

LIVINGSTON COUNTY BOARD

AGRICULTURE, ZONING AND EMERGENCY SERVICES COMMITTEE

MINUTES OF THE MARCH 4, 2014 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: Bob Young, Bill Flott, Mike Ingles, Bill Peterson, Earl Rients and Paul Ritter.

Absent: Ronald Kestner

Others

Present: Chris Spesia, and outside attorney, Lytton Power, public affairs, and Don Verdun, area supervisor, all representing Enbridge. County Board Chair Marty Fannin County Planning Commission Representative Chuck Schopp, Livingston County Administrative Resource Specialist Alina Hartley, Livingston County Finance Resource Specialist June Slagel and Don Immke representing the Livingston County Farm Bureau.

Committee Chair Young noted the agenda, Paul Ritter then moved, seconded by Earl Rients, that the agenda for this meeting be approved. This motion was approved by a voice vote of all ayes.

Minutes of the February 4, 2014 committee meeting were referred to the committee. Paul Ritter moved, seconded by Earl Rients, that these meeting minutes be approved as presented. This motion was approved by a voice vote of all ayes.

Enbridge Update on Their Ongoing Development Plans:

Chris Spesia introduced himself as an attorney providing outside legal counsel for Enbridge, along with introducing Lytton Power a public affairs official and Don Verdun an area supervisor with Enbridge. A power point presentation was then made relating to Livingston County being a U.S. Energy Hub for Enbridge. Lytton Power presented the first power point pages that pertained to Enbridge's North American Businesses and about how their Livingston County station is important in their plans for expansion into their Eastern Access and USGS Access areas. Mr. Power then commented about their major projects for Livingston County, including the Flanagan South Project, the Line 78 Project, Line 61 Upgrade Project, and the Southern Access Extension.

Area supervisor Don Verdun then commented on the power point panels regarding the Flanagan Terminal in 2014 and 2015. Mr. Verdun then referenced the power point panels pertaining to regulatory requirements and the Maintenance and Integrity of their pipelines and facilities. Mr. Verdun then remarked as to how they are collaborating with the Pontiac Fire Department in the training on to how to respond to emergency events that could occur at this facility.

Chris Spesia then presented the power point panels pertaining to a proposed special use for their Livingston County facility. Mr. Spesia presented information on a proposal to develop 215 acres of land across Route 23 east of the existing Enbridge Tank Farm north of Pontiac. This proposal includes a maximum of twelve crude oil storage tanks, two additional pump stations, a future electrical substation(s), a fire pond and fire pump house, associated valves, meters, piping, manifold area etc. related to the storage tanks and pipelines, and an office building.

Then at the end of the power point presentation was a page on benefits for communities surrounding this development, including opportunities for jobs, property and sales tax revenue, and an economic boost to local vendors, and businesses. Enterprise zone opportunities were questioned and discussed between the committee members and Enbridge representatives present at the meeting.

ETSB Report:

Mike Ingles, the new chair of the ETSB, addressed the committee presenting an update/annual report. Mr. Ingles expressed that he has recently become chair of the ETSB and in addition to the oral report comments he is to make he can provide written information to the committee. Mr. Ingles remarked about new governance agreement and the work that the ETSB has done and is continuing to do to work on increasing funding for 911 services. Mr. Ingles then commented about more long range funding and planning for 911 operations. Mr. Ingles then mentioned how the future of technology is unknown and how future technology changes will need to be addressed is unknown. Then the current number of 911 communication towers in place, the need for additional towers, and the potential need for even more additional towers in the future to meet new regulations were all discussed. Mr. Ingles then explained about how the ETSB has begun to investigate the use of the Star Com radio system. Star Com is the radio communication system used by the Illinois State Police and other state agencies. The benefits of having the infrastructure of towers in place for this system was then mentioned. A discussion then followed relating to the Star Com systems costs and benefits, in part in comparison to the existing communication system and potential future radio systems. Mr. Ingles concluded by expressing that he will keep the committee informed about actions of the ETSB.

Solid Waste/Landfill Issues:

A copy of Deigan and Associates Livingston Landfill submittal reviews was given to the committee members. In the review notes and comments of this document an area that had odor issues was highlighted. A monthly synopsis of landfill information and correspondence was presented to the committee members. The monthly information synopsis relating to Livingston Landfill report focused on NPDES reports, a landfill gas migration monthly report, private well sampling results and semi-annual monitoring reports. Gas migration was also discussed as part of this report. The severe winter weather has had a negative effect on the landfill operations, so with Spring coming and further work on the gas system it is believed that the gas system should operate normally. In regard to the Streator Area Landfill, that facility will be inspected in the Spring to see what work needs to be done at that facility to evaluate any erosion issues. Hoosier Energy is fully operating at the Livingston Landfill converting the landfill gas to energy. At times an open candlestick flare will be used to burn off excess gas, so the committee members were informed that this open flare burning is part of the gas system operations. Host agreement information was also presented to the committee. Host fee amounts being paid and waste amounts being received at Livingston Landfill have declined slightly over the last couple months. The severe winter weather, at least in part, can be noted as part of this decline in waste being received.

Review of Zoning Regulation Issues:

The committee members were informed that a new Illinois Senate Bill has been filed regarding Wind Energy Facility Construction. This is senate bill SB3263.

Main components of this proposed bill are agricultural impact mitigation agreements, deconstruction plans, and allowing for the Illinois Department of Agriculture to approve wind energy facilities, with a process similar to how the Illinois Department of Agriculture reviews Livestock Management Facilities. Reduced decision making on the behalf of the county's was discussed in this committee meeting. Zoning issues pertaining to the medical use of cannabis was then mentioned. Draft rules for the Illinois Department of Public Health and the Illinois Department of Agricultural are pending as it pertains to proposed medical use of cannabis. This draft rules reflect that this program will be relatively highly regulated. In regards to zoning this cannabis program is divided into two areas, one being dispensing and the second being cultivation. In regard to the dispensing drugstores are a permitted use in areas zoned commercial under county jurisdiction, and this zoning use can be considered similar to the dispensing of medical cannabis. In regard to cultivation, with the pending rules it appears that this operation would probably occur in an Agriculturally zoned area within the county. This cultivation and the infusion of cannabis into products could be reviewed as a special use.

Other Issues to Come Before the Committee: None

Public Comment: No public comments were made.

Review and Approval of Bills:

An invoice in the amount of \$4,041.00 from Deigan and Associates, LLC for Professional Services from January 1, 2014 thru February 28, 2014 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 reviewed by the committee. Bill Flott moved, seconded by Mike Ingles, that this statement be approved. This motion was approved by a unanimous voice vote.

Then Earl Riets moved, seconded by Paul Ritter, that this meeting be adjourned. This motion was approved unanimously.

This meeting was adjourned at 7: 05 p.m.

Charles T. Schopp, Administrator
Livingston County Regional Planning
Commission