TERM OF COMMISSION: November Session of the October Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center

Chambers

PRESENT WERE: Presiding Commissioner Dan Atwill

District I Commissioner Fred Parry

District II Commissioner Janet Thompson

Buyer Robert Wilson

Collector Brian McCollum County Counselor CJ Dykhouse

Director Resource Management Stan Shawver Deputy County Clerk Michelle Thompson

The meeting was called to order at 1:31 p.m.

Collector

1. First & Second Reading; 2018 Boone County Land Sale Surplus Report

Brian McCollum explained this was a result from the second post-third offering sale they conducted this year for properties that did not sell at the courthouse as part of the normal process of delinquent land certificate sale. There was a closed bid opening on November 6, 2018. There were two properties offered with two bids received on one of the properties. The high bid resulted in a surplus amount of \$603.33 for the property. These funds will be turned over to the Boone County Treasurer and will be held for the benefit of any lien holder or the owner or owners of record. If it is not claimed within three years, it will be turned over to the County school fund.

There were no comments or questions from the Commission.

Commissioner Parry moved on this day the County Commission of the County of Boone does hereby certify that we have examined the attached statement of the surplus from sale of

delinquent land held the 6th day of November 2018 and approve the same.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. Order #525-2018

Purchasing

2. First Reading; Vehicle Surplus Disposal

Robert Wilson read the following memo:

The following is a surplus vehicle that will be sold by auction. Vehicle is equipped with prisoner transport insert. Original seats and related hardware will be provided to the new Buyer if requested.

Vehicle was once utilized for short distance "Prop L" transports from local municipalities. Since Prop L transports ended, vehicle has been underutilized.

Year	Description	Approximate Mileage	VIN#	Condition
2011	Ford 15- Passenger Van	24,000	1FBSS3BL3BDB31578	Good

Commissioner Parry wanted to know the reason for Prop L transfers ending.

Commissioner Thompson said her understanding is that we have been trying to do fewer events of bringing detainees into the court and they are doing the hearings more often by video.

There were no more comments or questions from the Commission.

Commissioner Atwill stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with appropriate order for approval.

3. First Reading; Bid Award: 43-23OCT18 – Plumbing Services – Term & Supply

Robert Wilson read the following memo:

Request for Bid 43-23OCT18 – Plumbing Services – Term & Supply opened on October 23, 2018. Three (3) bids were received. Facilities Maintenance recommends a multi- vendor award.

The lowest and best bid offered by Questec Constructors, Inc., will serve as the Primary Provider and J. Louis Crum will serve as the Secondary Supplier.

Invoices will be paid from department 6100 – Facilities Maintenance, account 60100 – Building Repairs/Maintenance.

There were no comments or questions from the Commission.

Commissioner Atwill stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with appropriate order for approval.

Resource Management

4. First & Second Reading; Stormwater Security Agreement Extension & Letter of Credit: Nursery Heights

Stan Shawver said Nursery Heights is in the process of developing and still has quite a few lots to develop. The original letter of credit for stormwater improvements expires today. So, this is an extension that has been agreed upon to extend it into 2020 in the amount of \$203,470.19.

There were no comments or questions from the Commission.

Commissioner Parry moved on this day the County Commission of the County of Boone does hereby approve the attached Erosion and Sediment Control Security Extension Agreement and Letter of Credit between the County of Boone and Nursery Heights Development Group, LLC. The original order accepting the letter of credit is 13-2017. The terms of the agreement are stipulated in the attached security agreement.

It is further ordered the Presiding Commissioner is hereby authorized to sign Agreement.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. Order #526-2018

Commission

5. First & Second Reading; Board Appointment: Max Lewis, Boone County Family Resources Board

Commissioner Thompson moved on this day the County Commission of the County of

Boone does hereby appoint the following:

Name	Board	Period
Max Lewis	Boone County Family	January 1, 2019 thru December 31, 2021
	Resources Board	

Commissioner Parry seconded the motion.

The motion carried 3 to 0. Order #527-2018

6. First & Second Reading; Approval of Termination of Bond Lease Documents and Assignment of Ground Lease in connection with the successful completion of the Chapter 100 for ABC Labs

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the Termination of Bond Lease Documents and Assignment of Ground Lease to effectuate the successful completion of the ABC Labs Chapter 100 project. The terms of the document are set out in the attached. The Presiding Commissioner is hereby authorized to sign said document as well as any other documents necessary to facilitate the transfer of the ABC Labs property back into private ownership for placement on the 2019 tax rolls.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. Order #528-2018

7. Public Hearing & Second Reading; Commission Order approving Chapter 100
Industrial Development Plan and Bonds for Aurora Organic Dairy Corp (1st read
11-27-18)

CJ Dykhouse introduced the bond counsel, Jim Caldwell. He explained that Mr. Caldwell was here today from Gilmore & Bell to help facilitate the public hearing and the cost benefit analysis for the Aurora Organic Dairy project, as well as the execution of the documents.

Jim Caldwell briefly explained the way the transactions are customarily done. At the bond closing, when the County gets ready to issue the bonds, the property that is being financed and will be receiving the property tax abatement will be conveyed by Aurora Organic Dairy to the County, and then the County will enter into a lease agreement, leasing that property back to Aurora Organic Dairy. Under that lease agreement, there is an agreement that Aurora Organic will make lease payments on a yearly basis to the County in an amount equal to the debt service payments, meaning the payments of principal and interest on the bonds. Aurora Organic Dairy will actually also be purchasing the bonds for this. So, what will happen each year is the company will make a payment for the debt service on the bond, but because they own the bonds that money would come right back to them. So, it is a wash from their standpoint.

There is always a question we receive about whether a county's credit is at risk when these bonds are issued. The statute that permits these bonds to be issued is very specific about the fact that the obligation of the County on these bonds is specifically limited to any funds that it would receive under that lease agreement with the company. So, there is no obligation on the part of the County to pay the debt service. It's just solely from the lease payments that come into the County, which would go right back to the company. There are also provisions in the lease agreement that if there are costs incurred on behalf of the County, the company is obligated to repay the County for those costs. The idea on these is that the County is providing an important tax incentive to the company, so the company should be expected to

pay all costs associated with issuing the bonds and any other costs that might be incurred in connection with administering the bond issue.

Commissioner Atwill asked if there was any scenario in which the County could be obligated to make payment in connection with this even if the company should fail.

Jim Caldwell said no. Again, under Chapter 100, the statutes that authorize these specifically say that the County cannot be liable, and in fact it directs that the bond that is issued to the company has language in it that says that the County is not liable, except to the extent that you are making lease payments to the County, which would come back to the company.

There were no more comments or questions from the Commission.

Commissioner Atwill opened the public hearing.

Scott Dye was present to speak on this item.

Scott Dye read a prepared statement and handed out packets to the Commission. The statement and packet are included at the end of these minutes.

There was no one else present from the public to speak on the item.

Commissioner Parry said we have been assured by Aurora Organic Dairy that they will not have any farms in the state of Missouri. That was an important consideration for us when we agreed to work with the City of Columbia on this. The City of Columbia provided the real estate for this, but it was important for us for the quality of life in rural Boone County and in the state of Missouri, that there be no factory farms related to the production of milk for Aurora Organic Dairy. They pledged to us that they would be trucking in milk from Nebraska and Texas.

Commissioner Thompson said yes, and they made that representation several times in several meetings because that has been a concern.

Commissioner Parry explained he didn't want to show a disregard for our neighboring states, but we at least were very mindful that neighboring counties would not have to contend with a factory farm.

There were no more comments or questions from the Commission.

Commissioner Atwill closed the public hearing.

Commissioner Atwill moved on this day the County Commission of the County of Boone does hereby approve a plan for an industrial development project for Aurora Organic Dairy Corp., consisting of the acquisition of certain real property, the construction of a dairy processing facility, storage facility and waste water treatment facility on the real property, and the acquisition and installation of certain equipment therein; authorizing Boone County, Missouri to issue its taxable industrial development revenue bonds (Aurora Organic Dairy Project), series 2018, in a principal amount not to exceed \$142,000,000 to finance the costs of such project; authorizing and approving certain documents; and authorizing certain other actions in connection with the issuance of the bonds.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. Order #529-2018

8. Public Comment

Scott Dye wanted to thank the Commission for the proficiency and speed at which they get through their meetings. He also wanted to thank them for taking the time to listen to his concerns.

Commissioner Atwill said we thank you for your attendance. The Commission takes comments from the public seriously.

9. Commission Reports

None

The meeting adjourned at 1:52 p.m.

Attest:

Taylor W. Burks

Clerk of the County Commission

Daniel K. Atwill

Presiding Commissioner

Fred/I Parry

District I Commissioner

anet M. Thompson

District II Commissioner

Statement of Scott Dye to the Boone County Commission, November 29, 2018

We appreciate that AOD has promised to be a good corporate citizen. Columbia and Boone County should expect it and insist on it.

We appreciate AOD's commitment to hiring a diverse workforce at livable wages.

We understand that it is "creating" 100 local jobs by the end of 2019. But, at what cost to jobs elsewhere?

America's real independent dairy farmers are currently facing tremendous economic pressure due to industrial overproduction, and are exiting dairying at an unprecedented rate.

Industrial scale factory dairies have rapidly expanded over the last two to three year, and the results have been disastrous for independent dairy farmers. AOD is the epitome of the factory farm model that is contributing to this national rural crisis.

It's very unfortunate that our local officials have chosen to exacerbate this crisis by giving \$5.2 million of our taxpayer dollars to a multi-state factory farm conglomerate with a dubious record of compliance with federal organic standards.

As you know, those compliance problems have been well documented, by both the USDA, and by Peter Whorisky, a Pulitzer Prize-winning reporter in a feature article in the Washington Post.

How bad is the crisis on America's dairy farms? In 2017 the country lost 1,600 dairy farms – that's 4.8% of all dairy farms just in the Midwest, just in one year. Already in 2018, Wisconsin alone has lost 660 dairy farms. Ohio, 172. Michigan, 143, 10% of its dairies.

The Missouri Legislature's mandated state dairy revitalization study forecasts the loss of 257 Missouri dairies in the next six years.

Add them all up. That's a lot more than 100 jobs.

The average US dairy herd size in the Midwest is 187 cows. That's a family farm, and a farm family.

We do not believe that the Regional Economic Development authority (REDI), the City of Columbia or the County of Boone should be investing millions in the industrialization of agriculture, to the ruination of family farms across rural America.

We can and we should do better than that. We owe it to ourselves to make smarter choices that make sense for this generation of Boone County residents -- and future ones.

We hope our elected and appointed officials, now and in the future, will pursue true economic development that is both just, and justifiable.

Lastly, it stretches credibility to believe that AOD will be trucking millions of gallons of raw milk annually from Colorado or Texas, or even western Nebraska, to supply this Columbia processing plant. AOD's existing plant in Platteville Colorado is currently supplied by 30,000 head of cows, split evenly between their factory farms in Colorado and Texas.

Business

Why your 'organic' milk may not be organic

By Peter Whoriskey May 1, 2017

The High Plains dairy complex reflects the new scale of the U.S. organic industry: It is big.

Stretching across miles of pastures and feedlots north of Greeley, Colo., the complex is home to more than 15,000 cows, making it more than 100 times the size of a typical organic herd. It is the main facility of Aurora Organic Dairy, a company that produces enough milk to supply the house brands of Walmart, Costco and other major retailers.

"We take great pride in our commitment to organic, and in our ability to meet the rigorous criteria of the USDA organic regulations," Aurora advertises.

But a closer look at Aurora and other large operations highlights critical weaknesses in the unorthodox inspection system that the Agriculture Department uses to ensure that "organic" food is really organic.

The U.S. organic market now counts more than \$40 billion in annual sales and includes products imported from about 100 countries. To enforce the organic rules across this vast industry, the USDA allows farmers to hire and pay their own inspectors to certify them as "USDA Organic." Industry defenders say enforcement is robust.

But the problems at an entity such as Aurora suggest that even large, prominent players can fall short of standards without detection.

With milk, the critical issue is grazing. Organic dairies are required to allow the cows to graze daily throughout the growing season — that is, the cows are supposed to be grass-fed, not confined to barns and feedlots. This method is considered more natural and alters the constituents of the cows' milk in ways consumers deem beneficial.

But during visits by The Washington Post to Aurora's High Plains complex across eight days last year, signs of grazing were sparse, at best. Aurora said its animals were out on pasture day and night, but during most Post visits the number of cows seen on pasture numbered only in the hundreds. At no point was any more than 10 percent of the herd out. A high-resolution satellite photo taken in mid-July by DigitalGlobe, a space imagery vendor, shows a typical situation — only a few hundred on pasture.

In response, Aurora spokeswoman Sonja Tuitele dismissed the Post visits as anomalies and "drive-bys."

But some small organic dairy farmers say that the new, large organic dairies that have popped up in the West are violating standards.

On visits across several days to seven large organic operations in Texas and New Mexico in 2015, a Post eporter saw similarly empty pastures. It was difficult to determine where their milk winds up on retail shelves, however, so no chemical tests were pursued.

"About half of the organic milk sold in the U.S. is coming from very large factory farms that have no intention of living up to organic principles," said Mark Kastel of the Cornucopia Institute, a Wisconsinbased nonprofit group representing thousands of organic farmers. "Thousands of small organic farmers across the United States depend on the USDA organic system working. Unfortunately, right now, it's not working for small farmers or for consumers."

The "USDA Organic" seal that appears on food packaging — essentially a USDA guarantee of quality — was created by federal rules in 2000.

Until then, convincing customers that a product was "organic" could be a murky proposition — everyone relied on informal definitions of organic and informal measures of trust.

he "USDA Organic" seal changed that, standardizing concepts and setting rules. It has proved a boon: rganic food sales rose from about \$6 billion annually in 2000 to \$40 billion in 2015, according to the Organic Trade Association.

The integrity of the new label, however, rested on an unusual system of inspections.

Under organic rules, the USDA typically does not inspect farms. Instead, farmers hire their own inspectors from lists of private companies and other organizations licensed by the USDA. An inspector makes an annual visit, arranged days or weeks in advance. Only 5 percent of inspections are expected to be done unannounced.

To keep the inspectors honest, the USDA reviews the records of each inspection outfit about every 21/2 years.

This inspection system saves the USDA money because it does not have to hire many inspectors. The compliance and enforcement team at the USDA National Organic Program has nine people — one for every \$4 billion in sales.

cEvoy acknowledged that having farmers choose their inspection companies is "fairly unique" within the SDA, but he noted that rising sales show that consumers "trust the organic label."

"Cows aren't supposed to stay inside and eat corn," Prigel said.

The grazing season typically runs from spring until the first frost. To evaluate the Aurora operation, The Post visited the High Plains dairy complex eight days during that period — three in August, three in September and two in October. Roads crisscross the farm, allowing a view of the fields. The Post's visits ranged from about 45 minutes to as long as ten hours. In addition, in July, a satellite for DigitalGlobe snapped a high-resolution photo of the area.

Each of those 10 days, only a very small portion of the 15,000-cow herd was seen on pastures. Many more were seen in feed lots.

In response, Aurora officials said that during the grazing season the cows are on pasture both day and night. Maybe, they said, on those days, the cows were elsewhere, being milked or otherwise tended.

However, The Post visited at different times of the day, sometimes twice in a day. Because the cows are milked in shifts, thousands of them should be out at any given time, other organic farmers said.

Aurora did say that it stopped its grazing season on Sept. 30, so it's not surprising no cows were seen on the two days in October. Aurora officials said they did so after exceeding the minimum of 120 grazing days. But the USDA says organic cows should graze throughout the grazing season, and the first frost was not until Oct. 20 in that area, according to weather records.

To see whether a lack of grazing was apparent in the milk, The Post turned to Virginia Tech dairy science professor Benjamin Corl, who analyzed eight milks, some organic, some not, and all bottled during grazing season. He performed the tests without knowing the brand names of the samples.

Grass-fed cows tend to produce milk with elevated levels of two types of fat. One of the distinguishing fats is conjugated linoleic acid, or CLA, which some regard as the clearest indicator of grass feeding. The other is an Omega-3 fat known as alpha-linolenic acid. Both have been associated with health benefits in humans, although the amounts found in milk are relatively small.

Another type of fat — linoleic acid, an Omega-6 fat — tends to be sparser in milks that are pasture-fed.

The results: Prigel's milk stood out for its grassy origins. It ranked at the top for CLA and was a distant last for linoleic acid.

The milk from Snowville Creamery, another brand that boasts of pasture grazing, ranked second for CLA.

"Those two milks stood out like sore thumbs," Corl said. "You can tell those animals have been on grass."

At the other extreme were the conventional milks — from 365 and Lucerne. They ranked, as expected, at the bottom for the fats associated with grass feeding and at the top for the fat associated with conventional The USDA proposed revoking Aurora's organic status.

It also proposed suspending the Colorado Department of Agriculture from certifying organic livestock "due to the nature and extent of these violations."

Four months later, though, the case was resolved.

Aurora pledged to make improvements and was allowed to continue operating. It issued a news release saying that the USDA had "dismissed the complaints . . . following an extensive review" - a finding contrary to the view at the USDA, which issued a news release saying "the complaint was not dismissed." It noted that the consent agreement called for Aurora to "make major changes."

For its part, the Colorado Department of Agriculture agreed "to make several changes in its operation," including hiring more personnel and adding staff training, according to a USDA news release.

Aurora also settled a related class-action lawsuit for \$7.5 million in 2012 and said it did not admit wrongdoing.

Since then, Aurora, already gargantuan, has continued to grow. In recent months it has been considering an expansion in Columbia, Mo., that may rely on milk from as many as 30,000 cows, according to local media coverage.

he growth of mega-dairies that may fall short of organic standards and produce cheaper milk appears to be crushing many small dairies, some analysts said.

"The mom and pop — the smaller traditional family dairies — who are following the pasture rules are seeing their prices erode," said Hardin, the Milkweed editor. "It is creating a heck of a mess."

Will Costello in Greeley contributed to this report.

570 Comments



Peter Whoriskey

Peter Whoriskey is a staff writer for The Washington Post whose investigative work focuses on American business and the economy. Previously, he worked at the Miami Herald, where he contributed to the paper's coverage of Hurricane Andrew, which was awarded a Pulitzer Prize for public service. Follow y

MIDWEST Dairy

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More in Farm Life

Dairy in the Midwest

Dairy farmers are committed to our communities

Dairy farming is vital to our communities. It's a way of life for the men and woman who live and work on America's 42,000 dairy farms. And, dairy is essential to the health of communities across the country because it contributes jobs, income and economic vitality.

Here's a quick look at dairy farming facts and figures:

Wisconsin dairy farmers barely hanging on as crisis deepens with no end in sight

Rick Barrett, Milwaukee Journal Sentinel

Published 5:00 a.m. CT Nov. 26, 2018 | Updated 1:28 p.m. CT Nov. 26, 2018



(Photo: Joe Sienkiewicz/USA Today NETWORK-Wisconsin)

This was the year that longtime dairy farmer Jim Goodman decided to call it quits.

The third-generation farmer from Wonewoc, northwest of Madison, milked cows for more than four decades.

He loved the animals and the work, and had endured hard times, but the most recent downtum in dairy farming – now in its fourth year — was one of the worst he'd seen.

For many farmers, the price they've received for their milk hasn't covered their expenses. Some have lost thousands of dollars a month, and there's not much relief in sight as the marketplace is flooded with the

commodity they produce.

Wisconsin is on track to lose more dairy farms this year than in any year since at least 2003, according to state Agriculture Department figures for dairy producer licenses.

RELATED: As dairy crisis crushes farmers, Wisconsin's rural identity in jeopardy (/story/money/2018/04/13/dairy-crisis-crushes-farmers-wisconsins-rural-identity-jeopardy/511881002/)

As of Nov. 1, the dairy state had lost 660 cow herds from a year earlier, and the number of herds was down nearly 49 percent from 15 years ago. The number of dairy cows in Wisconsin has remained steady even as the number of farms has fallen. That's because the remaining dairy operations are, in many cases, much bigger. But even some of the bigger farms have not survived.

'Getting out from under the pressure'

or many farmers, it's no longer a matter of how they're going to endure a fourth year of financial hardship. Rather, it's how they're going to exit the business and get on with their lives.

Goodman is in the final stages of selling his farm. The organic dairy farmer quit milking at the end of June and sold his 45-cow herd, whose lineage could be traced to his grandfather's farm more than a century ago.

It was a difficult decision, but he worried that he might not have a buyer for his milk much longer as smaller farms have been getting squeezed out of business.

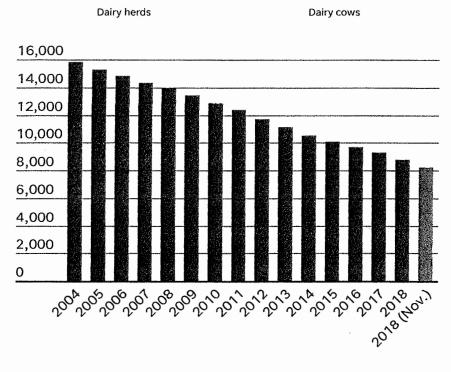
"Life goes on," Goodman said, and at 64 years old he was nearing retirement anyway.

"Getting out from under the pressure has been good," he said.



The trend away from smaller dairy farms continues

From 2004 until Nov. 2018, the number of **Wisconsin** dairy herds has declined by 48.1% — nearly half the size it was just 14 years ago. Meanwhile, the **number of dairy cows** has increased 2.6%.



Source: Division of Food Safety, Wisconsin Department of Agriculture, Trade and Consumer Protection

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journal sentinel

Trying to get out of debt after fire

Michael Dodd, a dairy farmer in Pickett, near Oshkosh, says he's losing about \$3,200 a month from milking 61 cows.

He's more than \$500,000 in debt, behind on bills, and struggling to recover financially from an Aug. 11, 2017, fire that destroyed much of his milking operation.

It was 11 p.m. when Dodd and his wife, Ashley, got a call that the barn they rented five miles from home was engulfed in flames.

The glow in the sky was visible from two miles away, Dodd said, and as he got closer there were volunteer firefighters everywhere.

His cows broke out of the barn, smashing through boards to escape and then taking shelter in a building 34 feet away. The heat from the fire was so intense it melted the canvas sides of that building and left the cows choking on thick black smoke.

At that point, "We let them out and just let them run," Dodd said.

His cows survived the fire, but 15 were so sickened from the smoke they later had to be destroyed.

Crisis calls to the state Agriculture Department's farm center are up about 10 percent this year, and they've been on the rise for several years as dairy farmers seek answers to their financial predicament.

"The farmers calling in are under a high level of stress. And no two cases are the same," said Krista Knigge, a Wisconsin Department of Agriculture, Trade and Consumer Protection division administrator who runs the farm center.

'Nothing in dairy farming makes any money'

At Wylymar Farms, an organic dairy farm in Monroe, Emily and Brandi Harris face a sharp drop in their income next spring if things don't improve soon.

Their farm cooperative has wamed them to expect about a 33 percent cut in their milk price after their current contract expires in May.

Emily is a fourth-generation farmer. A couple of years ago she and Brandi were milking 50 cows, but now it's about 30 as they've tried to reduce expenses.

"Everything is hard now. The things I used to do to save money really don't work anymore," Emily said.

Brandi has taken a job off the farm to get health insurance and cover living expenses.

Emily said she doesn't plan to quit farming, though she empathizes with farmers who face that precipice in their lives, and she could face it, too.

"There's just nothing in dairy farming that makes any money right now," she said.

"A lot of our income needed to make repairs, or to do something like replace a roof, used to come from selling 20 heifers for about \$20,000. Now, heifers aren't worth \$300 each. We've lost any extra income we used to have."

"Two dairy farms a day are going broke in Wisconsin," she added. "It's a sad deal."

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HOARD'S HAIRYMAN

Dairy farm numbers hover near 40,000

Feb. 26 2018

By Corey Geiger, Managing Editor



Overall, 1,600 dairy farms across the United States called it quits last year. That reduced the number of commercial dairy farms in the U.S. to 40,219. On a percentage basis, losses were the largest in the Southeast and the Midwest at 6.4 and 4.8 percent, respectively.

As dairy cow numbers climbed to a 22-year high point, dairy farm numbers reached a modern-day low of 40,219. Those diverging trend lines highlight an industry that continues to consolidate. In 1995, there were 111,825 dairy operations with permits to sell milk. With a collective national dairy herd of 9.461 million cows that year, the average herd size was 85 cows. With 40,219 herds remaining and 9.392 million cows on those farms, herd size has climbed to a record 234 cows per herd.

Nationally, average herd size has grown 217 percent from 1992 to 2017, from 74 to 234 cows. Over the past year, herd size grew from 223 cows to 234 cows, up 11 head.