

AGRICULTURE, ZONING AND EMERGENCY SERVICES COMMITTEE

MINUTES OF THE SEPTEMBER 7, 2022 MEETING

The meeting was called to order at 6:01 p.m.

Present: Jason Bunting, Gerald Earing, Joel Barickman, Steven Lovell, and Tim Shafer

Absent Paul Ritter and Scott Mennenga

Committee Chair Bunting commented about the agenda for this September 7, 2022 meeting. Chair Bunting noted that business item “a” needed to be removed from the agenda and that the title of the agenda needed to be amended to remove the “recessed” language since this meeting was not a recessed meeting. Gerald Earing moved, seconded by Steve Lovell that this agenda be approved as amended. This motion was unanimously approved by voice vote.

Chair Bunting then noted the minutes of the August 18, 2022 meeting. Tim Shafer made a motion that was seconded by Steve Lovell that the minutes of the August 18, 2022 meeting be approved. The motion carried unanimously by a voice vote of all ayes.

Business:

Case SU-2-22 – Bluestem Solar

This zoning case pertained to the review of a proposed special use to allow for the development of a 5 MW solar farm in an AG, Agriculture, District located in unincorporated Pontiac.

Seth Uphoff presented the project to committee members and covered specifics of the project such as screening, traffic safety issues, the project’s adherence to the county ordinance, surrounding property values/marketability, and also discussed the project’s consistency with the standards of special use for the county.

Joel Barickman then spoke about his concerns with how solar farms contradict the county’s comprehensive plan with respect to conserving agricultural land and read excerpts from the comprehensive plan to support his concerns. Barickman also mentioned that solar farms contradict a recent resolution passed by the county board with their declaration of support for agriculture in the county. Joel also noted discussions that took place at the regional planning commission meeting on this matter.

Seth Uphoff rebutted by saying that things discussed at the planning commission meeting are not evidentiary and should not be discussed since the county board cannot take those things into consideration when making their decision. Seth further explained that the implementation of a solar farm ordinance in the first place suggests that the county concluded that solar farms are consistent with the comprehensive plan. Seth also stated that the minimum acreage requirement established by the county suggests that they are open to hosting solar farms of the proposed size.

Barickman then asked Seth if the project had the support of Pam Teske who lives in the Northeast corner of the project. Seth answered that he would let her speak for herself, but that he does not believe she particularly likes it.

Deborah Bressner, 16336 E. 1500 North Rd., Pontiac, then spoke as an interested party in this matter. Deborah stated that the Weston Blacktop is a heavily traveled road and voiced her concerns over the intersection located in the Southwest corner of the project. Deborah then asked for clarification on how the setback distances are measured and whether or not the measurements are adjusted as the road curves to the East. Seth responded by saying that if there is a discrepancy with how they measured from the property lines, that the developer would be willing to make adjustments to correct that.

Pam Teske, 15231 N. 1625 East Rd., Pontiac, then spoke as an interested party in the matter. Pam acknowledged that the company has been trying to help her with accepting this project, but she does not want it there. Pam added that she knows it will impact the value of her home.

There was then a question about whether or not this project would affect the base acres of the tract. Seth responded by saying that he was unsure if it would or not.

There was then a motion by Gerald Earing, seconded by Tim Shafer that this project be recommended for approval to the full board.

The motion carried by a roll call vote:

Bunting:	Yes	Lovell:	Yes
Ritter:	Absent – No Vote	Shafer:	Yes
Earing:	Yes	Barickman:	No
Mennenga:	Absent – No Vote		

Wind/Solar Discussion

There was then discussion about current solar projects and what their timeline was for going to hearings. The assistant zoning administrator explained that the rest of the remaining community solar projects would be going to hearings at the October meetings. The assistant zoning administrator also noted that the 2,000 acre solar project is expected to file an application sometime within the next week.

There was then discussion about how powerlines handle different types of solar projects.

A discussion about a possible moratorium on solar farm applications then took place. Andrew Keyt, legal counsel representing the county on this matter, then spoke to committee members and explained the process. Andrew also provided his advice on the best way to proceed with a moratorium.

The floor was then opened up for public comment.

Doug Swartz, 14495 N. 1800 East Rd., Pontiac, then spoke. Doug stated his concerns over whether or not the state and/or federal government would get involved in this matter since they are pushing it so much. Andrew responded to the concern by stating that the Illinois Counties Code currently gives the county authority over their zoning ordinance and that he is not aware of any current pending legislation that would take solar/wind governance away from the counties.

Jake Aupperle, 1803 Derron Dr., Pontiac, then spoke. Jake discussed his concerns for increased solar farm development and stated that his family's farm operation would go out of business if the rumored utility scale projects are developed. Jake addressed the added tax revenue by saying that the county already has large amounts of supplemental income from the landfill and existing wind farms, but yet the schools still rank towards the bottom in the state. Jake also discussed his concerns for the recyclability of the solar panels and worries that a lot of them will still end up in our landfill. Jake concluded his comments by asking the committee to take a pause so that the county can take time to get the community involved with this issue.

Steve Rapp, 21952 N. 1710 East Rd., Pontiac then spoke. Steve noted that it seems to be too easy for these solar developers to get large solar projects approved through the county. Steve also echoed Jake’s concerns over the recyclability of the solar panels. Additionally, Steve discussed his concerns over the impact to wildlife with large projects such as the 2,000 acre project that is potentially coming into the county. Steve closed by voicing his support of a moratorium.

Melissa Rapp, 801 S. Lawrence Way, Pontiac then spoke. Melissa voiced her concerns of how the solar farms will change the landscape of the county. She also discussed that she works at a grain elevator and that she is concerned about the impact that increased solar development will have on agricultural jobs in the county. Additionally, Melissa stated that the impact to our food source is a very big concern. Melissa closed by stating her support for a moratorium on solar farms.

With the being no further comment from the public, Joel Barickman made a motion, seconded by Tim Shafer, that the committee recommend the implementation of a moratorium on solar farm applications to the county board.

The motion carried by a roll call vote:

Bunting:	Yes	Lovell:	Yes
Ritter:	Absent – No Vote	Shafer:	Yes
Earing:	Yes	Barickman:	Yes
Mennenga:	Absent – No Vote		

Emergency Disaster Declaration Discussion

The zoning administrator noted that on a recent conference call with the director of public health, Jackie Dever, that the public health department was no longer receiving funds from the Covid disaster declaration and that she would be okay with letting the disaster declaration expire without renewal.

Steve Lovell then made a motion, seconded by Joel Barickman to let the county’s disaster declaration expire.

The motion carried unanimously by voice vote.

Solid Waste Update

The zoning administrator stated that there was nothing significant to discuss on solid waste matters, but that there was a note sheet in the committee packet for review.

Recycle Event Scheduling Status

The assistant zoning administrator noted that November 5th, 2022 was an acceptable date for the logistics company and that he would be contacting the insurance company to acquire event insurance. The assistant zoning administrator also stated that the Vermillion Plaza was now owned by a realty company out of Chicago and that they are willing to allow the event to be hosted in the parking lot.

Other Issues to Come Before the Committee: None

Public Comment:

The floor was then opened for public comment.

Adjournment:

Steve Lovell then motioned, seconded by Gerald Earing that this meeting be adjourned.

The meeting was adjourned at 7:59 p.m..

Jesse J. King, Assistant Administrator
Livingston County Regional
Planning Commission