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IN THE MATTER OF:
CHRISTIAN COUNTY

ZONING BOARD OF APPEALS

OCTOBER 24, 2023

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CHRISTIAN COUNTY

ZONING BOARD OF APPEALS

OCTOBER 24, 2023

6:00 P.M.

ZONING BOARD:

Mr. Jim Overholt, Chairman

Mr. David Copenbarger

Ms. Adrian Adcock

Mr. Glen Goodrich

Ms. JoAnn Howard

PRESENT:

Mr. Blake Tarr, Zoning Administrator

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

Ms. Leticia Lew

Mr. Greg Kilduff

Mr. Brian Berg

Mr. Bryan Burch

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PRESENT CONTINUED:

Mr. Larry Kemner

Mr. Randy Mitchelson

Ms. Michelle Kilduff

Ms. Dawn Reeves

Ms. Marcia Miles

Mr. Joe Coleman

Mr. Eric Smith

Ms. Allison Trelz

Mr. Will Frost

Mr. Ian Mosbrucker

Mr. Eric Wood

Mr. Carl Spengler

Ms. Maggie Howe

Mr. Kyle Jenkins

Mr. Barry Stuedemann

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

1 CHAIRMAN OVERHOLT: Let's get started.
2 This is the Zoning Board of Appeals meeting. If
3 that's what you are here for, you are in the
4 right place. If it isn't, I would suggest
5 leaving and go downstairs and find out where you
6 are supposed to be.

7 First order of business, I would like to
8 clarify that any member of the public that plans
9 to speak tonight to register on one of the
10 sign-in sheets. They are labeled in favor slash
11 opposition or neutral.

12 Each individual shall have three minutes to
13 present his or her testimony to the Board during
14 the public comment portion of the meeting.

15 Okay. Let's have a roll-call for all of
16 the members present.

17 Jim Overholt. I am here.

18 Adrian Adcock.

19 MS. ADCOCK: Here.

20 CHAIRMAN OVERHOLT: David Copenbarger.

21 MR. COPENBARGER: Here.

22 CHAIRMAN OVERHOLT: Joe Dorr. Glen
23 Goodrich.

24 MR. GOODRICH: Here.

1 CHAIRMAN OVERHOLT: Joann Howard.

2 MS. HOWARD: Here.

3 CHAIRMAN OVERHOLT: Gary Merker.

4 MR. BLAKE TARR: He is absent as well.

5 CHAIRMAN OVERHOLT: Okay. We have two
6 absences. Looks like other than that we are all
7 here, and we have a quorum. So, we are approved
8 to do business.

9 First item is the Board would anticipate
10 and look with favor upon a motion to approve the
11 minutes from the September 26th, 2023 meeting
12 held at 6:00 P.M.

13 MR. GOODRICH: Glen Goodrich, I make
14 the motion we approve the minutes.

15 MR. COPENBARGER: Dave Copenbarger, I
16 will second it.

17 CHAIRMAN OVERHOLT: We have -- a motion
18 has been made and seconded that we approve the
19 minutes. All in favor say aye.

20 ZBA MEMBERS: Aye.

21 CHAIRMAN OVERHOLT: The minutes are
22 approved.

23 Okay. Next item is the zoning special use
24 application from Skyline Solar, LLC. Has the

1 filing fee been paid in full?

2 MR. BLAKE TARR: Yes, it has.

3 CHAIRMAN OVERHOLT: Is the application
4 complete?

5 MR. BLAKE TARR: Yes.

6 CHAIRMAN OVERHOLT: The parcel numbers
7 of the property that are affected by this
8 application is 17-13-23-200-006-00 and
9 17-13-23-400-001-00, and the address is 705
10 Glenhill Road in Taylorville. The reason for
11 the special use application is that the Skyline
12 Solar, LLC is asking for the installation and
13 operation of a five megawatt solar energy
14 facility that has previously been approved. The
15 application is specifically for a site plan
16 change.

17 Are there any questions from the Board?

18 At this time we will take any public
19 comments regarding this proposal. As a
20 reminder, please address the Board Chairman,
21 state your name, and you will have three minutes
22 to speak. Go right ahead.

23 MS. LETICIA LEW: My name is Leticia
24 Lew, L-E-T-I-C-I-A, L-E-W. I just have some

1 materials for the Board Members.

2 CHAIRMAN OVERHOLT: Go right ahead.

3 MS. LETICIA LEW: My name Leticia Lew.

4 I am a project developer at Cypress Creek
5 Renewables.

6 As it was mentioned previously we have an
7 approved special use permit for this project. I
8 am sure if you were here earlier this year in
9 May, you would have seen me earlier. We had
10 asked for just a slight application change. We
11 had asked for a change to our site access road
12 location and a point of interconnection change,
13 location change as well. We are asking for the
14 same thing again.

15 It is driven by the utility Ameren. They
16 have changed their mind about where they want
17 the point of interconnection, and we have to do
18 as they want. We don't really have a say in
19 where the point of interconnection is for them.
20 So, we are asking for a point of interconnection
21 change and a corresponding site entrance
22 location change.

23 All other details of our application remain
24 the same. The materials in front of you include

1 the basic summary of the application change that
2 we are looking for as well as a copy of the
3 notice that we sent out to all of the neighbors.

4 Notice was also provided to the community
5 through the newspaper that the Board sent out,
6 and you have the proposed site plan in front of
7 you just so -- it is a little bit bigger so you
8 can see it a little bit better.

9 If you have any questions, I am free to
10 answer any questions about the project.

11 MR. COPENBARGER: Dave Copenbarger,
12 Zoning Board. I guess I am curious why your
13 road has to go in off of that, near that
14 subdivision, and why you couldn't do it farther
15 north, and then connect into your -- looks like
16 you have a roadway running north to about the
17 middle of your site. Instead of having a road
18 there because there is a vegetative barrier that
19 was put up, now you have a road in front of it.

20 MS. LETICIA LEW: Right. So, that road
21 location -- so, we had to move that road
22 location. Previously we had it located at the
23 north part of the site. Is that what you are
24 asking about, correct?

1 MR. COPENBARGER: Well --

2 MS. LETICIA LEW: Now it is at the
3 south part of Glenhill Road, correct?

4 MR. COPENBARGER: Yes.

5 MS. LETICIA LEW: So, we had moved it
6 to the south because the point of
7 interconnection is also in the south. It is
8 less roadway. If we also have it in the south,
9 you need a road near the point of
10 interconnection just to do maintenance on the
11 utility poles.

12 MR. COPENBARGER: So, you have got --
13 it says approximate equipment pad location bla,
14 bla, bla, in the middle of the site. That's a
15 road, isn't it?

16 MS. LETICIA LEW: Yes. That's the road
17 that goes into it, yes.

18 MR. COPENBARGER: You can't put a road
19 in straight east of there to hook into whatever
20 that other road is?

21 MS. ADCOCK: Glenhill.

22 MS. LETICIA LEW: Is that what you
23 would prefer?

24 MR. COPENBARGER: I don't know.

1 MS. LETICIA LEW: That's possible, but
2 I mean we haven't received any comment back.
3 This is the first comment that we have heard
4 asking about it.

5 MR. COPENBARGER: Basically it was just
6 easier and more straightforward to go there
7 because it goes to your interconnection?

8 MS. LETICIA LEW: Yes.

9 MR. COPENBARGER: Okay. That answered
10 my question. Thank you.

11 MS. ADCOCK: So, James Smith -- Adrian
12 Adcock -- James Smith is going to be right next
13 to this road --

14 MS. LETICIA LEW: Yes.

15 MS. ADCOCK: -- between the vegetative
16 buffer and then this road proposal. That's a
17 rock road then, I assume, that you are putting
18 there?

19 MS. LETICIA LEW: It is a gravel road.
20 He was sent notice just like everybody else who
21 was in the area.

22 MS. ADCOCK: So, you are going to use
23 this road for maintenance, not necessarily for
24 installation?

1 MS. LETICIA LEW: It will be used
2 during construction for the trucks coming in and
3 out, but after it has been constructed the
4 maintenance, any maintenance would be -- it is
5 not a lot of -- it is not a lot of trucks or
6 cars going by. It is like maybe three to four
7 like a quarter or something like that.

8 Solar panels don't require a lot of
9 maintenance. So, I mean you do the installation
10 right the first time. We don't want to maintain
11 often because that means we put in not a good
12 installation. So, we try to do a good job the
13 first time.

14 MS. ADCOCK: So, what is the setback of
15 Smith's property to this road?

16 MS. LETICIA LEW: It is 100 foot
17 setback from any residences.

18 MS. ADCOCK: The road?

19 MS. LETICIA LEW: Yes, it is a minimum
20 of 100 foot setback. That's what's required by
21 the ordinance, and so we -- as you can see the
22 road is not perfectly straight. We have moved
23 it, we bumped it a little bit north to make sure
24 we maintain that setback.

1 MS. ADCOCK: Was there any
2 consideration of putting that road behind your
3 vegetative buffer?

4 MS. LETICIA LEW: Behind the vegetative
5 buffer -- we did not consider it, but we can
6 consider it if that is what is requested. But
7 as I said, we didn't really receive any feedback
8 when we sent out notices. So, to be honest the
9 road is just, it is a flat road. The vegetative
10 buffer is for the panels, right. Those are the
11 things that are sticking out of the ground. The
12 road is also flat.

13 MS. ADCOCK: Agreed. During
14 construction it is just going to produce dust
15 and things like that, correct?

16 MS. LETICIA LEW: Uh-huh, but during
17 construction there are also dust control
18 measures that are taken. I mean if it is very
19 dusty, they wet it down so there won't be very
20 much dust.

21 MS. ADCOCK: Have you guys updated your
22 road use agreement then as well?

23 MS. LETICIA LEW: We do not have a road
24 use agreement signed at this time. I spoke with

1 the Taylorville Township Road Commissioner Brent
2 West. He did not require us to have a road use
3 agreement.

4 CHAIRMAN OVERHOLT: Does anybody have
5 any further questions of this witness?

6 First let's go through the Board. Any
7 Board Members have any questions of this
8 witness? To save time if any members of the
9 public would have any questions of this witness.

10 MR. GREG KILDUFF: I have a question.

11 CHAIRMAN OVERHOLT: Go ahead.

12 COURT REPORTER: You will have to state
13 your name for me, and come up closer so that I
14 can hear you, and spell your name for me,
15 please.

16 MR. GREG KILDUFF: My name is Greg
17 Kilduff, K-I-L-D-U-F-F.

18 How did you determine who was going to get
19 notifications of this meeting because I didn't
20 get anything sent out. I live in an adjacent
21 neighborhood. I didn't know how far you
22 determined what neighbors were actually going to
23 get notified.

24 MS. LETICIA LEW: Right, we followed

1 the ordinance requirements. I don't remember
2 exactly that is for the distance from -- do you
3 happen to know this off the top of your head
4 what the requirement is? We had legal counsel
5 do the research.

6 MR. BLAKE TARR: I think, initially I
7 think the requirements was all adjacent
8 landowners had to be notified, and then all of
9 the residents that lived in the area along the
10 old golf course Glenhill Road had to be
11 notified. I think that was mandated by the
12 Board, and Dave, you can help me.

13 MR. COPENBARGER: That sounds right.

14 MR. BLAKE TARR: Like I said I know
15 this process started awhile ago. It was over a
16 year ago, but I think that's what the Board
17 required at that time.

18 MR. GREG KILDUFF: The interconnection,
19 so Ameren wanted it moved, but so were they
20 totally opposed to keeping it at the original
21 spot, or was it just going to cost more money
22 for the company?

23 MS. LETICIA LEW: So, actually the
24 location that they want now is the original

1 original spot. So, when we originally applied
2 for this and were approved for this project, it
3 was at that southwest corner; and then somewhere
4 along in the process they told us no, actually
5 we think --

6 MR. GREG KILDUFF: Over here.

7 MS. LETICIA LEW: -- somewhere along in
8 the process earlier this year they told us no,
9 actually we want it in the northeast corner.
10 So, they have been flip-flopping on us, but now
11 that we are wanting to go into construction,
12 they finally had someone, I guess, put eyes on
13 it, and then they were like oh, no, actually can
14 you switch it, like we need it switched back.

15 MR. GREG KILDUFF: On this one -- so,
16 the original plan had it here?

17 MS. LETICIA LEW: Yes.

18 MR. GREG KILDUFF: So, this drawing is
19 showing it here because I don't see it on the
20 other side.

21 MS. LETICIA LEW: Yes, because this is
22 what was approved earlier this year as a change.

23 MR. GREG KILDUFF: So, it was never up
24 there?

1 MS. LETICIA LEW: Yes, this was what we
2 got approved in May earlier this year, but in
3 October of last year it was approved down here,
4 and we had -- we went through the whole zoning
5 process to get it changed to move it up north.

6 MR. BRIAN BERG: Approved down where?

7 COURT REPORTER: I am sorry, if you are
8 going to speak, you have to state your name and
9 spell it.

10 MR. BRIAN BERG: I will speak when I
11 get a chance, I am sorry. Brian Berg, I was
12 just asking her to clarify what she is talking
13 about.

14 COURT REPORTER: I have to have
15 somebody's name for the transcript. So, if you
16 speak, I have to know who you are.

17 MR. BRIAN BERG: Brian Berg.

18 COURT REPORTER: Brian Berg, what did
19 you say, Brian?

20 MR. BRIAN BERG: I just asked where the
21 original --

22 MS. LETICIA LEW: The southwest
23 location, exactly where we are asking for it
24 now. We are asking for it to be moved back to

1 our --

2 MR. BRIAN BERG: You are asking for the
3 entrance to be on the southeast --

4 MS. LETICIA LEW: Yes, we were talking
5 about the point of interconnection.

6 MR. GREG KILDUFF: Did the State say
7 that you couldn't come in that way on that
8 southwest side?

9 MS. LETICIA LEW: Yes, that's a State
10 road. They didn't say that we can't come in
11 that way, but it is a lot -- it is a much longer
12 process to go through the Illinois Department of
13 Transportation to do it that way.

14 MR. GREG KILDUFF: So, they haven't
15 said it, but I don't think you are being a good
16 neighbor personally when -- I think we have an
17 elderly man, he is 100 feet from this entrance,
18 and we are going to put, I guess, I don't know
19 what an interconnection is, I don't know how
20 loud it is or anything like that.

21 MS. LETICIA LEW: Oh, there is no
22 noise.

23 MR. GREG KILDUFF: Well, I am concerned
24 about all of the construction 100 feet from an

1 elderly man, and the whole residential area,
2 that doesn't seem like good neighbors. It
3 doesn't seem like it is good for your company to
4 be doing something like that, and to me you
5 should be going off that. If it is a longer
6 process, I don't care; but the quality of life
7 for the citizens in that neighborhood is going
8 to be way more affected for a long time as far
9 as the construction and everything, the dust,
10 the gravel. All that could be mitigated if you
11 go from the State side, and I know it is a
12 longer process, and I understand that, but still
13 you are not going to be affecting these people
14 as much at all.

15 MS. LETICIA LEW: It is also more
16 difficult to do that turn off, and I don't know
17 if you are aware, but there is a YMCA on the
18 other side of that highway, and they had also
19 gone through this process. They originally
20 wanted their entrance location, like road
21 entrance location to come off the State highway,
22 and it was a long, arduous process, and they
23 eventually did not end up doing that.

24 MR. GREG KILDUFF: But you never, you

1 guys never tried?

2 MS. LETICIA LEW: It would be the same
3 process though.

4 MR. GREG KILDUFF: Correct, but your
5 company never tried, correct?

6 MS. LETICIA LEW: Until we go into
7 construction, that's when we apply for the
8 permits. So, we haven't gone into construction.
9 So, we haven't applied for the permits.

10 MR. GREG KILDUFF: Okay. So, I guess
11 what I am saying is I would ask the Board to
12 consider that, and have them go through that,
13 through the State process to come off that State
14 highway there because it is right off that
15 intersection. To me that's going to at least
16 limit all of the dust, all of the construction,
17 all of the hampering of the quality of life of
18 the neighborhood that's directly within 100 feet
19 of the entrance and during the construction.

20 MS. LETICIA LEW: So, our current
21 special use permit is approved to have a site
22 access entrance location at the northeast, at
23 that north corner. How do you feel about that
24 location?

1 MR. GREG KILDUFF: The northeast?

2 MS. LETICIA LEW: We are already
3 approved for that. This is only to move it
4 south on the same road.

5 MR. GREG KILDUFF: Well, it is 100 feet
6 from a residential area, the quality of life.

7 MR. BLAKE TARR: So, sir, you are
8 beyond your three minutes. I just want to
9 clarify --

10 MR. GREG KILDUFF: I didn't know that.

11 MR. BLAKE TARR: That's okay. I wanted
12 to clarify that. So, we are moving forward. At
13 this time the Chairman did ask for public
14 comments regarding this proposal. I just want
15 to let everybody know as a reminder please
16 address the Board or the Chairman, state your
17 name, and you have three minutes. It is not
18 question and answer. You are stating your
19 public comment.

20 MR. GREG KILDUFF: I would just state
21 that I would love for them to go through the
22 State process, and to explore that instead of
23 just saying it is going to be long and arduous,
24 so we are not going to do it, and we are going

1 to affect the quality of life of the citizens
2 here that are going to be here long after these
3 solar panels are just sitting there forever. I
4 don't know. I don't like it. Thank you.

5 MS. HOWARD: Joann Howard.

6 MS. LETICIA LEW: Hi.

7 MS. HOWARD: I am thinking this has
8 been revised once.

9 MS. LETICIA LEW: Yes.

10 MS. HOWARD: You have gone to the
11 trouble of revising it per Ameren. Why would we
12 go through the State now? I just don't
13 understand.

14 MS. LETICIA LEW: Yes, I mean if we
15 don't revise it now, then technically with the
16 approval we have previously we would be able to
17 construct with the site access entrance location
18 at the northern corner of this site. We are
19 asking for the same site access entrance on that
20 same road. It is just to move it further south.
21 How far south do you -- if you feel like we are
22 too close, we can move it further north. We had
23 only moved it south so that it was close to the
24 point of interconnection.

1 MR. COPENBARGER: Dave Copenbarger. I
2 guess I would let the rest of the people speak
3 about it, and then I have got a follow-up. I
4 think, after, maybe after we hear what they say,
5 we can answer that.

6 MS. LETICIA LEW: Great.

7 MR. BRYAN BURCH: Bryan Burch, I live
8 at 2210 Northshire. I would like to just go on
9 the record reiterate everything the guy before
10 me had said. I agree with all of that.

11 I saw that it was approved on the north
12 end, but that's the north end. That's all of
13 the way back of 48. You are talking a half a
14 mile difference closer to homes.

15 The other thing is that road is not in that
16 great of shape. You are going to start running
17 all that traffic down there. Even just for
18 construction it is going to tear up the road
19 because they are coming in off of 48, or they
20 are coming past all our houses. Three, four
21 times a quarter turns into a little bit more.
22 There is damage. We got more traffic again.

23 I mean it is already an eyesore right north
24 of us when we have got the water treatment plant

1 to the south, and it sounds like nothing was
2 done in consideration for the neighborhood. You
3 didn't consider the neighborhood. You didn't --
4 you keep reiterating we are putting it on the
5 same road, just further south. Yeah, a half a
6 mile south next to houses, not half mile north
7 where it is already on the main highway just
8 where it intersects.

9 I would rather see it go push the road back
10 out to the highway, keep it off of our road,
11 keep it out of the neighborhood. That's where
12 it needs to be. It is an industrial point, or
13 an industrial park in the first place. The
14 access does not need to be off of our little
15 road. Thank you.

16 MR. LARRY KEMNER: My name is Larry
17 Kemner, K-E-M-N-E-R. I am opposed to the moving
18 the location.

19 They have an approved location. They want
20 to move it a half a mile south into a
21 residential area, and I am one of the two people
22 that will be within 100 feet of their new deal.
23 So, we are going to have to put up with the
24 dirt, the dust, the noise, the traffic jam, and

1 most of the people in the neighborhood use that
2 road on a regular basis. I myself use it two or
3 three times to go to 48, you can access Decatur,
4 or back into Taylorville.

5 So, I recommend that they use the present
6 one that they already have approved. They can
7 come straight off of Route 48, and all of the
8 traffic and congestion that would be on Glenhill
9 Road would now go through their field. We won't
10 deal with any dirt, anything, until they
11 actually build next to our house. And the
12 problem with the construction and the traffic is
13 that when the people want to go out 48, they are
14 not going to be able to make it. From Route 48
15 to 705 where they want to put it the road is 13
16 feet wide, which is basically a one lane road.
17 If you get two cars passing each other, they
18 both have to go on the shoulder. So, if you are
19 going to have semis and trucks hauling in
20 equipment, solar panels, and all of the
21 employees running in and out of there every day,
22 you are going to have a traffic jam. It is
23 going to affect everybody in the neighborhood.
24 I recommend that they keep it their location

1 that you presently have on 48.

2 CHAIRMAN OVERHOLT: Thank you very
3 much.

4 MR. RANDY MITCHELSON: Mr. Chairman.

5 CHAIRMAN OVERHOLT: Go ahead.

6 MR. RANDY MITCHELSON: Members of the
7 Board, I am Randy Mitchelson. I am an alderman
8 in Ward 1. This is adjacent to my ward. I was
9 up here at the last hearing, and asked questions
10 not as an alderman because I was just recently
11 appointed to this position about three weeks
12 ago. So, when I came up here the first time, I
13 was coming up as a solo citizen, and not as a
14 representative of the Taylorville community.

15 Ward 1 has a lot of nice neighborhoods, and
16 one of them just happens to be where you have
17 chosen to place this unsightly, no matter what
18 anybody wants to tell you how wonderful they
19 look, they are unsightly industrial panels.

20 I don't know, Mr. Chairman, if you would
21 direct a question to the developer for me since
22 I am not allowed to ask her directly, she said
23 that the interconnection makes no noise. Would
24 she explain to me what the interconnection

1 actually looks like, and whether or not they are
2 putting in poles with overhead conductor, or if
3 it is all going to be underground. I would
4 appreciate that, Mr. Chairman.

5 CHAIRMAN OVERHOLT: Go ahead. Can you
6 answer that?

7 MS. LETICIA LEW: Yes, I can answer
8 that. So, the point of interconnection will be
9 above ground. It will be overhead poles,
10 telephone poles like you see on regular roads.
11 You pass by those telephone poles on a daily
12 basis along roads. Do you hear significant
13 noise coming from them?

14 MR. RANDY MITCHELSON: Is there
15 transformers? Mr. Chairman, may I have an
16 exception to your rule of not asking her
17 directly?

18 CHAIRMAN OVERHOLT: Sure. Go right
19 ahead.

20 MR. RANDY MITCHELSON: Are there
21 transformers that are going to be based right
22 there at the end of the 705 or whatever this is?

23 MS. LETICIA LEW: No.

24 MR. RANDY MITCHELSON: There are no

1 transformers?

2 MS. LETICIA LEW: Not there, no.

3 MR. RANDY MITCHELSON: Where are the
4 transformers going to be at?

5 MS. LETICIA LEW: So, you do not have a
6 site plan. It was submitted in the application
7 materials, but they are -- we place our, any
8 equipment that makes any noise we put a buffer
9 around it. We make sure that we are --

10 MR. RANDY MITCHELSON: Now, wait a
11 minute. You said a moment ago there was no
12 noise. So, what equipment makes noise?

13 MS. LETICIA LEW: The transformer does.

14 MR. RANDY MITCHELSON: It is not on
15 this site?

16 MS. LETICIA LEW: It is on the site,
17 but it is on the interior of the site. We have
18 done studies, and there have been other studies
19 done that beyond 150 feet of this equipment you
20 will not be able to hear anything different than
21 what you would hear on any place where there is
22 no equipment.

23 MR. RANDY MITCHELSON: So, may I ask
24 where the telephone poles are going to cross 48

1 at? Is it the north end, south end?

2 MS. LETICIA LEW: The south.

3 MR. RANDY MITCHELSON: They are going
4 to interconnect with the power, with the
5 overhead lines going by ADM, is that correct?

6 MS. LETICIA LEW: I believe so yes.

7 MR. RANDY MITCHELSON: Okay. Well,
8 when I asked that question the last time, I was
9 assured that Ameren and you guys already had an
10 agreement as to where this was going to be put.

11 MS. LETICIA LEW: We thought we did.
12 That's what they had told us, and that's the
13 whole point of us coming, doing this process
14 earlier this year in April and May, and we
15 wouldn't have wasted our time coming to ask for
16 a change.

17 MR. RANDY MITCHELSON: I appreciate
18 that. I appreciate that. I am a 30 year
19 employee of Ameren, retired four years ago. So,
20 I understand dealing with Ameren.

21 Generally they like to get involved in
22 these projects much earlier than what you gave
23 them credit for. So, I am going to be calling
24 my good friend, who happens to be the person

1 that will be in charge of making this
2 interconnection, to find out exactly what
3 happened. So, I hope you are telling the truth,
4 ma'am.

5 Anyway, so the utility poles are going to
6 cross the highway on that end of the pole, but
7 it is going to come across at an angle. Are
8 they coming straight south, and then turning, or
9 are they going across at an angle?

10 MS. LETICIA LEW: I believe there is
11 lines going along the State highway, and then we
12 are just going to come off of that.

13 MR. RANDY MITCHELSON: I am also
14 familiar with the YMCA requesting. That was
15 going into a private business or a public
16 business, whatever the YMCA is, and they did not
17 want to have that road in its location. Where
18 you could actually have good access is where
19 there is already a T-road that comes onto, comes
20 in front of Meadow Manor, how you get into the Y
21 now, that would be an excellent place for an
22 intersection. It is already a three way. It
23 could be made into a four way I think fairly
24 easily, and you have to get State approval.

1 So, Mr. Chairman, I would request that you
2 discuss with your Board to have this project
3 delayed until they would have the opportunity to
4 submit to the State of Illinois to have access
5 off of Route 48, and not allow construction to
6 begin until they have either been approved or
7 denied, and then hopefully you will move that
8 line down away from these houses, the road away
9 from these homes. None of us are happy about it
10 out there. We built nice homes in that
11 neighborhood, and the neighborhood the other
12 gentleman was talking about in Dolby Place on
13 the golf course at one time we got that removed,
14 and we have a water plant in our back yard now.
15 Nothing to do with you guys. It was something
16 that happened. It was a serious mistake in my
17 point of view, but it happened; but now we are
18 going to have solar panels in front of us, and I
19 don't know what they are going to build, I think
20 they are talking about maybe building a coal
21 mine right in our front yard, and then we will
22 have it totally surrounded. So, thank you,
23 Mr. Chairman.

24 CHAIRMAN OVERHOLT: Thank you. At this

1 point --

2 MS. HOWARD: Joann Howard. Wouldn't
3 the water plant be considered industrial?

4 MS. LETICIA LEW: Yes I, believe so. I
5 believe that is true.

6 MS. HOWARD: How near is that to the
7 subdivision?

8 MR. COPENBARGER: Directly behind it.
9 It is right behind.

10 MS. HOWARD: That's what I thought.

11 MS. LETICIA LEW: It is across the
12 highway.

13 MS. HOWARD: My point is the solar
14 panels would be industrial. So, if we have the
15 water plant there, what about the solar panels,
16 they are industrial, so the same category.

17 MS. LETICIA LEW: Yes, and we also put
18 in -- we have because we had spoken to community
19 members previously, we have put in a vegetative
20 buffer. So, there will be trees planted
21 between, and we had coordinated with the Board
22 on where the vegetative buffer needs to be like.
23 So, there will be trees planted there to shield
24 the houses from having to look at the panels.

1 MS. MICHELLE KILDUFF: Hi, my name is
2 Michelle Kilduff. I live in the subdivision
3 Dolby Place.

4 I agree with everything everybody else has
5 said in our area. I am very disturbed at the
6 fact that I live a half a mile, within a half a
7 mile, and we weren't notified of this. My
8 entire subdivision, my entire culdesac, we all
9 walk out on this road on a daily basis. Little
10 children live along Northshire and all in our
11 subdivision. We all walk, ride our bikes once,
12 twice a day, more. I mean this road, I am very
13 worried about this road getting destroyed. I
14 mean right now it is maintained enough, but it
15 is going to get destroyed. It is a country road
16 per se. It is re-rocked once, twice a year, but
17 you have semis, other large equipment coming in,
18 it is going to ruin it. Woodbine is already a
19 mess from the water treatment plant. City
20 trucks rolling in and out of there all hours of
21 the day bringing in these big trucks with gravel
22 or whatever are just messing up Woodbine as it
23 is.

24 We have two different points of exit, out

1 from Woodbine, out to Lincoln Trail, or out to
2 48. You are going to ruin both of them. You
3 are going to ruin both of them, and you are
4 talking about trees to buffer this. Are you
5 kidding?

6 Because the water treatment plant I
7 supposedly saw plans of how they were going to
8 make it so nice to all of us who live back
9 there. You know, they are going to put up a
10 berm so you couldn't see it. It doesn't look
11 like that from Northshire, and I don't live on
12 that street, but I feel for them because that is
13 a mess back there. It is a mess. I worry
14 greatly about that, and I worry about the sound,
15 or like how much we are going to hear from your
16 transformer.

17 There is just too much, there is too
18 much -- like we do too many outdoor activities
19 out there for this. I mean we have a water
20 treatment plant. That is enough. I mean it is
21 enough.

22 I would -- I am going on record to say you
23 just need to move it out to the State road. If
24 you don't want to take the time and go through

1 all of the extra time to keep it there, or you
2 just want it easier for you and you want to move
3 it all of the way south right by people that I
4 know and enjoy visiting with as I walk out
5 there. I mean all you are wanting to do is make
6 it easier for you.

7 You know what, you are not going to make my
8 taxes any cheaper out there, not at all, not at
9 all, but you are going to make it easier for
10 these guys.

11 MS. LETICIA LEW: Can I speak to the
12 Board about some of the comments we have
13 received?

14 CHAIRMAN OVERHOLT: Go right ahead.

15 MS. LETICIA LEW: Given the public
16 comment if you would like us to move the site
17 access entrance further north on Glenhill Road,
18 that would still work for our project.

19 We are following the County ordinance
20 requirements. If you need us to exceed that, we
21 can do that; but we would still like to have a
22 site access entrance off of Glenhill Road. And
23 if you turn down this application change right
24 now, as it stands our site access entrance is

1 off of Glenhill Road, we would just have to come
2 off at the north point that we had previously
3 indicated.

4 MS. HOWARD: Joann Howard. Would
5 Ameren approve that north entrance?

6 MS. LETICIA LEW: So, the site access
7 road entrance does not have to do with Ameren.
8 The point of interconnection needs to be at the
9 southwest corner, but we can move the road as
10 that is part of our project design. We need to
11 have road that is near it. So, as you see on
12 the site plan there is road that stretches close
13 to, but does not touch 48. That allows them the
14 space that they need for maintenance for their
15 poles, but that's all that they need.

16 MS. HOWARD: Well, I hear much concern
17 over the maintenance of the road. How can we
18 assure that that is taken care of?

19 MS. LETICIA LEW: Are you talking about
20 Glenhill Road?

21 MS. HOWARD: Excuse me.

22 MS. LETICIA LEW: Are you talking about
23 Glenhill Road?

24 MS. HOWARD: The road that people are

1 in opposition to.

2 MS. LETICIA LEW: If you would like, we
3 can sign a road use agreement with the
4 Taylorville Township Road Commissioner.

5 MR. COPENBARGER: You have to. That's
6 part of your permit. You have to have an
7 agreement.

8 MS. LETICIA LEW: Yes, that's usually
9 something we do later in the process as we get,
10 like as we head into construction.

11 MR. COPENBARGER: Dave Copenbarger.
12 Blake, if they rescind this change, it reverts
13 back to the original permit? Does that not work
14 like that, or do you know? I guess the
15 interconnection moved. So, it is a site plan
16 change even if they put the road back?

17 MR. BLAKE TARR: Correct.

18 MR. COPENBARGER: So, we would need to
19 vote on leaving the road as it originally was
20 and the interconnection change, I guess.

21 MR. BLAKE TARR: Correct.

22 MR. COPENBARGER: I am just trying to
23 get -- are we going to let her talk?

24 MS. DAWN REEVES: Dawn Reeves,

1 R-E-E-V-E-S. I am the second house from where
2 you want to stick a road, which is closer than
3 the length of this building probably. You want
4 to build that on top of a man that's sick, and
5 come into our community when we already have the
6 water treatment plant tearing up everything. I
7 got weeds taller than you. You talk about a
8 tree buffer. Will we live long enough to see
9 those trees get big enough to block that, or are
10 they going to be like the Water Department's
11 trees that they planted so we wouldn't see
12 their's. You know, it is a residential area,
13 not just a residential area. We pay a thousand
14 plus dollars a month, probably all of us, to
15 live there, and you guys just keep taking from
16 us until we have nothing left. Do you want a
17 road on top of your house? You talk about it is
18 just a pole. We don't have streetlights. We
19 don't have sidewalks, but we did have peace. We
20 are not going to have that. I agree with
21 everything everybody has said.

22 MS. LETICIA LEW: Just as a note, the
23 vegetative buffer that we will put in it will
24 be, the trees will not be planted at two feet.

1 They will be planted at five to six feet even at
2 the outset. So, you don't have to wait that
3 many years. It is already -- we don't plant
4 those tiny trees that she was talking about, but
5 if you are only willing to approve this site
6 plan change with the road entrance location
7 moved further north, then we would like to
8 proceed with that.

9 We would like to see this -- we are very
10 excited about bringing this project to fruition.
11 Yes, the point of interconnection is the part
12 that we really do need changed. If the site
13 access road entrance location is the sticking
14 point, then we can for sure move it further
15 north.

16 MS. HOWARD: Joann Howard, I make a
17 motion that we vote on changing the
18 interconnection site.

19 CHAIRMAN OVERHOLT: At this point the
20 Chair would look with favor upon a motion to
21 table this application, this special use
22 application until tomorrow or such other time
23 as --

24 MR. COPENBARGER: Mr. Chairman, we are

1 ready to act on this, I think. I don't know why
2 you want to table it. Why do you want to table
3 it for? I am just curious.

4 CHAIRMAN OVERHOLT: I was just going to
5 table it so that everybody can have a look at
6 the diagrams, and also consider the testimony of
7 the interested parties.

8 MS. HOWARD: Joann Howard. We have a
9 crowd here tonight. Everyone is welcome to
10 testify. So, I see no point in tabling it.

11 CHAIRMAN OVERHOLT: Okay.

12 MR. COPENBARGER: You made a motion,
13 Joann.

14 MS. HOWARD: Yes, I did.

15 MR. COPENBARGER: Dave Copenbarger. I
16 would like to add to that motion that a road
17 agreement has to be completed that the road --
18 and I agree with these comments a hundred
19 percent of the trucks coming all of the way down
20 that road into their subdivision is a terrible
21 idea. So, your access needs to be from your
22 original location where you submitted the first
23 time, and then you need to make sure that the
24 road is not -- what you had, what got approved a

1 year ago, the north end.

2 MS. LETICIA LEW: Earlier this year,
3 yes, great.

4 MR. COPENBARGER: Yes, go there, but
5 you need to make sure that the road agreement,
6 that that road is, if you start -- they need to
7 really only come in that way, not come in
8 through the subdivision. So, you need to -- we
9 need to make sure that that's your access to
10 your site for construction and maintenance.

11 MS. LETICIA LEW: Okay. So, they only
12 enter from 48 is basically --

13 MS. HOWARD: That could be included in
14 the amendment.

15 MS. LETICIA LEW: Yes.

16 MS. ADCOCK: Adrian Adcock. I would
17 like to add to that motion that the road use
18 agreement needs to be with the County and the
19 Township, and should be approved by the County
20 Board. In addition because there has been so
21 many changes, Blake, I would like to review the
22 original submissions to ensure that we are
23 adhering to the vegetative plan that was
24 originally in place that was agreed upon with

1 the first hearing.

2 MR. BLAKE TARR: Okay.

3 CHAIRMAN OVERHOLT: Is there any

4 further discussion? We have a motion.

5 MS. MARY BARRY: Could I ask what the
6 motion looks like now?

7 MS. ADCOCK: The motion is to change
8 the interconnection agreement to the proposal
9 this evening. The access point is not approved.
10 It is going to remain at the original location
11 approved in May. In addition, there will be a
12 road use agreement entered into with the County
13 and the Townships, and approved by the County
14 Board. Finally, Blake will review the original
15 submissions and verify that the vegetative plan
16 is what was agreed upon.

17 MR. COPENBARGER: I would second that
18 motion.

19 MR. RANDY MITCHELSON: Mr. Chairman,
20 the point of order.

21 COURT REPORTER: I am sorry, you will
22 have to come back up here.

23 MR. RANDY MITCHELSON: I am sorry,
24 Randy Mitchelson. They propose a change in an

1 entirety. Can you break -- do you have the
2 authority to break this up without them
3 resubmitting it under the direction that the
4 County Board has given them? Are they allowed
5 to vote on a broken up submission? Thank you.

6 CHAIRMAN OVERHOLT: I don't know
7 whether they are or not.

8 MR. BLAKE TARR: I am not for sure.

9 MR. COPENBARGER: The only change is
10 the --

11 MS. MARY BARRY: You are approving part
12 of the submission. You are denying the other
13 part of the submission, is that correct?

14 MS. ADCOCK: That is correct.

15 MS. MARY BARRY: We are telling them
16 that there has to be a road use agreement with
17 the County and the Township.

18 MS. ADCOCK: Because that's what the
19 ordinance says.

20 MS. MARY BARRY: That's fine, and
21 presumably we are saying that -- when do you
22 expect that to be done, before the building
23 permit?

24 MS. ADCOCK: That's what the ordinance

1 states, correct.

2 MS. MARY BARRY: So, that's not really
3 adding anything --

4 MS. ADCOCK: That was a point of
5 clarification because the Township Commissioner
6 indicated that it was not required, which is
7 against the ordinance.

8 MS. LETICIA LEW: Not required for
9 zoning, sorry.

10 MS. MARY BARRY: Blake, you are going
11 to look --

12 MS. ADCOCK: For the vegetative plan.

13 MS. MARY BARRY: So, what is the timing
14 on looking at that? If you are approving part
15 here, then it still has to go to the County
16 Board, correct?

17 MS. ADCOCK: Correct.

18 MS. MARY BARRY: You will look at it
19 before it goes to the County Board?

20 MR. BLAKE TARR: Correct.

21 MS. MARY BARRY: Presumably if it is
22 not right, you are going to recommend that the
23 Board refer it back to the Zoning Committee,
24 correct?

1 MR. BLAKE TARR: Yes.

2 MS. MARY BARRY: Back to us, the ZBA.

3 I think that's all -- technically it works.

4 MS. ADCOCK: Okay.

5 CHAIRMAN OVERHOLT: I think we are to
6 the point where we need a roll-call vote.

7 MS. MARY BARRY: Could we modify maybe
8 the motion that we are -- the motion actually
9 says now we are approving the interconnection.
10 We are not approving the access. That's already
11 part of the motion, okay. That's all I wanted
12 to clarify that.

13 CHAIRMAN OVERHOLT: Okay. As I stated
14 in a previous meeting I am going to recuse
15 myself from voting on this matter since it is a
16 solar power. Go ahead with the roll-call.

17 MR. BLAKE TARR: Adrian Adcock.

18 MS. ADCOCK: Yes.

19 MR. BLAKE TARR: David Copenbarger.

20 MR. COPENBARGER: Yes.

21 MR. BLAKE TARR: Joe Dorr is absent.

22 Glen Goodrich.

23 MR. GOODRICH: Yes.

24 MR. BLAKE TARR: Joann Howard.

1 MS. HOWARD: Yes.

2 MR. BLAKE TARR: Gary Merker is absent.
3 Motion carries.

4 MS. LETICIA LEW: Thank you.

5 CHAIRMAN OVERHOLT: The second line of
6 business this evening is a zoning special use
7 application from Pivot Energy Illinois 20, LLC.
8 Is the application complete?

9 MR. BLAKE TARR: Yes, it is.

10 CHAIRMAN OVERHOLT: Has the filing fee
11 been paid in full?

12 MR. BLAKE TARR: Yes, it has.

13 CHAIRMAN OVERHOLT: The parcel number
14 of this property that is affected by this
15 application is 11-25-21-300-002-00, and the
16 address is East 250 North Road in Pana Township.
17 The reason for the special use application is
18 that Pivot Energy, LLC would like to propose to
19 construct a solar array on site and would like
20 to begin construction. Is that correct Blake --

21 MR. BLAKE TARR: Yes, it is.

22 CHAIRMAN OVERHOLT: -- everything that
23 I have referenced?

24 MR. BLAKE TARR: Yes.

1 CHAIRMAN OVERHOLT: All right. Are
2 there any questions from the Board? Do we have
3 anybody from Pivot Energy? Pivot Energy, please
4 come forward.

5 MS. ADCOCK: I make a motion to table
6 this. Representation is not here.

7 MS. MARCIA MILES: Can the people that
8 are affected by this can we speak?

9 COURT REPORTER: Would you please state
10 your name, and spell it.

11 MS. MARCIA MILES: Marcia Miles.

12 COURT REPORTER: Marcia Miles, how is
13 your last name spelled?

14 MS. MARCIA MILES: M-I-L-E-S.

15 COURT REPORTER: Please come up if you
16 are going to speak.

17 MS. MARCIA MILES: I would like to
18 state that I am opposed to this rezoning of this
19 property, and the only reason that all of us are
20 here tonight is just by word of mouth, and none
21 of us were notified from Pivot or the landowner
22 that they are trying to rezone the property that
23 butts up to all of our property. We do not live
24 in the country. We actually live in a

1 residential neighborhood. They are wanting to
2 put 12,000 solar panels in a residential
3 neighborhood 50 feet off of our property line
4 with an eight foot fence. We will look like we
5 are in a prison. If you look out our back door,
6 that is all we will see.

7 It will be -- and I still don't understand
8 why none of us were notified because I just
9 found out about it in a couple of days, and I
10 looked on line and the project paper that Pivot
11 submitted to the Zoning Office has all of our
12 addresses and names of anybody that butts up to
13 the property. So, I am really unclear of why
14 none of us were notified that they want to make
15 an industrial park in our neighborhood.

16 If you look out our back door, we see a
17 field, but the field is stuck in the middle of a
18 residential neighborhood. Because if you look
19 out our front doors, it is residential. It is
20 not -- I mean it is not a place to put an
21 industrial solar farm. So, I am opposed to it.

22 MR. BLAKE TARR: Thank you.

23 MR. JOE COLEMAN: My name is Joe
24 Coleman, and I own three sides of the solar

1 farm. I never got any kind of notice. I am on
2 the south, east, west, and the north, and I
3 never got nothing; but anyway I am against it.
4 I have got property right next to it, and they
5 contacted me about putting one there. Well, I
6 don't want it by my grandkids. If I wanted to
7 live by one, then I would have put my 30 acres,
8 and I would have got money, but I don't want to.
9 I just think it is a bad deal.

10 I don't know why the people ain't here. I
11 don't know. Yes, it is not a good deal.

12 Then if there is ever any more development
13 in Pana, what are you going to do, you have a
14 solar farm there. So, that's no good either if
15 anybody wants to build any houses in that field
16 around there.

17 Yes, I didn't get nothing. I actually own
18 four sides of it, and didn't get anything in the
19 mail. So, I think that needs to be changed or
20 something, however you are notifying people, or
21 however they are notifying people.

22 Yes, I am totally against the solar farm.
23 That's my opinion. Thank you.

24 MR. BLAKE TARR: Thank you.

1 CHAIRMAN OVERHOLT: Thank you very
2 much, sir. Anybody else, please.

3 MR. ZAC COLEMAN: Zac Coleman, I own on
4 the back side of it. We wasn't notified. We
5 have got kids, and there is already a tower on
6 the property. How much more infrastructure do
7 they need an a piece of agriculture ground, and
8 it is going to look like, excuse my language,
9 shit out my back door when you are sitting on
10 the patio and you see 30 some acres of solar
11 panels. Then we have got eight foot chain link
12 fence behind our house. So, I am a hundred
13 percent opposed to it.

14 MR. ERIC SMITH: My name is Eric Smith.
15 I speak for myself and my wife, Sarah. We live
16 right in the middle of the field. We are an
17 island in the middle of that 50 acre field.

18 My wife does in-home daycare license and
19 preschool. I feel if they build a solar field
20 in my back yard, literally in my back yard,
21 their fence would butt up against my grass. It
22 is going to devalue my property, and on top of
23 that I don't think it would be a safe
24 environment for her daycare kids or my own kids.

1 There is also the new school going up. I
2 feel it is a giant eyesore for Pana, for anybody
3 who comes to any events, or any games, or
4 anything like that, they are going to look out,
5 they are going to see a huge solar field right
6 on the edge of town.

7 Like Joe mentioned if there is any
8 development that comes up, to my understanding
9 which this is my own research because I live in
10 the middle of this field that they are going to
11 build this on, I never got any notification
12 except for a screen shot of a Facebook message
13 last Thursday. So, I feel like they are trying
14 to sneak this in dirty on the entire community
15 if they are not even going to notify the
16 individual who lives in the center of this. But
17 like Joe said if there is any development in the
18 future, to my understanding these are 30 year
19 leases, and after that it is the responsibility
20 of the landowner to dismantle any of this. So,
21 somebody is going to have to go through there to
22 clean all this up, or that land is going to be
23 ruined for it is hard telling how long.

24 I haven't had time to research any safety

1 concerns or any of that on solar. I have read
2 that these things are supposed to track the sun,
3 and they are completely quiet. It is completely
4 impossible, there is no way that a panel is
5 going to be move, that a panel that large is
6 going to be able to move that much and be
7 completely silent especially whenever there is
8 over 12,000 of these. I have had a little bit
9 of time to research concerns on increase in
10 temperature in areas that have these solar
11 fields, and also decrease in temperature in
12 areas in the wintertime.

13 In the four days that I have known about
14 this I haven't been able to research that
15 thoroughly to give you guys solid facts to back
16 that up, but those are my concerns. I am
17 completely against all of this. Thank you.

18 CHAIRMAN OVERHOLT: Anybody else?

19 MS. ALLISON TRELZ: Allison Trelz,
20 T-R-E-L-Z. I am also an adjacent property
21 owner. I found out about this by word of mouth
22 yesterday. Per looking up the property owner
23 who is looking to lease this solar farm, when
24 I -- looking on Christian County GIS he owns

1 quite a bit of acreage in Christian County, 60
2 acres surrounding his own property. So, I am
3 curious why that wasn't a consideration for him
4 to put a solar farm surrounding his own home, or
5 on other property on his other acreage that
6 wasn't surrounded, literally surrounded as this
7 plot that they are looking at by residential
8 homes. I am opposed to this project. Thank
9 you.

10 MR. JOE COLEMAN: May I say something
11 about this?

12 COURT REPORTER: I am sorry, you will
13 have to come back up and state your name.

14 MR. JOE COLEMAN: Joe Coleman. When
15 they approached me about my ground, there was
16 some kind of deal that if the ground connects to
17 the new school, it is a priority, or the
18 government gives them some more money or
19 something. I can't remember what he told me,
20 but my property abuts the new school and so does
21 his. So, they was wanting that property that
22 abutted the school. That's why he is not
23 putting it as she said about putting it around
24 his house. That's why he wants it there because

1 there is some kind of deal that if the property
2 abuts a school, I don't know what the deal is,
3 but it is something that has to do with it to
4 answer her question about why he is not building
5 it by his house. I don't want it. I got ground
6 all around it. All right. Thank you.

7 CHAIRMAN OVERHOLT: Thank you, sir.
8 Any other -- any further comments? I think we
9 have a motion.

10 MS. ADCOCK: I would like to amend my
11 motion. I would like to make a motion to reject
12 this special use permit.

13 CHAIRMAN OVERHOLT: Reject it or table
14 it?

15 MS. ADCOCK: Reject it. There is no
16 representation here, and the public have shared
17 their concerns, and the application is
18 incomplete.

19 CHAIRMAN OVERHOLT: All right.

20 MR. COPENBARGER: I will second that.

21 CHAIRMAN OVERHOLT: A motion has been
22 made to --

23 MR. COPENBARGER: Dave Copenbarger.

24 CHAIRMAN OVERHOLT: -- to reject the

1 Pivot Energy, LLC. Let's have a roll-call vote.

2 MR. BLAKE TARR: Jim Overholt.

3 CHAIRMAN OVERHOLT: I am going to
4 recuse myself.

5 MR. BLAKE TARR: Okay. Abstain.
6 Adrian Adcock.

7 MS. ADCOCK: Yes.

8 MR. BLAKE TARR: Dave Copenbarger.

9 MR. COPENBARGER: Yes.

10 MR. BLAKE TARR: Joe Dorr is absent.
11 Glen Goodrich.

12 MR. GOODRICH: Yes.

13 MR. BLAKE TARR: Joann Howard.

14 MS. HOWARD: I would like to hold my
15 vote, and also how can this application be
16 incomplete when we have the full application
17 that was presented in May?

18 MS. ADCOCK: This is a different
19 project. This is the first time it has ever
20 been heard.

21 MR. GOODRICH: This is one by Pana.

22 MS. HOWARD: The representative said it
23 was presented in May.

24 MS. ADCOCK: No, we have moved on to

1 the Pivot Energy project.

2 MR. GOODRICH: That's the one by the
3 YMCA.

4 MS. HOWARD: What's that?

5 MR. GOODRICH: That was the one by the
6 YMCA. This is down by Pana.

7 CHAIRMAN OVERHOLT: Right in Pana.

8 MS. ADCOCK: We have moved on to the
9 Pivot Energy one. This is Pivot Energy. This
10 is another one. We approved the other one.

11 MS. HOWARD: Oh, I didn't know that
12 they were talking about a different --

13 MR. GOODRICH: Totally different.

14 MS. HOWARD: By the same company?

15 MS. ADCOCK: No. That company hasn't
16 shown up tonight. So, we have this that we were
17 supposed to go through tonight, and the
18 representatives didn't show up tonight.

19 MS. HOWARD: Oh, I see.

20 MS. ADCOCK: But the people that live
21 in the area have shown up, and they have shown
22 their concerns.

23 MR. COPENBARGER: They weren't
24 notified.

1 MS. ADCOCK: They weren't notified then
2 that's why we rejected.

3 MS. HOWARD: Then I will vote to reject
4 it.

5 MR. BLAKE TARR: So, that's a yes,
6 Joann?

7 MS. HOWARD: Yes.

8 MR. BLAKE TARR: Thank you. We have
9 four yeses, one abstain, two absent, motion
10 carries to deny the special use application.

11 CHAIRMAN OVERHOLT: The motion is --
12 the special application motion has been denied.

13 Third item of business this evening is the
14 zoning special use application from Sangchris
15 Energy. Is the application complete?

16 MR. BLAKE TARR: Yes.

17 CHAIRMAN OVERHOLT: Has the filing fee
18 been paid in full?

19 MR. BLAKE TARR: Yes.

20 CHAIRMAN OVERHOLT: The parcel numbers
21 that are affected by this application is
22 15-11-26-200-001-00 and 15-11-26-200-003-00, and
23 the address is near the corner of County Road
24 1400 North and County Road 150 East.

1 The reason for the special use application
2 is that Sangchris Energy Center, LLC is
3 requesting the approval of a special use permit
4 for the construction of a stand alone battery
5 energy storage system. The system will be
6 utilized to store excess energy produced at
7 times of low demand to be used during periods of
8 high demand, and to provide various stability
9 and reliability benefits to the localized
10 electrical grid, along with several other
11 beneficial use cases. It will become an
12 essential component of the electrical grid by
13 increasing grid stability and reliability in the
14 future with more intermittent electrical
15 generation and severe weather events. The
16 system will also help replace generation
17 capacity lost as the Kincaid Power Station shuts
18 down in 2027.

19 Any questions from the Board? I have a
20 question. I would like to see somebody from
21 Sangchris Energy, LLC talk to us about this
22 matter.

23 MR. WILL FROST: Yes, sir.

24 CHAIRMAN OVERHOLT: Step forward.

1 MR. WILL FROST: My name is Will Frost.
2 I will get into more detail on that, but please
3 bear with me while I pull the presentation up
4 and get this set up.

5 (Whereupon there was then had an off the
6 record discussion.)

7 MR. BLAKE TARR: The Board Members okay
8 with potentially moving back downstairs so he
9 can use the power point, the computer down
10 there?

11 CHAIRMAN OVERHOLT: Yes.

12 MR. WILL FROST: Unless you all would
13 want to look at my computer on the ledge.

14 MR. BLAKE TARR: We will take a ten
15 minute break.

16 (Whereupon the Zoning Board of Appeals
17 meeting was in recess.)

18 CHAIRMAN OVERHOLT: Go ahead, sir.

19 MR. WILL FROST: Thank you very much.
20 Good evening, everyone. My name is Will Frost.
21 I am a project developer with East Point Energy
22 here to present our application for a special
23 use permit for the Sangchris Energy Center.

24 I am here with a bit of a team as well. I

1 have brought a couple of individuals from East
2 Point, our team at East Point Energy. I have
3 got Kyle Jenkins over here, who is the
4 development engineer who is working on this
5 project, very closely on this project with me
6 as well as Maggie Howe, who is our project
7 development manager, who helps oversee all of
8 our development across several states in the
9 country. Then I have also brought along some
10 subject matter experts, who I will introduce
11 later in my presentation. We chose some subject
12 matter experts based on concerns we had heard
13 from Administrator Tarr over conversations as
14 well as several conversations we have had with
15 various entities and individuals around the
16 county. So, we brought some subject matter
17 experts to help make sure we were able to
18 address specific questions around those
19 concerns, and then I will be able to introduce
20 them and have them introduce themselves towards
21 the end of this presentation.

22 So, as a quick summary of our application
23 the Sangchris Energy Center, LLC is the
24 applicant in this situation. East Point Energy

1 is the 100 percent owner and operator of the
2 Sangchris Energy Center. We are requesting
3 approval of a special use permit with the
4 addition of a request for an extended approval
5 of said permit to survive through the December
6 31st of 2027.

7 I will explain this a bit more later, but
8 largely due to interconnection study processes
9 where we don't expect to be able to begin
10 construction until the first half of 2027. So,
11 the extension is to prevent any future --
12 present too much -- make this process too
13 onerous to the County to have an approved permit
14 for up until we are prepared to begin
15 construction.

16 The parcel is located in Section 26 of the
17 South Fork Township. We are sandwiched in
18 between County Roads 1300 and 1400 in between
19 150 and 200.

20 We are requesting approval of a permit for
21 45 acres of said property in Section 26, but we
22 only expect the project to take up approximately
23 30 acres of that area, which we are permitting.
24 We are simply permitting for more space to allow

1 for any alterations to the site plan as we
2 further understand what the final engineering is
3 going to look like especially as we work through
4 some additional risk mitigation for certain
5 things I will bring up later in this
6 presentation.

7 The property is currently zoned
8 agricultural, and has been utilized for an
9 agricultural purpose for the last several
10 decades. Our particular use has been deemed
11 similar to that of a wind and solar farm by the
12 Christian County Zoning Office, hence our
13 presence here with an application for a special
14 use permit.

15 A little bit about East Point Energy. We
16 are an energy storage specific development firm
17 based out of Charlottesville, Virginia. We
18 focus in the development, construction, and
19 operation of these grid connected stand alone
20 energy storage systems, and we measure our
21 success by yes, profitable projects to East
22 Point Energy, but also projects that provide
23 substantial benefits to the electrical grid, the
24 communities in which we look to develop these

1 systems as well as the environment at large. We
2 are a wholly owned subsidiary of Equinor, which
3 is a global oil and gas company based out of
4 Norway. They are 67 percent owned by the
5 Country of Norway. The country of Norway they
6 enjoy a AAA rating from S & P, which is one of
7 the few countries on the planet to have the
8 highest rating that S & P offers, which kind of
9 speaks to our ability to really focus on those
10 three benefits that these systems provide, being
11 benefits to the grid, the communities that we
12 build them in, as well as the environment at
13 large.

14 So, what exactly is grid connected energy
15 storage. It is exactly what it sounds like. We
16 are plugging some batteries into the electrical
17 grid to store excess energy when it is not being
18 used to push back out onto the grid when we have
19 a demand for it. It is the same exact
20 technology we use in the majority of our
21 electrical devices from our cell phones, to our
22 laptops, to now our vehicles. So, it is a
23 proven technology that we are simply utilizing
24 in a different manner. We are putting more of

1 it in one location, which provides a specific
2 benefit to our electrical grid, which I will
3 talk about a bit more as well.

4 As proven by our ubiquitous use of Lithium
5 ion batteries across our society, it is a
6 technology that creates no emissions as well as
7 very minimal noise. The main noise factor on
8 these systems are the HVAC units that will be on
9 the enclosure to ensure that a stable
10 environment is kept within said enclosure.

11 These systems help to enable the full
12 integration of renewable resources onto the
13 electrical grid by helping to extend that window
14 of time in which we are able to use these
15 intermittent resources. So, we can now use
16 solar later in the day when we are not
17 generating solar or wind when wind is not
18 blowing. It helps us with a more reliable
19 transition into a renewable energy future or new
20 age of electrical generation.

21 The system will be a dispatchable resource
22 to the electrical grid itself and to the
23 operators. It provides a tremendous amount of
24 flexibility in the way that the grid is operated

1 in helping to provide those stability and
2 reliability benefits to the grid at large.

3 To speak a bit more to some of those
4 benefits, the State of Illinois has made it
5 clear that they are looking to build out a lot
6 of wind and solar across the State. It is a
7 decision that was made at the State level, and
8 we have seen through multiple avenues that that
9 is the way the State is moving. They are
10 looking to have a lot of their generation be
11 wind and solar. That can't happen reliably
12 without these energy storage systems. The more
13 we rely on intermittent resources, the more we
14 need storage in order to make those systems
15 reliable and allow our electrical grid to
16 contain the level of reliability and security
17 that it is has today.

18 Additionally as I mentioned these systems
19 provide an incredible amount of reliability and
20 stability to the electrical grid. We can get
21 into some of the technical electrical sides of
22 that, but there is a lot of electrical
23 engineering that goes into keeping our grid
24 running, and energy storage is going to be one

1 of the more beneficial resources for these
2 operators to make sure that, especially as we go
3 through this transition we are able to maintain
4 a reliable system through the whole process, and
5 keep power to all of our critical resources in
6 all of these communities where we are looking to
7 build more wind, build more solar. Locating
8 these storage systems close to them really help
9 with that increased reliability and consistency
10 of our electrical grid.

11 Additionally it is starting to secure our
12 country's future into being an independent
13 nation for our energy production. The more we
14 can rely on these intermittent domestic
15 generation resources because of these storage
16 systems, the more of an independent system we
17 are going to have. It is a direction that the
18 federal government is looking to go, and the
19 State of Illinois is following behind, and these
20 systems are really going to help make it a safe,
21 reliable transition that we are looking to go
22 through.

23 Additionally there are minimal impacts to
24 social services. We have had some close

1 communication with the emergency responders
2 around the county. We had a conversation
3 earlier today with the Midland Fire Department
4 and Jeff Stoner with the Emergency Management
5 Division in the County. We have had
6 conversations with the Pawnee Fire Department.
7 There is very few -- we are continuing with
8 those conversations as we go through the
9 development of this project, but generally
10 speaking social services outside of any kind of
11 emergency preparedness is going to see very,
12 very minimal impacts. There is going to be
13 little to no impact to traffic to the
14 surrounding area. There won't be any impact on
15 the school services and police services.
16 General social services will not be impacted by
17 the presence of this project.

18 Lastly, we are going to contribute to the
19 local economy. We are going to vastly increase
20 the tax base of this property. I expect to
21 answer some questions around that front. So, I
22 am going to leave some of the details there for
23 question and answer at the end of this, but
24 happy to talk more about the economic

1 contribution that this project hopes to have
2 within Christian County.

3 So, why am I here, why are we looking to do
4 this in Illinois and do it now. I just wanted
5 to highlight a couple of news articles here just
6 to pull up and show some things that the State
7 is doing as well as where our country currently
8 is. The State is retiring coal plants all
9 across the State, and there is currently a bill
10 in place for the owner of those coal plants to
11 transition them to solar and storage. So, we
12 are already seeing this from the larger oil
13 giants who have, or fossil fuel giants who have
14 been historically operating coal power plants,
15 they are transitioning those systems alone to
16 putting in small scale solar and storage
17 systems, which we are also building on top of.

18 A lot of these communities, Taylorville and
19 Christian County included, the history here is
20 all around coal mining and the power plant. It
21 is what provided jobs and stability for a lot of
22 people in this area outside of agriculture for a
23 long time as far as my understanding, and this
24 switch in infrastructure is a real opportunity

1 for us to spread out the benefits that
2 infrastructure can provide to localities.

3 So, solar storage is going to be bringing
4 in tax revenues to these counties that will be
5 losing it as these coal plants retire, and that
6 is a primary motive of mine as a developer is to
7 make sure that that contribution is made to the
8 County. Happy to answer questions to that as we
9 get there.

10 The County, these bottom two articles are a
11 bit more general, but just kind of looking at we
12 need more energy storage as we are looking to
13 hit some of these targets that States and our
14 government have made up to this point. It is
15 going to be essential. It is essential. We are
16 just waiting. Some governments are waiting a
17 little bit too long to deem it as such.

18 So, to talk more specifically about this
19 energy center that we are proposing, the
20 Sangchris Energy Center will be a 300 megawatt
21 system with 1,200 megawatt hours of volume,
22 which is a 300 megawatt system that can run for
23 approximately four hours. We have an option to
24 lease the property from the landowner. At the

1 moment we don't have -- we have not executed a
2 lease agreement for the property, but we have an
3 option to allow us to develop the property. If
4 we deem that we can build a project, we will
5 execute upon a 35 year lease that we have with
6 the landowner that has the potential to be
7 extended two additional five years periods for a
8 total of 45 years. We have agreements within --
9 there is a clause within our lease agreement as
10 well as requirements through national codes and
11 standards that these systems are held to for the
12 decommissioning of the system at the end of its
13 lifetime. So, it will be removed simply because
14 we are in a lease agreement. We need to take
15 everything off the property when we are no
16 longer tenants.

17 To speak a bit to the timeline we don't
18 expect to be able to begin construction until
19 the beginning of 2027 largely because of
20 interconnection studies. The study is taking
21 approximately three years to complete now a
22 days, and we are waiting to have an approved
23 permit, an approved special use permit before we
24 submit to that process given the costs to enter

1 into that process. So, we don't have terribly
2 high hopes that we will be able to get through
3 that until late 2026, early '27 when we will be
4 able to start looking towards constructing the
5 system. It will take approximately 12 months to
6 construct for the system to be operational in
7 the first half of 2028.

8 Some ongoing risk mitigation efforts that
9 we have a very close eye on first and foremost
10 is the abandoned coal mine, the Peabody Coal
11 Mine Number 10. We are sited right on top of
12 it. It is something we are very well aware of.
13 We have spent a good amount of time talking with
14 a number of different organizations to
15 understand what kind of assessment we need to do
16 for such a risk to understand -- we have several
17 different proposals from several different
18 organizations that we are waiting for an
19 approved permit to execute on to fully
20 understand what that risk looks like, and what
21 kind of mitigation potential we can, what kind
22 of mitigation potential there is for such a
23 risk.

24 I want everyone to be rest assured we will

1 not build a system that we don't believe is
2 safe, that has too high of a risk of subsidence
3 on this property. This would be a nine figure
4 investment that we would be leaving up. We
5 would not want to subject ourselves to that kind
6 of investment to that kind of a risk. So, it is
7 something we are very heavily diligent, and will
8 continue to as we move forward with the
9 development of this project.

10 The second item here is the maintaining
11 current drainage of the surrounding properties.
12 We are well aware that drainage is a critical
13 aspect of the farming industry around here, and
14 it is something that people spend a lot of time
15 and a lot of thought putting into.

16 I was just meeting this morning with
17 Patrick Wolf about a surface drainage ditch that
18 goes across the southern portion of the property
19 that we look to hopefully keep the surface
20 drainage in place. If not, we are looking to
21 try to potentially find a solution that could be
22 a drainage tile going under the southern portion
23 of the property to ensure that they have an
24 option for drainage if something ever happens to

1 that surface drainage. We are working through a
2 memorandum of understanding to ensure that we
3 have something in writing to speak to the
4 conversations we are having and the general
5 commitments that we are hoping to make in that
6 area.

7 Lastly is the fire safety plan. It is a
8 big ticket item when it comes to Lithium ion
9 batteries. We have been in close communication
10 with the two nearest Fire Departments, Midland
11 being the one, being the district that we are
12 within, and Pawnee being the closest second
13 district. So, I have had conversations with
14 both fire chiefs, and they are well aware of the
15 project, and we are going to remain in
16 communication with them especially as we go
17 through the development of emergency response
18 plans for said system.

19 One of the experts we have here this
20 evening is a fire safety expert who works, who
21 has done a lot of testing on these facilities to
22 help create the national standards that are in
23 place today. So, I have a little bit more on
24 fire later that I will touch on.

1 Just to give an overview of the project
2 location we are approximately three miles due
3 south of the retiring power station. We will be
4 plugging into one of the transmission lines
5 that's running just over the property. We are
6 looking at this area in particular because --
7 for two main reasons. One being the four to
8 5,000 acres of solar that are going to be
9 installed in this general area. Those solar
10 farms are going there largely because of the
11 available capacity that is going to be there
12 once the Kincaid power station comes off line.
13 As those solar farms come onto the grid, we are
14 pulling that intermittent resource to try to
15 replace that lost capacity, and energy storage
16 system near that intermittent generation helps
17 make sure that it stays localized for times of
18 peak demand. So, that's one of the primary
19 reasons we are looking at, or I guess that's a
20 combination of the two reasons for why we are
21 looking at this facility, at this particular
22 location is the retiring of the power station,
23 which is opening up capacity on those electrical
24 lines. We want to ensure that they continue to

1 be fully utilized, and storage pairs well with
2 intermittent generation. That's the use case
3 for, the strongest use case for energy storage.
4 So, the closer we are to solar farms, the more
5 benefit that these systems can provide to the
6 grid at large.

7 Here is the site plan that we are asking to
8 be permitted is approximately 45 acres. There
9 are two main sections to this system. The
10 dashed area is the battery storage system
11 itself. It contains all of the enclosures that
12 will be on the facility. As you can see that is
13 my next slide. We will go right to that.

14 The battery system is everything in that
15 little L shape as well as the collector
16 substation at the top of the screen there. That
17 is the battery energy storage system. The
18 second portion is the interconnecting
19 infrastructure, which you see that switch yard
20 up top there. That is the one tower that's kind
21 of on the southern portion is what will be
22 interconnecting to the transmission line there
23 with all of the other infrastructure being for
24 collection purposes of bringing the electricity

1 to that one centralized location. So, this is
2 our preliminary site plan. We have every
3 expectation for it to change as things go, as we
4 move along and start evaluating the mine
5 subsidence risk as well as impacts to drainage,
6 and looking into the geotechnical aspects of the
7 property that we are developing on. So, that is
8 the motivation for 45 acre permit for a site
9 that we, as condensed as it can be is only going
10 to take up around 30. We are just looking for
11 some flexibility as we go through more diligence
12 on the site.

13 So, my last slide here is just to again
14 highlight the fire safety of these systems.
15 First and foremost these are proven and tested
16 technologies. We are putting a lot of them in
17 one location, but it is a technology that we are
18 familiar with. It is something that we have
19 been utilizing for decades at this point. It is
20 just this is a new application, and a new
21 application that has been rigorously tested and
22 has been for the past decade.

23 We have 24 hour, seven days a week, 365
24 days a year remote monitoring of the system,

1 remote monitoring and controls of the system.
2 So, we have full control over the system from
3 wherever the operator will end up being.

4 We make sure that we have strong
5 partnerships with our local first responders.
6 It is absolutely vital that we ensure that they
7 are adequately trained and adequately equipped
8 for any type of response that may be required.
9 We are well aware of the volunteer shortage that
10 is occurring across fire departments in the
11 County. It is an item that we are going to be
12 specifically addressing in partnership with the
13 fire departments as we build out an emergency
14 response plan for this system once it gets, once
15 we start to finalize engineering and understand
16 what vendor we are going to utilize for this
17 system.

18 Lastly, there is lot of codes out there.
19 Currently there is a national NFPA 855, which is
20 what is pictured here. It is updated about
21 every two years. We are going to have one of
22 our subject matter experts who is a member of a
23 company who does significant amount of testing
24 for these standards. They are doing a great job

1 with the standards. A lot of the -- I am going
2 to let Eric speak to this, but a lot of the
3 systems we see failing now, when they fail, it
4 is a successful failure. They stay contained,
5 and it is because of codes like this that are
6 continuing to be developed as the technology
7 develops as well.

8 I am going to stop myself from talking
9 here, and quickly introduce Eric Wood, who is an
10 member of the Energy Safety Response Group, 20
11 year firefighter, who is now on the other side
12 of things.

13 MR. ERIC WOOD: That's why I got out is
14 because my hip is bad. My name is Eric Wood. I
15 drove here from Ohio. That is where my company
16 is based out of. We are based out of Delaware,
17 Ohio, but we have people all over the country.
18 We have a team based on the East Coast. We have
19 a team based on the West Coast, and then we kind
20 of make up the centralized aspect of the U.S.
21 We are a third party neutral company, if you
22 will.

23 We have companies like East Point that
24 reaches out to us, and they start asking what

1 can we do to help them. Then we come into play.
2 So, a lot of the stuff we offer is up here. So,
3 we go from testing following NFPA 855, NFPA 68
4 and 69, as well as UL 9540 and UL 9540A. When
5 we talk about testing, all of those standards
6 have to be met before these systems can actually
7 go on line and be utilized.

8 We also work on permitting, project review
9 and project development with those companies.

10 Then we also provide public safety training
11 and emergency response planning. So, we not
12 only work closely with the companies, but we
13 actually come out, and we do training with the
14 local fire departments to inform them on what
15 the best case scenario that they can encounter
16 when they go out to deal with certain incidents.

17 Then lastly we do emergency response and
18 life cycle as well as subject matter expertise.
19 So, going back to what Will was talking about
20 with commissioning and decommissioning, we help
21 in that area as well.

22 So, I don't want to take up any more time.
23 If there are any questions for me, I will take
24 them whenever, but that's essentially what our

1 company does. We basically start from the
2 ground, and we work it all of the way up to the
3 time it is decommissioned. So, that's what we
4 are here for.

5 MR. WILL FROST: Thank you, Eric. I
6 have learned more from Eric over the course of
7 the last six hours than I expected to. So, he
8 is a great resource for any questions in the
9 area.

10 Second, I wanted to introduce Ian. Ian is
11 a geotechnical expert from GZA GeoEnvironmental,
12 which is a company we have been working very
13 closely with relating to all environmental
14 aspects of this project. We brought Ian along
15 specifically for any types of questions
16 around -- well, I will let you talk.

17 MR. IAN MOSBRUCKER: As Will mentioned
18 my name is Ian Mosbrucker. I am an engineer
19 working for GZA GeoEnvironmental. We are a
20 consultant working with East Point here to
21 better evaluate the site from a geotechnical
22 perspective, and what that means is basically
23 anything from the ground down, which includes as
24 Will mentioned before the Peabody Mine, which is

1 300 to 400 feet below the ground surface there.

2 We at GZA GeoEnvironmental we do work in
3 both Wisconsin and Illinois here, also most of
4 the Midwest. We are headquartered in
5 Massachusetts.

6 So, to date we have helped East Point
7 identify the risk of the Peabody Mine in our
8 phase one evaluation. We are basically just
9 kind of not quantified, but let them know that
10 it is there, and that it is a risk for the
11 project, and in the future we will be better
12 evaluating that to more quantify what that risk
13 is and the potential for subsidence on the site.
14 That would be the future work of what we are
15 getting into, but we understand that it is
16 there, and that we are potentially going to have
17 to do something about it, but we are still not
18 at that point yet.

19 With that I will pass it back to Will, but
20 I can take questions relating to that.

21 MR. WILL FROST: Thank you. Then just
22 this last slide kind of speaking of it towards
23 continued efforts especially on the permitting
24 front, we have a third expert who I am not going

1 to ask to introduce himself. I will introduce
2 him.

3 Barry Stuedemann has been a big resource
4 for a lot of these studies we have done with the
5 project, and has produced this continued
6 permitting matrix that we are going to have at
7 least him and his team to help us understand the
8 continued permit or the permits that we will
9 need to receive prior to applying for any type
10 of construction permits. These include items
11 related to cultural resources, storm water
12 management, and things of the such.

13 So, I will end my presentation with that,
14 and look to answer any questions that the Board
15 has or the public about the project. I know it
16 is something new. I am happy to answer
17 anything.

18 MR. COPENBARGER: Dave Copenbarger,
19 Zoning Board. So, we just had a solar farm,
20 which I am sure you are aware of that's right
21 near where you are going move their solar farm,
22 I don't know, a mile or two. The footprint
23 shifted because of the subsidence. So, why do
24 you guys -- why are you picking this site? It

1 just doesn't make any sense if there is already
2 trouble, potential trouble, why this site?

3 MR. WILL FROST: Yes. No, it is a
4 great question. The project that moved their
5 facility -- I have spoken to the developer of
6 that project. We are talking about assessing 30
7 to 45 acres. They were talking about assessing
8 over a thousand. Just the logistics of that it
9 made a lot more sense for them just to move the
10 site, and see if they could find a new location
11 for it to be off of the mine. I believe the
12 other solar project is still on the mine, and
13 they are still having -- I have spoken to that
14 developer as well, and they are having some
15 title or mineral right things that they are
16 working through. So, they are still moving
17 forward building on the mine. Frankly it is
18 something that is new to us. We don't really
19 know what the risks are, and what the mitigation
20 of it could look like.

21 So, part of it is to go through that
22 exercise because this isn't the only coal mine
23 in Illinois. This isn't the only place where we
24 are going to want to try to build one of these

1 projects on top of the abandoned coal mine.
2 Frankly, three to 400 feet underground the
3 system is not going to be what causes the
4 subsidence. If we can accurately and adequately
5 assess the current risk of subsidence, and
6 obviously try to understand any impacts this
7 system might have to that through geotechnical
8 studies of the soil that we are on top of, I see
9 a world where it works fine. If there is simple
10 mitigation tactics that we can use as far as the
11 basis that the enclosures are put on that can
12 handle some sort of subsidence. I am aware of
13 some in the area that that has been -- they have
14 dug -- that drainage that we are addressing on
15 the other side is largely there because of some
16 subsidence in the surrounding properties. None
17 of that appears to me to be terribly significant
18 subsidence. I mean any subsidence is
19 significant when you are talking about
20 electrical infrastructure. That is absolutely
21 true.

22 So, part of it is this is an uncharted
23 territory as far as putting an energy storage on
24 an abandoned mine. It is something we are

1 interested in exploring further, and as I stated
2 we are not going to build a system that we don't
3 believe is going to be safe on the property.

4 MR. COPENBARGER: Can I do a follow-up?

5 MR. WILL FROST: Yes.

6 MR. COPENBARGER: So, how close do you
7 need to be to a solar farm? How close --

8 MR. WILL FROST: Our proximity to the
9 solar farm doesn't really matter. Our system
10 will be plugged directly into the transmission
11 line. It will be trading in the wholesale
12 electricity market. It has no direct attachment
13 to any other infrastructure outside of the
14 transmission line itself. It just so happens to
15 be where we ended up with a property based off
16 of our prospecting efforts and our negotiations
17 with landowners, and the closer they are, I mean
18 you see a lot of solar farms that put storage on
19 their facility. Those are typically behind
20 their meter so they can only charge the storage
21 with their solar. We are in front of the meter,
22 and it is logical to think that some of that
23 energy from those solar farms is going to be
24 able to come into a system that's much more

1 closer to it, or much closer to it.

2 MR. COPENBARGER: One last one. So,
3 the power lines, the transmission lines go to or
4 near the old Dominion plant, right?

5 MR. WILL FROST: They run to the
6 substation just south of Pawnee. So, they are
7 not directly attached to the coal plant.

8 MR. COPENBARGER: So, there was no
9 thought of being on their property since it is
10 going to be decommissioned and that's already
11 zoned for what you are trying to do?

12 MR. WILL FROST: Right. So, Vistra is
13 going to develop it themselves if they want it
14 to be developed. They are already doing a small
15 scale 20 megawatt, 20 megawatt solar, 2 megawatt
16 storage. They are not going to sell it to a
17 company like us.

18 MR. COPENBARGER: Got you. Thank you.

19 MR. WILL FROST: Yes, absolutely.

20 MR. CARL SPENGLER: I have some
21 questions.

22 MR. BLAKE TARR: Go ahead, Carl, we
23 will take public comments at this time.

24 COURT REPORTER: If you would state

1 your name for me and spell it.

2 MR. CARL SPENGLER: Carl Spengler,
3 S-P-E-N-G-L-E-R. I have lived out there 80
4 years, and you was talking about the mine
5 subsidence. I got friends who worked in the
6 mine. Out there is a 75 foot void. What
7 happened is they started mining. The top
8 started falling in. Falling in and there was 75
9 foot void out there somewhere. I mean it is out
10 there somewhere.

11 Now, my neighbor over there he had a mine
12 sink coming in, and we as a drainage district,
13 our district was not deep enough to drain the
14 mine sink. So, they had to take it another way.

15 I have seen mine sinks come in overnight.
16 You go down the road, the next day you have a
17 mine sink. I mean people think, and I don't
18 know whether you know how a mine sink happens.
19 It is a squeeze. The pillar goes down. The
20 coal goes down. The center comes up. That's
21 where you get mine subsidence.

22 I know you are thinking that nothing is
23 going to come out of there. My oldest son is a
24 mine engineer from the University of Missouri

1 Rolla, and he is a lead engineer for mining for
2 Cat. He says it is going to continue. It is
3 just a matter of time. This is going to -- you
4 are going to have hills and valleys.

5 If you drive I55, and you go down there to
6 Farmersville. And you go 55 it rolls like this.
7 Drive down it sometime. I was in the
8 construction business with SGA Gross. They
9 built I55 over there at Farmersville. I
10 guarantee you when they got done, that thing was
11 level. It was level as the floor, but you go
12 down there now, hills and valleys every time
13 there was an entryway, you are going to have
14 that. You are going to have it out there.
15 Every year there is one or two coming out there.
16 Now, you might get lucky and miss it, but I kind
17 of doubt it.

18 I talk to a lot of miners. These guys are
19 friends. Well, we mine, work today, the boss is
20 in there, okay, we only supposed to make an
21 entryway so wide. Well, cutting is good, let's
22 take another swipe out because we are making
23 money. The other side the guy is doing the same
24 thing. Pretty soon they go through. I mean you

1 get some of these old miners that will talk to
2 you. We are friends.

3 When you come into a mine area like we are,
4 that was the largest coal mine in the world.
5 They mined more coal there Peabody than any
6 other mine in the world. So, you know that that
7 coal is gone out there.

8 Another thing that I am worried about is
9 what happens if China buys all of the coal
10 rights out there. They come in and re-mine all
11 that. Everybody says that they can't do that.
12 My oldest son says they will go in and mine
13 everything. You have got to remember there is
14 five layers of coal out there. I mean they
15 mined to the fifth layer, 300 some feet deep.
16 So, somebody comes in and decides to bring these
17 other five layers out, I mean -- I own farm
18 ground out here, and at one time it was the best
19 farm ground in the world. Now we got mine sinks
20 coming in, water holes coming in. We are having
21 to tile it and stuff like that. I mean for your
22 own benefit I would core drill it, and make sure
23 there is nothing under there, no voids or
24 anything in there. You know what I mean, that's

1 just my thought.

2 Another question I have I done a little
3 research on if you have got an inch of rain one
4 acre of farm ground, or one acre of concrete,
5 you have 27,154 gallons of water on an inch of
6 rain, which comes out to 113 tons of water on an
7 inch of rain. So, if you have a five inch rain,
8 so you take that times five, what are you going
9 to do with the storm water system? Are you
10 building a storm water system? I have been in
11 construction all my life. You have to retain
12 the water.

13 Another thing is whenever you build a
14 facility like this with storm water, the
15 drainage district has the right to tax it
16 different than farm ground. It is taxed
17 commercial. The drainage ditch come in with
18 another tax rate on top of it. That's all that
19 I have got to say.

20 MR. WILL FROST: Can I add something to
21 it?

22 CHAIRMAN OVERHOLT: Go ahead.

23 MR. WILL FROST: You make a great
24 point, Carl, about the continued mining. This

1 is in all of our diligence around the mine that
2 has also been a large factor of it, and trying
3 to understand where the mineral rights are, and
4 how we can get those --

5 MR. CARL SPENGLER: I understand what
6 you are trying to do. I appreciate what you are
7 trying to do because you are not just coming in
8 bull headed in.

9 MR. WILL FROST: There is also the
10 factor of it is something we have been trying to
11 track down at the State level of is the mine
12 technically terminated, or is it just abandoned.

13 MR. CARL SPENGLER: It is terminated.

14 MR. WILL FROST: Okay, thank you.

15 MR. CARL SPENGLER: They give up all of
16 the mineral rights. The County owns all of the
17 mineral rights, most of them, not all of them.
18 I forget who ended up with it. It is not
19 Peabody Coal like it was originally, but it is
20 terminated.

21 MR. WILL FROST: Simply just wanted to
22 mainly make the point that we are also looking
23 into the potential for continued mining. That
24 is another factor that would be a problem if we

1 thought there was a potential for continued
2 mining in the future underneath our facility
3 even in the general area. So, that is another
4 area that we are diligent around the abandoned
5 mine.

6 CHAIRMAN OVERHOLT: Okay. Thank you
7 very much. Any further comments from the
8 public? Any further discussion from the Board?

9 MS. HOWARD: Joann Howard. I am
10 reading the safety information. Can you explain
11 what thermal runaway is?

12 MR. WILL FROST: I am going to let --
13 Eric is going to -- yes, Eric will speak to this
14 far better than I can. So I am going to let
15 him.

16 MR. ERIC WOOD: My name is Eric Wood.
17 I am with ESRG. So, when we test batteries, we
18 set them on fire on purpose. So, we propagate
19 what is thermal runaway. Thermal runaway in
20 regards to a lithium ion battery means that it
21 has had some semblance of defect, whether it is
22 from manufacturing, or whether it is just a
23 mishap with the battery in and of itself because
24 it has been damaged at some point. What happens

1 is there is electrolyte that sits between two
2 metal shavings that makes up this battery. When
3 those things get damaged and they start rubbing
4 against each other, that electrolyte can't
5 contain itself, and now it starts increasing in
6 temperature. As it increases in temperature, it
7 starts to go out further. So, based on how
8 these batteries are made, and there is a lot of
9 different Lithium ion batteries that are out
10 there, they can go -- they all go into the
11 thermal runaway the same, but how they propagate
12 out is different based on the manufacturer. So,
13 thermal runaway is basically two big words for
14 big fire.

15 Now, in saying that having been testing
16 these batteries or a part of testing these
17 batteries for the last six years, I have seen
18 these systems get better from a testing
19 standpoint. When we started six years ago,
20 every test that came through our facility
21 failed. It didn't matter what we did to them.
22 Every single one failed. Now, over the last few
23 years we are seeing more tests pass. That's
24 because companies that manufacture these

1 batteries that go in and work with different
2 companies like East Point, they know what they
3 are looking for, and they know how to make these
4 batteries more intrinsically safe. So, we are
5 not seeing thermal runaway like what we were
6 years ago.

7 An example, there is a fire in Australia,
8 and we refer to that as a successful failure.
9 What I mean by that from the Lithium ion battery
10 standpoint is that even though it initiated
11 thermal runaway, it kept itself contained to
12 that one singular module. So, we are seeing
13 huge movements in positivity in regards to
14 Lithium ion than what we saw six years ago. And
15 because they are not even looking to do anything
16 for the next three years, that's just three more
17 years of movement towards the positive on what
18 this industry is doing, and they are doing
19 everything right in looking into this and how to
20 make things a better transition for this area.
21 Does that answer your question on thermal
22 runaway?

23 MS. HOWARD: Yes.

24 MR. ERIC WOOD: Maybe.

1 MS. HOWARD: I notice you discussed
2 different incidents that you had in the past
3 like in California, in Arizona. I think that's
4 good that we know about that, and that's all
5 related to thermal runaway?

6 MR. ERIC WOOD: Yes, but they were not
7 East Point. So, for clarity purposes they were
8 not their's.

9 So, battery energy storage systems have
10 been around since the early 2000s. So, just to
11 put it in perspective. So, these things have
12 actually been in place for over 20 years. The
13 difference is we haven't had the standards in
14 place like what we have now.

15 So, going back to this slide that I talked
16 about with NFPA and UL, those are all standards
17 in which we have to test to. So, NFPA 855 that
18 deals with the commissioning, decommissioning,
19 basically everything that has to do with these
20 energy storage systems is comprised of NFPA 855.
21 When we start talking about NFPA68 and NFPA69,
22 that's in regards to the ventilation aspect for
23 these types of containers. Then you start
24 talking about UL 9540 and UL 9540A, those are

1 underwriter laboratory standards that are met in
2 regards to how they are actually tested. So,
3 9540 and 9540A are actually two separate
4 entities written by underwriter laboratories.

5 Again all of these things have to fall
6 under those standards before they can even get
7 put out into the real world. That's why we test
8 them being that third party. So, companies come
9 to us, and they say hey, we have a product, we
10 want to try it, we want to test it, we want to
11 see what it does. We can take it from the very
12 basic cells.

13 So, to give you an idea there is a lithium
14 ion battery that is known as a 18650, and it
15 looks basically like a big AA battery. So, we
16 can take that cell, put it into thermal runaway,
17 and see what it does. Then the company will say
18 okay, we didn't like the way that went, we will
19 come back. So, then they come back, we test it.
20 Then when it does better, then they say okay, we
21 want to up our game a little bit, and now we are
22 going to put more of them together. So, then we
23 test more of them together. Then when they
24 start bringing more together, then they put it

1 into a module. Then that module is a little bit
2 bigger with now those batteries kind of
3 condensed together. Then that module when they
4 test it and say it fails, they say okay, we need
5 to change those parameters up and why that
6 failed. They bring it back to us. We test it
7 again. When it passes, they say okay, now we
8 want to go to a bigger system. Now we want to
9 see what that module does in a rack system. So,
10 now they have taken one module, and maybe now
11 they have made it six modules in one rack.
12 These things just keep getting bigger, and
13 bigger, and bigger until we end up at the end
14 where like the picture you saw earlier with the
15 conex container. That's the end result. That's
16 the end product of all this research and
17 development of starting from something that
18 small to getting something to like that. Every
19 test that they do to keep moving and progressing
20 forward they are meeting all their standards and
21 all those requirements.

22 MS. HOWARD: You say the industry is in
23 place for 20 years, 20 years this solar
24 industry?

1 MR. ERIC WOOD: Not the solar, the
2 battery energy storage. There has been these
3 out and around for the last 20 years. There
4 just has never been any standards.

5 MS. HOWARD: That's what I want to
6 know. The standards, could you give me an
7 estimate as to where they are right now? I mean
8 I know there has got to be several standards,
9 different types of standards --

10 MR. ERIC WOOD: Yes, ma'am.

11 MS. HOWARD: -- in the industry.

12 MR. ERIC WOOD: Up here under the
13 testing aspect. Those are --

14 MS. HOWARD: Those are the standards?

15 MR. ERIC WOOD: Yes, so the NFPA 855,
16 68 and 69, and then UL 9540 and 9540A. To give
17 you an idea within my company we have three
18 members that currently sit on the NFPA 855
19 committee. Two of those members just went to
20 the meeting in Nevada to actually revamp 855.
21 Because as these systems progress and get
22 better, the standards become more strict.

23 MS. HOWARD: Does the government play a
24 role in this?

1 MR. ERIC WOOD: So, NFPA is the
2 National Firefighter Protection Association.
3 Okay, you are asking does the federal government
4 play a role in how this works. To my
5 understanding, no. When these members sit on
6 this Board, it is engineers, it is firefighters,
7 it is fire inspectors. To my understanding it
8 is not anybody that actually is from the federal
9 government that oversees this. You can get on
10 line, and you can look up NFPA 855. You can
11 pull up the document, and you can actually see
12 within that first section who was a part of that
13 committee and who authors NFPA.

14 MS. HOWARD: That's within the
15 government?

16 MR. ERIC WOOD: No, no.

17 MS. HOWARD: You answered my question.

18 MR. ERIC WOOD: Okay.

19 MR. COPENBARGER: So, maybe this is for
20 Mr. Frost. Are the buildings, I will call them
21 buildings, are those actually containers to
22 contain if you have a problem within each of
23 those units, or is that not really true?

24 MR. WILL FROST: Are you talking about

1 these?

2 MR. COPENBARGER: He is talking about
3 thermal runaway. I was wondering if there was a
4 -- if that structure contains it so it doesn't
5 spread to the next one.

6 MR. WILL FROST: It is part of the
7 containment absolutely, and it is also
8 weatherization so that water is not going to get
9 into the enclosure, into the battery modules,
10 heavy high winds conditions aren't going to --

11 MR. COPENBARGER: Potentially to
12 contain fire.

13 MR. WILL FROST: It certainly can serve
14 that purpose, yes, it can serve that purpose,
15 but what we are seeing in some of these, this
16 New Zealand incident is the fire didn't even
17 move between the modules in the enclosure. So,
18 it is more of kind of a structural situation.

19 MR. ERIC WOOD: Can I borrow this?

20 MS. ADCOCK: Sure.

21 MR. ERIC WOOD: So, you take a battery,
22 right. You start off with the battery. As the
23 battery gets better, then we move into a module.
24 That module now takes these batteries, and now

1 they put more into one singular module. Then
2 what happens is is then these rack systems come
3 in like this, and I am a bad drawer, my daughter
4 does not get this from me. Okay. So, what
5 happens then is so just as an example, they will
6 take this module and say they put four of them
7 in a rack. Then you take something like this,
8 and then they will have multiple racks in a row.
9 Now, the nice thing with these systems is that
10 they have what's called a BMS, a battery
11 management system. What that battery management
12 system does, and it goes back to what he covered
13 a little bit ago is, it is twenty-four seven
14 monitoring of these systems. Somebody is
15 constantly evaluating what these systems are
16 doing, and each system is displayed directly in
17 front of that individual. So, if there is a
18 minor hiccup say in this one right here,
19 somebody off site picks it up right away, and
20 they go hey, we have a problem, and then we
21 start isolating what that issue is. Does that
22 make sense?

23 MS. ADCOCK: Yes. Can you continue
24 going further of what the plan is, you have

1 isolated the problem, then what?

2 MR. ERIC WOOD: So, that's where an
3 emergency response plan would come in, which is
4 something that we have written. I have written
5 multiple of these. Basically what that is we
6 come in prior to the commissioning of this. So,
7 we work with East Point from start to finish.
8 We would come in, and then we would start out
9 with we are evaluating the site along with him.
10 We look at everything. We kind of take that
11 emergency management agency approach. This is
12 how we look at these. Then we say what are the
13 immediate factors that we are looking at. What
14 are the big things that a Fire Department would
15 have to be mainly aware of in dealing with
16 something like this. Then we have a document
17 that we draw up that covers what type of make
18 and model it is that they are dealing with, and
19 then we start breaking all of those things down,
20 so megawatt hours. The entirety of this system
21 goes into this actual emergency response plan on
22 top of how the Fire Department should handle it
23 should something go awry.

24 So, it gives them basically their own play

1 book on how to deal with this because this is
2 brand-new. Firefighters they look at this, and
3 they go we don't know what to do, and we go we
4 got you. We are going to take care of you. So,
5 we come out, and we train in conjunction with
6 East Point on how to mitigate any situation that
7 occurs in any environment like this.

8 MS. ADCOCK: How often do you come out
9 and train?

10 MR. ERIC WOOD: So, we train at the
11 behest of the company and the department. So,
12 our recommendation when we write these ERPs is
13 to train annually. That's our recommendation,
14 and it is within our ERP. There is other
15 companies that do the same thing that we do.
16 So, I can't speak on those other companies, but
17 within our emergency response plan it is noted
18 in ours that they should maintain it annually.
19 Then we request annual training as well, whether
20 that's with us or another entity of their
21 choice.

22 MS. ADCOCK: On Page 21 of the document
23 it says there is a subject matter expert that
24 will be available for consult. So, are you the

1 consult?

2 MR. WILL FROST: To speak a bit more
3 that side of things, part of this emergency
4 response plan will be that communication chain.
5 In all likelihood we will be the first people to
6 identify an issue before it has turned into a
7 response type situation, and we will be the ones
8 to reach out to the local departments.

9 If that for some reason isn't the case,
10 local departments will have the appropriate
11 contact information for someone who is ready to
12 respond to any kind of incident that they can
13 call as soon as something occurs. We are, as a
14 company we are still building out our asset
15 management strategy and that branch of our
16 company to understand if we are going to have an
17 individual in Illinois who can actively respond
18 to those things or someone who is a short flight
19 away in order to respond to such an incident,
20 and by respond meaning supporting the local
21 responders as they follow the emergency response
22 plan for the initial phase of that response.

23 I kind of speak a bit to that asset
24 management thing, given we have three years

1 until this project is going to be constructed,
2 we are going to have that team built out and
3 have a lot of experience across that team by the
4 time this project is going through an emergency
5 response plan development process.

6 MS. ADCOCK: I have a lot of questions.
7 So, if we have a cell or whatever that we have
8 identified as hot, et cetera, is there a
9 procedure for de-energizing that? There is no
10 off switch?

11 MR. ERIC WOOD: No, unfortunately there
12 is not. When a battery goes into thermal
13 runaway, there is no off switch. So, that's why
14 we are discussing the New Zealand. So, that's
15 where we have seen that progression now get to,
16 where it is no longer propagating, meaning going
17 all of the way out of that module. It just
18 contains itself within that module. So, it is a
19 successful failure. It is kind of an odd thing
20 to say, but it is what's there.

21 MR. WILL FROST: Eric, correct me if I
22 am wrong, but there are several, I wouldn't go
23 as far as to say several, there are indicators
24 that there is something wrong with the cell

1 before it runs into thermal runaway.

2 MS. ADCOCK: You are having someone
3 looking at the automation all of the time that
4 should see the heat indicator, et cetera.

5 MR. WILL FROST: Yes, things can be
6 mitigated before they run into --

7 MS. ADCOCK: So, that's what I am
8 asking. What is the mitigation so that it
9 doesn't turn into a thermal runaway?

10 MR. WILL FROST: So, it is the constant
11 monitoring of the systems. So, we will -- there
12 will be -- we can start venting the system for
13 any type of off-gassing that might be occurring.
14 The temperature of the cells will be monitored,
15 or I believe the module level will be monitoring
16 temperature to see if there is any risk of
17 deviating past a set range, which might indicate
18 we are heading in the direction of thermal
19 runaway, and be able to shut down a portion of
20 the system before we see it get into an area of
21 concern, and have someone go out and check that
22 module before it gets turned back on and
23 re-energized. So, there are pathways to
24 identify issues before they arise, but to Eric's

1 point if thermal runaway is initiated, it is an
2 issue.

3 MS. ADCOCK: Okay. Can you walk me
4 through the shutdown system, how is that
5 engaged?

6 MR. WILL FROST: You are going to give
7 a better answer on that one.

8 MR. ERIC WOOD: It depends. It depends
9 on who they have contracted out with and what
10 their step procedures are. So, there is
11 different variations in shutting things down.
12 It can be shut down remotely from the call
13 center. Then there are other defaults on the
14 outside of the containers that are referred to
15 as either E stops or F stops. We do implement
16 those in our ERPs as well, but that is not a
17 recommendation we make to the Fire Department to
18 utilize. So, that is more on the company's side
19 and those subject matter experts in that
20 specific system in how to utilize that. But
21 there are opportunities within the container to
22 push to try and prevent and shut that system off
23 line for that temporary aspect.

24 MS. ADCOCK: Okay. Remind me what E

1 stop and F stop stands for.

2 MR. ERIC WOOD: It is an emergency stop
3 is the E stop, and I am drawing a blank on the F
4 stop.

5 MS. MAGGIE HOWE: I think it is a full
6 stop.

7 MR. ERIC WOOD: Thank you.

8 COURT REPORTER: I am sorry, your name?

9 MS. MAGGIE HOWE: Maggie Howe, H-O-W-E.

10 MS. ADCOCK: That's cutting off the
11 energy to the system?

12 MR. ERIC WOOD: In theory.

13 MS. ADCOCK: So, when we are
14 recommending that the company come to select
15 that, so that's when you are talking about the
16 short flight, the short flight for your company
17 to arrive to mitigate the situation?

18 MR. WILL FROST: If there is need for
19 additional expertise on the facility, yes. We
20 will almost certainly send someone even if there
21 isn't the need.

22 MR. ERIC WOOD: That's industry
23 standard.

24 MR. WILL FROST: Yes.

1 MR. COPENBARGER: Dave Copenbarger. I
2 am reading in your, it was your special use
3 permit application addendum, fire safety, in
4 consultation with Christian County Emergency
5 Director Jeff Stoner, East Point will determine
6 the appropriate system for ensuring access to
7 water for emergency response purposes. It is
8 not recommended to use water directly on a
9 battery enclosure fire as it is more likely to
10 exacerbate the incident. Instead, water during
11 a fire incident will offer its greatest use by
12 keeping surrounding vegetation wet during a
13 response event to ensure a fire does not spread
14 outside the facility. So, pretty much if I am
15 reading that, Midland Fire will do perimeter
16 control, and stay away, and spray grass if it
17 starts spreading beyond your facility.

18 MR. WILL FROST: Correct. They will
19 spray grass before it spreads.

20 MR. COPENBARGER: Thank you.

21 MR. WILL FROST: As we bring additional
22 expertise onto the site if they identify any --
23 say a fire does spread to an entire enclosure,
24 they will be there to assess the risk level of

1 that propagating to another enclosure, and then
2 they can take defensive tactics to ensure that
3 that propagation doesn't occur. So, that is
4 another level of, potential level of the
5 response.

6 MR. COPENBARGER: Thank you.

7 MS. ADCOCK: The enclosures try to
8 mitigate this gas release?

9 MR. ERIC WOOD: Yes. So, that's with
10 NFPA 68 and 69. That discusses the ventilation
11 aspects in regards to battery storage systems.

12 MS. ADCOCK: How many pounds of lithium
13 is this?

14 MR. WILL FROST: Lithium specifically I
15 don't -- the enclosures themselves depending on
16 the supplier we select can be 30 tons each,
17 right?

18 MR. KYLE JENKINS: Yes, that's
19 inclusive of all the steel.

20 COURT REPORTER: I am sorry, you will
21 have to state your name.

22 MR. KYLE JENKINS: Kyle Jenkins from
23 East Point Energy. Thirty tons number is not
24 just Lithium. It is inclusive all of the metal,

1 all of the electrical components inside of that.
2 So, that's just the gross weight of the
3 container itself.

4 MR. COPENBARGER: Mr. Chairman, have we
5 allowed the public to comment?

6 CHAIRMAN OVERHOLT: Yes, we have.

7 MR. COPENBARGER: The public is done
8 commenting, is that correct?

9 CHAIRMAN OVERHOLT: Yes.

10 MR. WILL FROST: If I may just to speak
11 to some outreach that we have done to the
12 surrounding properties, we have sent several
13 notices to the immediately adjacent landowners
14 asking for any collaboration on drainage that
15 might be, ways we can benefit or improve their
16 properties as we are constructing. We sent
17 notice to everyone within a mile and a half of
18 the project site of this special use permit
19 hearing. We also invited everyone within a mile
20 and a half to a community meeting, which we held
21 last month. We did a little radio interview
22 last week with Randy Miller's station as well as
23 paid for an advertisement on the radio station
24 as well as the Breeze Courier. We haven't heard

1 a ton back from individuals, but just wanted
2 everyone to know that we have done everything
3 that we can to make sure that people are aware
4 of the project, and have an opportunity -- they
5 have had my contact for at least a month at this
6 point.

7 MS. ADCOCK: Adrian, I have one more
8 question. In the application it indicated that
9 you hadn't actually decided which medium you
10 would use given it is four years out.

11 MR. WILL FROST: East Point is
12 technology agnostic. So, we don't make a
13 selection on the specific technology or the
14 specific supplier until we are ready to
15 construct, or until we know we are getting to a
16 space where we are going to be able to
17 construct. That is largely because of how
18 quickly these storage technologies are
19 developing. Our expectation is that in the next
20 three years it is going to remain Lithium ion as
21 being the front runner for these types of
22 systems, but we are going to pick the best
23 solution for every situation that we are in,
24 every project that we develop. So, we like to

1 keep that a bit more open-ended to allow us to
2 use the most advanced technology, the safest
3 solution for the system, as codes continue to
4 develop, as technologies continue to mature, and
5 items like that.

6 MR. GOODRICH: Who protects the
7 facility? That looks like an unmanned site,
8 correct? Is there a human being on it?

9 MR. WILL FROST: So, the facility will
10 have an eight foot security fence around it with
11 plenty of surveillance around the system and any
12 necessary security lighting. An individual
13 doesn't really need to be on the facility except
14 every couple weeks to do some visual spot
15 checks, and any maintenance of ground within the
16 fence line. There will be -- the security is
17 going to be pretty typical to what you see on a
18 substation, just around town where you see
19 cameras surrounded with a locked gate in front
20 of the facility. We are also -- as we design
21 the fence around the system, we are also
22 considering any intrusion from wildlife as well,
23 knowing there might be deer in the area ensuring
24 that a deer isn't going to hop the fence and be

1 stuck in the storage facility. So, we are
2 taking things like that into consideration too
3 as we finalize that fence plan.

4 MR. GOODRICH: The local police would
5 be the ones actually going out if there, if your
6 camera caught something. It wouldn't be an
7 employee from the energy --

8 MR. WILL FROST: We would likely reach
9 out to the local Police Department, yes, for a
10 response if we found somebody actively entering
11 the facility. We would need that immediate
12 response. Yes, that would be my understanding;
13 and I will admit I have not spoken to the Police
14 Chief with Christian County.

15 MR. GOODRICH: That's all that I have.

16 MR. COPENBARGER: Dave Copenbarger,
17 Zoning, I am reading through your economics and
18 tax. It sounds like it is such a new,
19 especially to maybe our County, we maybe
20 struggling a bit to figure out the taxation, is
21 that correct?

22 MR. WILL FROST: Yes. I will elaborate
23 on that as briefly as I can. This has been a
24 pain point for me for several months developing

1 all across the State. So, apologies if I lament
2 a little bit.

3 Illinois has no personal property tax,
4 which these systems assessors have been told to
5 assess them as personal property. So, the only
6 real change in taxes that we can see right now
7 if we were to build a system today without any
8 prior agreements in place is a four to five fold
9 increase in the real property taxes of the
10 property itself. That four to five fold
11 increase I worked with Chad Coady to try to get
12 a general assessment of similar type properties
13 in the area to get that. That being said these
14 systems are not going to be built if there are
15 no tax benefits that they provide, and we
16 understand that. We wouldn't want these systems
17 to be built without them providing the benefits
18 to the communities we are bringing them to. So,
19 there is guidance provided by the State for the
20 taxation of wind and solar, as I am sure you are
21 all very aware of. We fully expect that to be
22 brought over to energy storage. It is just a
23 matter of when. We are not sure. The
24 legislature's eyes are turning some different

1 directions right now. We are trying to get it
2 put on taxes because it is a big problem. The
3 systems need to generate tax revenue.

4 So, what I did in that addendum was did a
5 bit of an analysis of where I think that
6 guidance might end up, and in the meantime I
7 have been talking with economic development,
8 with Chad Coady, with several other assessors in
9 this State who have dealt with some of these
10 systems, and we are some of the first people to
11 deal with solar and wind, and before that
12 guidance was put in place to try to find
13 pathways to bridge that gap, if there is a gap
14 between us constructing a facility and there
15 being guidance from the State.

16 So, we have got time to continue those
17 conversations as things move on. I have every
18 hope and expectation that within three years
19 they will have provided some guidance for these
20 systems, but I will continue to communicate our
21 willingness and interest in trying to find some
22 bridge if there is a need for that bridge to
23 make sure that the County is receiving the
24 benefit.

1 MR. COPENBARGER: So, if it does
2 compare to solar, then you are okay with that
3 tax rate?

4 MR. WILL FROST: The rate will be
5 different. The rate is based off of an
6 assessment of the cost of the technologies, and
7 which portions they can justifiably attribute to
8 real property. When looking at solar, I believe
9 it is about 15 percent of the overall
10 engineering procurement and construction cost of
11 a facility. From my assessment there I dropped
12 that percentage to 5 for storage largely because
13 it is a significantly smaller footprint, and the
14 portion of the property that is actually, or the
15 portion of the system that is actually personal
16 property, i.e., the batteries and the modules
17 and all of that is -- my assumption is that that
18 will not be attributed to real property. That
19 will stay as real property where we will see
20 that 5 percent because there is just generally
21 less infrastructure that's needed for one of
22 these facilities. Then applying that to the
23 acreage that we are building on, that's where
24 that figure came from.

1 CHAIRMAN OVERHOLT: Any further
2 questions? If no Members of the Board have any
3 further questions, there is no member of the
4 public that wishes to comment any further, I
5 think we are ready for a vote.

6 MS. ADCOCK: I would make a motion that
7 we seek counsel given the newness of the
8 technology, the Peabody Mine 10 proximity, and
9 the factors in consideration, and then continue
10 deliberation at the November meeting.

11 CHAIRMAN OVERHOLT: So, I take it your
12 motion is to table?

13 MS. ADCOCK: To seek counsel for this
14 application regarding proximity to Peabody 10
15 and the factors in consideration.

16 CHAIRMAN OVERHOLT: And furthermore
17 table this matter until the appropriate time.

18 MS. ADCOCK: Until we can have outside
19 counsel to review it so we can continue to
20 deliberate.

21 CHAIRMAN OVERHOLT: I understand. All
22 in favor of Adrian's motion?

23 MS. HOWARD: I am sorry, what was the
24 motion?

1 MS. ADCOCK: The motion is to have
2 counsel review the application considering
3 proximity to Peabody mine and the other factors
4 in consideration.

5 MS. HOWARD: Which counsel?

6 MS. ADCOCK: Mary.

7 MS. HOWARD: Okay.

8 CHAIRMAN OVERHOLT: We need a second on
9 this.

10 MR. COPENBARGER: I will second that.

11 MS. HOWARD: I will second.

12 CHAIRMAN OVERHOLT: We have a second.

13 All in favor say aye.

14 ZBA MEMBERS: Aye.

15 CHAIRMAN OVERHOLT: Opposed. We need a
16 motion for adjournment.

17 MS. ADCOCK: I will make a motion.

18 MS. HOWARD: I will second.

19 CHAIRMAN OVERHOLT: Motion is made and
20 seconded. Would you go ahead with the
21 roll-call.

22 MR. BLAKE TARR: Yes, sure can. Joann
23 Howard.

24 MS. HOWARD: Yes.

1 MR. BLAKE TARR: Glen Goodrich.

2 MR. GOODRICH: Yes.

3 MR. BLAKE TARR: Dave Copenbarger.

4 MR. COPENBARGER: Yes.

5 MR. BLAKE TARR: Adrian Adcock.

6 MS. ADCOCK: Yes.

7 MR. BLAKE TARR: Jim Overholt.

8 CHAIRMAN OVERHOLT: Yes. The meeting
9 is adjourned.

10 (Which were all of the proceedings
11 had on this meeting as of this
12 date.)

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1 STATE OF ILLINOIS)
) SS
2 COUNTY OF CHRISTIAN)

3

4 I, Sandra K. Haines, a Notary Public and
5 Certified Shorthand Reporter, do hereby certify
6 that on October 24, 2023 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 31st day
13 of October, 2023 at Taylorville, Illinois.

14

15

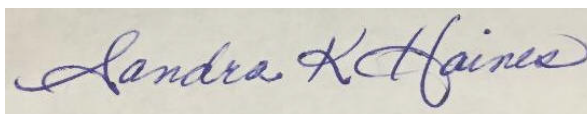
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