

1 MINUTES OF THE BUCHANAN COUNTY
2 PLANNING & ZONING COMMISSION
3 DECEMBER 13, 2023

4 The meeting was called to order by Chairman Alfred
5 Purcell at 7:00 p.m. in the Thomas J. Mann III Room,
6 #223. This room is located on the 2nd floor of the
7 Buchanan County Courthouse, 411 Jules Street, St.
8 Joseph, Missouri 64501.

9 Board members Mike Korte, Rodney Fry, Pat McLearn,
10 Cody Cornelius, Wayne Barnett, Shirley Day, Fred
11 Corkins and Al Purcell were present for roll call and a
12 quorum was present.

13 Also present were Commissioner Scott Burnham,
14 County Attorney Joshua Bachman, and Planning & Zoning
15 Specialist, Kristy Theas.

16 **AGENDA**

17 **ITEM #1:** A request by Michael Dragoo, 9300 SW State
18 Route JJ, St. Joseph, MO 64504 to obtain a Conditional
19 Use Permit to split off a 5.01 acre lot to construct a
20 single family dwelling for his daughter, all located in
21 Section 7, Township 56, Range 35.

22 **ITEM #2:** A request by Art Obermier, SE King Hill Rd,
23 St. Joseph, MO 64504 to obtain a Conditional Use Permit
24 to place a tiny home on an 8 acre parcel, all located
25 in Section 7, Township 56, Range 35.

ITEM #3: Review Solar Ordinance and application for
Buchanan County.

1 P R O C E E D I N G S
2 (The meeting was called to order at 7:00 p.m.)

3 CHAIRMAN PURCELL: Good evening, everyone.
4 We'll call the meeting to order. Thank you. Would you
5 please call the roll?

6 MS. THEAS: Mike Korte?

7 MR. KORTE: Here.

8 MS. THEAS: Rodney Fry?

9 MR. FRY: Here.

10 MS. THEAS: Pat McLearn?

11 MR. McLEAR: Here.

12 MS. THEAS: Cody Cornelius?

13 MR. CORNELIUS: Here.

14 MS. THEAS: Wayne Barnett?

15 MR. BARNETT: Here.

16 MS. THEAS: Shirley Day?

17 MS. DAY: Here.

18 MS. THEAS: Fred Corkins?

19 MR. CORKINS: Here.

20 MS. THEAS: Scotty Sharp?

(No response.)

21 MS. THEAS: Glen Frakes?

(No response.)

22 MS. THEAS: Al Purcell?

23 MR. PURCELL: Here. Thank you. Everyone has
24 received the minutes from our last meeting. I'll
entertain a motion to approve the minutes.

25 MR. KORTE: So moved.

CHAIRMAN PURCELL: So moved. Is there a
second?

MS. THEAS: Cody.

CHAIRMAN PURCELL: Second? Thank you. All
those for approval of the minutes say aye.

(Unanimous aye.)

CHAIRMAN PURCELL: Those opposing?

(No response.)

CHAIRMAN PURCELL: Hearing none, the minutes
from the last meeting have been approved.

Tonight we have three things on the agenda.
Item No. 1, a request from Michael Dragoo; and then
Item No. 2, if I'm pronouncing the name, Obermier; and
then No. 3, review of the solar ordinance.

And I'm going to make a comment about Item No.
3. I've asked each one around the table would you be
prepared to vote on this tonight, and several of us in
the room have said we'd really like to have another
look at this in terms of a work session.

And just so you know, Mike and I had an
opportunity to meet with Josh and the Commissioners,

1 along with Kristy, and we had an in-depth conversation
2 word by word, item by item, in terms of the rules and
3 regulation, the ordinance, so to speak, and you see --
4 you see that we asked those changes to be identified in
5 there. You see that the work has been done. And at
6 the same time we had an opportunity -- Mike's done a
7 great job of benchmarking. We've also taken a look at
8 other counties, other states, what they've done.

9 And so hearing the discussions that we had, I
10 don't want to belabor the point, but when we get to
11 Item No. 3, what we'll do is we'll just identify, it's
12 there, you have it, and then we will put in motion a
13 work session. We will be able to go through it again
14 so everyone has a full understanding. And, again, just
15 to clarify, this is not approving someone's request for
16 an industrial solar farm. This is approving rules and
17 regulation for the county. This is what this is about,
18 and so with that said, we'll just, we'll move forward.

19 **ITEM #1:**

20 So is there anyone representing Item No. 1, a
21 request from Michael Dragoo? Please come forward,
22 state your name and your address.

23 MR. DRAGOO: I'm Mike Dragoo.

24 CHAIRMAN PURCELL: Thank you.

25 MR. DRAGOO: I live at 9300 Southwest State
Route JJ, the property that I'm wanting to give my
daughter five acres on, my other daughter.

MS. DAY: Your other daughter versus -- no,
I'm kidding you.

MR. DRAGOO: My only other child.

MS. DAY: I'm just teasing you.

MR. DRAGOO: Sure.

MR. BARNETT: Behave yourself.

MS. DAY: I know. I'm sorry. My apologies to
the board.

MR. BARNETT: You're all right.

MS. DAY: So question: The house that is
being planned to be built, is this a stick building?
Is it on a foundation? Is it a --

MR. DRAGOO: It will be a stick on a -- it
will be a stick on a foundation.

MS. DAY: On a foundation.

MR. DRAGOO: It will be a half million dollar
home.

MS. DAY: Okay. And about -- approximately
where on the five acres are they --

MR. DRAGOO: About in the middle.

MR. BARNETT: Where will your driveway be?

MR. DRAGOO: It will come up right by the
greenhouses. There's already an existing drive coming

1 up through there.
MR. BARNETT: Yeah, kind of --
2 MR. DRAGOO: Yeah, right in the front of the
greenhouses there.
3 MR. BARNETT: Okay.
MR. DRAGOO: To the south of them.
4 MS. DAY: So it'll split off of that or it
will be that -- will it be that same road?
5 MR. DRAGOO: It will go and continue on up to
that property.
6 MR. BARNETT: Okay.
MS. DAY: So that the drive onto the main road
7 will not be any different.
MR. DRAGOO: Nope.
8 MS. DAY: There will not be an additional
drive?
9 MR. DRAGOO: No, it comes up and splits around
my barns at the bottom of the hill.
10 MS. DAY: Right.
MR. DRAGOO: And it already goes up to the
11 barn and to the greenhouses, the drive there, and then
it will just continue on up to their house.
12 MS. DAY: Okay.
MR. DRAGOO: It's not farm ground. It's
13 just -- it's not even good hay ground. It's -- half of
it's timber and the other half is weeds.
14 CHAIRMAN PURCELL: Questions of the -- any
other questions of the board?
15 (No response.)
CHAIRMAN PURCELL: Is there anyone here in
16 opposition?
(No response.)
17 CHAIRMAN PURCELL: Hearing none, I'll close
the meeting and ask for a roll call vote.
18 MS. THEAS: Mike Korte?
MR. KORTE: Yes, compatible.
19 MS. THEAS: Rodney Fry?
MR. FRY: Abstain.
20 MS. THEAS: Pat McLear?
MR. McLEAR: Yes, best use.
21 MS. THEAS: Cody Cornelius?
MR. CORNELIUS: Yes, best use.
22 MS. THEAS: Wayne Barnett?
MR. BARNETT: Yes, best use.
23 MS. THEAS: Shirley Day?
MS. DAY: Yes, family.
24 CHAIRMAN PURCELL: Yes, best use. So your
request, Mike, has been approved.
25 MR. DRAGOO: Okay.
MS. THEAS: Wait.

1 MS. DAY: Nope.
MS. THEAS: I'm on Fred.
2 CHAIRMAN PURCELL: I'm sorry.
MR. CORKINS: Yes, best use.
3 CHAIRMAN PURCELL: I don't mean to jump in
there.
4 MS. THEAS: That's okay. You said yes, best
use?
5 MR. CORKINS: Yes.
MS. THEAS: Okay. Sorry. Go ahead.
6 CHAIRMAN PURCELL: So it's been approved,
Mike.
7 MR. DRAGOO: All right.
CHAIRMAN PURCELL: Thank you.
8 MR. DRAGOO: Does anyone want to pitch in and
help build it or?
9 MR. BARNETT: Don't push it.
MS. DAY: Sure, Mike.
10 MR. DRAGOO: Well, I tried.

ITEM #2:

11 CHAIRMAN PURCELL: Item No. 2, if you'd step
forward and state your name and your address.
12 ART OBERMIER: My name is Art Obermier. We
live in Columbia, Missouri, 2016 Strafford Chase. This
13 is my wife Nikkie Obermier.
CHAIRMAN PURCELL: You are?
14 MR. OBERMIER: Yeah.
NICOLE OBERMIER: I'm Nicole Obermier, and
15 this is Art Obermier, and we currently live in
Columbia, Missouri, and we purchased some property from
16 his family, and so we are wanting to put a tiny
house/kind of cabin-type structure on the land. We do
17 have an easement already through his brother's
property, so I do have the easement paper, if you need
18 to see that. We can put the stuff down there. And the
structure would go on a foundation.
19 MS. DAY: What's the property currently being
used for?
20 MR. OBERMIER: Nothing. We use it, and we own
it behind him. That easement driveway, we use that a
21 lot, park our RV there and stuff. We use it to ride
motorcycles over one of them hills and stuff behind it,
22 but we keep it mowed and everything.
MS. DAY: So I'm a little bit confused on the
23 picture that we have here, the map that we have. Could
you maybe show me -- I think this is the area, 7.54
24 acres; is that correct?
MS. THEAS: Yeah, it's outlined.
25 MR. OBERMIER: Yeah.
MS. DAY: Yeah, right here? And so one of

1 these properties is your brother, is that --
MR. OBERMIER: Yeah, my sister lives here, my
2 brother lives here, and that's the driveway --
(Brief interruption by the Reporter.)
3 MR. BACHMAN: You know, and I'd also suggest
that if you could read off maybe what the acreage is so
4 we all know which spots are what.
MS. THEAS: That's highlighted. We got it
5 here on the other side.
MR. OBERMIER: I ain't got my glasses with me.
6 Yeah, we got the -- you guys got -- we got 7.51 behind
it, what's outlined in the red, orange, whatever that
7 is.
MS. DAY: Mm-hmm.
8 MR. OBERMIER: And there's a driveway there in
between both houses. My sister lives on one side, Eric
9 lives on the other, but they got separate driveways.
But we're using Eric's driveway with an easement goes
10 up to our land right there.
MS. DAY: And Eric's property is the long,
11 kind of narrow one?
MR. OBERMIER: No, Eric -- I looked at it
12 wrong, I'm sorry. No, Eric's is the 8.01, I'm sorry.
MS. DAY: Okay.
13 MR. OBERMIER: Yeah.
MR. BARNETT: And you'll have a driveway
14 there.
MR. OBERMIER: Yes.
15 MR. BARNETT: Other than use his driveway?
MR. OBERMIER: Yes.
16 MRS. OBERMIER: And then there's Annette is --
MR. OBERMIER: She lives on the other side.
17 MRS. OBERMIER: She lives on the other side.
MR. OBERMIER: Yeah.
18 MR. BARNETT: Then you're okay with it?
MR. OBERMIER: It's all family, all family.
19 MRS. OBERMIER: Huh?
MR. BARNETT: You're okay with it?
20 MRS. OBERMIER: Well, yeah, it's all family.
MR. FRY: Is that where your folks lived?
21 MR. OBERMIER: Yeah, well, that's what they
used.
22 MR. FRY: I coached -- I coached Eric in
baseball.
23 MR. OBERMIER: Yeah, yeah, moved in when I was
ten years old, and I left when I was 19. Been in
24 Columbia ever since, and I'm getting around to
retiring. I want to come back more in part-time and
25 put a little cabin there.
MR. FRY: Yeah.

1 CHAIRMAN PURCELL: Any other questions?
(No response.)

2 CHAIRMAN PURCELL: Is anyone here in
opposition?

3 (Gentleman indicating.)

4 CHAIRMAN PURCELL: Please.

5 UNIDENTIFIED SPEAKER: I have a question.

6 CHAIRMAN PURCELL: Please step forward. State
your name and your address.

7 MR. HIEB: My name is Kevin Hieb. I live at
147 Southeast Turner Road, St. Joseph, Missouri 64504.

8 CHAIRMAN PURCELL: Yes.

9 MR. HIEB: And I have a question. Can I see
this map?

10 MR. OBERMIER: Yes.

11 CHAIRMAN PURCELL: Yeah, please. Please.

12 MS. THEAS: Yeah. Yeah.

13 MR. HIEB: Okay. What are you -- what are you
doing here?

14 CHAIRMAN PURCELL: Please address your
question to the board.

15 MR. HIEB: I want to know what he's doing,
where it's going considered to my property. And I want
to know what he's doing with it. Why he's --

16 MS. THEAS: Where it's going to be placed?

17 MR. HIEB: Yes, and why he wants to put this
building on the property.

18 CHAIRMAN PURCELL: Yes.

19 MS. THEAS: Okay.

20 CHAIRMAN PURCELL: Any other -- Excuse me.
Any other questions and comments?

21 MR. HIEB: Not at the moment. I want to -- as
long as I can figure this out first, I might have
another question or two.

22 CHAIRMAN PURCELL: Okay.

23 MS. DAY: Where is your property in
conjunction to --

24 MR. HIEB: That's what I'm trying to find out.

25 CHAIRMAN PURCELL: Sir, where do you live?

MR. HIEB: I live on Turner Road.

CHAIRMAN PURCELL: And Turner Road is?

MR. HIEB: I don't see it on this map.

MR. OBERMIER: You're not even on here.

MS. THEAS: It would be up here as well.

MR. HIEB: That's what I was trying -- that's
what I'm trying to find out. I just got this thing in
the mail, and I want to --

CHAIRMAN PURCELL: I understand.

MR. HIEB: -- find out what's going on. I just
want to find out what's going on.

1 CHAIRMAN PURCELL: Yes.
MS. DAY: Okay.

2 MR. HIEB: Because I have some issues with the
properties and everything going on in our neighborhood.

3 CHAIRMAN PURCELL: I understand.

4 MR. HIEB: And so I want to know what's going
on, if this has anything to affect me or not. If it
5 has nothing to affect me, then he's more than happy to
do whatever he wants to do.

6 MS. DAY: Totally understand.

7 MR. HIEB: Because I live on Turner Road. I
live two blocks from Timber Creek Hunt -- or rental
8 unit down there, and I'm about ready to start a
petition to shut it down. I'm tired of the traffic on
9 the road. I'm tired of the trash on the road. I'm
tired of the signs in people's yards that never get
picked up. I'm tired of Ron Hook lying to us. It's
just a big mess.

10 CHAIRMAN PURCELL: Yeah, thank you.

11 MR. HIEB: So I don't want anything else going
around Turner Road right now.

12 CHAIRMAN PURCELL: Yeah, I understand. Thank
you.

13 MS. DAY: Totally understandable. Thank you.

14 MR. HIEB: Yeah. So if this -- if I can see
this map and figure out where he's at compared to I am,
then I have no issue with it.

15 CHAIRMAN PURCELL: Okay. Thank you. Thank
you, sir.

16 MR. HIEB: Okay. So where --

17 MR. OBERMIER: Can I show him?

18 MR. HIEB: Mm-hmm.

19 CHAIRMAN PURCELL: Please have a seat and you
can address the board, please.

20 MR. OBERMIER: Okay. I'm not even really near
you. I don't see anything -- I'm right here on King
21 Hill. You're over here. I don't see you anywhere on
the map.

22 MS. THEAS: Turner Road, okay --

23 CHAIRMAN PURCELL: Pardon me, pardon me.
Please address the board.

24 MR. OBERMIER: Oh, I'm sorry. No, my land --
I'm putting a cabin on my land, just behind my land,
behind my brother's house. I'm going to live there
25 part-time, coming in on weekends and stuff, so that's
what it's basically for. But after that, I'm not
around Turner Road --

CHAIRMAN PURCELL: Yep.

MR. OBERMIER: -- over there. I'm not even
close to Turner Road.

1 CHAIRMAN PURCELL: Yeah, thank you. Yeah, the
discussion is with the board.

2 MR. OBERMIER: Okay, I'm sorry.

3 CHAIRMAN PURCELL: Not with -- We heard your
concerns, sir.

4 MR. HIEB: Okay.

5 CHAIRMAN PURCELL: Okay, thank you.

6 MR. HIEB: But like I said, I just want to
know where it's at compared to my property. And I
can't see it on this map until I -- you know, he can
7 kind of explain to me where -- or somebody explain to
me where this is on King Hill Road. King Hill's a long
road. Like I said, I have no idea where he's at
compared to my road.

8 CHAIRMAN PURCELL: I understand, sir. Please.
Would you -- Could you address the question?

9 MR. OBERMIER: I just addressed it. I'm right
in the middle of Turner Road and Moore Road on King
10 Hill. I'm not even close to either one of them.

11 CHAIRMAN PURCELL: Okay.

12 MR. OBERMIER: And my land doesn't even touch
his land.

13 CHAIRMAN PURCELL: Okay, thank you.

14 MR. OBERMIER: Yeah, right here, on King Hill.
The older bridge right here, you see that, Turner and
Moore? That's here. There's the bridge that come
15 over -- they redid that bridge. I'm in between both of
them, right in the middle.

16 CHAIRMAN PURCELL: Sir? Sir?

17 MS. THEAS: Sir, can I ask you what your name
was? I'm sorry.

18 MR. HIEB: Mine?

19 MS. THEAS: Yeah, or your address?

20 MR. HIEB: Kevin, last name Hieb, H-I-E-B, 147
Southeast Turner Road.

21 CHAIRMAN PURCELL: Please take a seat.

22 MS. THEAS: Yeah, we're going to look, okay?

23 MR. HIEB: Okay.

24 CHAIRMAN PURCELL: Questions that we have?

25 MR. FRY: So you're just going to come up here
on weekends? It's not going to be rented out?

MR. OBERMIER: Oh, no, no.

MR. FRY: Okay.

MS. THEAS: Would you like him to see where
his property is compared to -- I mean, it's nowhere
close. But I can compare it to where --

MR. OBERMIER: My property is on the north
side of Turner Road.

MS. THEAS: Do you want to come up here and
look?

1 MR. HIEB: Yes.
2 MR. BACHMAN: So, for the record, we're just
3 showing the GIS map here. So this looks like that's
4 your property there; is that correct?
5 MR. HIEB: Correct.
6 MR. BACHMAN: All right. And then this is the
7 property in question.
8 MS. THEAS: Right here. This 7.54.
9 MR. HIEB: Okay.
10 MR. BACHMAN: And then his access, if I
11 understand correctly, would be here from King Hill.
12 MS. THEAS: Yes.
13 MR. BACHMAN: So he'd be coming in both here
14 and here.
15 MR. HIEB: Okay.
16 MR. BACHMAN: So it looks like that.
17 MRS. OBERMIER: And it's just a -- it's like a
18 small cabin, and we don't have anyone come on it.
19 CHAIRMAN PURCELL: Any other questions?
20 Anyone else -- any other person in opposition?
21 MR. HIEB: Can I ask one more question?
22 MS. THEAS: Sure can.
23 MR. HIEB: And it is going to be for them
24 personally and no -- they're not going to rent it off
25 to anybody, there's not going to be this B&B or Air and
B or anything like that? 'Cause, like I said, I'm
tired of these strangers in my neighborhood coming down
Turner Road for all these weddings and everything.
CHAIRMAN PURCELL: Sir, you've made --
MR. HIEB: I'm sorry.
CHAIRMAN PURCELL: You've stated that.
MR. HIEB: Okay.
CHAIRMAN PURCELL: You've stated that before.
Thank you.
MR. HIEB: Okay.
CHAIRMAN PURCELL: Would you -- Would you want
to respond? I thought you already responded.
MR. OBERMIER: I already responded, but I'll
respond again. No, it's just my wife and I will be
staying up here.
CHAIRMAN PURCELL: Yes.
MR. OBERMIER: And my grandkids when they come
up.
CHAIRMAN PURCELL: Thank you. Any other
questions?
(No response.)
CHAIRMAN PURCELL: Then we will call for a
vote.
MS. THEAS: Mike Korte?
MR. KORTE: Yes, compatible.

1 MS. THEAS: Rodney Fry?
MR. FRY: Yes, best use.
2 MS. THEAS: Pat McLearn?
MR. McLEAR: Yes, best use.
3 MS. THEAS: Cody Cornelius?
MR. CORNELIUS: Yes, best use.
4 MS. THEAS: Wayne Barnett?
MR. BARNETT: Yes, family.
5 MS. THEAS: Shirley Day?
MS. DAY: Yes, family.
6 MS. THEAS: Fred Corkins?
MR. CORKINS: Yes, family.
7 MS. THEAS: And Al Purcell?
CHAIRMAN PURCELL: Yes, family.
8 MS. THEAS: Okay.
CHAIRMAN PURCELL: It's been approved.
9 MR. OBERMIER: Thank you.

ITEM #3:

10 CHAIRMAN PURCELL: When we kicked the meeting
11 off, I had referenced Item No. 3, and that's a review
of the solar ordinance.
12 And as I mentioned, Mike has done a yeoman's job in
pulling some work that was done before in one of the
13 other counties, and we also had an opportunity to have
a discussion with Black & Veatch on more than one
14 occasion. The last time that we were with them, we
really didn't have a lot of questions of them, which
15 leads me to believe that we -- I say et al -- need to
have an open work session. We did have an
16 opportunity -- when I say we, Mike and I met with the
Commissioners, along with our counsel, Josh, and you
17 notice in the document that you have, we did go through
line item by line item and made updates and correction.
18 And I know Pat referenced one particular area in terms
of a letter of credit or a bond or whatever, and that
19 needs to have in-depth clarification because some
believe that letters of credit are not necessarily
20 worth the paper they're written on, so we need to make
sure that we have total bonding and cash put up and
sundry other assets that are required.
21 So hearing the input, I'll open it up again, but I
asked each one of you privately where were you, would
22 you be willing to vote tonight, and I heard a number of
you made the comment that you'd really like to kick the
23 tires on this, so to speak, a little bit more in a work
session. And so let me open it up so at least you get
24 on record of what your thoughts are. Speak now. Your
thoughts?
25 MR. FRY: I'm just like, the workshop would
probably be --

1 CHAIRMAN PURCELL: Workshop? Work session?
MR. CORNELIUS: I agree.
2 MR. CORKINS: Yep, agreed.
MS. DAY: Agreed.
3 MR. BARNETT: Agreed.
CHAIRMAN PURCELL: Pat?
4 MR. McLEAR: Yeah, I'm -- In reading this
over, back on -- it's the second to the last page, No.
5 4.
Letters of credit keep being battered around
6 here like they're modern tools. They came up when we
did wind turbines.
7 CHAIRMAN PURCELL: Yes.
MR. McLEAR: Those things are 19th, 18th
8 century financial instruments.
CHAIRMAN PURCELL: Yes.
9 MR. McLEAR: They're extremely short-term, but
the implication of this whole thing is long-term.
10 CHAIRMAN PURCELL: Mm-hmm.
MR. McLEAR: They pay a fee to whoever
11 provides it. The bank gets the money in a year and a
half -- they're not going to go more than a year and a
12 half -- and the letter of credit is dead.
So I'm assuming the definition of bond being
13 used here is real money put up, right, for use for
deconstruction?
14 CHAIRMAN PURCELL: So that said, Josh, I would
ask you to -- not tonight -- but if you would get that
15 clarified in terms of the bonding and the cash, et
cetera.
16 MR. BACHMAN: Mm-hmm. Well, and I would say
on that front, the way -- the way it's worded leaves a
17 lot of room for flexibility. So really what -- what
I'd say is this, that the way this -- the way the whole
18 thing is written is if anyone wants to construct one of
these USES, a Utility Scale Solar Farm, that they would
19 have to present a plan to you all as to how they're
going to pay for that decommission; and so you could
20 say, you know what? no, your one-year letter of credit
is not going to fly. If that's what you're proposing,
21 we're not going to approve it. We want to have a bond
or we want some other type of financial security.
22 So the way this is written, I mean, they
couldn't come in here and say, well, here's our
23 one-year letter of credit and you have to approve it.
So, I mean, it's fine to remove the letter of credit,
24 but basically this just lays out an outline of what all
you would be looking for if an applicant actually came
25 in front of you all, and they would have to present a
decommissioning plan that is acceptable to you.

1 But this is laying out there would need to be
2 some type of financial security there to pay for the
3 decommissioning, and so if somehow they got a, you
4 know, letter of credit that you thought was good, well,
5 you could take that. If you don't like that, you want
6 something else, you can say that. It says, "or other
7 financial security approved by the county."

8 So, and to a great degree, this doesn't lock
9 you all in. You know, you get to hear the applicant's
10 explanation of how they're going to pay for this
11 decommissioning. If you don't think it's a good plan,
12 then you say nope or, you know, we want a different
13 plan presented with that.

14 MS. DAY: Question, though. If we say it's
15 okay to have a letter of credit, then can't they then
16 reverse argue that, hey, you have it down here that if
17 I have a letter of credit, then I can, you know, it's
18 all well and good?

19 MR. McLEAR: These are not equal. Bonds are
20 not equal with letters of credit.

21 MS. DAY: I mean, a letter of credit, when the
22 company goes defunct, that letter of the credit is
23 defuncted (sic). I mean, there's nothing there.

24 MR. BACHMAN: Well, and I mean, it's my
25 understanding those are the -- and that's the thing.
26 You could say -- and, again, we can remove that -- but
27 I'm just saying it gives more latitude for you all to
28 decide. That's just one more thing for them -- "or
29 other financial security approved by the county
30 sufficient to ensure the funds."

31 So if they come in and they -- you know, we
32 can remove it, but I'm just saying it just gives wider
33 latitude for you all to consider different options.
34 But, and we can remove it, but -- but the way it's
35 written now, if they just come in and say I have a -- I
36 have a letter of credit and it's good for one year,
37 nothing says you have to accept that. I wouldn't
38 accept that.

39 MS. DAY: Well, even a letter of credit that
40 is good for 50 years is no good if the company's
41 defuncted.

42 MR. BACHMAN: Well, usually they get it from
43 the bank.

44 CHAIRMAN PURCELL: That is not true.

45 MS. DAY: Yeah.

46 MR. BACHMAN: It's backed by a bank.

47 CHAIRMAN PURCELL: That is not true.

48 MR. McLEAR: We're not looking for flexibility
49 here. We're looking for permanence. When these things
50 go down in 30, 25 or 30 years, I want to know that the

1 money is there and it's not going to be the taxpayers
in the county that get stuck with the bill.

2 MR. BACHMAN: Right.

3 MR. McLEAR: Okay, so why put it in at all to
be flexible when you don't want to be flexible? I
4 don't want to be flexible with the county's money.

5 CHAIRMAN PURCELL: This board -- this board
has the authority to so state that. And so duly noted
in terms of the concern with respect to the letter of
6 credit, and so we'll just capture that.

7 I want to go back again in terms of how this
board wants to proceed, and what I'm hearing is we want
to proceed with a work session.

8 MS. DAY: Agreed.

9 MR. KORTE: (Nodded head.)

10 CHAIRMAN PURCELL: When do you want the work
session? Do you want it after -- in January? Do you
want it in the evening? Do you want it before we have
a regular meeting scheduled, or do you want it after
11 the meeting schedule? So I'm asking you your options.

12 MR. BARNETT: Do we have a meeting in January?

13 MS. THEAS: No.

14 MR. BARNETT: Okay.

15 MS. THEAS: We have one in February, though.

16 MR. BARNETT: Okay. I'm for January.

17 MR. CORKINS: After the holidays in January
maybe.

18 MR. BARNETT: After the holidays.

19 MS. THEAS: Yeah, have just, like, a work
session that entire time.

20 CHAIRMAN PURCELL: So we'll have a work
session -- we'll have a work session, we'll --

21 MS. DAY: In lieu of the meeting.

22 MR. BARNETT: Yeah.

23 CHAIRMAN PURCELL: Yeah, we'll look to -- in
January, and Kristy will corral us with that. Here's
my expectation of us. Read the information, go through
it and dog ear it. This is all the other information
24 we have. All of the other work that was done before,
other counties. We asked Black & Veatch to benchmark
other counties, who had done what, and so please -- and
they really, you know, the previous document we
25 received, the question was in there, the questions that
we had, pictures, what counties have done this, what
did they do, and I'll also encourage you, there are a
number of solar instances, solar farms on YouTube. If
you're interested in even looking at them. I mean,
there are a lot in terms of farming underneath these
panels, the pros, the cons. There's all kinds of
information there.

1 I don't want to belabor the board by bringing
2 in all kinds of video on YouTube, but feel free to --
3 feel free to take a look at it. I learned an awful lot
4 because I was curious because some were saving
5 groundwater. They had farming, gardens underneath
6 these things, et cetera, which I had no idea. I had no
7 idea that that existed. And so, please, you know, if
8 you look at YouTube, take a look at it.

9 And so we will schedule a meeting in January,
10 and then I don't believe that we need Black & Veatch
11 here. I think this is us just going through it. And
12 as I said before, this is not approving, this is not
13 approving an industrial solar farm. This is about --
14 and, Pat, you eloquently said -- I want to make sure
15 that the county is protected, that we're not just
16 spending county money later on.

17 MR. McLEAR: There's one other thing I wanted
18 to bring up, and some of you may know more about it
19 than I do. We found out -- when we did this --
20 remember when we talked about the wind turbines?

21 CHAIRMAN PURCELL: Yes.

22 MR. McLEAR: Everybody was telling us how much
23 the salvage value of those wind turbines was. But I
24 mean, yeah, we can figure it out. Well, they didn't
25 have any, okay? They were going to be a terrible bill
of expense to extract, okay? So when we're talking
about salvage value, how much -- somebody may know,
needs to tell us what the salvage value of a block of
these would be, because what little bit I know about
it, other than aluminum that holds the panels, and
maybe the copper wiring, there isn't any.

So let's not -- let's not get swept off our
feet by these promoters, with first the wind turbines
and now the solar panels that, boy, there's a big
windfall when we tear these down. Because I'm not
taking the risk. I don't know what the cost is for a
wind turbine, but I don't want you to think this is a
pot of gold at the end, you know, because I -- and
we're going to -- I have trouble with the panels
themselves, getting a -- what do I want to say -- a
dump to take them. Like the blades. Right?

The only thing I can see on those solar panels
that you are talking about is the aluminum, all right?
And I don't know what aluminum's worth. So somebody
that knows something -- I'm just sorting this out
here -- you know, what is there that is salvageable?
Because I don't think we'd better be counting on that
to pay the bill.

CHAIRMAN PURCELL: So we -- we've identified
the fact that we'll have a work session in January,

1 Kristy will organize it with everyone, and we're going
2 to try to work to where we have the entire board
3 available for that meeting. And the intent is to go
4 through a work session. And, again, after that work
5 session, after the work session, I'm going to -- I'm
6 going to ask you for a vote.

7 MR. BACHMAN: Just to be clear, not at the
8 work session, but after the work session.

9 CHAIRMAN PURCELL: I said after the work
10 session I'm going to ask for the vote. It could be
11 that night or it could be at the next meeting. And so
12 I will count noses, is everyone satisfied with the
13 work. And, again, I'm not going to force the vote that
14 night, but based upon our work, how we look at this
15 thing, because we've been at this now -- and, again,
16 we're talking about long-term -- but we've been at this
17 for several months now, and so I think it's time to
18 answer all the questions and get after it.

19 The one thing that I asked the last time that
20 we met with Kristy, I want to make sure the county
21 benefits, that the county benefits. This is not about
22 just when someone applies and, you know, they pay us
23 "X" thousands of dollars. I want to make sure, I want
24 to make sure that if and when one ever gets approved,
25 that the county and the residents of this county
benefit as a result of it being here. So.

MR. BARNETT: Josh, one question.

MR. BACHMAN: You bet.

MR. BARNETT: Okay. So DNR. Doesn't the DNR
have to require reformation, decommission on everything
on these things also?

MR. BACHMAN: I do not know. I have not -- I
have not heard that to be the case. I don't know to
what extent there is regulation on these things at this
point. I -- I don't have an answer to that.

MR. BARNETT: Okay.

MR. BACHMAN: I don't know.

MR. BARNETT: Because that's something because
they would have to put up a bond to the DNR.

MR. BACHMAN: Right, quite possibly they
could.

MR. BARNETT: If there is a regulation on it.

MR. BACHMAN: Right, and those are -- you
know, and those are fantastic questions, too, for Black
& Veatch because that's exactly what they're -- I know
from our last work session, we came up with questions.
I know just my going back through it again, making the
revisions, that that came up from our work session with
Mike and Al and the Commissioners and Kristy. More
questions tonight as far as decommissioning, salvage

1 value, DNR regulations. This is good stuff. And then
2 we have our questions here, and we -- you know, we paid
3 Black & Veatch, and they're exactly -- they're a group
4 of engineers. They're a group of attorneys. They're
5 people that have -- that work in this area, and those
6 are exactly the kind of questions they like to answer.

7 So I think that's a great question, and I
8 think we could add that. I think a work session is a
9 great idea because, again, our discussion we had with
10 Al and Mike was great. We went through it. Everybody
11 read it, go through it, and maybe we will have some
12 more questions, and I would say even if it's just me
13 and the Commissioners and Kristy, but have a
14 conversation with Black & Veatch and get some more of
15 those questions addressed.

16 MR. BARNETT: Okay.

17 MR. BACHMAN: That is their wheelhouse.

18 MR. BARNETT: That's great.

19 MR. KORTE: I have a question on a practical
20 note. The second week of January typically is one of
21 your coldest weeks of the year, winter snow storms, and
22 are we prepared to cancel and reschedule? I'm just
23 telling you, January, the second and third week of
24 January are always cold.

25 CHAIRMAN PURCELL: Farmers Almanac said it's
going to be, like, 11.

MR. KORTE: It's going to be what? The
forecast higher?

CHAIRMAN PURCELL: Don't put that in the
minutes. We will be flexible. Any other input?

MR. KORTE: That's what I'm asking.

CHAIRMAN PURCELL: Yeah. Any other input?

COMMISSIONER BURNHAM: The only thing, I was
just sitting here thinking about the comment
regarding the --

MS. DAY: -- decommissioning?

COMMISSIONER BURNHAM: Yeah, the
decommissioning but it has to do with the --

MS. DAY: Letter of credit?

COMMISSIONER BURNHAM: -- bonds and the letter
of credit.

MS. DAY: Letter of credit.

COMMISSIONER BURNHAM: When I was in the
insurance business, we did bonds all the time, and more
on the construction end of things, but the bonds that
I've been familiar with have all had either a dollar
amount attached to it. So I got a contractor who's
doing a job and it's a half million dollar job, the
bonds were a half million dollars. And if the
contractor can't finish the job in the time frame

1 that's required by contract or by the amount, or if he
2 goes belly up or whatever happens, then the bonding
company steps in and they have to finish the work -- or
hire another contractor to come in and finish the work.

3 Those kind of bonds are very difficult to get
4 and they're -- it's all financially driven, so the
stronger the contractor is, obviously the easier it is
5 to get a bond for something like that.

6 But I -- I've never been involved in
anything -- and, again, I'm sure there's other ways to
7 address this, and this may be a question for Black &
Veatch as well -- is how do these companies provide a
bond that may be 30 years long?

8 MR. BACHMAN: Well, and if I may here, looking
at the entirety of the draft here, look down at No. 6.
9 "The decommissioning plan and financial assurance shall
be updated by the owner of the USES every five (5)
10 years and adjusted as necessary to ensure sufficient
funds..."

11 So what was contemplated here is that it has
to always remain in effect, so even if you were to go
12 the letter of credit route -- which I agree, it may not
be the right one -- but you have to always -- it has to
13 always be updated, and then every five years you've got
to revisit the plan and see where you're at, and that
14 would be a requirement. And so if you have some guy
come in here and say, oh, well, you know, I'll get -- I
15 can get you a one-year letter of credit and I promise
I'll get it renewed every year.

16 Well, do you have it yet?

17 No, I'm still working on it but I just haven't
given it to you yet, well, that would be a sure sign of
18 eh, nope. You know, the way this is written, you guys
are going to have a chance to ask those questions, and
this kind of gives you that outline to walk through.
19 But or if you've got somebody that says, yeah, I've got
a good reputable insurance company that I've got the
20 bond right here in hand, you know, and we're good to
go, then that might be a different scenario for us.
But we can have that conversation.

21 CHAIRMAN PURCELL: By the way, letters of
credit can be secured. They can be secured with
22 tangible securities, the letters of credit on file with
the bank, and they're secured. And regardless of
23 whether a company goes bankrupt or not, those are
secured. I have personal experience with those. And
24 there are letters of credit but secured.

25 MR. CORNELIUS: Mike, you might know, but
don't these companies surely have quite a bit of
verbiage to address what we're talking about here that

1 might help us in this context?

2 MR. KORTE: I don't know the answer to that.
I honestly don't.

3 MR. CORNELIUS: In the meetings that they've
4 had in Nodaway, and I don't know that they've had
5 public hearings in Andrew, but they have in Nodaway, I
6 know they've talked about -- you know, they're real
7 quick to snuff this down: Oh, we have that addressed
8 with the bonding and/or different things, and I don't
9 know the details, but I do know -- so it would be
interesting to me, and I've felt that all along, from
the context with respect to someone signing their land
up, what is the answers from the companies to these,
you know, and I know Black & Veatch is probably doing
their due diligence to find those, too, but I don't
know if there's a way to get some of that information.
You might have it in some of the work you've done
but -- in writing.

10 MR. KORTE: I don't have it tonight.

11 CHAIRMAN PURCELL: Well, in some of the
12 documents that have been sent out before, it talked
13 about restoration of the farmland, decommissioning,
who's the gold standard, and many of those things have
been addressed in the documents that have been provided
us.

14 That doesn't mean that we shouldn't ask that
15 question again and get pertinent clarification, but the
16 work that the staff has done has provided a lot of, you
know, the Callaway County, the economic impact and that
study, you know, all kinds of different things.

17 Okay. Entertain a vote to -- a motion to
close the meeting? Adjourn? Please?

18 MR. McLEAR: (Indicating.)

19 MR. CORKINS: Second.

20 CHAIRMAN PURCELL: Thank you. Second. All
those say yes to adjourn, say aye.

21 (Unanimous aye.)

22 CHAIRMAN PURCELL: Hearing none, motion
23 carried. Merry Christmas, everyone.

24 (Hearing concluded.)
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REPORTER'S CERTIFICATE

STATE OF MISSOURI)
)
COUNTY OF BUCHANAN)

I, Karen J. Lyman, Certified Court Reporter of the State of Missouri, do hereby certify that I appeared at the time and place first hereinbefore set forth, that said proceedings were taken before me and thereafter transcribed into typewriting under my direction and supervision; and I hereby certify that the foregoing transcript of proceedings is a full, true and correct transcript of my shorthand notes.

I further certify that I am neither counsel, nor related to any party to said action, nor otherwise interested in the outcome thereof.

IN WITNESS WHEREOF, I have hereto set my hand and affixed my seal this 11th day of January, 2024.



Karen J. Lyman, CCR #395