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IN THE MATTER OF:
CHRISTIAN COUNTY

ZONING BOARD OF APPEALS

FEBRUARY 27, 2024

Sandra K. Haines
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CHRISTIAN COUNTY

ZONING BOARD OF APPEALS

FEBRUARY 27, 2024

6:00 P.M.

ZONING BOARD:

Ms. Adrian Adcock, Acting Chairman

Mr. Glen Goodrich

Ms. JoAnn Howard

Mr. Joe Door

PRESENT:

Mr. Blake Tarr, Zoning Administrator

Ms. Mary Barry, Christian County Assistant
State's Attorney

Mr. William Shay
Westervelt, Johnson, Nicoll & Keller, LLC
411 Hamilton Boulevard, Suite 1400
Peoria, Illinois 61602

Ms. Bonnie Mizeur

Mr. Mike Mizeur

1 PRESENT CONTINUED:

2

3 Mr. Larry Mizeur

4 Mr. Rod Carls

5 Mr. Luke Standerfer

6 Mr. Andrew Evans

7 Mr. Joe Gaon

8 Ms. Sandra K. Haines, Court Reporter,
9 CSR No. 084-002423

10

11

12 MR. BLAKE TARR: It is 6 o'clock. I
13 would like to call the Zoning Board of Appeals
14 meeting to order.

15 The first order of business I talked with
16 Chairman Overholt, and he is sick, and he is not
17 going to be able to attend tonight. So, I would
18 like to ask the Board to nominate someone as
19 acting chairperson for tonight.

20 MR. DORR: Adrian would love to do it.

21 MR. BLAKE TARR: Do we have a second?

22 MR. GOODRICH: Glen Goodrich, I will
23 second it.

24 MS. ADCOCK: Do we have to vote?

1 MS. MARY BARRY: I think I would prefer
2 a vote.

3 MR. BLAKE TARR: We will do it. I
4 guess with who we have here we will do a quick
5 roll-call. So, the motion is on the floor.
6 Joann Howard.

7 MS. HOWARD: Present.

8 MR. GOODRICH: Say yes or no.

9 MS. HOWARD: Was I supposed to vote?

10 MR. BLAKE TARR: For Adrian being
11 temporary chairperson.

12 MS. HOWARD: Yes.

13 MR. BLAKE TARR: Okay, Glen?

14 MR. GOODRICH: Yes.

15 MR. BLAKE TARR: Joe Dorr.

16 MR. DORR: Yes.

17 MR. BLAKE TARR: Adrian Adcock.

18 MS. ADCOCK: Yes.

19 MR. BLAKE TARR: Motion carries.

20 CHAIRPERSON ADCOCK: The first order of
21 business this evening is to approve the minutes
22 from the November 29, 2023 meeting that was held
23 at 6:00 P.M. Is there any discussion on this
24 matter?

1 MR. DORR: I will make the motion to
2 approve the minutes from the November 29th
3 meeting.

4 MR. GOODRICH: Glen Goodrich, I will
5 second it.

6 CHAIRPERSON ADCOCK: We have a first
7 and a second. Can we have a voice vote? All in
8 favor.

9 ZONING BOARD OF APPEALS MEMBERS: Aye.

10 CHAIRPERSON ADCOCK: The motion
11 carries. The minutes from November 29th, 2023
12 at 6:00 are approved.

13 We had another meeting that was November
14 30th, 2023 at 1:00 P.M. Is there any discussion
15 regarding those minutes?

16 MR. GOODRICH: Glen Goodrich, I will
17 make a motion we accept the minutes at the 1
18 o'clock meeting.

19 MR. DORR: I will second it.

20 CHAIRPERSON ADCOCK: All in favor?

21 ZONING BOARD OF APPEALS MEMBERS: Aye.

22 CHAIRPERSON ADCOCK: Motion carries.
23 Next item on the agenda is there was a zoning
24 text amendment from the Christian County Board.

1 The Board would like to have added to Appendix D
2 on the battery storage systems, section four,
3 paragraph I the following text in red. In
4 addition, the applicant will also be responsible
5 to provide annual training to the local fire
6 departments, local fire code officials, and
7 emergency responders. Records of the annual
8 training will be maintained by the EMA Director.

9 I believe this was discussed at the October
10 meeting by Mr. Copenbarger to have this section
11 clarified. Are there any additional questions
12 from the Board?

13 Okay. At this time is there any public
14 comment regarding this particular item on the
15 agenda?

16 The public comment section is closed.

17 Any further discussion from the Board? If
18 not, I will take a motion.

19 MR. GOODRICH: I will make the motion
20 to add the text as stated in this.

21 MS. HOWARD: I will second that.

22 CHAIRPERSON ADCOCK: Okay. Roll-call
23 vote, please.

24 MR. BLAKE TARR: Joann Howard.

1 MS. HOWARD: Yes.

2 MR. BLAKE TARR: Glen Goodrich.

3 MR. GOODRICH: Yes.

4 MR. BLAKE TARR: Joe Dorr.

5 MR. DORR: Yes.

6 MR. BLAKE TARR: Adrian Adcock.

7 CHAIRPERSON ADCOCK: Yes.

8 MR. BLAKE TARR: Motion carries.

9 CHAIRPERSON ADCOCK: Next item on the
10 agenda is a zoning variance application from
11 Sloan Implement Company.

12 Blake, is the application complete?

13 MR. BLAKE TARR: Yes.

14 CHAIRPERSON ADCOCK: Has the filing fee
15 been paid in full?

16 MR. BLAKE TARR: Yes, it has.

17 CHAIRPERSON ADCOCK: Some background on
18 this. The parcel number affected by this
19 application is 03-07-24-100-008-00, which is
20 located at the corner of 2050 North Road and
21 Illinois State Route 29 in Edinburg in Buckhart
22 Township.

23 Sloan Implement Company is proposing to
24 construct a new John Deere dealership with

1 attached shop. Property is currently zoned as
2 AG-1. Sloan Implement would like to have the
3 zoning changed to C-2.

4 Do we have a representative from Sloan's
5 this evening?

6 MR. BLAKE TARR: Yes.

7 CHAIRPERSON ADCOCK: Could you please
8 stand up before and --

9 MR. ROD CARLS: I am Rod Carls. I am
10 representing Sloan's. I am the store manager at
11 the current location here in Taylorville, and we
12 are basically looking at moving out there
13 because where we are at is just -- we have just
14 outgrown it. Probably in the last ten years we
15 have outgrown it. So, the opportunity has come
16 up to purchase some land. Logistics wise,
17 financial wise this area has worked out really
18 perfect, we believe. So, we are ready to pursue
19 and get the permits rolling and everything.

20 I have got Luke Standerfer here. He is the
21 general contractor with us. So, he can answer
22 any questions as far as building size, all that
23 stuff.

24 I will say that we are currently looking at

1 talking with the Village of Edinburg. We want
2 to try to be good neighbors with them. We are
3 looking at having them try to annex us into the
4 city.

5 So, the reasoning why we are here is that's
6 taking a little time. My owner, Tom Sloan,
7 likes to get things done ASAP, and he wants to
8 get all avenues set up to where there is no
9 delays. So, if something doesn't happen there,
10 we want to be able to rely on the County to
11 allow us to have permits and stuff and build
12 there.

13 CHAIRPERSON ADCOCK: Anything
14 additional?

15 MR. ROD CARLS: I think that's about
16 it.

17 CHAIRPERSON ADCOCK: Are there any
18 questions from the Board?

19 MR. GOODRICH: So, basically you will
20 close the Taylorville store?

21 MR. ROD CARLS: Yes, we will close it.
22 It will be for sale. We have some current
23 individuals interested in it already that's
24 going to be possibly business -- will be a

1 business in there.

2 MR. DORR: What's in this little area
3 right here?

4 MR. ROD CARLS: There is a house there.
5 We are currently in negotiations with buying
6 that entire property, and I am pretty confident
7 that they are going to get that done. What we
8 will do is probably tear it all down, and that's
9 probably where we are going to have our, we
10 would like to have our main entrance.

11 MR. DORR: So, there is just going to
12 be access off of Springfield Road?

13 MR. ROD CARLS: Well, there will be
14 access off of Route 29.

15 MR. DORR: Oh, there will be?

16 MR. ROD CARLS: Yes, there are turn
17 lanes on each side.

18 MR. DORR: Well, to Springfield.

19 MR. ROD CARLS: Well, to the store
20 there will be, yes, correct. It will be off of
21 Old 29, or they call it Wildcat Way. The
22 entrance has to be at least 300 feet --

23 MR. LUKE STANDERFER: We have to stay
24 300 feet off of Route 29. Because of traffic

1 interference we can't have a commercial entrance
2 there, so 300 feet. This 300 feet is right to
3 that house property. So, we are either going to
4 try to get it bought, or we are going to have to
5 go around the house on the west side for the
6 approach.

7 MR. DORR: Are the people that own the
8 house here tonight? But you have been in
9 negotiation with them?

10 MR. ROD CARLS: Yes. Tom Sloan has.

11 MR. DORR: Okay.

12 CHAIRPERSON ADCOCK: If there are no
13 other questions from the Board, at this time we
14 will take any public comments regarding Sloan
15 Implement project. So, is there any public
16 comment for Sloan Implement?

17 Okay. Public comment section is closed.
18 Miss Howard.

19 MS. HOWARD: I just wondered if there
20 are any neighbors that are opposed.

21 CHAIRPERSON ADCOCK: No one has
22 commented.

23 MR. BLAKE TARR: No one has called into
24 the Zoning Office. There doesn't seem to be any

1 so far this evening.

2 CHAIRPERSON ADCOCK: Any other
3 questions, or comments, or discussion from the
4 Board?

5 MR. DORR: I will make the motion to
6 approve the variance for the application from
7 Sloan's.

8 MR. GOODRICH: Glen Goodrich, I will
9 second.

10 CHAIRPERSON ADCOCK: We have a first
11 and a second. Roll-call vote, please.

12 MR. BLAKE TARR: Adrian Adcock.

13 CHAIRPERSON ADCOCK: Yes.

14 MR. BLAKE TARR: Joe Dorr.

15 MR. DOOR: Yes.

16 MR. BLAKE TARR: Glen Goodrich.

17 MR. GOODRICH: Yes.

18 MR. BLAKE TARR: Joann Howard.

19 MS. HOWARD: Yes.

20 MR. BLAKE TARR: Motion carries.

21 CHAIRPERSON ADCOCK: I would like to
22 state for the record Len Corzine is on FaceTime
23 right now listening into the meeting, but he
24 will not be making any comment.

1 All right. Thank you for your
2 presentation.

3 MR. ROD CARLS: Yes, thank you.

4 CHAIRPERSON ADCOCK: The next item on
5 the agenda is a zoning special use application
6 from North Pana Solar, LLC.

7 Blake, is the application complete?

8 MR. BLAKE TARR: Yes.

9 CHAIRPERSON ADCOCK: Has the filing fee
10 been paid in full?

11 MR. BLAKE TARR: Yes, it has.

12 CHAIRPERSON ADCOCK: This is where we
13 picked up from the November meeting, but as a
14 reminder the parcel number of the property that
15 is affected by the application is
16 11-25-09-400-004-00, and the property is located
17 along North 2400 East Road approximately 2,000
18 feet north of the intersection of East 400 North
19 Road and North 2400 East Road, Section 9,
20 Township 11N Pana Township.

21 The applicant is proposing to construct a
22 35 acre commercial solar energy facility for the
23 purpose of generating electric power from the
24 sun on a 37 acre tract of land. The solar

1 facility will consist of solar panels, racking,
2 foundation piles, inverters, and overhead poles
3 and lines.

4 Is there any representative from North Pana
5 Solar here this evening?

6 MR. WILLIAM SHAY: Yes, my name is
7 William Shay. For those of you who don't
8 remember, I am the attorney from Peoria who was
9 here on November 29. We have a representative
10 of the company here, an official with the
11 company. So, I would just make brief remarks,
12 and then turn it over to him.

13 So, just to recount what happened last time
14 is there was discussion about notification to
15 adjoining landowner and residents next to the
16 property and to the City of Pana, which is
17 within a mile and a half of the site, and
18 apparently notification hadn't been provided.
19 So, the matter was tabled so that notification
20 could be provided, and it is my understanding
21 that notification has now been provided.

22 So, I am here mainly tonight in a legal
23 role to help answer any questions that anybody
24 might have about the State siting standards that

1 were passed in January of 2023, and also I have
2 read the amended zoning ordinance applicable to
3 solar projects effective November 7th, the
4 County's amended zoning ordinance. Along with
5 State's Attorney Barry I would be happy to
6 answer any questions about that.

7 So, with that I will turn it over to
8 Mr. Joe Gaon, who is an official with the
9 company, who will provide an update and answer
10 any questions you might have.

11 MR. JOE GAON: Good evening, members of
12 the Board. As Mr. Shay said, my name is Joe
13 Gaon. I am a representative of Green Key Solar.
14 We are developing the project that we are here
15 for you tonight.

16 I just want to say a couple brief things,
17 and then I am happy to answer any questions. We
18 filed this application back on September 29th.
19 Since that time we do have an interconnection
20 agreement with Ameren, and that has changed
21 since the filing of our application. The County
22 has also adopted a solar ordinance, and I just
23 want to reiterate that even though we came
24 before the newly adopted solar ordinance our

1 project complies with all of the setback
2 requirements that were in the new solar
3 ordinance including setbacks from residential
4 structures, which is 150 feet from residential
5 structures. So, even though we predated that
6 ordinance, we still complied with those setback
7 requirements that are mandated by State law.

8 With that I am really here to answer any
9 questions that you may have, and we will defer
10 to you all.

11 CHAIRPERSON ADCOCK: Are there any
12 questions from the Board?

13 MR. DORR: I have a question. On our
14 sheet here it says County Zoning Administrator
15 certifies the following, and there is three
16 things, and there is only two checked off. The
17 first one being that this application for
18 special use is complete. Is it complete or not
19 complete?

20 MR. BLAKE TARR: So, at the first
21 meeting, Joe, we typically, the providers
22 typically send all of the notifications out, and
23 the reason that wasn't marked is because it
24 wasn't complete, and then Mary basically said

1 that we would provide that before the next
2 meeting. So, we are caught up in that front.

3 MR. DORR: So, that is complete, okay.
4 Thank you.

5 MR. BLAKE TARR: Yes.

6 MR. DORR: So, is this within a mile
7 and a half of the City limits of Pana or not?

8 CHAIRPERSON ADCOCK: Yes.

9 MR. JOE GAON: Yes.

10 MR. DORR: Has the City of Pana put any
11 input into this?

12 MR. JOE GAON: The City has been
13 notified, and they haven't sent us any comments.
14 We have reached out to them, and they haven't
15 exercised any jurisdiction outside of their
16 boundaries.

17 MR. DORR: Do you have any --

18 CHAIRPERSON ADCOCK: Okay. What does
19 that exactly mean, hasn't exercised their
20 jurisdiction? They didn't respond back or --

21 MR. JOE GAON: In order for the City to
22 actually regulate solar facilities they have to
23 affirmatively exercise jurisdiction and say we
24 are going to regulate these things within a mile

1 and a half of the City. They haven't
2 affirmatively exercised any jurisdiction outside
3 of the borders of the City of Pana. Thus they
4 don't control -- they have no control over the
5 site of the solar facility outside of the
6 municipal boundaries.

7 CHAIRPERSON ADCOCK: Are there any
8 other questions?

9 So, is this within the enterprise zone?

10 MR. JOE GAON: I am not sure.

11 CHAIRPERSON ADCOCK: Have you had any
12 concerns from any landowners or the applicant
13 that you needed to work through?

14 MR. JOE GAON: I know that the property
15 owner has been in contact with the neighbors of
16 the residential structure there. They are
17 related, and we have kind of left that contact
18 up to them since it is a bit of a family matter.

19 MR. DORR: Family matter, what does
20 that mean?

21 MR. JOE GAON: They are cousins.

22 MR. DORR: From the property owner
23 that --

24 MR. JOE GAON: The property owner and

1 the residential structure -- I believe they are
2 cousins. I don't want to speak to the actual
3 family relationship because I don't know.

4 CHAIRPERSON ADCOCK: Have you been in
5 contact with any of the drainage districts to
6 see if there was any water flow concerns?

7 MR. JOE GAON: We have not, but we will
8 comply with all Illinois laws regarding
9 drainage. We know there is -- from what we have
10 been told from the landowner there is no
11 drainage tile on the property. We have executed
12 an AIMA with the Illinois Department of
13 Agriculture that kind of outlines what's
14 required from a drainage perspective regarding
15 if we end up damaging any drainage tile that's
16 on the property.

17 CHAIRPERSON ADCOCK: Well, I know you
18 have included a few maps here, but like the
19 entrance into the property and easements are you
20 crossing any drainage ditches that would
21 potentially impact the flow of water?

22 MR. JOE GAON: We would drive -- the
23 entrance would put a culvert in there anywhere
24 where you would cross any drainage ditch. So,

1 you wouldn't impact the flow of anything into
2 the drainage ditch.

3 CHAIRPERSON ADCOCK: Have you guys
4 performed a storm water pollution prevention
5 plan?

6 MR. JOE GAON: That is generally done
7 prior to issuance of the building permit because
8 it is a construction matter, and we haven't even
9 fully designed construction drawings yet because
10 we don't have entitlements yet, but that is
11 something that will likely be required as part
12 of any building permit process for the project.

13 CHAIRPERSON ADCOCK: You do not have
14 the entitlements? What does that mean?

15 MR. JOE GAON: We don't have our
16 special use permit yet.

17 CHAIRPERSON ADCOCK: When did you
18 believe you would start construction on the
19 project?

20 MR. JOE GAON: It is all going to
21 depend on whether or not we get approval of the
22 project, but I think the intent is -- I know it
23 was a warm day today, but once it warms up a
24 little bit in the springtime.

1 CHAIRPERSON ADCOCK: Yet this year?

2 MR. JOE GAON: Yes.

3 CHAIRPERSON ADCOCK: So, say you are
4 approved tonight, what's your timeline?

5 MR. JOE GAON: Probably around spring.

6 CHAIRPERSON ADCOCK: And completion
7 would be?

8 MR. JOE GAON: Nine months after.

9 CHAIRPERSON ADCOCK: When would you
10 guys begin the road use agreement process?

11 MR. JOE GAON: We have reached out to
12 the township, and they haven't indicated whether
13 they require a road use agreement; but if they
14 require one, as we get further along in the
15 process we are happy to enter into one with the
16 township if they require it.

17 CHAIRPERSON ADCOCK: One of the
18 checklist items was to perform a financial kind
19 of analysis of the properties not providing
20 guarantees. So, is there any kind of support
21 for that?

22 MR. JOE GAON: We cited one study in
23 our narrative that it was shown that solar does
24 not devalue neighboring property owners. It has

1 also been the same true with wind, and that's
2 just, that's been our experience throughout
3 Illinois and in Oregon as well. We do
4 developments in Oregon, Pennsylvania. It is the
5 same in every jurisdiction that we construct
6 projects in.

7 CHAIRPERSON ADCOCK: Were you guys
8 going to participate in the pollinator program?

9 MR. JOE GAON: We are happy to, yes.

10 CHAIRPERSON ADCOCK: What kind of
11 fencing were you going to install with the green
12 screen?

13 MR. JOE GAON: So, when we filed the
14 application, there was no requirement for an
15 evergreen buffer when we filed it. So, we
16 didn't address that in our application
17 materials. Right now we have proposed a seven
18 foot tall fence, which is a requirement of the
19 National Electric Code. That's what we have
20 proposed for now.

21 MR. DORR: So, no green screen?

22 MR. JOE GAON: If that's a requirement
23 of the County, we are happy to provide any green
24 screen that the County may require.

1 CHAIRPERSON ADCOCK: You mentioned in
2 the, somewhere in these packets that there is
3 about a \$219,000.00 benefit to the County. Is
4 that gross or net?

5 MR. JOE GAON: I believe it said that
6 there was a \$219,000.00 -- that's how much the
7 property would be valued at and assessed at
8 after the solar. That's not how much property
9 taxes that we are going to be paying. The
10 anticipated property taxes is about \$32,000.00 a
11 year. That's over -- that's over the life of a
12 facility. That's about 30 years. So, 30 years
13 times 32,000 is the net benefit to the County.

14 CHAIRPERSON ADCOCK: Net or gross
15 benefit? It is going to be gross, right?

16 MR. JOE GAON: Gross, sorry.

17 CHAIRPERSON ADCOCK: Do you by chance
18 have what the net benefit to the County is?

19 MR. JOE GAON: I don't know off the top
20 of my head what they currently pay per year in
21 property taxes.

22 CHAIRPERSON ADCOCK: Are there
23 additional questions from the Board?

24 MR. DORR: At this time I do not.

1 MR. GOODRICH: No.

2 CHAIRPERSON ADCOCK: Thank you for your
3 time.

4 We are going to open up to the public
5 comment. At this time we are going to open the
6 floor for public comment. Just so we are clear
7 on the procedures Blake will announce your name,
8 and we will go in that order. You will have
9 three minutes to speak. Please address the
10 Board, and then we will proceed.

11 MR. BLAKE TARR: First up Bonnie
12 Mizeur.

13 MS. BONNIE MIZEUR: My comments that I
14 had were good evening, thank you for giving me
15 this opportunity to speak. I am Bonnie Mizeur,
16 and I am a Pana resident. I live due north in
17 rural Pana. My home is located on the very
18 property we are here to discuss.

19 I am opposed to putting the large solar
20 panel farm on this property. I have not been
21 notified by Green Key, who put in the
22 application; but I did receive a lovely letter
23 certified from the County, from the Zoning Board
24 telling me about this.

1 My concern is if this company cannot comply
2 with the simple request of notifying the
3 adjacent landowners or neighbors, that I am not
4 sure we can trust them moving forward if this is
5 approved.

6 This parcel of land is exactly 1.5 miles
7 from the heart of Pana. It is -- if you leave
8 my driveway and you drive south down the road,
9 when you reach 1.5 miles, you will be at the
10 corner of Third and Locust, which is where the
11 People's Bank is located. The City Hall is a
12 half a block down the road.

13 This location is well within the zone of
14 any incorporated area that they want to expand.
15 If we build that large solar farm there, that
16 can inhibit any City growth to the north in the
17 future.

18 I am sure you are all thinking I have a
19 case of not in my back yard, which is partially
20 true. However, I have other bigger concerns.

21 I am concerned that we are sacrificing
22 perfectly good farm ground to build these large
23 solar panel farms. My husband and his family
24 have farmed this property for almost 75 years.

1 Farms like this are how we feed this Country and
2 the world. I don't believe world hunger has
3 been eliminated yet.

4 I also have concerns about the water,
5 watershed and run-off. Solar panels deteriorate
6 over time and become damaged, and they then leak
7 hazardous chemicals that will ooze into the soil
8 contaminating our well water and groundwater.
9 There is also the issue of any herbicides that
10 would be used to control vegetation around and
11 under the panels. This will also contaminate
12 wells and groundwater. Another concern is
13 watershed. During heavy rains depending on how
14 these panels are positioned can cause massive
15 and heavy erosion, all of the water running
16 down, going to one spot. This brings up
17 run-off. All that chemical laced water from the
18 herbicides, the panel leakage will go south
19 towards my neighbors and towards the City of
20 Pana ending up in their yards, their ditches,
21 their wells.

22 One of my bigger concerns is that all of
23 these companies involved are LLCs, meaning they
24 are limited liability corporations. Since this

1 is a green energy project I am assuming they are
2 receiving subsidies from the federal government.
3 Therefore, their actual investment is minimal.
4 Money from the government comes from taxpayers,
5 basically we will be paying to construct this
6 project. And I had in here to enable Ameren to
7 collect and transmit this, but I just heard this
8 gentleman say they no longer have their
9 agreement with Ameren.

10 MS. MARY BARRY: I think he --

11 MS. BONNIE MIZEUR: No, go ahead.

12 MR. JOE GAON: No, we do have an
13 agreement.

14 MS. BONNIE MIZEUR: I thought I heard
15 you say that that was no longer true.

16 MR. JOE GAON: No, when we filed it, we
17 didn't have the interconnection agreement yet,
18 but we do now.

19 MS. BONNIE MIZEUR: Oh, okay, my
20 mistake then. Thank you.

21 So, then it will be collected by Ameren,
22 and then they will transmit that energy. The
23 energy will not stay in central Illinois. It
24 will be transmitted someplace else.

1 Again my biggest concern is the destruction
2 of perfectly good farm ground. I can't imagine
3 that there isn't another piece of property, a
4 better location for this project.

5 I am reminded of something my Grandpa
6 Fraley used to always say, any ground you have
7 you need to take care of. There is only so much
8 of it, and they are not making any more.

9 So, we need to stop and think is
10 sacrificing this perfectly good farmland for
11 solar panels the best use of those resources. I
12 don't think that using it, that that is using it
13 to its fullest potential. Thank you.

14 I also have some petitions that I have had
15 people sign. Do I submit them to you guys now?

16 CHAIRPERSON ADCOCK: Yes, please submit
17 them for the record.

18 MS. BONNIE MIZEUR: Who do I --

19 MR. BLAKE TARR: Just bring them up
20 here.

21 CHAIRPERSON ADCOCK: Can you provide a
22 brief description of what this record is?

23 MS. BONNIE MIZEUR: This petition, the
24 undersigned residents of Christian County,

1 Illinois are opposed to the approval of a
2 special use application to permit the
3 installation of a large solar panel array at or
4 on the parcel referred to as tax ID number
5 11-25-09-400-004-00 at East 41 North Road, Pana,
6 Illinois.

7 MR. BLAKE TARR: How many signatures?

8 MS. MARY BARRY: I haven't counted
9 them. I have about five or six pages that are
10 full. I apologize. I didn't think about
11 totalling them.

12 CHAIRPERSON ADCOCK: Thank you for your
13 testimony.

14 MR. BLAKE TARR: We will count them up.
15 Every sheet is full. Thank you very much.

16 CHAIRPERSON ADCOCK: Can we provide a
17 rough estimate to the Board?

18 MR. DORR: I would like to know how
19 many signatures.

20 MS. BONNIE MIZEUR: I can count them
21 for you.

22 MR. BLAKE TARR: The full page is 25.

23 MS. BONNIE MIZEUR: One page I had
24 marked two off because they live in Shelby

1 County.

2 MR. BLAKE TARR: Okay. Thank you.

3 MS. BONNIE MIZEUR: So you are aware.

4 MR. BLAKE TARR: Next we have Mike
5 Mizeur.

6 MR. MIKE MIZEUR: My name is Mike
7 Mizeur. Good evening and thank you. I had a
8 speech, but I am going to go off key: Inaction,
9 inaction, inaction. That's what they have done.

10 When they were here in November, they had
11 to notify adjoining landowners. They haven't
12 even done that; inaction. Inaction, inaction,
13 inaction; they are in 1.5 miles of the Pana City
14 limits, and they haven't even made contact with
15 the City of Pana.

16 The City of Pana has not approved or denied
17 this. Just because Pana does nothing doesn't
18 mean they approve the project.

19 Do the residents of the City of Pana in the
20 1.5 miles that City has jurisdictional code
21 over, do they want solar farms backing up to
22 these residences? I think we should ask the
23 City and their residents.

24 I am here to speak tonight for my family,

1 who is all here tonight. They live at the site.
2 They own ground near the site, and they have
3 farmed in the area for over 75 years. We
4 respectfully ask you to deny your recommendation
5 to the County Board of the zoning special use
6 permit.

7 The applicant is North Pana Solar, LLC,
8 otherwise known as Green Key Solar. Green Key
9 is a solar company based out of Portland,
10 Oregon. The address on the application it is a
11 mailbox at a USPS store in Portland. Green
12 Key's website they do not have a physical
13 address. They don't even list a single phone
14 number on their website.

15 Green Key is here strong-arming the County
16 for your approval for this special use. Just on
17 the surface this is extremely bad optics. We
18 are not here to argue against renewable energy,
19 but it has to be completed with practicality and
20 responsibility, with engagement from all, from
21 all vested stakeholders.

22 We as the community are the stakeholders.
23 We will be here when Green Key is long gone.
24 Green Key is trying to plant their first solar

1 seed in this County. I will tell you it is a
2 sporadic dart board approach targeting easy
3 landowners, and not with an overall master plan,
4 of just where they could get approval.

5 Where is the plan? Where is the master
6 plan? Where is the overall development? A 35
7 acre site doesn't make much sense to me.

8 The reason they are trying to plant this
9 first solar seed in our County it is an easy
10 seed to plant. There is an Ameren substation
11 across the street, and the landowners live out
12 of state. Neither Green Key nor the landowners
13 are vested stakeholders in our future. They
14 have no ties to our City, our County, or most
15 importantly our people.

16 Please continue to protect our property
17 values and the aesthetic conditions through our
18 County. Do not let them plant this first seed
19 here.

20 This 35 acre commercial, commercial solar
21 energy facility surrounds a residential property
22 on three sides. I have asked for you to look at
23 your plans in your packets, but the plans are
24 hard to read, not even professionally done. I

1 printed them out on a larger sheet; still very
2 hard to read. I have a full size copy if you
3 guys would like. Any sane person would look at
4 that plan and say this is not a good idea. This
5 is not where you plant the first seed for solar.

6 Common sense has to prevail. What would
7 you do if your family, or friends, or if you
8 lived at this site that was going to be
9 surrounded on three sides by a solar farm?

10 Green Key has great aerial photos of large
11 solar farms, beautiful solar farms. Not one has
12 a private residence near it let alone adjoining
13 it. Do you think they would take a picture of
14 this site they are proposing in Christian County
15 for their website; hell, no.

16 On the application as we have previously
17 discussed Green Key was supposed to list the
18 names and addresses of any bordering landowners
19 or homeowners impacted by the project, not done.
20 The County had to make those notifications.

21 Green Key's response in their informational
22 packet, there will be no impact on neighboring
23 landowners or homeowners and quote, no
24 anticipated adverse effects. How can a

1 professional firm not -- how can a professional
2 firm not list, not notify impacted landowners.
3 You know why, it is easy. It is an easy thing
4 to do.

5 Why engage local vested interests?
6 Substantial infrastructure improvements pride or
7 public take engagement, planning, design,
8 construction with the commitment and a path
9 forward for all stakeholders.

10 Please deny your recommendation to the
11 County Board on the basis of practical,
12 responsible site selection. Thank you.

13 CHAIRPERSON ADCOCK: If there is
14 anything else, you can submit your language to
15 the County Board.

16 MR. MIKE MIZEUR: No, that's it.

17 CHAIRPERSON ADCOCK: Would you guys
18 care for a copy of the handout that he has?

19 MR. DORR: I am good.

20 CHAIRPERSON ADCOCK: If you would like
21 to submit the copy of the map for the record, we
22 will accept that as well.

23 MR. MIKE MIZEUR: I would like to
24 submit the pictures from the Green Key website

1 of the solar farms. I would also like to submit
2 an oversized view of the solar farm plan
3 depicting the residential property that will be
4 surrounded on an oversized sheet.

5 CHAIRPERSON ADCOCK: Thank you for your
6 comments, sir.

7 Per the sign-in sheets there are no neutral
8 or pro. So, the public comment section of this
9 meeting is closed.

10 I would like to state for the record there
11 were 237 signatures on Miss Mizeur's petition.

12 At this time is there any further
13 discussion from the Board?

14 MR. DORR: I have a question for the
15 developer. So, it is still a mystery, you said
16 you contacted Pana, but they have never
17 contacted you?

18 MR. JOE GAON: We have been in contact
19 with the City of Pana. They have told us they
20 do not exercise jurisdiction outside of their
21 municipal limits. That's what they told us.

22 MR. DORR: Have you guys talked to the
23 City of Pana?

24 MS. BONNIE MIZEUR: I have talked to

1 the Mayor. I called him. He told me that he is
2 opposed to it, but he says he doesn't think he
3 has any jurisdiction out there.

4 MR. MIKE MIZEUR: He doesn't know.

5 MS. BONNIE MIZEUR: I was going to say
6 that's what I was told.

7 MR. DORR: Was he doing any more
8 research to determine if they do or don't?

9 MS. BONNIE MIZEUR: I don't know the
10 answer to that.

11 MR. DORR: How long ago did you talk to
12 him?

13 MS. BONNIE MIZEUR: Oh, probably three
14 weeks ago, maybe four. He is a very hard person
15 to get ahold of. He has a regular job, and you
16 can get him but --

17 MR. DORR: Have you been to a Pana City
18 Council meeting?

19 MS. BONNIE MIZEUR: I have not. I can
20 do that.

21 MS. HOWARD: I have a question.

22 CHAIRPERSON ADCOCK: Yes, Miss Howard.

23 MS. HOWARD: It is about notification.

24 We are talking about three residents that

1 weren't notified by the company. Does the
2 County Zoning Board of Appeal notification
3 qualify?

4 MR. DORR: Not on their behalf. I mean
5 you took that on your own to notify these
6 people, right?

7 MS. MARY BARRY: I would have to go
8 back and look at the minutes, but I think what
9 we said was because it hadn't happened before
10 the November meeting we were going to make sure
11 it did happen regardless.

12 MR. DORR: Remember the last meeting
13 they did not notify anybody.

14 MS. HOWARD: I know, but weren't they
15 supposed to today?

16 MR. DORR: Well, they were supposed to
17 in the original application, but apparently that
18 hadn't been done yet, and the County did it.

19 MS. HOWARD: I understand that.

20 MR. JOE GAON: The County did it
21 because we asked them if we should handle it, or
22 if they should handle it; and we were told that
23 they were going to handle the notifications. If
24 we were told that we would have to handle the

1 notifications, we would have gladly sent out
2 notifications.

3 MS. MARY BARRY: It is a weird set of
4 circumstances. We had said we are going to just
5 take care of it.

6 MR. JOE GAON: It wasn't because we
7 didn't want to notify anybody.

8 CHAIRPERSON ADCOCK: Excuse me. So, I
9 should have been clear. I apologize for this,
10 but now that we are in deliberation if the Board
11 addresses a person to answer the question, then
12 we will have that person. Otherwise we do not
13 want to have any chiming in during our
14 discussion time. Mr. Door.

15 MR. DORR: So, the original application
16 there was no notification of the neighbors?

17 CHAIRPERSON ADCOCK: That is correct.

18 MR. DORR: Then after you spoke with
19 them did they say they would or wouldn't, or why
20 did the County do it?

21 MR. BLAKE TARR: I think what I
22 remember, Mary, like I said I don't have the
23 minutes in front of me, but there was an
24 agreement made at the meeting that we would take

1 the steps for notification prior to this
2 meeting.

3 MR. DORR: Okay.

4 MR. BLAKE TARR: Which I sent out
5 letters to all of the local, any adjacent
6 residences, landowners, and the City of Pana.

7 CHAIRPERSON ADCOCK: Yes, Miss Howard.

8 MS. HOWARD: So, the notification by
9 the company is what's holding things up?

10 CHAIRPERSON ADCOCK: At the last
11 meeting there was no notification. We had no
12 one from the municipality. In addition there
13 was not a representative -- there was legal
14 representation, but I believe there was not a
15 representative from Green Key to give a
16 presentation as to what they intended to do on
17 this project. So, it was continued from the
18 last meeting, or it was tabled. I would have to
19 check the meeting minutes.

20 MR. DORR: I do have a question. Is
21 this plan set in stone, or is there any
22 variation?

23 MR. JOE GAON: There is variation
24 there, yes.

1 CHAIRPERSON ADCOCK: Can you elaborate,
2 please.

3 MR. JOE GAON: We continue to do due
4 diligence. Like after we get -- before we
5 commit all of the money to this project we make
6 sure that we get our entitlements in place, and
7 we continue to do additional diligence on the
8 property. We do geotechnical engineering. We
9 do all of those things, and we figure out
10 exactly where the best place to place this is.
11 So, there is some wiggle room there. We give
12 ourselves a little bit of a buffer in case we
13 have to -- in case there are areas on the
14 property that are not suitable for solar panels,
15 but yes, there is some wiggle room there.

16 MR. DORR: So, I mean that's all set in
17 stone, but as far as being a good neighbor,
18 being part of the community, would you consider
19 dropping this --

20 MR. JOE GAON: Can I come over and see
21 what you are pointing to, do you mind?

22 MR. DORR: -- the strip to the south of
23 their residence?

24 MR. JOE GAON: Can I see what you are

1 pointing at?

2 MR. DORR: This strip right here
3 because you are surrounding their entire
4 property except for the east side.

5 MR. JOE GAON: I mean I would consider
6 that, yes, for sure.

7 MR. DORR: You would consider a green
8 screen?

9 MR. JOE GAON: Definitely.

10 MR. DORR: Okay. I just wanted that on
11 the record.

12 So, I am not too far from this location
13 where I live, and I went by the property last
14 week trying to talk to you guys, and beautiful
15 house, beautiful garage, great location, and I
16 understand your concern being surrounded by
17 solar panels.

18 But just so you guys know, used to it
19 was our recommendation would go to the County
20 Board, the County Board has the final say so.
21 Now our illustrious Governor and our State
22 administration has pretty much taken this out of
23 our hands, and very limited us to what we can
24 do. But according to their rules, which are

1 very sketchy, I mean we have a little bit of
2 wiggle room.

3 So, I am glad to see your 237 signatures
4 against this. This to me that pulls a lot of
5 weight.

6 So, like I said, we can make a
7 recommendation, send it to the County, the
8 County can do whatever they want, but once again
9 we are fighting the State of Illinois. That's
10 becoming a bigger and bigger issue especially
11 with all this green energy because all of the
12 federal money that they are throwing at it.
13 They don't care about your property, my
14 property. They care about getting that federal
15 money, and trying to make a buck.

16 So, I mean that's consideration that we
17 have. Our hands are really, really tied, and
18 there is a lot of lawsuits going out, but the
19 County of Christian cannot afford to be part of
20 some of these early lawsuits. There is other
21 counties out there doing it. We are just kind
22 of wait and see what happens.

23 So, I just want you to know that we can
24 only do so much. So, that's why I want to get

1 some of these things out there because in the
2 past we have made the company do considerations
3 like not putting it there, so at least you have
4 one view besides your front door that doesn't
5 have solar panels blocking you, and a green
6 screen so instead of looking through a chain
7 link fence if there is some shrubbery there
8 that's -- I mean that's a possibility, but they
9 have to be willing to do it.

10 So, we do have a few, but according to the
11 State we can't require that. But if they want
12 to be good neighbors and something happens, that
13 might be an alternative. But once again we can
14 only do so much. There is a lot of questions.

15 MS. BONNIE MIZEUR: I have a question,
16 and I don't know whether I can ask you. When we
17 were making statements earlier, you asked him
18 about completion of the project or someone did.
19 He said I believe nine months. Okay, that's
20 going to put us if they start in the spring,
21 which I am going to say April, May, that's going
22 to put us to the end of the year, and him just
23 bringing up the money the federal government
24 puts in, say in November we don't have the same

1 President after this election, and that money is
2 gone, and that field is not completed. Are the
3 funds there that it will be completed, or are we
4 going to have just a big mess?

5 CHAIRPERSON ADCOCK: We need to keep
6 this as deliberation. So, this is just for us.

7 MR. DORR: So, if the administration
8 changes, will there be funds available for this
9 project in the future?

10 MR. JOE GAON: Yes. What we have to do
11 prior to starting any construction, we have to
12 post a bond for any removal and restoration work
13 that will guarantee that if for whatever reason
14 this project doesn't happen, that anything that
15 we do we will have to restore the property to
16 its condition in the present day. So, that bond
17 is held by the County. You guys will have a
18 bond. It is part of our AIMA agreement with the
19 State of Illinois that we are required to post a
20 bond prior to the start of construction.

21 So, that guarantees that -- let's say Green
22 Key Solar stops existing tomorrow or whatever it
23 may be. There is a bond, and there is a way to
24 bring the land back to its current condition.

1 So, you are not just left holding the bag.

2 MR. DORR: You said that if this does
3 get approved, it would be, you will start this
4 in the spring, and finish by fall, correct?

5 MR. JOE GAON: Nine months it takes.

6 MR. DORR: All right. So, I have sat
7 on this Board for years. How many of these have
8 we approved?

9 CHAIRPERSON ADCOCK: Several.

10 MR. DORR: Ten, twelve, a dozen, you
11 how, know many of them have actually been
12 started?

13 MR. BLAKE TARR: None.

14 MR. DORR: One, they put up three posts
15 in the ground, and that was four years ago, and
16 nothing has been done since then.

17 MR. JOE GAON: A lot of those projects
18 are part of the adjustable block program, which
19 doesn't guarantee that they are actually ever
20 going to be built. We are not part of that
21 adjustable block program. We don't require
22 anything else to make sure that this is
23 interconnected to the grid and that the power
24 can be sold to the grid.

1 CHAIRPERSON ADCOCK: Can you please
2 explain that for the Board what an adjustable
3 block program is?

4 MR. JOE GAON: So, for community solar
5 there is a program where they say we are going
6 to have this amount of megawatts that are going
7 to be part of that program. You basically apply
8 to be part of that program, and you are not
9 guaranteed that you are ever going to be part of
10 that program; but for us we are not part of that
11 program. So, there is less likelihood that this
12 project isn't going to come to fruition.

13 CHAIRPERSON ADCOCK: Is that because
14 you have already sold these megawatts?

15 MR. JOE GAON: We have an
16 interconnection agreement with Ameren already,
17 but we haven't -- I mean we don't sell anything
18 until it is actually --

19 CHAIRPERSON ADCOCK: So, you don't
20 already have it sold to Google, or Facebook, or
21 something like this?

22 MR. JOE GAON: No. We don't have an
23 off taker for the power.

24 CHAIRPERSON ADCOCK: Mr. Dorr, did you

1 have additional?

2 MR. DORR: My only other question is if
3 for whatever reason this does get approved now
4 or eventually, are you open to concessions?

5 MS. BONNIE MIZEUR: I am sure that
6 would depend on what the concessions would be,
7 of course.

8 MR. DORR: Not putting that on the
9 southern part of the property, and a green
10 screen around there if there was no way to
11 change this.

12 MS. BONNIE MIZEUR: You cannot stop it.

13 MR. STEVE MIZEUR: If we can't stop it,
14 we would have to do something.

15 (Court reporter asked for speaker's name.)

16 CHAIRPERSON ADCOCK: We really need
17 to --

18 MR. DORR: It is my question. I mean
19 we let them speak, but we still can discuss this
20 as a board member. I can still ask them
21 questions the same as I can ask them questions.

22 CHAIRPERSON ADCOCK: Yes, sir.

23 MR. DORR: So, to be on the record the
24 same thing, would you consider concessions to

1 appease them?

2 MR. JOE GAON: I am not going to say
3 that I am open to every single concession, but
4 if we come up with some, you know --

5 MR. DORR: No, but would you consider
6 reasonable concessions?

7 MR. JOE GAON: Of course.

8 MR. DORR: I just wanted that on the
9 record as well, and sorry, one more question.

10 Do you think maybe you should go to a Pana
11 City Council meeting?

12 MS. BONNIE MIZEUR: It wouldn't be a
13 bad idea.

14 MR. DORR: I am just asking because
15 that could stir up some stuff later.

16 MS. BONNIE MIZEUR: I haven't because I
17 don't live in the City limits.

18 MR. DORR: I know, but you can still
19 get on the agenda because you are within that
20 mile and a half. So, my suggestion would be go
21 to the Pana City Council meeting just so we can
22 have that on record as well. Thank you. That's
23 it. I am done.

24 CHAIRPERSON ADCOCK: Are there any

1 additional questions?

2 UNIDENTIFIED AUDIENCE MEMBER: Can the
3 public ask a question or no?

4 CHAIRPERSON ADCOCK: The public comment
5 portion is closed.

6 Okay. What additional discussion points
7 does the Board have? Do you feel that you have
8 sufficient information?

9 MR. DORR: No.

10 CHAIRPERSON ADCOCK: I agree.

11 MR. DORR: I would still like to have
12 input from the City of Pana on this.

13 CHAIRPERSON ADCOCK: Per their code
14 when you look at the appeals process, it
15 specifically states that the municipality,
16 whether that be the mayor, the council, or the
17 trustees need to have some comment. That's what
18 the process is that we are using with
19 Taylorville, and so I guess I don't understand
20 how that differs for the community of Pana.

21 MR. DORR: Well, to me like you said it
22 is precedence. So, they can either issue a
23 statement that they have no comment, or be here
24 present at a future date to put in their opinion

1 on it. It is their enterprise zone. So, I mean
2 like I said through this agreement from our
3 State we have limited -- our Board has limited
4 abilities, and one of the major things is is it
5 in the best general welfare of the community.

6 CHAIRPERSON ADCOCK: Correct.

7 MR. DORR: So, I would like to have a
8 representative from the Pana community, the City
9 of Pana to make a statement. Either a no
10 comment, we don't want anything to do with this,
11 or at least make an official statement.

12 CHAIRPERSON ADCOCK: It is in the
13 municipal code it talks about their concerns
14 with water, and the watershed, and things like
15 that. And if that is, the water flow is towards
16 the City of Pana, there may need to be some kind
17 of agreement with how those easements or the
18 drainage district will have to manage the flow
19 of water, et cetera. But all of those
20 conversations should have been had prior to
21 starting these hearings.

22 MR. DORR: I agree.

23 MS. HOWARD: I have a question.

24 CHAIRPERSON ADCOCK: Yes, ma'am.

1 MS. HOWARD: My concern is this doesn't
2 seem too well planned, and it seems like we have
3 been making exceptions, several of them, and I
4 am not saying I am pro or con. I am just saying
5 look at the circumstances.

6 MR. DORR: I agree, but like I said the
7 Sinclair thing that the State forced us to pass
8 to me is the big question. I mean before we
9 knew where we stood. Right now we do not have
10 any idea what we can do, what we can't do. A
11 lot of these questions need to be answered.

12 So, I would like to get all of the
13 information I can get before I make any kind of
14 decision on any of these special requests. So,
15 at this point I make the motion to table this.

16 CHAIRPERSON ADCOCK: So, I agree with
17 you, Mr. Dorr, that the City of Pana has to
18 comment whether it is written or in person
19 absolutely.

20 I think looking at our code and what we had
21 there was a severability clause in the ordinance
22 that specifically highlighted that if there was
23 anything invalid in any section, subdivision,
24 paragraph, or other part of this ordinance shall

1 not affect the validity or the effectiveness of
2 the remainder of the ordinance, and so with the
3 application there was quite a bit of language
4 about how we just didn't comply with the State
5 code, and it was 50 feet on a setback.

6 So, I guess I would have liked to have seen
7 to Miss Howard's point a bit more of a complete
8 project of what the plan was, how we are working
9 with the community, and being a good neighbor,
10 how are we going to partner. That's part of the
11 spirit of the code that we were supposed to
12 uphold is to make sure that we attract
13 businesses to this area that are also going to
14 be good neighbors. So, I agree with your motion
15 that we need to have comment from the City of
16 Pana.

17 I guess I would recommend to the applicant
18 that they speak with the surrounding or with the
19 homeowner, and see on your own if there are some
20 items that you can agree upon, and that you
21 present that at the next Board meeting.

22 MR. DORR: Okay. So, once again my
23 motion to table is on the floor.

24 MS. MARY BARRY: Tabling or continuing?

1 MR. DORR: I say it needs to be tabled
2 because we don't know what the City of Pana has
3 on their schedule, and she is going to have to
4 get on their agenda.

5 CHAIRPERSON ADCOCK: Motion to table is
6 accepted. Is there a second motion?

7 MR. GOODRICH: I will make a motion to
8 table it, second it.

9 CHAIRPERSON ADCOCK: First and second.
10 Role call vote, please.

11 MR. BLAKE TARR: Glen Goodrich.

12 MR. GOODRICH: Yes.

13 MR. BLAKE TARR: Joann Howard.

14 MS. HOWARD: Yes.

15 MR. BLAKE TARR: Joe Dorr.

16 MR. DORR: Yes.

17 MR. BLAKE TARR: Adrian Adcock.

18 CHAIRPERSON ADCOCK: Yes.

19 Thank you for everyone's time and input
20 this evening. We appreciate it.

21 The last item on the agenda is zoning
22 special use application from Solar Provider
23 Group, LLC, or excuse me, Provider Group
24 Illinois, LLC.

1 Mr. Tarr, is this application complete?

2 MR. BLAKE TARR: Yes.

3 CHAIRPERSON ADCOCK: Has the filing fee
4 been paid in full?

5 MR. BLAKE TARR: Yes, it has.

6 CHAIRPERSON ADCOCK: I understand this
7 is also something that was heard in March of
8 last year.

9 Can we have the discussion out in the hall,
10 please.

11 MR. WILLIAM SHAY: Sorry.

12 CHAIRPERSON ADCOCK: So, there are two
13 parcels and addresses that will be affected by
14 this application. Parcel number one is
15 17-12-11-400-002-04 at North 800 East Road,
16 Taylorville, and parcel number two is
17 15-12-14-200-002-00 North 800 East Road,
18 Taylorville.

19 The proposed special use is to develop a 5
20 megawatt AC community solar PV system in an
21 agricultural district. This application is
22 resubmitted due to design revisions that have
23 added an access point to the south of the
24 project onto Illinois 104.

1 Is there any representative from Solar
2 Provider Group, LLC?

3 MR. ANDREW EVANS: Yes.

4 CHAIRPERSON ADCOCK: We are going to
5 take a five minute recess while he sets up for
6 the presentation. So, please come back at 7:05.

7 (Whereupon the ZBA meeting was in
8 recess.)

9 CHAIRPERSON ADCOCK: The meeting is
10 back in session. Would you like to present the
11 presentation.

12 MR. ANDREW EVANS: My name is Andrew
13 Evans. I am asking the Board if you would like
14 me to give an overview of the project again, or
15 if you would just like me to go to the site plan
16 changes and just go over those changes?

17 CHAIRPERSON ADCOCK: So, the question
18 was to the Board whether you would like for him
19 to review the entire project, or would you
20 prefer the site plan change?

21 MR. DORR: The site plan change,
22 please. I mean that's my opinion.

23 MR. ANDREW EVANS: So, I am here
24 tonight, and thank you for having me here. Just

1 to -- we have resubmitted due to a site plan
2 revision that was necessary at the site, and as
3 you can see here the approved design from last
4 year, it was approved by this Board in March,
5 and it was also approved by the County Board in
6 April of last year.

7 Following that approval after some further
8 assessment on the site, as you can see here the
9 access road goes to that wooded area, and we
10 discovered that -- it is hard to see in the
11 area -- we discovered that it is quite a steep
12 gully where the wooded area is, and it would
13 require quite a lot of grading and earth moving,
14 and also cutting more trees down than we would
15 like. So, we decided it would be best to find
16 an alternative way to connect to arrays or
17 access the southern array. So, after some --
18 after some discussion and deliberation we came
19 to the conclusion that accessing the site, the
20 site from the side from IL 104 would be the
21 best. So, we decided it would be best to access
22 the site from IL 104. So, we reached out to the
23 southern neighbors, and we got, we came to an
24 agreement with them to access the site through

1 their property and also to build a road, the
2 access road through their property.

3 So, move onto the revised site design, as
4 you can see we have removed the road from the
5 wooded area. We have kept the overhead line for
6 it. So, we have removed the road that connects
7 the two arrays. We have kept the electricity
8 line, the overhead line, and connected the
9 arrays electrically. The system design as you
10 can see if I flip between the two, the actual
11 project area remains the same. We haven't
12 changed the fenced area, and we have kept the
13 visual screening, and the visual screening that
14 got approved last year. It is hard to see on
15 the map. It might be easier to see on the
16 printed out version the visual screening where
17 there isn't really existing visual screening.
18 It is pretty much obscured from every angle in
19 the view of the site. We have slightly changed
20 the northern access road just due to
21 constraints, or not constraints, just due to, it
22 is sort of a better shape than proposed before.
23 The point of interconnection to the electricity
24 grid remains in the northeast of the project.

1 The only change really is the access point to
2 the south, and move onto a zoomed view of that,
3 and as you can see it is going through their
4 property, the property of the neighbor who we
5 have agreed to access through. It will be
6 similar to the northern access road. It will be
7 about 15 feet in width, and it will be a gravel
8 surface, and it will access IL 104 at the
9 already existing access point. Yet I have also
10 actually reached out to the Illinois Department
11 of Transportation, and they have stated that
12 there will be no issue with any access permits.
13 We haven't signed any access permit as of yet.
14 They haven't sent us out any proposal because
15 they said there won't be any issues, and of
16 course, we are happy to agree to whatever
17 requirements they have. Yes, so that pretty
18 much covers it all, and any questions or
19 comments the Board has?

20 MR. DORR: So, it is really not an
21 access off of 104. It is an access off of their
22 lane going back?

23 MR. ANDREW EVANS: I suppose it is, and
24 I know this shows it stopping there, but we will

1 probably have to improve where their access, the
2 access point. There is a culvert there, which
3 we would probably have to reinforce. So, the
4 road will extend onto the IL 104.

5 CHAIRPERSON ADCOCK: At this point are
6 there any additional questions from the Board
7 before we do public comment?

8 MR. DORR: So, the only thing that has
9 changed since what we approved last time is the
10 south access road?

11 MR. ANDREW EVANS: Yes. That's the
12 only change we have made. We have kept the
13 system, the site design the same, the fenced
14 area is exactly the same as it was. And when it
15 was approved by the County Board, we had
16 slightly changed it from in between the Zoning
17 Board meeting last year and the County Board
18 meeting, and just due to all of the wooded areas
19 are quite steep. So, you can't develop on them,
20 and so this is what was approved, excuse me,
21 this was approved by the County Board. Yes, the
22 footprint of the project remains the same. We
23 have just removed the road in between the two
24 arrays, and we have added on this southern

1 access.

2 MR. DORR: So, basically we are
3 approving or disapproving a change to the
4 original because it has already been approved.

5 CHAIRPERSON ADCOCK: The red line that
6 connects the two arrays is that above ground?

7 MR. ANDREW EVANS: So, it will be
8 underground until you get to where the wooded
9 area is, and then it will be an above ground to
10 the other side of the wooded area.

11 MR. BLAKE TARR: The white one.

12 CHAIRPERSON ADCOCK: Can you show -- is
13 it the white line or the red line?

14 MR. ANDREW EVANS: The red line. I
15 will do a pointer on this. So, it will be
16 underground until this point, and then it will
17 be above ground, and then it will be underground
18 from here onwards.

19 CHAIRPERSON ADCOCK: So, that above
20 ground area you will still have to clear some
21 trees, correct?

22 MR. ANDREW EVANS: Yes. Some trees
23 will have to be cleared, and we have estimated
24 the total tree clearing for the whole site at

1 about three acres tree clearing, and that's
2 what's been estimated at the moment. And when
3 we were to build the road in between the two
4 arrays, I don't have a figure of how much more,
5 but there would be more trees that need to be
6 cleared, and we would like to avoid -- we would
7 like to avoid cutting trees if at all possible,
8 but at the moment three acres is the estimate.

9 CHAIRPERSON ADCOCK: Can you point on
10 there where that acreage would be cleared
11 outside of the transmission line.

12 MR. ANDREW EVANS: Yes, due to shading
13 we will have to cut along here, and along here,
14 and also along this western portion, and the
15 southern portion here. So, just where the sun
16 is going to be shaded from the trees we will
17 have to do some tree clearing.

18 CHAIRPERSON ADCOCK: For the
19 transmission line about how many feet do you
20 have to clear specifically for that?

21 MR. ANDREW EVANS: So, that will be
22 about 15 feet either side. It is about 30 feet.

23 CHAIRPERSON ADCOCK: How wide is the
24 new access way?

1 MR. ANDREW EVANS: How wide?

2 CHAIRPERSON ADCOCK: The new road
3 access that you are asking about what's the
4 width of that?

5 MR. ANDREW EVANS: So, that will be 15
6 feet.

7 CHAIRPERSON ADCOCK: On the gully can
8 we elaborate on what's exactly the terrain that
9 concerns this.

10 MR. ANDREW EVANS: So, in that wooded
11 area it is about I would say 25 feet drop, and
12 it is like an intermittent stream at the bottom
13 of the gully; and so I suppose when it rains,
14 there is water there, but when it is dry, there
15 is no water there. It is about a 30 feet drop,
16 and it rises again, and it is approximately 30
17 feet from, I suppose 50 feet, I am not sure on
18 the exact, but 30 to 50 feet wide, and so it is
19 not impossible to build around. It is just it
20 would require a lot more disturbance of the
21 environment, and also it would be costly. So, I
22 think in all aspects it would be best to avoid
23 that option. We are already using an access
24 point that's there, and I believe there is

1 already an easement in place for the
2 agricultural land. I believe it is already used
3 by agricultural and vehicles to access the
4 parcel, the southern parcel. So, it is just we
5 would be building the road so we would be making
6 a gravel surface. I think it would be a better
7 option than trying to connect the two arrays
8 with a road just from all aspects.

9 CHAIRPERSON ADCOCK: Are there
10 additional questions from the Board?

11 MS. HOWARD: Is access the major
12 revision?

13 CHAIRPERSON ADCOCK: Correct.

14 MR. ANDREW EVANS: Yes.

15 MS. HOWARD: No others?

16 MR. ANDREW EVANS: No other revisions.

17 CHAIRPERSON ADCOCK: The easement that
18 you have received from the southern landowner
19 does that landowner own both properties? If we
20 zoom in on that a little bit it looks like --

21 MR. ANDREW EVANS: So, this resident
22 here owns this one parcel that goes to
23 approximately here, and then there is another
24 parcel, and they own both. They own both

1 parcels.

2 CHAIRPERSON ADCOCK: So, what is this?
3 Are those trails that they have there that they
4 are using?

5 MR. ANDREW EVANS: Yeah, I believe they
6 use it for ATVs, but I am not sure exactly.

7 CHAIRPERSON ADCOCK: When was this
8 agreement signed?

9 MR. ANDREW EVANS: We signed the
10 agreement in December of 2023.

11 CHAIRPERSON ADCOCK: Is this filed with
12 the County Clerk?

13 MR. ANDREW EVANS: No, not filed.

14 MR. DORR: Why not?

15 MR. ANDREW EVANS: We didn't think we
16 would have to file it at this stage of the
17 project, and we thought that would be later down
18 the line, and we are doing a building permit,
19 but if I need to file it before the County Board
20 meeting, I am happy to get that in motion.

21 CHAIRPERSON ADCOCK: With your
22 equipment that's coming in it appears that you
23 are accessing off of 104. You are coming in at
24 a pretty good angle. Is your equipment going to

1 be able to make that bend?

2 MR. ANDREW EVANS: Yes. So, it should
3 be possible to -- this will be about 30 feet
4 wide at the access point, and it will be
5 sufficient I think to -- even if we can't get an
6 articulated tractor trailer in, we could use
7 smaller vehicles to bring the equipment, if
8 needed, and it should be sufficient to turn. It
9 should be sufficient space. You would be
10 surprised what the turn angle of these larger
11 vehicles, and like we may have to come in from
12 sort of this direction to make it work, and we
13 probably will have to come in from this
14 direction, but I don't think it would be any
15 issue.

16 CHAIRPERSON ADCOCK: Did you guys
17 review any proposal where you would have your
18 own access point on Illinois 104?

19 MR. ANDREW EVANS: No. This is the
20 only proposal that we really went for.

21 CHAIRPERSON ADCOCK: Is this a typical
22 practice to use another homeowner's driveway to
23 access a project?

24 MR. ANDREW EVANS: My own experience I

1 haven't seen it before, but I don't think it is
2 something that's never been done. It is not a
3 problem from the Illinois Department of
4 Transportation's point of view, and also the
5 landowners have agreed to it, and also there are
6 provisions in the easement agreement that we
7 have to give appropriate notice that they have
8 agreed upon. And so, if any work is being done,
9 they need to be given prior notice, and be
10 informed of what exactly is going to be going,
11 and what's going to be happening like if it is
12 being constructed, if there is construction
13 vehicles coming, or if it is operation and
14 maintenance, and people are coming to maintain
15 the project.

16 CHAIRPERSON ADCOCK: I am sorry.

17 MR. DORR: I don't think the State of
18 Illinois would give them an access point.
19 That's hard to get.

20 CHAIRPERSON ADCOCK: What is part of
21 the agreement in case of an emergency for the
22 homeowner so the emergency vehicles could get to
23 the home?

24 MR. ANDREW EVANS: Yes, the notice has

1 to be given in cases of just maintenance and
2 things like that. In case of an emergency then
3 there wouldn't be any notice required. Like if
4 there was an emergency in case the Fire
5 Department were needed, there wouldn't be any
6 notice required.

7 CHAIRPERSON ADCOCK: Okay, to the solar
8 arrays. How about in the case of the homeowner,
9 if you were constructing the project and there
10 was an emergency in their home, and your
11 equipment was blocking, does the agreement cover
12 that portion?

13 MR. ANDREW EVANS: So, I am not a
14 hundred percent sure on that. I would have to
15 review the easement agreement again, but we
16 wouldn't be leaving any equipment, or no
17 vehicles would be staying in this location here.
18 I believe they will always have access. There
19 won't be any gate erected on our part. The gate
20 to access the site would be up here. So, this
21 will be open roadway the whole way down to the
22 road, and I would have to check the easement
23 agreement to see if there is anything in place
24 regarding an emergency.

1 CHAIRPERSON ADCOCK: Any additional
2 questions?

3 MR. DORR: I don't have any.

4 CHAIRPERSON ADCOCK: I didn't ask for
5 public comment. Is there any public comment? I
6 apologize? No. Public comment is closed.

7 Is there any other discussion from the
8 Board?

9 MR. DORR: Do you think we should make
10 this if we approve this change as long as the
11 agreement is filed with the County Clerk prior
12 to?

13 CHAIRPERSON ADCOCK: I think it would
14 be prudent for us to have that from a
15 completeness perspective already reviewed before
16 we send it to the County Board.

17 MR. DORR: So, what I am saying is we
18 can approve the change as long as that wording
19 is in there has to be done prior to.

20 CHAIRPERSON ADCOCK: I guess I still
21 have kind of a lingering question about what is
22 going to happen if there is an emergency on the
23 property.

24 MR. DORR: Well, I mean it is a

1 transport road. It is not like -- the way I am
2 looking at it that's a parking lot up there for
3 all of the trucks that are coming in and
4 storage. It would be no different than traffic
5 on a street in town here. Red lights, get the
6 heck out of the way.

7 I mean they are not going to be stopping
8 there. I mean how wide is their entrance to
9 their property? Is there enough room for a semi
10 and an ambulance to get, one coming out, one
11 going in?

12 MR. ANDREW EVANS: I am not sure
13 exactly how wide that is, but once we construct
14 our road it will be about 30 feet and right at
15 the road.

16 MR. DORR: Is that a problem?

17 CHAIRPERSON ADCOCK: It was just at one
18 of our prior meetings that's one of the things
19 we talked about, the emergency responders being
20 able to.

21 MR. ANDREW EVANS: I believe from like
22 a health and safety perspective when it comes to
23 construction, that would all be considered as
24 well. I think the contractor would have to

1 follow OSHA requirements, which I am sure would
2 have to maintain enough space for the residents.
3 That's just a general comment. Could I ask as
4 well about the filing the easement agreement?

5 CHAIRPERSON ADCOCK: Yes, with the
6 County Clerk.

7 MR. ANDREW EVANS: Is that just to file
8 it so that they can review it?

9 CHAIRPERSON ADCOCK: All easements I
10 understand have to be filed with the County
11 Clerk as being part of this, and then it would
12 be recorded with the Recorder's Office.

13 MS. MARY BARRY: I guess are you asking
14 to see the agreement before you approve? I
15 understand the filing of the easement. He is
16 saying he is going to do it as part of the
17 building permit, but if you want it beforehand.

18 CHAIRPERSON ADCOCK: He was asking to
19 understand.

20 MS. MARY BARRY: Oh, sorry, I
21 misunderstood.

22 MR. ANDREW EVANS: I don't think we
23 would at this point because the easement
24 agreement isn't necessarily active until we

1 begin construction.

2 CHAIRPERSON ADCOCK: Is this a right
3 for an easement then?

4 MR. ANDREW EVANS: Well, it is an
5 easement agreement. So, I think it is once we
6 get our building permit, we will have the
7 easement agreement because there is no point of
8 us having -- they don't want us to have access
9 to their property until we actually need it. At
10 the moment we don't need that access. So, it
11 would be inappropriate for us to have an
12 agreement to have access to their property
13 because there is no need for us to drive through
14 their property as it is. It is just an
15 agricultural field currently.

16 Of course, I am happy to file and have the
17 County review the easement agreement. Just I am
18 not sure on the recording side of things.

19 CHAIRPERSON ADCOCK: Any additional
20 questions for him? Thank you.

21 Again additional deliberation?

22 MR. DORR: So, Mary, do you think that
23 needs to be done prior to, or after if it is
24 approved?

1 CHAIRPERSON ADCOCK: I think we got
2 into trouble -- I think that's what we were
3 talking about with battery storage is that there
4 was a right to an agreement. There wasn't
5 actually an agreement. So, what project are we
6 actually approving because it is a right, not a
7 signed agreement.

8 MR. DORR: Okay.

9 CHAIRPERSON ADCOCK: That's how it was
10 viewed in the battery storage, correct?

11 MS. MARY BARRY: I recall that on the
12 battery, but what I am recalling on the battery
13 storage is they had a right, but there was
14 already a right granted to somebody else on
15 file.

16 CHAIRPERSON ADCOCK: No, that was there
17 was an existing lease, but then on top of that
18 was they only had a right to enter it.

19 MS. MARY BARRY: I don't recall on
20 that. I mean if you want a requirement, I have
21 no problem requiring it.

22 CHAIRPERSON ADCOCK: Has this been
23 something in the past that you guys have gotten
24 the landowner's discussion?

1 MR. DORR: No, it has never been an
2 issue before, but I am just saying that if you
3 think it is, you can always add that to the
4 language that if it is approved, then they have
5 to get this done prior to. But like you said
6 you can't really start the project until you get
7 that approved anyway.

8 CHAIRPERSON ADCOCK: Yes.

9 MR. DORR: I don't think it needs to be
10 in there, but I am just asking your opinion.

11 CHAIRPERSON ADCOCK: I think it begs
12 the question of are the projects complete for us
13 to review. We have had several applicants that
14 have needed to come back with revisions as they
15 have gotten further in.

16 MR. DORR: Well, I mean that's what
17 this is, it is a revision. So, if they revise
18 it again, it is going to be the same thing over.
19 But if they stick to that plan and they have
20 approval and they start, then they can get their
21 agreement with the County Clerk, and be
22 recorded, and everything is good. It is no
23 different than a building permit.

24 CHAIRPERSON ADCOCK: Right.

1 MR. DORR: Basically we are just asking
2 if we are going to approve the changes to this
3 plan. Like I said the project has already been
4 approved.

5 CHAIRPERSON ADCOCK: I agree. Is there
6 a motion?

7 MR. DORR: I will make a motion we
8 approve the changes to this plan.

9 MS. HOWARD: I will second that.

10 CHAIRPERSON ADCOCK: Roll-call vote,
11 please.

12 MR. BLAKE TARR: Glen Goodrich.

13 MR. GOODRICH: Yes.

14 MR. BLAKE TARR: Joann Howard.

15 MS. HOWARD: Yes.

16 MR. BLAKE TARR: Joe Dorr.

17 MR. DORR: Yes.

18 MR. BLAKE TARR: Adrian Adcock.

19 CHAIRPERSON ADCOCK: No.

20 MR. BLAKE TARR: Three to one, passes.

21 CHAIRPERSON ADCOCK: All right.

22 MS. MARY BARRY: Wait. I have the
23 Zoning Board procedures, and I can't find them.
24 I am looking at Section 7.19 of the articles of

1 rules and procedures. The concurring vote of
2 four members shall be necessary for granting a
3 variance, affirming an appeal, or recommending
4 in favor of a special use permit or zoning
5 amendment. If a motion fails to receive four
6 votes in favor of the application, a motion
7 denying the application shall be formally
8 entered on the record. However, if the votes of
9 the absent but eligible members when added to
10 the number of voting in favor of the petition
11 would total four or more, the matter shall be
12 postponed until the next meeting of the Board.
13 If the motion to approve an application fails to
14 receive four affirmative votes at the next
15 regular meeting, a motion denying the
16 application shall be formally entered onto the
17 record. By my count we only had three votes
18 affirmative this evening. I don't know if we
19 know of --

20 MR. DORR: But then that says for
21 special use. This isn't special use.

22 MS. MARY BARRY: We are changing a
23 special use I mean.

24 MR. DORR: Special use has already been

1 granted for this project. The only thing we are
2 doing is a revision to a road.

3 MS. MARY BARRY: I would interpret that
4 as kind of changing the special use permit
5 personally.

6 MS. HOWARD: Is the issue we don't have
7 a quorum?

8 MR. DORR: No, we have a quorum. We
9 don't have four votes. So, then what you are
10 saying is this needs to be continued until the
11 next meeting where we have --

12 MS. MARY BARRY: If we go to the next
13 meeting, if you think it is possible that if
14 enough eligible voters are going to be there
15 that might approve this, we can continue this
16 over to the next meeting; but if it is not
17 approved at the next meeting by four votes, then
18 it shall fail. I guess the question would be if
19 somebody wants to make a motion to continue it
20 over to the next meeting based on that.

21 MR. DORR: Well, we have to according
22 to the rules. So, I will make the motion to
23 continue to the next meeting.

24 MR. GOODRICH: I will second that.

1 CHAIRPERSON ADCOCK: Roll-call vote.

2 MR. BLAKE TARR: Joe Dorr.

3 MR. DORR: Yes.

4 MR. BLAKE TARR: Glen Goodrich.

5 MR. GOODRICH: Yes.

6 MR. BLAKE TARR: Joann Howard.

7 MS. HOWARD: Yes.

8 MR. BLAKE TARR: Adrian Adcock.

9 CHAIRPERSON ADCOCK: Yes.

10 There are no additional items on the

11 agenda. Do I have a motion to adjourn?

12 MR. DORR: I will make the motion to

13 adjourn.

14 MR. GOODRICH: Glen Goodrich, I will

15 second.

16 CHAIRPERSON ADCOCK: All those in

17 favor.

18 ZONING BOARD OF APPEALS MEMBERS: Aye.

19 CHAIRPERSON ADCOCK: Meeting adjourned

20 at 7:39.

21 (Which were all of the proceedings

22 had on this meeting as of this

23 date.)

24

1 STATE OF ILLINOIS)
2 COUNTY OF CHRISTIAN) SS

3

4 I, Sandra K. Haines, a Notary Public and
5 Certified Shorthand Reporter, do hereby certify
6 that on February 27, 2024 the foregoing Zoning
7 Board of Appeals was taken down stenographically
8 by me and afterwards reduced to typewritten form
9 by me, and that the foregoing transcript
10 contains a true and accurate translation of all
11 such shorthand notes.

12 Given under my hand and seal this 29th day
13 of February, 2024 at Taylorville, Illinois.

14

15

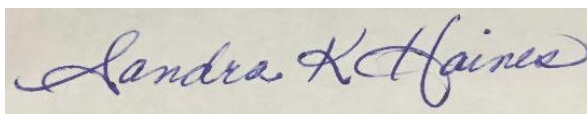
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Sandra K. Haines
Notary Public and CSR
License No. 084-002423

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