment claim to FEMA because of the structure of the contract. Loontjer stated that FEMA and Iowa HSEMD approved the contract in the beginning. They urged us to rush the project to ensure funding. There was only one bid even with the extension of the bidding deadline date. FEMA has already obligated the money for Fremont County. Loontjer stated that he would draft a letter to HSEMD to clarify the county's position. Chairman Hickey stated that will reach out to Dennis Harper at HSEMD.

At 9:15 a.m., Gabe Klooster joined the meeting followed by Mike Blazer at 9:17 a.m., both from Invenergy.

The board discussed the proposed setbacks from Invenergy for the wind turbine project. The board agreed with the setbacks from Invenergy, except Sheldon who expressed concerns with the non-participating property line and the livestock confinement facilities setbacks. Blazer stated that livestock is virtually unaffected by the turbines and that, in fact, that the animals routinely use the turbines for shade. Sheldon was concerned about someone wanting to put up a confinement in the future. Blazer stated that these restrictions only apply to the turbine company. If a landowner wants to develop closer to the turbine that is their choice. Hickey questioned if they will fix the roads if they are damaged. Blazer stated that their policy is if they "break it, they fix it". The roads will be repaired to original condition or better. Motion by Graham to approve the setbacks with the Loess Hills added back in at 10,560 feet, livestock confinement facilities at 1500 feet, and the road agreement in place. Motion carried unanimously.

Motion by Sheldon to sign the FY20/21 wage sheet for the Fremont County Sheriff Office Employees' Union Contract that was approved on April 1, 2020. Motion carried unanimously.

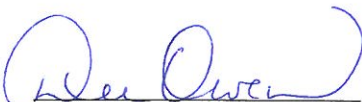
Arnold Emberton, IT Director, met with the board for the approval of the annual software agreement with Solutions, Inc. Motion made by Graham to allow Chairman Hickey to sign the agreement. Motion carried unanimously.

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

Claims were approved for June 19, 2020.

At 9:48 a.m., there being no further business, Graham made a motion to adjourn. Motion carried unanimously.

ATTEST:


Fremont County Auditor


Randy Hickey, Chairman

Claims June 19, 2020

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
Chemicals & Gases-Herbicides	
Midwest Turf & Irrigation	28,862.00
Food & Provisions	
Reinhart Food Service LLC	284.66
Sam's Club MC/SYNCB	325.00
Clothing & Dry Goods	
Charm-Tex	2,187.18
Custodial Supplies	
Card Services	382.17
Galls	2,386.92
The Home Depot Pro	218.32
Tunncliff, Inc. dba JB Parts	8.94
Fremarek, Inc. Mid-American Re	157.03
Miller Building Supply	195.98
Sam's Club MC/SYNCB	210.39
Fuels	
Holt Gas Co. Inc.	996.27
Tires & Tubes	
Dannar Auto	504.00
Minor Mv Parts & Access	
Tabor Motor Company	1,138.70
Stationery & Forms	
Card Services	1,362.40
Quadient Finance USA Inc D/B/A	511.23
Sam's Club MC/SYNCB	465.32
The Master's Touch LLC	663.94
911 Custom	660.00
Minor Equip & Hand Tools	
Galls	1,193.38
Medical & Laboratory Supplies	
BlueStreak K9, LLC	3,507.87
Safety & Protective Supplies	
Axon Enterprise	23,200.00
BlueStreak K9, LLC	6,992.13
Card Services	149.00
Galls	24.39
Kiesler's Police Supply, Inc.	549.08
Officer Survival Solutions	6,645.00
Wearing Apparel & Uniform	
Galls	1,185.42
Sam's Club MC/SYNCB	58.18
Community Support Program	
Great Western Bank	70.50
Official Publ & Legal Notices	
The Hamburg Reporter Nebraska	47.52
Board Proceedings	
The Hamburg Reporter Nebraska	73.50
Postage & Mailing	
Great Western Bank	15.05
Erman Mullins III	12.40
Quadient Finance USA Inc D/B/A	1,200.00
Employee Mileage & Subsistence	
Vigilant Solutions, LLC	5,000.00
Telephone & Telegraph Services	
Great Western Bank	131.85
Pioneer Telephone	59.24
Windstream Iowa Communication	137.15
Data Processing Services	
DataSpec Inc.	449.00
Educational & Training Service	
Solutions Inc	28.75
Engineering Services	
State Hygienic Laboratory	680.00
Medical & Health Services	
EyeCare Associates of SW Iowa	350.00

Vigilant Solutions, LLC	19,550.00
Office Equipment & Furniture	
Card Services	24.00
General Supplemental Fund	
Employee Gr Ins-County Contrib	
Mills County Auditor	16,154.40
Miscellaneous Repair & Maint	
Office Warehouse Inc.	114.99
Storey Kenworthy	117.95
Tort Liability	
IA Communities Assurance Pool	74,870.99
Fidelity & Security Bond Prem.	
IA Communities Assurance Pool	2,750.00
Real Property Insurance	
IA Communities Assurance Pool	10,026.00
Other	
The Malvern Leader/Beacon Ent.	236.59
BH Media Group, Inc. Shenandoa	453.99
Secondary Road Fund	
Cover Aggregate & Sand	
Schildberg Constr Co Inc	18,240.62
Hardware (non motor vehicle)	
Tunncliff, Inc. dba JB Parts	83.82
Menards	45.98
Road Builders Mach. & Sup. Co.	48.00
Parts (non motor vehicle)	
CINTAS LOC 749	40.10
Menards	23.97
Fuels	
Sapp Bros Petroleum Inc.	2,901.82
Safety Items	
Menards	83.81
Minor Mv Parts & Access	
Freightliner Truck Center Co	1,085.18
Tunncliff, Inc. dba JB Parts	15.36
McMullen Ford	162.28
O'Reilly Auto Parts	128.64
Road Builders Mach. & Sup. Co.	786.18
Telephone & Telegraph Services	
U.S. Cellular	679.28
Educational & Training Service	
IA Dept of Transportation	-120.00
Engineering Services	
Pictometry International Corp	9,797.00
Medical & Health Services	
County Employee	128.72
County Employee	48.03
County Employee	107.31
County Employee	225.00
County Employee	62.84
County Employee	225.00
County Employee	225.00
County Employee	91.52
Natural Gas,LP Gas, Fuel Oil	
Black Hills Energy	101.74
Electric Power	
Atchison-Holt Elec.Co-Op	121.47
Motor Vehicle Equipment	
Sapp Brothers Truck Stops Inc	81.15
Ziegler Inc.	543.13
Office & Data Proc Equip Maint	
Solutions Inc	3,000.00
Tort Liability	
IA Communities Assurance Pool	21,511.00
Real Property Insurance	
IA Communities Assurance Pool	20,902.00
Equipment Insurance	
IA Communities Assurance Pool	38,015.69
Extermination Services	
Jeff Vrba ResCom Services	98.98
Sanitation & Disposal Services	
Spectracom, Inc. dba River Cit	175.00

Natural Gas,LP Gas, Fuel Oil	
Black Hills Energy	148.05
Sapp Bros Petroleum Inc.	171.00
Electric Power	
Hills P&H, LLC	3,267.28
Motor Vehicle Equipment	
Mainstay Systems Inc.	11,975.35
911 Custom	1,330.00
Buildings	
Andrew Tuckpointing Warren And	2,000.00
CJ Kimpston Roofing James and	1,068.00
Hodges Construction	2,324.75
Trane U.S. Inc.	16,035.00
Fixed Plant Equipment	
Sherry Gilbert	23.12
Office & Data Proc Equip Maint	
Mainstay Systems Inc.	12,564.00
Solutions Inc	38,640.00
Radio & Related Equip Maint	
Mainstay Systems Inc.	15,586.65
Verizon	258.00
Miscellaneous Repair & Maint	
AgriVision Equipment Group LLC	180.52
Century Homes Co dbs D & K Pro	4,551.08
Chris Eickemeyer Eickemeyer Re	152.50
Tunncliff, Inc. dba JB Parts	49.99
Shadetree Const & Remodel	3,931.75
Buildings - Rental	
General Basic Fund	60.07
Machinery & Mech Equipment	
Joshua C. Anderson Turf Elevat	26,000.00
Dues & Memberships	
Card Services	30.00
IA Co Recorders Association	1,340.89
Jdgments-Dmges-Sett-Fines	
Dennis James and Julie James a	5,000.00
Perm.Landscaping,Capital Outla	
D&L Pro	98.46
Hendrickson Logistics LLC	2,305.59
Data Processing	
Access Systems Leasing	477.97
Axon Enterprise	20,000.00
Konica Minolta Business Soluti	39.50
Solutions Inc	1,520.00

Roads	
City of Farragut	567.73
City of Randolph	213.86
City of Riverton	163.10
City of Thurman	474.20
Flood & Erosion Control Struct	
Gus Construction Co.	31,395.26
Resource Enhance.(Reap)	
Electric Power	
MidAmerican Energy Co.	5.20
Local Option Sales Tax	
Buildings	
Andrew Tuckpointing Warren And	48,947.00
Miscellaneous Repair & Maint	
Andrew Tuckpointing Warren And	52,703.00
Pictometry International Corp	9,797.00
Buildings-Capital Outlay	
Andrew Tuckpointing Warren And	10,600.00
Jnt Disaster Serv.Fund	
Telephone & Telegraph Services	
Verizon	40.01
Tort Liability	
IA Communities Assurance Pool	1,291.78
Equipment Insurance	
IA Communities Assurance Pool	1,651.00
Protection/Security Services	
City Treasurer ATTN: Gale Murp	1,860.24
Co. Assessor Agency Fund	
Board of Review	
Gil Gee	113.80
Brent Lorimor	111.50
Randi Shirley	100.00
Fuels	
IA Communities Assurance Pool	452.82
Stationery & Forms	
US Bank	92.74
Data Processing Supplies	
Solutions Inc	4,800.00
Data Processing Services	
Pictometry International Corp	9,798.00
E911 Surcharge	
Planning & Management Consult	
Yoka, Inc.	3,511.00
Grand Total	687,273.15

The Fremont County Board of Supervisors met in regular session on June 24, 2020, in the Fremont County Courthouse Boardroom, with Hickey, Sheldon, and Graham 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. The agenda was unanimously approved as posted.

Let the records show that IT Arnold Emberton and Sandy Parmenter with Valley New Today were present by telephone. Engineer Dan Davis, Assistant Engineer Robbie Kromminga, Assistant County Attorney Tyler Loontjer, EMC Mike Crecelius, Terry Travis, Courtney Athen, Conrad Hall, and Mark Zaccone with Invenenergy attended in person.

The USACE has run out of money for 408 permits. They will not have more money until October. This affects the bridge project on Western Avenue. Also, Reilly's has more manpower working on the J-10 project so there should be more progress now. The board will continue with flood updates each week.

Engineer Dan Davis met with the board regarding the following:

Motion by Sheldon to allow Chairman Hickey to sign IDOT payment vouchers with HGM Associates for engineering/surveying services for J-34 and L-31 per agreement through May 31, 2020. Motion carried unanimously.

Motion by Graham to allow Chairman Hickey to sign IDOT payment vouchers with HGM Associates for engineering services for emergency repair construction services on J-64 per agreement through May 31, 2020. Motion carried unanimously.

Motion by Sheldon to allow Chairman Hickey to sign IDOT payment vouchers with HGM Associates for engineering services for J-24 emergency repairs from I-29 NB on/off ramps to west corporate limits of Thurman through May 31, 2020. Motion carried unanimously.

Motion by Graham to allow Chairman Hickey to sign IDOT payment vouchers with HGM Associates for engineering services for the J-10 design per agreement through May 31, 2020. Motion carried unanimously.

Courtney Athen met with the board regarding a road maintenance issue. He stated that he mows the road ditches each year to keep the trees down. After he mows the ditches, the maintainer comes along and piles the grass in his driveway. He presented the board with pictures. Terry Travis, maintainer operator, stated that once the gravel is in the grass he has a hard time smoothing it out. It becomes rock solid. Athen stated this has been going on for years. Travis stated that many farmers use a disc mower & there isn't a problem. Davis wondered if the grass could be piled back in the ditch. After much discussion, Davis assured Athen that it would not be piled in his driveway and Athen said he would try to use a disc mower.

The board discussed the request that green fees be waived for the Fremont County Golf Course Fundraiser as in years past. Motion by Hickey to waive the green fees for the fundraiser. Hickey, aye. Sheldon, aye. Graham, nay.

The board discussed the appointment to the conservation board for the term ending June 30, 2025. They received 2 applications. Motion made by Graham to appoint Rebecca Castle. Motion carried unanimously. Rebecca Castle is appointed to the conservation board for a term beginning July 1, 2020. The term would end June 30, 2025. Chairman Hickey notified the applicants of the board's decision.

The board discussed the buyout relocation benefit. The board may put a stipulation that if they qualify for the relocation benefit of up to \$31,000.00 they must relocate in the county. Graham stated that he doesn't think the county should put stipulations on where these people who have lost their homes have to live. Sheldon made the point that this isn't the amount of the fair market value of the house. They still get the benefits from the buyout, this is just an additional incentive to stay within the county. After much discussion, motion by Sheldon to make the stipulation for relocations the individual must relocate within the county. Hickey, aye. Sheldon, aye. Graham, nay.

At 9:21 a.m., Veteran's Affairs Director Ben Roberts joined the meeting.

At 9:27 a.m., Mike Blazer with Invenenergy joined the meeting.

At 9:30 a.m., Gabe Klooster with Invenenergy joined the meeting.

At 9:32 a.m., Sheldon made a motion to go into public hearing. Motion carried unanimously. Present for the start of this hearing were Karen Garner, Assistant County Attorney Tyler Loontjer, Assistant Engineer Robbie Kromminga, EMC Mike Crecelius, Conrad Hall, Gabe Klooster, Mike Blazer, Mark Zaccone, Sandy Parmenter with Valley News Today, and Kirt Manion with the Hamburg Reporter. This hearing is being held at the request of Karen Garner regarding a nuisance abatement notice she received. She would like an extension to get her property cleaned up. At 9:34 a.m., Mike Peterson with KMA joined the meeting. The board asked how long of an extension she was thinking. Garner would like a year or more. Sheldon stated that a year is too long. Loontjer suggested perhaps six months to finish out the year to see how much progress has been made. Garner stated that she has already started cleaning up. At 9:37 a.m., there being no further comment, motion by Graham to go out of public hearing. Motion carried

unanimously. Graham made a motion to grant Garner a 60-day extension to work on the property and then to update the board on this project on August 26th. Motion carried unanimously.

The board discussed an application presented by EMC Crecelius for a resident to withdraw from the buyout program. Motion by Sheldon to allow Chairman Hickey to sign the buyout withdraw form for Dean Doty. Motion carried unanimously.

At 9:40 a.m., Maureen Collins, John Travis, Justin Driever, and Fred Moyer joined the meeting.

Veteran's Affairs Director Ben Roberts met with the board regarding a conflict of interest issue regarding payment of an invoice. The board informed him that it is against Iowa Code to use family members for goods or services. He stated that the invoice was the lesser of the two quotes that he received. The board again emphasized that this is not allowed and that the county will penalized in their audit for this.

At 9:45 a.m., Sheldon left the meeting, but returned by phone at 9:46 a.m.

At 9:45 a.m., Graham made a motion to go into public hearing for the third reading of the proposed Ordinance 2020-1 regarding wind turbines. Motion carried unanimously. Present for this hearing were Assistant County Attorney Tyler Loontjer, Assistant Engineer Robbie Kromminga, EMC Mike Crecelius, Conrad Hall, Gabe Klooster, Mike Blazer, Mark Zaccane, Sandy Parmenter with Valley News Today, and Kirt Manion with the Hamburg Reporter. The board thanked Invenergy for making the suggested changes in the setbacks. The board asked for public comments. Maureen Collins asked who decommissions the turbines when the project ends. Graham explained that it is in the ordinance that it is the responsibility of the energy company. She questioned if the fiberglass blades would just be sitting in the landfill. Gabe Klooster stated that Invenergy is now working with a company to recycle the blades to use in concrete foundations. Collins also expressed concerns about birds using Fremont County as a migratory route. Loontjer stated that there is a setback of three miles from the river and three miles from the Loess Hills. There being no further comment, at 9:55 a.m., Graham made a motion to go out of public hearing. Motion carried unanimously. Motion by Hickey to approve Ordinance 2020-1 regarding wind turbines. Hickey, aye; Sheldon, aye; Graham, aye.

FREMONT COUNTY ORDINANCE 2020-1

AN ORDINANCE REGULATING THE CONSTRUCTION, INSTALLATION, AND MAINTENANCE OF WIND ENERGY CONVERSION SYSTEMS AND ADDRESSING THE STANDARDS AND CONDITIONS THEREOF WITHIN FREMONT COUNTY, IOWA.

Be it enacted by the Fremont County Board of Supervisors, Fremont County, Iowa as follows:
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SECTION 1: PURPOSE

The purpose of this Ordinance is to provide for the regulation of Owners/Developers engaged in the construction, erection, placement, location, operation, and maintenance of Wind Energy Conversion Systems in Fremont County, Iowa, and to preserve and protect the public health, safety, comfort, and welfare of the residents of Fremont County, Iowa, without significantly increasing the cost or decreasing the efficiency of such Wind Energy Conversion Systems and associated structures.

SECTION 2: JURISDICTION

This Ordinance applies to all lands within the unincorporated areas of Fremont County, Iowa, but shall not apply to land within the incorporated cities of Fremont County, Iowa.

SECTION 3: DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Applicant: the person or entity submitting the application under this Ordinance, which is normally expected to be the owner or operator of a WECS, or the owner of the WECS development.

Commercial Grade Wind Energy Conversion System (C-WECS): a Wind Energy Conversion System of equal to or greater than 100 kW in total nameplate generating capacity.

Decommission (or Decommissioning): the removal, to a depth of four (4) feet, of all wind turbines and related devices and equipment and distribution facilities comprising a Wind Energy Conversion System including, but not limited to, all rotors, nacelles and towers; all collection step-up transformers; all Wind Energy Device foundations, pads, underground electrical wires and any and all other underground wind energy structures and improvements and all access roads (unless the relevant landowner requests that such access road remain), all in accordance with Section 8 herein.

Distribution or Feeder Line: any power line that carries electrical power from one or more wind turbines or individual transformers associated with individual wind turbines to the point of interconnection with the electrical power grid. In the case of interconnection with the high voltage transmission systems, the point of interconnection shall be the substation serving the WECS.

Larger Turbine: a turbine 500 feet or greater in height from the ground at the base to the highest point reached by the tip of a blade.

Loess Hills: a fragile, rare natural land formation of wind-deposited loess soil located in the western half of Fremont County, Iowa. For the purposes of this ordinance, the boundary of the Loess Hills setback shall be measured from Fremont County Road L44, commonly known as Bluff Road, which is located at the foot of the Loess Hills to the West.

Meteorological Tower (MET): any meteorological, measuring, or surveying equipment or devices erected on or attached to any tower, monopole, or guyed structure to verify the wind and weather resources found within a certain area.

Non-Commercial Wind Energy Conversion System (NC-WECS): a WECS which has a generating nameplate capacity of not more than 100 kW, and which is intended to primarily reduce on-site consumption of utility power.

Non-participating Landowner: any landowner not under agreement with the owner or operator of the WECS.

Non-Participating Residence: the primary human dwelling on any privately-owned parcel of land where the owner(s) of such parcel has not entered into a voluntary agreement with the Owner/Developer/Operator.

Non-Participating Property Line: the boundary line defining any parcel of land where the owner(s) of the parcel has not entered into a voluntary agreement with the Owner/Developer/Operator regarding the Project, regardless of the presence of a residence.

Owner/Developer/Operator: the individual, firm, business, or entity that intends to own and operate a Wind Energy Conversion System in accordance with this Ordinance.

Participating Landowner: a landowner under lease, easement or other property agreements with the owner or operator of the WECS.

Participating Residence: the primary human dwelling on any parcel where the owner(s) of the parcel has entered into a voluntary agreement with the Owner/Developer/Operator.

Participating Property Line: the boundary line defining any parcel of land where the owner(s) of the parcel has entered into a voluntary agreement with the Owner/Developer/Operator regarding the Project, regardless of the presence of a Participating Residence on such parcel.

Professional Engineer: a qualified individual who is licensed in the State of Iowa as a professional engineer.

Residence: a house, apartment, or other shelter that is the abode of a person, family, or household and is regularly occupied or occupiable.

Rotor Diameter: the diameter of the circle described by the moving rotor blades of a WECS.

Setback: the minimum required distance from a certain object, structure or point to the center point of the foundation of the Wind Turbine at the natural ground level.

Structure: anything constructed or erected on the ground or attached to the ground, including but not limited to, antenna(s), buildings, sheds, cabins, residences, signs, storage tanks, towers, Wind Turbines, and other similar objects.

Substation: the apparatus that connects the electrical connection system of the WECS and increases the voltage for connection with the utility's, transmission owner's or WECs owner's transmission lines.

Smaller Turbine: a turbine less than 500 feet in height from the ground at the base to the highest point reached by the tip of a blade.

Total Height: the vertical distance from ground level to the tip of the blade on a Wind Energy Device when such blade is at its highest point.

Tower: any monopole, freestanding, or guyed structure that supports a Wind Energy Device.

Transmission Line: those electrical power lines that carry voltages of at least 69,000 volts (69 kV) and are primarily used to carry electrical energy over medium to long distances rather than directly interconnecting and supplying electrical energy to customers.

Wind Energy Conversion System (WECS): an electrical generating facility comprised of one or more Wind Energy Devices and accessory facilities including, but not limited to, power lines, transformers, substations and meteorological towers that operate by converting the kinetic energy of wind into electrical energy. The energy may be used on-site or distributed into the electrical grid.

Wind Energy Device (WED): any equipment that transforms energy from the wind into usable forms of energy not intended for residential or personal use. This equipment includes any base, blade, foundation, generator, nacelle, rotor, or tower that is integrated as part of a single device. The term wind energy device often refers to and includes wind towers, wind turbines, wind generators, windmills, or other wind energy conversion systems. This definition shall not

include any buried wires or other subsurface electrical transmission equipment or ancillary above ground electrical structures such as junction boxes and step-up transformers.

Wind Energy Accessory Building or Structure: any permanent building or structure located within the same defined boundaries of a permitted Wind Energy Conversion System or on the same lot, parcel or tract of land of a single Wind Energy Device, and is clearly considered customarily and incidental and subordinate to the principal Wind Energy Device(s). Any Wind Energy Device Accessory Building or Structure may contribute to the successful operation, convenience, and necessity of the principal Wind Energy Device(s). Examples of Wind Energy Device Accessory Buildings or Structures may include, but not be limited to, electrical substations, switching stations or any other permanent structures used in a capacity similar to electrical substations and associated with Wind Energy Conversion Systems. This definition shall not include any above ground or buried transmission lines, wires or other electrical equipment in addition to any above ground junction boxes, step-up transformers, operations and maintenance buildings or any temporary or non-permanent buildings or structures used during the construction of a Wind Energy Device or Wind Energy Conversion System. For the avoidance of doubt, junction boxes are small pieces of electrical equipment that are typically no larger than approximately 3' tall above the surface and approximately 4' in width and 3' in depth. Step-up transformers are pieces of electrical equipment approximately 6' tall above the surface and approximately 6' in width and 6' in depth and are usually located in close proximity to the base of the Wind Energy Device.

SECTION 4: WIND ENERGY CONVERSION SYSTEM PERMIT APPLICATION

The Applicant for the siting and construction of a WECS shall file an application with the Fremont County Engineer or his designee, accompanied by a fee of two hundred fifty dollars (\$250.00) per Wind Energy Device that is a part of the application and payable to Fremont County, Iowa.

- A. All applications for WECS must include the following information (as applicable):
1. A WECS project summary, including, to the extent possible: (a) a general description of the project, including its approximate nameplate generating capacity; the equipment manufacturer and a general description of the Wind Energy Devices (WEDs), and (b) a description of the applicant, owner and operator, including their respective business structures.
 2. The names of project applicant and project owner, including contact information.
 3. The general description of the location of the WECS.
 4. Total height and rotor diameter of the WEDs.
 5. Site layout, including the location of the WEDs and those items to which a setback applies. The site layout shall include distances and be drawn to scale, in order for the County to determine if the WEDs meet the setback requirements of this Ordinance.
 6. Engineer's certification(s) of the specifications and operating parameters of the WEDs.
 7. Documentation of land ownership or legal control of the property.
 8. The latitude and longitude of individual WEDs.
 9. Location of any conservation areas within a two (2) mile radius of the participating property, which are potentially affected by the proposed WEDs.
 10. Affirmation that a sound study was completed showing expected maximum decibel levels produced by the WEDs as measured at non-participating residences should not exceed fifty (50) decibels (dBA) during normal operating conditions.
 11. Affirmation that a shadow flicker study was completed showing that no non-participating residence will experience more than 30 hours per year of shadow flicker under planned operating conditions.
 12. Affirmation that the applicant has applied for necessary and appropriate Federal Communication Commission (FCC) applications and Federal Aviation Administration (FAA) no hazard determinations (including FAA determinations of no hazard, if received).
 13. Affirmation that the applicant has identified significant migratory flyways and nesting areas for federally listed birds, bats, and endangered species within one (1) mile of the proposed Wind Turbine.
- B. The WECS application shall contain the above information and be submitted to the Fremont County Engineer or his designee. Upon determination by the Fremont County Engineer that the requirements of this Ordinance have been satisfied, the completed WECS Application and any/all necessary supporting documentation shall be presented to the Fremont County Board of Supervisors for approval. The Fremont County Board of Supervisors, upon approval of an application, shall authorize the Zoning Administrator to provide any necessary building permits for each Wind Turbine. If there are any material changes to the information provided as part of the application in Section 3 that occur from the time of the application until the construction of the WECS, the applicant shall submit a new application (along with an application fee per Wind Turbine with changed information) together with the updated information for each Wind Turbine (with changes to the information required to be provided in Section 3) and any such change shall be in compliance with this Ordinance. The Fremont County Zoning Administrator shall present the amended and completed WECS Application and any/all necessary supporting documentation to the Fremont County Board of Supervisors using the process described above. Upon the issuance of any necessary FAA and FCC permits identified in this section, the applicant shall provide the Fremont County Zoning Administrator with documentation that the applications were approved.

SECTION 5: GENERAL REQUIREMENTS FOR COMMERCIAL GRADE WIND ENERGY CONVERSION SYSTEMS AND METEOROLOGICAL TOWERS

The Owner/Developer/Operator will design, construct, and operate any Commercial Wind Energy Conversion System (C-WECS) or Meteorological Tower (MET) in compliance with following requirements:

- A. Color and finish: WEDs and METs shall be painted a non-reflective color. Blades may be black in order to facilitate de-icing. Finishes shall be matte or non-reflective.
- B. Tower Configuration: All WEDs, which are part of a C-WECS, shall be installed with a tubular, monopole type tower. METs may be guyed.
- C. Minimum Ground Clearance: The blade tip of any WED shall, at its lowest point, have ground clearance of no less than thirty-five (35) feet.
- D. Maximum Height: WEDs and METs shall not exceed six hundred fifty (650) feet in total height.
- E. Number of WEDs: No more than one hundred fifty (150) Wind Energy Devices shall be allowed in Fremont County, Iowa.
- F. Safety: All ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access. WEDs and METs shall not be climbable on their exterior up to fifteen (15) feet above ground level, except for stairs used to reach the access door used for entry into the WEDs. All access doors to WEDs and meteorological towers and electrical equipment shall be locked when not being serviced. Appropriate visible warning signage shall be placed on WEDs, electrical equipment, and substation entrances. For all guyed meteorological towers, visible and reflective objects, such as plastic sleeves, balls, reflectors or tape, shall be placed on the guy wire anchor points and along the outer and innermost guy wires up to a height of twelve (12) feet above the ground.
- G. Lighting: WEDs shall not be artificially lighted from the ground upward, except to the extent required by the FAA or other applicable authority or for nighttime repairs/maintenance. All temporary or permanent METs (regardless of their height) shall display a flashing red light at the top of the tower. Lighting, including lighting intensity and frequency of strobe, shall adhere to, but not exceed, requirements established by FAA regulations.
- H. Shadow Flicker: The Owner/Developer/Operator shall use shadow flicker computer modeling to estimate the amount of shadow flicker anticipated to be caused by the WECS so that computer modeling indicates that no non-participating residence will experience more than 30 hours per year of shadow flicker under planned operating conditions. If any owner of a nonparticipating residence experiences more than 30 hours of shadow flicker per year under WECS normal operating conditions, then the Owner/Developer/Operator shall be obligated to mitigate such shadow flicker to comply with the terms of this Ordinance.
- I. Sound: Sound produced by any WED under normal operating conditions as measured at the exterior wall of a residence shall not exceed 50 dBA. Sound levels, however, may be exceeded during short term events out of the Owner/Developer/Operator's control, such as utility outages and/or severe wind or weather conditions.
- J. Signage: Upon completion of the WEDs, the C-WECS owner's name and/or logo and the phone number to contact in case of emergency shall be placed upon the base of each of the WECS Towers and the entrance to any enclosure fence. WEDs shall not be used for displaying any advertising except for reasonable identification of the manufacturer, owner, or operator of the WECS.
- K. Electrical Lines: All communications, transmission, and distribution or feeder lines, equal to or less than 34.5 kV, installed as part of a WECS shall be buried not less than forty-eight (48) inches deep. If the Owner/Developer/Operator can demonstrate the need for an overhead line and the acceptance of landowners for this line, such option may be approved conditionally by the Fremont County Board of Supervisors.
- L. Waste Disposal: Solid and hazardous wastes, including but not limited to crates, packaging materials, damaged or worn parts, as well as used oils and lubricants, shall be removed from the site in a time period as established by local, state and federal regulations.
- M. Interference: The C-WECS shall not interfere with licensed microwave communication paths or those microwave paths planned to be used by Fremont County at the time of the application. The C-WECS owner shall minimize and mitigate any interference with electromagnetic communications, such as radio, telephone or television signals caused by any WEDs. If, after construction of the C-WECS, the owner or operator receives a written complaint related to the above-mentioned interference, the owner or operator shall take reasonable steps to respond to the complaint.
- N. Insurance: The owner or operator of any C-WECS subject to this Ordinance shall maintain a current general liability policy covering bodily injury and property damage with limits of at least three million dollars (\$3,000,000) per occurrence and six million dollars (\$6,000,000) in the aggregate. Such insurance requirements may be met through a combination of primary and excess insurance policies.
- O. Federal Aviation Administration: All WEDs shall comply with FAA standards and regulations.
- P. Electrical Codes and Standards: All WECS and comprising WEDs shall comply with all applicable State of Iowa construction and electrical codes, the National Electrical Code, and any and all other applicable standards.
- Q. Utility Notification and Interconnection: WECS that connect to an electric utility shall comply with all local, State of Iowa, and federal regulations regarding the connection of energy generation facilities.
- R. Setbacks: The following setbacks and separation requirements shall apply to all WEDs and METs, as measured in feet from the nearest point, unless otherwise specified, of the object, landmark, or structure to the center point of the

foundation of the WED or Tower at the natural ground level as of the date the corresponding WECS Permit Application is filed:

Object, Landmark, or Structure	Setback for Smaller WEDs	Setback for Larger WEDs
Participating Residence	1,250 feet	1,350 feet
Non-Participating Residence	1,500 feet	1,600 feet
Shared Property Line of Participating Owners	Blade Length	Blade Length
Non-Participating Property Line	1.1 x Total Height	1.1 x Total Height
Public Roads/Right of Way	1.1 x Total Height	1.1 x Total Height
Incorporate Cities/Municipalities	5,280 feet	5,280 feet
Non-Road Public Right of Way	1.1 x Total Height	1.1 x Total Height
Overhead Utility Lines	1.1 x Total Height	1.1 x Total Height
Oil and Natural Gas Pipelines	1.1 x Total Height	1.1 x Total Height
Railroads/Railroad Right of Way	1.1 x Total Height	1.1 x Total Height
Cemeteries	1,500 feet	1,500 feet
Livestock Confinement Facilities	1,500 feet	1,500 feet
Publicly Owned Parks and Lakes	1,500 feet	1,500 feet
The Missouri River	15,840 feet	15,840 feet
Loess Hills, measured from County Road L44	15,840 feet	15,840 feet

- S. Wind Energy Accessory Buildings or Structures: Above ground Wind Energy Accessory Buildings or Structures shall be set back a distance of no less than 1,500 feet from any residential dwelling. The measurement between the Wind Energy Accessory Building or Structure is to be taken from the nearest point of the residential dwelling to the visually apparent perimeter of the above ground Wind Energy Accessory Building or Structure, or the boundary of an area containing such above ground Wind Energy Accessory Building or Structure (as may be evidenced by a fence, edge of parking lot, or other visible surface or above ground element of the building or structure; provided, however, that a sign or natural vegetation shall not be considered a perimeter or boundary). Such setback distance of 1,500 feet shall be enforced unless the property owner of such residential dwelling provides written consent or approval to the location of such Wind Energy Accessory Building or Structure. Above ground Wind Energy Accessory Buildings or Structures shall be setback a distance of no less than 150 feet from any road right of way, public right of way, railroad right of way or public utility facility, unless the owner of such facilities or such right of way or the applicable public utility facility owner provides written consent or approval to the location of such above ground Wind Energy Accessory Building or Structure.
- T. Setback Waiver: The foregoing setbacks may be waived by nonparticipating or participating landowner and/or residences and by owners of participating shared property line or non-participating property line owners.

SECTION 6: GENERAL REQUIREMENTS FOR NON-COMMERCIAL WIND ENERGY CONVERSION SYSTEMS (NC-WECS).

Non-Commercial Grade Wind Energy Conversion Systems are subject to the following standards:

- A. In addition to satisfactorily addressing all other applicable requirements of this Ordinance, the applicant must provide documentation that the following requirements have also been met.
1. Tower Height: NC-WECS Wind Turbines shall not exceed one hundred (100) feet in total height. NC-WECS shall be subject to all height limitations as necessary to comply with other sections of this Ordinance and those imposed by FAA regulations.
 2. Setback: No part of the NC-WECS structure, including guy wire anchors, may extend closer than fifty (50) feet to the property boundaries of the installation site. The distance of the base of the tower from any property line shall be a minimum of one hundred twenty-five (125) percent of the total height of the tower. An affected property owner may petition the Fremont County Board of Supervisors for a written waiver of this setback requirement.
 3. Noise: NC-WECS shall not exceed fifty (50) dBA, as measured at the closest neighboring inhabited residence that exists as of the time of the application. The level, however, may be exceeded during short-term events such as utility outages and/or severe windstorms.
 4. Engineer Certification: Applications for NC-WECS shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, and footings. An engineering analysis of the tower showing compliance with the applicable regulations and certified by an Iowa licensed professional engineer shall also be submitted. This analysis is frequently supplied by the manufacturer.
 5. Compliance with Federal Regulations: NC-WECS must comply with applicable Federal Communication Commission (FCC) applications and Federal Aviation Administration (FAA) applications, including but not limited to, necessary approvals for installations near airports.

6. Compliance with Electric Code: Applications for NC-WECS shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the State of Iowa code and National Electric Code. This information is frequently supplied by the manufacturer.
7. Utility Notification: No NC-WECS shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected, customer-owned generator. Off-grid systems shall be exempt from this requirement.
8. Insurance: The applicant seeking a permit to erect a NC-WECS shall provide evidence, in the form of a certificate of insurance satisfactory to Fremont County, showing general liability coverage for the installation and operation of the NC-WECS system under a standard homeowner's or standard business owner's insurance policy, separate and distinct from any insurance requirements of a public utility.

SECTION 7: ROADS, DRAINAGE SYSTEMS, AND INFRASTRUCTURE

Costs of repair from damage or maintenance of County roads, rights of way, drainage systems, or any other County infrastructure resulting from the construction, operation, repair, or removal of a WECS, WED, or MET shall be the responsibility of the Owner/Developer/Operator. A separate agreement which clearly lays out the rights and obligations of the County and the Owner/Developer/Operator with respect to the construction, maintenance, and use of County roads in connection with the development of a WECS will be required prior to the start of construction by the Owner/Developer/Operator of any WEDs and related devices and equipment and distribution and collection facilities comprising a WECS or the installation of a MET.

SECTION 8: DECOMMISSIONING

Prior to the Owner/Developer/Operator commencing the construction and/or installation of a Wind Energy Conversion System or a Meteorological Tower, the Owner/Developer/Operator shall enter into a decommissioning agreement for the WECS with Fremont County outlining the anticipated means and cost of removing each WED and/or MET, and all associated structure and infrastructure, net of salvage value, at the end of its serviceable life or upon becoming a discontinued use. The Owner/Developer/Operator will obtain a cost estimate to be made by a professional engineer licensed in the State of Iowa. The decommissioning agreement shall also outline proposed financing methods adequate for the decommissioning of the WECS. A WED shall be considered discontinued or abandoned after one year without energy production unless a timely plan is developed and submitted within such one-year period to the County outlining the steps and schedule for returning the WED to active service. All WEDs, METs, and accessory facilities shall be removed to a depth of four (4) feet below grade within one hundred eighty (180) days of becoming a discontinued use.

SECTION 9: CHANGE OF OWNERSHIP

The Owner/Developer/Operator shall submit notification to the County upon change of ownership of all or part of any WECS. The ownership of the WECS shall not be assigned without the written consent of the Fremont County Board of Supervisors and such consent shall not be unreasonably withheld.

No consent shall be required if the change of ownership or assignment is to an electric utility regulated by the Iowa Utilities Board, or to a rural electric cooperative or municipal utility serving any part of Fremont County. In this event, the Owner/Developer/Operator shall provide ten (10) days advance written notice of any such change of ownership to the Fremont County Board of Supervisors.

SECTION 10: INTERPRETATION AND REGULATIONS

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements. Where this Ordinance imposes a greater restriction than is imposed or required by other provisions of law, other rules, regulations or ordinances, the provisions of this Ordinance shall govern. This Ordinance is not intended to abrogate or annul any easement, covenant or other private agreement provided that where any provision of this Ordinance is more restrictive or imposes a higher standard requirement than such easement, covenant or other private agreement, the provisions of this Ordinance shall govern.

SECTION 11: PENALTY

It shall be unlawful for any person, firm, or corporation to construct, install, or operate any Wind Energy Conversion System or Meteorological Tower that is not in compliance with this Ordinance. This Ordinance, however, shall not apply to, or regulate, any and all Wind Energy Devices or Meteorological Towers installed prior to the adoption of this Ordinance.

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.

SECTION 12: NONCONFORMING USES

A Wind Energy Conversion System, Wind Energy Device, or Meteorological Tower which constructed and lawful before the passage of this Ordinance, but which is not in conformity with the provisions of this Ordinance, may be continued subject to the following conditions:

- A. If such use is discontinued for six (6) consecutive months, any future use shall conform to this Ordinance.
- B. If any nonconforming use or structure is damaged or destroyed by any means, it shall not be reconstructed if the cost is more than fifty (50) percent of the market value of the structure before the damage occurred, unless it is reconstructed in conformity with the provisions of this Ordinance.

SECTION 13: REPEALER AND SEVERABILITY

All ordinances or parts of ordinances in conflict herewith are hereby repealed. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

SECTION 14: ORDINANCE IN FORCE

This Ordinance shall be in full force and effect from and after the date of its passage, approval, and publication as provided by law. ADOPTED AND ENACTED by the Fremont County Board of Supervisors on June 24, 2020.

ATTEST:

/s/ Dee Owen	/s/ Randy Hickey, Chairman	aye
Fremont County Auditor	/s/ Dustin Sheldon	aye
	/s/ Terry Graham	aye

First Reading: May 13, 2020
Second Reading: June 10, 2020
Third Reading: June 24, 2020

Motion made by Graham to approve the following Resolution 2020-29. Motion carried unanimously.

RESOLUTION NO. 2020-29

BE IT HEREBY RESOLVED by the Fremont County Board of Supervisors this 24th day of June 2020, that the Auditor be authorized to cancel outstanding warrants that are over one year old.

Motion made by Graham.

ATTEST:

/s/ Dee Owen	/s/ Randy Hickey, Chairman	aye
Fremont County Auditor	/s/ Dustin Sheldon	aye
	/s/ Terry Graham	aye

Motion made by Hickey to approve the following Resolution 2020-30. Motion carried unanimously.

RESOLUTION NO. 2020-30

Resolution Authorizing Appropriations to County Offices and Departments FY 2020/2021

Resolution to appropriate 100% of the budgeted amounts for expenditures deemed necessary to all Budgetary Funds/Departments FY 2020/2021, as published in the Notice of Public Hearing Budget Estimate on March 12 & 13, 2020.

Motion made by Hickey.

PASSED AND APPROVED, this 24th day of June, 2020.

ATTEST:

/s/ Dee Owen	/s/ Randy Hickey, Chairman	aye
Fremont County Auditor	/s/ Dustin Sheldon	aye
	/s/ Terry Graham	aye

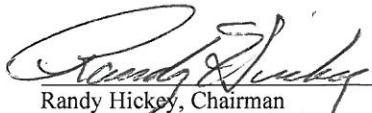
Claims were approved for June 26, 2020.

At 9:59 a.m., there being no further business, Graham made a motion to adjourn. Motion carried unanimously.

ATTEST:



Fremont County Auditor



Randy Hickey, Chairman

Claims June 26, 2020

General Basic Fund		Secretary of State Notary Divi	60.00
Food & Provisions		Buildings-Capital Outlay	
Hy-Vee Inc Accounts Receivable	112.48	Trent A Tiemeyer SW IA Parking	38,025.00
Custodial Supplies		Secondary Road Fund	
Valeri Albertsen	240.00	Asphalt & Asphalt Products	
The Home Depot Pro	81.32	Asphalt & Concrete Materials	1,819.43
Stationery & Forms		Cover Aggregate & Sand	
Mail Services LLC	392.99	Schildberg Constr Co Inc	24,873.30
Office Warehouse Inc.	35.75	Hardware (non motor vehicle)	
Photocopy/Fax Supplies		Tunnicliff, Inc. dba JB Parts	37.98
MTE Office Center	3,075.29	Minor Mv Parts & Access	
Acute & Emergency Treat.		Interstate Battery of Omaha	311.85
Southwest Iowa Home Health Svs	3,140.49	MHC Kenworth	122.97
Community Support Program		Murphy Tractor & Equip. Co Inc	118.56
Sign Solutions	2,668.64	Peterson Auto	145.50
Official Publ & Legal Notices		Medical & Health Services	
Sidney Argus-Herald	67.42	County Employee	12.73
Board Proceedings		County Employee	2.16
The Hamburg Reporter Nebraska	202.13	County Employee	52.61
Telephone & Telegraph Services		County Employee	146.50
Century Link Business Services	0.65	Electric Power	
Chat Mobility	50.95	MidAmerican Energy Co.	1,090.78
Windstream Iowa Communication	737.88	Motor Vehicle Equipment	
Acct/Audit & Clerical Services		Murphy Tractor & Equip. Co Inc	1,605.95
Rob Sand, Auditor of State Off	46,304.79	Peterson Auto	170.00
Data Processing Services		Debt Service LEC Building Proj	
Computer Projects of II, Inc.	360.00	General Oblig Bond Redemption	
Educational & Training Service		UMB Bank, N.A. ATTN: Trust Fee	250.00
Solutions Inc	28.75	Debt Service ISICS Radio Proj	
Legal & Court-Related Services		UMB Bank, N.A. ATTN: Trust Fee	300.00
IA Co Attorneys Case Mgmt Proj	20,000.00	Jnt Disaster Serv.Fund	
Medical & Health Services		Telephone & Telegraph Services	
Rash-Gude Funeral Home Inc.	785.00	Chat Mobility	35.67
Electric Power		Windstream Iowa Communication	324.82
MidAmerican Energy Co.	1,232.39	E911 Surcharge	
Dues & Memberships		Windstream Iowa Communication	264.33
		Grand Total	149,287.06