

LIVINGSTON COUNTY BOARD
AGRICULTURE, ZONING AND EMERGENCY SERVICES COMMITTEE
MINUTES OF THE MARCH 6, 2023 MEETING

Committee Chair Gerald Earing called the meeting to order at 6:00 p.m.

Present: Paul Ritter, Gerald Earing, Joel Barickman, Rebekah Fehr, Jack Vietti, Michael Haag and Steven Lovell

Absent:

Also Present: Zoning & Planning Administrator Jesse King, Administrative Assistant Patricia Merlino, Executive Director Alina Hartley, States Attorney Michael Regnier, Attorney Andrew Keyt (Heyl Royster) and Paul Bottum (Cultivate Power)

Earing called for any additions or corrections to the agenda with none requested. Motion by Ritter, second by Lovell to approve the agenda as presented. **Motion carried with all ayes.**

The Committee reviewed the minutes of the March 1, 2023 meeting. Motion by Ritter, second by Haag to approve the minutes as presented. **Motion carried with all ayes.**

Business:

Case SU-14-22 – Allium Solar

Paul Bottum from Cultivate Power presented Zoning Case SU-14-22 Allium Solar and stated this is a 5MW solar farm that would encompass approximately 32 acres of a 158.48-acre tract of land located in unincorporated Pontiac.

After the presentation, it was expressed that the Zoning Board of Appeals motion to approve Allium Solar failed during roll call due to 3 yes's, 2 no's and 1 abstain vote. King explained there was an error in the interpretation of the votes and stated an amendment to the minutes will need to take place at the next ZBA meeting to correct that.

Concerns were addressed regarding several surrounding property owners not being contacted, some property owners not being listed and other missing information on the application. Bottum stated that letters were sent to property owners within a 1-mile radius and he only spoke to a few surrounding property owners.

Questions were raised regarding field tiles and the origin of the solar panels themselves. Bottum stated the landowner did not provide information on the field tiles and the solar panels are coming from China where 91% of solar panels are sourced.

The Committee mentioned that the Land Evaluation and Site Assessment gave a score of 15/15 and that it wasn't consistent with the County Comprehensive Plan.

Motion by Earing, second by Lovell to recommend approval of Case SU-14-22 – Allium Solar to the County Board. **Motion failed on roll call vote. Ayes:** Gerald Earing **Nays:** Jack Vietti, Joel Barickman, Rebekah Fehr, Paul Ritter, Steven Lovell, and Michael Haag.

Motion by Barickman, second by Fehr to recommend denial of Case SU-14-22 – Allium Solar to the County Board. **Motion carried by roll call vote. Ayes:** Jack Vietti, Joel Barickman, Rebekah Fehr, Paul Ritter, Steven Lovell, and Michael Haag **Nays:** Gerald Earing

Resolution Opposing Public Act 102-1123

Discussion took place regarding whether or not a resolution opposing Public Act 102-1123 would be beneficial or harmful. Regnier stated the benefits are hard to quantify but does not believe it would harm the County. Ritter suggested doing it to show unity with other Counties and Barickman suggested it to show support for the constituents.

Zoning Ordinance Amendments for WECS & Solar – Required under HB4412 Public Act 102-1123

Andrew Keyt reviewed the proposed amendments to the wind and solar ordinances. Keyt stated the LaSalle-Sinclair Factors were added to the ordinances. The fee schedule was also going to be added to the ordinances. Keyt noted that the term “solicitor” could also be added for door-to-door contact with a property owner and a background check can be required from each solicitor, as well as registering with the County beforehand.

Recess

Motion by Ritter, second by Lovell to recess the meeting to March 8, 2023 at 6:00 p.m. **Motion carried with all ayes.**

The meeting was recessed at 6:59 p.m.

Patricia Merlino-Assistant Administrator
Livingston County Regional
Planning Commission