

**MACON COUNTY BOARD
ENVIRONMENTAL, EDUCATION, HEALTH & WELFARE
COMMITTEE MEETING
Macon County Office Building
141 S. Main Street- Room #514
Decatur, IL 62523
April 27, 2023 5:30 P.M.**

Members Present

Linda Little, Chair
Jeff Entler
Vivian Goodman
Mary Scott

County Personnel Present

Lindsey Munsterman, Health Department
Tracy Sumpter, P & Z and Environmental
Tamara Wilcox, County Administrator
Ed Yoder, County Board
Sheriff Atkins, Animal Control
Crystal Hugger, County Board Office

Member Absent

Jacob Horve

The meeting was called to order by Chair Little at the Macon County Office Building.

Approval of Minutes

Motion to approve the minutes from the prior meeting, 3/23/23 made by Mr. Entler, seconded by Ms. Goodman. Motion carried 4-0.

Approval of Claim

Motion to approve the claims made by Ms. Goodman, seconded by Ms. Scott. Motion carried 4-0.

Planning & Zoning

Ms. Sumpter reported that she had two resolutions to present and one to be considered that will go on to the County Board. Both are because the Governor signed into law in January new regulations regarding wind and solar. If the facility or the applicant for the special use meets all the requirements that meet the State, and the County guidelines cannot be denied.

Chair Little asked if we approve it, we are sending it to the full board is that correct.

Ms. Sumpter said that is correct.

Chair Little said can you give us some highlights.

Ms. Sumpter replied that if you compare the old one that we had of the previous ordinance to the new one we have I think you will find that we have a lot more regulations on this. State law says that you can put the regulations in there, they just must be reasonable and cannot be any stricter than what the State guidelines are. The highlight on the solar is they will now be required to submit an Ag mitigation agreement. That is for both wind and solar and must be submitted at the time of application for a special use permit. They can cross drainage districts according to the State regulations. If they do that, they do have to repair any damage that they do in the process

of building the facility. On the solar fencing in the previous ordinance the maximum was 8ft a fence now must be 6ft but not more than 25ft. The occupied community buildings and dwellings on non-participating properties previously was 500 ft has been reduced to 150 ft on the solar.

Mr. Entler asked if the state reduced it.

Ms. Sumpter replied yes that is correct. They had to have a road use agreement previously but the new one is more detailed than the last one. The change in wind was non-participating residents was 1.1 x's the maximum blade tip height of the tower to the nearest point on the outside wall of the structure. It is now 2.1 x's, so it has increased a little bit.

Ms. Scott asked if there was anything in there for winds to clean up after they are no longer using and have all these things up, is there anything on that.

Ms. Sumpter replied that commissioning bond is required.

Ms. Scott said that would be taken down too.

Chair Little replied that it is returned to Ag.

Mr. Entler asked what has changed regarding the wind farms.

Ms. Sumpter said that in the previous ordinance they stated that they had to have a road use agreement with the County Engineer as well as any road district commissioners where they are building at. They also must in addition to entering into the road use agreement with the County and the road districts they must submit a project layout map, transportation impact analysis, preconstruction plans, project traffic map, project scope of repairs, post construction repairs, insurance, financial security informs amount acceptable to the County. They also must have financial assurance in the amount to be fixed by the road district commissioner to ensure the road district or the County that future repairs are completed to the reasonable satisfaction shall be provided. They also must have a decommissioning bond for after the life of it. I think there are a lot of differences requiring more than the original ordinance.

Chair Little said we either need to get rid of the ordinance or update it accordingly.

Macon County Board Ordinance Adopting Chapter 156 of the Macon County Code (Solar Energy Facility Siting Ordinance)

Mr. Entler made a motion to approve, seconded by Ms. Goodman. Motion carried 4-0.

Macon County Board Ordinance Amending Chapter 153 of the Macon County Code (Wind Energy Conversion Systems Siting Ordinance)

*Mr. Entler made a motion to approve, seconded by Ms. Goodman. Motion carried 4-0.
Ms. Sumpter reported that she had a resolution that she wanted to present for consideration*

which will go on to the County Board.

Macon County Board Resolution Setting Fees for Special Use Applications and Building Permit Fees for Wind Energy Facilities and Solar Energy Facilities

COMMERCIAL WIND ENERGY FACILITY

SPECIAL USE PERMIT FEE: Applicant for a Commercial Wind Energy Facility special use, shall, upon submittal of the application, submit a certified check to Macon County in the amount of \$150,000. This amount shall be placed in a special fund that will be used to cover the County's costs incurred during the special use application review process and public hearing(s), including but not limited to costs of experts and attorneys retained by the County and the cost of any appeals. Should the actual costs of the County exceed \$150,000 the applicant shall be responsible for those additional costs incurred and shall remit additional funds in increments of \$50,000 within 15 days of written notice from the County. The County may continue the processing of an application or continue hearings until such time as the additional funds have been paid. Any amount remaining in the fund after the County renders its decision, exhaustion of all appeals and payment of all bills and invoices, shall be refunded to the applicant. A copy of the signed contract reflecting the cost of construction for each turbine and any additional permanent structures shall be submitted with the building permit application.

BUILDING PERMIT FEE: shall be based on the cost of construction for each turbine and any permanent structures with the fee being equal to \$7.50 per \$1,000.

COMMERCIAL SOLAR ENERGY FACILITY

SPECIAL USE PERMIT FEE: Applicant for a Commercial Solar Energy Facility special use, shall, upon submittal of the application, submit a certified check to Macon County in the amount of \$50,000. This amount shall be placed in a special fund that will be used to cover the County's costs incurred during the special use application review process and public hearing(s), including but not limited to costs of experts and attorneys retained by the County and the cost of any appeals. Should the actual costs of the County exceed \$50,000 the applicant shall be responsible for those additional costs incurred and shall remit additional funds in increments of \$15,000 within 15 days of written notice from the County. The County may continue the processing of an application or continue hearings until such time as the additional funds have been paid. Any amount remaining in the fund after the County renders its decision, exhaustion of all appeals and payment of all bills and invoices, shall be refunded to the applicant. A copy of the signed contract reflecting the cost of the project shall be submitted with the building permit application.

BUILDING PERMIT FEE: shall be based on the cost of each solar project, with the fee being equal to \$7.50 per \$1,000.

Mr. Entler asked in addition to your input who else helped draft.

Ms. Sumpter said Mike Baggett.

Ms. Goodman asked how much you said they were paying before.

Ms. Sumpter said before we charged them \$5000 dollar fee for the special use permit which is non-refundable. Once and if the special use is approved and they can build their project then there is a building permit cost which stays the same. The change is the special use permit application.

Chair Little said this will go to the board.

Ms. Sumpter said that it will go to the full board. Mike wanted me to let you know that we are still working on the final language for the fee resolution and the numbers probably won't change or anything of substance like that but maybe some minor changes to the language. There are some examples of cost that the County may incur for wind farm or even a solar farm for an engineer to review the plans, hearing facilitator, court reporter, printing, postage, extra time, and all the signs you must put out in all the yards of the neighboring adjoining property owners. That is really the tip of the iceberg.

Environmental Management

Ms. Sumpter reported that she provided everyone with a letter from Andrews Engineering. We applied for a grant with the EPA to update our solid waste management plan and the host agreement with the landfill. We were granted that, and we have accepted the proposal from Andrews Engineering and hope to move forward with that very quickly.

Mr. Entler asked how much the grant was.

Ms. Sumpter said \$10,000, which was the maximum.

Reports:

Animal Control-

Sheriff Atkins reported that they are currently negotiating with the City to make some modification to our contract with the City. Chief Deputy and I met with the City Manager and the Deputy City Manager and Chief of Police last week. We had a good meeting and the City Manager indicated that he wants to sit down and speak with us again and I look forward to making progress on that.

Veteran's Assistance – No report

Health Department –

Ms. Munsterman reported that they are just working on filling some vacant positions including the Assistant Administrator position which was just posted earlier this week. I am hopefully to get that filled soon. We have got some of our state grants that are coming to an end on June 30th and we are working on spending down any remaining funds as well as budgeting for fiscal year FY24. That is what we have been doing a lot and we have some board of health member's

terms that are expiring in May, and we will be having them resign if they want to or looking for new board of health members in the new future if they choose to not serve another term.

Regional Office of Education – *No report*

Mental Health – *No report*

Historical Museum – *No report*

U of I Extension – *No report*

New Business: *None*

Old Business – *None*

Public Comment - *None*

Closed Session – *None needed.*

ADJOURNMENT -*The meeting was adjourned by Chair Little at 5:49 p.m.*

Minutes submitted by Crystal Hugger, Macon County Board.