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6 IN THE MATTER OF:

CHRISTIAN COUNTY

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11 ZONING BOARD OF APPEALS

12 JANUARY 24, 2023

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1 CHRISTIAN COUNTY

2 ZONING BOARD OF APPEALS

3 JANUARY 24, 2023

4 6:00 P.M.

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7 ZONING BOARD:

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1. Mr. Jim Overholt, Chairman
2. Mr. Gary Merker
3. Mr. Joe Dorr
4. Mr. Glen Goodrich

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15 PRESENT:

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1. Mr. Blake Tarr, Zoning Administrator
2. Mr. Bryan Sharp, Christian County Board Member

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Ms. Adrian Adcock

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Ms. Lonni Curry

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Ms. Sandra K. Haines, Court Reporter,

22 CSR No. 084-002423

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* 1. MR. BLAKE TARR: Good evening
  2. everybody. I am going to go ahead and call this
  3. meeting to order, the Zoning Board of Appeals.
  4. Welcome everyone tonight. I would like to start
  5. off by introducing our new ZBA Board of Appeals
  6. Chair Jim Overholt. Mr. Overholt comes with a
  7. background as a State's Attorney and also a
  8. former military pilot, so an interesting fellow.
  9. Welcome aboard.
  10. Jim, I would like to turn it over to you at
  11. this point.
  12. CHAIRMAN OVERHOLT: Thank you very
  13. much. I was born and raised in Pana, and my
  14. wife and I live there today in the old family
  15. house that was built in 1885. My dad was born
  16. in that house in 1905.
  17. So, if anybody is interested, I can give
  18. you my cell phone and my home address. Cell
  19. phone number is area code 217-971-1219. My home
  20. address is 212 East Second Street, Pana,
  21. Illinois 62557.
  22. So, if you can't get ahold of me around
  23. here, why give me a call on my cell phone or
  24. drop me a little note.
      1. Okay. Let's have -- you have already
      2. called the meeting to order. If you want to
      3. have a roll-call.
      4. MR. BLAKE TARR: Roll-call. Dave
      5. Copenbarger. Looks like he is gone. Joe Dorr.
      6. MR. DORR: Here.
      7. MR. BLAKE TARR: Glen Goodrich.
      8. MR. GOODRICH: Here.
      9. MR. BLAKE TARR: Joann Howard. Gary
      10. Merker.
      11. MR. MERKER: Here.
      12. MR. BLAKE TARR: Jon Rosenthal. And
      13. just a side note Jon did stop by the Zoning
      14. Office today. They went home early today from
      15. work to sleep with the impending snow storm
      16. coming in so they would be prepared adequately
      17. to push snow tonight. So, definitely excused.
      18. Last, Jim Overholt.
      19. CHAIRMAN OVERHOLT: Here.
      20. Let's see, it says we should ask for
      21. nominations for a new Zoning Board of Appeals
      22. secretary.
      23. MR. DORR: We still have to approve the
      24. minutes from September.
          1. CHAIRMAN OVERHOLT: Okay. We will
          2. entertain a motion to approve the minutes.
          3. MR. DORR: I will make the motion to
          4. approve the minutes from the September 27th
          5. meeting.
          6. CHAIRMAN OVERHOLT: All in favor.
          7. MR. GOODRICH: You need a second. I
          8. can't second it because I wasn't here. I was in
          9. Florida.
          10. MR. MERKER: I wasn't here. Oh, maybe
          11. I was.
          12. MR. DORR: I think you were.
          13. MR. GOODRICH: You were there. I read
          14. the minutes. You were there.
          15. MR. MERKER: All right. I will second
          16. it.
          17. CHAIRMAN OVERHOLT: Let's have a voice
          18. vote. All in favor of approving the minutes say
          19. aye.
          20. CHRISTIAN COUNTY ZBA MEMBERS: Aye.
          21. CHAIRMAN OVERHOLT: Opposed. Motion
          22. carries.
          23. Let's see, we should ask for nominations.
          24. The Chair would ask for nominations for a new

1. Zoning Board of Appeals secretary.
2. MR. DORR: Does the secretary take
3. minutes at these meetings?
4. MR. BLAKE TARR: Yes. Let's see here.
5. So, I did bring in the official ZBA -- I know in
6. the past I think Vince was doing some of that,
7. but it is a delegation that probably should have
8. been put in place. Section 2.4 secretary who
9. takes minutes and records official actions.
10. MR. DORR: Well, before I was on this
11. Board I was the secretary for five or six years.
12. So, it is a non-board member position. I
13. don't -- what do we pay to have a court reporter
14. here?
15. MR. BLAKE TARR: I am not for sure.
16. Bryan, do you have any input on that?
17. MR. BRYAN SHARP: My thoughts, and I
18. think from what we have gathered or what I have
19. gathered listening around the Board that we
20. probably should have had someone serving on the
21. ZBA to serve as secretary. It really wasn't, it
22. is not necessarily Blake's role to record those
23. minutes.
24. MR. DORR: Well, I was saying that I
    1. was just the secretary, not a board member at
    2. that time. So, it would be a non-board member
    3. if it was the way it was done in the past.
    4. That's why I am asking because I think it was
    5. like 35, $40.00 a meeting payment back then, and
    6. I don't know like I said what it costs for the
    7. court reporter to be here.
    8. MR. BRYAN SHARP: That runs more than
    9. that. I don't think necessarily -- generally
    10. the court reporters aren't, they are not always
    11. required to be at the ZBA meetings. There will
    12. be ZBA meetings that you guys hold where there
    13. is not certain action being taken that doesn't
    14. require that. So, there are instances where the
    15. reporter is required and instances where it is
    16. not necessary. So, I think that's where it
    17. really fills in.
    18. MR. DORR: So, I am just saying she has
    19. done a great job doing all this before.
    20. MR. BRYAN SHARP: We are not saying we
    21. don't need her. There are instances where we do
    22. need the reporter, specific reporter; but there
    23. are instances where she is certainly not here at
    24. every ZBA meeting.
        1. MR. DORR: Do you want to keep it a
        2. non-member --
        3. MR. BRYAN SHARP: I think --
        4. MR. DORR: -- position?
        5. MR. BRYAN SHARP: -- I think it was
        6. intended to be a member position taking notes
        7. during the ZBA meeting.
        8. MR. DORR: Well, since Dave is not here
        9. I nominate Dave Copenbarger as secretary to take
        10. minutes, just saying my recommendation.
        11. MR. BRYAN SHARP: He would do a fine
        12. job.
        13. MR. BLAKE TARR: Is there any second on
        14. that?
        15. MR. GOODRICH: I don't know if we can
        16. put somebody in that's not here.
        17. MR. DORR: He can always turn it down,
        18. and we have to bring it up again. It would be
        19. better if everybody is here when we did this.
        20. If he accepts, then that will be it.
        21. MR. MERKER: Can I throw something in
        22. here before we take a vote?
        23. MR. BLAKE TARR: Sure.
        24. MR. MERKER: I served as a board member
            1. of the public library for 30 years, just retired
            2. this year, and having served in all of the
            3. elected positions, the president and all that
            4. kind of stuff, I can attest to the immense
            5. hassle that being the secretary is making sure
            6. everything is done correctly.
            7. Personally I think what a good thing to do
            8. would be -- I think that we should have a board
            9. member be elected as secretary, but I think we
            10. should also bring in a court reporter. Due to
            11. the nature of the things that we are dealing
            12. with here I think accuracy in these minutes is
            13. hugely important, and if you stop and think
            14. about it, I am just going to throw a number out
            15. that means nothing, if we paid her $50.00 an
            16. hour to take the minutes and everything, we
            17. would know we would have a complete and accurate
            18. recording of the events of the evening, and 50
            19. bucks a month is not a whole lot of money
            20. whatever we turn up.
            21. So, my suggestion would be that we go ahead
            22. and elect him the secretary, but then when we
            23. have the regular monthly meetings and any other
            24. meeting that would require somebody who is
25. accurate and whatever, I don't know, staff her
26. for that position.
27. MR. BLAKE TARR: Any other discussion?
28. MR. GOODRICH: This is a stupid
29. question. You are not paying Dave anymore to
30. take the notes, I assume, correct?
31. MR. BRYAN SHARP: I would just chime in
32. that the secretary's minutes would be, I mean
33. that is a pretty limited amount of notes, I mean
34. as far as the motions and the actions that are
35. being taken in here. It is not a detailed
36. description of let's see, the reporter she is
37. taking everything down and those, her minutes
38. are rather lengthy. Under most circumstances or
39. most -- unless there is something that's really
40. detailed that's where she really comes into
41. play. The normal actions of the Board under
42. normal operating procedure, those minutes would
43. be somewhat limited more specific to the actions
44. that are being taken, not so much diving into
45. the discussion of what's going on.
46. MR. GOODRICH: They got to be a little
47. more accurate than what I think you are wanting
48. to imply.

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2 accuracy.

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MR. BRYAN SHARP: Well, I don't mean

MR. GOODRICH: You don't face the legal

1. things the County would, but I have to keep
2. those records for a lifetime of that post, and
3. they need to be pretty darn accurate.
4. MR. BRYAN SHARP: I am not saying
5. accurate. What I am saying is that there is a
6. lot of conversation that don't necessarily need
7. to be in a blow by blow.
8. MR. GOODRICH: I understand that.
9. MR. BRYAN SHARP: Kind of like what we
10. are even discussing now isn't necessary, but the
11. actions that are being taken and some
12. description is good that the secretary could
13. provide that. When it is in depth or
14. contentious issues, that certainly is where the
15. reporter would come in to keep accurate
16. documentation, or not accurate, but keep more
17. thorough documentation.
18. Having a secretary does not -- she will be
19. here. That doesn't do away with the role of
20. that, of the reporter. I know there is some
21. different -- we have had different minutes in
22. the Board, in our office, the Board office.
23. There is some minutes that sometimes when the
24. reporter wasn't there, we have a very short
25. limited reporting from Vince, from the past
26. administrator. It may be just a couple pages of
27. what you guys did, and some of the actions that
28. were taken, but then again there is more
29. extensive things that have happened where the
30. reporter was there, and there is a rather
31. lengthy -- but the reporter is not there every
32. time. So, it is kind of filling the role that
33. Vince was playing by reporting those monthly
34. minutes when you guys have meetings when the
35. reporter wasn't necessarily there.
36. CHAIRMAN OVERHOLT: Any further
37. discussion?
38. MR. DORR: The only other option might
39. be Mary. I mean if it is one of the smaller
40. meetings -- I mean is she salary or hourly?
41. MR. BLAKE TARR: She is an hourly
42. employee.
43. MR. DORR: Because like last meeting I
44. wrote these up and gave them to her, and she
45. typed them up and sent them out. That's another
46. possibility there. I really feel we need to
47. have a full Board here if we are going to make
48. it a Board member to discuss it. Like I said I
49. just kind of threw Dave under the bus here
50. because he is not here, but it would be better
51. if everybody was here to get somebody to do it.
52. If nobody wants to do it, then we would proceed
53. from there. We are covered tonight.
54. MR. BRYAN SHARP: You want to retract
55. that motion?
56. MR. DORR: Yes, I can do that. I will
57. retract it, and we will just wait and table it
58. until the next meeting, and hopefully everybody
59. will be here. Right now like I said we are
60. covered.
61. CHAIRMAN OVERHOLT: Any other
62. discussion? There being no further discussion
63. the motion is to nominate Mr. David --
64. MR. DORR: No, I rescinded that. We
65. are just going to table it until we get a full
66. Board here.
67. CHAIRMAN OVERHOLT: A full Board
68. meeting.
69. MR. DORR: When everybody is in
    1. attendance. That's my recommendation.
    2. CHAIRMAN OVERHOLT: So, we do not have
    3. a motion to appoint Mr. Copenbarger. The motion
    4. is to table this. All in favor of the motion to
    5. table say aye.
    6. CHRISTIAN COUNTY ZBA MEMBERS: Aye.
    7. CHAIRMAN OVERHOLT: Opposed. Motion is
    8. tabled.
    9. We have a new special use permit submission
    10. checklist.
    11. MR. BLAKE TARR: I can talk through
    12. that a little bit. In the packet that Mary sent
    13. out guys you will see a special use permit
    14. submission checklist. This is after talking
    15. with the County Board and getting some feedback
    16. from a lot of the companies that are coming at
    17. us at a very fast rate, that are inquiring about
    18. these permits, we thought it might be best to
    19. put a checklist for data collection purposes in
    20. place just so everybody has some clear
    21. expectations of what we need to have to make the
    22. best decisions for the County.
    23. I don't know if everybody has had a chance
    24. to run through everything. I would be happy to
70. talk through, or any discussion, or questions,
71. or any additions that you may want to talk
72. through we would be happy to consider that.
73. MR. DORR: No, I mean that sounds like
74. a good idea. I don't know why we didn't have
75. this before.
76. MR. BLAKE TARR: This isn't something
77. that was crafted from blue sky. This is
78. something that was -- other Illinois counties
79. are using something similar to this. We just
80. made a few additions, but this is a blueprint
81. that a lot of folks are using.
82. MR. MERKER: So, this list that we are
83. looking at in front of us here is a list of
84. things that need to be accomplished.
85. MR. BLAKE TARR: Yes.
86. MR. MERKER: I would suggest that if we
87. are going to use something like this that we
88. have a place on there where we can put a date
89. and a whoever receives that -- for example,
90. complete financials. Well, if Mary receives
91. that, then she should date it and initial it as
92. the -- how do you say that, as the official --
93. CHAIRMAN OVERHOLT: Intake.
94. MR. MERKER: Pardon?
95. CHAIRMAN OVERHOLT: The intake.
96. MR. MERKER: Yes, thank you.
97. I can see somebody not making a timeline,
98. and we need to document the fact that they do or
99. don't meet the timelines.
100. MR. BLAKE TARR: Okay. We will
101. definitely make a note. That's good feedback.
102. I appreciate it.
103. Any other discussions? This has been
104. listed on the County website. It is visible to
105. anybody that wants to obtain a special use
106. permit from the County. This has been sent out
107. to a handful of, I would say folks that are
108. wanting to obtain that type of permit. So, it
109. is fairly new, but just wanted to bring it to
110. everybody's attention.
111. CHAIRMAN OVERHOLT: Go ahead.
112. MR. BLAKE TARR: What do we have next?
113. MR. DORR: You want a motion on that?
114. MR. BLAKE TARR: It was just the
115. introduction. I don't think it is anything that
116. has to be approved. I just think it was just,
117. like I said just a tool to have us more
118. organized and less back and forth.
119. CHAIRMAN OVERHOLT: Zoning text
120. amendment.
121. MR. BLAKE TARR: Yes. Okay, next
122. moving onto the zoning text amendment submitted
123. by Lonni Curry.
124. Let me pull up my notes here. Some of the
125. changes that Miss Curry would like to introduce
126. into the ordinance would be Section A, Christian
127. County Zoning Code 1-11-36 addition to Article V
128. Section 3, addition of the words floodplains.
129. B, an ordinance regulating the siting of
130. wind energy conversion systems in 02008ZN004,
131. addition of Section G. The applicant, owner and
132. operator shall comply with the Christian County
133. flood damage prevention ordinance 02011CB003.
134. She explains that this is an existing ordinance,
135. and is asking to be added to the County zoning
136. ordinance for visibility. With this text
137. amendment she did provide documentation that
138. this is an existing ordinance. It is just not
139. visible anywhere. So, it is in place. It has
140. been signed by Linda Curtin and the County Board
141. member at the time Jon Curtin, and it was signed

1 April 19th of 2011. So, that portion was just

1. asking for the visibility of it on our website.
2. C, the addition to Article VI, design and
3. installation in Section B controls and brakes
4. addition of Section 2. All WECS shall be
5. curtailed in the case of inclement weather. If
6. a thunderstorm or tornado watch or warning is
7. issued for Christian, Montgomery, Sangamon,
8. Macon, or Shelby Counties, turbines will be
9. curtailed. Let's see here. She supplied some
10. documentation regarding that as well.
11. Part D, in Section C addition of paragraph,
12. all components and parts of the WECS shall be
13. manufactured and assembled in the United States
14. of America. She did provide some documentation
15. with the Inflation Reduction Act that the White
16. House has proposed, and how that provides, it is
17. basically geared towards supporting American
18. families. So, that was some of her basis of
19. getting that addition to the ordinance.
20. MR. DORR: Who is Lonni Curry?
21. MR. BLAKE TARR: Miss Curry is at the
22. back of the room here.
23. MR. DORR: Okay. You are with? You
    1. are just a resident of Christian County?
    2. MS. LONNI CURRY: I am a resident of
    3. Christian County. I am a frequent flooder.
    4. That whole ordinance with the floodplain was
    5. completely forgotten. Nobody even knew it
    6. existed. I found it through FEMA, and it does
    7. not -- it can't be forgotten again. It is very
    8. important to keep our floodplain as unflooding
    9. as we can. There is a lot of documentation in
    10. that ordinance that is special for our
    11. floodplain. It is not anywhere else. It is
    12. through FEMA, and it had to come -- the County
    13. had to do it to become a part of the national
    14. flood insurance program.
    15. MR. DORR: Right.
    16. MS. LONNI CURRY: It hasn't been
    17. followed for years because nobody knew it
    18. existed.
    19. MR. DORR: I thought we discussed some
    20. of this before.
    21. MR. GOODRICH: We do a lot of drainage
    22. work.
    23. MR. DORR: No, like the components made
    24. in the United States. I thought we have already
24. talked about that in the past. I like that, but
25. some of this I thought we had discussed, but I
26. agree with you on the floodplain. I thought we
27. talked about the thunderstorm issue before.
28. MR. BLAKE TARR: Yes, in some of that
29. discussion I think it has been presented in the
30. past. I don't think it was as specific is what
31. I understand.
32. MR. DORR: Because like I said, I think
33. we discussed those at length in some of our
34. meetings in the past, and I thought -- but I
35. don't have a problem with any of these changes
36. or additions.
37. CHAIRMAN OVERHOLT: Go ahead.
38. MR. MERKER: For what it is worth I
39. hate to be a nitpicker, but under 7C, the third
40. line, it says if a thunderstorm of tornado
41. watch. I think that's a typo. It should say
42. or, O-R.
43. MR. BLAKE TARR: Yes, I see what you
44. are saying. Thank you for that.
45. CHAIRMAN OVERHOLT: That's correct.
46. MR. BLAKE TARR: I will make that
47. change. Do you need to vote on that?
    1. CHAIRMAN OVERHOLT: Why don't we?
    2. MR. MERKER: What is the status of this
    3. Section D, all components and parts of the WECS
    4. shall be manufactured and assembled in the
    5. United States of America? What happens -- let
    6. me just throw a question out. What happens if
    7. towers are eventually built, and there is a
    8. sub-assembly that's made in China like
    9. everything else is these days? What happens? I
    10. mean it is one thing to put it in an ordinance,
    11. but it is another thing entirely to have some
    12. kind of remediation for that, or else why have
    13. it even in the audience -- audience, I am sorry,
    14. ordinance.
    15. CHAIRMAN OVERHOLT: I suppose they
    16. could be stopped from installing the
    17. sub-assembly by the Sheriff's Department. Say
    18. you are not following the ordinance, what are
    19. you doing here. Don't you think?
    20. MR. MERKER: Well, you know, we are
    21. kind of slipping in the darkness on this, I
    22. think, because it is kind of a -- it has
    23. implications. I am not sure quite how to say
    24. this, but I would say the thrust of this
48. paragraph is to make sure that we are using
49. American made goods period.
50. MR. BLAKE TARR: That's how I read it.
51. MR. MERKER: If there are things in
52. there that are not American made and it is an
53. ordinance violation, what is the typical
54. remediation for an ordinance violation like
55. that? Is it a fine?
56. MR. BLAKE TARR: It typically is, and
57. on a commercial level I am not sure what that
58. would look like. I have never personally sent
59. one out, Gary, but yes, that's the typical.
60. MR. MERKER: How would we even know
61. that was the case?
62. MR. GOODRICH: We will be dealing with
63. that, and let's say ABC Wind Towers decides to
64. come in here, we are going to have the same
65. thing that we had for over a year discussion,
66. how tall it is going to be, what is the set
67. aside, are you American made or not. Well, he
68. is going to say no, 50 percent comes from
69. Canada, 25 from Thailand, the rest China. Well,
70. right there sorry, bud, you are out, take your
71. money and leave. I mean it is basically saying
72. we don't want towers because I don't think --
73. you can't even find an American car made all 100
74. percent America. So, if you made it for cars,
75. you wouldn't have a damn car in Christian
76. County. You would have to park a car in
77. Sangamon and walk in, I guess. I don't think
78. there is nothing that's a hundred percent
79. American anywhere. So, it is just basically, I
80. think it is another way of saying hey, tower
81. people, we are not really interested in putting
82. towers up in Christian County if you want to be
83. blunt about it.
84. MR. MERKER: That makes sense.
85. MR. GOODRICH: That's just one easy way
86. to say hey, don't bother.
87. MR. DORR: But if the State gets their
88. way, they are probably going to take over
89. setting in wind turbines across the State and
90. bypass this Board and the County Board.
91. MR. BRYAN SHARP: It is not if they get
92. their way, they already have. They already did
93. that to us. They have diminished your role in
94. the County dramatically and your local, this
95. form of local government and this form of local
96. governance, and we have been struggling with
97. that at the County Board level, and we have
98. talked about it tremendously in the committees.
99. I don't think that's a wise decision on the
100. State's behalf, and we are studying the legal
101. course of action to figure out how to do that.
102. I don't think that Christian County is
103. necessarily opposed to anything, but we do want
104. to get it right, and we don't want to be told or
105. have the State -- I believe, I personally feel
106. like this local form of government is the best
107. representation.
108. MR. DORR: I agree, but that's what
109. they did with the --
110. MR. BRYAN SHARP: Livestock.
111. MR. DORR: No, where they hall the
112. trash out there.
113. MR. BLAKE TARR: Landfill.
114. MR. DORR: The State did that with the
115. landfill.
116. To me the more stuff we have in this the
117. better. I mean at least they will know that
118. this is what the Board and the County Board
119. wants, but like I said if the State takes it
120. over, we are all --
121. MR. BRYAN SHARP: It is a challenge.
122. It is going to be a challenge.
123. MR. DORR: Oh, yes.
124. MR. BRYAN SHARP: To the point of maybe
125. hey, our federal government made the same stand
126. in that. What Act was that, Blake, that you had
127. mentioned?
128. MR. BLAKE TARR: The Inflation
129. Reduction Act.
130. MR. DORR: It doesn't do anything to
131. reduce inflation.
132. MR. BRYAN SHARP: They made the same
133. stance. So, what's good for the goose maybe is
134. good for the gander. I don't know, but we just
135. want to follow up and make sure that we follow
136. what the federal government --
137. CHAIRMAN OVERHOLT: Is there a motion
138. to approve or a motion to deny the new addition
139. to the zoning code?
140. MR. DORR: I will make the motion to
141. approve the additions.
142. CHAIRMAN OVERHOLT: Is there a second
143. to that motion?
     1. MR. MERKER: Second.
     2. CHAIRMAN OVERHOLT: The motion has been
     3. made and seconded to approve the new addition to
     4. the zoning code. Would you rather table that
     5. until we have a full meeting?
     6. MR. DORR: No, we have a quorum.
     7. CHAIRMAN OVERHOLT: Okay. All in favor
     8. of the new addition to the zoning code respond
     9. by saying aye.
     10. CHRISTIAN COUNTY ZBA MEMBERS: Aye.
     11. CHAIRMAN OVERHOLT: Opposed. Motion
     12. passes.
     13. At this point the Chair would entertain a
     14. motion for adjournment.
     15. MR. MERKER: So moved.
     16. MR. DORR: I will second.
     17. CHAIRMAN OVERHOLT: It has been moved
     18. and seconded that we adjourn. Any discussion?
     19. We are adjourned.
     20. (Which were all of the proceedings
     21. had on this meeting as of this
     22. date.)

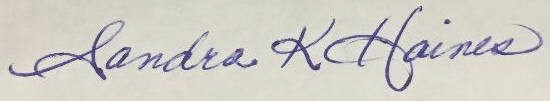
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| --- | --- | --- |
| 1 | STATE OF ILLINOIS | ) |
| 2 | COUNTY OF CHRISTIAN | ) SS  ) |
| 3 |  |  |

1. I, Sandra K. Haines, a Notary Public and
2. Certified Shorthand Reporter, do hereby certify
3. that the foregoing meeting was taken down
4. stenographically by me and afterwards reduced to
5. typewritten form by me, and that the foregoing
6. transcript contains a true and accurate
7. translation of all such shorthand notes.
8. Given under my hand and seal this 26th day

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| 12 | of | January, | 2023 | at | Taylorville, | Illinois. |
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| 21 |  |  |  |  |  |  |

22 Sandra K. Haines

Notary Public and CSR

23 License No. 084-002423

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