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IN THE MATTER OF:  
CHRISTIAN COUNTY ZONING

ZONING BOARD OF APPEALS HEARING

SEPTEMBER 16, 2024

Court Reporter: Rhonda Rhodes Bentley, CSR  
License No. 084-002706  
Area Wide Reporting Service  
800-747-6789

1 CHRISTIAN COUNTY  
2 ZONING BOARD OF APPEALS  
3 SEPTEMBER 16, 2024  
4 1:00 P.M.

5 ZONING BOARD:

6 Ms. Adrian Adcock, Chairman

7 Mr. David Copenbarger

8 Mr. Len Corzine

9 Mr. Joe Dorr

10 Mr. Glen Goodrich

11 Ms. Janet DeClerck

12

13 ALSO PRESENT:

14 Mr. Blake Tarr

15 Ms. Mary Barry, Assistant State's Attorney

16 Mr. Jarred Rahar, Attorney

17 Mr. Cliff Frye

18 Mr. Don Wauthier

19 Mr. Brian Burge

20 Mr. Steve Brockelsby

21 Mr. Randy Mitchelson

22 Mr. Mark Bauman

23 Ms. Christy Winer

24 Ms. Nicole Barreto

Ms. Patricia Kuciel

Mr. Danny Anderson

1 1:08 p.m.

2 PROCEEDINGS

3 CHAIRMAN ADCOCK: I'd like to call the  
4 meeting to order. Blake, can we have a roll call  
5 please.

6 MR. TARR: Sure. Adrian Adcock.

7 CHAIRMAN ADCOCK: Here.

8 MR. TARR: Craig Berner.

9 Absent.

10 Dave Copenbarger.

11 MR. COPENBARGER: Here.

12 MR. TARR: Len Corzine.

13 MR. CORZINE: Here.

14 MR. TARR: Joe Dorr.

15 MR. DORR: Here.

16 MR. TARR: Glen Goodrich.

17 MR. GOODRICH: Here.

18 MR. TARR: Joann Howard.

19 Janet DeClerck.

20 MS. DeCLERCK: Here.

21 MR. TARR: And Nichole Lanham.

22 Okay. We have a quorum.

23 CHAIRMAN ADCOCK: The first item of  
24 business is to approve the minutes from August

1 29, 2024, held at 1 p.m. Is there a motion?

2 MR. GOODRICH: Glen Goodrich. I'll  
3 make the motion.

4 CHAIRMAN ADCOCK: And second?

5 MR. CORZINE: Second.

6 CHAIRMAN ADCOCK: Len Corzine second.

7 Any discussion? I know these were  
8 sent electronically. I did find a few  
9 corrections. On page 23, line 17, read: We  
10 already have a creek that runs the back of the  
11 houses, and the runoff of Dr. Hill's farm fields  
12 -- and would be Dr. Gill's.

13 On page 26, line 8: That's the  
14 problem as well as now I have to worry about  
15 watering getting in. It should be water getting  
16 in.

17 Page 50, line 1, we were referring to  
18 how the seeding was going underneath the panels.  
19 So page before says: Thank you. That's not  
20 going to be easy to see underneath those panels,  
21 and it should be seed underneath those panels.

22 On page 55 line 6. So we were  
23 talking about getting additional information  
24 about the sheep grazing and on line 6 it says

1 grading, and the same correction on page 57, line  
2 17. Again it reads -- it says sheep grading and  
3 it should be grazing.

4 Does that sound reasonable, everyone?

5 ZBA MEMBERS: Yes.

6 CHAIRMAN ADCOCK: Okay. So can I  
7 have an amended motion, please?

8 MR. GOODRICH: I'll make the amended  
9 motion.

10 CHAIRMAN ADCOCK: Okay. Glen  
11 Goodrich first.

12 MR. CORZINE: Sure. I'll second.

13 CHAIRMAN ADCOCK: Corzine second.

14 All those in favor.

15 ZBA MEMBERS: Aye.

16 CHAIRMAN ADCOCK: All those opposed.

17 The motion carries.

18 Second item of business we have a  
19 Special Use Application from Central Commodity  
20 FS. The parcel number of the property that is  
21 affected by the application is  
22 14-24-23-409-002-00. The property currently does  
23 not have an address but is located on Grand (four  
24 parcels between Clay and Grand) Street in

1 Rosamond in Rosamond Township. The application  
2 that Central Commodity FS completed is zoned  
3 Residential 1. They would like to put solar  
4 panels on the property. The property is  
5 currently grown up in weeds.

6                   So if I understand correctly, we had  
7 actually heard about this solar parcel in  
8 Rosamond in the spring. It was by the railroad  
9 tracks and they were looking for a variance and  
10 they're wanting to move that.

11                   So would you like to come forward,  
12 please, and spell your name for Rhonda.

13                   MR. BAUMAN: Sure. Thank you. Mark  
14 Bauman, M-a-r-k B-a-u-m-a-n.

15                   MARK BAUMAN,  
16 having first been duly sworn, testifies as  
17 follows:

18                   MR. BAUMAN: I have the notice here.  
19 So as we said in the spring we applied for a  
20 variance on the property which was approved, and  
21 if you'll open the first page you'll see the  
22 approved side. I apologize. It's in black, but  
23 you can see where it says approved, and then to  
24 the right and a little above, it says proposed

1 site.

2 MR. TARR: Thank you.

3 MR. BAUMAN: We were able to purchase  
4 that second property somewhat recently. The  
5 original property was fine for our approved site,  
6 although there's an area in that site that the  
7 farmers use currently to turn their trucks  
8 around, line up for our scales, and there's a  
9 power pole on the east side of that property that  
10 feeds a switch for the Union Pacific rail line  
11 there that I was afraid we'd have to move because  
12 we were going to move the turnaround and I  
13 thought maybe a semi would hit it.

14 So those are a couple reasons why  
15 we're looking at this second site, which is  
16 similar in size, and if you flip to the next page  
17 you can see the proposed solar array layout, and  
18 the one that was approved on the left will be the  
19 same size. So we're basically moving the same  
20 size solar project that was already approved this  
21 spring into that new property that you saw on the  
22 prior page.

23 If you'll flip to the next page, I've  
24 got some additional photos. You can see that the

1 property along the Union Pacific there on the  
2 left, that was the approved site. On the right  
3 that is a picture of the new site from the south.

4 As Adrian stated, it was grown up in  
5 weeds. Since we purchased the property, we have  
6 had it mowed. So you can see the outline a  
7 little bit better, but it's a little bit of an  
8 L-shaped property. That's a view from the south.

9 There's farm ground to the east and  
10 then some grownup weeds to the west. A view from  
11 the north looking south we can see and then also  
12 from the east looking west towards Rosamond, and  
13 I think the view from the south's a repeat.

14 Basically just wanted to take the  
15 site that was already approved here this spring,  
16 move it to the new property that was purchased.  
17 I feel like it will be a better site for us and  
18 hopefully the people of Rosamond as well.

19 CHAIRMAN ADCOCK: Thank you.

20 Any comments or questions from the  
21 board?

22 MR. DORR: All the neighbors have  
23 been notified?

24 MR. TARR: Yes, they sent out



1 notification letters prior to the hearing.

2 MR. DORR: Nobody complained?

3 MR. TARR: No. Nobody responded.

4 CHAIRMAN ADCOCK: Mr. Copenbarger.

5 MR. COPENBARGER: Dave Copenbarger.

6 So the approved site -- I was a little  
7 confused -- you're not putting solar panels in  
8 now, correct?

9 (Mr. Rahar entered the room.)

10 MR. BAUMAN: Correct.

11 MR. COPENBARGER: Okay.

12 MR. BAUMAN: Yeah, the new site would  
13 be the existing panels --

14 MR. COPENBARGER: Because of the  
15 difficulties with the power lines and turnaround  
16 and whatnot?

17 MR. BAUMAN: Correct.

18 MR. COPENBARGER: Okay.

19 CHAIRMAN ADCOCK: Any more questions  
20 from the board?

21 MR. CORZINE: Len Corzine. Mark, the  
22 proposed site, is that one you just recently  
23 purchased then?

24 MR. BAUMAN: It is.

1                   MR. CORZINE: That's what was grown  
2 up in weeds?

3                   MR. BAUMAN: It was.

4                   MR. CORZINE: Okay. Thanks.

5                   CHAIRMAN ADCOCK: Okay. No one here  
6 from the public is here to speak on this  
7 proposal, correct?

8                   MR. TARR: No.

9                   CHAIRMAN ADCOCK: Okay. All right.  
10 Thank you.

11                   MR. BAUMAN: Thank you.

12                   CHAIRMAN ADCOCK: Blake would like to  
13 read a portion of the code that's applicable to  
14 this project.

15                   MR. TARR: Yeah. I thought this  
16 would be handy for the board. So I just want to  
17 share as a point of information. Under 1-6-31 of  
18 our Wind/Solar Individual-Personal Solar Energy  
19 System.

20                   A portion of our ordinance does allow  
21 for this type of system as a small commercial  
22 use. Therefore, according to our ordinance it is  
23 permitted to have something like this in a  
24 residential-zoned area.

1 I'd also like to point out that we  
2 did make some updates as far as screening and  
3 fencing. So that would -- that should apply to a  
4 project of this scope as well.

5 CHAIRMAN ADCOCK: Any additional  
6 questions?

7 MR. CORZINE: Len Corzine. Blake, on  
8 our ordinance we had a question over in  
9 Assumption on differentiating between commercial  
10 and private. I always thought the difference was  
11 if you're selling into the grid, it's commercial  
12 and if you're in your own use primarily, it's not  
13 considered; am I correct?

14 MR. TARR: And that's correct. So if  
15 I continue on with this portion of the ordinance,  
16 it says small commercial use that is primarily  
17 used to reduce on-site consumption of utility  
18 power. So that is correct.

19 MR. CORZINE: So this would not be  
20 considered commercial then, correct?

21 MR. TARR: Right. Correct.

22 Yeah. I would also -- you know, we  
23 made a lot of changes to the ordinance, and part  
24 of the -- some of the discussion we had is this

1 would also be applicable -- applicable with some  
2 of the changes to be inspected at a commercial  
3 level from a third-party engineering firm.

4                   So we don't necessarily do that with  
5 residential construction, but commercial and  
6 anything considered small commercial use would  
7 have to be, you know, moving forward for those  
8 changes.

9                   MR. DORR: And FS is current on the  
10 changes, like the fencing and --

11                   CHAIRMAN ADCOCK: On the fence they  
12 were required to -- by Morrisonville to have the  
13 fence, yes.

14                   MR. TARR: Uh-huh. It was in an  
15 industrial district, but it was still within  
16 municipal limits. So I think that's why the  
17 board mandated that, and that was prior to it  
18 having -- having that as a must-do in the  
19 ordinance, which we do now.

20                   MR. COPENBARGER: So -- Dave  
21 Copenbarger. This -- I think I know the answer  
22 but I'm going to ask. This is a new permit?

23                   MR. TARR: Uh-huh.

24                   MR. COPENBARGER: It's not

1 transferring of the old permit that's along the  
2 railroad, right?

3 MR. TARR: Right.

4 MR. COPENBARGER: That's a separate  
5 parcel, correct? That's correct, isn't it? It's  
6 not a change, it's a new one, correct?

7 CHAIRMAN ADCOCK: They are actually  
8 technically not going to build it there.

9 MR. COPENBARGER: Well, it's a  
10 different property so I think it would have to  
11 be.

12 MR. TARR: That's what I --

13 CHAIRMAN ADCOCK: Okay. So yes,  
14 that's why it was put through as a new one.

15 MR. CORZINE: Len Corzine. Then the  
16 question would be do we need to nullify the other  
17 permit. I was thinking the other way, but since  
18 it's a change from the one that's been approved.  
19 Am I right? And you would be, I presume, FS  
20 would be okay with that?

21 CHAIRMAN ADCOCK: In agreement with  
22 that.

23 Would you have any problem with that?

24 MR. BAUMAN: I have no problem with

1 that.

2 CHAIRMAN ADCOCK: Okay. Any other  
3 questions?

4 Okay. So I think we're looking for a  
5 motion that -- to approve this request with the  
6 fence and inspection by Hurst-Rosche. Do we have  
7 a motion?

8 MR. DORR: Do we need to make a  
9 motion to get rid of the old one?

10 CHAIRMAN ADCOCK: Okay. So we'll do  
11 two.

12 MS. BARRY: You want to start and  
13 make sure the new one passes.

14 CHAIRMAN ADCOCK: Okay. We'll do the  
15 first one and then we'll go through and nullify.

16 Okay. So do we have a motion to  
17 approve this parcel with a fence and inspection  
18 by Hurst-Rosche.

19 MR. DORR: I'll make that motion.

20 CHAIRMAN ADCOCK: Okay. Dorr.

21 MR. CORZINE: Second.

22 CHAIRMAN ADCOCK: Corzine second.

23 Roll-call vote please.

24 MR. TARR: Janet DeClerck.

1 MS. DeCLERCK: Yes.

2 MR. TARR: Glen Goodrich.

3 MR. GOODRICH: Yes.

4 MR. TARR: Joe Dorr.

5 MR. DORR: Yes.

6 MR. TARR: Len Corzine.

7 MR. CORZINE: Yes.

8 MR. TARR: Dave Copenbarger.

9 MR. COPENBARGER: Yes.

10 MR. TARR: And Adrian Adcock.

11 CHAIRMAN ADCOCK: Yes.

12 MR. TARR: Motion carries.

13 CHAIRMAN ADCOCK: All right. And

14 then the next is to nullify the special use that

15 was granted earlier this year for the parcel that

16 is along the UP.

17 MR. DORR: I'll make that motion.

18 CHAIRMAN ADCOCK: Okay. Dorr.

19 Do we have a second?

20 MR. CORZINE: I'll second.

21 CHAIRMAN ADCOCK: Okay. Roll-call

22 vote please.

23 MR. TARR: Dave Copenbarger.

24 MR. COPENBARGER: Yes.

1 MR. TARR: Len Corzine.  
2 MR. CORZINE: Yes.  
3 MR. TARR: Joe Dorr.  
4 MR. DORR: Yes.  
5 MR. TARR: Glen Goodrich.  
6 MR. GOODRICH: Yes.  
7 MR. TARR: Janet DeClerck.  
8 MS. DeCLERCK: Yes.  
9 MR. TARR: Adrian Adcock.  
10 CHAIRMAN ADCOCK: Yes.  
11 MR. TARR: Motion carries.  
12 CHAIRMAN ADCOCK: Okay. Thank you.  
13 Now we have a continuation of the  
14 Skyline Solar Project. Would a representative of  
15 Skyline please come forward and state and spell  
16 your name for Rhonda.  
17 MS. WINER: Okay. I'm Christy Winer  
18 from Cypress Creek Renewables.  
19 CHAIRMAN ADCOCK: You'll need to  
20 spell your name for the court reporter.  
21 MS. WINER: It's Christy,  
22 C-h-r-i-s-t-y, Winer, W-i-n-e-r.  
23 CHRISTY WINER,  
24 having first been duly sworn, testifies as



1 follows:

2 MS. WINER: Good afternoon. Thank  
3 you so much for including us in this meeting and  
4 taking the time to meet with us.

5 The Skyline Solar Project is  
6 currently under construction. It is not  
7 operational yet. Of course, we've had a few  
8 headaches and frustrations along the way,  
9 particularly with drainage. Of course, there's  
10 always headaches and frustrations about drainage.

11 So we're here to definitely be a part  
12 of the solution. I'd like to report on a couple  
13 things going on as well as field additional  
14 comments/discussion as well.

15 Like I said, although the panels and  
16 the piles are in, it is still an active  
17 construction site. It is not commercially  
18 operational. It will not be for a little while  
19 longer. A significant portion of that electrical  
20 work is also already done. Now it's more going  
21 into the civil and landscaping side.

22 So last week we, you know, laid the  
23 -- started the herbicide on the project, and this  
24 week actually the vegetative buffer is getting

1 installed, and there's copies of our landscape  
2 plan here. If anyone doesn't have a copy, please  
3 let me know, but you can see, I think,  
4 particularly on page 2 --

5 CHAIRMAN ADCOCK: Would you mind  
6 distributing that.

7 MS. WINER: Yes.

8 CHAIRMAN ADCOCK: Thank you.

9 MS. WINER: We will also distribute  
10 copies of our vegetative management plan.  
11 Actually you have a copy. Got a copy. Okay. Do  
12 you need a copy?

13 MR. RAHAR: No. We can share.

14 MS. WINER: All right. So, of  
15 course, a bare site especially with construction  
16 activities compact the soil a little bit. We  
17 actually did not grade the site. It's still in  
18 natural grade in the array area, but the soil  
19 will get compacted through that time.

20 Like I said, this vegetative buffer,  
21 if you turn it portrait mode so that north is,  
22 you know, true, particularly the southeast  
23 vegetative buffer and the southwest vegetative  
24 buffer. You know, this will be a very dense

1 buffer. It's actually getting installed this  
2 week. A lot of what's getting in there --  
3 getting installed, for example, trees are getting  
4 installed at 6 feet in height and will only grow  
5 from there. They're not, you know, very small  
6 saplings. As well as adding to the density here,  
7 additional shrubs. There's a list of the actual  
8 species and the heights and diameters. I would  
9 share with you -- oh, planted on -- in the first  
10 page, the cover page.

11                   So this is -- everything started to  
12 go in this week, and that way that will actually  
13 screen not only the whole site from an esthetics  
14 perspective but will contribute to helping reduce  
15 -- reduce the drainage, the runoff.

16                   Not only that but next week we are  
17 also starting to seed the site. So it's pretty  
18 bare out there right now. It's actually -- not  
19 totally bare, but it is bare out there a little  
20 bit, and we will be planting the seeds that are  
21 listed -- vegetative -- oh, here we go. I  
22 apologize for the small font, but it is on page  
23 8 -- yes, L8 and L9. These are the species that  
24 are getting planted. It's a mixed, both outside

1 of the array. So what appears bare right now  
2 outside of the array, particularly out by the  
3 driveway entrance, will be seeded as well as the  
4 array mix that goes within the fenced area. So  
5 this is all getting in -- seeded in next week.

6                   I also know, of course, this is not a  
7 one-time conversation. This is an ongoing  
8 conversation. You know, of course, we've had  
9 some meetings as well with Don. We met Cliff  
10 this morning. We met Bryan. We met Steve. So  
11 this really -- you know, my goal here is for this  
12 to be an ongoing conversation. You guys know the  
13 area better than anybody. You know, the drainage  
14 better than anybody. We've already had some  
15 discussions about the ditch, that roadside ditch,  
16 which it sounds like that landowner may not be  
17 open to an expansion of that ditch, but there's  
18 other solutions that we're investigating,  
19 including the option of potentially a drain tile  
20 on the site.

21                   We're not familiar with the drain  
22 tiles that are existing on-site, but I think we  
23 may just start with a drain tile survey first.

24                   But yeah, I want to continue these

1 ongoing conversations. When the site is  
2 operational, we have signs on the gates that say  
3 here's the number to call if you have any issues  
4 with this site.

5           Like I said, I'm from Cypress Creek  
6 Renewables. We've been developing this project  
7 from the beginning. We own it. We're going to  
8 operate it. We're here, you know, we're always  
9 here for any feedback or any discussions. Also,  
10 I have my business card if anybody would like a  
11 copy of that.

12           So I wanted to just recap and provide  
13 a high level summary. I'm not an engineer  
14 personally, but we do have our civil engineering  
15 consultant here as well as one of the guys from  
16 Pepper Construction and Nicole, our EPC manager  
17 as well. So a number of people that should be  
18 able to help provide different perspectives  
19 depending on the different questions we get here.

20           I'm also interested in learning more  
21 about -- I know the city has some planned  
22 activities with cleaning out that ditch and then  
23 potentially replacing some culverts. You know,  
24 there was an issue with a manhole further down

1 the road. So I would love to be in close contact  
2 about that and see how can we make sure we're  
3 supporting things happening on an efficient  
4 basis.

5 I know that's a lot of information.  
6 So I think I'll pause there and see if anyone has  
7 any questions about that.

8 MR. CORZINE: Len Corzine. You  
9 mentioned that you don't know the current tile.  
10 You mean the tile on the site or --

11 MS. WINER: No, on the property  
12 across the road from us.

13 MR. CORZINE: Yeah.

14 MS. WINER: So they also have  
15 drainage contributions into this area. We do  
16 know of an existing tile that goes on their site  
17 but because we don't have a lease we haven't  
18 conducted any diligence on that property, but we  
19 would be happy to definitely do more diligence.

20 I do know that there are drainage  
21 tiles out there. We just don't know where. So  
22 we need their permission to conduct a survey and  
23 see what we can do, either to replace or add an  
24 additional support, you know, in whatever way we

1 can. I think, you know again from a civil  
2 engineering perspective, Patricia can speak on  
3 this better than I can, but it does seem like we  
4 have very similar areas of low points and issues  
5 where the drainage really exacerbates the  
6 problem. So I think it will really, really make  
7 sense to work with them.

8 MR. CORZINE: Do you know if there  
9 were any -- were there any existing tile on the  
10 site?

11 MS. WINER: Yes. Yes.

12 MR. CORZINE: Are they still  
13 operational, or is it being destroyed or --

14 MS. WINER: Yes, we -- yes, we  
15 actually had installed a new drain tile. It's  
16 along the southern end of the site, and that does  
17 bring up a good point.

18 This project is obligated to an  
19 agricultural impact mitigation agreement with the  
20 state, and that is very protective of the drain  
21 tiles on the site. Not only that, but the drain  
22 tiles are very important to continue, you know,  
23 proper drainage of our site anyway. So we do  
24 have that agricultural impact mitigation

1 agreement and countersigned by the state. I'd be  
2 happy to send you guys a copy of that as well.

3 MR. CORZINE: Do you know where those  
4 tiles -- where the exit was, where the main was,  
5 and where that tile is on the site?

6 MS. WINER: I do have a survey of it.  
7 I don't know if it's included in this packet.

8 MR. CORZINE: Okay.

9 MS. WINER: So we do have a survey.  
10 I think we moved some -- we definitely replaced  
11 the one at the --

12 CHAIRMAN ADCOCK: Maybe he can come  
13 up and --

14 COURT REPORTER: I'm sorry. I can't  
15 hear you --

16 CHAIRMAN ADCOCK: Danny Anderson from  
17 Pepper Construction.

18 DANNY ANDERSON,  
19 having first been duly sworn, testifies as  
20 follows:

21 MR. ANDERSON: Danny Anderson,  
22 D-a-n-n-y, Anderson, A-n-d-e-r-s-o-n.

23 So the drain tile was existing on the  
24 site. We just didn't know what condition it was



1 in or, you know, how well it did. So the tile  
2 that's currently there is replaced with a brand  
3 new tile. It does tie in at our fence line to  
4 what -- extends into the neighbor's field. We  
5 only replaced what was on the site in the exact  
6 same area and tied it into that at our fence. So  
7 anything from our fence line going that way is  
8 still the original tile that's in. Everything  
9 from our fence line inside the property is the  
10 new plastic drain tile.

11 MR. CORZINE: Were you there, Danny?  
12 Do you know the condition of what type of tile it  
13 was?

14 MR. ANDERSON: Yep. It was clay  
15 tile.

16 MR. CORZINE: Clay tile?

17 MR. ANDERSON: Yeah, the little  
18 offsprings coming out, some of them were pretty  
19 small, some of them were like 4-inch. Main was,  
20 I think, somewhere around 6-inch. I've got --  
21 I've -- I kept one in the back of my truck.

22 MR. CORZINE: So the tile you tied  
23 into would look like it was operational?

24 MR. ANDERSON: It was. So everything

1 that we -- we didn't tear out. We just  
2 decommissioned it. They just tied in so.  
3 Because of where the existing tile ran, there's  
4 going to be a few tiles that would hit that tile.  
5 So what they did is they basically put it right  
6 next to where the old one was. They just moved  
7 it. So it didn't -- no tile that was going in  
8 the ground would hit it. Keep it out of its way  
9 and tied into the new one.

10                   So the ones that we pulled out, looks  
11 like they were probably about an inch worth of,  
12 you know, silt, soot, whatever you want to call  
13 it, the bottom of the tile, but the tile was  
14 still full of water and it was still -- it was  
15 still flowing through it.

16                   MR. CORZINE: You say probably 4-inch  
17 tile, or were they 6?

18                   MR. ANDERSON: Yeah. What we put in?

19                   MR. CORZINE: No, well, both I guess.

20                   MR. ANDERSON: I do believe we put in  
21 -- I'd have to go back and look. Either 6- or  
22 8-inch.

23                   MR. CORZINE: For your main?

24                   MR. ANDERSON: Yes, and then what

1 came out was smaller. I'm assuming that was a 6,  
2 but I'm not sure how they measure that. Measure  
3 inside or outside.

4 MR. CORZINE: Inside.

5 MR. ANDERSON: Inside, probably a  
6 4-inch. The inside hole's about that big.

7 MR. CORZINE: Okay. Thanks.

8 MS. WINER: And just one quick  
9 correction from something I said. We actually do  
10 have a copy of our agricultural impact mitigation  
11 agreement at the back of that vegetative  
12 management plan binder. So you have that for  
13 reference.

14 MR. CORZINE: Not to belabor the  
15 point, but now, is it identified or can we find  
16 where you did tie in because that may impact what  
17 we do going forward. Like is it in line with  
18 where the standup pipes are in the field to the  
19 east, or is it another tile line -- I guess,  
20 east-west where does it cross the road?

21 MR. ANDERSON: So on our side where  
22 we tied in the fence, we put in the red --

23 MR. CORZINE: Do you have a riser  
24 there?

1                   MR. ANDERSON: Yeah. We have a riser  
2 right there, and then directly east across the  
3 road there is a yellow one, the existing yellow  
4 one that was --

5                   MR. CORZINE: Okay.

6                   MS. WINER: The tie-in point is the  
7 same, right?

8                   MR. ANDERSON: Yes.

9                   MS. WINER: So that can be seen on  
10 page 3 and page 5. That is the same tie-in  
11 point. That was just the existing drain tile  
12 that got shifted over.

13                   Patricia was just saying the last  
14 time we were here a landscape plan was shared.  
15 This is a supplement. It does not replace  
16 that -- I'm sorry.

17                   Because we have had conversations  
18 adjusting things since then, this is to replace  
19 that, not supplement that. So you do have that  
20 as reference. This has been an updated version  
21 of that. Particularly I think page 3, sounds  
22 like.

23                   CHAIRMAN ADCOCK: Sorry, there's some  
24 confusion. Which set of drawings should we be

1 looking at?

2 MS. WINER: The one that's been  
3 handed out today, the updated version.

4 CHAIRMAN ADCOCK: I'm sorry. Can you  
5 state your name.

6 MS. KUCIEL: Patricia Kuciel,  
7 K-u-c-i-e-l. So today we have distributed to  
8 everybody the landscape plans, and page 3 and 5  
9 as Christy just referenced had been distributed  
10 to you guys on the last meeting. I'm not sure if  
11 you still have it. We have a copy -- couple of  
12 copies that we can share.

13 MR. CORZINE: This is the one from  
14 the last meeting?

15 MS. KUCIEL: Yeah. Yeah. On page 3  
16 there is the tile shown. Landscape plans are  
17 just specific to the landscape vegetation.

18 MR. CORZINE: Okay.

19 MS. BARRY: Can I clarify for my  
20 notes?

21 MS. KUCIEL: Yes.

22 MS. BARRY: Are you saying this is  
23 the old plan but pages 3 and 5 have been revised?

24 MS. KUCIEL: No, no revisions. It's

1 just --

2 MS. WINER: Sorry, I wasn't here on  
3 the last meeting.

4 MS. KUCIEL: On the plans at the last  
5 meeting on the 29th we distributed. So there you  
6 can find the drain tile locations on pages 3 and  
7 5. And to today's no revisions to the plan.  
8 Today is just -- I didn't have landscape plans at  
9 the last meeting. So that's why we brought them  
10 in today for you.

11 MS. BARRY: So the new thing is the  
12 landscape plans that you have --

13 MS. KUCIEL: Yes.

14 MS. BARRY: -- and what you've --

15 MS. KUCIEL: In addition to.

16 MS. BARRY: Perfect. Thank you.

17 MS. WINER: Thank you for clarifying  
18 that.

19 CHAIRMAN ADCOCK: Additional  
20 questions from the board at this time?

21 Yes. Janet.

22 MS. DeCLERCK: The first thing you  
23 said there was a potential problem with digging  
24 the roadside ditch?

1 MS. WINER: Oh, I was just saying  
2 that that option has been explored. So the ditch  
3 that is on the north side of the road that was  
4 overflowing. That land owner has said that he's  
5 not interested in having that ditch expanded  
6 further into his yard because it would go into  
7 where his crops are. So instead of expanding the  
8 ditch, that's why we've discussed the potential  
9 drain tile option instead, the existing ditch  
10 along the north.

11 MS. DeCLERCK: Yeah, I'm following  
12 you.

13 MS. WINER: And these are ongoing  
14 conversations as well. I do know in the short  
15 term there's discussion about cleaning out that  
16 ditch, making sure it's working well the way it's  
17 designed, but I think the larger conversations  
18 about what's going to impact the Dawson's land  
19 and other -- others' land, that's got to be an  
20 ongoing conversation where there are, you know,  
21 they're a part of it and we can have, you know,  
22 more discussions about what would work best.

23 CHAIRMAN ADCOCK: I want a point of  
24 clarification then. So you have talked to the

1 landowners?

2 MS. WINER: We discussed with Steve  
3 and Bryan saying they passed along similar  
4 information to what's included in here. So I've  
5 not spoken with the Dawsons yet. That is  
6 definitely on the list to do.

7 CHAIRMAN ADCOCK: Okay.

8 MS. WINER: I believe that they said  
9 we could ask you guys for their contact  
10 information. Do you have that?

11 MR. CORZINE: I'm sorry. So you have  
12 not talked to the landowners?

13 MS. WINER: We haven't met with the  
14 Dawsons. We met Steve and Bryan today, and they  
15 said that they -- Steve had said that he talked  
16 directly with the Dawsons, the farmer and the  
17 farm manager, and he was relaying what they are  
18 and are not comfortable with at this point in  
19 time and what they wanted to discuss further so.

20 And today our focus has really been  
21 how we can contribute improving our site, and I  
22 think again part of the larger conversation in  
23 the bigger picture of how we contribute as well  
24 off of our site and how we make sure we get the



1 proper permissions and buy-in as well from the  
2 neighborhood to do that.

3                   CHAIRMAN ADCOCK: So based on the  
4 picture that Blake had shared with you last week  
5 with the water coming up as it did at  
6 Mr. Brockelsby, what measures have you identified  
7 to address that?

8                   MS. WINER: Yes. So thank you.  
9 There were a couple pictures. I think I know  
10 which one you're referring to, but in the  
11 immediate term -- and Patricia and Danny may be  
12 able to speak to this further. So some of the  
13 things right now that we are getting out there  
14 doing on-site in the next two weeks is we're  
15 doubling up the silt fence. We're also adding  
16 pretty -- pretty robust silt sock in there as  
17 well that will hold back -- and as well as filter  
18 any water that's being drained, and again we also  
19 moved up our landscape installation to this week  
20 and our seeding schedule is next week as well.  
21 We also did the herbicide last week to be able to  
22 prep the site for the seeding.

23                   We also investigated other options  
24 that were presented to us, something to consider

1 such as a berm. We looked at that quite a bit.  
2 There were some differences of opinion of where  
3 exactly what would be most effective and if that  
4 would be the more effective option versus some of  
5 these other options. So our goal is really to  
6 figure out what we can do in the short term  
7 immediate because we can do longer term  
8 solutions, but if there's a storm next week, it's  
9 -- there's not going to be a resolution there.

10                   So again short term solutions from  
11 last week to this week to next week are  
12 everything I captured. We've also got ongoing,  
13 you know, support as well to make sure that the  
14 seeds and the trees and shrubs that are going in  
15 are well supported to be able to take root, and  
16 again the project is still in construction. So  
17 there's still guys out there every single day  
18 making sure that they're taking care of all this  
19 as well.

20                   I don't know if you have anything to  
21 add to that.

22                   MR. ANDERSON: No, I think you  
23 covered it pretty well.

24                   CHAIRMAN ADCOCK: So given the

1 weather forecast has changed on us a bit the last  
2 few days, we were supposed to have rain and now  
3 it's gotten quite hot. What are your plans to  
4 support the vegetation based on that?

5 MS. WINER: So for -- Patricia, I  
6 don't know if you'd like to speak on that, but I  
7 don't know that there's too much of an issue when  
8 -- maybe you can see -- the conditions of them  
9 when they get planted if we need to do any  
10 supplemental watering, if there's going to be no  
11 rain for quite a while but --

12 CHAIRMAN ADCOCK: Can we swear you  
13 in. I think we missed it.

14 PATRICIA KUCIEL,  
15 having first been duly sworn, testifies as  
16 follows:

17 MS. KUCIEL: Yes. This is also part  
18 of the vegetation management plan that is  
19 ongoing, and this is the thick book you all got.  
20 There's a description of, you know, the first  
21 thing that's going to happen is the site  
22 preparation. Before we put any new seed in, it's  
23 going to be decompacted and make sure that those  
24 seeds are going to take well. Then there's a

1 seeding process. And then after the seeding is  
2 done, there will be mulch -- mulch, I think,  
3 pulled together to help to keep the moisture and  
4 help the seed to grow, and basically the -- this  
5 is also a part of the NPDES permit. It's going  
6 to be weekly observation and inspection on-site  
7 to make sure that the seeds -- everything is  
8 growing. If there will be any spot, any area  
9 that for some reason doesn't -- the seed didn't  
10 take, it's going to be re-vegetated and reseeded.  
11 All the soil measures. There's fence --  
12 additional fence that we are planning to put  
13 along the perimeter of the fence on our property.  
14 They're going to stay in until 75 percent of the  
15 site is vegetated. So those won't be taken out  
16 this fall or whatever, however long it's going to  
17 take for the site to grow -- vegetation to grow.  
18 If it's going to be through the winter, if it's  
19 going to be the next spring. Basically the site  
20 will be monitored weekly, and vegetation will be  
21 inspected, and only the part that is -- the site  
22 will be ready, final on determination with the  
23 Illinois Environmental Protection Agency. Only  
24 after that will those measures be taken out.

1 MS. WINER: And to speak a little bit  
2 more about the species that were chosen, those  
3 were all selected because they're native to the  
4 area. They are, you know, very well ready to  
5 take on these natural conditions out here, and  
6 the seed mix was submitted and reviewed and  
7 accepted by the Department of Natural Resources  
8 as well. I think that's on page -- there we go.

9 And these are also species have been  
10 selected as well because they don't grow too  
11 tall. That's something that we've absolutely  
12 taken into consideration because number one, that  
13 doesn't look nice to have overgrowing species all  
14 over the site, but also then it can really impact  
15 the panels. We have tracking panels. They need  
16 to be freely able to move and track the sun  
17 throughout the day and it's -- you know, for many  
18 reasons, not a good idea to have species that can  
19 grow too tall on-site. So that's why these  
20 specific seed mixes were selected.

21 CHAIRMAN ADCOCK: Anything else?

22 Okay. Thank you for now. Then we'll  
23 open the public comments. So again like last  
24 time, Blake will say your name. You'll come

1 forward, spell your name. Then you'll begin and  
2 State's Attorney Mary Barry will be timing you.  
3 You'll have three minutes to speak.

4 MS. BARRY: Maybe before we start the  
5 public comments, I handed out a letter that the  
6 county board chairman received from property  
7 owners on Northshire Road, that also on the back,  
8 an additional message from Randy Mitchelson, and  
9 can we just have this deemed as part of the  
10 record for today with a copy continued to be  
11 available at the zoning office --

12 CHAIRMAN ADCOCK: Yes.

13 MS. BARRY: -- for anybody to inspect  
14 that please?

15 CHAIRMAN ADCOCK: Yes.

16 MS. BARRY: If there's anybody who  
17 didn't get a copy, let me know. I still have a  
18 few additional ones.

19 MR. TARR: Okay. Mr. Mitchelson, do  
20 you care to speak today?

21 MR. MITCHELSON: Yes. Do you want to  
22 swear me in as well?

23 CHAIRMAN ADCOCK: No, public comments  
24 does not have to be sworn in.

1                   MR. MITCHELSON: I like to swear.  
2 I'm Randy Mitchelson, M-i-t-c-h-e-l-s-o-n. I  
3 spoke to you last time. I appreciate the fact  
4 that you've come today understanding the plight  
5 that we're in. I've spent the weekend and all  
6 morning this morning talking with my neighbors,  
7 talking with the city engineers over the weekend,  
8 the city civil engineer. I talked with the city  
9 street department. I talked with Cliff this  
10 morning, and I spent a considerable amount of  
11 time this morning as well talking with a field  
12 tiler.

13                   So I have a pretty sizable amount of  
14 information that I mostly shared with you in the  
15 letter. I -- it came so late because I was  
16 waiting on some numbers. So I apologize for that  
17 that I didn't have them to you earlier for you to  
18 peruse. I did receive a cost estimate for the  
19 tile -- for the 24-inch tile that would run from  
20 the -- I've -- you know, I'm not very good with  
21 directions. From the west side of Glenhill Road  
22 across the road to the east side of Glenhill  
23 Road, then continue on to the east side to the  
24 ditch line that's approximately 1,300 feet to

1 that deep ditch. It's a 24-inch tile where the  
2 cost estimated was somewhere over 40,000, but he  
3 assured me it would not be over 50,000. So that  
4 gives us some kind of an idea.

5                   Cliff, when I discussed it with him,  
6 he was concerned that it might not be a big  
7 enough tile to handle the water that's coming  
8 off. I -- the tile that's on it was, after Cliff  
9 explained to me that the tilers often looking at  
10 lateral feed into it and coming in at a slower  
11 pace than coming in at just a single source.

12                   I have suggested as a suggestion of  
13 him is that we have a hydrology survey done on  
14 the property out there, and find out exactly what  
15 we do need.

16                   We do know that the property owner  
17 and the farmer are not interested in digging a  
18 bigger and deeper and wider ditch because of loss  
19 of farm ground, very productive farm ground. He  
20 has -- as it says in the letter and has been  
21 mentioned earlier, they have basically said that  
22 as long as they meet requirements of maintaining  
23 that tile, if something happens to that tile,  
24 they would be responsible for repairing the tile.



1 They -- they're not looking to charge any fee to  
2 the county or to the solar farm people for the  
3 easement. So I believe that's a pretty generous  
4 offer. I imagine in the -- in figuring it all  
5 out, I'm assuming that the orange tile that ties  
6 into the yellow standpipe, I'm assuming that  
7 probably goes east as well directly over to the  
8 ditch, though I don't know that. It could go  
9 down to another ditch somewhere else, I don't  
10 know, but I think where it was located, it's  
11 probably maybe just a little bit north of that  
12 depending upon what they find out with the  
13 hydrology and having surveys and find the lowest  
14 spot. I would assume that it would be just a  
15 little farther north of that and they could run a  
16 clear shot. I don't believe there would be  
17 any --

18 MS. BARRY: We're at three minutes.

19 MR. MITCHELSON: Thank you. Sorry.  
20 I do have a tendency to run a little long.  
21 Anyway we appreciate you working on this and the  
22 property owners appreciate it as well. Thank  
23 you.

24 MR. TARR: Thank you. Mr. Burge, do

1 you care to speak today?

2 MR. BURGE: No, I'm good.

3 MR. TARR: Okay. Mr. Brockelsby, do  
4 you care to speak today?

5 MR. BROCKELSBY: No, he said it all.

6 MR. TARR: Okay. I think -- is there  
7 anybody else that would like to speak public  
8 comment today? Okay. I think that's it.

9 MR. BROCKELSBY: Can I have one of  
10 their minutes to tell you what the street  
11 department --

12 CHAIRMAN ADCOCK: Come up. That's  
13 fine.

14 MR. BROCKELSBY: If I had my normal  
15 voice, you wouldn't have trouble hearing me.

16 The streets department I talked with  
17 Mike Mann, and I told him that regardless of what  
18 happens with the rest of this, he does need to  
19 clean out the ditch. I think it was cleaned out  
20 the last time maybe five or six years ago, and it  
21 has grown in considerably. So we're going to  
22 need to get him on that to get that cleaned out.

23 And this talk about the berm is  
24 something that is beyond me. I think creating a

1 berm downstream might cause more flooding to go  
2 into the farmer's field, but that's something the  
3 engineers will have to figure out. That's it.  
4 Sorry.

5 MR. TARR: Thank you.

6 MR. COPENBARGER: Can we ask some  
7 questions?

8 CHAIRMAN ADCOCK: Sorry?

9 MR. COPENBARGER: Can I ask him a  
10 question or is that not --

11 CHAIRMAN ADCOCK: You may ask the  
12 question.

13 MR. COPENBARGER: So when you get  
14 flooded, you guys are on the south side of  
15 Northshire?

16 MR. MITCHELSON: Correct.

17 MR. COPENBARGER: Which ditch is the  
18 water flowing north -- north side or south side  
19 of that road or it runs over both?

20 MR. MITCHELSON: Both.

21 MR. COPENBARGER: It comes all the  
22 way down from both sides?

23 MR. MITCHELSON: Yeah. Once the  
24 north side of Northshire floods --

1 MR. COPENBARGER: Yes.

2 MR. MITCHELSON: -- then it runs over  
3 the street.

4 MR. COPENBARGER: Okay.

5 MR. MITCHELSON: And fills up the  
6 other ditch. The other ditch gets some natural  
7 runoff as well, but there is just -- just a  
8 little ways north on Glenhill Road there's a  
9 36-inch tile that drains the water from the solar  
10 farm side over to the other ditch. So that  
11 brings a lot of that water to the north side.

12 MR. COPENBARGER: Okay.

13 MR. MITCHELSON: And both of these  
14 ditches, if they would take that tile across the  
15 field or come through the ditch, it also all ends  
16 up at the same creek.

17 MR. COPENBARGER: Thank you.

18 MR. CORZINE: I have a question.

19 MR. MITCHELSON: Sure.

20 MR. CORZINE: If you look at any of  
21 the roadside ditches, water really needs to stay  
22 on the north side and the east side. If they  
23 clean that out, especially around the curve,  
24 they're not going to take any farm ground because

1 they're not putting any crop there now anyway.

2 It's probably grown up over time as they do.

3 (Simultaneous talking.)

4 COURT REPORTER: I'm sorry, I can't  
5 hear you. Wait. I can't hear you.

6 CHAIRMAN ADCOCK: Hey. Sorry. We're  
7 getting -- we have to document who is talking  
8 here. So --

9 MR. MITCHELSON: I don't know. If  
10 you want to ask a question, we can answer it.

11 MR. CORZINE: If I might ask or --  
12 there is not much of a ditch on the south side;  
13 is that right?

14 MR. MITCHELSON: It's about as wide  
15 as from this table to that -- edge of that table,  
16 and if it had been a little deeper than what it  
17 is now, maybe a foot deeper than what it is now,  
18 but once you get to there, there's not -- where  
19 the other side of the table is is crops. So  
20 there's just not much area in there to make it  
21 much deeper without having a straight deep side,  
22 which would cause in itself big problems.

23 MR. CORZINE: You're talking on the  
24 north side of the road?

1 MR. MITCHELSON: The north side.

2 MR. CORZINE: South side?

3 MR. MITCHELSON: South side, not much  
4 of a ditch.

5 MR. CORZINE: Not much of a ditch  
6 there?

7 MR. MITCHELSON: No, there's not.

8 CHAIRMAN ADCOCK: Okay. So now I'd  
9 like to move into Don Wauthier and Cliff Frye.  
10 They were both out there looking at this. Can we  
11 swear in Don?

12 DON WAUTHIER,  
13 having first been duly sworn, testifies as  
14 follows:

15 MR. WAUTHIER: So the County asked me  
16 to look into the drainage aspects of this and,  
17 you know, to try and identify what happened, why  
18 it happened, and what can be done to fix it or  
19 solve it. I think one of the things to keep in  
20 mind here is that while the solar panels  
21 definitely have hard surface and so will act like  
22 roofs to some extent, there's also all the  
23 vegetation underneath, which kind of -- which  
24 tends to offset that.

1                   I think the problem that was  
2 experienced earlier this summer was that all of  
3 the ground underneath the solar panels and in  
4 other places as well was basically bare, and so  
5 that bare soil instead of having vegetation that  
6 would help soak up the water, it acted more like  
7 concrete pavement. And so there was, you know, a  
8 runoff event that happened that was larger than  
9 you would see if the same rain happened once all  
10 the grass is growing in and everything is  
11 vegetated. That said, there's still an obvious  
12 issue with an outlet system for that drainage.  
13 There's probably been an issue with that outlet  
14 system for the drainage if it was a cornfield.  
15 So that's something that needs to be resolved.

16                   Certainly, I think the doing  
17 maintenance on the roadside ditches, both the  
18 north side of the roadside ditch and the south  
19 side, both sides of that -- of that roadside  
20 ditch will be beneficial because the way they are  
21 now it's not in very good shape. It's -- I  
22 understand that there's changes in jurisdictions,  
23 so there's township road and then it changes to  
24 Taylorville road, pavement, and so going to have

1 to work into that.

2 I believe the county engineer  
3 indicated to me that there's basically 5 feet of  
4 fall between where the culvert underneath the  
5 township road crosses and where the outlet  
6 manhole is for storm drainage onto the south and  
7 east. So there's definitely the ability to  
8 improve that ditch and improve the -- improve the  
9 roadside ditches and make the drainage better.

10 That may be a sufficient effort to  
11 resolve the issue. You know, until you do  
12 some -- you know, I kind of also understand that  
13 with rainfall you never say never because for  
14 whatever storm if you design for a 3-inch rain,  
15 sometime you will get -- sometime in the future  
16 you will get a 6. So -- you know, or you get a  
17 6-inch rain designed for 6, you'll get an 8. So  
18 you can never -- you can never really fully  
19 design. You just have to go with your best  
20 reasonableness from an economic standpoint and  
21 recognize that at some point whatever you build  
22 will get capacity exceeded, but I think that if  
23 the appropriate designs have been created, that  
24 significant portion of any issues will be



1 addressed. So I guess I'm confident that it can  
2 be resolved successfully, any drainage issues.

3 CHAIRMAN ADCOCK: Yes, Mr. Door.

4 MR. DORR: You're saying that if the  
5 ditches were cleaned out? You're not saying a  
6 tile --

7 MR. WAUTHIER: I'm not saying a tile.  
8 I'm saying that there is the ability, I think, to  
9 clean out the ditches and make a huge difference.  
10 Right now the ditches are not in very -- the  
11 roadside ditches are not in very good shape.

12 The culverts for the private  
13 driveways if you look closely at them, a couple  
14 of them have been -- the outside edge has been  
15 run over. So instead of it being a 12-inch open  
16 pipe, it's been squashed down to 6-inch opening.  
17 You know, those kind of things have not been --  
18 you know, have not been addressed, and if they  
19 are in fact put together successfully, I think  
20 that they will make a huge difference.

21 Part of the issue here -- and again  
22 the culvert's a good example. As I was walking  
23 down out there, this driveway has a 10-inch  
24 culvert pipe, this one has a 12, then this one

1 has an 8. Well, you know, it's not coordinated.  
2 It was whatever -- whatever we seem to have  
3 available to us is what we put in the ground.  
4 Well, you know -- and it wasn't really designed,  
5 and so I think if you go back and do a good job  
6 of actually putting it together, it will make a  
7 big, big difference, and we may need to --  
8 Taylorville may need to acquire some  
9 right-of-way. Even if the farmers to the north  
10 don't want to give up ground, maybe, you know,  
11 they need to. Get -- get reimbursed for that for  
12 that ground so that you can widen the roadside  
13 ditch and make the drainage be successful, but  
14 certainly also a tile would -- would be a -- you  
15 know, more is always better because you got more  
16 capacity. So, you know, 24-inch would -- would  
17 certainly be a big jump forward but at a  
18 significantly larger cost.

19 MR. COPENBARGER: Dave Copenbarger.  
20 On the east end of Northshire Road for that ditch  
21 and then it turns into Woodbine Road, did you  
22 investigate that, silt on top -- you know what  
23 I'm talking about. You got Northshire Road that  
24 goes east and then it goes to Woodbine.

1 MR. WAUTHIER: Goes down --

2 MR. COPENBARGER: So that ditch  
3 appears to go into the woods. Is that --

4 MR. WAUTHIER: There is a -- there is  
5 a catch basin --

6 MR. COPENBARGER: Okay.

7 MR. WAUTHIER: -- there with a  
8 great -- I don't know how big the -- it looks to  
9 me -- and again I -- I'm relying on the county  
10 engineer as well. That looks to me like maybe  
11 that there was a gully there in the past, but  
12 that they put in some sort of pipe system in an  
13 inlet so the water could go in the inlet, go down  
14 the pipe, and go to the creek behind the house.

15 MR. COPENBARGER: But my question is  
16 they're saying that that ditch on the north side  
17 of Northshire overloads when they have  
18 significant rain, but is perhaps the problem it  
19 gets backed up from the inlet draining you talked  
20 about, and did anybody survey to see if there's  
21 positive drainage towards that, or is it  
22 stopping?

23 MR. WAUTHIER: Well, county engineer  
24 told me he -- just before the meeting here that

1 there's 5 feet of fall between the top of the  
2 manhole and the culvert pipe that goes under the  
3 road up at the solar farm. So there is down --  
4 downhill slope but --

5 MR. COPENBARGER: Well, as long as  
6 it's consistent.

7 MR. WAUTHIER: -- but does it go up  
8 and down --

9 MR. COPENBARGER: Right.

10 MR. WAUTHIER: -- is it blocked? I  
11 think the answer to that is yes.

12 MR. COPENBARGER: And that gets back  
13 to improving the ditch as you talked about?

14 MR. WAUTHIER: Yeah.

15 MR. COPENBARGER: Okay.

16 MR. WAUTHIER: So if you -- there's  
17 definitely plenty -- sufficient downhill to make  
18 it work. Does that downhill exist today, or does  
19 it go up and down, and I think the answer is it  
20 is blocked, and so it doesn't get a chance to  
21 fully function the way it could.

22 MR. COPENBARGER: Then my second  
23 question on Hillside -- or I'm sorry -- Glenhill  
24 -- on the west side of Glenhill south of where

1 the cross culvert is, the 24-inch, do you feel  
2 that there is a lot of drainage going on into  
3 that ditch there also? You don't understand what  
4 I'm saying?

5 MR. WAUTHIER: Yeah, tell me which  
6 one.

7 MR. COPENBARGER: So Glenhill is the  
8 north-south road.

9 MR. WAUTHIER: Okay.

10 MR. COPENBARGER: Northshire goes  
11 north.

12 MR. WAUTHIER: Okay.

13 MR. COPENBARGER: So you're talking  
14 all -- you've been talking mainly about the ditch  
15 on the east side of Glenhill where there's a  
16 cross culvert, correct, 24-inch goes across  
17 there, right?

18 MR. WAUTHIER: Yeah, there's a  
19 crossroad.

20 MR. COPENBARGER: And then you're  
21 saying 5 feet of drop from there to the inlet,  
22 but what about on the other side of the road?  
23 How much water is getting carried through there  
24 off of their site?

1                   CHAIRMAN ADCOCK: I think we're  
2 talking about the orange standpipe.

3                   MR. WAUTHIER: Yeah. Okay. Yes, so  
4 both sides are capable of carrying some water.

5                   MR. COPENBARGER: Okay.

6                   MR. WAUTHIER: On the -- on the west  
7 and south sides of those -- of those streets.  
8 You know, that's pretty much the issue of there  
9 is water flowing there, but that's where I was  
10 saying that the roadside -- the driveway  
11 culverts, all of that needs to be --

12                  MR. COPENBARGER: Gotcha.

13                  MR. WAUTHIER: -- reworked if you  
14 want it to work to its maximum potential, but you  
15 also have the ability to shift and go on the east  
16 and north sides and improve that ditch.

17                  MR. COPENBARGER: Right.

18                  MR. WAUTHIER: So that water can go  
19 that way as well. I think both of them drain  
20 now, but both of them are draining at a level  
21 that is less than ideal, you know.

22                  MR. COPENBARGER: Thank you.

23                  MR. CORZINE: Len Corzine, Don. A  
24 couple questions I had. It looks to me -- as you

1 know I farm, and a lot of these roadside ditches  
2 over time they kind of get maybe a bigger field  
3 cultivator gets into the ditch a little bit.  
4 That kind of stuff happens, right?

5 MR. WAUTHIER: Yep.

6 MR. CORZINE: Especially when you get  
7 into a curve area. It looks like from the  
8 overhead, as you turn -- if you're headed west  
9 and then north, right in that corner, it looks to  
10 me that there's a pretty good area that could be  
11 cleaned out and would not even affect the crops,  
12 okay?

13 MR. WAUTHIER: Yeah.

14 MR. CORZINE: So my question is it  
15 looks to me like that maybe was sufficient or it  
16 wasn't as noticeable until now with the solar  
17 panels and solar field. That water's getting  
18 there quicker, and so -- so since everything's  
19 getting there quicker, it really points out and  
20 exacerbates the problem, if you will.

21 To me I think doesn't it make sense  
22 that we've got to get the -- because if any water  
23 that stays on the west side has got to go right  
24 into where the duplex is here, where the homes

1 start.

2 MR. WAUTHIER: Yeah.

3 MR. CORZINE: Because it can't get  
4 across -- and it needs to get across to get on  
5 down to that water inlet storm sewer, whatever it  
6 is. I'm sure it would be good to know where that  
7 goes and what it is, but you've got to start down  
8 there. Anything we do up here, and my concern  
9 with the 24-inch tile, the surface water -- I  
10 don't think it's going to handle it. It might  
11 help, but it is not going to handle everything  
12 you need to take care of here.

13 MR. WAUTHIER: Yeah, I don't think  
14 it's going to handle the peak flow from a storm  
15 either. I -- it's just not big enough to handle  
16 a peak storm for that size of an area, and you  
17 are correct. Part of the issue with solar panels  
18 -- just to do a little bit of education -- is  
19 that while the solar panels, you know, they --  
20 they drain down onto the ground and the -- the  
21 ground is generally -- you know, I'll call it a  
22 grass-type seed mix, which actually doesn't  
23 handle quite a big runoff as say a cornfield  
24 would have. The flip side of that is that the



1 runoff happens a little faster because that rain  
2 drop in a cornfield, it falls on that dirt, and  
3 it has to -- the dirt has to get pretty muddy and  
4 pretty, you know, pretty wet before it starts to  
5 have some runoff; whereas the solar panels, rain  
6 drop hits the solar panel comes to the edge,  
7 drops down, and it's already a drop of water, and  
8 some of it will soak in. There's no question  
9 about that, but you've sped it up, if you will.

10                   So while the total -- while, you  
11 know, the peak rate, the total of how fast -- how  
12 many gallons per minute are coming past may be  
13 about the same, but the soil -- but the solar  
14 panels it does come faster, so it causes some  
15 issues there, and that's the -- you know, that's  
16 the nature of the -- of the beast, cannot -- can  
17 never match it perfect.

18                   MR. CORZINE: With the panels you  
19 cannot help but concentrate where that flow's  
20 going to go?

21                   MR. WAUTHIER: There is some  
22 concentration of the flow, yes. There's no way  
23 to avoid it. But the flip side of that is that  
24 instead of draining onto the cornfield where

1 there's -- yeah, there's the corn plant, but  
2 there's also the dirt in-between. It's all  
3 grass. It's all vegetation. So that slows  
4 things down. That helps to absorb things and  
5 slow things down.

6                   So, you know, we would normally  
7 consider a lawn or a very good pasture to only  
8 have about half as much runoff from the cornfield  
9 from the same rainstorm. Just in general that's  
10 the situation.

11                   So that's why I say with the solar  
12 panels, you -- you're -- it's an engineer's --  
13 it's a mix and match sort of thing. Yeah, it  
14 goes quicker, we concentrate it more, so it --  
15 but then we -- on the flip side, it soaks more  
16 because of the -- of less bare ground than were  
17 all grass. So it ends up about even.

18                   MR. CORZINE: In your analogy a lot  
19 would key on what type of year as far as what you  
20 had on the vegetation, on the corn or soybeans or  
21 whatever?

22                   MR. WAUTHIER: That's right. And  
23 that's another element of things as engineers we  
24 recognize that that 3-inch rainstorm in April is

1 going to have a different runoff than a 3-inch  
2 rainfall in --

3 MR. CORZINE: June.

4 MR. WAUTHIER: -- in June and a  
5 different -- and different in August because of  
6 the growth of the vegetation, and where we're  
7 even looking now at the fact that for years we  
8 have -- we planted soybeans as row crop as well,  
9 and now many of the soybean fields are now more  
10 seeded, so, you know, a more -- and so that  
11 coverage is better, and actually the runoff from  
12 the soybean we used to consider it to be about  
13 the same as a cornfields, but we can't do that  
14 anymore because they're not -- it's different  
15 now, because of the way that it's being planted.

16 So yeah. Everybody kind of thinks  
17 drainage is easy because it's rain, falls down,  
18 it runs off. It's much more complicated than you  
19 might think, and there's no -- there's no black  
20 and white, only shades of gray.

21 What do we assume? What size rain do  
22 we assume? And as engineers, we have the magical  
23 mystical model rainstorms that we use and say  
24 let's pretend the rain does like this. Now what

1 happens, but rain never actually ever, you know,  
2 does that way. So we just do our best to make it  
3 a good analysis of what's going to happen.

4 MR. CORZINE: So, Don, we have  
5 made -- we have -- with the panels we've  
6 increased the rate of flow. So what is going to  
7 be the best way forward? I mean I don't think a  
8 24-inch, but that's me. Well, we'll do it if  
9 it'll help, but if we could get the easement that  
10 we needed and keep the water once we get it in,  
11 maybe more of the culvert under that Glenhill  
12 Road to get the water to the east side, we need  
13 to get it to the east side no matter what --

14 MR. WAUTHIER: Yeah.

15 MR. CORZINE: -- and keep it on that  
16 east and north side. Keep it from coming across  
17 and -- because there is not much of a ditch  
18 there, and there's what -- or even as we learned  
19 more flow than there was before.

20 MR. WAUTHIER: Yeah. Well, again I'm  
21 not -- I think they're -- the total number of  
22 gallons probably has increased. I think the  
23 gallons per minute that flows past, we engineers,  
24 we look at, you know, the rain starts and the --

1 and the -- and the flow of gallons per minute  
2 going past a particular spot goes up and up to a  
3 high point and then drops back down. I think the  
4 gallons per minute flow rate is roughly  
5 equivalent to a cornfield. What I think is  
6 different is that the -- that peak rate of flow  
7 lasts a little longer and comes a little sooner,  
8 and so you get more total gallons, not a lot  
9 more, but more total gallons, last -- the flood  
10 lasts a little longer. So if you have a blockage  
11 of flow, that causes things, you know, that the  
12 dominoes start to fall of now it overflows this  
13 and now it overflows that, and so you -- you get  
14 -- you get more problems.

15 MR. CORZINE: Okay.

16 MR. WAUTHIER: Yeah.

17 CHAIRMAN ADCOCK: So I think your  
18 initial assessment though was we need to slow the  
19 water down. So install 550-foot long foot and a  
20 half to 2-foot tall berm with a 12-inch pipe.

21 MR. WAUTHIER: That was one thought  
22 that I had as a way to slow things down was to  
23 put in essentially a farm-terrace type of  
24 structure along the west edge of the township

1 road that would just hold things back a little  
2 bit, slow things down a little bit and help  
3 mitigate that issue.

4                   So -- but even with that, you know, I  
5 believe that your -- you know, if you did just  
6 that, that wouldn't be enough to solve the long  
7 term problems. The long term problem is you've  
8 got -- you've got to get those roadside ditches,  
9 which are the drainage for that area, maintained,  
10 and that's kind of 101 drainage -- you know  
11 Drainage 101 of keep things well maintained and  
12 you'll have less problems.

13                   CHAIRMAN ADCOCK: But the berm was  
14 initial -- the first most economical option,  
15 correct?

16                   MR. WAUTHIER: Well, it was an  
17 idea -- it was a concept that, you know, as one  
18 way to do something pretty economical.

19                   CHAIRMAN ADCOCK: And then if we look  
20 at other options like putting in tile or cleaning  
21 out ditches, from an order of economics what  
22 typically is the most prudent structure?

23                   MR. WAUTHIER: Well, I think that  
24 cleaning out the roadside ditches even if we have

1 to go to the main farmer and buy a row or two of  
2 soybeans to get that ditch on the -- on the north  
3 and east side to exist and not -- not be deep  
4 right next to the road, but the pavement there is  
5 very narrow. And so you want to -- it would be  
6 not very safe to put a deep steep ditch right  
7 there, but given that I think that that would be  
8 the most cost effective step to take as you know  
9 as a first step.

10 I'm going to guess that you're going  
11 to spend -- you know, Taylorville will spend  
12 maybe \$15,000. I would -- I would hope that the  
13 city could have, you know, in construction costs  
14 would have the equipment to just do that  
15 themselves. They wouldn't have to hire a  
16 contractor to go and do that. They should be  
17 able to do that themselves.

18 Now, you may have to spend a little  
19 bit to buy a quarter of an acre of land or  
20 something from the farmer, you know, to get the  
21 ditch in, but, you know, again that -- to me  
22 that's the most -- that part is the most cost-  
23 effective. The berm farm terrace thing is pretty  
24 cost effective.

1                   Once you get to the tile, you know,  
2 we're starting to talk 40, \$50,000, that's a  
3 pretty -- that's a pretty hefty chunk of money,  
4 and I just, you know, will it help, sure, but is  
5 it going to be a perfect solution, no.

6                   So, you know, I think that cheaper  
7 solutions are sometimes more cost-effective.

8                   MR. MITCHELSON: May I ask a question  
9 regarding that?

10                  CHAIRMAN ADCOCK: I'm sorry, but no,  
11 public comment is closed. I'm sorry.

12                  MR. MITCHELSON: I think that's a  
13 misinterpretation, but I'll bring it up later.

14                  CHAIRMAN ADCOCK: Anything else?

15                  MR. DORR: So your recommendation is  
16 cleaning the ditches --

17                  MR. WAUTHIER: I think --

18                  MR. DORR: -- or cleaning the ditches  
19 and the berm?

20                  MR. WAUTHIER: Well, again I think  
21 that's conversation that has to be had. Nobody's  
22 actually designed anything. So, you know, I'm  
23 kind of pulling this out of the sky if you follow  
24 what I'm saying. Just based upon my gut feeling,



1 seed the panels, understanding after doing 40  
2 years of drainage work as to what I think is  
3 going to be successful, and so put pen to paper  
4 and, you know, and do some calculations, but  
5 yeah, I think that the roadside ditch stuff may  
6 go a very long way towards solving future  
7 drainage issues here because you're going --  
8 you're not going to design -- nobody designs city  
9 streets to handle anything more than about a  
10 3-inch rainstorm. So if you design stuff there  
11 for what happens in a 3-inch rainstorm, that's  
12 going to be the same as any other place in  
13 Taylorville, and so, you know, if -- will  
14 something happen when there's a larger storm,  
15 probably, but it's going to happen everybody --  
16 everywhere else in Taylorville also. So it's not  
17 -- you can weigh that balance of, you know, how  
18 much more you want to spend so it will handle  
19 4-inch rain or 5-inch rain or 10-inch rain,  
20 whatever you want.

21 MR. COPENBARGER: Once the vegetation  
22 starts growing that will solve a lot of the  
23 problems -- immediate problems.

24 MR. WAUTHIER: Once the vegetation is

1 up and going, yes, that will definitely make a  
2 big difference. It will cut the peak rate of  
3 flow off of that solar farm area, probably cut it  
4 in half. Just -- you know, but again that's  
5 going to take until say May of next -- assuming  
6 it gets planted next week, and we have typically  
7 fall -- fall weather, you know, it's going to  
8 take a while for that vegetation to get up and  
9 fully integrate it. So you're talking May of  
10 next year before it really is operating at 100  
11 percent.

12 MS. DeCLERCK: But just -- I mean I'm  
13 kind of at a loss here. I'm not sure, but  
14 because this has happened from the solar farm  
15 coming in and not the ditches, preventing this  
16 water from coming on down, wouldn't this kind of  
17 bear on their -- on their responsibility as to  
18 whether to split this with the city, you know,  
19 this expense of fixing this, or is it going to  
20 just fall on the city to expense?

21 CHAIRMAN ADCOCK: Well, it's two  
22 problems, right? The jurisdiction thing -- I  
23 think we better move to Cliff before we go there.

24 MS. DeCLERCK: Okay.

1                   MR. WAUTHIER: Yeah, I think that's a  
2 discussion to be had for down the road.

3                   MS. DeCLERCK: Okay. I wasn't sure  
4 how --

5                   MR. WAUTHIER: Unfortunately, the  
6 solar -- the solar farm kind of got caught with a  
7 rainstorm at kind of the worst possible time and  
8 hadn't really thought about what happens if, you  
9 know, and so maybe they should have thought about  
10 what happens if, but they didn't. So again, you  
11 know, things got caught, and here we are.

12                   MS. DeCLERCK: Okay.

13                   MR. WAUTHIER: And I don't know that  
14 it was necessarily -- in fact in talking with  
15 them, I would say it was not intentional on their  
16 part, just kind of didn't think about it,  
17 thinking that, okay, here are all this  
18 landscaping. Well, didn't think about the  
19 interim step of what happens if something  
20 happened -- a big rain happens when everything's  
21 bare. Didn't -- didn't think what -- that would  
22 happen and what would -- what the result would  
23 be, so --

24                   CHAIRMAN ADCOCK: Thank you very

1 much.

2 MR. WAUTHIER: All right.

3 CHAIRMAN ADCOCK: Cliff, would you be  
4 able to speak to what you saw this morning,  
5 please.

6 MR. FRYE: Cliff Frye, F-r-y-e.

7 CLIFF FRYE,  
8 having first been duly sworn, testifies as  
9 follows:

10 MR. FRYE: Well, Don kind of  
11 summarized things pretty well. I mean this site  
12 -- this farm site must have had an issue  
13 before -- before the subdivision was even there  
14 because that area where it's flooding is  
15 basically in a bowl, and it had to cut through  
16 the hills to the south to get that water to go  
17 south in that direction to start with.

18 Now, having the construction, that  
19 got hit at a very bad time, sure, that's  
20 increased the problem there. Vegetation, once  
21 that's established and thick and full will yes,  
22 slow that water down, help the situation.

23 So since I got in on this late I had  
24 no idea what that ditch would do out there or not

1 do. I went out, took a look at it. There's  
2 actually a 36-inch pipe under Glenhill Road that  
3 takes that water from the west side of Glenhill  
4 over to the east side of Glenhill, that comes  
5 down the hill, has to make that corner, and then  
6 what I see is happening it's got good fall down  
7 to that corner but then it kind of flattens out.  
8 Any time you flatten out, slow water down, slow  
9 until the corner kind of silted in, but I did  
10 shoot that all the way around to the city  
11 manhole.

12                   There is a 5 foot fall in there. So  
13 there is grade to be able to improve a ditch.  
14 The problem is when you get to the manhole,  
15 what's past that manhole? You can improve the  
16 ditch all the way to the manhole. If the manhole  
17 can't handle it, you created another problem.  
18 Maybe pushed it down the road a little bit.

19                   So those are things that all have to  
20 be investigated, and that's why, you know, when  
21 we say let's put a 24-inch tile in, you need to  
22 do more research to really see how much water's  
23 coming, where it needs to go, and what you can do  
24 and improve. So that's something I'll have to

1 look at.

2                   That manhole we don't know what -- we  
3 know where the water's getting in. We don't know  
4 what size it has coming out to the ditches in the  
5 back. Those things all have to be looked at, but  
6 there's certainly room there for some grade  
7 improvement that would help that considerably.

8                   We don't know right where the  
9 property line is. I've got a feeling of it might  
10 be a little bit on the city side now as it is,  
11 but that property line would need be established,  
12 you know, if we went forward like that, you would  
13 need to find out where the property line is and  
14 maybe yes, buy some additional right-of-way or  
15 get good slopes in there and make it work the way  
16 it needs to work, but the potential is there.  
17 24-inch tile can buy really good ditch around  
18 there. That's even better. As Don suggested, I  
19 mean more is -- more can be better, but when you  
20 go burying pipe in ground, depending on how deep  
21 and how far, it's going to get a lot more  
22 expensive than just moving dirt.

23                   The problem is we have multiple  
24 jurisdictions. The 36-inch cross pipe and where

1 it comes down Glenhill Hill, that's Taylorville  
2 Township. As soon as you get down to just north  
3 of the corner, it becomes City of Taylorville.  
4 So it'll take multiple agencies working together  
5 and to try to make something work there.

6                   And then like most government  
7 agencies, well, who is paying the cost. So I  
8 don't know how that would work. Some of that  
9 needs to be done on their own just because of the  
10 fact the ditch has silted in with current  
11 situations. So I don't think it's an all or  
12 nothing proposition, but there needs to be some  
13 discussion there on how that would work.

14                   I thought of something else just a  
15 minute ago, but it's kind of alluded me, but as  
16 you guys can guess, that ditch does have some ups  
17 and downs, but in general it does have good fall  
18 going that direction. So the water is moving  
19 that direction.

20                   When I talked with Steve this  
21 morning, he mentioned same thing. It was -- it  
22 was just coming so fast it couldn't handle it, it  
23 got over the road, and I asked him whether he  
24 could see if that 36-inch pipe was running full

1 or whether we had it coming across there. He  
2 didn't think it was, and just from looking at  
3 pictures, didn't look like it was because they  
4 bermed that up right there just south of that  
5 36-inch pipe. So that water has to go through it  
6 to get to the west side. The east side I didn't  
7 see a pipe. If there is one there, it's buried,  
8 it goes under the field --

9 COURT REPORTER: I'm sorry, can you  
10 slow down. You talk really fast.

11 MR. FRYE: I'm sorry. I tend to  
12 ramble a little bit too.

13 So it didn't appear that the water  
14 had exceeded 36-inch pipe's capacity, but once it  
15 got to the other side, it got down to that  
16 corner, slowed down, spread out, just couldn't  
17 keep its momentum going around.

18 They've got some issues there. That  
19 manhole's got a lot of debris around it. It's  
20 not taking as much as it could. There's some  
21 things that could be done there maintenance wise  
22 to help that.

23 MR. CORZINE: When you go to the  
24 manhole, let's say we get enough and we get this



1 straightened out, get the water down through  
2 there. Even if the manhole won't handle it,  
3 there's still then a ditch or a depression to  
4 take that water out, it has to go east, it looks  
5 to me, by overheads.

6 MR. FRYE: Well --

7 MR. CORZINE: To go to the back of  
8 the houses and then --

9 MR. FRYE: It did go east --

10 MR. CORZINE: -- comes back.

11 MR. FRYE: -- and I would assume that  
12 it had a pretty good ditch in there -- probably a  
13 road quite a bit, probably why they had drainage  
14 structures put in there. They put the pipes  
15 going straight east down to the bottom of the  
16 creek and they bermed that all up. So right now,  
17 you exceeded that capacity of that manhole to the  
18 point it's either going to come up to the point  
19 -- looks to me it'll either come back across the  
20 road to the west or it might go down that yard  
21 going to the south, but it wouldn't go back to  
22 the back where it -- where it's supposed to go  
23 because they've got that bermed up.

24 Now, I'm not saying that couldn't be

1 removed and then reshaped in there where that  
2 could work. So that if the manhole is exceeded,  
3 we got an emergency overflow going to the east  
4 and down in there, but the way it is now it  
5 wouldn't do it.

6 MR. CORZINE: So they bermed that up  
7 east of the manhole?

8 MR. FRYE: Yeah, because their pipe  
9 -- their discharge pipe's coming east out of  
10 there, going down to the creek just east, and so  
11 they bermed all the way around that so that water  
12 would go in the manhole.

13 MR. CORZINE: Okay. Thanks.

14 MR. FRYE: Uh-huh.

15 MR. DORR: So, Adrian, have we talked  
16 to the city? I know according to Randy, he's  
17 talked to them, but --

18 CHAIRMAN ADCOCK: We have -- no, we  
19 have not. There has been no discussion with the  
20 city right now.

21 MR. DORR: Because I'm like Cliff.  
22 We need to know what's coming out of that  
23 manhole, how big that is, and we need more  
24 information.

1                   CHAIRMAN ADCOCK: That's true.

2                   MR. DORR: I think we need to have a  
3 representative from the city and from the  
4 township.

5                   MR. MITCHELSON: I am with the city,  
6 but I don't know the answers to those.

7                   MR. DORR: Okay. Well, I mean we  
8 need somebody from the city.

9                   MR. MITCHELSON: We'll find that out.  
10 We'll find that out.

11                  MR. DORR: And somebody can just walk  
12 in there and find that out because I doubt that  
13 Mike has dealt with that at the time of easement,  
14 we'll say. If they haven't had an issue with  
15 that manhole, he probably has no idea what's  
16 coming out of there. You're just going to have  
17 to walk back in there and find the outlet, find  
18 out what they've got, and there's some other  
19 issues that need to be addressed if this were to  
20 happen. There's pipe crossing the ditch that the  
21 water has to jump up and over and a few things  
22 like that. Could be corrected and would  
23 certainly help the flow through there.

24                  CHAIRMAN ADCOCK: All right. Thank

1 you. Let's take a quick five-minute recess  
2 please. Can I have a motion?

3 MS. DeCLERCK: I'll make the motion.

4 CHAIRMAN ADCOCK: Janet first.

5 MR. COPENBARGER: Second.

6 CHAIRMAN ADCOCK: Dave Copenbarger  
7 second.

8 All those in favor say aye.

9 ZBA BOARD MEMBERS: Aye.

10 CHAIRMAN ADCOCK: Five minutes.

11 We'll meet back at 2:40.

12 (A break was taken.)

13 CHAIRMAN ADCOCK: Okay. So there are  
14 a number of items from the last meeting that we  
15 had requested. Skyline had sent the paperwork  
16 for IDOT. They sent their vegetative plans with  
17 the sheep grazing in there as well as they were  
18 going to do the herbicide on the weeds.

19 I do have a question for Skyline  
20 because based on your vegetation plan that you  
21 had submitted and was approved by our third-party  
22 engineer dated 12/8. So it was in L7-7 it says  
23 3-04 Maintenance. All planting shall be  
24 maintained by the contractor for a period of 90

1 days after preliminary acceptance by the owner or  
2 his or her representative. Maintenance shall  
3 include but not limited to: Mowing, and edging  
4 turf, pulling weeds, watering turf areas and  
5 plant material plus annual flower maintenance.  
6 The contractor will reset settled plants to  
7 proper grade and position. Dead material will be  
8 removed. Stakes and guy wires will be tightened  
9 and repaired as required.

10                   So you've provided what your updated  
11 plan was. I think it was dated February 21, but  
12 that was the first time we'd seen that. So I  
13 guess there was a discussion from the public what  
14 we're going to do with the weeds that were within  
15 the fence line. So what is our solution for  
16 that?

17                   MS. BARRETO: So herbicide --

18                   COURT REPORTER: I'm sorry, you're  
19 going to have to speak up and state your name.

20                   MS. BARRETO: Nicole, N-i-c-o-l-e,  
21 Barreto, B-a-r-r-e-t-o.

22                   NICOLE BARRETO,  
23 having first been duly sworn, testifies as  
24 follows:

1 MS. BARRETO: And I was saying again  
2 so it would be herbicides since last week.

3 CHAIRMAN ADCOCK: Okay. But then it  
4 says we're going to remove dead material.

5 MS. BARRETO: And which -- where are  
6 you looking again?

7 CHAIRMAN ADCOCK: L-7, 3-04  
8 Maintenance A.

9 MS. BARRETO: I think I'm looking at  
10 a different plan than you are.

11 CHAIRMAN ADCOCK: This is the one  
12 that was approved by the third-party engineer.

13 MS. BARRETO: Maintenance. And if  
14 you'd just restate what you said.

15 CHAIRMAN ADCOCK: Yes, it says  
16 pulling weeds, and dead material will be removed.

17 MS. BARRETO: Yeah, I mean like  
18 that -- if there's any dead material that needed  
19 to be removed, it would be removed. So right now  
20 it's just all those weeds are dying out and then  
21 they're going to have their landscaper come in  
22 next week when they go to seed.

23 So you guys will probably mow all  
24 that out, seed it and till the site, and after

1 going through all that, it's going to be cleaned  
2 up.

3 CHAIRMAN ADCOCK: Okay. So all of  
4 that will be rectified next week?

5 MS. WINER: It will go on for a  
6 period of time, so maybe a week and a half or so,  
7 but they are the landscapers that are coming out  
8 next week. Yeah, the first step will be to get  
9 rid of all the weeds there, going on the site and  
10 tilling and planting, putting in the seed.

11 CHAIRMAN ADCOCK: Okay. Yes,  
12 Mr. Anderson.

13 MR. ANDERSON: Give or take, you  
14 know, two weeks, three weeks. So the vegetation  
15 plants right now is already in place, the fence  
16 line's dying. You can see all the weeds are  
17 dying. Trying to fall off to the side.

18 Once -- over the next two, three  
19 weeks, that's when everything -- all this fence  
20 we'll be able to get all of that cleaned out and  
21 what needs to be cleaned out or what needs to be  
22 mowed, but we can get that.

23 At the moment with the herbicide just  
24 put on it, we have to let it die out. Once it

1 dies out, yes, we'll get it all cleaned out and  
2 removed if needed. Obviously if they're -- you  
3 know, they're just going to mow over it though  
4 back there, back in the dirt, but yeah, I just  
5 don't want you guys like next week to think it's  
6 going to be done. We have to let herbicide run  
7 its course and do its job, and once it's done its  
8 job, then we can go back out and make it look  
9 cleaner.

10                   CHAIRMAN ADCOCK: Okay. I guess  
11 there was another question about if we were -- if  
12 sheep were still going to do the maintenance. So  
13 where are we at in that?

14                   MS. BARRETO: That's accurate. We  
15 are planning to do sheep grazing on the site.  
16 That is a mixture of sheep grazing plus mowing  
17 and taking care of any weeds, taking care along  
18 the fence area. It's not just throwing sheep in  
19 there and that's it. There's ongoing  
20 landscaping. Our own O&M team goes out there for  
21 the duration of the project and their contract is  
22 to take care of all that.

23                   MS. WINER: Just to clarify, sheep do  
24 not live on-site. There's sheep. There are



1 shepherds that essentially bid into this program  
2 where they can go around to different solar  
3 projects throughout the year and graze on the  
4 site. So they'll be there for a couple days,  
5 pick up and go to the next site for a couple  
6 days. So sheep will not be, you know, living  
7 on-site by any means.

8                   CHAIRMAN ADCOCK: Okay. And that's  
9 going to be inside, and what you're saying is  
10 there's going to be mowing outside of the fence?

11                   MS. BARRETO: Yes, that will be taken  
12 care of.

13                   CHAIRMAN ADCOCK: And then based on  
14 the plans that you guys submitted Friday at 4:30?

15                   MS. BARRETO: Yes. 4, 2, 3, 1,  
16 subsequent maintenance of vegetation sheep  
17 grazing. That was for the -- I don't know if it  
18 details in the vegetative management plan per se  
19 O&M measures. It might have some recommendations  
20 in there, but overall, I can look into it and get  
21 you something a little more detailed as to what  
22 takes place on -- or operations and maintenance,  
23 O&M, operations and maintenance team.

24                   MS. WINER: They really focus on the

1 year of construction and the first year of  
2 operation. So getting the seeds and the  
3 vegetation in there, getting them to take root,  
4 supporting them really thriving, and then we move  
5 into a more ongoing maintenance versus active --  
6 active efforts to develop the back road.

7                   CHAIRMAN ADCOCK: Okay. All right.  
8 So then my next question for Mr. Wauthier if  
9 based on prior discussions, the height of the  
10 vegetation with sheep maintaining it is going to  
11 add to potential drainage, right?

12                   MR. WAUTHIER: It depends on how that  
13 sheep grazing is managed. If you managed -- if  
14 you -- if you provide grading that is  
15 appropriate, if the sheep say were going to be  
16 there all summer and there was more sheep than  
17 could be sustained by the grass, they would --  
18 you know, they would cut it down to nothing. So  
19 in your grazing plan, you have to say I've got  
20 this many acres, this much vegetation, I'm going  
21 to have this many sheep to graze for this long.  
22 So that -- so as long as it's done properly, it  
23 doesn't impact -- adversely impact the drainage.  
24 It can impact the drainage if you overgraze.

1                   CHAIRMAN ADCOCK: Okay.

2                   MS. WINER: Just to add further, this  
3 helps clarify, so the vegetation will be grazed  
4 to a height of 6 inches, and then further on to  
5 adaptive management, there's plans for reseeding  
6 and any supplemental work if anything were to be  
7 overly grazed.

8                   CHAIRMAN ADCOCK: Okay. Does the  
9 board have any additional questions? Because  
10 right -- I mean right now we definitely have an  
11 open item where we need to have intergovernmental  
12 jurisdiction to discuss this plan, work with  
13 Skyline, and I think it would be interesting that  
14 they report that back to the highway and building  
15 committee on October 7.

16                  MR. CORZINE: I would agree with that  
17 because there's still several -- there's a lot of  
18 balls up in the air, and really those entities  
19 need to get together, and so the solar folks need  
20 to be involved in that too, I would think too, to  
21 see what -- because you can't just put it back  
22 like it was, mainly originally intended because  
23 we are getting water faster, and so we've got to  
24 -- we've got to plan for that, and the city folks

1 can tell us where's that storm water go. You  
2 know, once it's being handled, is there a berm  
3 down there that needs to be removed or all those  
4 things there, all that needs to be discussed.

5                   CHAIRMAN ADCOCK: Yeah. I think  
6 Cliff had asked for a hydrology report as well.  
7 So, Cliff, what else would you like besides  
8 hydrology report before this intergovernmental  
9 meeting would occur?

10                   MR. FRYE: Well, I don't think you're  
11 going to get that that quick. When it goes to  
12 hydrology report, you know, we've got to know  
13 what the flow -- regardless if we go to a tile  
14 system where you're improving ditches or a  
15 combination of both, we need to know how much  
16 water is getting down there at the city manhole  
17 so they can make a determination if they have  
18 enough capacity to handle this.

19                   CHAIRMAN ADCOCK: Okay. Okay. So I  
20 think Blake and I will facilitate this ongoing  
21 meeting.

22                   MS. BARRY: I think that makes sense.  
23 Can you -- actually what we're looking for today  
24 is to have a motion to have this referred to the

1 buildings and highway committee at their next  
2 meeting in October --

3 CHAIRMAN ADCOCK: Uh-huh.

4 MS. BARRY: -- you know, for a report  
5 on the progress of the meeting between the  
6 company and the various parties involved.

7 CHAIRMAN ADCOCK: Correct.

8 MR. DORR: Do we want to get the city  
9 involved?

10 MS. BARRY: That would include the  
11 city.

12 CHAIRMAN ADCOCK: Immediately.

13 MR. DORR: But it's county meeting --

14 MS. BARRY: The thought is there's  
15 going to be a working group before the people  
16 that need to get together and have some idea of  
17 what's going to happen before that.

18 MR. DORR: You guys are going to --

19 MS. BARRY: You guys will take the  
20 lead making sure all the interested parties are  
21 notified.

22 CHAIRMAN ADCOCK: Right.

23 MR. DORR: Just as long as the  
24 city --

1                   CHAIRMAN ADCOCK: Yeah. No, the city  
2 needs to be -- city engineer needs to be involved  
3 as well.

4                   MR. DORR: Okay.

5                   MS. DeCLERCK: Adrian, can I make a  
6 motion that we have you and Blake get involved  
7 with the other entities, whether it's township,  
8 city, and get the project worked out? Is that  
9 how I frame it? And then report to the county  
10 board so that it can come to us and through the  
11 county board what --

12                   MS. BARRY: That would be the process  
13 that starts with Adrian, the meeting.

14                   CHAIRMAN ADCOCK: Okay. Do we have a  
15 first?

16                   MS. DeCLERCK: Yes.

17                   CHAIRMAN ADCOCK: Do we have a  
18 second?

19                   MR. DORR: I'll second it.

20                   CHAIRMAN ADCOCK: Okay. Roll-call  
21 vote.

22                   MR. TARR: Glen Goodrich.

23                   MR. GOODRICH: Yes.

24                   MR. TARR: Janet DeClerck.

1 MS. DeCLERCK: Yes.

2 MR. TARR: Joe Dorr.

3 MR. DORR: Yes.

4 MR. TARR: Len Corzine.

5 MR. CORZINE: Yes.

6 MR. TARR: Dave Copenbarger.

7 MR. COPENBARGER: I think I need to  
8 abstain because I wasn't at the last meeting.

9 MR. TARR: That's right. Thank you  
10 for the reminder.

11 And Adrian Adcock.

12 CHAIRMAN ADCOCK: Yes.

13 MR. TARR: Motion carries.

14 CHAIRMAN ADCOCK: With that do we  
15 need to have an additional motion for the  
16 vegetative plan that there are any concerns with  
17 the grazing, or are you satisfied?

18 MS. BARRY: What are you looking to  
19 happen?

20 CHAIRMAN ADCOCK: Well, just they've  
21 submitted the report, but in there we haven't  
22 reviewed it -- it wasn't reviewed by third party  
23 engineer.

24 MS. BARRY: Should we make a motion

1 to have it reviewed concurrently with the rest of  
2 this work?

3 CHAIRMAN ADCOCK: I think it would be  
4 prudent. Okay. So I would entertain a second  
5 motion to have the vegetative plan reviewed  
6 concurrently by third-party engineer. I think  
7 that can be applicable to --

8 MR. DORR: I'll make that motion.

9 CHAIRMAN ADCOCK: Do we have a  
10 second?

11 MR. GOODRICH: Glen Goodrich, the  
12 second.

13 CHAIRMAN ADCOCK: Roll-call vote  
14 please.

15 MR. TARR: Len Corzine.

16 MR. CORZINE: Yes.

17 MR. TARR: Joe Dorr.

18 MR. DORR: Yes.

19 MR. TARR: Glen Goodrich.

20 MR. GOODRICH: Yes.

21 MR. TARR: Janet DeClerck.

22 MS. DeCLERCK: Yes.

23 MR. TARR: Adrian Adcock.

24 CHAIRMAN ADCOCK: Yes.



1 MR. TARR: Perfect.

2 CHAIRMAN ADCOCK: All right. Do I  
3 have a motion to adjourn?

4 MR. CORZINE: So move.

5 CHAIRMAN ADCOCK: Do I have a second?

6 MS. DeCLERCK: Second.

7 CHAIRMAN ADCOCK: All those in favor,  
8 say aye.

9 ZBA BOARD MEMBERS: Aye.

10 CHAIRMAN ADCOCK: All those opposed?

11 (No response.)

12 CHAIRMAN ADCOCK: Meeting adjourned.

13 (The meeting was adjourned at 2:56  
14 p.m.)

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## 1 CERTIFICATE OF REPORTER

2 STATE OF ILLINOIS )  
 )  
3 COUNTY OF SANGAMON)

4 I, Rhonda Rhodes Bentley, CSR,  
License No. 084-002706, a Certified Shorthand  
5 Reporter, within and for the State of Illinois,  
do hereby certify that the meeting aforementioned  
6 was held on the 16th day of September 2024 and  
that said meeting was taken down in stenograph  
7 notes, afterwards reduced to typewriting by me,  
and that this transcript is a true and accurate  
8 transcription of the testimony.

9 I do hereby certify that I am a  
disinterested person in this cause of action,  
10 that I am not a relative of any party or any  
attorney of record in this cause or an attorney  
11 for any party herein or otherwise interested in  
the event of this action, and that I am not in  
12 the employ of the attorneys for either party.

13 IN WITNESS WHEREOF, I have hereunto  
set my hand this 20th day of September, 2024.

14

15

16

17 Certified Shorthand Reporter  
CSR #084-002706

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