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IN THE MATTER OF:  
CHRISTIAN COUNTY

ZONING BOARD OF APPEALS

MARCH 28, 2023

Sandra K. Haines  
CSR No. 084-002423  
(217) 824-8558  
sandra.k.haines@aol.com

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CHRISTIAN COUNTY

ZONING BOARD OF APPEALS

MARCH 28, 2023

6:00 P.M.

ZONING BOARD:

Mr. Jim Overholt, Chairman

Mr. Gary Merker

Mr. Joe Dorr

Mr. Glen Goodrich

Ms. JoAnn Howard

Mr. David Copenbarger

PRESENT:

Mr. Blake Tarr, Zoning Administrator

Mr. Bryan Sharp, Christian County Board  
Member

Mr. John McWard, Christian County State's  
Attorney

Ms. Venise McWard

Mr. Mark Bauman, Central Commodity

1           PRESENT CONTINUED:

2

3           Mr. Cory Merriman

4           Mr. Luke Durbin

5           Mr. Brian Schoenung

6           Mr. Michael Laurenzana

7           Ms. Jennifer Laurenzana

8           Ms. Amber Brown

9           Ms. Angela Alaria

10          Mr. Joe Gleespen

11          Ms. Michelle Knox

12          Ms. Robyn Hylton Pugh

13          Mr. Simon Courtney

14          Mr. Andrew Evans

15          Mr. Nate Patterson

16          Mr. Dennis Braeuninger

17          Mr. John Evans

18          Mr. Ernie Cox

19          Ms. Kathy Lumb

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

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1                   CHAIRMAN OVERHOLT: First order of  
2 business I would like to address that it has  
3 come to my attention that we operated out of  
4 procedure at the last meeting.

5                   I would like to clarify that any member of  
6 the public that plans to speak tonight to  
7 register on one of the sign-in sheets, in favor,  
8 opposition, or neutral. It doesn't make any  
9 difference, please register.

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

13                   Let's move on to roll-call.

14                   David Copenbarger.

15                   MR. COPENBARGER: Here.

16                   CHAIRMAN OVERHOLT: Joe Dorr.

17                   MR. DORR: Here.

18                   CHAIRMAN OVERHOLT: Glen Goodrich.

19                   MR. GOODRICH: Here.

20                   CHAIRMAN OVERHOLT: JoAnn Howard.

21                   MS. HOWARD: Here.

22                   CHAIRMAN OVERHOLT: Gary Merker.

23                   MR. MERKER: Here.

24                   CHAIRMAN OVERHOLT: I need a motion to

1 accept the transcription of the February 28th,  
2 2020 meeting.

3 MR. DORR: I will make the motion to  
4 approve the minutes of the February 28th  
5 meeting.

6 CHAIRMAN OVERHOLT: Is there a second?

7 MR. COPENBARGER: I will second that  
8 motion.

9 CHAIRMAN OVERHOLT: Moved and seconded  
10 that we accept the transcript from the February  
11 28th meeting.

12 Roll-call, Mr. David Copenbarger.

13 MR. COPENBARGER: Yes.

14 CHAIRMAN OVERHOLT: Joe Dorr.

15 MR. DORR: Yes.

16 CHAIRMAN OVERHOLT: Glen Goodrich.

17 MR. GOODRICH: Yes.

18 CHAIRMAN OVERHOLT: JoAnn Howard.

19 MS. HOWARD: Yes.

20 CHAIRMAN OVERHOLT: Gary Merker.

21 MR. MERKER: Yes.

22 CHAIRMAN OVERHOLT: And I vote yes. I  
23 would like to announce that the Zoning Board of  
24 Appeals has a vacancy on the Board. Jon

1 Rosenthal has resigned his position last month.  
2 So, there is an opening for that position.  
3 There is also an opening for the Zoning Board of  
4 Appeals secretary, who would be required to just  
5 take rough notes of every meeting. If we would  
6 have anything super important, we would get a  
7 court reporter. Is there any discussion on this  
8 matter?

9 MR. DORR: The only thing that I have  
10 got, which I talked to Blake about was normally  
11 we try to represent the entire County. So, Jon  
12 was and his previous person before that was  
13 basically south in the Morrisonville area. So,  
14 I think it would be nice to have some  
15 representation from that part of the County as  
16 well.

17 So, I don't know if any of our guests would  
18 consider if they are from that area being part  
19 of this Board, but there is an opening.

20 CHAIRMAN OVERHOLT: So, nobody is  
21 jumping up, but if you want to do it, you could  
22 check with Blake, or if you know somebody that  
23 might be interested, check with Blake as well.

24 The special use applications that we will

1 be hearing this evening have all of the  
2 bordering landowners been notified, Blake, is  
3 that correct?

4 MR. BLAKE TARR: That's correct.

5 CHAIRMAN OVERHOLT: Has the initial  
6 filing fee been paid?

7 MR. BLAKE TARR: Yes, been paid in  
8 full.

9 CHAIRMAN OVERHOLT: Paid in full.

10 The Zoning Board of Appeals has been  
11 submitted a text amendment application by  
12 referral of the County Board. They would like  
13 the following paragraph added to general  
14 provisions.

15 That all DC transmission lines will be  
16 installed and buried in a safe depth  
17 underground. Insulation and burial  
18 specifications will be approved by a third party  
19 engineer. The third party engineer will be  
20 hired and approved by the Christian County Board  
21 at the expense of the applicant. In addition  
22 all easements will be approved by the drainage  
23 district prior to construction.

24 Would anyone like to, from the County Board

1 like to speak about this text amendment?

2 Yes, ma'am, go right ahead.

3 MS. VENISE MCWARD: My name is Venise  
4 McWard. I would like to speak in proposal for  
5 this. I would like to see all high definition  
6 DC lines buried.

7 Is there any questions? There are several  
8 in the audience here tonight that will be  
9 affected by that, either landowners or  
10 residents, and I want to thank them for coming.

11 MR. DORR: I know this has been brought  
12 up before, and this Board had a few questions  
13 about liability for the County. If somehow  
14 somebody would dig into one of these lines, is  
15 the County going to be responsible, the power  
16 company? Who is responsible if something  
17 happens?

18 MS. VENISE MCWARD: That would be the  
19 third party engineer.

20 MR. DORR: If he signs off on that, the  
21 proper depth, and if somebody goes out there and  
22 JULIE marks it and they miss mark it, and they  
23 dig it up, it will be the engineering?

24 MS. VENISE MCWARD: It should be the



1 third party engineer that okays everything, yes.

2 MR. DORR: It should be or guaranteed?

3 MS. VENISE MCWARD: It will be.

4 MR. DORR: The County has no liability?

5 MS. VENISE MCWARD: No, not to my  
6 knowledge. John?

7 MR. JOHN MCWARD: John McWard,  
8 Christian County State's Attorney. I would have  
9 to look it up. I haven't really -- I am not  
10 very well versed in property law for purposes of  
11 what we are talking about tonight. So, we are  
12 saying if we bury it underground, somebody is  
13 building a house and they hit it with a backhoe,  
14 is that the question?

15 MR. DORR: Yes, because there is a lot  
16 of power going through that line, and if  
17 somebody would accidentally dig it up there  
18 could be --

19 MR. JOHN MCWARD: So, are you saying if  
20 the County issued a building permit, that would  
21 permit somebody to do that, is the County  
22 liable?

23 MR. DORR: That's all I am asking is  
24 there any possibility the County would be

1       liable.

2                   MR. JOHN MCWARD:  I don't think so.  As  
3       a third party actor acting on their own  
4       volition, you know if Bradco, the construction  
5       company, is building a house and they do it,  
6       that's on them from a logical perspective; but I  
7       don't know if there is any legal, if there is  
8       any legal recourse for the County to be sued for  
9       permitting that to be buried underground.

10                   MR. DORR:  We had this discussion the  
11       last time too, and we never did get a definitive  
12       answer, and all I am looking out is for the  
13       County, the County Board, the County, what's  
14       going to happen if that gets dug up and somebody  
15       dies, multiple people die from electrocution.  
16       To me that's the deciding factor, as long as the  
17       County is not liable.  I mean that's what our  
18       job is to protect the County, do the research,  
19       get all of the information we can as a Zoning  
20       Board to present it to the County Board so they  
21       can make the proper decision.  I am sure some  
22       County Board members probably have the same  
23       question.

24                   MR. JOHN MCWARD:  So, this is -- go

1 ahead, Venise.

2 MS. VENISE MCWARD: I was going to say  
3 again that's why in this provision there is a  
4 third party engineer because I am like you, I am  
5 here to protect the County. I am here to  
6 protect the County against 5,000 kilowatts that  
7 will be close, be a couple hundred feet from  
8 someone's residence. That's exactly why I  
9 believe they should be buried, and in my opinion  
10 that's why you hire a third party engineer, that  
11 that is signed off on that this is safe for any  
12 type of burial.

13 MR. DORR: Right. I agree 100 percent,  
14 but when he says maybe, I am not for sure,  
15 that's still out there that, I think that this  
16 Board and the County Board needs a definitive  
17 answer that this company is responsible or  
18 whomever is responsible, but takes the liability  
19 off the County.

20 MR. JOHN MCWARD: If I am understanding  
21 your concerns and questions correctly, so let's  
22 say if an airplane had flown through electrical  
23 lines, power lines, right. If we permitted  
24 those electrical lines or power lines to be

1 above ground, are we liable for that?

2 MR. DORR: I don't know.

3 MR. JOHN MCWARD: Same analogy applies  
4 to underground.

5 MR. DORR: Exactly, but do you know the  
6 answer to that one too?

7 MR. JOHN MCWARD: Legally speaking I  
8 think it is on the actor. There is no  
9 responsibility on the County, just every time  
10 somebody runs into a house the County isn't  
11 getting sued for it.

12 MR. DORR: Right, but there is a  
13 difference between running into a house and  
14 digging up how many kilowatt power line.

15 MS. VENISE MCWARD: 5,000.

16 MR. DORR: 5,000 because there is  
17 probably people here that have called JULIE to  
18 come out and mark a line when they were doing  
19 something, and well, it was off by eight, ten  
20 foot, and it has got dug up.

21 MR. JOHN MCWARD: Respectfully I have  
22 never used JULIE, but do they give a  
23 certification or anything of that nature?

24 MR. DORR: I don't know. That's what I

1 am asking before -- I just think those answers  
2 need to be addressed before. I mean it could be  
3 brought up on a vote, but once again it is going  
4 to go to the County Board, and it is their  
5 decision, not ours, but I just think that would  
6 be something that would need to be answered.  
7 Other than that that's the only question, the  
8 only concern that I have about this whole --

9 MR. JOHN MCWARD: Just the burial  
10 itself?

11 MR. DORR: Not the burial, but who is  
12 responsible for an accident that would happen.

13 MR. JOHN MCWARD: We are talking  
14 specifically with burial of those lines?

15 MR. DORR: Correct.

16 MR. JOHN MCWARD: Whether or not the  
17 County has any liability, just so I am clear for  
18 when I look this up and research it, the County  
19 permitting the burial of these lines, whether or  
20 not any accident post burial is on the County.

21 MR. DORR: Correct. That's my only  
22 concern.

23 MR. JOHN MCWARD: Okay.

24 MR. MERKER: Are there any other lines

1           like this in the County now?

2                       MS. VENISE MCWARD:  Not in the County,  
3           there are in the United States, but not in the  
4           County.  Invenergy the same company that owns  
5           Grain Belt is burying lines currently in New  
6           York.  There is buried lines in California,  
7           Minnesota, but not in Christian County.

8                       MR. MERKER:  Does your amendment cover  
9           the whole County, or just part of the County?

10                      MS. VENISE MCWARD:  Covers the whole  
11           County, but again it is by a third party  
12           engineer for the specifications to make sure  
13           that it is done correctly.

14                      MR. COPENBARGER:  Dave Copenbarger,  
15           Zoning Board, I remember we talked about this  
16           before.

17                      MS. VENISE MCWARD:  We did.

18                      MR. COPENBARGER:  There were questions,  
19           and I might have missed a meeting, but I thought  
20           we were going to receive information about  
21           whether it was feasible for these to be buried.  
22           I mean you are saying it, but I don't -- I mean  
23           you are just saying it.  I guess my other  
24           question --

1 MS. VENISE MCWARD: I mean I have tons  
2 of articles I can give you on the United States.

3 MR. COPENBARGER: It is just a money  
4 thing. It is going to cost more to do it than  
5 it would be overhead?

6 MS. VENISE MCWARD: Perhaps, but again  
7 I am here to protect the County.

8 MR. COPENBARGER: The theory is safer.

9 MS. VENISE MCWARD: Correct.

10 MR. COPENBARGER: Who submitted this  
11 text amendment?

12 MS. VENISE MCWARD: I did.

13 MR. COPENBARGER: You are on the County  
14 Board?

15 MS. VENISE MCWARD: Yes.

16 MR. COPENBARGER: You submitted it once  
17 before?

18 MS. VENISE MCWARD: I did, and last  
19 time it was altered, and this time I made it DC  
20 only to make sure that that was not altered.

21 MR. COPENBARGER: I remember we talked  
22 about other transmission lines and where was  
23 this going, right?

24 MS. VENISE MCWARD: Correct, yes.

1 MR. COPENBARGER: So, I am naive about  
2 this. So, what are DC? Which ones are DC?

3 MS. VENISE MCWARD: Direct current  
4 lines.

5 MR. COPENBARGER: No, no, no, but which  
6 power lines are DC? I don't know. It is AC in  
7 front of my house I am sure.

8 MS. VENISE MCWARD: Correct.

9 MR. COPENBARGER: Feeding my house.  
10 So, is it the transmission lines from power  
11 plant to wherever and then they go to --

12 MS. VENISE MCWARD: So, what this would  
13 do is would go from Kansas all of the way to  
14 here, and there would be converter stations,  
15 right, and so they would convert the AC to DC.  
16 The difference is Ameren that goes across is 345  
17 kilowatts. This is 5,000 kilowatts. This is DC  
18 current, not AC that goes in front of your  
19 house.

20 MR. COPENBARGER: Okay.

21 MS. VENISE MCWARD: I might refer to  
22 Joe Gleespen. He is more of an expert than I  
23 am.

24 MR. JOE GLEESPEN: Hi, I am Joe



1 Gleespen. I am from Rosamond, Illinois. This  
2 line will impact me and my family. This line  
3 will be five million kilowatts. It will be  
4 approximately 15 times what an Ameren one is,  
5 and that's why we are wanting it buried. This  
6 will be the only DC line in Christian County.

7 MR. COPENBARGER: So, the high voltage  
8 lines I know there is some by Mt. Auburn that  
9 come from wherever. To me they are on the  
10 towers, those are AC?

11 MR. JOE GLEESPEN: Yes, they are. This  
12 is the only DC line in Illinois.

13 MR. COPENBARGER: Okay. So, we are  
14 limiting this text amendment only to this deal  
15 and future ones?

16 MR. JOE GLEESPEN: Yes. It would be  
17 different if it was a public utility. Even  
18 though the definition that they went to the  
19 ICC4, but it is not going to drop off here. We  
20 have got a room full of people that have allowed  
21 Ameren, Illinois Consolidated, Shelby Electric  
22 but nothing like this.

23 CHAIRMAN OVERHOLT: At this time we  
24 will take any other public comments regarding

1       this proposal. As a reminder please address the  
2       Chairman, state your name, and you will have  
3       three minutes to speak. Yes, ma'am.

4                   MS. MICHELLE KNOX: Good evening. My  
5       name is Michelle Knox, M-I-C-H-E-L-L-E, K-N-O-X,  
6       and I am a resident of Owaneco, Illinois. I  
7       live here in Christian County. Full disclosure,  
8       I am also owner of a renewable energy business  
9       WindSolarUSA, Inc. that was started in 2008, but  
10      I am here really tonight as a representative of  
11      my community.

12                  So, just to add some information, so high  
13      voltage lines are necessary to be able to  
14      transmit power. We have all seen our power  
15      rates go up considerably, and that's sad. But  
16      it is because of -- well, so we are told --  
17      closing of coal fired facilities and the  
18      inability to be able to bring power in at times  
19      at peak demand to be able to meet the need, and  
20      so therefore, when they have to buy it on the  
21      open market, it is at a higher price. So, that  
22      costs us all. So, what this line stands to  
23      serve is the ability to be able to transmit  
24      power from the generating sources in an

1 effective way to be able to serve us at the  
2 times that we need it in times of peak demand,  
3 and to not be so subject to market pricing. So,  
4 in that way I advocate for it.

5 In terms of burial, sure, I mean I would  
6 love to have -- I have over line power coming  
7 from my back alley in Owaneco to my service  
8 entrance. Why, because I don't want to pay to  
9 have it buried. It is the same issue we are  
10 talking about here. It is the same issue.  
11 Burying it would be ideal. It would be what we  
12 would want, but the cost prohibitiveness of it  
13 keeps us from being able to do that to be able  
14 to create the infrastructure we need to create  
15 the clean energy economy to be able to  
16 transition as we are trying to transition.

17 So, I think that from just a consumer  
18 perspective what would be good is if the  
19 developer could share with the Board and the  
20 committee the difference in the cost  
21 perspectives of burying versus overhead, and  
22 then we look at the economics of what we are all  
23 paying in terms of higher energy rates for not  
24 being able to have that transmission network,

1 and figure out how does this work. That's what  
2 I have to say.

3 CHAIRMAN OVERHOLT: Thank you very  
4 much. Anybody else? Yes, ma'am.

5 MS. ROBYN HYLTON PUGH: Thank you very  
6 much. My name is Robyn Hylton Pugh, and I will  
7 spell it for you, R-O-B-Y-N, H-Y-L-T-O-N,  
8 P-U-G-H. Thank you for letting me speak.

9 First off I want to let you know that when  
10 this started, when Grain Belt started, they  
11 originally were going to run the line directly  
12 over my home. I personally did not want five  
13 million volts, or watts, or whatever you want to  
14 call it anywhere near me. Now the proposed  
15 route is one mile from my house. I don't know  
16 about any of you or how you feel, but this home  
17 has been in my family since the day it was built  
18 100 years ago. Anybody can look it up on a plat  
19 map. My home value to have these humongous  
20 lines running through the beautiful country  
21 where I live is going to just be -- is going to  
22 be just completely devastating to any type of  
23 resale value for my home when I am gone if my  
24 children decide to sell that home. My property

1 values are going to go down. Nobody is going to  
2 want to look at that kind of a line.

3 The next problem that I have with this,  
4 although my son is a lineman and I do support  
5 electricity, he also does not work lines this  
6 big. He works distribution, not transmission.  
7 These lines are larger than what his company  
8 even handles. Now, with the -- for lack of a  
9 better term, I am sorry, I am not prepared, the  
10 resonance off of these lines is long reaching,  
11 is long reaching. It is not just 50 feet. It  
12 is not just a hundred feet. What I am reading  
13 from Grain Belt -- I am not getting any of the  
14 information that I want. How far does this  
15 magnetic field go when that line is on top? I  
16 personally do not want to see this line above  
17 ground. I want to see it buried not only for  
18 the integrity of the property values as far as  
19 the homes that are in the area, as far as the  
20 safety for the magnetic field that these lines  
21 do create, and just as the gentleman said and as  
22 you pointed out, if an airplane was to hit this  
23 line or to hit one of these, how far does this  
24 line, how tall are these, how far are they going

1 to fall? How many people are going to be killed  
2 because of this if this structure fails, if any  
3 of those structures fail if they lose integrity  
4 in five years, ten years, what have you. I do  
5 appreciate you letting me speak. Thank you very  
6 much.

7 CHAIRMAN OVERHOLT: Thank you. Did I  
8 see a hand in the back? Anybody else?

9 At this point we need a motion to approve  
10 the text amendment changes that were transmitted  
11 to us from the County Board. This says  
12 installation, that all DC transmission lines  
13 will be installed and buried at a safe depth  
14 underground. Insulation and burial  
15 specifications will be approved by a third party  
16 engineer. The third party engineer will be  
17 hired and approved by the Christian County Board  
18 at the expense of the applicant. In addition,  
19 all easements will be approved by the drainage  
20 districts prior to construction. Do I hear a  
21 motion to approve this amendment?

22 MR. DORR: Well, once again before we  
23 make a motion I would still like to have the  
24 questions answered about liability. Like I

1       said, I can't speak for the County Board, but  
2       speaking as a member of this Board I think  
3       that's a very important question that needs to  
4       be answered. Now, there is quite a few County  
5       Board members here, and if they want to take  
6       that on themselves at their own meeting, that's  
7       up to them; but once again, I just think that's  
8       something that we need to consider, and they  
9       need to consider.

10                So, before we make a motion if the County  
11       Board wants to say yes, it is on us, it is not  
12       going to be on us, if we make this motion, then  
13       that's what I would like to hear, or a definite  
14       from the State's Attorney that says there is no  
15       way the County will be liable for anything in  
16       the foreseeable future as far as cutting the  
17       line.

18                MR. JOHN MCWARD: Can I address that  
19       point just on a preliminary?

20                MR. DORR: Sure.

21                MR. JOHN MCWARD: Our County issues  
22       building permits and various different permits  
23       for people to construct things, right. If those  
24       fall on somebody else, the liability is not

1 on -- the liability is not on the County for the  
2 issue of that permit. We are not holding Blake  
3 Tarr responsible for issuing a ticket or  
4 anything of that nature.

5 So, as a preliminary matter there is no  
6 liability on the County. If we issue a building  
7 permit for a home in the County, let's say,  
8 right, and during the construction of the house  
9 it falls on one of the contractors, that's not  
10 on us.

11 MR. DORR: I understand that, but the  
12 County is not requiring somebody to build that  
13 structure. If this goes through, the County  
14 would be enforcing that these be buried.

15 MR. JOHN MCWARD: I think that's just a  
16 condition precedent to the issue though, right.  
17 Nobody is requiring them to build this  
18 underground.

19 MR. DORR: Well, if this goes through,  
20 the County will be requiring them to put it  
21 underground.

22 MR. JOHN MCWARD: That's just a policy  
23 that the County is requiring, right. If those  
24 power lines would fall on somebody, is it the



1 County who issued the permission for them to do  
2 so, or is it the faulty mechanic work done by  
3 one of the linemen putting it up? We issued the  
4 permit. We don't construct it. So, in tort law  
5 it is the actor, not the person who starts it,  
6 who causes it, right. If somebody puts those  
7 power lines up, and they forgot to put one bolt  
8 on, falls on somebody, the County didn't put  
9 that bolt on. It was the manufacturer or the  
10 constructor or the construction worker that did  
11 that. You can't hold the County liable, but  
12 that's my preliminary statement on that, but I  
13 can shore up these things and provide that to  
14 the County Board if that's needed.

15 MS. VENISE MCWARD: Again Joe, that's  
16 why we are hiring the third party engineer to  
17 make sure that they sign off, and that's hired  
18 by the applicant. So, the third party engineer  
19 would be the one signing off to make sure that  
20 this is safe for everyone.

21 MR. COPENBARGER: But his point is  
22 third party engineer is going to supervise and  
23 approve the project. That gets done. He is  
24 talking about five years from now. That

1 engineer is not liable five years from now. His  
2 project is done, he approved, somebody approved  
3 the depths and the insulation. I think there is  
4 not an issue.

5 MR. JOHN MCWARD: I don't think so  
6 either.

7 MR. DORR: I wanted to cover the bases.  
8 I don't think there is either, but that was the  
9 sticking point at the last time we discussed  
10 this.

11 MR. JOHN MCWARD: If the County is  
12 building something, yes, then something happens,  
13 but just putting a rubber stamp of approval on  
14 it.

15 MR. DORR: Well, like I said, we either  
16 suggest this to be approved or not approved. It  
17 is not our job. If we don't approve it, the  
18 County Board can override us. If we approve it,  
19 the County Board can override us and not approve  
20 it. So, our job here is to find out all of the  
21 information to go to the County Board just like  
22 every other hearing. So, if the County Board is  
23 comfortable with what he is saying, then I don't  
24 see an issue.

1 MS. VENISE MCWARD: Again I am just  
2 wanting to protect Christian County just like  
3 you.

4 MR. DORR: Yes.

5 CHAIRMAN OVERHOLT: Is there any  
6 further discussion from the Board?

7 Is there a motion to approve the  
8 application from the County Board? There is not  
9 a motion.

10 MR. DORR: I will make the motion to  
11 approve this amendment to go to the County  
12 Board.

13 CHAIRMAN OVERHOLT: Is there a second?

14 MS. HOWARD: I will second, JoAnn  
15 Howard.

16 CHAIRMAN OVERHOLT: Let's have a  
17 roll-call vote.

18 David Copenbarger.

19 MR. COPENBARGER: Yes.

20 CHAIRMAN OVERHOLT: Joe Dorr.

21 MR. DORR: Yes.

22 CHAIRMAN OVERHOLT: Glen Goodrich.

23 MR. GOODRICH: Yes.

24 CHAIRMAN OVERHOLT: JoAnn Howard.

1 MS. HOWARD: Yes.

2 CHAIRMAN OVERHOLT: Gary Merker.

3 MR. MERKER: Yes.

4 CHAIRMAN OVERHOLT: Motion passes.

5 There is a special use application  
6 submitted by Fork River Community Solar, two  
7 parcels are, both of them are east of Kincaid.

8 Will a representative from Fork River like  
9 to present your proposal? Go right ahead, sir.  
10 State your name for the court reporter.

11 MR. DORR: If anybody was here for the  
12 first part of the meeting if they want to leave,  
13 they don't have to stay. That's up to them. It  
14 is a public meeting. I am just saying. We will  
15 be sitting here for a couple hours, if they want  
16 to leave.

17 MR. SIMON COURTNEY: My name is Simon  
18 Courtney, S-I-M-O-N, C-O-U-R-T-N-E-Y.

19 MR. ANDREW EVANS: Andrew Evans,  
20 A-N-D-R-E-W, E-V-A-N-S.

21 MR. SIMON COURTNEY: Good evening  
22 everybody. My name is Simon Courtney. I am  
23 from Solar Provider Group. I am here tonight  
24 with my colleague, Andrew Evans, and we are here

1       this evening to present to you our community  
2       solar farm project called Fork River Community  
3       Solar. It is located on 800 East Street. I  
4       will just get the address correct for you all,  
5       yes. So, we are hoping to work with you all in  
6       the future on this project.

7               We have created a small presentation to  
8       guide you through who we are, and what we are  
9       presenting, and what we hope to achieve. So, I  
10      will hand you over to Andrew to make the  
11      presentation.

12              MR. ANDREW EVANS: So, I am Andrew  
13      Evans, and I first would like to thank the Board  
14      and Blake for inviting me here today to give  
15      some information about the specialties permit  
16      application for Fork River Community Solar.

17              So, I am here just to give some  
18      information, and to answer any questions that  
19      the Board or the public may have, and to take  
20      any recommendations, and consider that as part  
21      of the application.

22              So, just a bit of an outline for the  
23      presentation. I am going to run through a brief  
24      introduction to Solar Provider Group and the

1 Illinois Community Solar Program, what the  
2 Community Solar Program is, and go through some  
3 project details for Fork River Community Solar,  
4 and then just some benefits of the project, and  
5 move onto questions and recommendations  
6 afterwards.

7 A bit about Solar Provider Group, so we are  
8 North American Solar Company with over 12 years  
9 of experience in commercial community and  
10 utility scale solar projects. We are  
11 successful. We have had success in developing  
12 over 100 megawatts of solar development in North  
13 America and Europe. We are active in the  
14 U.S.A., in Canada, and the Netherlands, and  
15 Germany. We consider ourselves a one stop shop  
16 for solar, and we have taken many projects from  
17 development through permitting all of the way to  
18 construction and maintenance.

19 Here we can see just a few of the markets  
20 that we are in in the U.S. We are active in a  
21 few states that have community solar programs  
22 already such as New York, and Maine, and  
23 California. Obviously here, we are very active  
24 here in Illinois. I would like to show you a

1        few projects that we have taken through from  
2        development to construction. This is the  
3        project in Illinois in Carterville, and this is  
4        a community solar project called Hurricane Creek  
5        that we developed and took to construction, and  
6        it was commissioned in 2020. This is just a  
7        picture of it, and when it was under  
8        construction it is quite similar to the Fork  
9        River Community Solar project, our project that  
10       is proposed today. We used similar technology  
11       to this project. So, it just gives you a bit of  
12       an overview of what it might look like if we get  
13       the go ahead.

14                This is a project that we took to  
15       development to commissioning in New York State,  
16       and this is a project in Ontario and Canada.  
17       So, why are we in Illinois, so we are in  
18       Illinois because Illinois has ambitious targets  
19       for renewable energy generation. As it stands  
20       the majority of energy in Illinois is created  
21       through nuclear or coal fired power plants. The  
22       Illinois government has committed to producing  
23       40 percent of electricity from renewables by  
24       2030 and 50 percent by 2040. So, as you can see

1 here renewables is the bottom one on this graph.  
2 So, as part of these goals the Illinois  
3 government has set up the adjustable block  
4 program. This is run by the Illinois Power  
5 Agency. It is our plan to submit Fork River  
6 Community Solar into this program pending permit  
7 approval.

8           What is community solar. So, essentially  
9 what community solar is it is a community  
10 project that you can subscribe to. A company  
11 such as ours builds projects like solar, like  
12 Fork River Community Solar. They are  
13 constructed, and gets commissioned, and it feeds  
14 energy to the grid. And in this case Ameren  
15 Illinois is the utility that runs the grid. And  
16 Ameren Illinois will then give customers the  
17 opportunity to sign up to the project.  
18 Essentially it gives customers part ownership of  
19 the electricity that's generated. So, when the  
20 project feeds energy into the grid, they will  
21 get a credit on their bill after that. So, they  
22 will get energy savings. So, this is some of  
23 the benefits. As I just said the customers have  
24 the opportunity to partake in renewable energy



1       when they usually wouldn't have that opportunity  
2       because they might not have enough land or space  
3       in their roof to accommodate solar. And so it  
4       gives more energy equity, and it allows the  
5       customers the opportunity to save as well, and  
6       there is also economic benefits such as the  
7       County can take and receive more or increased  
8       tax revenues through increased property tax  
9       revenues associated with the project. Also  
10      there is increased labor opportunities  
11      associated with construction operation. Also  
12      solar projects are an environmentally safe way  
13      to generate electricity. There is no pollution,  
14      or toxic waste, or any by-product associated  
15      with the operation. Compare this to coal fired  
16      power plants out there they are quite a dirty  
17      way to create electricity. With nuclear there  
18      is a lot of toxic by-products that can be  
19      associated with it.

20             Also with the solar developments it is  
21      quite easy to restore the land back to its  
22      original state after commercial operation is  
23      ceased.

24             So, just move onto the specialties permit

1 application that was submitted to the Zoning  
2 Board of Appeals, it was submitted at the  
3 beginning of March, and here are some project  
4 details. The project is located approximately  
5 four miles northwest of Taylorville. The access  
6 would be onto the E 1165 North Road. The  
7 property owners are Kathryn and Kelly Getz, and  
8 they have partnered with Solar Provider Group to  
9 help us get a project on their land. You can  
10 see here the lot numbers and the location  
11 details and the land use. So, approximately 27  
12 acres of land will be used for the project with  
13 a system size of 5,000 kilowatts AC, and this  
14 will be enough to power roughly 1,102  
15 households.

16 The type of panel that will be used is  
17 called a single axis tracker. This tracks the  
18 sun from east to west throughout the day to  
19 maximize energy production. As you can see here  
20 the system heights are within the regulations of  
21 the County, six to eight feet for the perimeter  
22 fence, and the panels will be about seven to  
23 eight feet in height. There is no drainage  
24 tiles present on the parcels.

1           Just to move onto the submission itself, as  
2           I said it was submitted in March. As part of  
3           that we had a decommissioning plan written out,  
4           which just commits to the owner operator of the  
5           Solar Provider Group as it stands. It commits  
6           us to decommissioning standards. There is also  
7           an agricultural impact mitigation agreement that  
8           was executed with the Illinois Department of  
9           Agriculture, and this provides reassurances to  
10          the landowner and some protections to the  
11          landowner. It commits us again to  
12          decommissioning standards. It also commits us  
13          to take care of any drainage tiles that may be  
14          damaged in the unlikely event that they are  
15          damaged. There is more protections to the  
16          landowner. It also commits us to restore the  
17          land to its original state upon the cease of  
18          operations.

19                 We made consultation with the Illinois  
20                 State Historic Preservation Society, and we  
21                 included some finances there of Solar Provider  
22                 Group just to state our financial ability, and  
23                 there is a road use plan also included. This is  
24                 what has been submitted so far, and if the

1 project is to be taken further on, there will be  
2 more assessments and studies undertaken before  
3 the project is constructed.

4 So, just a few benefits of the proposed  
5 project, as I said it affords an opportunity for  
6 customers to save on their electricity bill.  
7 So, it is approximately 10 to 15 percent energy  
8 savings, which is roughly two to \$300.00 per  
9 year, and increased tax revenues as I said to  
10 the County. So, we are talking about maybe  
11 \$7,000.00 per megawatt per year. Again the  
12 creation of jobs, and environmental benefits,  
13 production of clean electricity to move away  
14 from carbon intensive electricity production.  
15 The land is allowed the opportunity to rest and  
16 regenerate, which will ensure its productivity  
17 far into the future for future generations, and  
18 the commitment that Solar Provider Group has  
19 made as part of the adjustable block program is  
20 the incorporation of agrivoltaics. What this is  
21 is essentially the incorporation of agriculture  
22 activity in between the rows of the panels in  
23 the solar farm, and also we have committed to  
24 incorporating pollinator friendly habitat, and

1 these have their own benefits.

2           So, agrivoltaics allows for the  
3 simultaneous production of energy and food, and  
4 it also provides a good opportunity for farmers  
5 to diversify their agricultural activities, and  
6 friendly habitats enriches wildlife and also by  
7 supporting pollination it can have positive  
8 knockdown effects to crop fields in the  
9 locality. Again as I said earlier as part of  
10 the agricultural impacts mitigation agreement we  
11 have -- there is a condition to restore the land  
12 to its predevelopment condition.

13           So, here is the proposed system design that  
14 we have at the moment. As you can see, it is  
15 split into two different arrays between the two  
16 parcels. There is an access track that goes  
17 from one to the next there on the eastern side  
18 of the bottom parcel. There is also proposed  
19 underground cabling along that. The access  
20 route onto the E 1625 North Road would be in the  
21 northeast as well, and the point of  
22 interconnection onto the existing utility grid  
23 is an existing three phase line along the road  
24 that we will interconnect to in the northeast.

1           I would like to point out that our system  
2 design was based upon the ordinance prior to  
3 March 1st, and that has been revised. So, we  
4 were following the rules and regulations as part  
5 of that original ordinance, and if there is any  
6 recommendations based upon the new ordinance  
7 that has come into effect, we are happy to take  
8 them on and rectify the design to accommodate  
9 these new recommendations.

10           I would like to thank you again for the  
11 time and allowing me to give some information on  
12 the project, and I would like to invite any  
13 questions, recommendations from the Board or  
14 from the public. Thanks again.

15           CHAIRMAN OVERHOLT: Are there any  
16 questions from the Board?

17           MR. DORR: I have a question.

18           CHAIRMAN OVERHOLT: Yes, sir.

19           MR. DORR: In your map here with your  
20 array there is, looks like there is panels going  
21 over some of the timber that's presently there.  
22 Is that being removed?

23           MR. SIMON COURTNEY: Yes, that is  
24 correct. There will be partial removal. So, we

1           calculated at the minute it is going to be  
2           approximately four acres.

3                     MR. DORR:   For both parcels.

4                     MR. SIMON COURTNEY:   That's including  
5           both parcels, yes.  It is including the various  
6           sort of corners and parts and pieces.  Also I  
7           would like to say is we are not so naive to  
8           suggest that that's going to be the final  
9           design.  There is always changes and chopping  
10          and changing as the project moves forward and as  
11          you discover more about the land.  For example,  
12          we might find that there is a wet land or  
13          something that we can't work around, but at this  
14          moment in time it is approximately four acres.

15                    MR. DORR:   All three of these are  
16          residential housing?

17                    MR. SIMON COURTNEY:   That is correct,  
18          yes.

19                    MR. COPENBARGER:   Dave Copenbarger,  
20          Zoning Board.  So, on the north end on the east  
21          there is a house.  That looks like a house  
22          there.  Who owns that?

23                    MR. SIMON COURTNEY:   Who owns it,  
24          Mr. Graham, Mr. Jordan Graham.

1 MR. COPENBARGER: Have you talked to  
2 him?

3 MR. SIMON COURTNEY: No, not formally.

4 MR. COPENBARGER: That road is going  
5 right by their house.

6 MR. SIMON COURTNEY: Yes, it is in  
7 Mr. Getz's property. It is quite close to  
8 Mr. Graham's house, but we did ensure -- it is  
9 hard to see obviously looking at the screen.

10 MR. COPENBARGER: I looked on my phone.

11 MR. SIMON COURTNEY: It is in  
12 Mr. Getz's property boundary.

13 MR. COPENBARGER: So, Blake, have all  
14 of the adjacent landowners been notified?

15 MR. BLAKE TARR: Yes.

16 MR. COPENBARGER: In the past on solar  
17 farms what I remember the Zoning Board doing was  
18 hearing concerns from adjacent landowners, and  
19 then trying to address what the concerns were,  
20 and mitigating that through vegetation,  
21 planting, or a fence, or setbacks from certain  
22 areas. I think that's very important here too.

23 MR. SIMON COURTNEY: Yes, like Andrew  
24 mentioned in the initial presentation it is



1 something that we are open to performing.

2 MR. DORR: Are any of the people that  
3 own these three houses here tonight? Did  
4 anybody write in an objection?

5 MR. BLAKE TARR: No. I did have a  
6 landowner call in with some questions that I did  
7 my best to answer and invited them to this  
8 meeting tonight. I am trying to pull up in  
9 their application that you have been submitted  
10 in your packet, there are names of those  
11 landowners. I am trying to reference that right  
12 now.

13 MR. SIMON COURTNEY: I should point out  
14 we don't go in all guns blazing, just turn up  
15 with machinery one day. This the first -- go  
16 ahead.

17 MR. COPENBARGER: So, Blake, do they  
18 have all this information, the landowners, or do  
19 we just notify them of the meeting?

20 MR. BLAKE TARR: Notifying them of the  
21 application for the special use permit of the  
22 possible solar project, and invited them to  
23 learn more about the meeting.

24 CHAIRMAN OVERHOLT: Any further

1 questions from the Board?

2 MR. DORR: I had just one final  
3 question. So, if this does get approved by the  
4 County Board, what's your time frame for  
5 construction? Because we have passed numerous  
6 solar projects, and as far as I know none of  
7 them have been started yet.

8 MR. SIMON COURTNEY: So, every solar  
9 farm that you would drive past on the road there  
10 is probably two to three years development  
11 behind it. The reason for that -- the reason  
12 for the delay is, tonight is essentially the  
13 first step. Tonight if you grant us the permit  
14 is our trigger to go and start the environmental  
15 tests, the engineering tests, and really start  
16 the detailed design tests. That all takes -- it  
17 can take up to 12 months or so by the time you  
18 get a contractor and stuff, et cetera, et  
19 cetera. That's why you are seeing such a delay.  
20 It also has to be picked out of the IPA. The  
21 IPA has to select it. They are not the quickest  
22 organization in the world. We will hopefully  
23 submit the project in June, but we won't hear  
24 back -- we won't get our formal acceptance from

1 the IPA probably until August. So, from August  
2 2023 to June, July 2024 we will be developing  
3 the project with the aim of construction in mid  
4 2024. It is essentially impossible for me to  
5 give you an accurate date. That's the best date  
6 that I can give you. I know it is not concrete  
7 but --

8 MR. DORR: Just to correct you, we just  
9 make a recommendation to the County Board. They  
10 are the ones.

11 MR. SIMON COURTNEY: Yes, I understand.

12 MR. DORR: How many jobs will this  
13 create?

14 MR. SIMON COURTNEY: Well, during  
15 construction you are looking at 10 to 20  
16 laborers, 10 electricians for a duration of 10  
17 to 15 weeks, various different stages obviously.  
18 Maintenance, long term maintenance for 30 to 40  
19 years will be, it will be an annual base  
20 contract for whoever is awarded it. They would  
21 be able to charge in the region of probably  
22 \$15.00 per megawatt on an annual basis. So, it  
23 is probably worth seven to \$8,000.00 for a local  
24 electrical contractor after that on an annual

1 basis.

2 MR. DORR: Will you be hiring local  
3 contractors?

4 MR. SIMON COURTNEY: Well, you would  
5 have to because you couldn't -- if something has  
6 to be fixed, you would want it fixed relatively  
7 quickly. You couldn't be -- logically speaking  
8 it would have to be a reasonably local based  
9 electrical contractor.

10 MR. MERKER: Somewhere in this  
11 excellent presentation that you guys made it  
12 said that there were going to be 395  
13 construction jobs created and six permanent  
14 full-time jobs. Does that ring a bell with you?

15 MR. SIMON COURTNEY: No.

16 MR. ANDREW EVANS: No, it wouldn't.

17 MR. MERKER: I just read that this  
18 afternoon somewhere in this. I should have  
19 marked it so I could have gone right to it.

20 MR. SIMON COURTNEY: I would love to  
21 see that section as well. There is no  
22 capability for -- how many permanent jobs?

23 MR. MERKER: Six.

24 MR. SIMON COURTNEY: No, that's not

1 correct. It does not --

2 MR. MERKER: It said six of six. So, I  
3 don't know if that means you have six positions,  
4 and you are going to fill three of them, or six  
5 positions, and you are going to fill six. Not  
6 that it makes that much difference because we  
7 are only talking about a handful.

8 MR. SIMON COURTNEY: I guess when you  
9 say full-time jobs, I am thinking of a 9:00 to  
10 5:00 sort of a thing.

11 MR. MERKER: Forty hours.

12 MR. SIMON COURTNEY: It doesn't have  
13 the ability to create that for six people.

14 MR. MERKER: Does it have the ability  
15 to create that for anyone, any individual? Will  
16 there be anybody full-time?

17 MR. SIMON COURTNEY: The nature of a  
18 solar farm is that it is not a full-time  
19 operation, right. It is not a 9:00 to 5:00  
20 operation for an electrician, or a laborer, or  
21 someone like that. During the construction,  
22 which takes 10 to 15 weeks then it becomes a  
23 full-time operation for that duration, if that  
24 makes sense. But no, it doesn't create a long

1 term 9:00 to 5:00, 40 hour job for someone in  
2 the long term.

3 MR. MERKER: So, your maintenance  
4 people -- your long term employees will be  
5 contractors.

6 MR. SIMON COURTNEY: Contractors, they  
7 would be on a -- they would be charging us on an  
8 annual sort of how can I describe it, like a  
9 lease rate or something like that, I guess.

10 MR. MERKER: Okay.

11 MR. SIMON COURTNEY: I mean that's  
12 permanent in its nature, the annual nature of  
13 the contractor is permanent.

14 MR. MERKER: Well, I don't think the  
15 question is who is the employer. It is how many  
16 people might be impacted by that.

17 MR. SIMON COURTNEY: Yes.

18 MR. MERKER: Again in the interest of  
19 full transparency wherever that came from, I  
20 think that this kind of a project, this  
21 technology is probably the best and most  
22 preferable that's going to lead us out of the  
23 energy hole that we are in.

24 Now, having said that I have got a couple

1 questions. You know, this is America. Here in  
2 America we follow the money. The last, on Page  
3 5, the last two sentences if I could read,  
4 approximately \$1,419.00 of this property tax is  
5 due to the County. Does that mean the County of  
6 Christian, or does that mean all of the taxing  
7 districts in the County?

8 MR. SIMON COURTNEY: So, my  
9 understanding is it is a flat rate issued by the  
10 County and to the County. So, I don't believe  
11 that it goes to the municipalities within the  
12 County.

13 MR. MERKER: Well, I would guess  
14 without knowing, there is probably, and somebody  
15 can help me out here, maybe 40 or 50 taxing  
16 districts in the County. So, this \$1,419.00  
17 does that go to Christian County itself, or is  
18 that to be split amongst the 40 or 50 taxing  
19 districts that we have?

20 MR. DORR: Sorry, but I was reading  
21 that as well. It says it means estimated  
22 \$13,649.00 to be paid in property tax,  
23 approximately 1,419 of this due to the County.  
24 So, the other, like the South Fork, or

1 Taylorville Township, or whatever is getting the  
2 rest of that.

3 MR. SIMON COURTNEY: I guess I will  
4 answer that by speaking --

5 MR. MERKER: I just wanted to clarify  
6 where the money --

7 MR. DORR: That's the way I am reading  
8 it, isn't it?

9 MR. MERKER: I don't know.

10 MR. SIMON COURTNEY: Well, I will speak  
11 from my experience so far, and it is with  
12 Vermilion County. They calculated it at  
13 approximately 7,000 per megawatt. So, if we do  
14 very basic math here, it is a five megawatt  
15 array, it is worth \$35,000.00. That goes to the  
16 County. I guess to be -- I don't know what  
17 happens after that.

18 MR. MERKER: Okay, yes, here the tax  
19 funds do go to the County, who then disburses  
20 them to the other taxing districts who have the  
21 power of levee.

22 MR. SIMON COURTNEY: Yes.

23 MR. MERKER: So, like City of  
24 Taylorville, City of Kincaid are all separate.



1 MR. SIMON COURTNEY: Yes.

2 MR. MERKER: All right. One other  
3 thing I just wanted to mention, in this  
4 presentation you say that on the financials we  
5 should check, we could view the financials in  
6 Schedule G. There is no Schedule G in this.

7 MR. SIMON COURTNEY: There should be.

8 MR. MERKER: There is not.

9 MR. SIMON COURTNEY: It is quite a  
10 large sheet. It would almost be very difficult  
11 to read on a regular size paper.

12 MR. MERKER: I guess I will belay that  
13 question because I don't seem to have the papers  
14 in question.

15 MR. SIMON COURTNEY: Certainly in the  
16 electronic document we would have sent over I am  
17 certain it would have been part of it. I know  
18 because me and Andrew worked on it for awhile.

19 MR. MERKER: I don't seem to have it.  
20 Does the office have a full copy of the  
21 presentation?

22 MR. BLAKE TARR: No. I have got what  
23 you got, Gary.

24 MR. SIMON COURTNEY: Apologies, folks,

1 if it is not in there, but I know for sure we  
2 did work on it. Can we rectify that by sending  
3 an electronic file over?

4 MR. MERKER: Yes, that would be fine.  
5 Why don't you send it to the office so that the  
6 office has it.

7 MR. SIMON COURTNEY: Absolutely.

8 MR. MERKER: Then I can just access it  
9 down there.

10 MR. SIMON COURTNEY: Yes.

11 MR. MERKER: Okay.

12 CHAIRMAN OVERHOLT: At this time we  
13 will take any public comments that anybody has.

14 Again please state your name, sign in, and  
15 address your comments to the Board. Any  
16 comments about this proposal? Any further  
17 discussion from the Board?

18 MR. COPENBARGER: Mr. Chairman.

19 CHAIRMAN OVERHOLT: Yes.

20 MR. COPENBARGER: In the past on solar  
21 farms we have always had, we have always tried  
22 to make sure, especially the homeowners that are  
23 right next to it are informed, and sometimes we  
24 have had in the past that they never got a

1 letter. So, I think it is very important that  
2 the homeowners that are adjacent to this and the  
3 landowners, but that they are aware, and that  
4 this company will work with them to ensure that  
5 vegetation gets planted because that one where  
6 that road is is right by that person's house  
7 there. They may not even be aware of what's  
8 going on. So, I think that's very important  
9 that we don't approve until the homeowners are  
10 informed, aware. And I know Blake sent out the  
11 notices, and they didn't do anything, but  
12 somehow we need to put that in our motion I  
13 think that they have to work with those adjacent  
14 landowners to address their concerns, and maybe  
15 then you have to come back to us if the  
16 concerns, you know what I am saying.

17 MR. SIMON COURTNEY: Yes, I was just  
18 about to actually comment on that a few minutes  
19 ago.

20 MR. COPENBARGER: Okay.

21 CHAIRMAN OVERHOLT: Could you put that  
22 in your motion to approve?

23 MR. COPENBARGER: Yes. Are you ready  
24 for a motion, or do you want his response?

1                   CHAIRMAN OVERHOLT:   Go ahead.

2                   MR. SIMON COURTNEY:   I have one more  
3                   comment to make.   We don't go in all guns  
4                   blazing.   We do and will speak with our  
5                   neighbors.   It would be a little bit silly not  
6                   to given the circumstances here how close they  
7                   are.   Yes, we do work with them.   We don't just  
8                   turn up one day with a bunch of machinery and  
9                   start installing panels.   That's not how any  
10                  construction company should operate.   It is not  
11                  how we operate.   I just wanted to clarify that.

12                  MR. BLAKE TARR:   Gary, I do have that  
13                  Schedule G electronic link.   So, I can share  
14                  that with the Board.

15                  MR. MERKER:   Thank you.   Please do.

16                  MR. DORR:   I understand what you are  
17                  saying, Dave, but is it our responsibility to --  
18                  I mean is it our responsibility to send the  
19                  notice out?   If they don't show up -- we have  
20                  had it in the past where some claim they did not  
21                  get a notice, and we had another hearing to hear  
22                  their say, but as long as notification was sent  
23                  out.

24                  MR. COPENBARGER:   Well, I just know in

1 the past we have had people come and say well,  
2 we didn't know this was going to happen, and  
3 let's face it our mail system, some people don't  
4 check their mail. Was this home mailed, Blake,  
5 I assume?

6 MR. BLAKE TARR: Yes. That's what our  
7 ordinance says we have got to notify them by  
8 mail.

9 MR. DORR: So, do you want to make a  
10 motion, or you want to table it, or what do you  
11 want to do?

12 MR. COPENBARGER: I make a motion we  
13 approve this solar farm project contingent upon  
14 Fox River, well, Solar Provider Group addresses  
15 concerns, if any, from adjacent landowners.

16 CHAIRMAN OVERHOLT: Motion made. Is  
17 there a second?

18 MR. GOODRICH: Glen Goodrich, second  
19 it.

20 CHAIRMAN OVERHOLT: There is a motion  
21 and a second that we approve the application for  
22 the permit. Let's have a roll-call vote. All  
23 opposed, all in favor. David Copenbarger.

24 MR. COPENBARGER: Yes.

1 CHAIRMAN OVERHOLT: Joe Dorr.

2 MR. DORR: Yes.

3 CHAIRMAN OVERHOLT: Glen Goodrich.

4 MR. GOODRICH: Yes.

5 CHAIRMAN OVERHOLT: JoAnn Howard.

6 MS. HOWARD: Yes.

7 CHAIRMAN OVERHOLT: Gary Merker.

8 MR. MERKER: I hate to do this in light  
9 of what I said, but I want to go back to one of  
10 the very first things that I said, and that's  
11 this being America we follow the money. I would  
12 like to see the financials before I vote for  
13 this project. Based on that and the fact that  
14 they are missing on here I vote no.

15 MR. SIMON COURTNEY: Can I address  
16 that? Is it possible to comment on that?

17 MR. MERKER: I would welcome your  
18 comment personally as a board member.

19 MR. SIMON COURTNEY: I am just  
20 wondering what it is that you are expecting.  
21 So, what we provided was a model. I can't  
22 remember if it was a 20 or 30 year model of what  
23 it would produce over the course of 30 years.  
24 Is that acceptable? Is that what you are

1 seeking?

2 MR. MERKER: Joe said earlier in the  
3 meeting that our job here is to collect  
4 information. Let's face it, this would not be  
5 happening if it wasn't for the money. So, I  
6 would like to be able to see -- you obviously  
7 thought that there was something important  
8 enough that you were going to include a full  
9 section but didn't. I would like to see what  
10 that is.

11 MR. SIMON COURTNEY: Absolutely. I  
12 mean we did include it in the electronic. I  
13 don't know why it is not in the paper.

14 MR. MERKER: I can't speak to that.

15 MR. BLAKE TARR: I e-mailed it to you,  
16 Gary, just FYI.

17 MR. MERKER: Okay. As I understand  
18 this process, if everybody else votes yes, it  
19 carries, and goes to the Board anyway. So, I  
20 guess my point here is kind of moot because  
21 there is going to be some action taken on this  
22 tonight, but we are going to be making that  
23 action without the full benefit of the  
24 information that you are going to, well, that

1       you did apparently submit that at least I don't  
2       have. So, I can't make any kind of qualitative  
3       judgment. Now, I would also assume that you  
4       guys are probably as blue ribbon financial as  
5       you can be. I don't think that's an issue at  
6       all, but if you are going to make that kind of  
7       application to this public tax supportive board,  
8       you need to supply the information.

9                   MR. SIMON COURTNEY: Yes. I guess I  
10       can provide sort of a verbal explanation of what  
11       the financials will look like. You will see a  
12       balance sheet from the last five years or so.  
13       Most solar farms that you see, how can I put  
14       this, I guess you are not going to see 10  
15       million dollars in our bank account to build it  
16       because most solar farms are financed by banks,  
17       lenders, and so on. So, what you see is the  
18       money to develop the project. You won't, like I  
19       said you are not going to see 10 million dollars  
20       in there to build it. That's sort of a verbal  
21       explanation of what you are going to see. Then  
22       to compliment that we have provided a model over  
23       20, 30 years of what the solar farm is capable  
24       of producing. You will be able to see the



1 financial.

2 MR. MERKER: Then what I would like to  
3 do is take that information, and compare that to  
4 tax revenues, and see what kind of an impact  
5 this is going to have on the County.

6 MR. SIMON COURTNEY: From a tax  
7 perspective?

8 MR. MERKER: From a tax perspective,  
9 but I need your financials to be able to do  
10 that. I would like -- okay, so let me go back  
11 to this. I found my -- give me just a second  
12 here, please.

13 MR. COPENBARGER: Gary, can I say  
14 something while you are looking?

15 MR. MERKER: Sure, go right ahead.

16 MR. COPENBARGER: You mentioned we live  
17 in America, right. These people own this  
18 property, and they are willing to work with  
19 these people to develop the solar farm, and  
20 that's what we ought to be able to do. If we  
21 own something as long as it is reasonable, and  
22 that's our job, I am not really sure that the  
23 tax revenue should be anything that would make  
24 us say we are not going to approve it. That's

1 my opinion.

2 MR. MERKER: You know, you are right as  
3 far as it goes. But again the issue here is we  
4 are collecting information to present to the  
5 Board. We are going to take a vote to approve  
6 or disapprove this, and it is going to go to the  
7 County Board. Our job, if I understand what I  
8 am supposed to be doing right, is collecting  
9 information that I think is pertinent to the  
10 approval process.

11 Now, let me just take one other step here.  
12 The tax dollars involved, I looked it up today.  
13 The tax dollars involved are huge -- no, no, let  
14 me retract that statement. The tax dollars  
15 themselves we are not talking about millions of  
16 dollars or even hundreds of thousands of  
17 dollars, but nonetheless what if this was a  
18 situation that it was going to actually cost the  
19 County tax receipts.

20 MR. COPENBARGER: It is not going to.

21 MR. MERKER: It isn't. It isn't, but  
22 if, a rhetorical question would be what if it  
23 is, should we not at least know that? This way  
24 there is no issue. I would like to see what the

1 impact of tax, on tax revenues are because if  
2 there is less tax, excuse me, I am losing my  
3 voice, if there is less tax revenue involved  
4 then --

5 MR. COPENBARGER: Then the land -- if  
6 it is a negative improvement you are saying?

7 MR. MERKER: Yes.

8 MR. DORR: But if it is being taxed as  
9 agricultural crop field right now, that tax rate  
10 is going to be significantly less than having a  
11 solar farm on it.

12 MR. MERKER: Which I found out today.

13 MR. DORR: Just from experience in the  
14 past the ones we approved that actually have the  
15 information that you were asking, it is a great  
16 benefit, but it decreases over time, and I am  
17 assuming your chart you have is going to be the  
18 same way.

19 MR. SIMON COURTNEY: Sorry, can you say  
20 that again, please.

21 MR. DORR: The tax revenue is it going  
22 to decrease over time?

23 MR. SIMON COURTNEY: I don't think so.

24 MR. DORR: Well, depreciation.

1                   MR. SIMON COURTNEY: Depreciation on  
2                   the system itself, but not on the tax.

3                   MR. DORR: It is going to be worth less  
4                   30 years.

5                   MR. SIMON COURTNEY: The way the  
6                   State -- it is mandated by the State, I believe,  
7                   the tax. The rules come from the state level,  
8                   and it is based on size of the solar farm. It  
9                   is based on a per megawatt. There is a  
10                  calculation. Off the top of my head I can't  
11                  describe it in any great detail, but it is worth  
12                  approximately \$7,000.00 per megawatt  
13                  approximately. That's based on my experience  
14                  with Vermilion County. So, this farm here is  
15                  worth approximately in the region of \$35,000.00  
16                  taxable annual. That is my understanding of it.

17                  MR. DORR: But I thought we had these  
18                  before that showed a schedule that it was  
19                  decreased over so many years.

20                  MR. COPENBARGER: Yes, we did.

21                  MR. DORR: But it is still higher than  
22                  what it is being taxed.

23                  MR. SIMON COURTNEY: You could be  
24                  right. I got to get a more educated answer on

1       that.

2                   MR. DORR:   But it is taxed on as  
3       agricultural land.  So, it is not going to be a  
4       losing proposition.

5                   MR. SIMON COURTNEY:  I am not aware of  
6       the depreciation rule, but I have to educate  
7       myself more on that.

8                   MR. DORR:  That's just from past  
9       presentations.  Like I said we have had what,  
10      eight or ten of these?

11                  MR. COPENBARGER:  Yes.

12                  MR. DORR:  They have all had that.

13                  MR. SIMON COURTNEY:  Depreciation.

14                  MR. MERKER:  In your presentation you  
15      say therefore, the overall estimated tax benefit  
16      of the project is 24,702 with 2,838 due to  
17      Christian County.  So, what you are saying is  
18      the total tax revenue generated for Christian  
19      County is 24,702, but only \$2,800.00 of that  
20      goes to the County itself.  Is that what this  
21      says?

22                  MR. SIMON COURTNEY:  I am not sure.  
23      That section may have to be revised.  What I  
24      have just communicated to you is my

1 understanding.

2 MR. MERKER: All I want to do is make  
3 sure that when we approve projects like this,  
4 that these projects don't get into the County's  
5 pocket rather than add to it. That's where I am  
6 coming from so my fellow Board members will know  
7 that.

8 MR. DORR: Out of that money this is in  
9 Taylorville Township, or is this in --

10 MR. SIMON COURTNEY: Correct, Andrew,  
11 yes.

12 MR. DORR: So, the Township is going to  
13 get money. The Fire Department is going to get  
14 money. The School District is going to get  
15 money.

16 MR. MERKER: All true.

17 MR. DORR: Every other -- the levy  
18 money is going to get out of that chunk, the  
19 County is only going to get so much for the  
20 County.

21 MR. MERKER: Correct.

22 MR. DORR: The rest of the taxing  
23 bodies are going to benefit from it.

24 MR. MERKER: Yes, absolutely. I

1 understand that. All I am saying is is it not  
2 worth our effort to check and make sure that the  
3 dollars are right as opposed to just accept what  
4 we have been given, which we don't understand  
5 and we don't have all of the numbers anyway?  
6 This may be an exercise in futility, I grant you  
7 that. If our job is to collect the information  
8 and then make a decision and present that to the  
9 Board based on that information, then we need  
10 the information, and we don't have the  
11 information at this point.

12 You know what, really probably the way to  
13 handle this would have been rather than do it  
14 with a no vote is take this into consideration,  
15 let the Board take it into consideration as to  
16 exactly what information we need, and then make  
17 that for future plans to make sure everybody  
18 knows what kind of information we are expecting  
19 to see.

20 Right now we are going to make a big  
21 financial decision that's going to have a major  
22 impact on the County without knowing what it is.  
23 I am a numbers guy. I am a finance guy. I just  
24 can't live with that.

1                   MR. SIMON COURTNEY: I disagree with  
2 your comment that it is having a financial  
3 impact on the County.

4                   MR. MERKER: Oh, it will, any kind any  
5 impact, any receipts --

6                   MR. SIMON COURTNEY: Could you expand  
7 on that a little?

8                   MR. MERKER: Sure, any receipts, any --  
9 give me a second here to think this through.  
10 Any time tax receipts go up, it has an impact on  
11 the County. This County has seen some real  
12 tough times in past years when we could have  
13 used this, really used this 24,000 -- no,  
14 \$2,800.00. That's not a whole lot of money, but  
15 it can make a hell of a difference, excuse me,  
16 it can make a difference in a lot of different  
17 things. When I say it is going to have an  
18 impact on tax revenues, your project is going to  
19 have a very positive tax revenue increase, but  
20 there may be other ones that don't. That's all  
21 I am saying is let's make sure that the --

22                   MR. SIMON COURTNEY: What other ones, I  
23 just --

24                   MR. MERKER: Surely you don't think



1           this is going to be the last project like this  
2           that happens in Christian County.

3                       MR. SIMON COURTNEY: Of course not.

4                       MR. MERKER: Of course it isn't. So,  
5           you may have competitors that come in and have a  
6           different program, a different whatever. All I  
7           want to do is make sure that we are on a level  
8           playing field, that we know what we are doing  
9           here when we approve this, and it is going to  
10          obviously be approved, that this is something  
11          that's not going to get into the County's  
12          pocket, and in the future to make sure that that  
13          doesn't happen look for the same kind of  
14          information. That probably would have been a  
15          better way to do it than --

16                      MR. SIMON COURTNEY: I still don't see  
17          how it is getting into the County's pocket.

18                      MR. MERKER: It is not. We are going  
19          to get -- the County is going -- the taxing  
20          districts in the County are going to get more  
21          tax money --

22                      MR. SIMON COURTNEY: Yes.

23                      MR. MERKER: -- than they would have  
24          otherwise.

1 MR. SIMON COURTNEY: Yes.

2 MR. MERKER: On your project.

3 MR. SIMON COURTNEY: Yes.

4 MR. MERKER: On this project.

5 MR. SIMON COURTNEY: Yes.

6 MR. MERKER: And I agree with that, but  
7 I would like to know exactly what that comes  
8 down to.

9 MR. SIMON COURTNEY: Okay. As long as  
10 we are in agreement, we are not taking money out  
11 of the County's pocket.

12 MR. MERKER: No, I did not, and if I --

13 MR. SIMON COURTNEY: I guess that's how  
14 I interpreted it, and my apologies if that's --

15 MR. MERKER: My apologies for not being  
16 clear.

17 MR. SIMON COURTNEY: Yes, understood.

18 MR. MERKER: So, no.

19 MR. DORR: So, we have a no vote, and  
20 three yes votes.

21 CHAIRMAN OVERHOLT: Would you like to  
22 table the motion?

23 MR. DORR: We would have to rescind the  
24 original motion.

1 MR. BLAKE TARR: It has already passed.

2 MR. COPENBARGER: Yes, I made the  
3 motion, and we voted on the motion. And it was  
4 seconded.

5 CHAIRMAN OVERHOLT: Yes, the motion was  
6 made and seconded.

7 MR. DORR: And voted on, and the only  
8 vote that's left is your vote.

9 CHAIRMAN OVERHOLT: This gentleman  
10 would like to rescind his vote?

11 MR. DORR: He didn't make the motion  
12 though. He is just voting no on the motion that  
13 was on the floor.

14 MR. MERKER: Correct.

15 MR. BLAKE TARR: Jim, you are the only  
16 one that hasn't voted yet on that motion by  
17 Mr. Copenbarger.

18 CHAIRMAN OVERHOLT: So, I will vote  
19 yes. Motion is passed.

20 Moving on Central Commodity has submitted a  
21 special use permit application for the  
22 relocation of their anhydrous ammonia facility  
23 in Kincaid. The parcel proposed for this permit  
24 is the corner of Section 16 in Township 13

1 north, range 3 west.

2 Will a representative from Central  
3 Commodity like to present your project?

4 Would everyone like to take a rest-room  
5 break while they are setting up for their  
6 proposal? Let's take a break, ten minute break.

7 (Whereupon the Christian County Zoning  
8 Board of Appeals meeting was in recess.)

9 CHAIRMAN OVERHOLT: Let's proceed.  
10 Central Commodity, you can have the floor.

11 MR. MARK BAUMAN: Thank you,  
12 Mr. Chairman.

13 Ladies and gentlemen of the Zoning Board of  
14 Appeals. At our last month's meeting there was  
15 a lot of good discussion. There was information  
16 that we were unable to provide you and questions  
17 that were asked. At this month's meeting we  
18 tried to provide some additional information in  
19 the packages sent out. The folders that you  
20 have in front of you contain a little more  
21 information even than we had then including  
22 blueprints of the site, a little bit better  
23 description of the footprint, some of the  
24 economic tax benefits, and also a description of

1 the return for our company. So, those are all  
2 things that you wouldn't have had in your  
3 package that went in the mail. I can address  
4 those, but primarily I have two gentlemen from  
5 New Tech Engineering because I heard a lot of  
6 questions and concern around safety concerning  
7 anhydrous ammonia, specifically dispersion data  
8 was requested, and what that would look like in  
9 combination with the proximity of our proposed  
10 site and some of the surrounding homes as well  
11 as potential impact of property values, zoning  
12 requirements, and other things.

13 So, with that I am going to introduce Luke  
14 from New Tech and Cory, and they would be here  
15 to present to you on the safety aspects of what  
16 we are trying to do at that new site south of  
17 Kincaid as well as address any concerns that you  
18 may have either from an environmental standpoint  
19 or a safety standpoint.

20 MR. CORY MERRIMAN: I am Cory Merriman,  
21 Environmental Services with New Tech  
22 Environmental Engineering, Services Manager.  
23 So, I heard there were a lot of questions about  
24 safety, some environmental impacts of this

1 system, and so I brought Luke along. He is our  
2 expert in both ammonia storage systems, safety  
3 components that we use for those systems, and  
4 also the regulatory requirements around that  
5 which are heavy, and so he is our resident  
6 expert in that. So, he will come up and talk to  
7 us a little bit about that.

8 We will try to be brief, and we will be  
9 open to any questions, concerns that you have,  
10 and we will try to answer them to the best of  
11 our ability, so Luke.

12 MR. LUKE DURBIN: Address the  
13 environmental site assessment question.

14 MR. CORY MERRIMAN: Well, I guess there  
15 was a question about environmental impact  
16 statements, NEPA, and that sort of thing. I am  
17 not sure who asked that question in the past  
18 meeting. Environmental impact statements are  
19 typically only required for a federal, if a  
20 federal agency is involved. There are no  
21 federal funds involved in this project. We are  
22 not -- no federal agency is initiating this  
23 work. So, because of that there is no  
24 requirement for an environmental impact

1 statement especially for a facility of this size  
2 and low impact to the footprint. It is not  
3 going to disturb a large area, and there is  
4 really no need for that full environmental  
5 impact statement from a regulatory standpoint.

6 MR. LUKE DURBIN: Luke Durbin. So, I  
7 am going to provide a brief overview of the  
8 regulatory backdrop or background for  
9 agricultural anhydrous ammonia sites in Illinois  
10 specifically. The Illinois Department of Ag  
11 they are the main regulating body for anhydrous  
12 ammonia in Illinois. They determine, they set  
13 all of the requirements for health facilities  
14 need to be built. They require plans to be  
15 submitted to them prior to the start of  
16 construction, or if you are adding a tank as  
17 well, and then they review those plans. They  
18 will provide a tentative pre-approval, and then  
19 they inspect the site prior to start up of,  
20 prior to start up of the site. So, they will  
21 then issue their approval, final approval at  
22 that point. They also do annual inspections of  
23 all of the sites, anhydrous ammonia sites across  
24 Illinois each year to verify or to confirm

1 continued compliance and all that. The Illinois  
2 Department of Ag, they adopted the compressed  
3 gas standard. So, that's up there, but that's  
4 kind of like the constitution for building  
5 anhydrous ammonia sites. It is the engineering  
6 requirements for all of the specific location or  
7 specific equipment, and so they adopted that for  
8 design plans and that, which many states have  
9 done. Some states -- Illinois has adopted the  
10 most recent version of this 2014. Other states  
11 still have the 1999 version as their standard  
12 that they use. So, Illinois has also required,  
13 added a few additional engineering requirements  
14 as well on top of that standard.

15 So, kind of moving on the U.S.  
16 Environmental Protection Agency, they also  
17 oversee anhydrous ammonia sites. They ensure  
18 facilities, any facility that handles over  
19 10,000 pounds that they address all of the  
20 hazards that the site might provide, and then  
21 they also require that you follow the industry  
22 standards and guidelines, which in this case  
23 would be the CGA 2.1 standard.

24 So, the U.S. Occupational Safety and Health



1 Administration or OSHA they also, their focus is  
2 on the employees. So, not only USEPA, they kind  
3 of focus on maybe, well, employees, any of the  
4 surrounding communities and also the environment  
5 that could be impacted, and those concerns are  
6 addressed. OSHA they really focus on the  
7 employees that are going to be working there. A  
8 lot of -- so, there is a lot of overlap with all  
9 these agencies, and I am sure none of you woke  
10 up this morning wondering about how anhydrous  
11 ammonia is regulated in Illinois. So, I will  
12 move on.

13 The U.S. Department of Transportation they  
14 also regulate all of the nurse tanks, which are  
15 also included with Illinois Department of Ag,  
16 also with USEPA. So, there is multiple layers  
17 and levels which add up, make a very complex  
18 material to store just from a regulatory point  
19 of view.

20 I am not going to go through all of this,  
21 but this is a schematic of a basic anhydrous  
22 ammonia site engineering drawing. There is a  
23 lot of redundancies built in with anhydrous  
24 ammonia systems that have been developed over

1 decades and decades to -- we like to play the  
2 what if game. So, what if a transport that was  
3 unloading anhydrous ammonia started rolling  
4 away, you have concrete reinforced bulkheads at  
5 the transport where it would prevent any damage  
6 to the piping and the plumbing of the system.  
7 Then if something were to happen to them, there  
8 is also back check valves that if a hose were to  
9 rupture, that would close shut at the transport  
10 connection so that all of the pressure from the  
11 bulk tank would not go, spray out. There is  
12 multiple layer, and also emergency shut off  
13 valves at the main container as well. So, there  
14 is multiple layers and levels. Think of it like  
15 a password signing on anything. You have your  
16 password. Then you will have a multifactor  
17 authentication or a personal question that you  
18 might need to answer.

19 So, storage tank there is multiple layers  
20 there of protection. At the nurse tank riser,  
21 fill riser it is the same type of thing. There  
22 is break away connections where if a hose, if a  
23 hose was connected to a nurse tank and it was  
24 rolling away or pulled, then it would break the

1 hose in connection. There would be no straying  
2 out. So, this is the same technology that's  
3 used with fuel pumps, the hose that your fuel  
4 comes out, there is a break away there. In case  
5 somebody would drive off, the fuel wouldn't come  
6 spilling out.

7 I don't know, any questions that you have  
8 at this point? I could go on, but I think it is  
9 late.

10 MR. COPENBARGER: I can't remember  
11 which one, so there is regulations for anhydrous  
12 facilities from '99 or something, and then there  
13 is a new one. So, this facility would be built  
14 under the new requirements?

15 MR. CORY MERRIMAN: Illinois has  
16 promulgated some new rules based on the newer  
17 standards, the CGA standard.

18 MR. COPENBARGER: So, all current  
19 locations in Illinois are built according to  
20 2014?

21 MR. CORY MERRIMAN: To the newest  
22 industry standard, yes.

23 CHAIRMAN OVERHOLT: Thank you very  
24 much. Anybody have any questions of these

1 gentlemen?

2 At this time we will take any public  
3 comments regarding this.

4 MR. MARK BAUMAN: Excuse me,  
5 Mr. Chairman.

6 CHAIRMAN OVERHOLT: Yes, sir.

7 MR. MARK BAUMAN: I had a few  
8 additional comments and additional presentation,  
9 Mark Bauman, sorry.

10 CHAIRMAN OVERHOLT: Go ahead.

11 MR. MARK BAUMAN: So, once again there  
12 was concerns raised at the last meeting, and I  
13 wanted to follow up on a few of those besides  
14 some of the technical information that these  
15 gentlemen were able to provide.

16 I want to start with zoning requirements.  
17 So, as we look here this is actually taken out  
18 of Article 5 of the zoning code for Christian  
19 County, and it addresses special uses, and the  
20 highlighted language you have a copy of the full  
21 language there in front of you. I have pulled  
22 out some highlighted sections that provide  
23 specifically for the storage of anhydrous  
24 ammonia in that special use category. As well I

1 have been told that with the special use, it is  
2 still special use agriculture. So, I know at  
3 our last meeting there was a lot of concern  
4 around the idea that it would be zoned  
5 industrial, which would open up the potential  
6 for a lot of different things to occur on this  
7 site. Once again after reading through that  
8 section I don't believe that's the case. It  
9 would just be for the storage of anhydrous  
10 ammonia and non-bagged fertilizer, which we have  
11 no plans of storing fertilizer there. It would  
12 just be an ammonia site.

13 We talked about the State of Illinois being  
14 the primary body to satisfy as far as setback  
15 restrictions. As you can see here as we  
16 evaluated sites taking these setbacks into  
17 consideration this site met and exceeded in  
18 every way pretty greatly those setback  
19 requirements from the State of Illinois, which  
20 are developed with the idea of public safety in  
21 mind, of course. As you can see those setbacks  
22 on the left-hand column and our proposed  
23 location setbacks from the various requirements  
24 of the State is well in excess of those. I did

1        want to provide, and I assume most people are  
2        familiar with the area. I was able to get out  
3        there when it wasn't just too muddy, and just  
4        take a 360 panoramic view of what that site  
5        would look like from the actual site itself so  
6        you have an idea of what we are looking at  
7        there. Everybody get a chance to see that, or  
8        would you want me to replay it?

9                So, there was a lot of concern around  
10       property values at our last meeting, and I fully  
11       understand that. I would probably be somewhat  
12       concerned myself with something new coming into  
13       the area. As we delve into it a little deeper,  
14       and we have got some of the properties from  
15       those concerned citizens that identified at the  
16       last meeting, but just try to quantify the  
17       distances involved between our existing site and  
18       the proposed site and the distances for most of  
19       those homes is actually a lot closer to our  
20       existing site. So, it would seem to me that  
21       there would be an unlikely case that the  
22       property values would actually go down or move  
23       in the proximity farther away from those homes.

24                If we take the city or the Village of

1 Kincaid as a whole, there would almost be no  
2 properties that would be closer to the proposed  
3 site than our existing site. So, in theory  
4 there should be maybe a corresponding increase  
5 in property values in the City of Kincaid.

6 This is a view from our site. Once again I  
7 just pulled these stills out of that panoramic  
8 view and drew some arrows so if I was at that  
9 site trying to see what it would appear from  
10 that site to these homes. As you can see there  
11 is some elevation change. So, as we go south  
12 across that field there is a drop as you get  
13 towards the lake. So, I think the visual of our  
14 site from some of these distances we talk about  
15 up to a mile almost in the case of the home in  
16 the upper left, and well in excess of half a  
17 mile on those other properties would not be,  
18 that wouldn't be that easy to see.

19 In addition I spoke with Mr. Coady in the  
20 Assessor's Office. I had tried to get an  
21 appraiser to get some maybe more apple to apple  
22 comparison to see what we could find out on  
23 property values in proximity to anhydrous  
24 ammonia plants. As you can imagine there is not

1 that many new ammonia plants going in in the  
2 State of Illinois. We are able to get maybe an  
3 apple to orange comparison here, which was the  
4 water treatment plant that went in in  
5 Taylorville, and there was an existing  
6 subdivision in really close proximity to that,  
7 and there was some concern of decreasing  
8 property values in that subdivision. But  
9 Mr. Coady was able to show me in this  
10 information to the right is in your package, and  
11 that came directly from him, was that these  
12 homes as we look at they would be the three to  
13 the left working to right had sold prior to  
14 construction of that water treatment facility,  
15 and then have since sold after the operation of  
16 that water treatment facility, and what was  
17 shown there is that the average of those homes  
18 sold for 13.9 percent over market value, and the  
19 township averaged over that same period of time  
20 was 5.7. So, while they are in very close  
21 proximity as you can see averaging 450 feet from  
22 that water treatment facility their property  
23 values held, and actually were greater than  
24 those of the township as a whole when compared



1 to market value.

2 This is just a sale in close proximity to  
3 our existing site in Kincaid that was well over  
4 the assessed market value. As you can see here  
5 this is 675 feet from our tank. So, once again  
6 it seems somewhat unlikely that it would have a  
7 market decline in property values with the site  
8 being located where it is and for the most part  
9 much farther from these properties of concern.

10 This is some dispersion data, and this was  
11 actually generated from Luke. I would have you  
12 just address briefly the program that you used  
13 and how this works, or how you gathered this  
14 information.

15 MR. LUKE DURBIN: So, this modeling  
16 program is from USEPA and NOAA. They developed  
17 this program I don't know how many years ago.  
18 It is used by emergency responders and by  
19 emergency coordinators, planners, and it takes  
20 into several, many factors into consideration  
21 including the specific type of chemical, the  
22 type of release, was it from a spill, or was it  
23 from a tank, the weather data including  
24 temperature, humidity, wind direction, and also

1 the terrain, and the amount of chemical. So,  
2 based on this -- based on that information they  
3 can calculate or model what kind of dispersion,  
4 what kind of, what a release might do. So, this  
5 is a scenario of a 1,000 gallon nurse tank if it  
6 releases whole contents. The red zone would be  
7 the hot zone. That would be the most life  
8 threatening death would be involved. The  
9 yellow, or I am sorry, the orange zone area  
10 would be serious impacts on health and that  
11 possibly debilitating, and then the yellow area  
12 would be non-life threatening, but there is  
13 discomfort and non-disabling.

14 MR. MARK BAUMAN: Thank you. So, as he  
15 said as you can see here this is the contents of  
16 an entire nurse wagon. I think we talked  
17 somewhat last month about odor and some things  
18 from our existing lot or smells that people  
19 would potentially smell, and as you can see here  
20 and typically if we do smell ammonia at one of  
21 our lots, it is from a valve that wasn't shut  
22 all of the way. So, as the tanks come back from  
23 the field we call it the farmer valve in front.  
24 That's where they hook onto the tank for a tool

1 bar. They shut it. We bring it back in. It  
2 sits on the lot. It doesn't leak. The  
3 temperature heats up. All of the sudden it  
4 seeps some. So, that smell that you smell  
5 sometimes is a pretty minor amount even though  
6 it is a pretty pungent smell. We shut those  
7 off. This would be a much greater release. So,  
8 that would be the entire contents of that tank,  
9 so a full tank going out. As you can see here  
10 if you drew a circle around that existing site  
11 on that full nurse tank release, we are still  
12 not getting a very far circle around there. It  
13 is very safe from that idea there.

14 Things get a little bit wilder when you  
15 talk about an 18,000 gallon pressure vessel.  
16 Once again I don't want to alarm the public or  
17 anyone else. We have had 50 years, in some  
18 cases more than that of anhydrous ammonia  
19 storage sites in this County and throughout the  
20 State as a Growmark system, and tank failures  
21 are very rare.

22 MR. CORY MERRIMAN: Extremely wear.

23 MR. MARK BAUMAN: Worse case scenario  
24 and not a likely scenario. However, if that

1 unlikely or worse case scenario were to happen,  
2 as you can see here once again with the EPA  
3 program that he spoke of overlaid with the City  
4 of Kincaid things would look fairly dire. You  
5 can see the distances is 232 yards in red, 675  
6 yards in orange, 1.1 miles in the yellow zone.  
7 If we overlay that same map, once again unlikely  
8 scenario, but total failure of 18,000 gallon  
9 storage tank at our new site facility the same  
10 direction, much better result. As you can see  
11 the red area falls short of the road. The  
12 orange crosses the road slightly, and the yellow  
13 extends into an area that is mostly unpopulated.

14 UNIDENTIFIED AUDIENCE MEMBER: Mostly.

15 MR. MARK BAUMAN: You may ask what that  
16 looks like in a circular fashion. So, if you  
17 take those and draw a circle around it in the  
18 City of Kincaid, you can see red area in the  
19 full circle. You don't know which way the wind  
20 is going to blow. That would show you what that  
21 circle would look like regardless of the  
22 prevailing wind, the same with the orange. So,  
23 once again pretty large percentage of the town,  
24 same model proposed site. So, once again if we

1 look at Kincaid and just to think about some of  
2 those structures and institutions, places of  
3 gathering that may fall within those various  
4 zones, you can see Midland Fire District right  
5 across the road. The primary responder in case  
6 of an emergency with anhydrous would be the Fire  
7 District. Typical response is to put water on  
8 the anhydrous if it endangers life. Otherwise  
9 it is usually let go because our atmosphere is  
10 78 percent nitrogen. Anhydrous is 82 percent  
11 nitrogen.

12 Once again the proposed site as I looked  
13 across there and tried to identify what  
14 structures may be in that area affected oil  
15 wells but no people.

16 So, if we think about this project and an  
17 overview of the project trying to address some  
18 of the concerns of the individuals, we have got  
19 zoning that we have to follow, and State and  
20 County exceeds in both cases by a good amount  
21 the proposed site.

22 The property values, I feel like the  
23 farther proximity from our proposed location  
24 would probably be better for most property

1 owners in the area.

2 Safety, we have talked about the newest  
3 standards of safety that would be implemented at  
4 the new site and the existing site. We are good  
5 neighbors. We are not going to have something  
6 in town that's going to be prone to failure.  
7 So, we have got all of the standards on our  
8 existing tanks too. We don't want to have any  
9 problems. You never know, human error is human  
10 error, and I feel like the site with a further  
11 proximity from town is better and then just  
12 plain common sense. I mean we have got a site  
13 that's in the middle of town, and we have a site  
14 that's remote from town. It just makes sense to  
15 me to try to relocate out of town.

16 Thanks for your consideration.

17 CHAIRMAN OVERHOLT: Any questions from  
18 the Board?

19 MR. MERKER: I hate to drag this horse  
20 around the courtroom, but early on you said that  
21 you were able to develop some tax information  
22 that was in these packets, but I couldn't see  
23 it. I mean I don't see well.

24 MR. MARK BAUMAN: The Assessor's

1 information is in there. On the checklist and I  
2 forget what bullet point it may be, but it  
3 shows, and it is pretty basic. I mean honestly  
4 it is just the difference between the regular ag  
5 value and what Mr. Coady thought our assessed  
6 value would be at the new site, which I may get  
7 this not quite right, but ag land value is  
8 probably around 8,000 developed. As an ammonia  
9 site was around 75,000.

10 MR. MERKER: Thank you.

11 MR. MARK BAUMAN: We would still have  
12 the existing site to sell for commercial  
13 development. So, I think there would be some  
14 potential for additional tax income there. I am  
15 not going to try to make a case as the prior  
16 gentleman did that this is going to be a big  
17 windfall for the County from a tax revenue  
18 standpoint. We are pretty big taxpayers. We  
19 have a lot of locations. We have a lot of  
20 employees, but really this is more about trying  
21 to get things moved out of town.

22 If you look at our internal rate of return  
23 that's in that package moving it outside of town  
24 with a half million dollar spend returns, and

1       this may be a little generous 1.4 percent, we  
2       have hurdle rate of 10. So, that's projecting 1  
3       percent increase based on better efficiencies by  
4       not being in town. If we were to add storage,  
5       it still falls below the hurdle rate of 6.1  
6       percent. To say that this is going to be a big  
7       windfall for Central Commodity FS, it is not.  
8       It is probably not going to be a big windfall  
9       for the County from a tax revenue standpoint,  
10      but it is the right thing to do.

11               CHAIRMAN OVERHOLT: Thank you very  
12      much. At this time we will take any public  
13      comments regarding this proposal. Reminder  
14      please address the Board, state your name, and  
15      you will have three minutes. Go ahead, sir.

16               MR. BRIAN SCHOENUNG: My name is Brian,  
17      B-R-I-A-N, Schoenung, S-C-H-O-E-N-U-N-G. I just  
18      say I can appreciate Central Commodity wanting  
19      to find a safer location than the current site  
20      because I agree it is not a good location; but I  
21      would prefer that you identify a safe location,  
22      and I don't think that this site necessarily  
23      meets those criteria. As I said before, I am a  
24      fisheries biologist, that's what I do. I have



1       dealt with any number of anhydrous fish kills.  
2       The primary method for first responders to deal  
3       with an anhydrous leak, especially a significant  
4       anhydrous leak, is to knock it down with water.  
5       Where this site is right next to Sangchris Lake  
6       that water is going to flow into the lake, and  
7       anhydrous is extremely toxic to fish,  
8       significantly toxic.

9               So, we talk about economics a lot too, and  
10       I have done my share of that stuff as a  
11       fisheries biologist. And if you look at Lake  
12       Sangchris, a little over 2,000 acres -- I came  
13       from Indiana. I have got familiarity with the  
14       lakes there that I have worked on throughout my  
15       career, and Dogwood Lake is a lake that's fairly  
16       comparable. It is in a rural area. It has got  
17       horse power restriction. It doesn't have  
18       pleasure boating. It is about a little over a  
19       thousand acres. If we take the amount of  
20       fishing activity, a fishing trip, and say  
21       Dogwood I think was, I looked at the data, we  
22       looked at anglers, interviewed them, over the  
23       course of a given year how many trips are we  
24       getting out there, we can say roughly 20,000

1 trips, and that's probably pretty conservative  
2 for Sangchris, and then if we look at U.S. Fish  
3 and Wildlife data from where they calculate the  
4 value of a fishing trip, roughly \$33.00 a trip  
5 per angler, the economic value to the local  
6 community of that fishery is anywhere from  
7 500,000 to 1.5 million dollars a year. That's  
8 gas, lodging, food, snacks, equipment, all that  
9 stuff. So, you have got a huge economic engine  
10 right there in the community.

11 A significant anhydrous leak and resulting  
12 fish kill is going to have significant negative  
13 impacts on that. Those fishers are not going to  
14 go there if there is not fish there. It takes  
15 five to ten years for those fisheries to recover  
16 depending on the extent of that kill, how far,  
17 depends on rain and everything else, how far it  
18 gets down into the lake. But when those fishers  
19 leave, a lot of them don't come back because  
20 they will get comfortable somewhere else. I am  
21 just very concerned about having, I think you  
22 said what, three of those tanks, that's roughly  
23 60,000 gallons.

24 MR. MARK BAUMAN: Two, two currently.

1                   MR. BRIAN SCHOENUNG:   Okay, anhydrous  
2                   sitting right there, something bad happens, that  
3                   lake's fishery is toast for awhile.   I don't  
4                   know how you mitigate that given the lay of the  
5                   land, the typical action of first responders to  
6                   deal with an issue like that.   So, that's my  
7                   concern.

8                   CHAIRMAN OVERHOLT:   Any other comments,  
9                   please?

10                   MR. MICHAEL LAURENZANA:   Hello  
11                   everyone.   My name is Michael Laurenzana,  
12                   L-A-U-R-E-N-Z-A-N-A.   I am speaking today on  
13                   behalf of the residents of Kincaid inquiring  
14                   about this proposed anhydrous ammonia storage.  
15                   Don't get me wrong, I am not against any one  
16                   company out to succeed, I do wish Central  
17                   Commodity much success in their expansion.  
18                   However, the land has been purchased, and is not  
19                   at all in the best interest of the people, and  
20                   this is an unwelcomed location for anhydrous  
21                   ammonia storage.

22                   According to the CDC when handling  
23                   improperly, and I quote, anhydrous ammonia can  
24                   be immediately dangerous to life or health.

1 Exposure can be fatal at high concentration.  
2 This needs to be well thought out and taken into  
3 careful consideration by everyone as this will  
4 have a dramatic effect on our community for  
5 years.

6 No one in this room can tell me there is  
7 going to be no accident, guarantee there will  
8 never be an incident that would harm all of the  
9 residents in Kincaid, in Bulpitt, and worse case  
10 as far as Pana and Springfield and the  
11 surrounding areas.

12 If you have read the consequence analysis,  
13 which I will present to this gentleman in the  
14 back here, you will understand how difficult and  
15 how dangerous this is. That being said there is  
16 one thing we can do. As we are not able to  
17 predict what's to come, we all know knowingly  
18 that this is a harmful chemical. We need to do  
19 what's in the best interest to provide safe  
20 environment for the population for many  
21 generations to come.

22 I know that some of you are thinking we  
23 have another facility in Kincaid. I am aware of  
24 that. That has been grandfathered in. For

1 those who think by moving one anhydrous plant  
2 from point A to point B is progress, you might  
3 want to rethink that. In the end an anhydrous  
4 storage facility is still an anhydrous storage  
5 facility.

6 Also I think we need to have third party  
7 engineers, consultants to provide the studies.  
8 I don't think that Central Commodity's studies  
9 should be allowed to be accepted by the Board  
10 members. I don't believe that they are fit to  
11 do that. We need a real reliable source, third  
12 party.

13 Also I pay \$6,000.00 a year in taxes on my  
14 property. The question you may have to ask  
15 yourself, will the next guy pay \$6,000.00 a year  
16 in taxes to look out his window and see an  
17 anhydrous plant, probably not. Nobody in this  
18 room would want to look out their window and see  
19 an anhydrous plant. No matter what you do it is  
20 an anhydrous plant. It is right out my window.  
21 I sit on the couch, I look out the window, I  
22 will see this plant as for most people, and we  
23 pay a lot of money. It is a lot of revenue, and  
24 the safety is the big concern. Thank you for

1 all listening to me. May you all have a good  
2 evening.

3 I want to present this to you. This is a  
4 consequence analysis. It will pull some numbers  
5 up on the data that they were showing you on the  
6 impacts of a worse case scenario. It can do  
7 some serious damage.

8 MR. NATE PATTERSON: Nate Patterson,  
9 N-A-T-E, P-A-T-T-E-R-S-O-N. I just want to say  
10 something about the safety. I don't want to be  
11 too accusatory, but I think the presentation was  
12 a little misleading because when I looked at the  
13 lot, it is a very long, skinny lot going north  
14 to south. My understanding is the road is going  
15 to access the south. Well, most of the homes  
16 are to the north. When I stand at the corner of  
17 that lot and drop a pin and go to my house, it  
18 says it is a half a mile, Google Maps. So, half  
19 a mile when we looked at that graphic where they  
20 conveniently had the wind blowing the other  
21 direction, but when you looked at that, they  
22 said within a mile was what they called dire.  
23 So, that means I would have to evacuate my home.

24 I am all for moving it out of the center of

1 Kincaid, but can we find a little bit further  
2 out of town. That's all that I have to say.

3 UNIDENTIFIED AUDIENCE MEMBER: Yes, out  
4 of town.

5 MS. AMBER BROWN: Amber Brown, just  
6 like it sounds, B-R-O-W-N. I just want to say  
7 that the speech and the presentation was kind of  
8 misleading, and I want the Board to be aware of  
9 that from the pictures taken, and also this is  
10 not coming from an unbiased person. They are  
11 making this presentation showing what, they are  
12 saying oh, look, there is no houses around or  
13 what not, but they didn't do a panoramic even  
14 showing where like some of us are just right  
15 across the way there, which like others have  
16 said we will be in this area. But the main  
17 thing I want to say is that I think the plant  
18 shouldn't be in Kincaid where it is now, but it  
19 shouldn't be where they are trying to move it  
20 either because they are saying, pulling on your  
21 heart strings this is the right thing to do.  
22 Well, the right thing to do is to move it where  
23 there is nobody in that vicinity. There is  
24 plenty of places where there wouldn't be anybody

1 in that vicinity if something were to happen so  
2 to speak, whether it be wildlife or people, but  
3 especially the people. There are people right  
4 there. So, this is not the right thing to do.  
5 The right thing to do is not to move it where  
6 you are proposing. It is to take it where there  
7 is farmland all around. That's it.

8 UNIDENTIFIED AUDIENCE MEMBER: Amen.

9 MS. JENNIFER LAURENZANA: Hello, my  
10 name is Jennifer Laurenzana,  
11 L-A-U-R-E-N-Z-A-N-A. I would like to say thank  
12 you for your presentation. However, I disagree  
13 with some of your pictorials as well as Nathan  
14 said. Your picture of it going a mile, mile and  
15 a half I believe you said for the 18,000 gallon  
16 tank it shows I am a half mile from your site,  
17 and if you did the radius of that, you only  
18 showed your radius diagram for that being about  
19 a half mile. You didn't go all of the way out.  
20 So, that was misleading.

21 I also want to make a point on this. We  
22 pay higher taxes where we live. We have all  
23 received letters from the State we can't put  
24 Round-Up on our ground or anything. So, when



1       you guys want to move this right next to the  
2       lake, there is a reason why we are all upset  
3       because we can't even do anything to it. You  
4       want to put an anhydrous plant right next to the  
5       lake with your south line is lake property, if  
6       not lake property 590 elevation. We can't do  
7       anything, but yet we pay these taxes.

8               So, the Zoning Board, are we going to get  
9       our taxes lowered if they are allowed to do  
10      this? Because I don't feel like I should pay a  
11      recreation tax to have something that I have to  
12      look at every day for. That's not right.

13             We built our house on Lake Sangchris where  
14      we did because we like nature. We kayak on the  
15      lake. People fish on the lake. We enjoy the  
16      lake. With this here I will be looking out my  
17      front door, and I will see this plant, and I  
18      will be sickened by it. I am sickened by the  
19      idea of it. I am not anti -- please don't get  
20      me wrong. I am not anti FS. I am pro business.  
21      I am just anti this location. I am not anti  
22      farmers. I am not anti any of that. My mother,  
23      she comes from a farming family. We have it in  
24      our family. We can't help it living in the

1 Midwest.

2 But we ask you politely and respectfully to  
3 please choose a different location for your  
4 facility. Thank you.

5 MR. DENNIS BRAEUNINGER: Dennis  
6 Braeuninger, B-R-A-E-U-N-I-N-G-E-R, I am here  
7 representing the Midland Fire District. We are  
8 right across the road from the facility now. FS  
9 has been great. We haven't had any major  
10 problems, a few small tank leaks; but if they  
11 did have a major problem, it could be an issue  
12 just to be able to get to the Fire Department.  
13 You could have a cloud there, and you wouldn't  
14 even be able to get to one of your vehicles.  
15 So, I think it is a big plus plus just to get it  
16 out of Kincaid. I feel for the people that are  
17 here, have residence close to there, but it is  
18 much better to get it out of Kincaid. My gosh  
19 you have people a block away. It is a big plus  
20 plus in my eyes just to get it out of Kincaid.  
21 Thank you.

22 MS. ANGELA ALARIA: Angela Alaria,  
23 A-L-A-R-I-A. I a hundred percent agree, move it  
24 out of Kincaid. I have never had an issue with

1       that.  However, apparently my house is the  
2       closest to it.  When we have tried to speak to  
3       residents in our neighborhood and in the  
4       community about that, they have gotten  
5       misinformation from employees from FS, friends  
6       of employees from FS that says it is going  
7       further out into the country, which is great.  
8       That's what I want all along.  However, why --  
9       that should make it closer to another house,  
10      that's what it has been described next to.  That  
11      should be the closest house then.  I don't want  
12      it to be closer to their house either, however  
13      the pins that you showed were my home,  
14      Pattersons' home, Laurenzanas' home, and Pops'  
15      home.  Is that only because we came to the last  
16      meeting to argue about this, or is it because we  
17      are really the closest homes?  I mean I feel  
18      like that's something that needs to be  
19      addressed.  Is it going closer to this other  
20      home or our home?  Well you can say that, but is  
21      it going next to your home?

22                   MR. MARK BAUMAN:  It is a public  
23      comment.  I am not supposed to directly respond  
24      is why I am not responding.

1                   MR. JOHN EVANS: John Evans, J-O-H-N,  
2           E-V-A-N-S. I am a Kincaid resident. I live a  
3           half a mile from the proposed site. I am  
4           opposed to it because of the health and safety  
5           mainly, and like the biologist said why would  
6           they want to build it right next to the lake as  
7           they are.

8                   My question is where is all of the  
9           wastewater, the run-off, or do they know where  
10          it is going to go? Where is the wastewater  
11          going to go that is generated there or any  
12          spills? I didn't really hear an explanation for  
13          that.

14                  Another reason is my daughter has just  
15          acquired some land to build a new home, which  
16          will be approximately quarter to half a mile  
17          away from this proposed site. I have health and  
18          safety concerns for them. They want to raise a  
19          family there. That's my main concerns.

20                  I have nothing against -- definitely want  
21          it moved out of Kincaid, but I believe there can  
22          be a much better location, further. There is  
23          all kinds of land out there with not a house  
24          around for a mile. Thank you.

1                   CHAIRMAN OVERHOLT:   Anybody else?

2                   MR. ERNIE COX:   My name Ernie Cox,  
3           E-R-N-I-E, C-O-X.   I was pleased to see a  
4           biologist here and discuss the concerns that he  
5           has over the fishery.   We are new to the  
6           community.   We are actually from Springfield.  
7           We are building on 17 Sarah Lane, and one of the  
8           attractants of that location was indeed the  
9           fishery.   Lake Sangchris is a fantastic fishery,  
10          and does draw a lot of people to it annually to  
11          fish.   But in addition to that and even though  
12          my wife and I are big fishermen, we are not  
13          hunters.   It also draws in the hunters.   There  
14          is waterfowl that come on that lake.   There is  
15          blinds that they set up annually and brings in  
16          that revenue to local area as well.   If the  
17          ammonia gets in that lake and affects those  
18          fish, it is also going to affect the waterfowl.  
19          So, I don't know the numbers to that, but that's  
20          also a possible impact.

21                 I know the storage tanks are pretty sturdy,  
22                 if you will, but we do live in a tornadic area.  
23                 Hewittville is not too far from here, just  
24                 experienced that awhile back.   I know in 2006

1 Springfield got hit. It took out Capital Group,  
2 which I was an employee of at the time.

3 I know they are domed. So, when I hear you  
4 guys talk about if a leak occurs and you show  
5 the projections or even a major leak, but what  
6 happens when a tornado rolls through the area?  
7 I know it is something you can't predict, but I  
8 would like to hear a little more information on  
9 how protective and how well built these are to  
10 protect us from that as well.

11 I think until you get that information I  
12 would be uncomfortable making a decision if I  
13 were on the Board.

14 CHAIRMAN OVERHOLT: Anybody else? Any  
15 further discussion from the Board?

16 MR. DORR: You have somebody.

17 CHAIRMAN OVERHOLT: Wait a minute. Go  
18 right ahead, ma'am. I didn't see you approach.

19 MS. KATHY LUMB: My name is Kathy Lumb,  
20 L-U-M-B. I have lived in my home for 29 years,  
21 and I am like a block away from this. It  
22 definitely needs to be moved out of town. I am  
23 all for it, but I understand where they are  
24 coming from, but it does need to go out of

1 Kincaid. Thank you.

2 CHAIRMAN OVERHOLT: Thank you  
3 everybody. Any further discussion from the  
4 Board?

5 MR. COPENBARGER: I guess I have got a  
6 question maybe for the environmental guys. I do  
7 agree, or I do understand the concern for  
8 polluting the lake. I know it is pretty far  
9 away, but if there is a release and they have to  
10 put water on it, there could be a possibility of  
11 that, but is there groundwater protection? I  
12 mean is there something you can do to ensure  
13 that might not happen? Could it be contained in  
14 the area? I guess that's my thought.

15 MR. CORY MERRIMAN: We have talked  
16 about creating catch basin on site to catch fire  
17 water. Our initial emergency response is to not  
18 put water on unless it is absolutely necessary,  
19 and there may be a case where it needs to go on.  
20 So, we would want to have containment there for  
21 that on site. So, that's being taken into  
22 consideration. There is no wastewater that's  
23 really created in the process. There is a  
24 little bit of water that is collected to capture

1 vapors, but that's all land applied, and it is  
2 small amounts. It wouldn't have an occasion to  
3 be released. So, I don't know if that answers  
4 your question, but we take into consideration  
5 fire water.

6 We have only had a few large scale releases  
7 in the system in the past 20, 25 years. Only  
8 one in particular had water put on it. We  
9 learned a lot from that experience.

10 So, we are very cognizant of the water. We  
11 are cognizant of the run-off, and we are going  
12 to engineer the site to contain water that's put  
13 on, you know. We would hope to work with the  
14 Fire Department to be able to minimize the  
15 amount created.

16 CHAIRMAN OVERHOLT: Any further  
17 discussion from the Board?

18 MR. GOODRICH: Glen Goodrich, County  
19 Board. I was out there riding around going to  
20 Palmyra and Palmer for a funeral out there. The  
21 Tovey facility, nobody has said anything about  
22 that. Is that too small or not feasible to put  
23 in the Tovey spot? You have something over  
24 there. I don't know how big it was, but I saw



1 it.

2 MS. BAUM: Mark Bauman. Yes, setback  
3 restrictions are a problem with Tovey. So, to  
4 move it there, and also if you just go south  
5 across the road from that location, there is  
6 homes and pretty good concentration of homes  
7 there. Once again that's probably not a real  
8 feasible site for us.

9 CHAIRMAN OVERHOLT: Is there a motion  
10 to either approve or deny Central Commodity's  
11 request to relocate their anhydrous ammonia  
12 facility?

13 MR. DORR: Well, I know there has been  
14 a lot of discussion, and I understand that  
15 people that are here are concerned about their  
16 property values and everything else, but I mean  
17 what we have to go by is what is in the  
18 ordinance. I don't know if you guys have read  
19 the ordinance, but it says if it is zoned as one  
20 special use, it gives a whole list of what it is  
21 to be used for, and yes, anhydrous storage is  
22 one of those as long as it is a quarter mile  
23 away from any structure containing humans. Yes,  
24 Kincaid being in town is not a good scenario,

1 but it is still over that limit and farther away  
2 than what the current location is. So, as far  
3 as this Board is concerned we really have no --  
4 we have to follow the rules. The rules state  
5 that that's what it could be used for. So, I  
6 make the motion that we approve the special use  
7 for the new storage facility from Central  
8 Commodity.

9 CHAIRMAN OVERHOLT: Is there a second?  
10 We need a second.

11 MR. COPENBARGER: Dave Copenbarger.  
12 So, they have talked about groundwater  
13 protection, and maybe Blake this is to you, do  
14 we -- would we want -- as a condition of this  
15 approval do we need to, and maybe you don't  
16 know, but would we add in anything to, or  
17 approval of the engineer's plan, and maybe Mark,  
18 you can answer this. I don't know. I mean to  
19 me we approve this, and you can do whatever you  
20 want. I mean that is kind of what I see. I am  
21 not sure that's really what we need to do here.

22 Joe is right we are following the rules,  
23 but we can add stipulations to that. I am not  
24 sure I know -- I am not sure I am versed enough

1 to say what stipulations that we should do.

2 MR. MARK BAUMAN: Mark Bauman, so on  
3 site as I mentioned there is slope, which is  
4 good for collection and retention of water. It  
5 is very possible to build a reservoir, if you  
6 will, that has a gate valve on it that can be  
7 shut and opened to trap any water that would  
8 occur if the Fire Department had to knock the  
9 anhydrous down. So, if it is part of the motion  
10 that we get engineering designs and incorporate  
11 that into the permit, I am fine with that.

12 MR. COPENBARGER: I guess I would add  
13 that we would need engineering controls to  
14 contain, I don't know how many gallons, as  
15 determined by an engineer to prohibit any  
16 run-off from the site to escape from the  
17 property line. Obviously you could have it  
18 closer. I guess it would be the area where your  
19 tanks are, not the whole property.

20 MR. MARK BAUMAN: Sure.

21 CHAIRMAN OVERHOLT: Will you restate  
22 your motion, please.

23 MR. COPENBARGER: Approval pending  
24 engineering design to contain groundwater from

1 the immediate site around the ammonia tanks to  
2 keep it from escaping from the property.

3 CHAIRMAN OVERHOLT: You mean ground  
4 water or surface water?

5 MR. COPENBARGER: Well, it would be  
6 surface water that could go into the ground.

7 CHAIRMAN OVERHOLT: Did you get all  
8 that?

9 COURT REPORTER: Yes.

10 MR. DORR: I would agree to that.

11 CHAIRMAN OVERHOLT: Is there a second  
12 to the modified motion?

13 MR. COPENBARGER: Will I second it then  
14 or not?

15 MR. DORR: Well, I made the motion, and  
16 then we --

17 MR. COPENBARGER: I modified it.

18 MR. DORR: Which I agreed to.

19 MR. COPENBARGER: I will second it  
20 based on the modification.

21 CHAIRMAN OVERHOLT: All in favor, David  
22 Copenbarger.

23 MR. COPENBARGER: Yes.

24 CHAIRMAN OVERHOLT: Joe Dorr.

1 MR. DORR: Yes.

2 CHAIRMAN OVERHOLT: Glen Goodrich.

3 MR. GOODRICH: Yes.

4 CHAIRMAN OVERHOLT: JoAnn Howard.

5 MS. HOWARD: Yes.

6 CHAIRMAN OVERHOLT: Gary Merker.

7 MR. MERKER: Yes.

8 CHAIRMAN OVERHOLT: Okay. The motion

9 passed. That's all that we have.

10 MR. DORR: I make a motion to adjourn.

11 MR. MERKER: Second.

12 CHAIRMAN OVERHOLT: Motion to adjourn,

13 and it is seconded. David Copenbarger.

14 MR. COPENBARGER: Yes.

15 CHAIRMAN OVERHOLT: Joe Dorr.

16 MR. DORR: Yes.

17 CHAIRMAN OVERHOLT: Glen Goodrich.

18 MR. GOODRICH: Yes.

19 CHAIRMAN OVERHOLT: JoAnn Howard.

20 MS. HOWARD: Yes.

21 (Which were all of the proceedings

22 had on this meeting as of this

23 date.)

24

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

3

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

11 Given under my hand and seal this 4th day  
12 of April, 2023 at Taylorville, Illinois.

13

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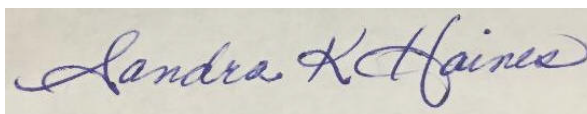
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24

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