

## WAPELLO COUNTY BOARD PROCEEDINGS

DATE: 3-12-2013

TIME: 5:30 p.m.

PRESENT: Greg Kenning, Chair; Jerry L. Parker, Vice Chair; Steve Siegel, Supervisor; Brian Moore, Engineer; Kurt Baker, Conservation Director; Katy Anderson, Pathfinders RC&D; Rex Booth, Linda Booth, Carol Wilkinson, William Wilkinson, Ruth Kellett, Kimball Kellett, John Ikerd, Francis Thicke, Tony Snakenberg, Larry E. Parker, Lori Byers, Stephen C. Metcalf Conte, Joe Conte, Nick Biggs, Brody Adam, Shawn Adam, Jim Rubis, Becky Sexton, Jim Hinckley, Jane Person, Dan Wetherell, Nick Adam, Barbara Waller, Darlene Morrison, Wade Booth, Cathy Britt, Michael Britt, David Sterling, Linda Hedquist, Jeffrey Hedquist, Darrell Swope, Deborah Swope, Larry & Pam Mitchell, Jim Leahy, Judy Dovico, Lois Dovico, Larry Hanna, Sandy Roe, Mr. & Mrs. Wayne Scherer Sr., Gary Klicker, Adam Mason, Margaret Cary, Joan Van Blaricome, Madeline Martinez, Pearl Neil, Susan Sinn, Sharon & Richard Chance, Timothy Honomichl, Robin Honomichl, Jason, Deb & Kara Chance, Michael Warren, Jane Brewer and Terry Irwin, Kelly Spurgeon, Auditor; Pam Norton, Auditor's Clerk.

Chair Kenning opened the meeting. Vice Chair Parker moved, seconded by Supervisor Siegel to approve the agenda. Motion carried.

Supervisor Siegel moved, seconded by Vice chair Parker to approve the minutes of the March 5, 2013 Board meeting. Motion carried.

PUBLIC HEARING ON BUDGET ESTIMATE FOR FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014. No written comments were received. No public comments were heard. Supervisor Siegel moved, seconded by Vice Chair Parker to close the public hearing. Motion carried.

Vice Chair Parker moved, seconded by Supervisor Siegel to approve Resolution #911-2013 adoption of budget and certification of taxes for fiscal year July 1, 2013 through June 30, 2014. Motion carried.

Katy Anderson, Pathfinders RC&D, gave the Board an update on the Historic Hills Scenic Byway.

Canvass of the Special Election held March 5, 2013. Auditor Spurgeon read the results of the canvass.

## ABSTRACT OF VOTES

We, the undersigned members of the Board of Supervisors, and ex-officio Board of County Canvassers, for Wapello County, hereby certify the following to be a true and correct abstract of the votes cast in this County at the 2013 Special Election held on the 5<sup>th</sup> day of March, 2013, as shown by the tally lists returned from the election precincts.

Shall the following Public Measure "A" be adopted.

Summary: To authorize the extension of a local option sales tax (L.O.S.T.) in the City of Eldon, Iowa at the rate of one per cent (1%) to be effective on January 1, 2014 until December 31, 2025.

Revenues from the sales shall be allocated as follows:

### PROPOSED USES OF THE TAX:

0% to 1% for Property Tax Relief

100% of 1% for General Corporate Purposes

For the question, there were:	One hundred fifty-nine (159) votes
Against the question, there were:	Fourteen (14) votes
Total	One hundred seventy-three (173) votes

We therefore declare Public Measure "A" to be adopted.

Vice Chair Parker moved, seconded by Supervisor Siegel to approve the abstract of votes. Motion carried.

PUBLIC HEARING ON CONSTRUCTION PERMIT APPLICATIONS FOR CONFINEMENT FEEDING OPERATIONS LOCATED IN SECTIONS 12 & 13, WASHINGTON TOWNSHIP. The Board and Auditor Spurgeon read the following written comments received:

Wayne B./Patricia K. Scherer, Sr.  
3801 Washington Road  
Eldon, IA 52554  
Date 3/6/2013

Insensitive about Valley View Farms hog set up on Washington Road and the county's east line.

About the Valley View Farm operation, and the trustworthiness for the public.

As to the odor that a hog confinement has, each hog produces about 1 gallon plus of waste per day. This confinement will house approximately 5,000 hogs. We live about 1 mile from the one on Washington Road, and will be about ¼ mile from the one that is being proposed to us. We get a mild to strong smell of manure from the hog set up that is northwest of my home. The fields that the manure is used on are closer to us. The fields the new confinement covers will also be. We should be able to enjoy our air space where we live without somebody stirring the pit or knifing it into the ground. We own and operate about 180 acres and we also have a small business *P & W Upholstery* on Washington Road.

As to the roads, I have worked on roads in several departments as well as construction. I have been around this area most of my life and am familiar with this area. We were told that there would be 4 semi's a day back and forth on the county road. I believe that these roads would have a hard time keeping up with the extra volume of large trucks. If the county would have to improve the roads, it would be quite an expense to the public. The county already has problems taking care of the roads they have. Are our roads to be for hogs or for the public? East County Line Road where the other confinement is too small of a road. If someone would meet one of those trucks it's a problem. The bridge on that road is in bad shape now.

As to the water supply, we know that the main supply of water used would come from a well with Wapello Rural Water as a back up. Wapello Rural Water only allows so many places on a line depending on the volume of water to be used. What happens if we have a disaster like a storm? What happens if your system fails? Who would come first, hogs or people? If the hogs have no water there will be big problems. Things happen. Just look around and see the things that have already happened.

Operations, they are careless with some of their operations in doing their farming. Such as raising their equipment out of the ground without shutting it off first which results in manure being spilled on the ground. It is the same when applying anhydrous. They are farming Wapello County ground without paying rent for it. They

farm the bottom of the ditches as well as the right of way. This has been going on for a long time.

County, they say that this is a big country, this is farming country. Also this is a country built on rights of others, not just big operations saying they can. We the people can also. We need better laws to protect us from big operations. Make the hog lots smaller. Our air, water and environment will be better.

We have nothing against anybody. We have no hard feelings against Valley View Farms. We just think everybody has the same rights to their opinions, and you now have ours.

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Richard/Sharon Chance  
3474 Chief Wapello Road  
Eldon, IA 52554  
Dated 3/8/2013

Dear Wapello County Supervisors, our elected officials:

This letter is in regard to two proposed 5,000 head hog confinements to be built in our neighborhood. We have lived in our home for over 40 years. In that time a 2500 head hog confinement was built ½ mile south of us. At the time it was built we had no idea it was going in. We have dealt with burning throats and noses, we are unable to be outside or have our windows open when this putrid odor surrounds us. But trying to be good neighbors we have dealt with it. However last year this same operation was granted permission to build another 2500 head confinement which will now be unbearable for us as it is in the same location.

Nick Adam and his son are now requesting to build two 5,000 head confinements. One will be a mile south and east of us and the other will be a mile north and east of us. Which if approved will be a total of 15,000 hogs within a mile of our home.

Our greatest concern is the unbelievable odor that will surround us destroying the quality of air that we breathe, which has been known to cause serious health issues. Then there are environmental issues. All 3 of these confinements will be close to rock

creek. If there are any mechanical problems or human error with any of or all of these operations the creek could be polluted.

Then we have to consider our property values falling 30 to 40%. And I am sure our assessed value will not drop to compensate for this loss. In all reality would we even be able to sell our property. Then we must look at taxpayers footing the bill to repair deteriorating roads when the snow melts and the spring rains come with the extra truck traffic.

Dust is another issue now. When we have dry weather, what will it be when there are numerous trucks coming and going to these facilities. The safety for school buses making stops when the dust is so heavy plus the odor the children will be subject to going to and from school and even at school when the wind is blowing from the east.

We are also concerned about the disposal of dead animals. Will they be piled in sawdust and left in the open for the coyotes and buzzards to spread around and drag off spreading disease as was the case with an operation the Adams previously ran.

We have lived in this area all our lives and truly appreciate our quality of life. Now it is in jeopardy of being taken away. We have always believed in the American way that the majority rules. After all, that's how our leaders were elected. The majority in our neighborhood and the city of Batavia do not want these confinements built. The Adams are trying to overrule the majority for their own personal gain. Past experiences have shown they are not good neighbors.

In closing, we would like you to consider two questions. If these applications are approved, what is to stop them from making another application for more confinements in the same area in the future? And lastly, would you like 15,000 hogs within a mile of your homes?

We sincerely thank you for your time and would appreciate any help in this serious matter.

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Alexander Gabis  
52 S. 5<sup>th</sup> Street  
Fairfield, IA 52556

I am a resident of Jefferson County and I want to express my support for the residents of Batavia who are opposing a new hog operation planned in the vicinity of their town.

The CAFO proposed for development by Nick Adam poses a serious threat to the quality of life for Batavia residents. Though the CAFO location is technically in Wapello, it is very close to the Jefferson County line – certainly close enough to affect Batavia. As we all know, these CAFOs foul Iowa's streams, pollute the air with noxious fumes, and are breeding grounds for pathogens. But mostly they make life unbearable for anyone living, or even working nearby. The value of a residential property, farmsteads included, plummets when an installation like this goes in. The people of Iowa should not have to put up with this kind of thing. No one, anywhere, should have to put up with it. Clearly Mr. Adam has no interest in the well-being of his fellow citizens. His motivation is simply profit, nothing else, and whatever ill effects his operation inflicts on his neighbors and on the precious resources of the state, is of no consequence to him. I strongly suggest that Mr. Adam's CAFO plan be disapproved. It's only fair to the folks who are already living in that region. Let Wapello County join with Jefferson in putting a check on this ever-expanding trend of sticking putrid hog confinements in every corner, every open parcel, in the state, disregarding the fundamental rights of local residents.

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Sidney Gibson  
Dated 3/10/2013

To Whom It May Concern,

I would like to express my great dismay that there are two hog confinement operations under consideration near Batavia, Iowa. We the local residents of this area are greatly opposed to this development. Already you cannot drive down Interstate 1 to Iowa City with your windows down as the stink from the CAFOs is so strong. I used to love to take visitors on this route to see local Iowa. Now I am embarrassed to do so. Please do not let this happen to the Batavia area. Let us have some rural areas where we can enjoy clean air and fairly decent water.

It does not seem right or fair that one or two families can spoil the environment for the many other families that live near these CAFOs. Please stop these hog confinements from being allowed in Wapello County or Jefferson County. Sincerely

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Bob Koczela, Certified Arborist  
Jefferson County  
Dated 3/11/2013

Dear DNR:

I am unable to attend the Ottumwa Board of Supervisors public meeting on March 12<sup>th</sup> at 5:30 p.m. Therefore I appreciate the opportunity to “weigh in” with this writing.

Based on personal reports from folks who find themselves living anywhere near CAFOs, especially hog ones, I oppose this entire Adam building project. I oppose it not only for reasons of public health, but also for the cruelty of animals that CAFOs provide. (We all know from our parents and grandparents and their parents that pigs love mud and plenty of space – not crowded confinement on concrete!)

Thank you for taking my opinion into account. Sincerely

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Patty Hancock  
Fairfield, IA 52556

I am writing to express my unhappiness, to put it mildly, at the news of the two 4960 head hog confinements proposed to be built just southwest of Batavia. These confinements are not conducive to the high quality of life that residents in and near SW Batavia love.

I know Elmer Adam as an exceptionally considerate farmer, who went the extra mile to create good feeling amidst his neighbors. Whether or not those involved are related, even in the memory of old fashioned friendly farmer who clearly valued good neighbors and good conscience, I would ask them to be respectful and to take that business elsewhere, far away, or to embrace some less offensive alternative.

I am asking for real farsightedness here. Looking to SE Iowa as a place where visitors and residents alike can be proud to live, and live without their quality of life being polluted.

I regret not being able to attend the meeting on March 12<sup>th</sup> in Ottumwa. I hope this note will be included in the public feedback. Thank you.

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Donald Schmit

Please do not allow this hog farm to be put on the border of Jefferson. Smell is invasive and will travel where it wants. Not a good idea.

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sdickins ([sdickins@lisco.com](mailto:sdickins@lisco.com))

Saying NOOOOOOOOOOOOOOOOOOOOOOO to CAFOs

How many deaths will it take till we know that CAFOs are not good for people?

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June Oliver  
606 E. Washington Ave.  
Fairfield, IA 52556

To Whom It May Concern:

I am writing to strongly object to the proposed CAFO expansion by Nick Adam. My house is downwind of Wapello County and I would like to continue to breathe fresh air. CAFOs are unhealthy for people, especially children, and older people and for the animals. They are not good stewardship. Life is precious. We cannot create life, and we should respect it. Make a decision for life and let's keep Iowa a state that people can enjoy living in, visiting, and driving through. Don't turn it into a factory farm dump with more pollution. We should be creating less pollution, not more. Iowa is not a throw away state. DDDooo not create more pollution risk and hazard in Iowa by permitting this.

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jmmuehlman ([jmmuehlman@gmail.com](mailto:jmmuehlman@gmail.com))

Please disallow this 4960 head hog CAFO from happening. It will ruin the quality of life and the health of the people in Batavia.

You may be surprised to learn that pigs are more intelligent than dogs. Their cognitive ability is even greater than most 3-year-old children. If given the chance, pigs are social and playful, and they spend their days rooting for insects, grazing on grass and rolling in the mud.

The vast majority of the nearly 66 million pigs raised for food in the United States never experience this life, however, as they are born and raised in CAFOs where they are subject to mental and physical anguish, not to mention subject to incredibly unhealthy practices, like the administration of unnecessary low dose antibiotics and living in their own waste, which impacts whoever ends up eating the meat as well as the environment.

As written in the book *“CAFO: The Tragedy of Industrial Animal Factories”*:

“Industry might argue that hog CAFOs with climate control and automated feed and water systems are a modern version of hog heaven. But the realities can be hellish: 1,000 to 2,500 animals in a single building, with as many as 20 hogs crammed inside pens no bigger than a bedroom, with no straw, no mud, and absolutely no way to be a pig. A CAFO hog lives out its short miserable life on a hard concrete surface, producing huge volumes of waste, which falls through the slatted floors into a massive cesspool underneath the building before it’s dumped out on the landscape.”

The Pork Producers Council had the audacity to massively misstate that their farms are designed to protect the environment and be good neighbors. Swine CAFOs are notorious for the odors they produce. Living in the nearby vicinity to one is akin to living next to a landfill or a chemical factory, maybe even worse. It’s not unusual for people to report the fumes coming from the CAFOs are so bad they can’t make it from their house to their car without stopping to retch. This isn’t only a matter of bad odor though; it’s a serious health threat.

As reported in a literature review from the National Commission on Industrial Farm Animal Production:

“Ammonia emissions from hog farms react with other gases in the air to form fine particle pollution, a public health threat linked to decreased lung function, cardiovascular ailments and most seriously, premature death.

... Air emissions from lagoons, spray fields and hog houses have been linked to neurological and respiratory problems ...Subjects in a controlled exposure chamber who were exposed to air from hog operations for one hour reported headaches, eye irritation and nausea ... Unpleasant odors have been found to be a nuisance and emotional stressor on neighbors and are known to contain irritants that can cause damage to mucosal linings in the nose, throat and respiratory tract.

... Researchers from the UNC School of Public Health and Duke University found that neighbors exposed to odors from hog operations showed evidence of reduced immune system function ... Evidence is also emerging that indicates that the health of citizens living near hog operations is negatively affected. Research in Iowa and North Carolina showed that neighbors living within three miles of hog operations experience elevated levels of respiratory complaints relative to those living near other animal production operations or crop production.

... Abhorrent odors can be exacerbated by the smell and sight of rotting flesh from hog carcasses that are often stored in “dead boxes” close to neighbors’ property lines. “Dead trucks” that transport hog carcasses to rendering facilities also emit odor.

... There are also concerns about the exposure of workers or neighbors to antibiotics in the dust generated in the hog confinement facilities, which are vented to the outdoors. ... A North Carolina study of 58,169 children found a 23% higher prevalence of asthma symptoms among students attending schools where staff noticed livestock odors indoors twice a month or more.”

There are other serious problems as well, including drinking water contamination from the massive amounts of animal waste generated on CAFOs. The literature review continued:

“Ground water nitrate levels beneath animal waste spray fields are typically found to range from 10 to 50 parts per million (ppm). The drinking water standard for nitrate is 10 ppm. Even wells drilled to clean aquifers below surface contaminated groundwater

aquifers are at risk because well casing construction flaws can allow leaks of highly contaminated groundwater into drinking water wells.

Results from a free well testing program for people living adjacent to hog farms in North Carolina ... found more than 10% of the wells tested failed to meet drinking water standards for nitrate. Three wells had nitrate concentrations in the 70 – 100 ppm range. The NC Department of Health and Human Services found that the results of the well testing program” ... illustrate a potentially serious groundwater problem to the people utilizing wells near Industrial Livestock Operations ...”

Please disallow this 4960 head hog CAFO from happening. It will ruin the quality of life and the health of these people in Batavia and may harm Fairfield life as well.

J.M., Ph.D.  
Fairfield, IA 52556

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Jody L. Draznin ([jodydraznin@yahoo.com](mailto:jodydraznin@yahoo.com))

To Whom It May Concern:

As a resident and homeowner in Jefferson County, I am deeply concerned about the proposed large hog confinements.

Research has shown that these large hog confinements pollute the water, land and even the air that the damage done is irreversible and can cause serious health problems to the humans unfortunate enough to live near these facilities.

Out of concern for the environment, health and well being of the residents, etc., I beg you to help us stop these proposed confinements. Historically, if one evaluates areas, for example in North Carolina, where large hog confinements have been allowed, one can see that the facilities have literally ruined the environment.

Thank you for your time and consideration. Sincerely,

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Diane Rosenberg, Executive Director  
Jefferson County Farmers and Neighbors, Inc.  
P.O. Box 811  
Fairfield, IA 52556  
Dated 3/12/2013

Jefferson County Farmers & Neighbors, Inc. (JFAN) has many concerns regarding the proposed animal confinements for Valley View Swine. It is JFAN's opinion that these two facilities pose an environmental hazard and will severely impact the quality of life and property values of nearly 20 families who live within one half to two miles of these CAFOs. It will also significantly impact the communities of Batavia and Eldon and the American Gothic House.

It is our opinion that because of these environmental risks, both facilities should be denied by the Iowa Department of Natural Resources for the following reasons:

1. The Adam family plans to pump manure from their confinements through an umbilical application pipe in order to apply manure to the fields listed on their manure management plan. In Site 1, the umbilical pipe will cross Rock Creek. Umbilical pipes are not supposed to cross water sources. This poses an unnecessary environmental risk to the creek in the event of a leak or other mechanical failure of the pipe.
2. The Adams' have indicated that they plan to use water from the Rathbun Regional Water Association (RRWA) for their CAFOs. RRWA has already indicated it doesn't have the capacity to provide the volume of water needed for these facilities. This will put an undue burden on Batavia's water source to the detriment of its residents.
3. The Des Moines River Primitive Baptist church is located due south from Site 2 on County Hwy V47. According to Google maps, the church is 1/3 mile away from the proposed facility, making it a separation distance of 1,742 feet. This church is not indicated on the construction permit application. The minimum separation distance is 1,875 feet. Site 2 is located too close to the church.
4. The roads leading to Site 1 are already in very poor shape with four Adam semis already traveling on them each day. The proposed CAFOs will add four more semis each week for a weekly total of 32 semis. The city of Batavia is presently unable to keep up the roads. The additional semis will further damage them and have the

potential to make the roads impassable during inclement weather. Any funds received from the additional fuel tax levied would not be nearly enough to cover repair and maintenance of these roads. Poorly maintained and impassible roads pose a safety problem for local residents and have the potential to make emergency vehicles unable to respond in a life threatening situation.

5. It is likely that there are uncapped wells on the land where Site 2 is proposed. According to a resident who has lived in Batavia her entire life, two farmsteads were located on the land that is proposed for Site 2. A farmhouse and barn owned by Walter Brown was located on 45th Street right where the CAFO building is proposed to be sited. The farmstead had two wells on the property. The house and barn was torn down in the late 1950's or early 1960's and immediately turned into cropland. An additional farmhouse was located directly north on the same field. It is likely that there are at least two, and possibly three or four wells on the property. The chance that they would have been capped that long ago is very small.

6. Two manure spills occurred on a former CAFO owned by the Adam family. One occurred in 2008 and the other in 2009. Each spill was caused by manure applicators that the Adam family hired. (A different applicator was involved with each spill.) The Adam family wasn't directly responsible for these spills; however, they are responsible for hiring people who are able to carry out their duties without harming the environment. Batavia residents have also reported odor emanating from this facility when the Adam family owned it.

In addition, many community members have expressed deep concerns to JFAN about the way the Adam family conducts business. They report a track record of problems that they say have adversely impacted the city of Batavia and individual neighbors. In addition, research conducted by a Batavia resident uncovered 42 assorted violation by Nick, Shawn and Jeff Adam. These violations indicate a track record of not adhering to laws designed to protect Iowa citizens. In this light, JFAN has serious concerns about the ability of the Adam family to follow animal feeding operation rules and regulations designed to protect the environment and residents.

7. Neighbors have reported that the land on which the CAFOs will be sited was previously wetlands. Although the application indicates there is no alluvial soil, the DNR should double check this claim to ensure this is accurate and there is no chance of manure seepage into groundwater.

This CAFO will have a large impact on the lives of 1400 Batavia and Eldon residents and an important tourist destination. It will have an even more significant impact on the approximately 20 families within a two mile radius.

There are many significant issues with both CAFOs, and the potential for environmental degradation is too great. It is JFAN's strong opinion and recommendation that the DNR deny the applications for Site 1 and Site 2 of Valley View Swine.

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Jason Chance  
Dated 2/26/2013

My family and I live in Jefferson County, south of Batavia 2 miles at 2313 Ash Ave. We have heard that Nick Adam is in the planning process of building two 5000 head hog confinements in Wapello County. They are going to be located at 6226 Wapello Jefferson Road and 2297 45th Street. The building at 6226 Wapello Jefferson Road is on the Jefferson County border which is directly west of our house and approximately 1 mile away. I am very concerned about the odor coming from this kind of operation and the health risks involved. Also they will be building very close to Rock Creek which flows just north of our home and our creek connects to it.

I graduated from IHCC and have lived and worked away from the area for 14 years in the technology industry. I had the dream of returning to the area with my family, building a log cabin home and having land with timber. In 2000 a job at IHCC and land with timber all fell together for us. We built the log cabin in 2000 and have been working on this land that we love for 13 years. We have raised a child here that graduated from Fairfield High School, IHCC, Buena Vista and is now getting her masters of social work from St. Ambrose University. She not only wants to stay in this area and work but wants to build on this land and has already drawn up her own plans. Unfortunately, with a hog confinement going in so close this has changed and crushed her plans. None of us will get to enjoy the outdoors and take care of this place like we used to. Our land and property value will also decrease in the entire area.

I am not only concerned about the families and homes just south of Batavia being negatively impacted, but also about the town of Batavia. The hog confinement will be

only 2 miles from the town and with a nice southerly breeze the odor along with the health concerns will negatively impact the entire community of Batavia.

Please help us in any way that you can. A hog confinement in this area is not a positive for this community at all. Thank you.

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Robin Honomichl

Dated 2/24/2013

My husband heard a rumor last week that someone was planning to build two hog confinement sites with 4 buildings surrounding our home. We are completely opposed to this. We paid \$185,000 for our very small property here in Wapello County, 1456 50th Street, Batavia, IA in which we pay residential property taxes. I wonder, do others who pay residential property taxes have to deal with hog confinements in their back yard? We already have two hog confinement sites near our neighborhood and it already stinks near our home. Plus who knows what kind of bacteria and other toxins are breeding there and potentially being leaked or poured into our environment. Sometimes folks can't eve' enjoy an outdoor sporting activity at Cardinal Community School because the odor is so bad. It stinks and it's embarrassing. I already wonder what people who come to see the American Gothic House think when they drive by the current confinement on Hwy 16 near Eldon. My husband was informed that the same person would manage the confinements these farmers plan to construct on their property. We were suppose to believe that the proposed confinements won't stink? Hog S---!

Hog confinements hurt our physical and our social environment. Our three children are devastated at the thought that we may have to move. There are many tears here at the Honomichl household this weekend. My elderly mother, Sandy Roe, also is worried that her grandchildren will no longer be here for her to enjoy. Please tell me that your peers will stop allowing so many of these operations to be build in Wapello County in people's backyards. It doesn't make sense. It tears up our roads and infrastructure, it hurts our environment and it forces more families out than it brings in. It doesn't bring more jobs as claimed and it hurts other small family farms and residential areas around them. I am curious, would you want this in your backyard? Why not look at renewable energy technologies and other green ways to make more

money? My husband and I are worried about declining value in our property investment plus loss of our quality of life by being imposed upon by our neighbors potential investment. Never mind the emotional strain this causes when facing leaving your family home. It really pulls at the heartstrings. No one wins in this situation except those who fill their pockets with profit.

I was so happy to hear that Wapello County was selected as finalists for the watershed project funding. Yet we may construct more hog confinements to potentially poison our watersheds? Why? Do you think my children will move back to Wapello County when they graduate from college to raise their family when it smells like S---? We all want to have our children and grandchildren come back home but youth will not stay in southeast Iowa if we keep allowing this. I left this area for 20 years and chose to come back after seeing improvements to raise my family here near their grandparents. It has been nice to see the progress of the Wapello County Trails Committee and we've enjoyed using the trails. I was proud as I watched my dad and his friends construct the bridge for the trail in Eldon along the river. It makes you think, hey, my friends and I can do that too. We can make this an up and coming place to live with a great quality of life. My dad, Steve Roe, was very involved in refurbishing the Eldon Depot and my sister and I are following in his footsteps as secretary and treasurer of the Depot and taking pride in our community. I made a promise to him on his death bed that I would continue to promote the Depot and the Eldon area. Yet the potential of having a hog confinement in my back yard is making it very tough to stay. I have to at least speak up. Eight years ago we moved into our home knowing that we have a stream and pond across the road and that we were surrounded by nothing but row crop farming. Now we're faced with this crap. Literally? Please help.

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Elder Stephen C. Conte  
Deacon Larry Hanna  
4220 Washington Road  
Eldon, IA 52554  
Dated 3/12/2013

The Des Moines River Primitive Baptist Church unanimously declares its opposition to the development or expansion of proposed hog confinement facilities in the proximity of our church property. We believe that the odor, filth and commotion of these proposed operations would have an adverse effect on our congregation which has met on this property continuously since the 1840's. Our historic church and its attached

burial ground is among the oldest in the state of Iowa. We call upon the county supervisors to take such action which would protect our church, property, and graveyard mourners from these proposed molestations.

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Janet Teeple  
Dated 3/12/2013

If CAFOs must exist, keep them as far away from populations. I think the owners should be required to live near them.

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Ruth & Kimball Kellett  
Dated 3/8/2013

We are writing to you about the proposed hog confinements that are to be erected 2 miles south of Batavia. We are all very concerned about these proposals which will include 10,000 hogs on 2 sites, one of which will be a stone's throw away from our house.

We are new to the area, moving here just 4 years ago, hoping to have a nice quiet life in the county. But now the threat of these hog confinements makes us wonder how hard will it be to live here with the smell and the threat of an unhealthy environment.

We had a private meeting with the family and Cargill representatives last Friday, March 1st, that promised that all the rules and regulations will be followed and that the Adam family will go beyond the standards and dig a deeper pit, surround the site with trees and manage the application of the manure to a professional company, but they have a bad reputation of not following through with promises. Being new to the community, it was an eye opening experience of how many residents have the same opinion.

Nick Adam has a bad reputation about not completing projects. In fact there is a manure spill violation already committed by Shawn and Jeff Adam. It is on line on the JFAN website. It notes that manure runoff polluted an unnamed tributary of Stump

Creek near Batavia in May. These new proposed building sites will be near the Rock Creek. I am concerned about the lack of respect they have to the environment and their neighbors. Indeed, they should be just stewards of the land.

We are all in fear of having these structures erected without the proper permits, as they have already stated that they would be built no matter what our concerns. Indeed they are already planning their construction schedule and the permits have not even been approved yet.

They plan on managing the dead pigs by covering them with sawdust. But our reach shows 10,000 hogs may have a 5% death rate equaling 500 hogs. We fear that with that plan it will foul the air, become very unhealthy and attract coyotes. It has been rumored that this already has taken place in their current hog confinement. That is very unsettling as we have dogs and do not wish to have a confrontation with the wildlife.

Please know that we do not object to anyone making a living and being prosperous. We object to the proximity to the town, to our homes and to our waterways. We also are concerned that past behavior will be repeated and that with the ever depleting resources, the DNR will not be able to assess and regulate the situation. We also wish to be able to enjoy our properties, the fresh air and do not wish to get sick and make it unbearable to go outside.

It is with a troubled heart that I make this plea to take our concerns seriously. We have many elderly people in our community that have been here all their lives and they love the town. Thank you for your time.

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Steve & Marcia Tiffany

Fairfield, IA 52556

Dated 3/12/2013

Dear DNR and Wapello County Board of Supervisors:

Please do not destroy the quality of life for residents of Batavia by allowing the construction of the two proposed Valley View Swine CAFOs. They're going to reek, and they're too close to town.

Economists talk about “externalities” – real costs that some businesses feel free to ignore because they are borne by others. The harm done to the entire community by these hog confinements would far outweigh the benefits, which all accrue to one family and their corporation. Most people of conscience would never disrespect their neighbors by proposing such a venture in the first place, but when conscience fails, government must see the bigger picture and protect the citizens.

\*\*\*\*(The following comments were not read at the public hearing because they were not received in time.)

Dennis & Kiki Kossow  
2120 Pearl Lane  
Fairfield, IA 52556  
Dated 3/13/2013

Dear DNR Representative,

We are strongly opposed to hog confinement lots. We very much value the quality of the air we breathe and the water we drink. And we have seen much evidence pointing to the damage to both air quality and ground water quality in proximity to hog confinement lots.

We also oppose the inhumane treatment of the hogs in the confinement lots. We support small family farms and believe that this approach to farming increases awareness of the environment and develops a strong community. These are values that we want to support, not undermine, in Iowa.

We believe that even smaller hog confinement lots pose a great danger to our way of life in Iowa. Thank you. Sincerely

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Joe Boxerman  
Fairfield, IA 52556

To the Iowa Department of Natural Resources:

I have just learned that two 4960 head hog confinements are proposed to be built just southwest of Batavia. The confinements, one proposed for construction in May and one in August are to be located just over the Jefferson County line in Wapello County. One is within 200 feet of Jefferson County, the other within ¼ - ½ mile. Their close proximity will greatly affect residents of Jefferson County.

At 4960 head, the hog confinements are coming in just under the 5000 head threshold that would require longer separation distances. The facilities are being located in Wapello County as Wapello has not adopted the master matrix.

Residents in Batavia are organizing significant opposition to the confinements and this makes sense. I believe it is now a matter of fact that the presence of CAFOs creates nuisance, stench and disease and a type of intense pollution to water and air previously unknown in rural Iowa.

I respectfully submit my opinion that permits should be denied for the proposed facilities.

In the old days, a man's farm was his own and he could do what he liked. Naturally his operations did not cause damage or hazard to his neighbors. People respected their neighbors and would never do anything to harm them.

These days life is different and bad habits are coming to our state, where neighbors were once like extended family. Simply for the lure of a quick buck, intruders disregard the damage their actions will wreak on those in proximity to their operations. Nor do these intruders respect our Mother Earth and the environment that supports us all with clean, pure air and water.

Let CAFOs, if they must be built, be permitted only in locations unfit for human habitation – some desert area remote from any present or future proposed human dwelling. While I have nothing against the state of Nevada, this desert area may welcome such factory farms.

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Teresa Meyers  
P.O. Box 236  
Fairfield, IA 52556  
Dated 3/13/2013

Dear Sirs:

I urgently request that all be done to stop not just the extension of CAFOs but the actual building of them all. It has been proven that they are a source of serious contamination for the air, water and soil. They are certainly an urgent consideration for the protection of the health of our counties. They are also a treat to the prosperity of a community as such a toxic environment will not encourage families and businesses to want to stay or locate here. Please in making your decisions consider the deleterious consequences of such CAFOs in our area will be irreparable to the health of residents and environment. Sincerely

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Chair Kenning asked for public comments. They are as follows:

John Ikerd  
702 S. 8th St. Circle  
Fairfield, IA 52556  
Dated 3/12/2013

I am an Emeritus Professor of Agricultural Economics of the University of Missouri. My wife and I moved to Fairfield a bit less than a year ago. We chose Fairfield for a variety of reasons. One was that I knew Jefferson County had a strong local organization that was committed to protecting the community from the environmental and public health risks associated with CAFOs, meaning large scale confinement animal feeding operations. I understand the environmental, social and economic consequences of CAFOs. Over the past 20 years, I have worked with people in 16 states, 3 provinces of Canada, and most recently in a rural community in Wales, UK all who were trying to protect t their communities from the threats of CAFOs.

Each community is a bit different but they all have common characteristics. CAFOs are invariably promoted as an economic development strategy that will bring new jobs and tax revenues to rural communities. The facts are quite different from the claims CAFOs are specialized, standardized, concentrated, industrial economic enterprises. Industrial operations achieve their economic efficiency by simplifying production processes to reduce costs of labor and management. This, CAFOs inevitably employ fewer workers in lower paying jobs that would be employed on independent farms. This means

CAFOs reduce, not increase, employment in rural areas. Between 1992 and 2004, for example, the number of hog farms in the U.S. fell by more than 70% whereas total hog numbers remained stable. The CAFOs weren't producing more hogs, they were just producing a similar number of hogs with far fewer hog farmers.

Admittedly, the communities where CAFOs locate may experience some increase in local employment. However, local workers rarely make up a majority of the new work force. Work in a CAFO is fundamentally different from work on an independent farm. Local workers who are accustomed to making their own decisions and working in safe and humane environments typically do not work in CAFOs, at least not for very long. The poor working conditions, lower skilled work and pressures for lower labor costs typically result in CAFO workforces composed largely of migrant workers who are desperate for employment.

Workers who migrate into CAFO communities for employment typically place a far larger burden on local public services such as schools, police protection, and public health care than their meager wages generate in local tax revenues. Any increase in local property taxes is typically more than offset by increased costs of road maintenance, water treatment, and other public infrastructure expenses associated with CAFOs. Rather than flourishing economically, CAFO communities face even greater economic challenges than other rural communities.

CAFOs do not benefit rural communities but instead are a detriment to the health and well being of rural people. In the absence of adequate protection from government and strong resistance from local residents, rural communities are being systematically forced to sacrifice their future so that a few local investors can benefit economically. It's time to tell the truth about CAFOs.

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Gary Klicker, Bloomfield:

Sites a study by U of I regarding asthma of children growing up on farms and now have environmentally induced asthma, surrounded by hogs for about 10 years. (He shows pictures of what happens to our roads.) Gravel roads not meant to withstand heavy truck traffic. These are gravel, not dirt roads, because they drag tractor trailers in. They don't provide enough storage for their animals, so have to get those in there. County has to fix the roads, taxpayers have to pay. Taken from Davis County 5 years ago. It happens over and over. They destroy the roads and bridges and we pay for it.

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Francis Thicke, farmer and soil scientist.

There's a problem in the manure management plan, will hand that in. Gary mentioned about asthma. When people tell you manure is manure, that's not true. Various toxicities. Very dangerous. Asthma hurts the lungs as well. Being found more and more by researchers.

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Deb Chance  
2313 Ash Avenue  
Batavia, IA 52533  
Dated 3/8/2013

We are in need of your help to stop the construction of the two 5000 head hog confinements planned by Nick Adam of Valley View Swine. These two CAFOs will be located around our 63 acre dream home south of Batavia. When we found out about this just a short week ago, we began educating ourselves on information from sources that did not have a vested interest in the subject. Sources like Iowa State University which stipulates that property values in proximity of CAFOs drop up to 40%. With today's economy, our little community and my family cannot fiscally handle a sideways hit like that. Our retirement accounts have taken a hit downward because of our economy, and the only hope we had was maintaining equity that we had built in our property. We can't imagine dealing with that financial loss in addition to losing our abilities to enjoy our property in nice weather, or even smelling a clean crisp day ever again.

Nick Adam, Shawn Adam, Jeff Adam, Valley View Farms and Valley View Swine have a history of violations with their business and personal dealings along with a lack of integrity all across the board. We cannot trust that a model CAFO will be built which will not harm our community by polluting our air and water causing harm to our health and quality of life, depleting Wapello and Jefferson county revenues in addition to decreasing the economic viability of our community. What will happen to our community when families leave the area because of the noxious odors & loss of property value?

Our community is begging for help. Please hear our voices.

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Lois Dovico

Dated 3/12/2013

I am writing to you with some big concerns about what Nick Adam & his boys are wanting to do. I have 3 main concerns:

#1: My husband & I own 12 acres of land. Our address is 1046 220<sup>th</sup> St. We are located just on the south edge of Batavia approximately ½ mile NE of Jeff Adam's place. I have run a greenhouse business since 2002. I also grow many different vegetables & fruits to sell to the public & have been doing so since 1978 when we bought our property. I use well water to water in the greenhouses and also I irrigate in the 2 fields that are about 3 acres. I also have 1 acre of asparagus. I am going to be planting approximately 50 fruit trees.

Our well is a deep well, at least 150 feet. Yes, I know that Batavia sits atop a large aquifer. I fear that if we have a few dry years consecutively that it will be a hardship for my business. We have had some really dry years. I use a lot of water. I grow 12 months a year. All year long.

#2: On May 25, 2012 I became very ill, quite suddenly. Felt fine that morning when I got up. Loaded my delivery truck to go make my deliveries to different floral shop up by Iowa City. When I reached Lone Tree I instantly became sick to my stomach having diarrhea and very high fever. I thought that I had picked up a bug somewhere. I started to get out of the truck and I had an extreme pain in my right groin. I couldn't lift my right leg without a lot of difficulty and pain. I couldn't think what would make me feel so terrible and cause my leg to feel that way. By the time I got to Julie's Flower Shop and got the truck unloaded 35 minutes had passed.

I called my daughter. I had been with her and her 4 girls the day before. Thought that I had picked up something from them. They were all fine. I called back to the greenhouse to tell my employees that I was really sick & then said they would keep calling to check on me. If I couldn't make it home they would come & get me & the truck. Then I called my doctor to tell them that I was coming in as soon as I got home. It's about a mile drive from the town of Lone Tree up to the main highway. By the time I got there I had the heater turned up on high. I was absolutely freezing. It's the 25<sup>th</sup>

of May, the temp at that time was 78 degrees. I don't remember the drive home. I guess it took longer than normal to get there. But I made it.

My son took me to the doctor. I had a 105.6 temperature. They wanted to know everything that had happened since I got up. I told them. They admitted me to run tests. They put me on 4 antibiotics. By that night, my right leg was starting to swell and became very red and hot. They sent me to Iowa City the next day and they diagnosed me to have necrotizing fasciitis, a flesh eating bacteria. The only cure is to cut it off. I have had 4 removal surgeries and 2 skin grafting surgeries. I have had all the skin fat and tissue removed from my whole right leg clear up into my hip. I about died two different times. I am just now getting my strength back. It's been a long haul but I survived it.

I do want to make this very clear. I am not placing blame on anyone, but we have to make some changes in the way we do things. Dr. Lucy Wibbenmier and Dr. Barbara Latenser, my surgeons, told my husband that Iowa is the leading state in this disease. They say that they feel it is related to the farming practices because we are eating the antibiotics that are being fed to the animals. It lowers our ability to fight infections. There has been an increase in causes since all the hog confinements have been increasing. I am not saying that this is or could happen to everyone, but be aware.

I pray that no one ever has to go through what I did. I wonder what Shawn & Stacy, Jeff & Lindsey, Nick would feel about having one of their children go through that hell. They might think differently, but I hope that it's not too late. They say they're doing this to leave something for their kids for the future. Isn't farming anywhere from 6000 to 8000 acres enough? They are just greedy. I asked at the meeting the other night how many acres do you farm and were they going to apply it to all the acres they farm. They said no, just the farms that are at the sites. What will they do with the extra sewage? They are going to sell it of course, for probably about \$200/load. If one hog produces 1 gallon of manure per day then that's 5000 hogs per day in 1 confinement. Do they really think people can't do the math?

#3: There is no better predictor of future behavior than past behavior. Nick's past behavior has shown that he is always trying to save a dime. If he can cut corners to self serve himself, he will do it. They say they're going to hire a professional applicator. Until they get the bill, then they will decide to do it themselves. He had better be

aware that people know he has to keep a log book of wind and weather conditions whenever he or the boys do their spraying.

I will end with this last thought. We cannot continue to live, produce and eat the way we have been doing. We've got to pay attention to where and how our food is produced. More is not necessarily better. We are the caretakers of this earth. It is our job to do the right thing, not just because everyone else is making money with hog confinements. Protect our water and land and it will provide for us and our future generations. Let's do the right thing and say no to more hog confinements.

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Larry Hanna, Floris

Represented the Baptist Church down at Eldon. Do have an open well concerned about. Historical part of this, our church was here before Iowa became a state. We were organized in 1841, first church in Wapello County. We meet every Sunday, still going strong. Have weddings in that building. Main concern is how to keep our congregation with odors coming through.

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Susan Sinn, Batavia

Tried to relate the scope of 10,000 hogs. Said it would take 20 reams of paper to make 10,000.

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Steven Conti, Pastor  
Eldon Baptist Church

Don't think anyone has the right to take away that for the sake of profit.

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Debbie Swope

Husband and I live half a mile north. Live on family farm last 5 years. Farm mom and dad had. Not naive enough to think hogs won't stink. Concerned about that road, has been for years in poor condition. Was built to be a country road south of Batavia. Also a bridge there will not support all those semis. That road's dangerous when too much rain or too dry. Last thing very concerned about the value of the property. Our little

bit of land dad left isn't much compared to others, but he wanted my sisters and me to be able to live there. Can't imagine, dad farmed out of a wheel chair for 54 years, can't tell him that land isn't going to be worth anything.

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Wayne Scherer, Eldon

Nick knows me. We've been friends over the years. He told me my business is farming and raising corn. Let's keep it clean. I don't think we need the other. I invite Nick to speak if he wants to.

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Roger Franklin

I do know one thing. Done business with Adam family for many years. Never ever seen them welch on what they said they'd do. I'm talking about a lot of money. Last year a lot of farmers welched on contracts they sold on. Adam one of very few that honored their contract although they lost money. They'll do it to the best they can. Explained that at last meeting. I have no doubt that the smell could happen but they explained. Lot of new good ideas to eliminate smell when put that on. Got no problems with nobody, my personal opinion is what they said they'll do they'll do.

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Linda Booth

Nick, you always say you want to be a good neighbor. Why didn't you bring this up about a year ago. Your sister is one of my best friends. Wonder why his family isn't here. When his dad was alive and until Nick started in, until got greedy and had to have anything, things changed. It's not hard to be a good neighbor. You just figure others feelings. I hate to do this. I don't want to put somebody down but I think your dad would even be ashamed of you. I can live with it, but some people aren't going to be that lucky. Trust me, I've heard complaints from the schools when they've opened the windows. Can't go up the road and enjoy it. Be as considerate of us. You've gone a little bit too far.

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Carol Wilkinson

A couple of points. I lived in Gothic House long time ago. Vandals wouldn't leave it alone. Wouldn't believe the people that come to Iowa to see the American Gothic House. If they make a living off this, then every other farmer is making money, I can do this to. You're going to have to give some guidelines (supervisors) sitting up there. This isn't personal, it's about health. We're all going to be affected by these. Wapello County hasn't approved the matrix. You're going to have to step up to the plate. I was raised on a farm. We don't need this. Has to be another way for these people to make money. Personally, I think the pigs need some fresh air.

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Vice Chair Parker: I need to address the comment you made about the supervisors. We can't exceed boundaries set by the Supreme Court. Do you know how many CAFOs Jefferson County has, probably 30. Sioux County, 100. Legislators made the law. We aren't required to do this. Those questions are submitted to the state.

Do you know where I'm going to be tomorrow morning? With the DNR at their site. The Adams could tell me it's my property, you're not going to be on it. DNR called me yesterday and said at 10 in the morning I'm going to be there. You're talking to the wrong people, you need to talk to your legislators. Counties cannot exceed what the state has already done.

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Robin Honomichl

Has DNR been able to keep up?

Vice Chair Parker: Don't see they've had a problem. Time frame they have to adhere to.

Supervisor Siegel: I spoke with gentleman in Washington D.C. Let's be real, Ottumwa needs hogs, Iowa needs hogs. Do we need the size we have? No. Do they need to be further apart? Yes. Matrix people, to me it's a joke. Legislature doesn't really want to address it. Governor might be one you need to talk to.

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Gary Klicker, what can county supervisors do. They don't have any limitations on what they want to do. Can pass ordinances any time you want to. If challenged and lose all of them, that's better than all of us losing our health.

Supervisor Siegel: I think this is the most powerful way to address the issue. Supreme Court made it quite clear there wasn't much we could do.

Vice Chair Parker: We'll carry this message for you. We didn't hold this tonight for us, we do it for you. We hand delivered it to the state before. Larry Mitchell, talked to curt hanson and he told me this is a local problem. Were disengaged here some place.

John Ikerd

There's a mountain of evidence there's a public health risk with CAFOs. What you need to do, everybody has the right to protect yourself. Have democratic right to stand up and say there's health risks here, we'll take it all the way to the Supreme Court if we have to.

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Darrell Swope

Seems clear to me hundreds of years of labor, thousand of dollars invested that people are going to lose. One family can destroy the whole community. That's evidentially what's going on here.

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Jim Rubis

Batavia mayor and council are strongly behind the people of Batavia. Rathbun rural water, was assured by someone from the maintenance division they would not be providing water for hog confinements.

Jerry, respect you not reading those violations, 42 of them. They were obtained from the clerks of court, can be checked out downstairs. For Nick and Shawn, wish Jeff was here, I know him better. Became involved 8 years ago working against CAFOs. Similar ground swell of opposition. Farm bureau likes to say 'soccer moms'. Anytime you go all over the state, you don't see soccer moms, you see retired farmers that have lived here for generations. Hearing a lot of negative things here tonight. Every time someone drives past your place, do you want to have this on your shoulders?

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Cathy Britt

Our house and yard borders one of Nick's fields. He surveyed north boundary of his property. After he had it surveyed, Shawn goes driving down the field taunting me, you can't stop us, we own it, what are you going to do now. Nick looked at me at one point in time tonight and winked at me ... they don't care about us.

\*\*\*\*\*

Vice Chair Parker: One comment, it's legal. One option was to convince them to not do it. Other to talk to those who can stop that in the future. How many of you here go to the meeting where all the legislators go? Those are the people that can make the difference. Don't you think you'd influence them if you'd show up at their meetings.

Timothy Honomichl, what's the next step?

Supervisor Siegel, we submit these minutes to DNR.

Vice Chair Parker, once the site inspection is approved, my guess, if submitted it will be approved.

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Sandra Roe

Eldon

Right now our school buses are staying off the roads. What are they going to do then or are we going to pave the road?

Vice Chair Parker, I can tell you we're not going to pave it. Roads we have weren't designed for this traffic when built 60 or 70 years ago.

Supervisor Siegel, we have 500 miles of gravel in the county. In this budget, we're bonding to pave a few roads. We're bonding because we don't have the money and don't get the gas money. Most were paved by the state.

Darrell Swope, I've been a fire fighter for several years. What happens when this road becomes so impassable we can't get to a person and he dies. Who's responsible?

Vice Chair Parker, I don't know what's going to happen. Some times we've blocked the roads off until we could do something about it.

Chair Kenning, when it gets so severe that we have to declare a federal disaster, we had contingency plans for some of our rural roads. Those things we definitely do address.

Jane Person, several years we went through the same thing with Steve Menke. We took it as far as the state, and it was nixed.

Adam Mason, Iowa CCI, we agree it's a problem that needs to be addressed to the legislature. Last year 565 apps across the state. Wapello County needs to stay vigilant. Encourage you to look at the church.

8:05 p.m. Hearing no further comments, Vice Chair Parker moved, seconded by Supervisor Siegel to close the public hearing. Motion carried.

Chair Kenning called for a 10 minute recess.

The Board reconvened following recess.

Vice Chair Parker moved, seconded by Supervisor Siegel to approve the Indemnification and Hold Harmless Agreement. Motion carried.

Supervisor Siegel moved, seconded by Vice Chair Parker to sign a letter from Anderson, Larkin & Co., approving a June 30, 2013 audit. Motion carried.

Vice Chair Parker moved, seconded by Supervisor Siegel to approve Resolution #912-2013 setting the date of March 26, 2013 for a budget amendment public hearing. Motion carried.

Supervisor Siegel moved, seconded by Vice Chair Parker to approve Resolution #913-2013 a resolution of financial commitment regarding the AHEAD Regional Housing Trust Fund (RHTF). Motion carried.

Vice Chair Parker moved, seconded by Supervisor Siegel to approve a memorandum of understanding between Wapello County and E911 Service Board. Motion carried.

8:16 p.m. Supervisor Siegel moved, seconded by Vice Chair Parker to adjourn. Motion carried.

ATTEST:

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Kelly Spurgeon  
Wapello County Auditor

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Gregory M. Kenning, Chair  
Board of Supervisors