

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.)  
CHAIRMAN PURCELL: Please.  
4 UNIDENTIFIED SPEAKER: I have a question.  
CHAIRMAN PURCELL: Please step forward. State  
5 your name and your address.  
MR. HIEB: My name is Kevin Hieb. I live at  
6 147 Southeast Turner Road, St. Joseph, Missouri 64504.  
CHAIRMAN PURCELL: Yes.  
7 MR. HIEB: And I have a question. Can I see  
this map?  
8 MR. OBERMIER: Yes.  
CHAIRMAN PURCELL: Yeah, please. Please.  
9 MS. THEAS: Yeah. Yeah.  
MR. HIEB: Okay. What are you -- what are you  
10 doing here?  
CHAIRMAN PURCELL: Please address your  
11 question to the board.  
MR. HIEB: I want to know what he's doing,  
12 where it's going considered to my property. And I want  
to know what he's doing with it. Why he's --  
13 MS. THEAS: Where it's going to be placed?  
MR. HIEB: Yes, and why he wants to put this  
14 building on the property.  
CHAIRMAN PURCELL: Yes.  
15 MS. THEAS: Okay.  
CHAIRMAN PURCELL: Any other -- Excuse me.  
16 Any other questions and comments?  
MR. HIEB: Not at the moment. I want to -- as  
17 long as I can figure this out first, I might have  
another question or two.  
18 CHAIRMAN PURCELL: Okay.  
MS. DAY: Where is your property in  
19 conjunction to --  
MR. HIEB: That's what I'm trying to find out.  
20 CHAIRMAN PURCELL: Sir, where do you live?  
MR. HIEB: I live on Turner Road.  
21 CHAIRMAN PURCELL: And Turner Road is?  
MR. HIEB: I don't see it on this map.  
22 MR. OBERMIER: You're not even on here.  
MS. THEAS: It would be up here as well.  
23 MR. HIEB: That's what I was trying -- that's  
what I'm trying to find out. I just got this thing in  
24 the mail, and I want to --  
CHAIRMAN PURCELL: I understand.  
25 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  
21 sundry other assets that are required.  
So hearing the input, I'll open it up again, but I  
22 asked each one of you privately where were you, would  
you be willing to vote tonight, and I heard a number of  
23 you made the comment that you'd really like to kick the  
tires on this, so to speak, a little bit more in a work  
24 session. And so let me open it up so at least you get  
on record of what your thoughts are. Speak now. Your  
25 thoughts?  
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  
2 in the county that get stuck with the bill.

MR. BACHMAN: Right.

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

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

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

MS. DAY: Agreed.

MR. KORTE: (Nodded head.)

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

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

MS. THEAS: No.

MR. BARNETT: Okay.

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

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

19 MR. CORKINS: After the holidays in January  
20 maybe.

MR. BARNETT: After the holidays.

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

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

MS. DAY: In lieu of the meeting.

MR. BARNETT: Yeah.

25 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  
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  
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