

LIVINGSTON COUNTY BOARD
AGRICULTURE & ZONING COMMITTEE
MINUTES OF THE AUGUST 5, 2024 MEETING

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

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

Absent: None

Board Members Present: Bob Weller, Marty Fannin, Linda Ambrose, and James Carley

Also Present: Zoning Director Brittney Miller, Executive Director Alina Hartley, Zoning Administrative Assistant Angie Teske, Andrew Keyt (Heyl, Royster, Voelker & Allen, P.C), Kiersten Sheets (Trajectory Energy), Seth Uphoff (Uphoff Law), and Judy Campbell (Livingston County Environmental Association)

Earing called for any additions or changes to the agenda. Motion by Vietti, second by Ritter to approve the agenda as written. **Motion carried by voice vote with all ayes.**

The Committee reviewed the minutes of the July 1, 2024 meeting. Motion by Ritter, second by Lovell to approve the minutes as submitted. **Motion carried by voice vote with all ayes.**

Business:

SU-9-24 Anacona 1A, LLC, SU-10-24 Anacona 1B, LLC, SU-11-24 Anacona 1C, LLC

These zoning cases pertain to the review of 3 proposed special uses to develop 3 co-located 5 MW solar farms located on a 117.87-acre tract of land in an AG, Agricultural District. The subject property is located in Section 35 of Reading Township in unincorporated Ancona.

Miller gave an overview of the case.

A member questioned why there are individual 5 MW solar farm cases, rather than one 15 MW solar farm, as one parcel is being used. Miller clarified that the 5 MW solar farms are categorized as co-located solar farms and is becoming very common with solar companies. Kiersten Sheets informed the Committee members that solar companies have been co-locating multiple 5 MW solar farms on a single parcel. This approach ensures that at least one solar farm meets the criteria for the Illinois Adjustable Block Program, which allows for one 5 MW solar farm per company.

Motion by Earing, second by Lovell to recommend approval of all three solar farms with special conditions to the full county board. **Motion carried on roll call vote. Ayes:** Gerald Earing, Paul Ritter, Michael Haag, Jack Vietti, and Steve Lovell **Nays:** Joel Barickman, Rebekah Fehr **Absent:** None

Questions were raised regarding the final decommissioning plan approval process. A member questioned if a third-party contractor would be hired by the zoning office to approve the final decommissioning plan. It was decided that the zoning office will hire a third-party contractor to approve the final decommissioning plan upon the second review following construction.

Case SU-14-22 Allium Solar, LLC- Review of Decommissioning Plan

This zoning case pertains to the review of a decommissioning plan of a previously approved special use to develop a 5 MW solar farm on approximately 32 acres of a 158.48-acre tract of land in an AG, Agricultural District located in unincorporated Pontiac. The estimated cost of the decommissioning is approximately \$420,427. After deducting the resale and salvage value, the final decommissioning plan comes to \$65,826.

Motion by Haag, second by Ritter to recommend approval of decommissioning plan to the full county board. **Motion carried on roll call vote with all ayes.** **Ayes:** Gerald Earing, Paul Ritter, Michael Haag, Jack Vietti, Steve Lovell, Joel Barickman, and Rebekah Fehr **Nays: None** **Absent: None**

Case SU-15-22 Beebalm Solar, LLC- Review of Decommissioning Plan

This zoning case pertains to the review of a decommissioning plan of a previously approved special use to develop a 5 MW solar farm on approximately 33 acres of a 142.61-acre tract of land in an AG, Agricultural District located in unincorporated Odell. The estimated cost of the decommissioning is approximately \$431,258. After deducting the resale and salvage value, the final decommissioning plan comes to \$86,209.

Motion by Haag, second by Vietti to recommend approval of decommissioning plan to the full county board. **Motion carried on roll call vote with all ayes.** **Ayes:** Gerald Earing, Paul Ritter, Michael Haag, Jack Vietti, Steve Lovell, Joel Barickman, and Rebekah Fehr **Nays: None** **Absent: None**

Case SU-15-23 USS Avoca Solar, LLC- Review of Decommissioning Plan

This zoning case pertains to the review of a decommissioning plan of a previously approved special use to develop a 4.995 MW solar farm on approximately 32.03 acres of a 63.49-acre tract of land in an AG, Agricultural, District located in unincorporated Fairbury. The applicant included a revised version of the decommissioning plan to express that the Battery Energy Storage System that was originally indicated in the special use application will no longer be included, however, the decommissioning plan is not changing. The subtotal for the decommissioning plan comes to \$790,751. After deducting the resale and salvage value, the final decommissioning plan comes to \$50,044, of which was indicated in their original application when approved in December 2023.

Motion by Ritter, second by Lovell to recommend approval of decommissioning plan to the full county board. **Motion carried on roll call vote with all ayes.** **Ayes:** Gerald Earing, Paul Ritter, Michael Haag, Jack Vietti, Steve Lovell, Joel Barickman, and Rebekah Fehr **Nays: None** **Absent: None**

Case SU-17-23 USS CEK3 Solar, LLC- Review of Decommissioning Plan

This zoning case pertains to the review of a decommissioning plan of a previously approved special use to develop a 4.99 MW solar farm on approximately 32.25 acres of a 39.25-acre tract of land in an AG, Agricultural, District located in unincorporated Fairbury. The applicant included a revised version of the decommissioning plan to express that the Battery Energy Storage System that was originally indicated in the special use application will no longer be included, however, the decommissioning plan is not changing. The subtotal for the decommissioning plan comes to \$778,370. After deducting the resale and salvage value, the final decommissioning plan comes to \$37,662, of which was indicated in their original application when approved in December 2023.

Motion by Ritter, second by Lovell to recommend approval of decommissioning plan to the full county board. **Motion carried on roll call vote with all ayes. Ayes:** Gerald Earing, Paul Ritter, Michael Haag, Jack Vietti, Steve Lovell, Joel Barickman, and Rebekah Fehr **Nays: None Absent: None**

Case SU-19-22 – TPE IL LI177, LLC- Review of a Decommissioning Plan

This zoning case pertains to the review of an updated decommissioning plan of a previously approved special use to develop a 4.5 MW solar farm on approximately 27 acres of a 38-acre tract of land in an AG, Agricultural District located in unincorporated Odell. The applicant was approved for a decommissioning plan in April 2024 for \$318,666, however, this amount did not account for salvage. The new decommissioning plan includes salvage and is requested for \$240,776.16.

Motion by Haag, second by Ritter to recommend approval of decommissioning plan to the full county board. **Motion carried on roll call vote with all ayes. Ayes:** Gerald Earing, Paul Ritter, Michael Haag, Jack Vietti, Steve Lovell, Joel Barickman, and Rebekah Fehr **Nays: None Absent: None**

Case SU-5-23 – Junegrass Solar, LLC – Extension

This zoning case pertains to the review of a proposed extension of a previously approved special use to allow for the development of a 2 MW solar farm in an AG, Agriculture District located in unincorporated Fairbury.

Sheets informed the Committee that Junegrass Solar has an initial deadline of July 20, 2025, however, Trajectory requests an extension to expire on July 20, 2026 and to be substantially completed by December 31, 2026, in order to build Junegrass Solar 1 and Junegrass Solar 2 together. A member questioned what Sheets considers to be “substantially completed,” to which Sheets indicated that the ordinance states that substantially completed means that a building permit is pulled and that equipment has been delivered to the site.

Motion by Ritter, second by Haag to recommend approval of the extension to the full county board. **Motion carried on roll call vote with all ayes. Ayes:** Gerald Earing, Paul Ritter, Michael Haag, Jack Vietti, Steve Lovell, Joel Barickman, and Rebekah Fehr **Nays: None Absent: None**

Case SU-6-23 – Granite Solar, LLC – Extension

This zoning case pertains to the review of a proposed extension of a previously approved special use to allow for the development of a 5 MW solar farm in an AG, Agriculture District located in unincorporated Fairbury.

Sheets informed the Committee that Granite Solar has an initial deadline of July 20, 2025, however, due to unexpected delays with the equipment, Trajectory requests an extension to expire on July 20, 2026 and to be substantially completed by December 31, 2026.

Motion by Haag, second by Ritter to recommend approval of the extension to the full county board.

Motion carried on roll call vote with all ayes. Ayes: Gerald Earing, Paul Ritter, Michael Haag, Jack Vietti, Steve Lovell, Joel Barickman, and Rebekah Fehr **Nays: None Absent:** None

Case SU-16-24 – Livingston Landfill

This zoning case pertains to the review of a special use permit to allow for the operation of a mineral extraction and stockpile site located in an Ag, Agricultural District located in Esmen Township.

Key presented and discussed the draft conditions of approval to the members of the Committee.

Motion by Haag, second by Vietti to recommend approval of the mineral extraction and stockpile site to the full county board. **Motion carried on roll call vote with all ayes. Ayes:** Gerald Earing, Paul Ritter, Michael Haag, Jack Vietti, Steve Lovell, Joel Barickman, and Rebekah Fehr **Nays: None Absent:** None

Amendment of Host County Agreement and Renewal

This zoning case pertains to the review of an extension to an amendment agreement regarding the host benefit fees with the Livingston County Landfill. The extension would expire December 31, 2027.

Motion by Haag, second by Vietti to recommend approval of the extension of the amendment agreement to the full county board. **Motion carried on roll call vote with all ayes. Ayes:** Gerald Earing, Paul Ritter, Michael Haag, Jack Vietti, Steve Lovell, Joel Barickman, and Rebekah Fehr **Nays: None Absent:** None

Earing reminded the Committee members that the Livingston Landfill is hosting an open house on August 15th at 11 a.m.

Solid Waste Update:

Miller reported that Republic Services has issued a copy of the Semi-Annual Report and that copies can be made and distributed. Miller also reported that the Streator Landfill was inspected and had no major issues. Additionally, a letter regarding the Annual Liquids Addition Reporting stated that the Livingston Landfill did not recirculate leachate or add liquids, therefore, there was nothing to report.

Other Issues to Come Before the Committee:

Uphoff informed the Committee that Heritage Prairie Wind has one last meeting before the case is presented to the County Board. Uphoff requested that an additional Agriculture and Zoning meeting be held before the August 15th County Board meeting in order to be heard by the County Board. The general consensus agreed to an additional meeting to be held on Thursday, August 15, 2024 at 5:45 p.m.

Public comment:

The floor was open for public comment.

Review and Approval of Bills:

Motion by Fehr, second by Vietti to approve the bills as submitted. **Motion carried with all ayes.**

Adjournment:

Motion by Vietti, second by Lovell to adjourn the meeting. **Motion carried with all ayes.**

The meeting was adjourned at 6:54 p.m.

Brittney Miller, Administrator
Livingston County Regional
Planning Commission