

AS APPROVED MAY 11, 2009

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3 **MINUTES OF REGULAR MEETING**

5 **Champaign County Environment** **DATE:** **April 13, 2009**
6 **& Land Use Committee** **TIME:** **7:00 p.m.**
7 **Champaign County Brookens** **PLACE:** **Lyle Shields Meeting Room**
8 **Administrative Center** **Brookens Administrative Center**
9 **Urbana, IL 61802** **1776 E. Washington Street**
10 **Urbana, IL 61802**

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14 **MEMBERS PRESENT:** Carol Ammons, Jan Anderson, Chris Doenitz, Brad Jones, Ralph
15 Langenheim, Steve Moser, Alan Kurtz (VP), Jon Schroeder, Barbara
16 Wysocki (C)

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18 **OTHER COUNTY**
19 **BOARD MEMBERS**

20 **PRESENT:** Greg Knott, Pius Weibel (County Board Chair)

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22
23 **MEMBERS ABSENT:** None

24
25 **STAFF PRESENT:** John Hall, Leroy Holliday, J.R. Knight, Susan Monte (Regional Planning
26 Commission), Christina Papavasiliou (Assistant State's Attorney), Deb
27 Busey (County Co-Administrator)

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29 **OTHERS PRESENT:** Tim Polz, Barbara Gerdes, Bruce Stickers, John Hennings, John Doster,
30 Bradley Uken, Hal Barnhart, Jed Gerdes, Jeff Suits, Sherry Schildt, Stan
31 Jenkins, Roger Miller, Eric Thorsland

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35 **1. Call to Order, Roll Call**

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37 The meeting was called to order at 7:01 p.m. The roll was called and a quorum declared present.

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39 **2. Approval of Agenda**

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41 **Mr. Kurtz moved, seconded by Ms. Anderson to approve the agenda as submitted. The motion**
42 **carried by voice vote.**

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44 **3. Approval of Minutes (Open Session: February 9, 2009 and March 19, 2009) (Closed Session:**
45 **October 14, 2008)**

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47 **Ms. Ammons moved, seconded by Ms. Anderson to approve the Open Session: February 9, 2009 and**
48 **March 19, 2009, minutes.**

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Mr. Langenheim stated that Page 5, Line 14 of the February 9, 2009, minutes should be revised to state the following: Mr. Langenheim noted that according to a U.S. Geological Survey evaluation of wind energy resources, the best areas in Illinois are mapped as “marginal.” Also, the moraine ridge between Leroy and Bloomington is mapped as falling within the “best of Illinois” area.

Mr. Langenheim stated that Page 19, Line 41 of the February 9, 2009, minutes should be revised as follows: Mr. Langenheim stated that there are two entities, Springfield Power and Light and the coop group that Rantoul belongs to, and if you compare the rates and service of those entities to the other private entities it will be found that the rates are comparable but significantly lower.

Mr. Schroeder noted that the February 9, 2009, minutes should be corrected to indicate that Tom Berns was present at the meeting rather the Tom Barns.

Ms. Wysocki requested that the original motion be revised to indicate approval of the minutes as amended.

Ms. Ammons and Ms. Anderson agreed.

The motion carried by voice vote.

Mr. Langenheim moved, seconded by Mr. Kurtz to approve the Closed Session: October 14, 2008, minutes as submitted. The motion carried by voice vote.

4. Correspondence:

- A. Ameren Illinois Utilities: Champaign Manufactured Gas Plant Environmental Project Open House.**
- B. Public Notice of Hazardous Waste Permitting**
- C. RPC: Legislation Affecting Enterprise Zones and TIF Districts-SB0043/HB0063**
- D. Champaign County Computer & Electronics Recycling Event**

Mr. Langenheim moved, seconded by Ms. Ammons to accept and place on file the correspondence included in Item #4, A-D. The motion carried by voice vote.

5. Chair’s Report

None

6. Public Participation

Ms. Wysocki informed the audience that the Committee will devote no more than one hour to public participation. She noted that five minutes is the normal allotted time for each speaker but since there are only a few people on the attendance record that have indicated that they desire to speak five minutes may be

1 too restrictive. She requested that testimony not be repeated but could contain new information or
2 perspective.

3
4 Ms. Wysocki called Jed Gerdes.

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6 Mr. Jed Gerdes, who resides at 1448 CR 2700E, Ogden stated that he has land that is involved in the
7 proposed wind project area down in southern Champaign County. He encouraged the Committee to
8 maintain the 1,500 foot setback from non-participating dwellings or from the entire property line. He said
9 that the basis for his request is the noise level and the fact that the non-participating landowners have no
10 way to negotiate with the wind companies like the participants do. He said that the wind towers take up
11 such a larger area than what the actual physical wind mill does. He said that Horizon Energy indicated that,
12 without any obstructions, the closest distance that the wind mills could be placed together is 1,700 feet and
13 one-mile from one road to the next. He said that 2,500 feet one direction and almost 900 feet another
14 direction is what each wind mill requires and without the proper setback from the non-participating
15 dwellings the wind companies will be able to leap frog over property and be able to use their wind power
16 without compensation. He said that the wind companies do not like signing up 40 acres or even smaller
17 patches, and there are a lot of people in the County that own those small patches, therefore the wind
18 company would use those landowner's wind power and not offer them a contract for that use. He said that
19 the setbacks need to be kept a substantial distance from the property line, 1,500 feet, because the County
20 would not allow Lowe's to use the neighboring business' parking lot or allow Wal-Mart to ship its water on
21 down the river without constructing a reservoir to release it at the proper rate. He said that the wind
22 companies should be treated with the same set of standards and if they need the area they have the free will
23 to purchase it by going to the landowner with an offer to convince them to go along with the program. He
24 said that from the documentation that he has received it appears that almost everyone is on board therefore it
25 shouldn't be a big deal for the very few who do not wish to participate but just decreasing the setbacks
26 would give cause for a lot of complaints and hardships down the road for everyone. He encouraged the
27 Committee to keep the setbacks at 1,500 feet from the property line because the person who owns 40 acres
28 should be able to build anywhere on their property that they desire and not be restricted by wind mills that
29 are too close to their property line. He said that they should not be forced to move their home 500 feet in
30 one direction to get away from the noise and all the other aspects of being close to a wind mill. He said that
31 it is the landowner's land, they own it, they were there first and the wind companies do not have the right of
32 eminent domain because they are a private enterprise and they should not over-rule the existing landowner's
33 rights.

34
35 Ms. Wysocki called Ms. Sherry Schildt.

36
37 Ms. Sherry Schildt, who resides at 398 CR 2500N, Mahomet requested that the Committee require that the
38 map amendment be placed back in to the Zoning Ordinance. She said that it does not make any sense if
39 someone is required to request rezoning in the AG-2 zoning district to site a gas station, beauty shop or
40 barber shop because the impact of those three things is almost nothing in comparison to a wind farm. She
41 said that a couple of days ago she was driving down Springfield Avenue and she was amazed at how large
42 the building was that replaced Burnham City Hospital, which is 18 stories high. She said that, in being very
43 generous with her calculations of 12 feet for each story, an 18 story building is 216 feet tall. She said that

1 the wind mills in McLean County are 398 feet tall and the wind mills that are proposed in our county are
2 proposed to be 498 feet tall and each of those many wind mills will be turning and turning which will make
3 them impossible to ignore. She said that because the impact is so great, not only on adjacent landowners but
4 for people who live miles around the wind farm, that people should have the right to weigh in and be able to
5 make a higher standard than just a special use permit. She said that her family lives in the Manlove Gas
6 Storage Field area and it is already an area of risk and they feel that placing 30 wind turbines or more in the
7 Manlove Gas Storage Field and reducing the setbacks from the pipelines, as proposed in the memorandum,
8 is asking for trouble because it is just risk added to risk and they should not be allowed in the gas field. She
9 said that she agrees with Mr. Gerdes in regard to the setbacks and was dismayed that someone wanted to
10 reduce the 1,500 feet. She said that there is no scientific evidence proving that a 1,000 foot setback is
11 adequate and the Woodford County Conservation Planning and Zoning Committee, which she assumes is
12 similar to ELUC, has filed a petition to increase their setbacks from 750 feet to 1,800 feet. She said that she
13 is not sure what the outcome of that request will be but they apparently believe that a lower setback is
14 inadequate.

15
16 Ms. Schildt read a portion of an article from an organization that has compiled a list of all of the different
17 countries in Europe who have a lot more experience with wind farms than Champaign County has. She said
18 that in Denmark wind mills must be situated at a minimum distance of four times their height away from any
19 habitation therefore if the wind mill was 400 feet tall then the distance would be a minimum of 1,600 feet
20 and beyond that they also require compensation for lost property values from the owners of the wind mills.
21 She said that Germany applies their setbacks according to noise level protection of the area and for quiet
22 regions, which she would assume would be rural setting, they require 3,281 feet to 4,921 feet from a
23 dwelling. She supplied Mr. Hall with a copy of the article.

24
25 Ms. Wysocki called Mr. Tim Polz.

26
27 Mr. Tim Polz, Project Manager for Midwest Energy, LLC stated that they are one of the several companies
28 that are looking at potentially siting a wind energy project in Champaign County and he appreciates the
29 opportunity to address the Committee tonight. He said that his company has several projects throughout the
30 Midwest, two in operation in Illinois and another in construction, one in Nebraska, Wisconsin and Eastern
31 Iowa and he would say that probably in at least half of those projects there are pipelines running through the
32 project. He said that all of the counties either have basically no setbacks to underground pipelines or they
33 have a setback of 1.1 times the height of the turbine to the underground pipeline. He said that the 1.1 times
34 the height of the turbine is generally the standard that Midwest Energy, LLC tries to follow therefore he
35 would suggest that the Committee think about amending the *Ordinance* as suggested by the staff so that
36 turbines can be placed 1.1 times the turbine height to an underground pipeline. He said that much has been
37 made of the Manlove Gas Storage Area in Newcomb Township and by no means is Midwest Energy, LLC
38 making light of those concerns although the pipelines that are running in and out of that facility are no
39 different than other pipelines that they have worked with in the past. He said that at one of the ZBA
40 meetings he was asked what the pounds per square inch (PSI) of the natural gas running through the
41 pipelines that they have worked around was at and at that time he did not have an answer. He said that he
42 did have a conversation with an engineer from Alliance Pipeline who owns a 36-inch natural gas, high-
43 pressure gas main which runs through the middle of their Big Sky Wind Farm near Ohio, Illinois, and he

1 was told that the pressure running through that line is 1,740 PSI. He said that he then had a conversation
2 with Mr. Hall who informed him that the PSI of the gas lines that run in and out of the Manlove Gas Storage
3 Field is 1,700 PSI. Mr. Polz stated that he does understand that there is a particular sensitivity to the gas
4 storage area and it is important to note that they and other developers throughout the country have worked
5 around similar pipelines and the setbacks in those instances have never been greater than 1.1 times the
6 height of the turbine.

7
8 Mr. Polz stated that in addition to the setbacks from pipelines being lessened he would also suggest an
9 opportunity to provide a private waiver for the other aspects of the gas storage facility, provided that they do
10 not violate any other sections of the *Ordinance*. He said that in regard to setbacks to non-participating
11 dwellings he certainly understands the desire to make sure that folks who decide not to participate in the
12 project are impacted as little as possible. He said that they have seen setbacks from as little as 750 feet,
13 which they believe is too little, to 1,300 feet which is three times the total turbine height. He said that they
14 believe that a setback of 1,200 feet is a setback that will work for non-participating dwellings. He said that if
15 a 1,200 foot setback from a non-participating dwelling is required a developer also has to meet the Illinois
16 Pollution Control Board's sound standards. He encouraged the Committee to suggest amending the
17 *Ordinance* so that the setbacks to non-participating dwellings are 1,200 feet. He said that the one problem
18 that he has with the proposed amendment is that it comes up with a completely separate sound standard of
19 40 decibels that qualifies the 1,200 feet. He suggested that the Illinois Pollution Control Board's standards
20 be applicable throughout the *Ordinance* instead of having the separate 40 decibel limit because he believes
21 that the Illinois Pollution Control Board's standards are amongst the strictest around. He said that there are
22 both night-time and day-time standards and since the wind companies cannot control what sound the turbine
23 emits during the night or the day they have to comply to the stricter night-time standards. He said that the
24 Illinois Pollution Control Board also monitors sound levels at eight different octave pitches. He suggested
25 again that the Illinois Pollution Control Board standards be allowed to dictate throughout the *Ordinance*
26 rather than having a separate 40 decibel limit.

27
28 Mr. Polz noted that he is a graduate of the University of Illinois and received his under-graduate degree
29 there. He said that he is excited about the prospect of doing a wind energy project in Champaign County
30 and he applauds the efforts of John Hall and his staff, the Zoning Board of Appeals and this Committee in
31 taking on the task of adopting a wind energy ordinance that will be basically fair to everyone. He said that
32 wind energy projects bring with them a lot of good as well as some of the things that people believe are less
33 than desirable impacts. He said that the wind farm will bring economic opportunity and job growth within
34 the County. He said that their equity partner, Edison Mission Energy, has a very strong relationship with the
35 unions in the areas in Illinois and will continue to work with the unions to make sure that they bring a
36 quality and diverse group of individuals and contractors to work on the construction of these facilities.

37
38 Ms. Wysocki called Mr. Stan Jenkins.

39
40 Mr. Stan Jenkins, Champaign County Supervisor of Assessments stated that he was asked to attend tonight's
41 meeting to present data regarding assessment information and what the wind farms would be generating in
42 regard to tax dollars. He said that each unit will probably generate about \$1400 in taxes for the County and
43 this is based upon a cost new of \$600,000. He said that he spoke to the McLean County Supervisor of

1 Assessments and their office indicated that the assessment is set by the state based upon the capacity of the
2 turbines. He said that McLean County mostly has 1.63 mega-watt units and those assessed values,
3 depending on the footprint of the road because the little bit of road difference will affect the assessment, is
4 roughly \$95,000 to \$100,000 in assessed value which would generate approximately \$1,400 tax dollars per
5 unit. He said that if there are 175 potential wind energy turbines proposed for the County then roughly
6 \$250,000 per year would be generated for the County per year. He said that if this is in an enterprise zone
7 then the school districts will get their tax dollars out of the project but the County may not get theirs and the
8 other taxing bodies may not get their dollars out of it either whether the enterprise zone is in place at the
9 time that construction begins or whether it can be put in place retroactively. He said that another major
10 consideration is that the current legislation expires in 2011 and what happens after that is unknown. He said
11 that he did speak with the Superintendent of Schools because someone had stated at a ZBA meeting that
12 they had researched the tax assessment law because the testimony that she was hearing regarding tax
13 revenue to schools does not happen and the tax code, as written, is a tax offset to property taxes and the only
14 way that schools get an increase in money is if the local assessor raises the property taxes in the area. Mr.
15 Jenkins stated that local assessors do not raise property taxes they only raise assessments. He said that after
16 reading the minutes of that ZBA meeting he contacted the Superintendent of Ridgeview School District in
17 McLean County and he indicated that they have 161 wind units in their school district and those 161 units
18 generated an increase in revenue of \$1.32 million dollars for their school district. He said that because of
19 the way that the school funding formula works they lost about \$300,000 from the state but they had a net
20 gain of approximately \$900,000 and most school districts would take that all day long. He said that it
21 doesn't appear that the schools are going to suffer to greatly from this and it doesn't appear to him that they
22 are not going to see an increase in revenue because of this project. He said that the devices can be
23 depreciated and depending on the formula used for depreciation they could depreciate at a rate of 4% per
24 year but it can only get down to 30% of the original cost basis. He said that the three things that might need
25 further investigation are the enterprise zone issue, the depreciation rate and the fact that the current laws
26 expire in 2011.

27
28 Mr. Kurtz requested that the Committee suspend the rules so that questions can be directed to Mr. Jenkins.

29
30 Ms. Wysocki informed Mr. Kurtz that he could make that motion.

31
32 **Mr. Kurtz moved, seconded by Mr. Langenheim to suspend the rules to allow Committee members to**
33 **direct questions to Mr. Jenkins for discussion. The motion carried by voice vote.**

34
35 Mr. Kurtz thanked Mr. Jenkins for attending tonight's meeting. He asked Mr. Jenkins to give the
36 Committee an idea of the total amount of dollars involved with the wind turbines.

37
38 Mr. Jenkins stated that the Superintendent of Schools of Ridgeview School District indicated that he viewed
39 each unit is like a \$600,000 home being built at roughly \$98,000 to \$100,000 worth of assessed value which
40 generate approximately \$7,000 per unit, depending upon the tax rate. He said that if there are 175 units
41 county-wide then we could be talking about \$1.2 million dollars.

42
43 Mr. Moser asked if the numbers that he was originally given for Prairieview-Ogden and Heritage School

1 Districts are still accurate.

2
3 Mr. Jenkins stated that he is not sure.

4
5 Mr. Moser stated that he was told that each unit would generate \$13,000.

6
7 Mr. Jenkins stated that with the cumulative tax rate of those two areas \$13,000 per unit could be accurate.

8
9 Mr. Langenheim stated that everyone knows that the wind blows free across our plain just like it does in
10 Oklahoma but only the school districts which sit on a moraine will benefit from this project.

11
12 Mr. Jenkins stated no. He said that depending upon whether this is an enterprise zone or not all of the taxing
13 bodies will benefit by this project, not just the school district.

14
15 Mr. Langenheim stated that a school district that is in the flat land and does not house any wind mills will
16 not receive any benefit from the project.

17
18 Mr. Jenkins stated that this is true but it is no more or less so than if a factory moves in down the street and
19 one school district benefits by its placement versus another therefore if a school district does not house a
20 wind mill then they will not see an increase in revenue.

21
22 Ms. Wysocki called Mr. John Doster.

23
24 Mr. John Doster, Representative for Invenergy stated that they desire to develop a project that will go from
25 Vermillion County and all the way through Champaign County. He said that they currently have a project in
26 LaSalle County where they have completed Phase I and are in preparation to begin Phase II and within the
27 Phase II project a pipeline is being constructed therefore they frequently co-exist with pipelines during their
28 projects. He said that it makes sense to have the 1,200 foot setback from non-participating property owners
29 based upon the fact that they are held to the Illinois Pollution Control Board standards and those standards
30 will dictate the placement of the units. He said that he cannot speak specifically about the tax revenues but
31 he believes that the tax dollars generated are closer to \$9,000 to \$12,000 per unit.

32
33 Ms. Wysocki stated that this concludes the names on the attendance record which indicated that they desired
34 to speak. She asked if anyone else desired to speak at this time and there was no one.

35
36 Ms. Wysocki closed the public participation portion of the meeting.

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39 **7. Updates:**

40 **A. *Champaign County Land Resource Management Plan***

41
42 Ms. Susan Monte, Associate Planner for the Regional Planning Commission stated that the next meeting for
43 the Land Resource Management Plan is Thursday, April 16, 2009, and will probably be the last meeting

1 prior to planting season. She said that they have made their way through many of the policies and they are
 2 currently on the last three groups which consist of transportation, natural resources and energy. She said
 3 that they are still in the policy review portion of the project and after the planting season they will resume
 4 and hopefully continue that review and complete it in as little time as possible and continue towards the land
 5 resource map.
 6
 7

8 **B. Champaign County Hazard Mitigation Plan**
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10 Ms. Monte stated that they have begun the final stage of the plan development which is the implementation
 11 and maintenance provisions for the plan. She said that they are identifying methods and a schedule to
 12 monitor, evaluate and update the plan and are in the process of preparing a final draft for review. She said
 13 that at the May 11, 2009, ELUC meeting they hope to have either coincident with or before or after the
 14 ELUC meeting a public meeting where they review the content of the plan.
 15

16 **C. House Bill 0466 (regarding Chatham decision)**
 17

18 Mr. John Hall stated that House Bill 0466 is the County’s bill which deals with the *Chatham* decision and
 19 that bill passed out of the House on March 31, 2009, and it is now in the Senate. He said that House Bill
 20 0466 has been referred to the Assignments Committee and we have received an e-mail from Senator
 21 Frerichs and he indicated that he believes that the bill will pass. Mr. Hall said that there is a similar bill that
 22 Representative Poe had introduced to the House and it was passed and forwarded to the Senate. He said that
 23 Senator Frerichs believes that it is less likely that Representative Poe’s bill will be passed but he does
 24 believe that Champaign County has a very good chance of having their bill passed this year.
 25

26 Ms. Wysocki stated that she inadvertently forgot to mention that a written statement had been received from
 27 the Champaign County Soil and Water Conservation District. She said that copies of the written statement
 28 have been distributed to the Committee.
 29

30 **8. Case 634-AT-08 Petitioner: Zoning Administrator Request: Amend the Champaign County**
 31 **Zoning Ordinance as follows: A. Authorize the County Board to approve Special Use Permits (SUP)**
 32 **and to change the requirements for development of wind turbine developments (wind farms) to a**
 33 **County Board Special Use Permit (CBSUP) and a rezoning to the new Wind Farm Overlay District**
 34 **(WFO).**
 35

36 **Mr. Kurtz moved, seconded by Mr. Doenitz to recommend approval of Case 634-AT-08, Part A:**
 37 **Zoning Administrator.**
 38

39 Mr. Kurtz stated that it is his estimation that this is one of the most important pieces of legislation that the
 40 County Board has worked on in the last ten years. He said that this is new technology that is being used
 41 throughout the state as a clean, safe alternative renewable energy that brings financial stability to almost
 42 every county that has implemented wind farm development. He said that we have a unique opportunity to
 43 gain revenue without raising taxes. He said that the amount of dollars concerning this opportunity is

1 immense and could very possibly put us on financial stability over the next 20 to 30 years.

2
3 **Mr. Kurtz moved, seconded by Mr. Moser to change the minimum separation distance to a non-**
4 **participating dwelling to 1,200 feet (paragraph 6.1.4.C.2).**
5

6 Ms. Ammons stated that she read the provided materials and she noticed that the separation distance for
7 most of the projects was 1,200 feet therefore why a 1,500 foot separation for Champaign County.
8

9 Mr. Hall stated that he disagrees with the statements made by the wind farm developers. He said that the
10 Illinois Pollution Control Board regulations cap the maximum noise at 48 decibels and if the standard is
11 reduced to 1,200 feet, regardless of the number of wind turbines that are within the proximity of a dwelling,
12 the noise level could be increased from something that is less than 30 decibels to 48 decibels, which is 18
13 decibels, and an increase of 10 decibels is perceived as doubling the noise. He said that we will receive a lot
14 of complaints from non-participating landowners about the increase in noise and in fact we will receive
15 complaints from non-participating landowners with a 1,500 feet separation because they are still going to
16 get, at times, a doubling of the noise level. He said that in the discussion at the ZBA they decided that this
17 was a reasonable increase but nothing more than that and he is not sure if other counties even considered
18 noise level when they set their separation standards and the *Model Ordinance* does not discuss noise in
19 regards to separation and only gives a dimension. He said that Livingston County requires three times the
20 turbine height which would result in more than 1,300 feet and even at that, in some instances, would result
21 in more than doubling the noise that those existing rural residents are going to experience.
22

23 Ms. Wysocki asked Mr. Hall if it is common to have the same distance from turbine to turbine regardless of
24 where the turbine is placed.
25

26 Mr. Hall stated that, as far as he knows, no one regulates the spacing between the turbines.
27

28 Ms. Wysocki asked Mr. Hall if the setback is the same regardless of where the position of the turbine is
29 located.
30

31 Mr. Hall stated that generally they will have one set standard for separation to a non-participating dwelling
32 and some will have a different separation standard to participating dwellings. He said that there are some
33 counties that do not distinguish between a non-participating and participating dwelling.
34

35 Ms. Wysocki stated that within a given wind farm area there is not one setback if a turbine is placed within a
36 certain area and another setback if it is located some place else.
37

38 Mr. Hall stated that such a standard would be up to the County but he would suppose that if there was reason
39 that would justify such then it could be possible. He said that these are just special use permit special
40 conditions therefore they can be waived in any case or for any individual turbine, if the justification is there.
41

42 Ms. Wysocki asked Mr. Hall if it is conceivable that when individuals seeking permits are received that
43 there could be extenuating circumstances that determine one setback in one case and another setback some

1 place else.

2
3 Mr. Hall stated that he is anticipating that this might happen and the County is going to have to be very
4 careful during its review to assure consistency. He said that the County must be consistent while respecting
5 the peculiarities that may be attached to any given situation.
6

7 Mr. Langenheim stated that staff, ZBA and other countries where there has been wind power for a long time
8 have distance requirements which are comparable to 1,500 feet or more and cutting below that should not be
9 done.

10
11 Mr. Kurtz asked Mr. Hall if the non-participating landowners could waive the 1,500 foot separation if they
12 negotiated with the wind companies.

13
14 Mr. Hall stated that the amendment which is before the Committee tonight allows such a waiver.

15
16 Mr. Moser stated that he farms ground in Ford County that another wind company is offering an option upon
17 and the owner of the farm would like to know how many wind turbines could be placed on a 240 acre farm.
18 He said that the farm consists of a square 160 acres and an 80 which runs in an "L" shape next to the 160
19 acres and there is a house right on the quarter line of the 160 acres. He requested that one of the wind farm
20 representatives indicate how many turbines could be placed on that farm in Ford County.

21
22 Mr. Doster stated that he is not familiar with the Ford County Ordinance nor is he familiar with the parcel.
23 He said that if generally a 240 acre parcel with no existing home, factoring in a 1,200 foot separation
24 distance from a non-participating property line, could house one 1.65 to 2.3 mega-watt turbine per 80 to 100
25 acres. He said that when homes are thrown in to the mix and setbacks are considered the numbers will go
26 down significantly but obviously the larger the setbacks the fewer number of turbines.

27
28 Mr. Moser stated that the 240 acres had an existing homestead but it has since been sold off and he is
29 assuming that they are considering a 1,200 foot setback.

30
31 Mr. Doster stated that it is difficult for him to envision this property in his head and the only figure that he
32 can really offer is one turbine per 80 to 100 acres.

33
34 Mr. Jones asked Mr. Hall if any of the developers have indicated that they will not develop in Champaign
35 County if we require a 1,500 foot setback.

36
37 Mr. Hall stated that the developers have not indicated such to him but it has been reported that the
38 developers have indicated such to County Board members.

39
40 Ms. Wysocki asked Mr. Doster if the setback requirement is the deal breaker.

41
42 Mr. Doster stated that the setback requirement is not the deal breaker but it will significantly impact how
43 many wind turbines can be located in a particular wind project area. He said that two-thirds of their

1 proposed project is located in Vermillion County and one-third is located in Champaign County. He said
2 that the setbacks in Vermillion County are 1,000 feet from a dwelling and it is a much less expensive
3 permitting process because they do not have zoning. He said that as a developer they will be looking at the
4 cost to build, the efficiency and the wind resource across their project area and any time that another 100
5 feet is added it takes out area where a turbine can be located within a good wind resource area. He said that
6 it could significantly reduce the actual location where they could place turbines in their targeted area
7 therefore encouraging them to place more in Vermillion County. He said that they would like to place more
8 wind turbines in a good wind resource area but if some of those locations are not available then they will
9 have to go where those locations are available.

10
11 Mr. Polz stated that he agrees with Mr. Doster. He said that as Champaign County increases their setback
12 requirements they will be decreasing their turbine density. He said that spreading the turbines out would
13 create fewer turbines over the same amount of area which will add to the infrastructure costs, cabling, roads,
14 etc. He said that increased setbacks will impact the economics of the project but whether it is a deal killer or
15 not will have to be weighed out for each individual project. He said that their project is similar to
16 Invenergy's project in that they are operating in two different counties. He said that two-thirds of their
17 project is located in Piatt County and one-third is located in Champaign County and by increasing the
18 setbacks Champaign County will be reducing their turbine density and increasing infrastructure costs and
19 eliminating turbine sites.

20
21 Mr. Hall stated that staff looked at one representative rural area where three of the wind farms have been
22 proposed in Champaign County and counted up the total number of homes, and the total number of miles of
23 streets within that area to give us a ratio of how many homes per mile would be affected by the project. He
24 said that staff determined that one home per 1/2 mile would be affected which seemed like a very low density
25 of dwellings and it is not apparent to him how a density like this will be a big problem in regards to these
26 separations. He said that because the wind farms are so unique they cannot be analyzed until the wind farm
27 developers can tell staff where they are going to put the turbines and the developers cannot indicate such
28 until they get far into the project.

29
30 Mr. Moser asked Mr. Hall if the representative rural area was in Compromise Township.

31
32 Mr. Hall stated yes.

33
34 Mr. Moser asked Mr. Hall if staff looked at the rural area around Broadlands, Ayers Township, or in
35 Newcomb Township.

36
37 Mr. Hall stated no.

38
39 Mr. Langenheim stated that increasing the setback will indeed impact the efficiency and possibility of the
40 wind farm but the purpose of the setback is to protect the householder in the enjoyment and existence of
41 their property. He reminded the Committee that they are to represent the people and not the wind mills.

42
43 Mr. Moser stated that we do not know what the mix is between someone who has purchased a building site

1 off of a farm or whether there is an owner operator living on those farms or whether it is a rental unit and it
2 would make a big difference if we had that number. He said that he is not familiar with Newcomb
3 Township but in Compromise, Ayers and Raymond townships it is not likely that those homes are not
4 owned by someone who doesn't have some attachment to the rest of the real estate that it sits on.
5

6 Mr. Langenheim stated that Mr. Moser's later statement is beside the point because the Committee is to
7 consider the impact of a wind tower on someone living in a house and it doesn't matter whether they are the
8 owner/operator of a farm, a summer house or rental they are all people.
9

10 Ms. Ammons stated that the responsibility of this Committee is to recommend an ordinance that protects the
11 interests of Champaign County and allow for the development of wind farms. She said that based on the
12 provided information she felt that the 1,500 foot separation would be a reasonable setback from non-
13 participating dwellings but of course she is not a developer nor does she live in the rural community. She
14 asked if there was a way that they Committee could amend the *Ordinance* so that the non-participating
15 landowners would have a 1,500 foot separation and the participating landowners would have 1,200 foot
16 separation.
17

18 Mr. Hall stated that the Ordinance that is before the Committee recommends a 1,500 foot separation from
19 non-participating dwellings and only a 1,000 foot separation from participating dwellings and to date no one
20 has disagreed with the 1,000 foot separation.
21

22 Mr. Kurtz called the question.
23

24 Ms. Wysocki stated that the question has been called.
25

26 Ms. Wysocki requested that the clerk call the roll.
27

28 The roll was called:
29

30	Anderson-no	Doenitz-yes	Ammons-no
31	Jones-yes	Langenheim-no	Kurtz-yes
32	Moser-yes	Schroeder-yes	Wysocki-no

33
34 **The motion carried.**
35

36 **Mr. Kurtz moved, seconded by Mr. Moser to change the minimum separation distance for pipelines to**
37 **1.1 times overall height from the exterior above ground base of a wind farm tower.**
38

39 Ms. Ammons requested an explanation of the motion.
40

41 Mr. Kurtz stated that the developers have stated that they will not put turbines in the Manlove Gas Storage
42 Field but they may put turbines where the pipelines run outside of the storage field. He said that a 1,200
43 foot separation is not something that any of the developers have seen before during previous projects. He

1 said that the developers have worked with the gas pipeline companies whom have allowed them to place the
2 turbine 1.1 times the height of the turbine from the pipeline. He said that if the turbine is 500 feet tall to the
3 tip of the blade the separation from the pipeline would be 1.1 times that height.
4

5 Mr. Hall stated that he does not know if anyone else has underground injection well heads like Champaign
6 County has but this motion would allow the placement of a wind turbine within 1.1 times the total height of
7 a gas injection well head and frankly he hopes the Committee does not allow such. He said that Attachment
8 C of the April 7, 2009, Memorandum separates the distance to pipelines out from the distance to well heads.
9 He said that the well head is above ground and can be hit by flying debris while the pipeline is underground
10 and cannot be hit and it seems unlikely to be disturbed.
11

12 Mr. Kurtz asked if the motion could be changed.
13

14 Mr. Hall stated that the Committee could incorporate Attachment C, Page 44 of the April 7, 2009,
15 memorandum. He said that Attachment C reduces the 1,200 foot separation to the gas pipeline or hazardous
16 liquid pipeline or to any easement for an underground water main or the water main to 1.1 times the total
17 wind farm tower height. He said that Attachment C retains the 1,200 foot separation to any well head or
18 above ground fixture that is accessory to a gas pipeline.
19

20 Mr. Langenheim proposed that anywhere that the word pipeline appears it should be preceded by the word
21 “underground” and Item B, which refers to any above ground fixtures should be removed because anything
22 that is above the ground could be hit by flying debris.
23

24 Ms. Wysocki requested a clarification from the State’s Attorney as to if the Committee could adopt Item
25 #6.1.4.C.7. from Attachment C into the special use permit.
26

27 Ms. Papavasiliou stated yes.
28

29 Mr. Knott asked if there is any data to back up the separation distance because without any solid data he
30 feels like he is flying by the seat of his pants. He said that there is no expert present to convince him of one
31 way or another.
32

33 Mr. Langenheim stated that his undergraduate degree is in geological engineering including taking courses
34 in petroleum production, petroleum planning and the engineering aspect of the oil business and he has had
35 experience as working as a consultant in the oil fields of Illinois within the last couple of decades. He is a
36 member of the American Association of Petroleum Geologists and he reads the trade journals which indicate
37 what is going on currently in the oil business and he does have some experience on this topic therefore he is
38 telling this Committee that we do not want to have above ground well heads or fittings along pipelines
39 exposed to random acts of violence.
40

41 Mr. Knott stated that he respects Mr. Langenheim’s credentials but he does not see one thing which should
42 lean him one way or another. He said that he would like to see some factual information. He said that he
43 has been on *Google* all night and almost all of the noise issues have been the main focus and have found

1 very few issues or studies in this country regarding this issue.

2
3 Mr. Langenheim stated that this is because the United States is just now getting wind turbines therefore the
4 noise information will be from other countries that have had wind turbines for some time.

5
6 Mr. Moser stated that he would withdraw his second if Mr. Langenheim desires to amend the original
7 motion.

8
9 Ms. Wysocki stated that the Committee needs to practice correct parliamentary procedure and back up a
10 little. She asked the Committee if they desire to remove Item #6.1.4.C.9 of the Finding of Fact (Page 75 of
11 the Packet) and replace it with Item #6.1.4C.7 from Attachment C(Page 44 of the Packet).

12
13 Mr. Kurtz asked Mr. Hall to clarify the statement in Item #6.1.4C.7 which discusses the submission of a
14 private waiver but omits the owner of a gas pipeline.

15
16 Mr. Hall stated that he did not intentionally leave out that entity.

17
18 Mr. Kurtz asked Mr. Hall who could sign that waiver reducing the separation distance.

19
20 Mr. Hall stated that the owner of the pipeline would sign that waiver. He reminded Mr. Kurtz that Item #7
21 is only in regard to underground pipelines not above ground.

22
23 Mr. Kurtz stated that in other words the separation would be 1.1 times the total height of the turbine from an
24 underground pipeline.

25
26 Mr. Hall stated that going back to Mr. Langenheim's comments we do not specifically specify in our
27 definition of pipeline that it has to be underground and thank goodness there are no above ground pipelines
28 that he is aware of.

29
30 Mr. Kurtz stated that if we are not talking about above ground pipelines then the 1.1 times the total height of
31 the turbine should be fine.

32
33 Ms. Wysocki stated that if this is a substitute motion then it needs to be placed on the table with a second.

34
35 Mr. Kurtz stated that his intention is to use Item #6.1.4C.7 (Page 44 of the Packet) stated as such that it's all
36 underground.

37
38 Mr. Hall stated that everything included as Attachment C (Page 44 of the Packet) is intended to go as a unit.
39 He said that Item #7 goes with Item #9.

40
41 Mr. Kurtz asked if the two can be separated.

42
43 Mr. Hall stated that the Committee can do anything that it wants but the motion needs to be specific.

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Mr. Kurtz withdrew his original motion.

Mr. Kurtz moved, seconded by Ms. Anderson to remove Paragraph 6.1.4C.9(b)(Page 76 of the Packet) and amend Paragraph 6.1.4C.7(Page 75 of the Packet) with the text included in Paragraph 6.1.4.C.7 (Attachment C, Page 44 of the Packet).

Mr. Hall stated that this motion removes any greater separation for above ground fixtures related to the pipelines.

Mr. Schroeder stated that he is somewhat confused. He asked Mr. Kurtz if it is his intention to amend the Ordinance so that anything associated with the underground pipeline is 1.1 times the height of the turbine.

Mr. Kurtz stated yes.

Mr. Schroeder asked Mr. Kurtz if he will address the above ground fixtures associated with the pipeline.

Mr. Kurtz stated that currently he wants to make sure that the underground pipelines are 1.1 times the height of the turbine.

Mr. Schroeder asked Mr. Kurtz if his motion is to only amend Paragraph 6.1.4C.7(Page 75 of the Packet) with the text included in Paragraph 6.1.4.C.7 (Attachment C, Page 44 of the Packet).

Mr. Kurtz stated yes and he will address 6.1.4.C.9 shortly.

Ms. Wysocki requested that the clerk call the roll.

The roll was called:

Anderson-yes	Doenitz-yes	Ammons-yes
Jones-yes	Langenheim-yes	Kurtz-yes
Moser-yes	Schroeder-yes	Wysocki-yes

The motion carried.

Mr. Kurtz stated that he shares Mr. Langenheim’s concern regarding the safety of the above ground facilities associated with the underground pipeline. He said that a 1,200 foot separation is the recommended distance from the wind turbine to a well head but he would like to propose a compromise and recommend an 800 foot separation distance.

Mr. Kurtz moved, seconded by Mr. Doenitz to amend the minimum separation distance for above ground pipeline fixtures including gas injection wellheads to 800 feet.

1 Mr. Langenheim stated that an 800 foot separation is not acceptable.

2
3 Mr. Kurtz asked Mr. Langenheim to recommend an acceptable separation distance.

4
5 Mr. Langenheim stated that he will trust the recommendation by staff and the ZBA. He said that the ZBA
6 drew upon a great deal of information during their deliberation and much of it was from people who have
7 had a lot of experience with wind turbines therefore he is willing to agree with their recommendation of
8 1,200 feet.

9
10 Mr. Kurtz asked Mr. Hall if it was staff or the ZBA that recommended a 1,200 foot separation.

11
12 Mr. Hall stated that staff proposed a 1,200 foot separation to the ZBA and they accepted it. He said that he
13 is not aware of any wind farm developer who has complained about the 1,200 foot separation to any above
14 ground fixtures.

15
16 Ms. Wysocki asked Mr. Polz if he would complain about such a separation.

17
18 Mr. Polz stated that he would suggest that the capability of obtaining a private waiver be added He said
19 that he has a 25 page document that his company has with another pipeline company within another project
20 and that document outlines how they want his company to cross with equipment or install underground
21 cable. He said that the pipeline company dictates to his company as to what is and is not safe. He said that
22 the pipeline impact radius could also be used as a minimum separation distance from the well heads.

23
24 Mr. Hall stated that adding a waiver would solely leave it up to the wind farm developer and the pipeline
25 company and the County would have to accept that waiver.

26
27 Mr. Polz stated that the County has already dictated the distance for other land use, such as the pipeline
28 impact radius. He said that the County already has a restriction on how close other land uses can be to the
29 above ground well heads.

30
31 Mr. Hall stated that the pipeline impact radius associate with the well heads which are located in the
32 Manlove Gas Storage Field is less than 1.1 times the height of the turbine.

33
34 Mr. Polz stated that other land uses could be less than 1.1 times the height of the turbine.

35
36 Mr. Hall stated yes.

37
38 Mr. Polz stated that up to that distance it would be up to the pipeline company to dictate how close a safe
39 distance would be to their well head, for each particular use. He said that the pipeline company does have
40 the lease over the property and nothing can be done on the property without their approval. He said that
41 typically his company defers to the expertise of the pipeline company when it comes to what is safe within
42 the vicinity of their well heads.

43

1 Mr. Kurtz stated he believes that it would be reasonable to add a private waiver if the pipeline company does
2 not want its assets or resources to be destroyed. He said that he will amend his original motion to allow a
3 private waiver which would give both parties the opportunity to negotiate a safe distance.
4

5 Mr. Hall stated that the following text could be added to Paragraph 6.1.4.C.9: This separation may be
6 reduced upon submission of a private waiver signed by the owner of said electrical transmission line or
7 communication tower or the relevant public street maintenance jurisdiction. The private waiver must
8 specify the agreed minimum separation. He said that Item #9.A and #9.B should be deleted.
9

10 Ms. Wysocki asked Mr. Doenitz if he agreed to the amended motion.
11

12 Mr. Doenitz stated yes.
13

14 Ms. Anderson asked if there were more well heads in the County other than just this one in the Manlove Gas
15 Storage Field.
16

17 Mr. Hall stated yes.
18

19 Mr. Langenheim asked if the safe distance between the turbine and the well head will be negotiated between
20 the wind farm developer and the owner of the pipeline without any standards set by the County.
21

22 Mr. Hall stated yes, although when it gets down to the minimum of the pipeline impact radius the County
23 could always require that distance as a standard condition.
24

25 Mr. Langenheim stated that the ZBA and staff agreed upon a 1,200 foot separation distance.
26

27 Mr. Hall stated yes.
28

29 Mr. Langenheim asked Mr. Hall how this separation distance was derived.
30

31 Mr. Hall stated that when this issue was raised at the public hearing people were arguing for something
32 greater than 1,600 feet, simply based upon newspaper articles and news reports regarding the debris field
33 from these catastrophic turbine disasters. He said that a 1,600 foot separation appeared extreme therefore if
34 a home could be within 1,200 feet then perhaps a well head could be within 1,200 feet from a turbine and as
35 he recalls he and Mr. Polz discussed this issue outside of the public hearing and agreed upon 1,200 feet. He
36 said that he does not recall the waiver being discussed at that time but perhaps Tim did recommend it and he
37 overlooked it at that time.
38

39 Mr. Langenheim stated that the 1,200 foot separation was really part of a compromise.
40

41 Mr. Hall stated yes because there is no data available.
42

43 Mr. Polz stated that the 1,200 foot separation distance would be the default distance therefore if a pipeline

1 company did not want to grant a waiver because it was too dangerous the default distance would be
2 followed. He said that the wind companies are basically letting the pipeline companies dictate what is
3 considered safe and what is not safe because no one knows their facilities better than they do. He said that
4 1,200 feet seems reasonable as the default unless the pipeline company tells the wind company that there is
5 no concern on their part if a turbine was sited within 1,000 feet.

6
7 Mr. Langenheim asked where the 1,600 foot separation distance came from.

8
9 Mr. Hall stated that the 1,600 foot separation distance came from news reports of wind turbine accidents.

10
11 Mr. Langenheim stated that those news reports are facts from the field.

12
13 Mr. Hall stated that no one knows what is actual news on the web or just numbers on the web.

14
15 Mr. Langenheim stated that he is not so much concerned about the pipeline company and the wind farm
16 company but the effects on the people in the area therefore he is not comfortable with the possibility of one
17 of the wind turbines toppling off one of the well heads and the contents within the gas storage field being set
18 off like a roman candle.

19
20 Ms. Wysocki asked Mr. Polz and Mr. Doster if they have had any previous locations like in Champaign
21 County which involved a gas field.

22
23 Mr. Polz stated that they have not had a location where there is a cluster of injection sites like that in the
24 Manlove Gas Storage Area. He said that they do have a high pressure 36-inch gas main running through
25 one of their projects and it does have above ground appurtenances along the way.

26
27 Ms. Wysocki asked Mr. Polz what the setback was for those appurtenances.

28
29 Mr. Polz stated that the setback is 1.1 times the height of the turbine.

30
31 Mr. Kurtz called the question.

32
33 Ms. Wysocki requested that the clerk call the roll.

34
35 Mr. Hall read the motion as follows:

36 **Mr. Kurtz moved, seconded by Mr. Doenitz to adopt Paragraph 6.1.4.C.9., deleting Subparagraphs**
37 **(a) and (d) with the addition of the following text: This separation may be reduced upon submission of**
38 **a private waiver signed by the owner of said electrical transmission line or communication tower or**
39 **the relevant public street maintenance jurisdiction. The private waiver must specify the agreed**
40 **minimum separation.**

41
42 The roll was called:

1	Anderson-yes	Doenitz-yes	Ammons-yes
2	Jones-yes	Langenheim-no	Kurtz-yes
3	Moser-yes	Schroeder-yes	Wysocki-yes
4			

5 **The motion carried.**

6
7 Mr. Kurtz stated that he would Paragraph 6.1.4.I.6 written to the Illinois Pollution Control Board’s standards
8 applying to all noise regulations.

9
10 Mr. Hall stated that this is how Paragraph 6.1.4.I.6 is written. He said that Page 85 of the mailing Packet,
11 Paragraph 6.1.4.I. only references the Illinois Pollution Control Board’s regulations. He said that this
12 amendment has also only referenced the Illinois Pollution Control Board’s regulations and the only time that
13 40 decibels was proposed was in Attachment B. and that was defeated earlier therefore it is not mentioned
14 anywhere in the proposed amendment.

15
16 Mr. Moser stated that he would like to address Paragraph 6.1.4.E.5 on Page 79 of the Mailing Packet. He
17 said that the soil will be ripped at least 18 inches deep and this is a decision that the owner of the property
18 should make with the developer and it is not the business of the County. He said that he does not know how
19 the County will ever enforce such mitigation.

20
21 Ms. Wysocki asked Mr. Moser if it is his intention to have Item 6.1.4.E.5. (1), (2) and (3) deleted.

22
23 Mr. Moser stated yes.

24
25 **Mr. Moser moved, seconded by Mr. Doenitz to delete specific standards for mitigation of soil**
26 **compaction included in Paragraph 6.1.4.E.5.(b)(1), (2), and (3).**

27
28 Ms. Wysocki requested discussion.

29
30 Ms. Anderson asked if the farmers would be okay without this requirement.

31
32 Mr. Moser stated that the farmers are smart enough to know their farm as to whether they have to rip it out
33 once, twice or three times. He said that the farmers will not have the equipment to do so because you would
34 have to have a heck of a tractor and not a very big chisel plow to get down 18-inches in rutted ground. He
35 said that he can speak from experience because he took over a farm that Wandells had rented for trees for 7
36 years and they had to rip the land five different times to fill in the tree holes and then had to do it again in
37 the fall.

38
39 Mr. Hall stated that the idea of 6.1.4.E.5 was just as a backstop just in case it wasn’t included in the lease
40 but if subparagraphs 1-3 are not needed then all of 5 should be deleted.

41
42 Mr. Langenheim asked Mr. Moser if his purpose is to remove the specific requirements for which the land is
43 to be restored or if he is removing the requirement for the land to be restored.

1
2 Mr. Moser stated that the land will restore itself because it will freeze and thaw but it will have to be ripped
3 more than once within two different seasons.
4
5 Mr. Langenheim asked Mr. Moser if he would allow the operator to walk off and leave it without restoring
6 it.
7
8 Mr. Moser stated that this is an issue that the landowner can negotiate with the wind company.
9
10 Mr. Langenheim stated that the general statement that the land shall be restored to a tillable condition should
11 be included.
12
13 Ms. Wysocki stated that such language is included in the decommissioning requirement.
14
15 Mr. Hall stated that the decommissioning requirement is a totally different topic.
16
17 Mr. Weibel stated that perhaps, like Mr. Moser indicated, the agreement to restore the soil compaction
18 should be up to the landowner and the wind company.
19
20 Ms. Ammons asked Mr. Hall if during his review of other county's wind ordinances were there mitigation of
21 soil compaction requirements.
22
23 Mr. Hall stated that no other ordinance speaks about soil mitigation nor do they discuss repair of drainage
24 tile, or electrical cable being placed deep enough to prevent them from being ripped up to the surface by
25 farm equipment or restoration of terraces. He said that no other ordinances are concerned with farmland
26 mitigation at all.
27
28 Mr. Langenheim asked Mr. Moser if Subparagraph 6.1.4.E.5(b) read as follows: Unless specifically
29 provided for otherwise in the wind farm lease, the applicant shall mitigate soil compaction and rutting for
30 all areas of farmland that were traversed with vehicles and construction equipment or where topsoil is
31 replaced in open trenches and leave that up to negotiation with the landowners. He said that Items (1), (2)
32 and (3) could be deleted.
33
34 Mr. Moser stated that he would not have a problem with Mr. Langenheim's substitute language for
35 Subparagraph 6.1.4.E.5(b).
36
37 Mr. Doenitz agreed.
38
39 Mr. Hall stated that as the Champaign County Administrator he would urge the Committee not to place
40 statements that do not establish clear requirements in the *Ordinance*. He said that substitute motion does not
41 establish any requirement on anyone and it does not belong in the *Ordinance*.
42
43 Mr. Moser stated that he will agree with Mr. Hall and recommended that all of Subparagraph 6.1.4.E.5 be

1 deleted.

2
3 Mr. Doenitz agreed.

4
5 Ms. Wysocki restated the motion as follows: **Unless specifically provided for otherwise in the wind farm**
6 **lease, the applicant shall mitigate soil compaction and rutting for all areas of farmland that were**
7 **traversed with vehicles and construction equipment or where topsoil is replaced in open trenches and**
8 **delete Items (1), (2) and (3).**

9
10 Ms. Wysocki requested that the clerk call the roll.

11
12 The roll was called:

14	Anderson-no	Doenitz-yes	Ammons-no
15	Jones-yes	Langenheim-yes	Kurtz-yes
16	Moser-yes	Schroeder-no	Wysocki-no

17
18 **The motion carried.**

19
20 **Mr. Langenheim moved to reinstitute the wind farm overlay district.**

21
22 **The motion failed by the lack of a second.**

23
24 Mr. Doenitz asked Mr. Hall to indicate where decommissioning is addressed.

25
26 Mr. Hall stated that 6.1.4.Q. (Page 90 of the mailing packet) addresses decommissioning. He said that the
27 real meat of decommissioning is included in the *Zoning Ordinance* under the Reclamation Agreement
28 therefore not very much needed to be added in regards to wind farms.

29
30 Mr. Nudo stated that he is concerned about the funding of the decommissioning. He said that in today's
31 world an Irrevocable Letter of Credit isn't worth as much as it was a long time ago. He said that Mr. Uken,
32 Manager for the Champaign County Farm Bureau, has provided information about other counties that
33 funded the decommissioning either up front or partially along the way as opposed to an Irrevocable Letter of
34 Credit. He said that we could have an Irrevocable Letter of Credit over a 12 year period for the amount and
35 1/12th of the amount be taken in cash and then reduce the Irrevocable Letter of Credit each year until finally
36 after year 12 it is satisfied. He said that his concern is if we are sure that we have the funding at the point
37 and time when the decommissioning is necessary so that we do not have an obsolete piece of equipment that
38 is no longer efficient in what it should be doing. He said that Mr. Uken provided the ZBA examples of how
39 the decommissioning is processed in other counties. He said that he is confused about the arbitrary number
40 of 150% because it does not take into consideration of inflation of the 25 years and decommissioning could
41 be 300% at that time. He said that he believes that more assistance is needed from the developers and some
42 creative financing to assure that the County has the money in hand at the point and time that it is required.

1 Mr. Kurtz asked if this issue could be addressed separately rather than within this ordinance.
2
3 Mr. Hall stated that it will need to be addressed before there is a wind farm application submitted.
4
5 Mr. Nudo asked Mr. Kurtz why the County would want to delay this issue.
6
7 Mr. Moser stated that he spoke with the wind farm developer in Ford County and he asked him who would
8 pay for the decommissioning and he indicated that in 25 years they will probably tear down the old towers
9 and use the same base for a more efficient system. He said that these turbines are not going to be here for 25
10 years and then go away.
11
12 Ms. Wysocki asked the two developers if their companies had been involved in any decommissioning to
13 date.
14
15 Mr. Doster stated no but they will normally have a certified engineering firm calculate a cost estimate of
16 what the decommissioning would be at the present time and down the road.
17
18 Ms. Wysocki asked Mr. Doster if his company, assuming that it is still solvent in 25 years, will pay for the
19 full decommissioning.
20
21 Mr. Doster stated that his company will make sure that the funds are available for the full decommissioning.
22
23 Mr. Polz stated that the owner of the company is the responsible owner of the lease agreement, if they are
24 solvent, to decommission the project with their own funds therefore if someone owns and operates a facility
25 the decommissioning plan must guide how they must do the decommissioning but the funding of it would be
26 done by the owner of the facility, unless they are not solvent. He said that most of the decommissioning
27 plans and reclamation agreements that they have done have been based on a Letter of Credit but if the
28 County wants to leave its options open then they could say a security could be posted by a mutually
29 acceptable agreement between the applicant and the County.
30
31 Mr. Nudo stated that Mr. Polz indicated twice if the wind company is solvent therefore that is where the
32 Irrevocable Letter of Credit means less than the paper it is printed on.
33
34 Mr. Polz stated that this is what the Irrevocable Letter of Credit is in place for therefore the Letter Of Credit
35 is in the County's hands with a financial institution. He said that the Letter of Credit will still be around
36 even if the company is not. He said that in a lot of the decommissioning plans that they have done the county
37 has the ability on either a yearly basis or some other time frame to switch financial institutions.
38
39 Mr. Nudo stated that today he actually had a conversation with a financial person from Chicago and he
40 indicated that in light of the financial times a Letter of Credit must be backed by collateral at a bank held in
41 escrow. He said that it isn't just the wind company that the County has to be concerned with being solvent
42 in 25 years but the financial institution that holds the Letter of Credit in escrow.
43

1 Mr. Polz stated that he agrees with Mr. Nudo but most of the Reclamation Agreements and Letters of Credit
2 are set up so that they are renewed annually and some are renewed more frequently. He said that if the
3 financial institution is in trouble the County can step in and basically require the Letter of Credit be posted
4 with a different financial institution.
5

6 Mr. Nudo stated that this issue is beyond the scope of expertise of the people in this room and expert
7 financial advice is needed. He said that the arbitrary number of 150% is a number that he is not sure is
8 valid. He said that he has a cell phone that is two years old and is already obsolete and this energy
9 technology will also become obsolete in time and then there will be a 500 foot turbine on someone's
10 property. He said that if Mr. Moser's source is correct then a more efficient turbine will replace the obsolete
11 version but if his source is wrong the County will have a plan in place to remove the structures. He
12 suggested that the County have an Irrevocable Letter of Credit with a cash substitution for the first 12 years
13 over a 12 year period, which is one-half the life of the term of the lease, and replace one-twelfth of the
14 Irrevocable Letter of Credit over the 12 years. He said that he has a level of confidence that the technology
15 will stay before the 25 year lease expires and then each year the Letter of Credit could be reduced by the
16 amount paid in cash placed into escrow. He said that he is not sure what the amount should be required for
17 the Irrevocable Letter of Credit but if engineers could come up with a number with inflation then that is the
18 way to do it.
19

20 Mr. Schroeder stated that he shares Mr. Nudo's concerns and would like to see the engineer's cost estimate
21 in writing.
22

23 Mr. Kurtz stated that he also shares Mr. Nudo's concerns and wondered if there was a way to approve this
24 part of the *Ordinance*, since this has to be held at ELUC for 30 days to allow municipal protest, and have an
25 engineer submit those numbers at the May ELUC meeting for review and recommendation. He said that this
26 will allow time for the Committee to consider Mr. Nudo's recommendation and make a decision whether to
27 add it to the *Ordinance* in May.
28

29 Mr. Hall stated that the Committee could amend the Reclamation Agreement requirements that are in the
30 *Ordinance* already with a stiffer set as indicated in 6.1.4.Q. He said that he is not clear as to what engineer
31 the County would get to provide such information.
32

33 Mr. Kurtz stated that if someone has that type of expertise that could tell the County what it is going to cost
34 in 25 years what it is going to cost to decommission one of these turbines.
35

36 Ms. Wysocki asked Mr. Kurtz where someone would get such expertise.
37

38 Mr. Kurtz stated that there are some wind farms in California that have already started replacement or
39 decommissioning.
40

41 Mr. Hall stated that perhaps every year or every two years the value of the Irrevocable Letter of Credit
42 should be renewed and updated pegged to some cost index because no one is going to be able to tell the
43 County what it is going to cost in 25 years but everyone could tell you what it costs every two years to

1 update it. He said that some ordinances do require this route and he has not added this route because it is a
2 burden that the County will have to do every two years.

3
4 Mr. Moser asked if Mr. Uken could explain where he obtained his numbers.

5
6 Mr. Uken, Manager for the Champaign County Farm Bureau, stated that the information that he submitted to
7 Mr. Nudo is from Bureau County which is where Invenergy is developing a project. He said that he spoke
8 with Ms. Kris Donarski, Bureau County Zoning Administrator, and she indicated that they negotiated a
9 figure with the wind company up-front, prior to the development, prior to the issuing of the building permit,
10 a set number. Ms. Donarski stated that they had an engineer which talks about the cost of decommissioning,
11 the cost of removing the underground cables, concrete, etc, and taking down the towers. She said that the
12 figures are agreed upon in advance and in some cases that money was put into an escrow account as cash, no
13 line of credit, put into an account with an amount that was agreed upon with the wind company. Mr. Uken
14 stated that he asked Ms. Donarski if she had ever had a wind company turn down and walk away from
15 development in Bureau County due to the requirement of the decommissioning agreement and she indicated
16 no. Mr. Uken stated that perhaps with Mr. Polz's company, in certain instances, it was different as to what
17 they did with their company.

18
19 Mr. Moser asked Mr. Uken if he could obtain a copy of the Bureau County's report so that Champaign
20 County does not have to pay someone else to duplicate it.

21
22 Mr. Uken stated that he does have the name of the engineering firm that completed the cost estimate and a
23 sample of what they have done and the rough calculations that were used for removing underground cables,
24 concrete, etc. He said that he does not have this information with him tonight but he could provide it to
25 staff.

26
27 Mr. Kurtz asked Mr. Hall if up-front negotiations for decommissioning, prior to the issuance of a Special
28 Use Permit, could be inserted into the *Ordinance*.

29
30 Mr. Weibel stated that a motion could be made to have the information prepared but it cannot be placed into
31 the *Ordinance* at tonight's meeting.

32
33 Mr. Moser stated that if there is going to be an Irrevocable Letter of Credit with someone then why can't it be
34 between the landowner and the wind company and leave the County out of it.

35
36 Mr. Hall stated that the County is the beneficiary of the Letter of Credit.

37
38 Mr. Moser stated that he has a farm that he rents from the University of Illinois and he has to give them a
39 Letter of Credit which indicates that the bank will guarantee the other half of that check if he can't write it
40 for cash rent. He said that this is an individual agreement for anyone who farms for the University of
41 Illinois.

42
43 Mr. Hall stated that in this instance the County wants to be in control of the Letter of Credit if there needs to

1 be reclamation. He said that staff can come back at the next meeting with the changes that are based on
2 what was done in Bureau County but it is still not clear how Bureau County makes sure that they have
3 adequate funds in 25 years.

4
5 Mr. Knott stated that the internet indicates that Bureau County Board unanimously passed a 1.7 million
6 dollar decommissioning plan with Big Sky wind developers which breaks down to approximately \$31,000
7 per turbine.

8
9 Mr. Polz stated that his company has built projects in Bureau County with a total of four permitted in that
10 county. He said that the first project that they completed, the Crescent Ridge Project, in 2000 was initially
11 required to post security in the form of cash escrow but the County later relented because it was a huge
12 sticking point with their equity partner and they decided to allow an Irrevocable Letter of Credit. He said
13 that every project that they have done since have all included Irrevocable Letters of Credit. He said that
14 there was a decommissioning plan negotiated with the county which had engineering estimates for a per
15 turbine basis. He said that in other counties the decommissioning agreement and the amount of security that
16 is posted and the method by which it is posted are negotiated between the county and the developer prior to
17 the issuance of a building permit. He said that it is done either two ways, either as a requirement of the
18 Special Use Permit; or a stipulation to the Special Use Permit therefore requiring that it has to be negotiated
19 and security posted in a form that is mutually acceptable by the county and the developer prior to the
20 issuance of the building permit. He said that why the latter approach tends to be better for everyone is
21 because the project is much further along in its development at that point and there are fewer variables at
22 that point and the engineers can give a more accurate estimate of what it will cost to decommission. He
23 suggested that the Committee structure the *Ordinance* in such a way that the decommissioning plan can be
24 negotiated between the county and developer prior to the issuance of a building permit and whatever form of
25 security that the county will require from the developer will be decided at that point.

26
27 Mr. Kurtz asked if this needs to be stipulated in the *Ordinance* or as part of the Special Use Permit.

28
29 Mr. Hall stated that his advice is that the dollar amount and the formal agreement must be done at the public
30 hearing but the County does not need the actual Letter of Credit until there is a request for a building permit.
31 He said that these things cannot be negotiated outside of a public hearing.

32
33 Mr. Hall stated that he has been reviewing the fee section, included on Page 96 of the mailing packet, and he
34 believes that staff has overlooked something in its presentation to the ZBA. He requested that when the
35 Committee considers the fee for a County Board Wind Farm Special Use Permit that they establish a
36 minimum amount of \$10-\$20,000 for small wind farms, ten wind turbines, in which would give \$4400
37 dollars which would not begin to touch the cost of reviewing that small wind farm. He said that Livingston
38 County has a minimum of \$20,000 and adds \$1,000 per turbine which would be fantastic but might be seen
39 as excessive for very small wind farms. He said that Subparagraph 6.1.4.9.3.3.B.6 should be revised to
40 indicate "not less thanXX dollars".

41
42 Mr. Kurtz asked Mr. Hall if he is referring to private turbines.

43

1 Mr. Hall stated no he is referring to a wind farm. He said that the minimum fee for a Wind Farm County
2 Board Special Use Permit, if it is a very small number of turbines, requires more than \$440 per turbine. He
3 said that with more than 50 turbines he is comfortable with the \$440 per turbine.
4

5 **Ms. Ammons moved, seconded by Mr. Langenheim to amend Subparagraph 6.1.4.9.3.3B.6 to indicate**
6 **a fee of \$440 dollars per wind turbine for a wind farm consisting of more than 50 wind farm turbine**
7 **towers but not less than \$20,000 for a wind farm consisting of 50 or less wind farm turbine towers.**
8

9 Ms. Busey suggested that it would be easier to state the motion as follows: **The County Board Wind**
10 **Farm Special Use Permit is \$20,000 per farm or \$440 per wind turbine tower, whichever is greater.**
11

12 Ms. Ammons and Mr. Langenheim agreed to Ms. Busey’s recommendation.
13

14 **The amended motion carried by voice vote.**
15

16 **Mr. Schroeder moved, seconded by Mr. Doenitz to eliminate Paragraph 6.1.4.N. (Pages 88-89 of the**
17 **mailing packet) which is in regard to Standard Conditions for Visual Impact Assessment.**
18

19 Mr. Schroeder stated that there is always something being built therefore the landscape of the Midwest is
20 changing and this is just part of it. He said that he has a real problem with trying to determine the visual
21 impact assessment and believes that it will be very hard to accomplish. He said that he just came from
22 Wisconsin and he saw wind turbines all of the way down but it got to the point where he didn’t even notice
23 them. He said that he does not mean to sound heartless but this is just a change in the landscape in the
24 Midwest and our area is part of it and if we are going to continue to require electricity then we need to figure
25 out how to generate this kind of energy.
26

27 Ms. Wysocki requested that the clerk call the roll.
28

29 The roll was called:
30

31	Anderson-yes	Doenitz-yes	Ammons-no
32	Jones-yes	Langenheim-no	Kurtz-yes
33	Moser-yes	Schroeder-yes	Wysocki-yes

34
35 **The motion carried.**
36

37 Mr. Schroeder stated that he has a concern regarding Paragraph 6.1.4.R. regarding the Complaint Hotline.
38 He said that he has a feeling that staff will receive phone calls on every phone in the office therefore will
39 there be a special “800” number be set aside for this hotline.
40

41 Mr. Hall stated that this is requirement on the developer and the County will not be doing this although he is
42 sure that staff will be receiving calls too.
43

1 Ms. Wysocki stated that when she attended the McLean County Wind Farm Tour she noticed that the wind
2 turbines had a sign that had an “800” number on them.

3
4 Mr. Schroeder asked if this is the case is there a way to route those phone calls without taking up staff time.
5

6 Mr. Hall stated that there is no staff time that will be taken up for this issue.
7

8 Mr. Schroeder stated that people will call the Planning and Zoning office.
9

10 Mr. Hall stated that his gut feeling is that if a special message is placed in the automated office message
11 regarding the wind towers and refers to the “800” number no one will call it. He said that no one will call
12 that number until they reach a live human being to talk to about their complaint.
13

14 Mr. Schroeder stated that this is why he is concerned because a live human being is what they will find in
15 the zoning office.
16

17 Mr. Kurtz asked if the Complaint Hotline is a reality in some of the other areas, such as Bureau County.
18

19 Mr. Polz and Mr. Doster indicated that both companies have complaint hotlines setup.
20

21 Ms. Wysocki asked Mr. Polz and Mr. Doster how many calls are received.
22

23 Mr. Polz and Mr. Doster were unable to answer Ms. Wysocki’s question because they are not in the office
24 enough to know.
25

26 Mr. Schroeder asked Mr. Polz and Mr. Doster if their hotlines are answered by an automated message or by
27 a live human being.
28

29 Mr. Polz and Mr. Doster stated that during regular business hours the hotline is answered by a live person.
30

31 Ms. Wysocki asked the Committee if there were any further concerns.
32

33 Mr. Weibel stated that he had a few concerns regarding 6.1.4.M. regarding Shadow Flicker. He asked Mr.
34 Hall if the public street and the public road are interchangeable.
35

36 Mr. Hall stated yes.
37

38 Mr. Weibel stated that 6.1.4.M.2.(b) indicates that no public street shall be subjected to shadow flicker. He
39 requested clarification because he does not understand how the shadow flicker can be avoided on the road
40 during certain times of the day.
41

42 Mr. Hall stated that perhaps this can’t be done but that issue was not raised during the public hearing and
43 this text has been in the *Ordinance* since the beginning.

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Mr. Weibel asked the developers if they have had to deal with shadow flicker.

Mr. Polz stated that typically they conduct a study and they do not have any wind farms that do not deal with some sort of shadow flicker and if there is a minimal threshold where it is more in one location than another then they will try to stay away from that location.

Mr. Weibel asked if they identify areas that will be impacted by shadow flicker.

Mr. Polz stated that do model simulations based on the location of the turbines. He said that one hour per year seems to be a very low impact.

Mr. Doster stated that most standards that he has seen has included a minimum threshold that cannot be exceeded and cannot be subjected to existing, occupied dwellings but does not include roads. He said that he obviously did not review this portion of the *Ordinance* closely enough but typically it is not measured at a road location.

Mr. Kurtz asked if Subparagraph 6.1.4.M.2.(a) is in regard to participating and non-participating dwellings and if so is that possible.

Mr. Hall stated that he does not know if it is possible.

Mr. Kurtz stated that he does not understand how we could require such because it is going to happen at some point because it is normal for a wind turbine therefore if it happens to touch a participating dwelling, someone who has a lease with the wind company, they will be told that they cannot have the turbine due to the shadow flicker on their land.

Mr. Hall stated yes.

Mr. Kurtz stated that this is not acceptable.

Mr. Kurtz moved, seconded by Mr. Doenitz to delete Standard Conditions for Shadow Flicker (Paragraph 6.1.4.M).

Mr. Hall stated that Subparagraph 6.1.4.M.2(a) and (b) could be deleted and leave Subparagraph 6.1.4.M.1 so that there is some requirement for shadow flicker.

Mr. Kurtz stated no.

Mr. Doenitz asked Mr. Hall to explain the requirement since there is nothing to base it on.

Mr. Hall stated that he did not say that he has nothing to base the requirement upon but most dwelling residents are very sensitive to shadow flicker therefore staff proposed that no existing dwellings shall be

1 subjected to shadow flicker.
2
3 Mr. Doenitz asked if the sun is fully in the west, prior to setting, how far is the shadow flicker.
4
5 Mr. Hall stated that he does not know because he does not know how to design a wind farm.
6
7 Mr. Doenitz stated that perhaps we should ask those who do know.
8
9 Mr. Hall stated that those who do have had two months to review this *Ordinance* and they have not raised an
10 issue with shadow flicker.
11
12 Ms. Ammons stated that one of the gentlemen did indicate that they did conduct a study therefore Paragraph
13 6.1.4.M. is requiring the applicant to submit the results of a study on potential shadow flicker. She said that
14 the motion on the table would remove any requirement of any study whatsoever in regards to this issue.
15
16 Ms. Anderson stated that there were comments made during the public hearing regarding shadow flicker.
17
18 Ms. Wysocki asked if it would make more sense to define the term “dwelling” as to being occupied or a
19 chicken house, etc.
20
21 Mr. Weibel stated that he believes that Subparagraph 6.1.4.M.2(b) should be deleted but this is a big concern
22 for people who currently live in the area.
23
24 Ms. Wysocki stated that it would be interesting to know if there is any correlation between shadow flickers
25 on roads and accidents.
26
27 Mr. Langenheim asked if anyone could explain what exactly occurs during shadow flicker.
28
29 Ms. Wysocki stated that it is much like the shadow cast by a ceiling fan and she finds it to be very
30 distracting.
31
32 Ms. Ammons stated that she would like to recommend the following substitute motion:
33
34 **Ms. Ammons moved, seconded by Ms. Anderson to maintain Paragraph 6.1.4.M.1 and 2(a) and delete**
35 **Subparagraph 6.1.4.M.2(b).**
36
37 Mr. Kurtz stated that again if we keep Subparagraph 6.1.4.M.2(a) we are still talking about any dwelling of
38 any type therefore the County will be telling a farmer who has a lease with a wind farm developer that he
39 cannot have a wind turbine on his property if the turbine creates shadow flicker on his residence. He
40 stressed that there is no compromise with this requirement and he does not agree with it.
41
42 Mr. Ammons asked Mr. Hall if the conditions for shadow flicker take into consideration other residences
43 that live within the area of the wind turbine and not just the owner of the property for which the wind turbine

1 will be located. She asked if there was a way to adjust Subparagraph 6.1.4.M.2(a).

2
3 Mr. Hall stated that the Committee could include a provision for a private waiver so that whoever it is could
4 waive that requirement. He said that Subparagraph 6.1.4.M.2(a) could be revised as follows: Existing
5 dwellings shall not be subjected to shadow flicker. This requirement may be reduced upon the submission of
6 a private waiver signed by the owner of the property.

7
8 Mr. Kurtz asked Mr. Hall if he is talking about a participating or non-participating dwelling.

9
10 Mr. Hall stated that he is talking about both.

11
12 Mr. Kurtz stated that a non-participating farmer who has shadow flicker on his home for 25 minutes a year
13 could indicate that due to the small amount of shadow flicker that occurs on his house he will not allow a
14 wind turbine to be located in the area.

15
16 Mr. Hall stated yes.

17
18 Mr. Kurtz stated no.

19
20 Mr. Jones stated that the shadow flicker requirement is really to protect the non-participating landowner. He
21 said that if you are a participating landowner they probably don't care if there is shadow flicker produced
22 and they can sign a waiver stating such but Ms. Ammons is trying to protect the non-participating
23 landowner.

24
25 Mr. Weibel stated that Mr. Kurtz has indicated that this is a black line issue and it isn't. He said that if
26 shadow flicker is produced then the wind company will have to relocate the turbine to a different location on
27 the landowner's property where it does not create shadow flicker on an existing dwelling and it is a great
28 possibility that this can be done with little effort.

29
30 Mr. Kurtz stated that the wind companies have made a plan as to where the turbines are desired therefore if
31 three wind turbines create shadow flicker upon existing dwellings then those three turbines will require
32 relocation which could change the whole plan.

33
34 Mr. Langenheim stated that he finds it hard to believe that the shadow flicker would only be an issue for 25
35 minutes out of the year or even an hour.

36
37 Mr. Nudo stated that he agrees with Mr. Langenheim. He said that a 500 foot turbine can cast a long
38 shadow which will cause two problems: 1. the developer's ability to maximize what they can put on a
39 property; and 2. the owner's ability to gain income off of the property. He said that the key is that the
40 dwelling must be an inhabitable dwelling. He said that the non-participating dwelling is just as important as
41 a participating dwelling but it has to be an inhabitable dwelling otherwise you are really hamstringing the
42 developer in locating at different locations. He said that Mr. Kurtz stated that the developers are aware of
43 where the turbines need to be placed to maximize the wind speed therefore when we require such a standard

1 we are really placing restraints on the project. He noted that the key word is “inhabitable.”

2
3 Mr. Weibel stated that perhaps the key word is “maintained” for a residence.

4
5 Ms. Wysocki stated that there is a substitute motion on the floor as follows: **Ms. Ammons moved,**
6 **seconded by Ms. Anderson to maintain Paragraph 6.1.4.M.1 and 2(a) and delete Subparagraph**
7 **6.1.4.M.2(b).**

8
9 Ms. Wysocki requested that the clerk call the roll.

10
11 The roll was called:

12			
13	Anderson-yes	Doenitz-no	Ammons-yes
14	Jones-no	Langenheim-yes	Kurtz-no
15	Moser-no	Schroeder-no	Wysocki-yes

16
17 **The motion failed.**

18
19 Ms. Wysocki stated that the Committee will now vote on the original motion which was as follows: **Mr.**
20 **Kurtz moved, seconded by Mr. Doenitz to delete Standard Conditions for Shadow Flicker (Paragraph**
21 **6.1.4.M).**

22
23 Ms. Wysocki requested that the clerk call the roll.

24
25 The roll was called:

26			
27	Anderson-no	Doenitz-yes	Ammons-no
28	Jones-no	Langenheim-no	Kurtz-yes
29	Moser-yes	Schroeder-yes	Wysocki-no

30
31 **The motion failed.**

32
33 Ms. Wysocki stated that Case 634-AT-08, will be held at ELUC for one month.

34
35 Ms. Wysocki stated that the Committee must address the original motion to recommend approval of Zoning
36 Case 634-AT-08. She read the original motion as follows:

37
38 **Mr. Kurtz moved, seconded by Mr. Doenitz to recommend approval of Case 634-AT-08, Part A:**
39 **Zoning Administrator.**

40
41 Ms. Wysocki requested that the clerk call the roll.

42
43 The roll was called.

4-13-09

AS APPROVED MAY 11, 2009

ELUC

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Anderson-yes	Doenitz-yes	Ammons-yes
Jones-no	Langenheim-no	Kurtz-yes
Moser-no	Schroeder-no	Wysocki-yes

The motion carried.

9. Monthly Reports (October thru December, 2008 and January, February and March, 2009)

None

10. Other Business

None

11. Determination of Items to be placed on the County Board Consent Agenda

None

12. Adjournment

Ms. Ammons moved, seconded by Ms. Anderson to adjourn the April 13, 2009, ELUC meeting. The motion carried by voice vote.

The meeting adjourned at 9:58 p.m.

Respectfully submitted,

Secretary to the Environment and Land Use Committee

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