

LIVINGSTON COUNTY BOARD

AGRICULTURE, ZONING AND EMERGENCY SERVICES COMMITTEE

MINUTES OF THEIR JUNE 3, 2014 MEETING

The committee chair called the meeting to order at 6:10 p.m. at the Livingston County Historic Courthouse, 112 W. Madison St., Pontiac, Illinois and roll call was taken.

Present: Bob Young, Bill Flott, Mike Ingles, Ron Kestner, Bill Peterson, Earl Rients and Paul Ritter.

Absent: None.

Committee chair Young noted that a revised agenda had been sent out with an item in relation to the McDowell Hog Farm was added to the agenda, Mike Ingles then moved, seconded by Ron Kestner, that this revised agenda for this meeting be approved as amended. This motion was approved by a voice vote of all ayes.

Minutes of the May 6, 2014 committee meeting were referred to the committee. Bill Peterson moved, seconded by Earl Rients, that these minutes be approved as presented. This motion was approved by a voice vote of all ayes.

ETSB:

Mr. Ingles remarked that the ETSB had met earlier in the day, at their new 4 pm meeting time. At this meeting they discussed issues similar to issues discussed in the past, including the possibility of switching over to a Starcom radio system. They are also looking at updated/new computer system(s), and a new/updated mapping program. The committee is also discussing funding and how to incorporate these improvement costs in a future budget(s). Another follow up meeting is planned for next Tuesday at 4:00 p.m. and the committee members were encouraged to attend.

Landfill/Solid Waste Issues Briefing:

A copy of Deigan and Associates Livingston Landfill submittal reviews was given to the committee members. A highlighted area noted that they will continue to watch the landfill gas migration monitoring results, for trends in comparison to gas monitoring probe trends. The regular monthly synopsis of landfill information and correspondence was presented to the committee members. The monthly information highlights was information from the 2103 annual report, which indicated that the expected closure date for Livingston Landfill is now 2039. In addition it was noted that the closure care estimates are now at \$23,811,004. Pertaining to the Streator Area Landfill gas probes will continue to be monitored, and their post closure care estimate is now \$1,373,086. The sequenced of waste fill plans for the next year to year and half at the Livingston Landfill were explained to the committee members. Host agreement information was presented to the committee. Two reports from Deigan and Associates pertaining to split sample water testing results had been handed out to the committee. The split sample report in regard to Livingston Landfill, some slight numerical exceedences were found on the landfill well testing results, and no volatile organic compounds were found in the residential wells tested, nor did the residential well testing reflect metal concentrations higher than standards.

The Streator Area Landfill split sample results of groundwater wells at that facility reflected that slight numerical exceedences that are not a cause for alarm, one was a pH value of 5.91 and a second one was a total dissolved solids value of 2500. A reference to an increase in tonnage and fees during this latest reported month was noted.

The committee members were informed that Livingston County was not selected for the 2014 Round of USEPA Brownfield Grants, which the committee had recommended the application for this grant earlier this year.

Review of Zoning Case SF-1-14 – M & S Subdivision:

A copy of a report pertaining to Livingston County Zoning Case SF-1-14 – M & S Subdivision had been handed out to the committee members. The zoning administrator reviewed this report with the committee members. The committee was informed that Livingston County Regional Planning Commission had reviewed this property division request the previous evening, and has recommended the approval of this property division. Bill Flott moved, seconded by Paul Ritter, that this committee recommend to the county board that they concur with the Livingston County Regional Planning Commission's recommendation to approve Livingston County Zoning Case SF-1-14. This motion was approved by a unanimous voice vote.

Briefing on Zoning Issues:

Enbridge: Mr. Schopp read a letter that had been sent to him as the administrator of the Livingston County Regional Planning Commission. This letter was dated June 2, 2014 and had been sent by Christian G. Spesia, of Spesia & Ayers Attorneys at Law, acting as outside counsel for Enbridge Energy. This letter stated that Enbridge is withdrawing the remaining requests for Special Use in Livingston County Zoning Case SU-4-14, and the Variance application V-3-14. Enbridge is re-evaluating its future needs in relation to the property it owns east of Route 23. This correspondence also noted that on April 10, 2014 the Zoning Board of Appeals approved a special use permit for one pump station for the Southern Access Extension Pipeline Project. Some residents of the Whispering Oaks Subdivision, that have concerns about proposed land development by Enbridge, were present at this meeting expressing their desire to be notified of any county zoning hearings of which an Enbridge project is to be reviewed.

McDowell Hog Farm: Among several McDowell area residents present, John Tibbs a resident about 2 miles northeast of a location on which Kevin Schaffer is proposing to place a swine confinement structure expressed his concerns about the development of swine confinement facilities in the area. Mr. Tibbs commented on disagreements as to how the Illinois Department of Agriculture permits confinement facilities, particularly how the proposed Kevin Schaffer structure is being located next to the new Matthew Schaffer swine confinement building. Concerns of 2400 head of swine being added to the area were related. These concerns related to odor issues and property value issues. Mr. Tibbs remarked that they would like to prevent any additional confinement buildings to be placed in the area, noting that the one new building had been built and that it is probable that the second confinement building will be built. State setback regulations as they pertain to animal units, and how the regulations do not always take into consideration multiple buildings close together on separate properties were then discussed. Committee member Ingles suggested that a meeting of local state representatives and the local state senator take place to express concerns about the current confinement building regulations, to see if they can be amended.

The Illinois Department of Agriculture would also be welcomed at such a meeting to allow for their input into these regulations. McDowell area resident Doug Swartz expressed his concerns that local zoning has little jurisdiction in the siting of confinement buildings, and he believes that a closer look at the existing regulation should take place. Area property owner Alan Schrock commented that he also would like to see a review of the current confinement building regulation, in that odors from the first swine building have been noticed on his property.

Semi-Annual Review of Executive Session Minutes:

A copy of the January 7, 2014 committee executive session minutes had been distributed to the committee members for their review. Bill Flott moved, seconded by Bill Peterson, that these January 7, 2014 committee executive session minutes be approved for content and formally opened. This motion was unanimously approved by roll call vote.

Other issues were presented to the committee members:

A Zoning Case briefing was made to the committee in regard to CBG special use proposal for a high speed liquid nitrogen fertilizer storage and transloading facility. This proposal will be addressed by the zoning board of appeals at their meeting this coming Thursday. A mention of the possible sale of the K4 wind energy project was mentioned. Existing Drone regulations were mentioned. The Sun Trucking and possible nuisance issues were mentioned again. The committee concluded that if the owners continue to ignore requests to clean the property, this matter should be presented to the State's Attorney office for their review.

Public comments:

JoAnn O'Kraski from unincorporated South Streator area expressed her concerns about her neighbor behind her having poultry and goats in her yard. A review of the statutes and regulations will be made in regard to animals in this residential area.

Review and Approval of Bills:

An invoice in the amount of \$5,363.40 from Deigan and Associates, LLC for Professional Services for May 2014 relating to landfill monitoring and technical reviews of Republic/Allied Waste's Livingston and Streator Area Landfills, for environmental/solid waste landfill consulting services 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 Ron Kestner moved, seconded by Bill Peterson, that this meeting be adjourned. This motion was approved unanimously.

This meeting was adjourned at 7:30 p.m.

Charles T. Schopp, Administrator
Livingston County Regional
Planning Commission