

LIVINGSTON COUNTY BOARD

AGRICULTURE, ZONING AND EMERGENCY SERVICES COMMITTEE

MINUTES OF THE MAY 6, 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, Earl Rients, Bill Peterson, Ron Kestner, and Paul Ritter.

Absent: None

Committee Chair Young noted the agenda. Ron Kestner then moved, seconded by Paul Ritter, that the agenda for this meeting be approved as outlined by the committee chair. This motion was approved by a voice vote of all ayes.

Minutes of the April 8, 2014 committee meeting were referred to the committee. Bill Flott moved, seconded by Bill Peterson, that these meeting minutes be approved as presented. This motion was approved by a voice vote of all ayes.

ETSB Report:

Mike Ingles reported that the ETSB had met earlier in the day and that their meeting focused on beginning planning for future budgets. Mr. Ingles indicated that a representative of Ragan Communications was present at this meeting. Ragan representatives noted their services that they have provided Liv Com, and being aware of Star Com discussions they communicated ideas as to how can evaluated how the existing system may be improved. Mr. Ingles did reply to an inquiry that among options being considered for future equipment improvements, that the Star Com system will continue to be considered.

Solid Waste/Landfill Issues:

A copy of Deigan and Associates Livingston Landfill submittal reviews along with a planning commission monthly synopsis of landfill information and correspondence was presented to the committee members. The monthly information synopsis relating to Livingston Landfill focused on report copies pertaining to groundwater testing, clean air act reports and air testing information, along with information on alternative daily cover materials and leachate extraction wells. Plans to build a new cell area in 2015 were also communicated to the committee.

In regard to the Streator Area Landfill a groundwater report was mentioned along with information on a recent visit to this Streator facility to look review how the erosion is being controlled at this facility. Host agreement information was also presented to the committee.

Host fee amounts being paid appear to remain steady over the last few months, and should increase in the future as more waste is being placed in this landfill.

Briefing on Zoning Issues:

Enbridge;

In regards to Enbridge Energy's proposal to develop a tank farm area north of Pontiac, Committee Chair Young commented that the committee did not plan on taking any action on this zoning case at this meeting, but they planned to listen to those wishing to speak to the committee. Mr. Young then explained the committee structure of the Livingston County Board.

Richard Maier, then addressed the committee. Mr. Maier is a resident of Whispering Oaks Subdivision, which is about a quarter mile south of the proposed Enbridge development. Mr. Maier related that several residents of Whispering Oaks are present at this meeting. Mr. Maier then commented as to how this proposal can and is affecting their health, safety and welfare. Mr. Maier related as to how some of the residents of this subdivision are already suffering from anxiety and emotional stress about the Enbridge proposal. In regards to safety threats, Mr. Maier commented on fire concerns along with ground water concerns. Mr. Maier then remarked about how the proposed Enbridge project could have an economic impact on their property values. A printed copy of Mr. Maier's comments was presented to the committee members.

Whispering Oaks resident Mark Heil then addressed the committee. Mr. Heil commented about accidents relating to Enbridge pipelines and other accidents related to the transportation of oil and about how they do not want catastrophic failures to happen near Whispering Oaks. Mr. Heil then reviewed the economics of Enbridge, followed by comments relating to this project would affect their lives, and how they want their lives protected. A printed copy of Mr. Heil's comments was presented to the committee members.

Bill Gilbert then addressed the committee. Mr. Gilbert and his wife are the closest residents east of the proposed Enbridge Energy development area, as Mr. Gilbert indicated on an aerial photo of the area. Mr. Gilbert expressed his concerns about how his property value could substantially decrease in value. Mr. Gilbert related that they are in negotiations with Enbridge about their situation. Mr. Gilbert also pointed out that if Enbridge would acquire his property and another adjoining parcel the proposed two southern tanks could be moved north, avoiding a need for a variance. A printed copy of Mr. Gilbert's comments was presented to the committee members.

Whispering Oaks resident Alan Barling then addressed the committee. Mr. Barling remarked about asking for a property valued guarantee. Mr. Barling then expressed his list of concerns. Then Mr. Barling provided points that they would like considered as part of an agreement with Enbridge Energy and the area home owners. These points covered a proposed property value guarantee, a proposal for a 20 foot high landscaped berm, no approval of the proposed variance, and that the special use permit be reviewed on an annual basis. A printed copy of Mr. Barling's comments was presented to the committee members. Whispering Oaks resident Charlotte Ford addressed the committee relating as to how their property rights should be protected.

Committee Chair Young then inquired with the Whispering Oaks residents about as to if they have an attorney, with the residents relating that they had sought the advice of an attorney. The committee and the Whispering Oaks residents then discussed Mr. Barling's proposed conditions, with the Whispering Oaks residents being in general agreement with these proposed conditions, generally indicating they would at least initially stay in their homes if these conditions would be approved. How the zoning process is to move forward was then explained. It was then confirmed that Mr. Barling's four conditions and the concept of moving the two south tanks to avoid a variance can be communicated to Enbridge Energy. Mr. Young then commented that he would like to hear Enbridge's comments on this matter, and Chair Young related that he would like for the Enbridge Energy and the residents in the area of the proposed Enbridge Energy development to continue negotiating an agreement.

Other Issues to Come Before the Committee:

The committee acknowledged the zoning issues that were placed on the Elections committee agenda regarding county board approval of special uses, and notification of area residents of hearings. The committee agreed that they would be willing to discuss these issues when it would be appropriate.

The committee was informed that Kevin Schaffer is proposing a swine confinement building in the McDowell area.

The committee was informed that the County Emergency Operations Plan was approved by IEMA for another two years.

The committee was informed that they should expect progress, though slow, on the cleanup of the Sun Trucking property.

The committee was informed and their presence would be welcome at a table top exercise in the morning following this meeting.

Public Comment: No additional public comments were made.

Review and Approval of Bills:

An invoice in the amount of \$4,977.00 from Deigan and Associates, LLC for Professional Services from March 10, 2014 thru April 29, 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.

Adjournment:

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

This meeting was adjourned at 7:40 p.m.

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Charles T. Schopp, Administrator  
Livingston County Regional  
Planning Commission