

MINUTES
CONSERVATION, PLANNING, AND ZONING COMMITTEE
WOODFORD COUNTY, ILLINOIS
TUESDAY, October 9, 2018
5:30 P.M.

1. Call to Order:

Chairman Kingdon called the meeting to order at 5:47 pm.

2. Roll Call: Doug Huser, Duane Kingdon, and Bryant Kempf were present. Blake Parsons and Andy Rokey were excused.

3.

4. Approval of Monthly claims: Motion was made by Huser to approve the claims, seconded by Kempf. *Motion Carried.*

Mr. Huser asked why there was a Morton Community Bank bill, Ms. Jording explained that the sheriff's office credit card was used to purchase an item, this was the credit card bill, and we will pay only our portion.

5. Approval of September 11, 2018 Minutes:

Mr. Huser noted corrections to be made.

Motion to approve the minutes with corrections made by Huser, seconded by Kempf. *Motion Carried*

6. Public Input: None

7. Unfinished Business:

- Minonk Wind LLC Special Use - Meeting with company

Ms. Jording read an email from Mr. Minger, the email stated that the meeting with Minonk Wind will occur Wednesday, October 17, 2018 at 1:30 pm. Ms. Jording noted that Mr. Minger also told her that if no agreement is reached next Wednesday he would prepare a notice to hire an attorney to handle the windfarm work specifically. Mr. Huser noted that attendees should be Mr. Glazier, Mr. Minger, Ms. Jording and himself.

- Text amendment verbiage change – WECS decommissioning requirements

Ms. Jording noted that a few changes had been made since she sent the draft a week ago. She also noted that Mr. Minger had also seen the text amendment. Mr. Huser asked for the old text to be provided to the Board in the packet so they would be able to compare the changes. Mr. Huser noted that the removal depth has changed from four foot to five foot. Ms. Jording noted that AIMA requirements are for five feet, that was the reason for the change from 4 feet to 5 feet. Ms. Jording discussed that these decommissioning requirements are modeled off the solar farm requirements. She discussed that the current requirements do not include a decommissioning update timeline. The Minonk Special use does include a timeline but the ordinance does not. She noted that some counties require much greater removal depth. Mr. Kingdon asked Mr. Huser is roads were covered in here. Ms. Jording explained how the state solar farm process works. She noted there are two regions, ComEd and Ameren. The Megawatts are divided between the regions. The first block opens in January and the lottery is in February. There are two more blocks later. She noted they must have control of the land, an interconnection agreement, and the special use permitting completed. The Zoning officials group was told the state is expecting 750 applications and the state will approve about 65. She noted there are other blocks and additional megawatts to be allocated. Mr. Kingdon asked if the state has to approve the projects before they are built. Ms. Jording noted they do have to have state approval. Ms. Jording noted that the companies are getting the Special Uses' for as many farms as they can into the lottery to increase their chances of being pulled. Ms. Jording noted that the companies will have to have applications into the ZBA by November to be able to be approved before the January submission for the first lottery. Ms. Jording noted this was the reasoning for the longer permitting period, to allow completion of all the requirements. Mr. Huser asked why 15 months. Ms. Jording discussed that that gives them a year over the normal 3 month permitting requirement. Mr. Huser asked if the committee wished to have a joint meeting. The committee determined they would have a special meeting with ZBA. Mr. Huser discussed that they are still working on that issue at Road and Bridge.

Mr. Huser made the motion to send to the ZBA, seconded by Kempf. *Motion Carried.*

- Wind Farm Roads and securities

Mr. Kingdon asked if this was resolved. Mr. Huser noted it sounds like they were going to pay the damage bill discussed at Road and Bridge.

- Review/recommend changes to Woodford County Zoning Ordinance Section 22 – Signs
Mr. Huser asked for this to stay on the agenda. Mr. Huser stated he would like Mr. Minger to determine if the sign section is legal. Mr. Huser asked Mr. Kempf if they had just paid a company to codify all the ordinances and list them on the internet and make sure they are all legal. Mr. Kempf noted they did and should do updates every year. Ms. Jording noted that some of the problem is legal interpretation. Mr. Huser asked if it is legal interpretation why we are changing the ordinance. Ms. Jording noted the change was to match the statute. Mr. Huser asked if it would match the statute exactly. Ms. Jording stated it would be very similar, but still comes down to the attorney's interpretation.
- Permit Fees discussion- None

8. Planning and Zoning Issues:

- Repair bill for ADDWC water main – pay in vacation or send to full board.
Ms. Jording explained that this is a county owner building and the break was on our side of the meter. She noted that she spoke to the Sheriff's Department and Mr. Glazier when the request came in and she was directed to bring this to C. P. & Z. since they are the governing committee for ADDWC. Mr. Kingdon asked what should be accomplished. Ms. Jording noted it would have to be paid out of contingency. Mr. Huser recommended it go to full board to be paid in vacation.

9. Other:

Ms. Jording asked if a lot could be adopted by two people. Mr. Huser noted that is a question for Mr. Minger. Mr. Huser asked about the tree on Collins Ln. Ms. Jording noted she was waiting until the fiscal year closed since the lot maintenance line was over budget. Ms. Jording noted that they have it cut down and cut into pieces and leave it lay.

Ms. Jording asked Mr. Kingdon to sign off on paying the court reporter bill since if we pay it early it reduces the cost.

- Tri-County Regional Planning Commission report
Mr. Huser discussed that the main topic of discussion was about autonomous vehicles, he noted that by 2020 a majority of major car manufactures will be making a autonomous vehicle and by 2040 60 % of cars on the road will be driving themselves. He noted they are trying to get Peoria to be a test market because one of the major players is in the area. .
- ZBA Hearing - ZBA hearing October 23

Ms. Jording noted there was a rezoning, a Special Use for a service and supply business, the text amendment and a Met tower south east of Benson.

- Schedule special meetings (if necessary)
There will be a special committee meeting held as a joint meeting with ZBA to finalize the text amendment changes that have been sent forward.

- Zoning Conference
Ms. Jording noted there was a good turnout for Woodford County. There was good information on the solar process. They also provided training for ZBA members, including weighing evidence, procedures, findings of fact, etc. Ms. Jording discussed that Kankakee County has had 33 solar petitions. Their ordinance has been tested and shown them issues. Mr. Kingdon asked if we should look at their solar section once it is all corrected to see if we should make changes. Ms. Noted that it seemed all aspects of their zoning ordinance was tested, we will likely have to wait and see ourselves what issues will arise with our ordinance.

Ms. Jording discussed that for instance the storm water requirements in the ordinance for Special Use applications, she noted she has applicants discuss and acknowledge that they will be required to complete storm water permitting but does not require that the engineering and plans be completed before hand due to the cost. The smaller applicants would be unable to afford the risk before they know they are approved for the Special Use.

Ms. Jording noted that they notate how they interpret and enforce the ordinance in their ordinances so they can apply those decisions fairly across the board.

1. Ms. Jording asked about two paragraphs in the wind farm section:

Agreement In Lieu Of Taxes (AILOT) - For the Term of the Project, in order to determine the amount of property taxes to be paid by Company, County and Company agree that the provision of 35 ILCS 200/10-600 et.seq. (2008 State Bar Edition) shall apply to assessment years after 2011. If there is a change in law resulting in property

taxes that are more than the amount authorized by the above statute, the Company will pay the higher rate. If the change in law results in property taxes that are less than the amount authorized by the above statute, the Company will continue to pay the higher rate of property taxes in accordance with the methodology set forth in the above statute.

The question being could this be changed or waived.

High Impact Business (HIB) - If the Company decides to pursue an Enterprise Zone or a High Impact Business district that they will agree to pay the County's portion of the sales tax that would have normally been rebated at the rate the County is currently collecting for their share.

The question was what the County Portion is and could it be waived.

Mr. Huser discussed that it should be defined. Ms. Jording discussed that she has worked with the States Attorney on this but he was not there for the last wind farm. She noted Mr. Minger indicated if we get a windfarm application they would likely hire an attorney to handle the wind farm applications.

Ms. Jording noted most of this will be dealt with at the ZBA. She noted it could be two – three years before the turbine applications show up.

Mr. Huser asked if the legal staff felt we had followed procedures for the Solar Farm that was sent back by County Board. Mr. Huser asked Ms. Jording to determine if everything was done correctly. Ms. Jording stated she would discuss with Mr. Minger.

Ms. Jording noted that the ZBA budget was over the appropriations due to the cost of Court Reporters and Transcripts.

10. Executive Session (if necessary):

12. Any action coming out of Executive Session:

13. Adjournment:

Mr. Huser made the motion to adjourn at 6:52, seconded by Kempf. *Motion Carried.*

Lisa Jording, Secretary

Duane Kingdon, Chairman

Date