

August 20, 2019

Meeting of the Clayton County Board of Supervisors at their office, 600 Gunder Road, Elkader, Iowa.

Present: Steve Doepcke and Ray Peterson

Absent: Sharon Keehner

Guests: Shirley Christianson, Terry Puelz, Myron Phelps, Russ Rudolph, Rob Medberry, Samantha Wagner, Chris Schroeder, Joe Shirbroun, Erling Bilden, Katie Othoff, Kaleb VanFossen, Ben Wikner, Merry French, Scott Cherne, John Finley, Matt Winters, Larry Stone, Greg Koether, Phil Specht, Pat McTaggart

Doepcke moved, Peterson seconded to approve the minutes of the August 13, 2019, meeting. Ayes: Doepcke, Peterson. Motion carried.

Doepcke moved, Peterson seconded to approve claims as presented. Ayes: Doepcke, Peterson. Motion carried.

Merry French discussed the in kind value allotment to the office space and elected official time. Doepcke moved, Peterson seconded to approve in kind rates as follows: Conference Room 1, \$50/hr; Conference Room 3, \$25/hr; Public Meeting Room, \$75/hr; Office Space, \$10/sq. ft. (unless under different contract); and Depart of Labor Management Occupations, \$50.11/hr. Ayes: Doepcke, Peterson. Motion carried.

Larry Stone presented a resolution for consideration regarding asking the Governor of Iowa and the State Legislature to address inadequacies of the Master Matrix that was adopted seventeen years prior. Stone cited in the resolution a need for clearer, unambiguous guidelines, and to take into consideration the geography, geology, water sources, health, karst topography, and economic interest of the citizens. Several members of the public had comments relating to conflicting research on health concerns, effects on smaller family farms, effects of heavy rains/floods, neighbor relations/working together, responsible application, costs associated with change, not all issues being farm related (some urban), and information disclosure per the current Master Matrix guidelines. Peterson moved, Doepcke seconded to not support the resolution and to continue reviewing construction permit applications for CAFOs with the current Master Matrix in place, while revisiting the subject in January. Ayes: Doepcke, Peterson. Motion carried.

Peterson moved, Doepcke seconded to approve resolution #20-2019 "Approval of Waiver of Clayton County's Right to Appeal Issuance of Final Construction Permit for the Construction of Confined Animal Feeding Operation by the Iowa Department of Natural Resources". Roll Call Vote: Doepcke-aye, Peterson-aye. Motion carried.

#### RESOLUTION #20-2019

#### APPROVAL OF WAIVER OF CLAYTON COUNTY'S RIGHT TO APPEAL ISSUANCE OF FINAL CONSTRUCTION PERMIT FOR THE CONSTRUCTION OF CONFINED ANIMAL FEEDING OPERATION BY THE IOWA DEPARTMENT OF NATURAL RESOURCES

BE IT RESOLVED by the Clayton County Board of Supervisors as follows:

Section 1. The Clayton County Board of Supervisors has received notice from the Iowa Department of Natural Resources (DNR) that Kregel Farms, Inc. has been issued a draft permit for the construction of a confined animal feeding operation building(s) at SE ¼ of the NW ¼ of Section 13, T93N, R4W, Garnavillo Township in unincorporated Clayton County.

Section 2. The Clayton County Board of Supervisors reviewed the construction permit application and the manure management plan and determined that both appeared to be in compliance with the requirements of the Master Matrix, Iowa Code Section 459 and Iowa DNR rules and recommended approval of said application on July 2, 2019.

Section 3. The Clayton County Board of Supervisors hereby waives its right to appeal the issuance of the final permit within the fourteen (14) day limit from the time of receipt of notice of the issuance of the draft permit.

Section 4. The Clayton County Board of Supervisors encourages the Iowa DNR to issue the Final Permit immediately upon notification of this waiver.

Section 5. The Clayton County Board of Supervisors authorizes the Board Chairman to notify the Iowa DNR of this waiver.

Section 6. This resolution shall take effect immediately.

Attest:

\_\_\_\_\_  
Ray Peterson  
Chairperson, Board of Supervisors

\_\_\_\_\_  
Jennifer Garms  
Clayton County Auditor