

AGRICULTURE, ZONING AND EMERGENCY SERVICES COMMITTEE

MINUTES AUGUST 7, 2018 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: Daryl Holt, Steven Lovell, Patrick Killian, Mike Ingles and Paul Ritter.

Absent: Jason Bunting and James Carley.

Others Present: Additional County Representatives included: Non-committee County Board members John Slagel and Linda Ambrose, and County Executive Director Alina Hartley. Ron and Norma Fehr representing Livingston County Zoning Case SF-5 -18 FCI Subdivision, Kip Smith representing Borrego Solar Systems, Inc. and Margaret Blum for consultant firm Greenberg Farrow both representing the applicant in regard to this proposed solar farm, Livingston County Zoning Cases SU-7-18 were also present.

Committee Chair Daryl Holt commented about the agenda for this August 7, 2018. The zoning administrator requested that this committee consider moving their September meeting date because of a potential conflict. Mike Ingles moved, seconded by Paul Ritter, that this agenda be approved as amended. This motion was approved by a voice vote of all ayes.

Committee Chair Daryl Holt then referred to the minutes of the July 10, 2018 committee meetings. Patrick Killian moved, seconded by Paul Ritter, that these meeting minutes be approved as presented. This motion was approved by a voice vote of all ayes.

Business:

Committee Review of Livingston County Zoning Case SF-5-18 – FCI Subdivision:

The zoning administrator reviewed a copy of a report that had been provided to the committee members, pertaining to Livingston County Zoning Case SF-5-18 FCI Subdivision a proposal by Ron and Norma Fehr to subdivide their 6.56 acre parcel of land into 2 tracts of land. The applicants Ron and Norma Fehr were present at this meeting to answer any questions that anyone may have had of them. Ron Fehr commented about this planned subdivision. Mike Ingles moved, seconded by Paul Ritter, that this Agriculture, Zoning and Emergency Services committee recommend the approval of Zoning Case SF-5-18. This motion was approved by a unanimous voice vote.

Committee Review of Solar Energy Special Use applications – SU-7-18 – Borrego Solar Systems Inc/Murphy

The zoning administrator noted that the committee members had previously been provided with application information regarding this proposed solar farm special use and he then reviewed with the committee members the information that had been provided to the committee members for this meeting. This information included a list of the application exhibits and the Livingston County Regional Planning Commission's recommended approval documentation for this zoning case.

Livingston County Zoning Board of Appeals recommended approval of this zoning case which includes a list of conditions was also related to the committee members. The zoning administrator related that this committee had previously recommended alternative language that was in regard to a previous applicant's comment as to if language in conditions could be amended to make the proposed projects more marketable. Therefore, in order to be consistent this committee may want to again consider optional language for conditions Number 8 and Number 12 was provided to the committee. The language in condition Number 8 regarding a review of this zoning case has a shifting of phrases with an added phrase of, although no such review will alter the status or validity of the special use permit as proposed and approved. The language in condition Number 12 was amended by adding the word reasonable after the word county.

Kip Smith representing Borrego Solar Systems, Inc. and Margaret Blum for consultant firm Greenberg Farrow both representing the applicant in regard to this proposed solar farm, were present to answer any questions regarding Livingston County Zoning Case SU-7-18. A discussion then took place between the proposed solar farm representatives and the committee members, pertaining to a company proposal to place a seven foot tall fence around the solar farm as opposed to the ordinance required eight foot fence. The committee understood the difference in the construction techniques between a seven foot fence versus an eight foot tall fence. The committee ultimately agreed with the zoning board of appeals in staying in compliance with the ordinance with requesting an 8 foot tall fence, while the committee suggested that an amendment to the zoning regulations be considered to allow for a seven foot tall fence. Mike Ingles moved, seconded by Paul Ritter, that this Agriculture, Zoning and Emergency Services Committee recommend to the Livingston County Board, that Livingston County Zoning Case SU-7-18 Borrego - Murphy Solar farm be approved, concurring with the recommendation of the Livingston County Zoning Board of Appeals, including the conditions attached to the zoning board of appeals recommendation, as modified by this committee. This motion was approved by a unanimous voice vote.

Committee Review of Small Cell Wireless:

Prior to this meeting the committee members had been provided with a copy of slides from a power point presentation pertaining to government entities permitting small cell wireless technology. Since small cell technology currently has a coverage zone of 250 feet to 1000 feet, at this time it is less feasible to develop small cell wireless devices in the more rural areas. Currently this technology is primarily be developed in urban and suburban areas. Existing government regulations for permitting small cell wireless technology is comprehensive and complex, in comparison to some other siting regulations. Another intricacy about permitting this technology is that multiple departments may be responsible for the permitting, as a road authority, like the county highway department would be responsible for locating small cell wireless in road right of way areas, and a zoning office could permit areas outside of the right of way. The county will continue to research this matter to work on the most reasonable regulations for Livingston County.

Solid Waste Report – Review of a synopsis of solid waste related documents and a briefing on the host fee extension:

Printed copies monthly synopsis document reviews were presented to and reviewed with the committee members. These reports and discussion on these reports focused on landfill groundwater monitoring results, and NPDES reports at Livingston Landfill, and groundwater flow evaluations gas monitoring reports from both the Livingston Landfill and the Streator Area Landfill.

Host Agreement and monthly host agreement fund information was also provided to the county. The county is continuing on moving forward with extending the current Livingston Landfill Host Agreement.

Other Issues to Come Before the Committee

The committee agreed to change their September committee date, to Thursday September 6th. at 6:00 pm.

A Public Comment was made by John Slagel.

Review and Approval of Bills:

An invoice with a total amount of \$2882.85.00 from Deigan and Associates, LLC for Professional Services for the period from June 1, 2018 to June 30, 2018 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 and explained to the committee. Patrick Killian moved, seconded by Mike Ingles, that this committee approve the payment of this invoice. This motion was approved by a unanimous voice vote.

Executive Session Pursuant to 5/ILCS 120/2 (c) (11) – Litigation - None

Action Resulting from Executive Session- None

Adjournment:

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

This meeting was adjourned at 6:40 p.m.

Charles T. Schopp, Administrator
Livingston County Regional
Planning Commission