

AGRICULTURE, ZONING AND EMERGENCY SERVICES COMMITTEE

MINUTES OF THE SEPTEMBER 6, 2016 MEETING

The committee chair called the meeting to order at 6:00 pm at the Livingston County Historic Courthouse, 112 W. Madison St., Pontiac, Illinois and roll call was taken.

Present: Bill Flott, Bob Young, James Carley, Justin Goembel, Daryl Holt and Bill Peterson.

Absent: Paul Ritter.

Others Present: Additional County Reps: County Board Chairman Marty Fannin, County Administrative Resource Specialist Alina Hartley. Non-committee county board members present were Vicki Allen, Kathy Arbogast and Carolyn Gerwin. Livingston County State's Attorney Seth Uphoff and county consulting attorney Tom Blakeman. Several citizens of the county were also present at this committee meeting.

Committee Chair Flott noted the agenda. Daryl Holt then moved, seconded by James Carley, that the agenda for this meeting be approved as presented. This motion was approved by a voice vote of all ayes.

Minutes of the August 2, 2016 committee meeting and the August 12, 2016 committee meeting were referred to the committee. Bill Peterson moved, seconded by Bob Young, that these meeting minutes be approved as presented. This motion was approved by a voice vote of all ayes.

Emergency Telephone System Board (ETSB) Report:

Jim Woolford, Chairman of the ETSB, reviewed his printed report, of which copies had been presented to the committee members. Mr. Woolford related that they are working on finalizing budgets for fiscal year 2017. The ETSB is also working on a preliminary budget for a potential new entity being referred to as the Vermilion Valley Regional Emergency Communications Authority. This potential Vermilion Valley Regional Emergency Communications Authority's preliminary budget currently reflects an ability to work close to within their current income, with no increases in participating fees the first year. This potential new communications authority still needs approval from several authorities on the local and state level. Then in regard to the current budget Mr. Woolford related that they should be within \$40,000 of this current budget. Committee members then questioned Mr. Woolford; beginning with an inquiry as to if the potential new communication authority would wean itself from the county's financial support. Mr. Woolford replied that the new communications authority would operate with the County paying its' fair share of dues and costs along with all of the other participating entities, but the new authority would be weaned off of the sole extra county financial contributions. Then in regards to the Starcom reception in Dwight an

analysis is being done as to if additional equipment can be placed on a water tower in Dwight, with hopes that this would address Starcom reception issues in Dwight.

Discussion on potential other sites for such equipment in Dwight took place, with the logic of placing equipment on the centrally located water tower being explained.

Briefing on the Status of the Review of the Wind Energy Regulations Text Language:

The committee chair commented on the Referendum regarding wind energy being filed with the County Clerk. The committee chair then reviewed the history of the review of the county's wind energy regulations, and how the recommended amendments regarding wind energy regulations are a compromise based on the input provided by several individuals and groups. The committee chair expressed his frustration in how long the review process for these proposed wind energy regulations amendments is taking, in part with the zoning board of appeals extending their review of this zoning text case. County Board chair Fanning and State's Attorney Uphoff discussed the status of these hearings and they can be completed more efficiently. Mr. Uphoff related that the noise report from a consultant may be available soon, and that the language the county used regarding 150 foot measuring points from primary structures may be acceptable with some language changes. A conversation took place as to how an extra zoning board of appeals meeting can be held during the last week in September if the consultant's report is completed and provided to the county. The committee discussed the county board's upcoming reorganization in December after the November election and how they would like to work towards completion of this matter prior to that reorganization. Mr. Blakeman commented about the timing of the finishing the review of this matter, which can still happen in October and November if the awaited report is provided soon and everyone works to complete the review in a timely manner.

A Status Review of the Potential Extension on the Moratorium Relating to WECS:

The committee was informed that the moratorium on wind energy projects is to expire on November 30th of this year and that now is the time to consider beginning the process to extend this moratorium. Committee chair Flott and committee member Holt remarked that they are not in favor of extending this moratorium. Any final action on extending the moratorium would not take place until November, that beginning the process to extend the moratorium now is an administrative issue that allows time to consider options related to this moratorium extension. Bob Young moved, seconded by Daryl Holt, that this committee recommend to the County Board as a whole that this moratorium regarding wind energy not be extended. Non-committee county board member commented how it may be better to consider beginning the process of extending this wind energy moratorium, considering possible legal opinions etc. The committee members agreed that this issue should be decided by the County Board as a whole. Then Mr. Young's motion carried by roll call vote: Flott-Yes, Young-Yes, Carley-Yes, Goembel-Yes, Holt-Yes, Ritter-Absent, Peterson-Yes. A conclusion was made that this matter would need to be formalized as a potential moratorium extension for the county board to vote upon, and a potential 90 day extension was noted to be part of this formalized proposal.

Solid Waste Report:

A printed copy of the planning commission monthly synopsis of landfill information and correspondence was presented to the committee members.

This correspondence primarily related to ground water monitoring reports, gas system reports, the status of the new cell under construction.

A printed copy(s) of host fee information from the last month was also presented to the committee. Remarks were made about the recent Livingston Landfill open house.

Review of Livingston County Zoning Case ZT-2-16 – Solar Farms and Consideration of Application Fees:

It was noted that on page 4, #7 3rd line that the word months had been left off the draft of this document provided to the committee, the word months will be appropriately added for the final draft. Mr. Holt commented about how he believes that the word recommended instead of required be placed at the beginning of line 6 on page 2 of this draft document. Mr. Holt then remarked about his belief that subsurface drainage tiles be addressed as part of this ordinance. The committee agreed to add a category m on page 3 adding an application requirement regarding the location of subsurface drainage tiles. The committee members then reviewed the proposed fee schedule. Mr. Holt moved, seconded by Mr. Peterson for this to this committee to recommend to the county board as a whole the approval of Zoning Case ZT-2-16, as it was presented to the committee at this meeting and further edited by the committee at this meeting. Then Mr. Holt's motion carried by roll call vote: Flott-Yes, Young-Yes, Carley-Yes, Goembel-Yes, Holt-Yes, Ritter-Absent, Peterson-Yes

Review of Livingston County Zoning Case ZT-4-16 – Violation and Remedy:

The committee had been previously provided with a copy of a draft of this text amendment, which amends the county regulations to reflect the state statutes increasing the fines to \$500, and changing the word misdemeanor to petty offense as recommended by the zoning board of appeals. The committee agreed to concur with the zoning board of appeals recommendation. Then Justin Goembel moved, seconded by James Carley, that this committee recommend to the county board as a whole the approval of Zoning Case ZT-4-16, as it was presented to this committee. Then Mr. Goembel's motion was approved by roll call vote: Flott-Yes, Young-Yes, Carley-Yes, Goembel-Yes, Holt-Yes, Ritter-Absent, Peterson-Yes

Building Permits and Penalties Follow Up:

A committee discussion took place in regard to properties that may be in violation of property use regulations and as to how the zoning administrator's office be more efficient in this area.

Other Issues to Come Before the Committee:

The committee members were presented with a copy of Diegan & Associates Proposal and Work agreement with continued environmental/solid waste landfill consulting services to Livingston County for 2017.

A comparison of this proposed agreement and the existing agreement reflected proposed \$3 an hour increases in the fess for Mr. Diegan and one of his engineers, Kathryn Kult. This proposal and work agreement will be formally addressed by the committee at their October meeting.

Review and Approval of Bills:

An invoice with a total amount of \$ 3,978 from Deigan and Associates, LLC for Professional Services for the period of June 10, 2016 to August 10, 2016 relating to landfill monitoring and technical reviews of Republic/Allied Waste's Livingston and Streator Area Landfills, for environmental/solid waste landfill consulting service to Livingston County was submitted to the committee. The committee concurred that this statement be approved for payment.

Public Comments:

Bekah Fehr commented about how the zoning board of appeals hearings on wind energy had been delayed by waiting for additional testimony from Iberdrola. Carolyn Gerwin explained her concept of how wind energy companies can split up their pot of funds for land owner payments to a wider group of land owners, which would include all land owners that may be affected by wind energy development. Carolyn Gerwin then invited all interested persons to assist with the Livingston County Environmental Associations river clean up, on September 17th, at 8 am with this project beginning at the Vermilion River boat ramp in Play park in Pontiac. The replacement of the fire damaged Cayuga Ridge turbines was discussed. A comment was made on the State of Nevada stopping subsidies on solar energy.

Adjournment:

Then Bob Young moved, seconded by Bill Peterson, that this meeting be adjourned. This motion was approved unanimously.

This meeting was adjourned at 7:10 p.m.

Charles T. Schopp, Administrator
Livingston County Regional
Planning Commission